



**TOWN OF CEDAR LAKE – PLAN COMMISSION
WORK SESSION MINUTES
APRIL 4, 2018 7:00 P.M.**

Call To Order (Time): 7:00 pm

Pledge to Flag:

Roll Call:

Present Heather Dessauer
Present Chuck Becker
Present John Kiepora
Present John Foreman
Present Richard Sharpe
Present Jerry Wilkening

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

Old Business:

1. Brannon - Preliminary Plat

Owner/Petitioner: Robert Brannon, 13819 Morse St., Cedar Lake, IN 46303
Vicinity: 13819 Morse St., Cedar Lake, IN 46303
Legal Description: S.1/2 S.1/2 NW.1/4 SE.1/4 SE.1/4 S.26 T.34 R.9 10.14Ac
Tax Key Number(s): 45-15-26-405-008.000-043

Request: Petitioner is requesting a Preliminary Plat for a 2-Lot Subdivision.

Deferred from January 17, 2018 Public Meeting

Deferred from February 21, 2018 Public Meeting

Deferred from March 21, 2018 Public Meeting

1. Petitioner's Comments: No petitioner present.
2. Town Engineer's Comments: Don Oliphant stated, we have not received anything from the Lake County in regard to this matter. They were supposed to have information to me by last Thursday. David Austgen asked, does this lack of information about the drain affect this project? Don Oliphant stated, no I think Lake County is leaning towards it not being regulated, but until I see something more formal I don't want to say anything. Assuming we will get the letter soon from Lake County, that will help to give him some guidance. David Austgen stated, we are waiting for the opinion or outcome from the Attorney for the Surveyor's Office about the regulated drain status. We have been waiting for that for a couple of weeks. This is not Mr. Brannon's fault that people are not ready, this may take a while.
3. Building Department Comments: No comment.
4. Commission's Discussion: No comments.

New Business:

1. Kuiper - Preliminary Plat

Owner/Petitioner: Jeremy & Michelle Kuiper, 13970 Orchard Dr., Cedar Lake, IN 46303
Vicinity: 8919 W. 141st Avenue, Cedar Lake, IN 46303
Legal Description: PT. NW. S.34 T.34 R.9 4 A.
Tax Key Number(s): 45-15-34-126-010.000-014

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

1. Petitioner's Comments: Jack Huls, DVG, representing the petitioner stated, this parcel is about four (4) acres that is almost entirely wooded. Jeremy would like to build a home on the site, and in order to do that we are needing to do a one (1) lot subdivision. We will be in front of the BZA for a rear yard variance and because of the side of this parcel the current ordinance that would put the home roughly one hundred and forty seven (147) feet off the rear yard lot line. There are no plans to do a lot of construction on this property, just a home and possibly an out-building. We are seeking a waiver for the improvements on 141st, construction of the sidewalk and for detention of the site, since it is just for one home. There is sanitary sewer and water, we are dedicating a thirty (30) foot right of way to the Town.
2. Town Engineer's Comments: Don Oliphant stated, we haven't reviewed this in full detail yet. The discussion points will be for engineering waivers. This would be two hundred ninety (290) feet of sidewalk. The waiver of widening of the road is something we frequently require for a larger scale subdivision, the storm water detention waiver makes sense. Jeremy Kuiper stated, there will be a well on this property.
3. Building Department Comments: Tim Kubiak stated, this is more of creating a lot of record instead of a subdivision.

4. Commission's Discussion: Greg Parker stated, it all looks good besides the sidewalk waiver. Jack Huls stated, there are large individual parcels on each side of this lot which is the reason for the waiver request. Jeremy Kuiper stated, I do not plan on subdividing the property. John Foreman stated, it would make more sense if you were across the street to have sidewalks but as long as we have access on the opposite side for the sidewalks that works.

2. Prough - Public Way Vacation

Owner/Petitioner: Michael Prough, 15004 Carey St., Cedar Lake, IN 46303
Vicinity: 15004 Carey St., Cedar Lake, IN 46303
Legal Description: Lynns way Cottage Homes Lot 33
Tax Key Number(s): 45-19-04-226-026.000-057

Request: Petitioner is requesting a Public Way Vacation to reduce the rear yard easement.

1. Petitioner's Comments: Jack Huls stated, last month we were in front of you for lot thirty-six (36) for a reduction of easement. There was a reduction of easement from thirty (30) feet to twenty-two (22) feet because of encroachment. You had asked us to come in for these lots for the same request, although there is no encroachment. We were at the BZA for a rear yard setback for all four (4) lots. Lots 33-36, with this approval, all the lots will be down to the same twenty-two (22) feet of easement.
2. Town Engineer's Comments: No comment.
3. Building Department Comments: Tim Kubiak stated, we are happy to see this being done.
4. Commission's Discussion: Heather Dessauer asked, what about the remaining lots on this side? Jack Huls stated, this corrects all the cottage homes on the plat. David Austgen stated, all of the notices have been sent and everything should be set for the Public Hearing on the 17th.

