



**TOWN OF CEDAR LAKE – PLAN COMMISSION
WORK SESSION MINUTES
June 5, 2019 - 7:00 P.M.**

Call To Order (Time): 7:00 p.m.

Pledge to Flag

Roll Call:

Absent Heather Dessauer

Present Chuck Becker

Present John Kiepura

Absent John Foreman

Present Richard Sharpe

Present Jerry Wilkening

Present Greg Parker

Present 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. Lennar Homes – Subdivision-Preliminary Plat

Owner: Duane and Corinne Fritz, 621 Hilbrich Ct., Dyer, IN 46311

Petitioner: Lennar Homes, Bill Robinson, 1141 East Main St., Ste. 108, East Dundee, IL 60118

Legal Description: PT S1/2 NW & PT SW NE. S.33 T.34 R.9 E. OF RR. EX N. 995.2FT. 10AC and N1/2 NW. SE. S.33 T.34 R.9 20AC and NW NE & N.330FT. OF SW NE & N. 330FT. OF SE NW E. OF NYC. RR S.33 T.34 R.9 51.50 91038509 and PT SW NE & PT SE NW E OF RR S.33 T.34 R.9 EX N 330FT 22.95AC. EX. N. 330FT. 22.95A.

Tax Key Number(s): 45-15-33-200-003.000-013; 45-15-33-400-001.000-013; 45-15-33-200-001.000-013; and 45-15-33-200-002.000-013.

Request: Petitioner is requesting a Preliminary Plat for a 352-lot Residential Subdivision

Deferred to the May 15, 2019 Public Meeting

Deferred to June 19, 2019 Public Meeting

1. Petitioner's Comments: Present tonight are Scott Guerard of Lennar Homes, Ryan Martin of Mackie Consultants, Bill Robinson of Lennar Homes, Rich Olson from Gary R Weber Associates and Randy Wylle from the law office of Wieser & Wylle LLP. Randy Wylle introduced the participants present tonight and noted they were available for any questions tonight. Wylle confirmed to Austgen they had advertised for the Public Meeting in 2 weeks.
2. Town Engineer's Comments: Oliphant stated he has been reviewing engineering comment changes. Olson stated most of the landscaping plan has remained the same, but noted the property to the west only had one access alternate road. Olson noted some slight shifting of lots and additional access for emergency purposes and to avoid land lock. He updated the group on the design plan for the community pool house, stating they are working with architect H2. This location would include the pool house, park, play lot, and parking lot. Martin updated the commission indicating final engineering submittal in March, meeting with staff, then resubmitting in May.
3. Building Department Comments: Nothing noted at this time.
4. Commission's Discussion: Kiepura noted the owner of the property was still noted as Fritz. Lennar will provide an update. Kiepura asked for confirmation of width of sidewalks previously discussed; Oliphant noted it was updated in the PUD agreement to reflect meeting Town

standards. Wilkening asked about what the plan was for all of the dirt; Martin stated the soil on site was good top soil and the plan was to keep it on site. Wilkening inquired about the street lights; Oliphant noted the lighting were standard NIPSCO lights. Wilkening asked about what type of trees would be in the parkway; Olson indicated the trees would be standard trees that would meet the photometric requirements. Multiple discussions occurred about the concerns with tree growth, obstruction of view to stop signs, and damage to sidewalks. Neil Simstad noted they have reviewed the water and lift station specifications and Public Works is currently reviewing.

It is to be noted that Petitioner will be providing a new application to reflect the name change of the owner from Duane and Corinne Fritz since recent purchase.

