



TOWN OF CEDAR LAKE – PLAN COMMISSION
SPECIAL PUBLIC MEETING & WORK SESSION MEETING MINUTES
October 4, 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
Present John Foreman
Present Greg Parker

Present Donald Oliphant, Town Engineer – CBEL
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. 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 Wrectenwell, present on behalf of the Petitioner, stated we are back with Phase 12 (twelve). This phase includes 2 (two) townhomes, 8 (eight) paired cottage units, and 10 (ten) single family homes.
2. Town Engineer’s Comments: Don Oliphant stated, the final plat is in order and we have estimates for the letter of credit based on approved inspected infrastructure in the amount of \$398,958.82 (three hundred ninety-eight thousand, nine hundred and fifty-eight and eighty-two cents), inspection fees in the amount of \$29,423.72 (twenty nine thousand, four hundred and twenty-three and seventy-two), and an MS4 inspection fee of 2,000 (two thousand dollars).
3. Building Department Comments: No comments.
4. Commission’s Discussion: No comments.
5. Commission’s Decision:

Motion made by John Foreman and seconded by Richard Sharpe to approve the Final Plat for Phase 12 with the Letter of Credit amounts as stated above.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Absent	Yes	Yes	Yes	Yes	Yes	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: Jack Huls, DVG Engineering, present on behalf of the Petitioner stated, we received final plat approval earlier this summer. Infrastructure has been installed and inspected, and we are now asking for the maximum allotment of 25% (twenty-five percent) letter of credit reduction. There are a couple of minor things we need to address yet, but should not interfere.
2. Town Engineer’s Comments: Don Oliphant stated, they have installed enough infrastructure to lower it to the maximum allowable of \$218,909.43 (two hundred eighteen thousand, nine hundred and nine dollars and forty-three cents)
3. Building Department Comments: No comments.

- 4. Commission’s Discussion: John Foreman asked, the things that still need to be addressed, does that impact the Letter of Credit? Don Oliphant stated, the few things that need to be fixed are minor enough to stay below the 25% (twenty-five) threshold.
- 5. Commission’s Decision:

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

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

Old Business:

1. 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

Deferred to October 18, 2017 Public Meeting

- 1. Petitioner’s Comments: Aaron Sprague, Telamon, representing the Petitioner stated, after the meeting last month we were able to address the questions from the Town Engineer. We will gladly answer any questions you may have here tonight.
- 2. Town Engineer’s Comments: Don Oliphant stated, we have not yet had time to review what was sent over.
- 3. Building Department Comments: Tim Kubiak stated, we ask that the panels have some sort of evenness to them. The solar panels over in Lowell look terrible, they are not straight by any means. It is not very esthetically pleasing.
- 4. Commission’s Discussion: Discussion continued as the Commission reviewed the documents given to them.

New Business:

1. Great Oaks Acres – Site Plan

Owner: Robert Henn, 15212 Oakdale, Cedar Lake, IN 46303
Petitioner: Henn & Sons Construction, 13733 Wicker Ave., Cedar Lake, IN 46303
Vicinity: 13109 Wicker Ave., Lot 2, Cedar Lake, IN 46303
Legal Description: Great Oaks Acres Storage Lot 2
Tax Key Number(s): 45-15-21-301-022.000-014

Request: Petitioner is requesting a Site Plan

- 1. Petitioner’s Comments: Rob Henn stated, we are here to request approval for a site plan. We are seeking approval to have potentially two (2), six-thousand (6,000) square foot buildings up. These will be commercial properties. We do not yet have a customer or use, we are trying to breakdown time. We have many interested investors who approach us but they are not wanting to wait a year and a half. We would like to get the site work approved and completed that way we are cutting down the time for these investors. We are not sure how many businesses we will be wanting. These will be one (1) story buildings.
- 2. Town Engineer’s Comments: We issued a letter this afternoon, some of the highlights are the use for parking spaces and being able to narrow those down. We typically don’t allow gravel for commercial lots. There are also some drainage statements that you will want to take a look into.
- 3. Building Department Comments: Tim Kubiak stated, there will probably be two (2) uses on one (1) lot. This is just something to look into and to think about. Michelle Bakker stated, you can go for four (4) uses and sewer taps and only use two (2). You would not have to pay for the taps until they are occupied.
- 4. Commission’s Discussion: John Foreman, I think this is a great idea. That way if you have a potential customer you can modify to their wants and needs. Jerry Wilkening asked where the existing stormwater is going. Rob Henn stated, it is going to the

existing pond to the east. Don Oliphant than stated, this was something that was addressed in the letter.

