



TOWN OF CEDAR LAKE – PLAN COMMISSION
PUBLIC MINUTES
June 17 2020 - 7:00 P.M.

Call to Order (Time): 7:02 p.m.

Wilkening read the following information off of the agenda, "In accordance with the Governor's Executive order relating to COVID-19, in-person attendance of tonight's Plan Commission meeting will be limited. We have arranged a live stream of the meeting so those interested can view it from home. The meeting is slated to start at 7 pm. You can view the meeting via our website at <https://cedarlakein.org/view-town-meetings/>, then click on "View Broadcast" under the Live Broadcast. You must join the meeting through the link to participate during public comment. You can raise your hand electronically to participate during Public Comment. Due to the unique nature of this meeting, the Town of Cedar Lake will accept public comment submitted electronically. If you have a question or comment about an item on the agenda, please email that question or comment to michelle.bakker@cedarlakein.org. Ms. Bakker will ensure that all submissions are shared with the board members and that the submission will also be entered into the minutes of the meeting. Please keep your comments civil and constructive to the policy issues on the agenda."

Pledge to Flag

Roll Call:

Present Heather Dessauer*

Present Chuck Becker

Present John Kiepura, Vice President

Present John Foreman

Present Richard Sharpe

Present Jerry Wilkening, President

Present Robert Carnahan*

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

**Indicates member present electronically*

MINUTES:

Wilkening noted that before the motion, the June 3, 2020 minutes needed amended to include the email from Colleen Schieben to Michelle Bakker dated June 2, 2020 at 9:20 pm to be part of the record. Motion by John Foreman and seconded by Richard Sharpe to approve the May 20, 2020 Public Meeting Minutes and the June 3, 2020 Work Session Minutes.

Motion: John Foreman --1st Richard Sharpe --2nd

Heather Dessauer	Chuck Becker	John Foreman	Robert Carnahan	Richard Sharpe	John Kiepura	Jerry Wilkening	Vote
YES	YES	YES	YES	YES	YES	YES	7-0

OLD BUSINESS:

1. Henn – Commercial Subdivision

Owner/Petitioner: Richard Henn, PO Box 502, Cedar Lake, IN 46303

Vicinity: 13301 Lincoln Plaza, Cedar Lake, IN 46303

Legal Description: PT. E2 N2 NE NE S.28 T.34 R.9 '114.47X185X152.58X185FT. Ex. W.50ft
SUBJECT TO STS. & ALLEYS. 0.35Ac

Tax Key Number(s): 45-15-28-228-006.000-014

Request: **Petitioner is requesting Preliminary Plat for 1-Lot Subdivision**
Deferred from March 18, 2020 & May 20, 2020

1. Attorney Review: See comments below.
2. Petitioner's Comments: Richard and Robert Henn, both of 13733 Wicker Ave, were present tonight on behalf of Henn & Sons.
3. Town Engineer's Comments: Oliphant provided two cost estimates to include 200 feet from the concrete apron of 133rd down to the paved parking area on the township parcel. The first coincided with present standards of 3"/1" at \$18,318.03; the second was the old standard of 1"/2" at \$15,048.83, both figures of which contain 10% contingency. Oliphant clarified for Wilkening in regards to partnership that based on frontage width, they are exactly 100 feet and would be a 25% partnership, making his part roughly \$3700 or \$4600 respectively. Henns are agreeable to the \$3762.21. Oliphant stated there is some consideration for some type of aggregate to be placed, but it is unknown until dug into. Oliphant reviewed for the commission the items to be completed listed in the June 3, 2020 engineering review letter.
4. Building Department Comments: Austgen confirmed for Kubiak regarding the Town acquiring the property that a conveyance has been made, the instrument is a subject of legal description review and it is anticipated a legal description will need to be drafted. Austgen felt the most knowledgeable person to write the description for the property would be Glen Boren at DVG to assist them in the process of cleaning up the deed. Kubiak stated they are working on a plan for the water main, stating the condition of the alley is not good. He confirmed to Oliphant that the base would be cut through.
5. Commission's Discussion: Multiple discussions took place regarding the old standard and the new standard. Wilkening asked Austgen about the legal paperwork. Austgen stated there were two ways it could be pursued: 1) Richard Henn could write a check for the amount or 2) legal paperwork could be drawn up. Henn stated he would write a check.
6. Commission's Decision: John Foreman made a motion, seconded by Richard Sharpe, to approve the Preliminary Plat for 1-Lot Subdivision with conditions including adherence of the 1" and 2" standard, check written for \$3762.21 and contingent upon Oliphant's engineering review letter dated June 3, 2020 items being addressed.

