



**TOWN OF CEDAR LAKE – PLAN COMMISSION
PUBLIC MEETING MINUTES
SEPTEMBER 20, 2017 7:00 P.M.**

Call To Order (Time): 7:35 pm

Pledge to Flag:

Roll Call:

Present 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

Absent Tim Kubiak, Director of Operations

Present Michelle Bakker, Building Administrator

Present Jessica Chick, Recording Secretary

Minutes:

Minutes for August 2, 2017 Work Session and August 16, 2017 Public Meeting

Motion made by John Kiepura and seconded by Jerry Wilkening to approve the minutes for the August 2, 2017 Work Session and August 16, 2017 Public Meeting.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Absent	Yes	6-0

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**
Deferred till the October 4, 2017 meeting.

1. Petitioner's Comments: none.
2. Town Engineer's Comments: none.
3. Building Department Comments: none.
4. Commission's Discussion: none.
5. Commission's Decision: none.

Motion made by Richard Sharpe and seconded by Jerry Wilkening to defer this agenda item and hold a special public meeting at the October 4, 2017 meeting.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Absent	Yes	6-0

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. 137th 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: none.
2. Town Engineer's Comments: none.
3. Building Department Comments: none.
4. Commission's Discussion: none.
5. Commission's Decision: none.

Motion made by John Kiepura and seconded by Chuck Becker to defer this agenda item and hold a special public meeting at the October 4, 2017 meeting.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Absent	Yes	6-0

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, Lakeside Development, there are 6 (six) homes built already. We are asking for a letter of credit reduction to the minimum of 25% (twenty-five percent).
2. Town Engineer’s Comments: Don Oliphant, they are requesting the Letter of Credit reduction based on the number of improvements and infrastructure. Everything is in line for the reduction bringing it to \$317,414.62 (three hundred seventeen thousand, four hundred and fourteen dollars and sixty-two cents)
3. Building Department Comments: no comment.
4. Commission’s Discussion: no comment.
5. Commission’s Decision: no comment.

Motion made by Jerry Wilkening and seconded by John Kiepura to grant the request for a Letter of Credit reduction in the amount of \$317,414.62.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Absent	Yes	6-0

Town Engineer’s Comments: Don Oliphant stated, the current development standards ordinance states 80% (eighty percent) of the lots in a particular platted phase must be constructed before the surface asphalt can be put down. The developer has requested a preliminary waiver to waive this so they can lay the road in front of at least the 6 (six) lots that have been completed. This includes entrance drive, accel and decel lanes, Huron Drive, 3 (three) lots to the west, and a singular lot on Lakeside. There is only one entrance for this subdivision and will be the main construction entrance for this project, until connected to Robin’s Nest Subdivision. As they plat in these mini block phases, this surface asphalt will be run over by heavy machinery. We breached the subject with Schilling Development regarding some long-term surety, as long as they are aware and forthcoming, I do not see any issues.

Petitioner Comments: Jack Huls, DVG Engineering, Mr. Slager indicated he would not be requesting any performance reductions as a result of putting in the asphalt early. Those are still all in place till 80% (eighty percent) of the homes are built out. The maintenance bond won’t come to till 80% (eighty percent) and we would probably keep Lakeside as a separate performance bond for this area from the next. This would allow the town to have ability to keep the surety for these roads. We do recognize there are 200 (two hundred) lots with all the construction traffic coming through. We want the aesthetics for the marketing perceptive to give a certain communication to prospect buyers.

Town Attorney: David Austgen stated, I would like to see some sort of letter of agreement showing the agreement for the long term surety protection of these roads. This does need to be waived at the Commission level.

Motion made by Richard Sharpe and seconded by Heather Dessauer to waive the 80% (eighty percent) requirement for the laying of the surface asphalt contingent upon a surety agreement letter submitted to the Town Attorney.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Absent	Yes	6-0

New Business:

