



**TOWN OF CEDAR LAKE – PLAN COMMISSION  
SPECIAL PUBLIC MEETING & WORK SESSION MINUTES  
SEPTEMBER 6, 2017 7:00 P.M.**

Call To Order (Time): 7:00 pm

Pledge to Flag:

Roll Call:

Absent Heather Dessauer

Present Chuck Becker

Present John Kiepura

Present Jerry Wilkening

Present Richard Sharpe

Absent John Foreman

Present Greg Parker

Present Donald Oliphant, Town Engineer – CBBEL

Present David Austgen, Town Attorney

Present Tim Kubiak, Director of Operations

Present Michelle Bakker, Building Administrator

Present Jessica Chick, Recording Secretary

**Special Public Meeting:**

**1. Ledgestone – Letter of Credit-\$2,119,433.25**

Owner/Petitioner: Diamond Peak Group, 1313 White Hawk Dr., Crown Point, IN 46307

Vicinity: Ledgestone Subdivision

**Request: Petitioner is requesting a Letter of Credit Reduction to \$896,843.45**

1. Petitioner’s Comments: Jack Huls, DVG engineering, the original Letter of Credit was set at the cost of the value of all the improvements of the project. Water main and sanitary sewers have been inspected. We are now asking for the reduction of the construction costs that remain, which include some of the repairs.
2. Town Engineer’s Comments: Don Oliphant stated, the initial performance letter of credit included everything on site. It is all being reduced based on inspections for sanitary and water that were installed years ago. There are some minor repairs, which are still included in the letter of credit. The inspection fees of \$63,583.00 (sixty-three thousand, five hundred and eighty three dollars) are still outstanding, the MS4 fee in the amount of \$2,000.00 (two-thousand dollars), and the Parrish improvement fee of \$68,534.00 (sixty-eight thousand, five hundred and thirty four dollars) are still outstanding. This will get paid as soon as the plats are recorded at Lake County. There is no idea as to why the town currently owns Outlot D. There is assumption that it was dedicated before when the plat was originally done.
3. Building Department Comments: No comment.
4. Commission’s Discussion: No comment.
5. Commission’s Decision: No comment.

Motion to approve the requested reduction of Letter of Credit made by Jerry Wilkening and seconded by Richard Sharpe.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Absent	Yes	Yes	Yes	Yes	Absent	Yes	5-0

**Old Business:**

**1. Centennial Phase 12-Final Plat Approval**

Owner/Petitioner: North Centennial Development, LLC, 8051 Wicker Ave., Ste. A, St. John, IN 46373

Vicinity: Centennial Phase 11, Cedar Lake, IN 46303

Tax Key Number(s): 45-15-28-451-002.000-014

**Request: Petitioner is requesting a Final Plat approval for Phase 12**

1. Petitioner’s Comments: Ed Recktenwall, Olthof Homes, stated this is a continuation of Centennial, Phase 12. We are adding 13 (thirteen) single family homes, 8 (eight) duplexes, and 2 (two) townhome units. We will be requesting approval for the final plat at the next Public Meeting.

2. Town Engineer's Comments: Don Oliphant stated, we issued a letter on September 5<sup>th</sup>, we have been going through public works inspections. We are still missing some of the small details and are working towards them. We are also working on a letter of credit of reduction at this point. The reduction will be concluded in the next 2 weeks based off of inspection. There was dialogue between this phase and phase 10 regarding the water.
3. Building Department Comments: No comment.
4. Commission's Discussion: No comment.

## **2. Beacon Pointe Phase 1-Letter of Credit**

Owner:/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 Letter of Credit Reduction**

1. Petitioner's Comments: Jack Huls, DVG engineering, infrastructure is all in, we have one minor thing to pick up with the pond. Inspection reports have been corrected. We will be ready for the Public meeting in 2 weeks.
2. Town Engineer's Comments: Don Oliphant stated, we issued a letter a month ago. All inspections are complete. There will be a specific number we will be requesting.
3. Building Department Comments: No comment.
4. Commission's Discussion: No comment.

## **3. Schilling Development-Lakeside Phase 1-Letter of Credit**

Owner: Cedar Lake 133, LLC, PO Box 677, St. John, IN 46373  
Petitioner: Schilling Development, PO Box 677, St. John, IN 46373  
Vicinity: 5711 W. 133rd. Ave., Cedar Lake, IN, 46303  
Legal Description: THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWENTY-FIVE (25), TOWNSHIP THIRTY-FOUR (34) NORTH, RANGE NINE (9) WEST OF THE SECOND PRINCIPAL MERIDIAN, CONTAINING EITHY (80) ACRES, MORE ORO LESS, IN LAKE COUNTY, INDIANA. (E2. NW. S.25 T.34 R.9 80A.)  
Tax Key Number(s): 45-15-25-100-001.000-043

**Request: Petitioner is requesting a Letter of Credit Reduction**

1. Petitioner's Comments: Jack Huls, DVG engineering, infrastructure is in, we will be requesting the maximum letter of credit reduction.
2. Town Engineer's Comments: Don Oliphant stated, we have not yet seen the as-built. Inspections are also done on this.
3. Building Department Comments: No comment.
4. Commission's Discussion: No comment.