2. TKR, Inc - 1-Lot Subdivision/Rezone

Owner: Jeffrey T. White, 4704 Grace St, Chicago, IL 60641
Petitioner: TKR, Inc., 11401 Wicker Ave., Cedar Lake, IN 46303
Vicinity: 14719 Morse St., Cedar Lake, IN 46303
Legal Description: NW1/4 SE1/4 S.35 T.34 R.9 EX. N.898.20FT & EX. S.208.75FT OF
N.1106.95FT OF W.208.75FT & EX. S.50FT OF W.70FT & EX. 50FTX50FT
PARCEL 15.551AC
Tax Key Number(s): 45-15-35-416-001.000-043

Request: Petitioner is requesting a 1-Lot Subdivision/Rezone from R-2 to B-2

1. Petitioner's Comments: Attorney John Reed, representing the TKR, Inc., stated we need to ask for a one (1) lot subdivision, we would like to rezone the property from R-2 to B-2. Listed under the B-2 Zoning, you can have a cemetery which can be defined in many different categories. This property is right off of Morse Street with a lift station there is a flood plain line that runs across Cedar Creek. We will ultimately like to deed that flood plain over to DNR for wildlife habitat, while subdividing the front 4.79 acres. Torrenga Engineering is in the process to stake the property. At this time there is no proposed building on the site, it is a place to spread cremations from family pets. There was originally thought that there would be bodies buried there, that is not the case. There are no headstones or markers. There are other properties around that have similar characteristics, one located in Crown Point. We are looking to purchase the property and put it to useful use. The location we have a pet crematory here in town with no designated area to visit the remains of their pets. We particularly are interested because of availability and location. It currently works perfect for our purpose. There will be some signage on the property for direction purposes. It is not a high volume use with low traffic use. There will be no lighting on the property, the neighbors will not be disturbed by sound or light. The animals will be up to two-hundred (200) pounds, the cremains are carbon ash.
2. Town Engineer's Comments: Don Oliphant stated, subdividing it into two (2) lots? John Reed stated, the rear portion will be deeded to DNR as wildlife habitat. The front is where all of the value will fall. We will need some sort of site plan submitted to show the flood plains, sewers, as well as certain boundaries.
3. Building Department Comments: Tim Kubiak stated, the responsible of the petitioner are to meet the criteria of Indiana code. John is aware of section 603 which is tracked directly into the towns zoning ordinance. The one (1) lot subdivision is necessary because it is a metes and bounds lot. The special exception will be handled by the BZA with a Public Hearing and go by the same code. The wetlands/water course as well as the sanitary sewer line, we are aware of what has happened in the past and will translate into the criteria.
4. Commission's Discussion: Greg Parker stated, there is a main sewer line somewhere on the property. David Austgen stated, it runs along Morse Street. John Kiepora, will there be a walking path? Also, how will these animals' ashes be buried? John Reed stated, yes there will be a gravel path. A separate Petitioner stated, the animals from one year will all be buried together with a marker to show that year. The cremains will all be buried together buried anywhere from twelve to fifteen (12-15) feet. John Foreman stated, north of the area we are anticipating a canoe trail. John Reed, we are willing to put in some sort of contingency for the Town. Greg Parker stated, I have received many phone calls over the weekend. I am fairly confident that the neighbors in the area are not for this, and we will not know until the BZA meeting. Typically folks in residential area are not for changing the zoning to business. John Reed, we have also considered going for a special use variance for a single use. David Austgen asked, is there a reason you are trying for a zone change versus a special use? John Reed stated, this seems to be more of a thorough way to move forward with what we are wanting. We understand the codes are there for a reason. We are okay with limiting to the single use for the zone change. Tim Kubiak stated, how is the hole monitored? A separate Petitioner stated, there is a big steel plate that we use for the year. John Foreman asked, how many of these types of places are there in Lake County? A separate Petitioner answered, there are roughly 4 (four). John Kiepora asked, will there be any landscaping? A separate Petitioner stated, yes it will be done up really nice. Chuck Becker stated, we would like to see pictures of similar places for presentation purposes.