NEW BUSINESS:

1. Carey-Offshore Estates – Preliminary Plat Extension – Expires 7/18/19

Owner/Petitioner: David & Debra Carey, Ryan Dykema, 7205 W 145th Ave, Cedar Lake, IN 46303
Vicinity: 13430 Morse St, Cedar Lake, IN 46303
Tax Key Number(s): 45-15-26-179-032.000-043 and 45-15-26-179-033.000-043 and 45-15-26-179-034.000-043 and 45-15-26-179-039.000-043 and 45-15-26-179-040.000-043 and 45-15-26-179-041.000-043 and 45-15-26-179-042.000-043 and 45-15-26-179-043.000-043 and 45-15-26-179-044.000-043 and 45-15-26-179-045.000-043 and 45-15-26-179-046.000-043 and 45-15-26-179-004.000-043

Request: Petitioner is requesting a Preliminary Plat Extension for Offshore Estates-9-Lot Residential Subdivision and 1 Commercial Lot Subdivision – Expires 7/18/19

1. Petitioner's Comments: Petitioner not present.
2. Town Engineer's Comments: Nothing noted at this time.
3. Building Department Comments: Kubiak noted the storm line and sanitary sewers were in but weather has been an issue. He stated no roads have been cut in yet.
4. Commission's Discussion: Members felt the owner should have been present tonight to address issues and explain the delays. Multiple discussions took place on placing pressure on the owner to get the project completed as it has impacted others in the neighborhood with the suggestion of a 3 month time frame for completion and request owners attending the next meeting.

2. Papiese – 1-Lot Subdivision

Owner/Petitioner: Richard & Karen Papiese, 9710 Genevieve Dr., St. John, IN 46373
Vicinity: 8029 Lake Shore Dr., Cedar Lake, IN 46303
Legal Description: PT. E2. NE. S.22 T.34 R.9 .58 A
Tax Key Number(s): 45-15-22-288-004.000-014

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

1. Petitioner's Comments: Petitioner not present.
2. Town Engineer's Comments:
3. Building Department Comments: Bakker stated the property was just purchased near the roundabout. She stated they would like to take down the 2 houses and rebuild as a 1-lot subdivision, but there is no road access and would need waivers.
4. Commission's Discussion: Members did not have further discussion due to owner/petitioner not present for inquiry.

3. Lotton – Concept Plan – Bay Bridge

Owner: JAVD LLC (Jeff VanDrunen), 464 Brighton Ln., Dyer, IN 46311
Petitioner: Jonathan Lotton, 8310 W 147th Ave, Cedar Lake, IN 46303
Vicinity: 5708 W 153rd Ave, Cedar Lake, IN 46303
Legal Description: N 1/2 NW1/4 & NW1/4 NE1/4 & Part of S1/2 NW1/4 S.1 T.33 R.9 EX W 60.63 FT 162.6 Ac
Tax Key Number(s): 45-19-01-101-001.000-058

Request: Petitioner is requesting a Concept Plan to relocate the bridge for Bay Bridge Estates

1. Petitioner's Comments: Jonathan Lotton noted the DNR had approved moving the bridge, but has not received approval yet from IDEM or Army Corps. He indicated they halted the process with them until terms could be met with the Town of Cedar Lake. Lotton stated the old design had the bridge going through the wetlands; the new design has the bridge going over the bay.
2. Town Engineer's Comments: Oliphant indicated permits were applied for without the Town's notification or review. The change in entrance would change design that was in the original PUD. It is to be noted that the permit is expired. Oliphant indicated that Lake County would need to be involved; Lotton stated this was brought before Lake County. Lotton stated the county wanted 2 lanes with sidewalks and a deceleration lane and geometries were created for 2 bridges to work together
3. Building Department Comments: Kubiak stated that in order for the board to entertain the feasibility of the bridge and location of the bridge, they need to see a game plan with intent of the subdivision. Lotton stated the immediate use for the 200 acres of land is farm use for corn and soybeans and future use could continue to be farm use or subdivision.
4. Commission's Discussion: Wilkening asked Lotton if the other access point was in the northwest; Lotton stated it was but through another subdivision. Wilkening asked Lotton about the timber construction and load; Lotton stated he did not know but was highway rated and the County referred Lotton to this company. Multiple discussions occurred regarding the lift station location, utilizing wells, acceleration/deceleration lane and involvement with DNR, IDEM, Army Corps and Lake County. Austgen indicated the parcel is located within the Town and if it is to be developed, it will return to the Plan Commission. Members felt Lotton needed to return with a concept sketch, answers on where water would come from, if the lift station needed relocated, what the land will be used for and 2 entrance/exits.