Motion: John Foreman --1st Richard Sharpe --2nd

Heather Dessauer	Chuck Becker	John Foreman	Robert Carnahan	Richard Sharpe	John Kiepura	Jerry Wilkening	Vote
NO	YES	YES	YES	YES	YES	NO	5-2

NEW BUSINESS:

1. Birchwood – Final Plat – Phase I

Owner/Petitioner: Hanover Development LLC, 8051 Wicker Avenue, Suite A, St. John, IN 46373
Vicinity: 12400 Wicker Avenue, Cedar Lake, IN 46303
Legal Description: N.505ft of S1/2 SE1/4 S.17 T.34 R.9 Ex E.548.75ft 24.273 Ac and 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 and 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 34.91 AC

Tax Key Number(s): 45-15-17-476-009.000-014 and 45-15-17-476-010.000-014 and 45-15-17-476-007.000-014

Request: **Petitioner is requesting Final Plat for 36 lots and 3 outlots**

1. Attorney Review: Austgen stated with an approval that the insertions into the various documents be made related to this phase of Final Plat including the PUD Ordinance and the PUD Agreement.
2. Petitioner's Comments: Jeff Yatsko from Olthof was present tonight on behalf of Birchwood. Yatsko stated they were seeking Final Plat approval tonight for 36 lots and 3 outlots. He indicated a letter was received today that all of the items have been taken care of and after having received the Letter of Credit figures, he is coordinating that with the bank and asked that it be included in the approval tonight.
3. Town Engineer's Comments: Oliphant confirmed the engineering items were good, stating the revised plat was received. They have been working diligently with items in the field. Everything has been accepted and verified. Oliphant reviewed the Letter of Credit items with the Commission including: Overall Letter of Credit: \$2,260,280.75; Minimal allowable amount in what they will post for the Performance Letter of Credit: \$565,070.19; 3% Inspection Fee: \$67,808.42 and MS4 Fee, noted as already paid.
4. Building Department Comments: Kubiak indicated all was good.
5. Commission's Discussion: Carnahan inquired about the correction of Ponds A, B & C. Oliphant stated they have not been corrected, but money was withheld from the detention basin excavation pay item which is still included in the Letter of Credit. It did make a difference in what they had to post because they are below the minimum reduction of 25%. Carnahan asked for Oliphant to explain further the comments regarding the webbing. Oliphant indicated they still need to install a geo web, which is essentially a stabilization for access road into the pond if they need to maintain it. He said the other things were verifying that safety shelves were built on the side slopes in accordance with the approved plans, essentially a flat shelf down to the normal water level. Oliphant confirmed for Wilkening the contingencies are minimal, items are included in the Letter of Credit to cover items and Olthof has done a lot of work. He stated everything but the binder is in, curbs in and ponds in.
6. Commission's Decision: John Foreman made a motion, seconded by John Kiepura, to approve the Final Plat for the 36 lots and 3 outlots with conditions Oliphant has mentioned and including the Letter of Credit items as discussed.

Motion: John Foreman --1st John Kiepura --2nd

Heather Dessauer	Chuck Becker	John Foreman	Robert Carnahan	Richard Sharpe	John Kiepura	Jerry Wilkening	Vote
YES	YES	YES	YES	YES	YES	YES	7-0

2. Papiese – Rezone

Owner/Petitioner: Richard & Karen Papiese, 9710 Geneieve Dr., St. John, IN 46373
 Vicinity: 8029 Lake Shore Drive, Cedar Lake, IN 46303
 Legal Description: PT. E2. NE. S.22 T.34 R.9 .58 A
 Tax Key Number(s): 45-15-22-228-004.000-014