3. Hanover Farms, Inc. - Concept Plan

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Owner: Hanover Farms, Inc., 8501 Wicker Ave., Ste. A, St. John, IN 46373
Petitioner: Joe Lenehan, 8051 Wicker Ave., Ste. A, St. John, IN 46373
Vicinity: 125th and Wicker Avenue, Cedar Lake, IN 46303
Legal Description: N.159.88ft of S.824.13ft of W.2226.79ft of S.1/2 of SE.1/4 S.17 T.34 R.9 Ex E.416 of S.65.81ft 9.061 Ac; S.664.88FT OF SE1/4 S.17 T.34 R.9 EX. S.215FT OF E.416FT & EX. N.351.89FT OF E.416.0FT 34.91AC; N.505ft of S1/2 SE1/4 S.17 T.34 R.9 Ex E.548.75ft 24.273 Ac
Tax Key Number(s): 45-15-17-476-008.000-013; 45-15-17-451-002.000-013; 45-15-17-476-007.000-013

Request: Petitioner is requesting a Subdivision Concept Plan

1. Petitioner's Comments: Joe Lenehan stated, I am here tonight to discuss our newest proposed community called Birchwood Farms. This property is roughly sixty-eight (68) acres located on the west side of us 41. It is not yet annexed into the Town, annexation can be done. We would like some feedback on what types of development would be favorable from the Plan Commission. This property has some great strengths, it is currently zoned multi-family and agriculture through Lake County. It currently has two (2) access points to route 41, the front portion is used for agriculture with unique ravines running through the back. Our request is to seek a recommendation from the Plan Commission R-T and R-2 zoning on the property and seek the direction of your attorney on how to work that out. We would then move forward with the annexation. Greg Parker asked, what is the plan with the R-T zoning? Joe replied, paired cottage homes. There are two (2) access points which the state of Indiana will likely dictate what we have to do with that. We are proposing the R-T zoning because we are assuming there will be continued commercial property along the US 41 corridor. We think the R-T zoning up against the commercial makes for a good transition between the two, which is where we would like the paired cottage homes or duplexes. That would go into the single family which is the bulk of this property. We are looking at eighty (80) foot lots for the single family. We understand that you currently have approved variance for the approval of eighty (80) foot lots. This development is twenty-two (22) acres of open space, allowing for twenty-eight (28) R-T lots and eighty-four (84) single family lots with as many amenities as possible.
2. Town Engineer's Comments: Don Oliphant, had to leave the meeting early.
3. Building Department Comments: Tim Kubiak stated, there really isn't anywhere to go towards the west of this property.
4. Commission's Discussion: John Foreman asked, why would you not want R-1 lots in the back? We have considered that and still are. We currently have a lot of multi-family homes, and as a current Town Council member I get asked a lot as to why we have so much R-T and R-M. I feel as though a community like Cedar Lake it is important for us to weigh the various types of housing that is available but I worry about so much R-T and R-M. David Austgen stated, the layering you talked about with the R-T to R-2 could be accomplished with R-1 with the continued layering. The Town Council is paying attention to development with annexation connection. Your current proposal does not provide us an opportunity to allow us to connect to adjacent parcels that could be annexed. Joe Lenehan stated, we would like to make access where we can. I am more than glad to work with the Town on what you would like to see for this development. Discussion continued regarding the planning for this development.

Update Item:

1. **Zoning Ordinance-** David Austgen stated, it is still a work in progress.
2. **Watt-Muir Woods, Lots 5 & 6-** Tim Kubiak stated, Monte has sent in new plans, it is in the same situation it has been in. His engineer did send in some drawings. Don Oliphant, Town Engineer, issued a letter.

Public Comment: Natalie Sumara, I am requesting your feedback on a possibly of a zone change 7914 Lake Shore Drive. There are currently two (2) single family homes and a duplex. This property is across the street from the Chamber of Commerce. There used to be seven (7) trailers my idea is to change the zoning from residential to resort and make it into a campground. Possibly put in motor homes on the cement pads with electric, gas, and water. Motor homes will bring a different cliental, more of a seasonal place to come. There is not enough parking at the Chamber and over the July 4th weekend, I allowed to use my area for additional parking. Motor homes, tiny homes, I am not sure how many I can fit because some of the area are wetlands. I am unsure about the sewer hookup. Tim Kubiak stated, those are in pretty rough shape. You wouldn't be able to put something in those existing spots because of the elevation and infrastructure that is currently there and our standards. The concept of this is a decent idea for this area. Jerry Wilkening stated, I like the idea of motor homes and not so much the tiny homes. Natalie stated, I live half the time here and half the time in California. There are about twelve and a half (12.5) acres of

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property here. Greg Parker stated, if there is a campground here with motor homes, I don't think anyone would even know it is there. We do have a demand for something like this. Jerry Wilkening stated, I think the key to this is the term that it is open. John Foreman suggested for Natalie to come in and get the rules and regulations for the current trailer park and go off of something similar. David Austgen stated, I would suggest the zoning district classification being PUD residential and it probably needs to be a one (1) lot subdivision. Discussion continued as to what would be needed for this to come to light.

Adjournment: 8:35 pm

Press Session: Plan Commission Public Meeting – October 18, 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