## **New Business:**

### **1. Bapple-Preliminary Plat/1-Lot Subdivision**

Owner: Nathan Bapple, 7807 W. 127<sup>th</sup> Ave., Cedar Lake, IN 46303  
Petitioner: Homes by Dutch Mill, 14795 W. 101<sup>st</sup> Ave., Dyer, IN 46311  
Vicinity: 7807 W. 127<sup>th</sup> Ave., Cedar Lake, IN 46303  
Legal Description: PT. SW NW S.23 T.34 R.9 (53.65x165ft) 0.306 AC. M/L  
Tax Key Number(s): 45-15-23-154-012.000-043

**Request: Petitioner is requesting a Preliminary Plat for 1-Lot Subdivision**

1. Petitioner's Comments: Dr. (inaudible recording), representing the Petitioner. We are addressing the issue, this was a meets and bounds lot. I have researched the R-2 zoning and I have some issues with what we are requesting. We are requesting the input of the board before we create a lot that we are unable to build what we would like on. We are looking at the dimensions of the lot and we currently do not meet the width requirements for the R2. David Spoolstra, 14795 W. 101<sup>st</sup>, Dyer, we are requesting that this be approved contingent upon approving the variance.
2. Town Engineer's Comments: Don Oliphant stated, there are some minor comments on the plat itself. Other than the engineering waiver for the sidewalks we are fine.

3. Building Department Comments: Tim Kubiak stated, this needs to be a legal lot of record that is the reasoning behind the request. The developmental variance will be for lot width, lot size and side yard. Also, you will want to request a waiver of sidewalks since there are not any along that vicinity.
4. Commission's Discussion: David Austgen asked, these corrections need to be made on the application for the Board of Zoning Appeals regarding size and width in addition to the side yard request. We need the accurate plat on record with the application for the Board of Zoning Appeals as well as for the next public Plan Commission meeting. Can we clean up the rest of this while we are working on the property? Tim Kubiak stated, I had also spoke with Mrs. Bapple regarding cleaning up the property and it is in their future plans. David Austgen stated, this needs to be corrected or amended to add the new items to the Board of Zoning Appeals application for the developmental variance.

## **2. Jeffrey Bianchi-Final Plat/1-Lot Subdivision**

Owner/Petitioner: Jeff Bianchi, 8209 Lake Shore Drive, Cedar Lake, IN 46303  
Vicinity: 8209 Lake Shore Drive, Cedar Lake, IN 46303  
Legal Description: Pt. SE.1/4 NE.1/4 S.22 T.34 R.9 L'ng N. of Lake 0.521Ac  
Tax Key Number(s): 45-15-22-286-003.000-014

**Request: Petitioner is requesting a Final Plat**

1. Town Attorney's Comments: David Austgen stated, I had spoken with the Petitioner's attorney and it will take a while for the attorney to find a path for this extra parcel. We can keep moving subject to this getting figured out.
2. Petitioner's Comments: Jack Huls, DVG engineering, I think there are some enforcement mechanisms that will motivate the Petitioner to follow through. There is a fence that is along the frontage and is in an area not owned by the Petitioner. If he does not proceed with acquiring the property the town can deem that fence not on his property. The 2 parcels that are owned by the Petitioner, we would like to add them together to create a legal lot.
3. Town Engineer's Comments: no comments.
4. Building Department Comments: no comments.
5. Commission's Discussion: David Austgen stated, may I suggest that until this problem is solved for Mr. Bianchi to send his representative in here and report on the item.

## **3. Armani Development-Site Plan**

Owner/Petitioner: Armani Development, 40 E. Joliet St., 1B  
Vicinity: 10201 133<sup>rd</sup> Ave., Cedar Lake, IN 46303  
Legal Description: AIRPORT HEIGHTS ALL L.6  
Tax Key Number(s): 45-15-28-201-005.000-014

**Request: Petitioner is requesting a Site Plan for 106 Unit Subdivision**

1. Petitioner's Comments: Doug Rettig, DVG Engineering, stated this is a proposed duplex project. Years ago this plan was designed for an idea of how many lots can be put onto this piece of property. This area is currently zoned RT and what is in front does meet the RT zoning requirements. It does include a vacant commercial lot, which is not included in this subdivision. King Street is not a fully improved road but it would be. We revisited the sketch and cottage homes are selling very well so it would include both. We are just wanting feedback on what we are proposing. We will need variance for the cottage homes, 32 duplexes and 42 cottage homes. We have not designed the detention pond yet and the wetland area will be left alone. This will also be run by an HOA.
2. Town Engineer's Comments: Don Oliphant stated, we met with the developer with Town staff a few weeks ago. We would like to see a second emergency access point as whole we don't have much to comment on at this point.
3. Building Department Comments: Tim Kubiak stated, regarding the two plans the plan with the cottage homes are consistent with what we see in Beacon Pointe. The second plan with the cottage homes is more favorable. As Don had stated, we would like the secondary access point. David Austgen stated, for public safety we would need to have a second access point. We are also looking at the buildout of that area while discussing the access point to the extent accessible or attainable.
4. Commission's Discussion: Greg Parker asked, how a piece of property get zoned like this along industrial. Tim Kubiak stated, RT is usually a buffer zone in between businesses. Jerry Wilkening asked, single car garages? Doug Rettig replied, no 2 car garages. Greg Parker stated, the commission favors the mix of duplexes and cottage homes.

