



**TOWN OF CEDAR LAKE – PLAN COMMISSION
PUBLIC MEETING MINUTES
May 1, 2019 - 7:00 P.M.**

Call To Order (Time): 7:01 p.m.

Pledge to Flag

Roll Call:

Present Heather Dessauer

Absent* Chuck Becker

Present John Kiepura

Absent John Foreman

Present Richard Sharpe

Present Jerry Wilkening

*Arrived at 7:03 pm

Present Greg Parker

Absent Donald Oliphant, Town Engineer – CBBEL

Present David Austgen, Town Attorney

Present Tim Kubiak, Director of Operations

Present Michelle Bakker, Building Administrator

Present Sarah Rutschmann, Recording Secretary

OLD BUSINESS:

1. Lifehouse Development – Concept Plan Update

Owner/Petitioner: Lifehouse Development, LLC, PO Box 352, Lowell, IN 46356

Vicinity: 14908 Morse Street, Cedar Lake, IN 46303

Legal Description: PT. NE NW (331.55X1313.80FT. S.2 T.33 R.9 9.383AC.

Tax Key Number(s): 45-19-02-100-003.000-058

Request: Petitioner is requesting Concept Plan Update

1. Petitioner's Comments: Todd Harbrecht presented from Lifehouse Development. Harbrecht stated the cost of the super well and water line was not feasible at an estimated cost of \$90,000. Harbrecht stated he had talked with Sheehy Well and they had never done a super well on that small of a scale before.
2. Town Engineer's Comments: Oliphant stated he had nothing at this stage.
3. Building Department Comments: Kubiak said that if a system was in place, it would be more feasible. He stated compatibility when mixing wells needed to be considered. Kubiak said a monetary figure would need to be obtained on the well and what it services.
4. Commission's Discussion: Multiple discussions occurred regarding the super well, water lines, sewer, utilizing the well at the golf course, system development fees and recapturing funds for installation. Harbrecht asked if they were ok on the sewer issues. Parker indicated the town was about at capacity, however in figures Utility Board have reviewed, the 1842 estimated taps had Lifehouse's 30 units included in the figure. The Utility Board met on April 30th and Parker stated that with the anticipated expansion project, he didn't want to say for sure, but felt that Lifehouse would be good on sewers for this location. Installing individual wells for each home was felt to be going against the Town's Master Plan. Parker indicated that since 2008, it has been policy that subdivisions, if they can, have municipal water. Wilkening stated that he felt the quote Sheehy gave Harbrecht was high. Parker stated that if Lifehouse did 2, 8" wells, they could also install fire hydrants for the subdivision on them. Austgen stated that it is the developer's responsibility to provide water, financial consideration was not land use consideration, and recommended this issue be given to Neil Simstad to review. Dessauer asked for pricing information; Harbrecht stated 1500-2000 square feet starting in the mid-\$200,000 price point.

Members recommended Harbrecht obtain quote on cost of well to service this area only.
Members requested Neil Simstad be present at the next meeting.

2. Oakwood – Rezone

Owner/Petitioner: Cedar Lake Residential LLC, PO Box 677, St. John, IN 46373
Vicinity: 10918 W. 129th Avenue
Legal Description: Pt of NW.1/4 S.21 T.34 R.9 Ly'ng W. of RR & E of Highway 41.9Ac
Tax Key Number(s): 45-15-27-151-025.000-014

Request: Petitioner is requesting a Rezone to Planned Unit Development (PUD)

1. Petitioner's Comments: Jack Slager presented on behalf of Schilling Development. Slager gave a recap from the Public Hearing held at the last meeting. Since that meeting, Slager made changes to include: took off sidewalk on the east side of the main entrance; shifted the road/entrance over 10 feet; relocated the deceleration lane off of the driveway of Mr. Goff; made the entrance 36 feet wide; installation of 6 foot privacy fence along the back of the 3 lots and east side lot; and elimination of the emergency drive lane. Slager stated the vote was deferred at the meeting and hoped that since these changes were made, they would be able to continue in 2 weeks at the next Public Meeting.
2. Town Engineer's Comments: Oliphant stated he had no problems with the plan changes but would need to see the PUD documents. Multiple conversations occurred regarding access from INDOT onto HWY41 for a possible secondary entrance/exit. Austgen requested Slager have Attorney Richard Anderson send to him the PUD contract with margin-noted changes.
3. Building Department Comments: Kubiak stated he liked the 36' wide entrance change and removing the emergency drive lane. Slager addressed Kubiak's concerns about the new Lot #30, stating the depth was 250 feet and Dessauer's concern about the driveway now being onto 129th.
4. Commission's Discussion: Dessauer and Kiepura stated at \$225-250,000 for the paired villa homes, that those were decent products. Slager confirmed to Kiepura there was still a deceleration lane, but it was moved so it is at the edge of his driveway instead of through it. Austgen stated the provisions regarding 129th and 41 should be added into the PUD agreement and the Town would assist with the acquisition.