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

1. Attorney Review: Austgen confirmed to Wilkening that discussion regarding the driveway and easement and other items have been reviewed but are not finished. He stated discussion has been ongoing with Stuart Allen and they will be appended to the Plat. Austgen stated it was a Public Hearing and legals were in order.
2. Petitioner's Comments: Karen Papiese was present.
3. Town Engineer's Comments: Oliphant stated he had nothing at this time and it would be review at Final Plat.
4. Remonstrators: Wilkening called for remonstrators at 7:32 pm. Bakker confirmed she had no emails received and no public attendees responding electronically. Having heard none, Wilkening called the Public Hearing closed at 7:33 pm.
5. Building Department Comments: None.
6. Commission's Discussion: Wilkening confirmed for Carnahan that when exiting the driveway onto Lake Shore Drive, they would only be able to turn right to go into the roundabout.
7. Recommendation to Town Council: Chuck Becker made a motion, seconded by Richard Sharpe, for a Favorable Recommendation to the Town Council. Commission members advised Papiese to be present at the July 7, 2020 Town Council Meeting.

Motion: Chuck Becker --1st Richard Sharpe --2nd

Heather Dessauer	Chuck Becker	John Foreman	Robert Carnahan	Richard Sharpe	John Kiepura	Jerry Wilkening	Vote
YES	YES	YES	YES	YES	YES	YES	7-0

3. Beacon Pointe East – Subdivision & Rezone

Owner/Petitioner: Beacon Pointe of Cedar Lake LLC, 8900 Wicker Ave, St. John, IN 46373
Vicinity: 9000 W 141st Ave, Cedar Lake, IN 46303
Legal Description: Pt of SW1/4 S.27 T.34 R.9 Ly'g South of ditch & East of RR 50.34 Ac
Tax Key Number(s): 45-15-27-376-002.000-014

Request: Petitioner is requesting a Preliminary Plat for a 159 lot Subdivision

1. Attorney Review: Austgen stated it was a public hearing and legals are in order. He stated he received Richard Anderson's review comments at 2:09 pm today.
2. Petitioner's Comments: Jack Slager of Schilling Development and Jack Huls of DVG were present tonight on behalf of Beacon Pointe East. Slager stated they have advertised and send notices for the public hearing. He indicated they have working through the engineering punch list. Their attorney Richard Anderson has been working with Austgen on the PUD documents. He stated the plan has not changed, is 159 lots with a combination of duplexes and town homes.
3. Town Engineer's Comments: Oliphant stated they have comments but are minor engineering issues. Discussion transpired regarding the proposed modified acceleration/deceleration lane and members not liking the idea of the road jogging. Oliphant recommended if the Commission wanted expansion for the turn lane, it would need to be part of the motion. He stated one of the comments from Neil Simstad of NIES Engineering was looping the water main through the Wynkoop property, but it is owned by Wynkoop and there would be a gap and curbing, sidewalk and road. Doug Wynkoop stated he would work with the Town on this.
4. Remonstrators:
 - a. Richard McFarland, 13816 Lauerman St: Wilkening read the correspondence (see attached) in its entirety.

