



**TOWN OF CEDAR LAKE – PLAN COMMISSION  
PUBLIC MEETING MINUTES  
JANUARY 18, 2017 7:00 P.M.**

Call To Order (Time): 7:02 p.m  
Pledge to Flag:  
Roll Call:

<input type="checkbox"/>		Present	Donald Oliphant, Town Engineer – CBBEL
Present	Chuck Becker	Present	Ryan Deutmeyer, Town Attorney
Present	John Kiepura	Present	Tim Kubiak, Building Commissioner
Present	John Foreman	Present	Michelle Bakker, Building Administrator
Present	Richard Sharpe	Present	Brooke Faber, Recording Secretary
Absent	Jerry Wilkening		
Absent	Greg Parker		

**1. Nomination and Appointment of Officers:**

A motion was made by Richard Sharpe and seconded by Chuck Becker to keep Greg Parker as President.

	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
	Yes	Absent	Yes	Yes	Yes	Absent	4-0

A motion was made by John Foreman and seconded by Richard Sharpe to keep John Kiepura as Vice President.

	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
	Yes	Absent	Yes	Yes	Yes	Absent	4-0

**2. Retention of Services:**

A motion was made by Chuck Becker and seconded by Richard Sharpe to retain Austgen, Kuiper & Jasaitis for legal services.

	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
	Yes	Absent	Yes	Yes	Yes	Absent	4-0

A motion was made by John Kiepura and seconded by Richard Sharpe to retain Christopher Burke Engineering.

	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
	Yes	Absent	Yes	Yes	Yes	Absent	4-0

**3. Appointments:**

A motion was made by John Foreman and seconded by Richard Sharpe to appoint John Kiepura to the Board of Zoning Appeals.

	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
	Yes	Absent	Yes	Yes	Yes	Absent	4-0

**Old Business:**

**1. Watt Holdings, LLC – Preliminary Plat/3-Lot Subdivision**

Owner: Monte Watt, 11411 135<sup>th</sup> Pl., Cedar Lake, IN 46303  
Petitioner: Watt Holdings, LLC, 11411 W. 135<sup>th</sup> Pl., Cedar Lake, IN 46303  
Vicinity: 11255 to 11500 W. 136<sup>th</sup> Pl., Cedar Lake, IN 46303  
Legal Description: Muir Woods Outlot A *and* Muir Woods Outlot B *and* Muir Woods Outlot C *and* PT SE1/4 NE1/4 S.29 T.34 R.9 0.209 Ac  
Tax Key Number(s): 45-15-29-278-011.000-014 *and* 45-15-29-278-012.000-014 *and* 45-15-29-278-013.000-014 *and* 45-15-29-278-014.000-014

**Request:                   Petitioner is requesting Preliminary Plat/3-Lot Subdivision**

***Deferred from August 17, 2016 Public Meeting***  
***Deferred from September 21, 2016 Public Meeting***  
***Deferred from October 19, 2016 Public Meeting***  
***Deferred from November 16, 2016 Public Meeting***  
***Deferred from December 21, 2016 Public Meeting***

- 1. Town Attorney’s Review: None
- 2. Petitioner’s Comments: Monte Watt, this project has been put on hold until the next item comes up and is taken care of. Would like to have this deferred to May 3, 2017 Public Meeting. The engineers will continue to work on this.
- 3. Town Engineer’s Comments: None
- 4. Building Department Comments: Tim Kubiak stated he understands that we need good weather to continue with the drainage issue.
- 5. Commission’s Discussion: None

A motion was made by Chuck Becker and seconded by Richard Sharpe to defer to the May 3, 2017 Work Session.

	Chuck Becker	Jerry Wilkening	John Kieपुरa	Richard Sharpe	John Foreman	Greg Parker	Vote
	Yes	Absent	Yes	Yes	Yes	Absent	4-0

**2. Muir Woods Drainage Plan – Site Plan Approval**

Owner: Monte Watt, 11411 135<sup>th</sup> Pl., Cedar Lake, IN 46303  
Petitioner: Watt Holdings, LLC, 11411 W. 135<sup>th</sup> Pl., Cedar Lake, IN 46303  
Vicinity: 13660 Muir Ln. **and** 13650 Muir St., Cedar Lake, IN 46303  
Legal Description: Muir Woods Lot 5 **and** Muir Woods Lot 6  
Tax Key Number(s): 45-15-29-278-009.000-01 **and** 45-15-29-278-010.000-014

