



**TOWN OF CEDAR LAKE – PLAN COMMISSION
PUBLIC MEETING MINUTES
November 15, 2017 7:00 PM**

Call To Order (Time): 7:00 pm

Pledge to Flag:

Roll Call:

Present 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

Minutes

October 18, 2017 Public Meeting and November 1, 2017 Work Session

Motion made by John Kiepura and seconded by Jerry Wilkening to approve the minutes from October 18, 2107 Public Meeting and November 1, 2017 Work Session.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

Old Business:

1. Great Oaks Acres – Site Plan-Lot 2

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

Deferred from October 18, 2017 Public Meeting

1. Building Department Comments: Michelle Bakker stated, I spoke with Rob today and he had asked to be deferred till next meeting.
2. Commission's Decision:

Motion made by John Foreman and seconded by Richard Sharpe to defer this item till next meeting.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepura	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

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

Deferred to October 18, 2017 Public Meeting

- 1. Town Attorney’s Review: David Austgen stated, the one lot subdivision, there is not plat or a primary plat application. Although this is simple, many waivers would probably be requested. The evidence for a 1 lot subdivision is not before you. The rezone requested should have been approved prior to the 1-lot subdivision request. You do not have anything present needed to approve upon these requests.
- 2. Petitioner’s Comments: not present.
- 3. Town Engineer’s Comments: Don Oliphant stated, there has been nothing received for review.
- 4. Remonstrators: Jeff Bunge, 14619 Bell Place, Cedar Lake, stated, when I first heard of this I was unsure as to what to think. I am happy to have some sort of use on this property but the more investigation we have done, I do not think this is a good idea for the Town. Spot zoning was discussed, this is different than everything that this town and board stand for. I reached out to IDEM in Indianapolis and the Petitioner does not have everything they need in order to proceed. IDEM said that this is classified as a landfill in their eyes, there is no classification for a Pet Cemetery. There is a lot water table on this lot and if they are talking about digging to place the cremains, it’s just not realistic. Lake County has requests for landfill permits which require them to be at least a certain amount from a residential area. I applaud that there is something proposed to be done on this property, I just don’t think this is a good match.
- 5. Building Department Comments: Michelle Bakker stated, I had spoken to John Reed (Attorney) yesterday regarding this request, they are trying to come up with a few different plans. I called John Reed to ask if he had any further information and that is when he asked to be deferred.
- 6. Commission’s Discussion: Jerry Wilkening stated, I am confused. They were here requesting a rezone in order to conduct a certain kind of business on the piece of property. John Foreman stated, putting something like that in the middle of a residential neighborhood is not a good idea to me. I think that having any type of commercial property in a residentially zoned area is not a good idea. Jerry Wilkening stated, spot zoning is not a part of the Town’s master plan. Residents are also concerned for the values of their property if this were to be approved. Heather Dessauer sated, I do not like the idea of a rezone at all nor do I like that the remonstrators are continuing to come to these meetings and the Petitioners are not prepared. John Kieपुरa stated, we have had many remonstrators against this request. I am not in favor about this request, they had stated previously about having a lock box where the cremains will go and that is all we heard from that. I do not think their request should be granted.
- 7. Commission’s Decision:

Motion made by Heather Dessauer and seconded by John Kieपुरa to deny the request for a 1-Lot Subdivision.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kieपुरa	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

Request: Petitioner is requesting a Rezone from R-2 to B-2

Deferred to October 18, 2017 Public Meeting
***See comments from agenda item above.**

- 1. Town Attorney’s Review:
- 2. Petitioner’s Comments:
- 3. Town Engineer’s Comments:
- 4. Remonstrators:
- 5. Building Department Comments:
- 6. Commission’s Discussion:
- 7. Commission’s Decision:

Motion made by Heather Dessauer and seconded by Jerry Kieपुरa to send an Unfavorable Recommendation to Town Council for the request for a Rezone from R-2 to B-2.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kieपुरa	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

New Business:

1. Lakeside Subdivision-Final Plat

Owner: Cedar Lake 133, LLC, 8900 Wicker Ave., St. John, IN 46373
 Petitioner: Cedar Lake 133, LLC, 8900 Wicker Ave., 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 Final Plat Unit 1, Block 2

1. Petitioner’s Comments: Scott Zajac representing the Petitioner, I am here to request final plat approval for Unit 1, Block 2. There has been correspondence made with Don, and as far as the status of the project is we have sewer and water in and we started preparing the roads. This east side of the project is going very well, very good ground conditions.
2. Town Engineer’s Comments: Don Oliphant stated, this is the remaining of the platted lots. We issued a letter on the 14th with some minor contingencies. The final plat is in order, the three percent (3%) inspection fee has come in at \$19,865.55 the estimate of probable cost for the project is \$662,184.84. This side is going much more smoothly. Sanitary water and sewer is in just not inspected yet, the majority will stay in the letter of credit amount of \$698,632.25 also with the required of the MS4 fees of \$2,000.00. There are some minor contingencies with some landscaping and covenant issues which are summarized in the letter.
3. Building Department Comments: no comment.
4. Commission’s Discussion: Jerry Wilkening asked, when does their water source come into play? Don replied, after this they are done. This is the remaining fifty-three (53) total that are allowed on the existing Robin’s Nest well. Chuck Becker asked, how does the park impact fee play a role into the platted phases? Don replied, the Park Impact Fee for lots was waived for Unit 1 Blocks 1 and 2 because of the Outlot D that has been deeded or will be deeded to the Town. Outlot B is dedicated for 2 wells, the capacity is there but there is a hiccup with the water quality.
5. Commission’s Decision:

Motion made by John Foreman and seconded by Heather Dessauer to approve the requested Final Plat Unit 1, Block 2.

Heather Dessauer	Chuck Becker	Jerry Wilkening	John Kiepora	Richard Sharpe	John Foreman	Greg Parker	Vote
Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0

Update Item:

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

Public Comment: none.

Adjournment: 7:30 pm

Press Session:

Plan Commission Work Session – December 6, 2017 at 7:00 pm

Chuck Becker

Heather Dessauer

John Foreman

Greg Parker

John Kiepura

Richard Sharpe

Jerry Wilkening

Attest: Jessica Chick, Recording Secretary

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