4. Lotton – Concept Plan – Walnut Creek

Owner: LBL Development LLC & DJ3 Lane LLC, 8310 W 147th Ave, Cedar Lake, IN 46303
Petitioner: Jonathan Lotton, 8310 W 147th Ave, Cedar Lake, IN 46303
Vicinity: 13621 Morse St, Cedar Lake, IN 46303
Legal Description: PT. SW. NE. S.26 T.34 R.9 CONT'G 31.797 AC. and PT E1/2 OF N.49 RDS OF NW. SE S.26 T.34 R.9 4.264 AC and NE. SE. S.26 T.34 R.9 40 A. and NW.2A. OF NW. SW. S.25 T.34 R.9
Tax Key Number(s): 45-15-26-253-001.000-043 and 45-15-26-402-025.000-043 and 45-15-26-426-001.000-043 and 45-15-25-300-001.000-041

Request: Petitioner is requesting a Concept Plan for Walnut Creek

1. Petitioner's Comments: Jonathan Lotton stated a year ago they presented a plan but were waiting on water. The current zoning area was named Cedar Grove, the newly proposed name is called Walnut Creek. The current zoning includes B2, RT, RM and R1 zoning and is proposing to rezone to R2 with variance for cottages. The subdivision would include 75 cottage and 47

duplexes for a total of 94 lots. Lotton indicated they would be looking into annexing the strip of property on the east side. He stated last year when proposing this idea, there was talk about making the subdivision age-restricted with a double wide entrance.

2. Town Engineer's Comments: Oliphant stated no site plan or approval was previously done, it was just a concept plan. He indicated there would be challenges due to a lot of wetlands in the area and elevation changes.
3. Building Department Comments: Kubiak asked about the dead end; Lotton indicated it would be a private drive. Lotton confirmed to Kubiak's inquiry that the roads were 60 foot.
4. Commission's Discussion: Multiple discussions occurred regarding limiting multi-family homes moving forward, business/commercial zoning along Morse Street and the TIF district along Morse, elevation changes and flooding, timing with water to be provided in the area projected at 9 months minimum, and two entrances.

5. Homes of Distinction – Concept Plan

Owner/Petitioner: Brandon Smith
Vicinity: 12611 Cline Ave, Cedar Lake, IN 46303
Legal Description: PT. NW. NW. S.23 T.34 R.9 36.845AC.
Tax Key Number(s): 45-15-23-101-001.000-043

Request: Petitioner is requesting a Concept Plan

1. Petitioner's Comments: Brandon Smith presented a concept plan for the 48 acres to include 66 lots all single family homes, noting the original plan contained 68 lots but he would eliminate lot 63 and 64 to use for a park/green space. It is noted that two parcels are involved and zoning is R1 with no waivers needed. The plan would contain 2 entrances off Cline at lot 13 and 18. His plan would be to start at Cline and work east.
2. Town Engineer's Comments: Oliphant stated there would be some challenges with elevation changes and concerns about low locations.
3. Building Department Comments:
4. Commission's Discussion: Smith indicated to Wilkening and Parker that all structures on the property would be torn down and the plan would be that work would be completed first before construction. A large well is located on the property and water coming from Havenwood. Wilkening and Smith discussed a deceleration lane on Cline. Commission members agreed they all liked the concept and were looking forward to it.