**Request:                   Petitioner is requesting Site Plan Approval**

***Deferred from October 19, 2016 Public Meeting***  
***Deferred from November 16, 2106 Public Meeting***  
***Deferred from December 21, 2016 Public Meeting***

- 1. Town Attorney’s Review: None
- 2. Petitioner’s Comments: Monte Watt, gone back and forth between the engineers, down to the last two items on Don’s letter. Will work on those. Mr. Csikos the owner of lot 5 could not be here, he is all for this being done, going to write a letter giving permission to go on to his property.
- 3. Town Engineer’s Comments: Don Oliphant stated there are only two comments left on the letter addressed today. We have recommended approval based on the two comments as conditions. This is only for the drainage between lots 5 & 6, not the whole subdivision. Only solving the erosion control problem between the two lots. The overall drainage problem is not an agenda item. It is more related to Agenda Item 1. Monte originally came in with a fill permit for Item 2, thought it was more in depth than that and required a site plan approval.
- 4. Building Department Comments: Tim Kubiak stated his concerns are granted this would be an improvement between the two (2) properties, as long as Don is fine with proceeding with this step in the process and we are not shooting ourselves in the foot for dealing with the real problem of the water coming down the road. What he is proposing is definitely going to help with the erosion and control the water, also thinks something needs to be done to tie the existing water that is not being taken care of into

this new thing. Will this do the job if more water needs to be put into this? Don Oliphant stated probably, he is putting in a thirty-six (36) inch pipe going to the detention basin. It is a fifteen (15) inch pipe going into a thirty-six (36) inch pipe, may have to replace the fifteen (15) inch. Monte Watt stated there are other options that have not been addressed. Put oversized grates on six (6) different basins. In order to catch it before it goes in, diverting on the case of five (5) to the retention pond and one next to the Csikos residence and put it into the catch basin we are proposing. Also things can be done closer to the point of reception in order to shut it off to the west and get it to the swale. Don Oliphant stated the 2b plan kind of addressed it at the point of the cul-de-sac, trying to keep it off the driveway and pitch it to the lot line.

5. Commission’s Discussion: John Foreman stated the plat 3-lot subdivision that got deferred is definitely separate from the Muir Woods drainage site plan approval. Discussion on two items being separate.

A motion was made by John Foreman and seconded by Richard Sharpe to approve based on the January 18, 2017 Muir Woods Lots 5 & 6 Storm Water Drain Review #4 Letter, contingent upon one or two items.

	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
	Yes	Absent	Yes	Yes	Yes	Absent	4-0

**3. Thomas Taylor & Kathryn Devine Taylor-Final Plat/4-Lot Subdivision**

Owner: Thomas Taylor & Kathryn Taylor, 14801 Clark Rd., Crown Point, IN 46307  
Petitioner: Thomas Taylor & Kathryn Taylor, 14801 Clark Rd., Crown Point, IN 46307  
Vicinity: 13221 Colfax St., Cedar Lake, IN 46303  
Legal Description: E.110FT OF S.60RDS. EX. S.350FT. OF SE SE S.23 T.34 R.9 1.386A.  
Tax Key Number(s): 45-15-23-478-001.000-043

**Request: Petitioner is requesting Final Plat/4-Lot Subdivision**

**Deferred from December 21, 2016 Public Meeting**

1. Town Attorney’s Review: None
2. Petitioner’s Comments: None
3. Town Engineer’s Comments: Don Oliphant stated there is no fee involved, so it can be pulled from the agenda and put back on when ready.
4. Building Department Comments: Tim Kubiak stated at the last meeting he was trying to get things together. Maybe defer one more month.
5. Commission’s Discussion: None

A motion was made by John Foreman and seconded by Richard Sharpe to defer one month to the February 15, 2017 Public Meeting.

	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
	Yes	Absent	Yes	Yes	Yes	Absent	4-0

**New Business:**

**1. Beacon Pointe-Preliminary Plat/PUD**

Owner: Philip Rietveld, 1664 Reitveld Dr., Crete, IL 60417  
Petitioner: Beacon Pointe of Cedar Lake LLC, PO Box 677, St. John, IN 46373  
Vicinity: 9505 W. 137<sup>th</sup> Avenue/13900 Parrish Avenue  
Legal Description: Part of W1/2 SW1/4 S.27 T.34 R.9 55.96 Ac  
Tax Key Number(s): 45-15-27-351-004.000-014

**Request: Petitioner is requesting a Preliminary Plat for 218 Units/Rezone from RT, RM, B-2, & B-3 to PUD**

1. Town Attorney’s Review: Ryan Deutmeyer stated the legal’s are in order, have received documents in the last 24 hours that we have not had time to review.
2. Petitioner’s Comments: Jack Slager, Schilling Development, requesting preliminary plat for 218 units. Engineer from DVG, Jack Hulls has been working with Don Oliphant. The covenants were sent, they have been tweaked, no fences, pools or sheds.