#### **4. Zbigniew Czyzewski – Site Plan**

Owner/Petitioner: Zbigniew Czyzewski, 2071 Kentland Dr., Romeoville, IL 60446  
Vicinity: 13130 Wicker Ave., Cedar Lake, IN 46303  
Legal Description: N.91FT OF E.200FT OF S.1030FT E.1/2 SE SE S.20 T.34 R.9 0.415AC. M/L  
Tax Key Number(s): 45-15-20-479-014.000-014

**Request: Petitioner is requesting a Site Plan for ZMC Auto Sales**

1. Petitioner's Comments: Zibby and Margaret Czyzewski, we have recently purchased this property and would like to use the existing home that is their just change the layout. Right now the garage is about 1500 square feet, we would like to tear it down and build a 3 car garage that would allow us to do rear deliveries and add a secondary entrance for the lot. That would clear the lot for more cars. We would like to also put up a street sign on 41.
2. Town Engineer's Comments: Don Oliphant stated, this is the first I am seeing this. It is a meets and bounds parcel. They will need to do a one lot subdivision and some drainage issues along the 41 corridor that would need to be cleaned up.
3. Building Department Comments: Tim Kubiak stated, they are here for feedback and what their next step would be. A site plan would be required and by getting rid of the garage it really opens up the lot. The front of the house is a raised ranch but the rest of the property is flat. The plan works with the size of the property, our concern is customer parking and in and out. The garage is proposed off of 131<sup>st</sup> that will need a variance but it is all consistent with the area. We suggested a special use variance in a B2 zoning versus changing the zoning of the property.
4. Commission's Discussion: David Austgen stated, this parcel needs a detailed site plan, including parking and the like. Jerry Wilkening asked the operating hours, Zibby replied 10:00 am till 6:00 pm with no work in the garage after hours.

#### **5. Telamon/GES – Site Plan**

Owner: Hanover Community School Corp., 9520 W. 133rd Ave., Cedar Lake, IN 46303  
Petitioner: Telamon/GES, 1000 E. 116<sup>th</sup> St., Carmel, IN 46032  
Vicinity: 10120 W. 133<sup>rd</sup> Ave., Cedar Lake, IN 46303  
Legal Description: Hanover Central Campus Sub Lot 1Ex. Fieldhouse & Spec. gym parcel  
Tax Key Number(s): 45-15-21-451-005.000-014

**Request: Petitioner is requesting a Site Plan for Solar Panels**

1. Petitioner's Comments: John Taylor, Hanover Superintendent, we would like to build a solar array in the to the detention pond by the high school. This is a part of the NIPSCO fit program and the engineering and install by Telamon. There were many concerns last year that we could not answer so we went back to the drawing board. David Austgen, is the Plan Commission supposed to rely upon this document to make a decision? Telamon Representative stated, that was not the only document presented. The construction needs to be completed by January 28<sup>th</sup>, 2018. As soon as we receive approval it will take about 4 weeks to obtain the materials. It is tapping into the grid by the transformer back by the existing ball fields. We had convinced NIPSCO to reconnect at the existing system. We are interconnecting with the existing transformer. The legacy plan is a 15 year deal and after that there are options for the School Corporation.
2. Town Engineer's Comments: Don Oliphant stated, we are still reviewing this. We have some more information than before, it is still under review. We received the material last Wednesday. A lot of the utilities are private systems, they are staying away from the water mains by staying north. By heading west they are avoiding a lot of the utilities.
3. Building Department Comments: Tim Kubiak stated, are you also doing the project at the Lowell Middle School? Telamon Representative replied, yes. Tim Kubiak continued, I drove over there a few weeks ago and it was not a pleasant site. The panels are not level or straight. Telamon Representative replied, they follow the natural curvature of the land. There is a slight elevation heading north with the proposed panels.
4. Commission's Discussion: Chuck Becker asked, can we plant a row of evergreens so it cannot be visible from the road? John Taylor replied, it will not be visible from the road. Michelle Bakker asked, will there be a site plan submitted showing the exact location of the proposed plan and dimensions?

**Update Item:**

**1. Zoning Ordinance-** David Austgen stated, it is a work in progress.

**Public Comment:** none.

**Adjournment:** 8:24 pm

**Press Session:** Plan Commission Public Meeting – September 20, 2017 at 7:00 pm

*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.*

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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 Kieपुरa**

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**Richard Sharpe**

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**Jerry Wilkening**

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**Attest: Jessica Chick, Recording Secretary**