- b. Jeremy & Sarah Pena, 13724 Austin St: Wilkening read the correspondence (see attached) in its entirety. Carnahan stated Beacon Pointe East could build without getting the rezone and they would have 279 lots and it would be a lot less traffic with the 159. Wilkening stated the developer has spoken of offering more options with aesthetics options. Slager reminded the audience that the typical demographic that is targeted for this subdivision would be the empty nester, so young families would not generally be residents. He indicated they plan to conserve as much of the tree line as possible with an additional buffer with the retention pond adjacent to the tree line.
- c. Andy Nacke, 9119 W 137th Pl: Wilkening read the correspondence (see attached) in its entirety including Bakker's response to his email. Oliphant stated that due to insignificant filling in the flood plain, they have to replace that volume at a penalty at 1-1/2:1. Slager stated that Sleepy Hollow runs east and south and their ponds are both east and south of Winding Creek. Oliphant indicated to Wilkening that the drainage should be better.
- d. Jeremy & Kathy Ward, 9135 W 137th Pl: Wilkening read the correspondence (see attached) in its entirety. Carnahan mentioned the building in Hanover Township not only being affected by Cedar Lake but also by the Gates of St. John and reminded that there would be less traffic with the new rezone than if they build without the PUD. Oliphant confirmed for Becker the original structure plan for the subdivision was from 2007/2008.
- e. Richard Bona, 1337 Inverness Dr, Schererville, IN: Wilkening read the correspondence (see attached) in its entirety. Slager stated Bona has the parcel in the southwest corner of 139th & Lauerman that partially straddles the ditch.
- f. Kelly Wynkoop, 9010 W 141st Ave: Slager confirmed to Wynkoop the subdivision would not be allowed to have fences. He stated Wynkoop would be allowed to put in a fence for privacy, but there is no intention for the developer to install a boundary fence. Wynkoop expressed health concerns of a family member regarding pond aeration. Slager stated the ponds would be aerated. Wynkoop expressed concern regarding the walking trail and being so close looking into her garage and asked if it could be rerouted to the other end of the pond. Slager stated the intention of the walking trail was to go around three sides of the pond and would be approximately 30 feet between the pond and her property. Slager addressed Wynkoop's inquiry regarding starting the project, given approval soon, the first phase would be started this fall. She expressed her concern regarding traffic and animals.
- g. Mark Van Horn, 9019 W 141st Ave: Van Horn stated he has lived there for over 65 years. He expressed his concerns for traffic and the increase he has seen in the last few years. Slager confirmed to Van Horn that there would be two entrance/exits. He said he is ok with progress, but expressed his concern for traffic lights shining into his house. Slager indicated to Van Horn they had no residences directly across from the exit/entrance.
- h. Rickie Wilson, 8920 W 141st Ave: Wilson expressed his concern regarding the entrance running along the side of his property and directly behind his garage and for safety of his child playing outdoors with traffic. Slager stated the sidewalk would be placed on the property line. Wilson expressed concern for his tree line along the property. Slager stated they would take a look at where the trees were in relation to the property line and a possibility that the sidewalk could be located around the trees. Wilson liked the idea of the two entrances. He would like to see a fence placed for privacy behind his garage.
- i. Doug Wynkoop, 9010 W 141st Ave: Wynkoop recognized Slager and Schilling for the wonderful job they have done with the development. He stated he wanted the second

entrance to stay. Wynkoop asked about the depth of the pond. Oliphant stated there would be a five foot water level making the pond approximately six to 8 feet deep. Wynkoop thinks the reduction from 279 to 159 units is great and expressed his desire for a fence and aeration of the pond. He said he is favor of the project.

- j. Mary Ann Wilson, 8920 W 141st Ave: Wilson stated she appreciates the lesser number of units and liked the two entrances. She would like a fence as well for separation. She asked about a stop sign or indication to slow down as the traffic was like a drag strip.
- k. Doug Wynkoop, 9010 W 141st Ave: Wynkoop asked for the walking trail to be eliminated next to his property.
- l. Mary Ann Wilson, 8920 W 141st Ave: Wilson asked if the sidewalk could be eliminated from her side of the property or one side only. Oliphant indicated the sidewalk could not be removed.

After all remonstrators spoke, Jack Slager and Jack Huls spoke about the research in the traffic and Traffic Study. Slager stated, after further research in the past few weeks, the biggest hurdle on the south side of 141st is the existing right of way being 20 feet. The single lane of existing roadway is 12 feet and roadside ditch and utilities would still need to be included and there is not enough room to add a passing blister. He stated there is a large vacant parcel there, that within time, would be redeveloped and an opportunity to be widened at this point. They would be increasing the right of way on the north to 30 feet. Huls stated Robin from DVG is their traffic engineer who did the study. Huls stated in 2018 there was scope of interest from the Town for an intersection of 141st and Parrish. The count was 1500 cars per day in both directions. He explained the Level of Service for consideration of a passing blister or turn lane would start at 5,000-10,000 cars per day. Because the figure is significantly less, below Service Level A, this would not qualify. He indicated the peak wait time is 2.6 seconds to turn left in the main entrance and 1.1 seconds at the second entrance. As far as leaving the subdivision, there is a 9 second wait, but considered a free-flow condition including time to look to the left and right. He stated INDOT allows a 1% growth rate, so the most you could add to the traffic study is 15 additional cars for 1 year and 30 for 2 years. Huls addressed Oliphant's comment regarding access at the main entrance and they would make that consistent with what is located at Beacon Pointe. Slager said that where they would ultimately like the passing blister, this enhanced entrance access would increase the radius to 30 feet with no restriction pulling in/out and would be better than before. Multiple discussions ensued regarding the possibility of proposing turn lanes, marina traffic currently and if the marina were no longer there and it became a subdivision, possible road widening and planning for the future.