Did advertise for public hearing tonight. Discussions with Tim Kubiak about inspection of bridge. The existing bridge is not in good condition, recommends it be replaced. A neighbor close to the bridge is not in favor of it in its current location. Comes out behind his house on town property. Have money in allotment for the park; do not think it is a good investment to spend on a new bridge. Would rather spend money on sidewalk up Parrish to 137<sup>th</sup>. Can still leave access between two lots if want to build a bridge in the future. Mr. Slager explained home products and prices to the remonstrators. Willing to discuss lift station options.

3. Remonstrators: Gabor Keller, 9415 W. 141<sup>st</sup> Ave, disapproves of this, because Cedar Lake's medium home value is averaging \$152,000. Value on his house is not going to go up with two (2) bedroom homes. Questions on how developer acquired property. Discussion on storm water drainage ensued.  
Denny Wilkening, 9421 W. 135<sup>th</sup> Pl., is for this a hundred (100) percent. Was against Union Station, glad to see some nice homes going in.
4. Town Engineer's Comments: Don Oliphant stated would need a DNR permit. Did an evaluation, the deck has to come out, the wing walls and abutments could be saved with a little work to them. Once you move it and start getting into corps permits because your impacting the stream bed, it gets more costly. There is a whole equation in the ordinance about setting residential density based on how many bedrooms and it recommends four acres of park land. Once your subdivision is so big have to do another calculation, fair market value calculation based on improved land. Discussion on costs ensued. Been working with DVG trying to review everything. Not done with last review, getting to the point that remaining comments won't affect the land plan. Some of the bigger items will need to address before any vote for street names. Issue with lift station improvement.
5. Building Department Comments: Tim Kubiak stated we sent them in this direction, rather than providing a park, since it is next to the five (5) acre park. So we can do something with the park we have. Tim Kubiak stated we had Neil evaluate lift station 1, which is the primary lift station for the whole west side of the lake. A couple issues that need to be addressed. Eighteen (18) inch force main that was put in about eight (8) years ago, did not put a shut off valve. So in order to service the check valves need a shut off valve on the force main and put a new bypass T in, so if the lift station, pumps or generator go down, we have a way to pump. We are adding two hundred (200) houses to this, capacity of existing lift station is adequate. Working on figuring out dollar amount. In order to bypass this lift station if something goes bad, we need a hydraulic six (6) inch pump that would pump the sewage from the lift station wet well through the force main and bypass the lift station itself. Pump could cost \$50,000 and repairs \$30,000-\$80,000 do not know at this point. The town will need to purchase this pump in the near future. Discussion on if Schilling would be able to help with the costs.
6. Commission's Discussion: Discussion ensued on access to park and how money is allotted and moving the bridge to a different location. Additional parks may be required with future development. Discussion on street names ensued. The Board discussed if any approval would need to be contingent the lift station.

A motion was made by John Foreman and seconded by Richard Sharpe to approve the Preliminary Plat/PUD contingent upon attorney reviews of PUD guidelines, the engineers comments as discussed, street names as presently placed on the map, lift station meeting with our sewer and water engineers, public works and building department team and the flat \$60,000 fee for improvements to Kiwanis Park.

	Chuck Becker	Jerry Wilkening	John Kiepora	Richard Sharpe	John Foreman	Greg Parker	Vote
	Yes	Absent	Yes	Yes	Yes	Absent	4-0

#### Update Item:

1. **Zoning & Lighting Ordinance Update** – Under review.
2. **Industrial Drive** – Don Oliphant stated David Austgen is working on this. Revising Industrial Zoning for future annexation and to include concrete instead of asphalt.
3. **Centennial Phase 1-4 Maintenance – Expires March 23, 2017**-Don Oliphant stated still need to check roads, public works have review for storm structures and sanitary. Still need to inspect water.

**Public Comment:** None

**Adjournment:** 8:20 p.m.

**Press Session:** Plan Commission Public Meeting – February 1, 2017 at 7:00pm

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**Chuck Becker**

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**Heather Dessauer**

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**John Foreman**

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**Greg Parker**

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**John Kiepura**

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**Richard Sharpe**

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**Jerry Wilkening**

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**Attest: Brooke Faber, Recording Secretary**

*The Town of Cedar Lake is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, please contact the Town Hall at (219) 374-7400.*