1. Bapple-Preliminary Plat/1-Lot Subdivision

Owner: Nathan Bapple, 7807 W. 127th Ave., Cedar Lake, IN 46303
Petitioner: Homes by Dutch Mill, 14795 W. 101st Ave., Dyer, IN 46311
Vicinity: 7807 W. 127th 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. Town Attorney’s Review: David Austgen stated, the public notices in the two newspapers are evident and timely published, certified list of adjacent property owners by the County Auditor is in evidence, and it appears notice has been given to everybody as well as certified letter being sent to notices have been given to everyone on the list.
- 2. Petitioner’s Comments: Dr. (inaudible recording) we have been to the work session and have addressed the issues, we are ready for approval for the preliminary plat.
- 3. Town Engineer’s Comments: Don Oliphant stated, we have no comments pending, engineering waivers are granted for the sidewalk and BZA variances.
- 4. Remonstrators: no remonstrators.
- 5. Building Department Comments: Michelle Bakker stated, we have received the sidewalk waiver letter and the side yard setback was approved at the September 14th BZA meeting. This property is also on the October 12th BZA meeting for lot width and coverage and also side yard again to keep everything in line.
- 6. Commission’s Discussion: none.
- 7. Commission’s Decision:

Motion made by Jerry Wilkening and seconded by Heather Dessauer to approve the request for a preliminary plat for a 1-lot subdivision including the sidewalk waiver.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Absent	Yes	6-0

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 Review: David Austgen stated, I received an email from the lawyer stating that quiet title is in process somewhere. We are requesting a corrected plat once this third parcel is in place.
- 2. Petitioner’s Comments: Jack Huls, DVG Engineering, we have these 2 parcels that were purchased separately and we are asking to create it into a 1 (one) lot subdivision. The 3rd parcel is in quiet title. It has been filed so the petitioner is acquiring property of that third parcel.
- 3. Town Engineer’s Comments: no comment.
- 4. Building Department Comments: no comment.
- 5. Commission’s Discussion: no comment.
- 6. Commission’s Decision:

Motion made by Jerry Wilkening and seconded by Heather Dessauer to approve the request for a one lot subdivision, final plat.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Absent	Yes	6-0

3. Telamon/GES – Site Plan

Owner: Hanover Community School Corp., 9520 W. 133rd Ave., Cedar Lake, IN 46303
Petitioner: Telamon/GES, 1000 E. 116th St., Carmel, IN 46032
Vicinity: 10120 W. 133rd 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:
- 2. Town Engineer’s Comments: Don Oliphant stated, we requested a site plan and they had sent over some information but still no property boundaries. There are some dimensions which is more than what we had before. We now have enough information to complete an electrical review, and we have issued a letter with those comments but have not heard anything since.
- 3. Building Department Comments:
- 4. Commission’s Discussion: Jerry Wilkening stated, I went to check out the solar panels placed in Lowell and I think their plan needs some stipulations, I am looking at some criteria that they are aligned and level.
- 5. Commission’s Decision:

Motion to defer this agenda item for 30 (thirty) days made by Jerry Wilkening and seconded by John Kiepora.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepora	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Absent	Yes	6-0

Update Item:

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

Public Comment:

Lawrence Goff, 11500 W 135th Place, Muir Woods Subdivision.

Don Oliphant stated, we have received an initial submittal from Monte Watt and Torrenga. It was lacking any further information and they sent over something new and we are currently reviewing it. Lawrence Goff stated, my concern is that they have 3 (three) lots over by Bethel Church for sale. Jack Huls stated, I sit on the leadership team for Bethel Church and those 3 (three) parcels are a part of a platted subdivision and we (Bethel Church) have put those on the market. The one lot is about under contract and they are looking to pull a building permit shortly. David Austgen asked Don Oliphant, are there storm drainage issues with those 3 platted lots? Don replied, not with the lots themselves. David Austgen asked Don Oliphant, will they contribute to the storm drainage circumstances we experience in the neighborhood if built on? Don replied, if they build on them yes. David Austgen stated, I do not suggest issuing a building permit because of the known drainage issues pending, we would require an engineering review. Jack Huls stated, these are recorded lots in a subdivision why would you refrain from issuing a building permit? Greg Parker replied, building a home on that lot will add more issues to the drainage which would end up costing the taxpayers of the town. We will not issue a building permit until that drainage issues are fixed by Monte Watt. Discussion continued regarding this matter.

Adjournment: 8:11 pm

Press Session: Plan Commission Work Session-October 4, 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.

Chuck Becker

Heather Dessauer

John Foreman

Greg Parker

John Kiepora

Richard Sharpe

Jerry Wilkening

Attest: Jessica Chick, Recording Secretary