- m. Kelly Wynkoop, 9010 W 141st Ave: Wynkoop noted the weekend traffic increases considerably where she feels 100 cars could easily be added to the study Huls indicated.
- n. Doug Wynkoop, 9010 W 141st Ave: Wynkoop agrees with Kubiak in keeping the road uniform. He recommended a sidewalk by the railroad track. Oliphant and Foreman indicated the Town was working on it. Wynkoop stated he was willing to work with Slager and Schilling and wanted to keep it looking even; Oliphant indicated Wynkoop would need to dedicate right of way since they own into the road.

Wilkening stated the Town was a resort community that had increased traffic on weekends. Wilkening called for any other remonstrators. Bakker confirmed there were no emails or electronic participants requesting comments. Time noted was 8:32 pm.

5. Building Department Comments: Kubiak confirmed to Wilkening that the 60 feet stretch of road had been approved approximately in 2006/2007. Kubiak stated, with Oliphant agreeing, that adjoining residential to residential is not in the ordinance in regards to required fencing. Austgen stated it is a PUD and now is the time to address it. Kubiak does not like the idea of the road jogging, like it staying consistent and noted the possibility of development on the other side with the probability of another turn lane making it 3 lanes wide. Bakker stated addresses, road names and zoning need to be corrected.
6. Commission's Discussion: Slager confirmed to Wilkening that the rezone request would reduce the number of lots from 279 to 159 for a reduction of 120 lots total. Slager clarified to Carnahan that the DVG report indicating 37 duplexes and 85 single family for a total of 159, that the 37 duplexes would be two times 37 for a total of 74, thus making the $74 + 85 = 159$. Wilkening clarified for Carnahan that Sleepy Hollow Ditch had been mentioned at a previous meeting that anything that might need to be done would best be done sooner than later. Foreman suggested a possible fence on the west by Wynkoop and East by Wilson, like a tunnel; Oliphant stated that would look bad. Austgen clarified for Wilkening that any motion made would need to include contingencies including acquisition of land from Wynkoop for utilities and infrastructure. Slager stated if the land acquisition could be done, Schilling would be agreeable to the installation of the water line and curbs.

Multiple discussions transpired regarding deferring the two requests and Special Public Meeting. Slager asked if the Public Hearing portion could be closed. Austgen did not recommend it. Oliphant asked members about their thoughts on the screening issues from the remonstrators noted above. Foreman stated the subdivision ordinance did not require fencing. Slager felt that since there was discussion about putting a sidewalk contiguous around the Wynkoop property, the screening and the sidewalk around the pond would not be necessary. Members liked the idea of the contiguous sidewalk instead of the loop around the pond. Slager confirmed for Wilkening that the subdivision would not allow pools, sheds or fences and would be maintenance free. Slager clarified for Wilkening that there would be three phases; they would start with Phase 1 to include 10 cottage and 10 duplex homes with the main entrance and the pond, the second entrance would be part of Phase 2. Austgen clarified for Oliphant that a PUD Amendment would not need to be done as long as items were included in the PUD Agreement.

7. Commission's Decision: Richard Sharpe made the motion, seconded by Chuck Becker, to defer the request for Preliminary Plat to July 1, 2020.

Motion: Richard Sharpe --1st Chuck Becker --2nd

Heather Dessauer	Chuck Becker	John Foreman	Robert Carnahan	Richard Sharpe	John Kiepura	Jerry Wilkening	Vote
YES	YES	YES	YES	YES	YES	YES	7-0

Request: Petitioner is requesting a Rezone to PUD

**See discussion comments noted above.*

1. Attorney Review:
2. Petitioner's Comments:
3. Town Engineer's Comments:
4. Remonstrators:

5. Building Department Comments:
6. Commission's Discussion:
7. Recommendation to Town Council: Chuck Becker made the motion, seconded by John Kiepura, to defer the request for Rezone to PUD to July 1, 2020.