UPDATE ITEM:

1. **139th Place/Morse Street:** Kubiak indicated letters were delivered, but no further communication since last update.
2. **Hanover High School Lighting:** Oliphant stated another shield had been ordered.
3. **Summer Winds Commercial LLC – Final Plat deferred to 7/19**
4. **Great Oaks Acres Storage:** Oliphant stated he received an unrecorded easement that encompasses the location of the water main. He asked for them to provide an engineering drawing that is signed and sealed. Wilkening asked how the location could be verified; Oliphant indicated it would need to be dug up. Austgen recommended Oliphant send a letter of inquiry regarding the out of sequence recordation and for details that back this up to Torrenge Engineering.
5. **Beacon Pointe Unit 1A – Performance Letter of Credit \$63,022.93 – Expires 8/4/19**
6. **Summer Winds Unit 1 – Performance Letter of Credit \$1,074,426.52 (reduced to \$244,187.85 11/18) – Expires 8/15/19**
7. **As-Built Survey Reviews:** Kubiak stated the Building Department is running into a lot of review issues. He requested an as-built bond policy or ordinance. Kubiak and Bakker indicated the last two years have

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Public Meeting Minutes

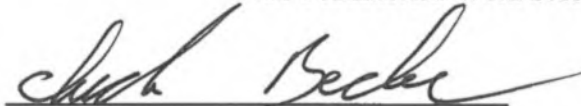
been difficult, stating they are holding \$50,000 in as-built bonds, and feel that the amount of the bond needs to reflect a higher price suggesting \$5000. Bakker noted Oliphant was reviewing 3+ per day, most of which were reviewed a total of 3 times. Oliphant stated he reviewed 270 last year. Multiple discussions occurred about price proposal, how the review process is currently working, and the request for ordinance or policy moving forward. The Commission will work with staff on directing legal for preparation of ordinance.

Public Comment: Rich Teal of Midwest PGM was asking for a resolution to his site plan originally approved in 2012 specifically in regards to the secondary screening. He spoke about his concern for screening feeling the planting of arborvitae plants should not be his obligation or responsibility. He stated he would add the fence but felt the trees should not be his responsibility. Kiepura agreed with Teal. Kubiak stated the trees were for the purpose of sound barrier. Parker indicated he had never seen where the existing party have to be accommodating to the incoming party. Austgen stated his site plan was acted upon, so he would either need to reapply or obtain an amendment. Bakker told Teal he could petition the site plan amendment at no cost with a public hearing.

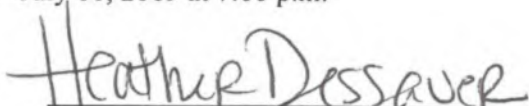
Adjournment: Meeting was adjourned at 9:06 p.m.

Press Session:

Next Meetings: Plan Commission Public Meeting – June 19, 2019 at 7:00 p.m.
Plan Commission Work Session – July 10, 2019 at 7:00 p.m.



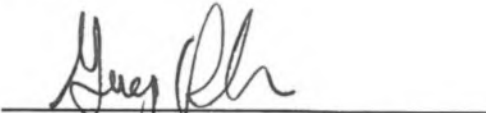
Chuck Becker



Heather Dessauer



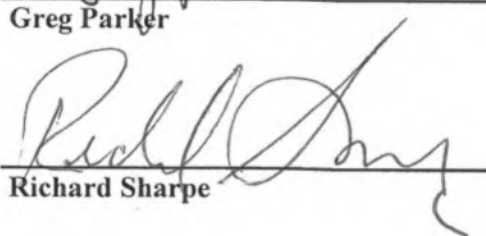
John Foreman



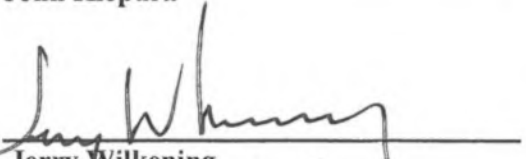
Greg Parker



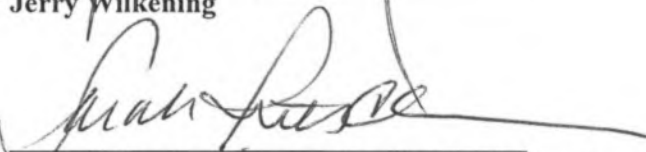
John Kiepura



Richard Sharpe



Jerry Wilkening



Attest: Sarah Rutschmann, Recording Secretary

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.