3. Diamond Peak - Public Way Vacation

Owner/Petitioner: Diamond Peak Homes, 1313 White Hawk Dr., Crown Point, IN 46307
Vicinity: 15010 Carey St., Cedar Lake, IN 46303
15016 Carey St., Cedar Lake, IN 46303
Legal Description: Lynns way Cottage Homes Lot 34
Lynns way Cottage Homes Lot 35
Tax Key Number(s): 45-19-04-226-027.000-057
45-19-04-226-028.000-057

Request: Petitioner is requesting a Public Way Vacation to reduce the rear yard easement.

1. Petitioner's Comments: See above comments.
2. Town Engineer's Comments:
3. Building Department Comments:
4. Commission's Discussion:

4. David Carey - Concept Plan

Owner/Petitioner: David Carey, 7205 W. 145th Ave., Cedar Lake, IN 46303
Vicinity: 13430 Morse St., Cedar Lake, IN 46303
Legal Description: NW. S.26 T.34 R.9 3.304 Ac PT. LOT 2
Tax Key Number(s): 45-15-26-179-034.000-043
45-15-26-179-039.000-043
45-15-26-179-004.000-043

Request: Petitioner is requesting a Concept Plan for a 9 lot subdivision and 1 commercial lot.

1. Petitioner's Comments: Jack Huls stated, we are revisiting a parcel that has been before you on a few other occasions. David Carey is here as the owner if you have any questions. David Carey now owns all of this property, it is no longer a collaboration. The original idea was to have some lots come off Knight and 136th, this has changed to a cul-de-sac. These lots are now more desirable which also helps with drainage. It is a 9 (nine) lot subdivision with a detention pond on the north side. This pond would also be sized to handle the Commercial lot up front. This parcel currently has a zoning of B-1, R-2 and R-1. Morse Street is currently zoned B1, we want to zone the rest of that parcel to B-2 and the proposed residential parcel to R-2. This R-2 zoning would match what the

majority currently is. As for the B-2, the B-1 zone allows for a maximum five-thousand (5,000) square foot building for a single use. This gives more flexibility for the size of the building on the plat. Regarding the R-2, we will need to seek variances for the frontage on these nine (9) lots. David would like to be ready to build by mid to late summer. David Carey stated, we will develop the residential first and later develop the commercial property. We are wanting to work with the Town for what you all would like to see there. There are two (2), thirty-five (35) foot lots on Knight Street. We are looking to work with these lots because they have lake rights; Cedar Point Park and Woodland Shores.

2. Town Engineer's Comments: Don Oliphant asked, are you tapping into Cedar Point Park's storm water? Jack Huls stated, yes, it appears that is where the water consistently flows.
3. Building Department Comments: No comment.
4. Commission's Discussion: Chuck Becker asked, who will maintain the detention pond? Jack Huls stated, the Property Owners Association will maintain the detention. Further discussion continued regarding the Homeowner's Association and whether they are a part of them or not. John Foreman stated, why couldn't we have storm drainage in the backyards of these properties? I do not like the detention ponds. Don Oliphant stated, it is most likely needed.

Update Item:

1. Lakeside Unit 1 Block 1 Letter of Credit is going to expire on May 22, 2018

Don Oliphant stated, we have been in discussion to extend these for another six (6) months. Jack Huls stated, the bank is working on this.

2. Beacon Pointe Unit 1 Letter of Credit is going to expire on June 1, 2018

Don Oliphant stated, the same as Lakeside Letter of Credit.

Zoning Ordinance: Greg Parker stated, not ready for discussion yet.

Public Comment: Nick Giorgio, GMK Development representing owner Mark Dust, we are interested in redeveloping a piece of property located at the northwest corner of Lindberg Place and 133rd. There are currently two (2) warehouse buildings on the property. Mr. Dust would like to see a potential retail development. The history of the detention is a large factor in being here tonight. The north part of the parcel was sold to the Town for detention, the current drainage may be accommodated by the detention done by the Town. We need to know if the detention was conducted when creating the pond. Mark Dust stated, I would like to just have one building. David Austgen stated, Don will need to do the calculations regarding the detention as well as the analysis of the land and what is required. Don Oliphant stated, the ordinance that was changed a couple years ago does have an existing caveat which would provide detention at a lower rate regarding an existing structure. This was created so you are not using up valuable land for a detention basin. I will look into this further. Greg Parker stated, there is also potential to resize the current pond. Mark Dust stated, I am very serious about doing something here. I wanted to approach the board and discuss this first with you all. This property is zoned B-2. Greg Parker stated, we are willing to work with you and we are in favor of this idea.

Aaron Csikos, 13360 Muir Street. Tim Kubiak stated, the Storm Board approved doing Phase 1 of the project which included changing the catch basins. Once I was there looking at it, we realized that it wouldn't be a long term solution. Don is working on a plan to cut out the curb and lower the part to the west. This will allow the water to go down the ditch. We are going to fix the ditch and the water from going over the driveway, this is directing the water down where it needs to go. By the time we would have done the other way, it wouldn't have worked. The erosion will be fixed, we need to focus it all on that one spot and we will be done. It is on our list for this upcoming year, once we have the plan it will be done. The curb in front of your driveway will stay the same.

Adjournment: 8:06 pm

Press Session:

Plan Commission Public Meeting – April 18, 2018 at 7:00 pm

Plan Commission Work Session – May 2, 2018 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 Kiepura

Richard Sharpe

Jerry Wilkening

Attest: Jessica Chick, Recording Secretary