Motion: Chuck Becker --1st John Kiepura --2nd

Heather Dessauer	Chuck Becker	John Foreman	Robert Carnahan	Richard Sharpe	John Kiepura	Jerry Wilkening	Vote
YES	YES	YES	YES	YES	YES	YES	7-0

UPDATE ITEMS:

1. Beacon Pointe Unit 1A – Performance Letter of Credit – Expires August 5, 2020
2. Beacon Pointe Unit 2 – Performance Letter of Credit – Expires August 6, 2020
3. Centennial Phase 8 – Maintenance Letter of Credit – Expires August 8, 2020
4. Centennial Phase 9 – Maintenance Letter of Credit – Expires August 8, 2020
5. Summer Winds Unit 1 – Performance Letter of Credit – Expires August 15, 2020

Bakker stated Oliphant is working on all of the above items and they will be addressed in July.

Public Comment: None.

Adjournment: Wilkening adjourned the meeting at 8:56 pm.

Press Session:

Next Meetings: Plan Commission Work Session – July 1, 2020 at 7:00 p.m.
Plan Commission Public Meeting – July 15, 2020 at 7:00 p.m.

Chuck Becker

Robert Carnahan

Heather Dessauer

John Foreman

John Kiepura, Vice President

Richard Sharpe

Jerry Wilkening, President

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.

Michelle Bakker

From: Public Hearing Comment <no-reply@cedarlakein.org>
Sent: Wednesday, June 17, 2020 6:38 PM
To: Michelle Bakker
Subject: Public Hearing Comment

Follow Up Flag: FollowUp
Flag Status: Flagged

VFB Pro

Your submission has been processed.

First Name	Richard
Last Name	McFarland
Street Address	13816 Lauerman St
Select Public Hearing and Agenda Item	Plan Commission June 17, 2020 @ 7:00pm - New Business - Agenda Item 4 - Beacon Pointe East - 9000 W 141st Ave
City	Cedar Lake
State	Indiana
ZIP	46303
Email Address	623mcfarland@gmail.com
Your Question:	I would like to express my objection to the rezoning of 9000 W 141st Ave to PUD

Acme Inc. 123 Van Ness, San Francisco 94102

This email was built and sent using VFB Pro.

Michelle Bakker

From: Public Hearing Comment <no-reply@cedarlakein.org>
Sent: Wednesday, June 17, 2020 2:50 PM
To: Michelle Bakker
Subject: Public Hearing Comment

VFB Pro

Your submission has been processed.

First Name Jeremy and Sarah

Last Name Pena

Street 13724 Austin St.
Address

Select Public Plan Commission June 17, 2020 @ 7:00pm - New Business - Agenda Item
Hearing and 4 - Beacon Pointe East - 9000 W 141st Ave
Agenda Item

City Cedar Lake

State IN

ZIP 46303

Email Addressspena2005@gmail.com

Your Question: My concern with the rezoning of Beacon Pointe East is multi-faceted. First, you will be increasing the amount of traffic on/around Parrish Ave and consequently 137th Ave. Second, as a parent of students who attend Hanover schools, I can attest to the fact that the school system is already overwhelmed by the number of students and is already in need of more space. If you add more housing than what was originally zoned, you will continue to overwhelm the school system as more families move in. Finally, there are trees that currently divide the property between Winding Creek 2 and the proposed property above. How much of that treeline will be taken down? Will these new homes be visible to the residents of Winding Creek 2, or will the tree line be left alone? Because of these concerns, we do not think that Beacon Pointe East should be rezoned to include more homes.

Acme Inc. 123 Van Ness, San Francisco 94102

This email was built and sent using VFB Pro.