3. Summer Winds Commercial LLC-Final Plat

Owner/Petitioner: Summer Winds Commercial LLC, 11125 Delaware Parkway, Crown Point, IN 46307
Vicinity: 9730 Lincoln Plaza Way, Cedar Lake, IN 46303
Legal Description: Lincoln Plaza West Lot 4 and Lincoln Plaza West Lot 5 and Lincoln Plaza West Lot 6 Ex. S.123.43ft. and Lincoln Plaza West Lot 7 Ex. Pt. of S.243.43 ft.
Tax Key Number(s): 45-15-28-227-006.000-014; 45-15-28-227-007.000-014; 45-15-28-226-005.000-014; and 45-15-28-226-004.000-014.

Request: Petitioner is requesting Final Plat for a 1-lot PUD Subdivision

1. Petitioner's Comments: Jack Huls from DVG presents tonight representing the petitioner. Huls asked to defer this item until July meeting as they are still working out some things with other entities within the Town.
2. Town Engineer's Comments: Nothing at this time.
3. Building Department Comments: Bakker stated she would check the expiration timeframe on this. Kubiak indicated nothing else at this time.
4. Commission's Discussion:

NEW BUSINESS:

1. Beacon Pointe-Final Plat Unit 3

Owner/Petitioner: Beacon Pointe of Cedar Lake LLC, PO Box 677, St. John, IN 46373
Vicinity: 9505 W. 137th Ave
Legal Description: Part of W1/2 SW1/4 S.27 T.34 R.9 22.37 Ac
Tax Key Number(s): 45-15-27-351-004.000-014

Request: Petitioner is requesting a Final Plat for Unit 3

1. Petitioner's Comments: Jack Slager presented on behalf of Schilling Development. Slager stated there have been no changes from the original plan. He stated all of the utilities are in, sewer and water have been tested, and streets were lined.
2. Town Engineer's Comments: Oliphant stated they were getting through the plat and working on a letter of credit and inspections.
3. Building Department Comments: Nothing at this time.
4. Commission's Discussion: None.

UPDATE ITEM:

1. **139th Place/Morse Street:** Multiple discussions occurred regarding the time, resources and taxpayer funding with this issue and the issue is with the non-action from the minority owner. Members felt the majority owner was in agreement and would sign off on the item. Wilkening recommended a letter being written to have the item moved on. Kiepora recommended a 2 week turnaround time. Austgen and Bakker will work together on the letter.
2. **Hanover High School Lighting:** Oliphant talked to the architect on Monday regarding the custom shielding. There has been dialogue but nothing fixed. Oliphant stated he had written a letter of non-compliance but it has not been sent.
3. **Lennar Homes-Preliminary Plat: deferred to 05/15/19:** Oliphant stated he spoke with them on Monday but possibly looking at a resubmittal and they may not be ready.
4. **Comprehensive Master Plan:** Oliphant stated the last update was in 2012. Wilkening reminded members Foreman was looking into rezoning locations and Jill Murr was working on obtaining quotes.

Oliphant provided an update on Great Oaks, stating the water main was not in the correct location and they would need to deed a new easement to encompass where it's put. The problem currently is because it was not located properly, it is too close and does not meet the 10 foot minimum separation. Oliphant and Austgen talked about the possibility of issuing a lien with notice. Austgen stated there would be necessity for formal notice be sent to the property owner and developer Mr. Henn and his company noting non-compliance and a plan of correction and the Town would proceed accordingly, if necessary.

Recognition was given to Oliphant, Austgen, Murr, Bakker and Kubiak for their part in collecting the maintenance bond from the BP.

Public Comment: Bob Carnahan stated that during the 04/30/19 Town Council meeting, he asked Town Council and they agreed to direct Police Chief Coulson in attending the Plan Commission meetings as Safety Engineer. Town Attorney Austgen indicated the safety issues could be addressed pretty intimately at the staff level versus this forum. Plan Commission members felt the Police Chief was welcome to attend any meetings but did not feel it mandatory that he attend.

Wilkening inquired about the Public Way Vacations being reviewed at Plan Commission. Austgen indicated it was not part of the statute and the concerns for due process.

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Kiepora wanted to know more information about the Farmers Market and if it was approved. Town Council members present indicated it would be talked about at the next Town Council meeting. Becker had concerns about it interfering with soccer on Wednesday evenings and Summer Camp. Becker spoke with Kubiak about the need for more parking for soccer and the possibility of using Kiwanis Park. Kubiak will take the items under review.

Adjournment: Meeting was adjourned at 8:34 p.m.

Press Session:

Next Meetings: Plan Commission Public Meeting – May 15, 2019 at 7:00 p.m.
Plan Commission Work Session – June 5, 2019 at 7:00 p.m.

Chuck Becker

Heather Dessauer

John Foreman

Greg Parker

John Kiepora

Richard Sharpe

Jerry Wilkening

Attest: Sarah Rutschmann, Recording Secretary

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