June 17, 2020

Hello, my name is Andy Nacke. I am a resident of Winding Creek 2, residing at 9119 W. 137th Place. Everyone on the south side of 137th place received a letter regarding the re zoning of the farm field that our lots back up to on the other side of the Creek that runs behind our back yards. There is major concern regarding rezoning from Dual Family to Multi Family "Row Housing" behind us on that property. The concerns are not only the aesthetics of how that will look looking behind us but also the footprint these structures will have. As of now, obviously behind us on that land up for re zoning is all farm field that drains into the creek behind us. When we have heavy rains the creek will swell to 40 feet wide and into our backyards. The Army Corp of Engineers already is back there keeping tabs on "high water" marks with flags to monitor how high the water gets. The concern is by adding all the multi family homes with very large footprints, parking areas, sidewalks, streets, etc., where will all the water run off go that now is soaking into the farm field and we still get very high creek levels with rain. All of us have invested significantly in these homes and lots for the beauty and privacy of the woods and creek behind us and are afraid that will be destroyed with this re zoning. We just want to make sure our homes are in consideration with this plan and our concerns are addressed. The homes that would be effected On the south side of 137th Place in Winding Creek 2 all have great property value well over 300k and we just want to keep our property value where it is currently. Thank you for your time and consideration.

Andy Nacke
9119 W. 137th Place

Andy,

Thank you for submitting your questions and concerns. I will print and give your comments to the members for tonight's meeting. I would like to clarify that this property is currently zoned R-M (Multi-Family) and R-T (Two-Family) and the owner would like to rezone to a PUD consisting of R-T (Two-Family) and R-2 (Residential Single Family) homes. I have attached their concept plan that was submitted for your reference. Please let me know if you have additional questions.

Thank you,
Michelle Bakker
Building Administrator

Thanks again for sending over the plan from Schilling. I really appreciate it. The paired villas and cottage homes would be great. My in laws actually built in Beacon Pointe in a paired villas and they are beautiful. That is good news. Sorry one more item if could it possibly be asked if the retention ponds schilling is planning that run next to the creek on the north end be continuous On the north end of the subdivision instead of that one cul-de-sac on the north end that goes right next to the creek. Hopefully that would help with the water run off into the creek and our backyards if the retention pond continued instead of that cul-de-sac. Thanks so much for hearing our concerns and bringing them up due to the social distancing with the meeting tonight. Again, I appreciate it very much. -Andy Nacke

> Thank you again for your time Michelle. We appreciate it.

Michelle Bakker

From: Public Hearing Comment <no-reply@cedarlakein.org>
Sent: Wednesday, June 17, 2020 2:53 PM
To: Michelle Bakker
Subject: Public Hearing Comment

VFB Pro

Your submission has been processed.

First Name Jeremy and Kathy
Last Name Ward
Street Address 9135 W 137th Pl
Select Public Plan Commission June 17, 2020 @ 7:00pm - New Business - Agenda
Hearing and Item 4 - Beacon Pointe East - 9000 W 141st Ave
Agenda Item
City Cedar Lake
State IN
ZIP 46303
Email Address jkkcward@hotmail.com

Your Question: My concern is two-fold. This rezoning is adding even more to our congestion on the roads in town Also this is going to add more to our already overwhelmed schools. Also concern for even more of a rise in taxes.

Acme Inc. 123 Van Ness, San Francisco 94102

This email was built and sent using VFB Pro.

Michelle Bakker

From: rick bona <drbona@yahoo.com>
Sent: Wednesday, June 17, 2020 3:43 PM
To: Michelle Bakker
Subject: Beacon Pointe East Subdivision

Hi Michelle,

I have a few questions concerning the Beacon Pointe Subdivision.

First, I have adjoining property to the development and I am concerned about flooding along the Sleepy Hollow Ditch. With the lost of the farmland and the raised rail track berm on the west end, how is the rainwater being dispersed to prevent flooding? Will it affect my lot zoning in the future?

Second, being a 159 lot subdivision, there will be a lot of traffic going out on 141st Avenue with only 1 primary entrance. If there is road construction or an accident, the flow of traffic will be hindered. I remember when the Twin Creek Subdivision residents in Munster were stranded because there was only 1 entrance and it was basically shutdown because the Hart Ditch flooded over.

Richard Bona

1337 Inverness Dr
Schererville IN 46373