



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

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

Wilkening read the following off the agenda, “In accordance with the Governor’s Executive order relating to COVID-19, we have arranged a live stream of tonight’s meeting at <https://cedarlakein.org/view-town-meetings/>. You must join the meeting through the link to participate during public comment. If you have a question or comment about an item on the agenda, please email michelle.bakker@cedarlakein.org by 4 pm. 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.”

Pledge to Flag

Roll Call:

Present Heather Dessauer	Present Robert Carnahan
Present Chuck Becker	Present Donald Oliphant, Town Engineer – CBBEL
Present John Kiepura, Vice President	Present David Austgen, Town Attorney
Present John Foreman	Present Tim Kubiak, Director of Operations
Present Richard Sharpe	Present Michelle Bakker, Building Administrator
Present Jerry Wilkening, President	Present Sarah Rutschmann, Recording Secretary

NEW BUSINESS:

1. Ravens-Site Plan

Owner:	C.L. Leasing LLC/Rory Ravens, 12528 Wicker Ave., Cedar Lake, IN 46303
Petitioner:	Rory Ravens, 12528 Wicker Ave., PO Box 339, Cedar Lake, IN 46303
Vicinity:	12528 Wicker Avenue, Cedar Lake, IN 46303
Legal Description:	COFHEN BUSINESS PARK
Tax Key Number(s):	45-15-20-227-001.000-014

Request: **Petitioner is requesting a Site Plan Approval**

1. Petitioner’s Comments: Rory Ravens, present tonight on behalf of CL Leasing, stated Torrenga had dropped off the Site Plan. He indicated he inquired about the 15-foot landscaping barrier across the easement, noting his concerns including the Henn property was zoned Commercial and the Olthof parcel along the back is considered wetlands.
2. Town Engineer’s Comments: Oliphant clarified for Wilkening that, when platted, the Birchwood corner would be an out lot, stating the Henn parcel is not in the city limits. Oliphant confirmed, according to the GIS, the discussed Vacated Parcel was still noted as public right of way. Ravens noted to Oliphant he would like to go as far as allowable with the parking lot. Oliphant noted the waiver for having the parking area within the side yard setback.
3. Building Department Comments: Kubiak indicated since the property abuts a county property, he would not need the 15-foot building line. Ravens confirmed to Kubiak that the parking spaces are to the north and that lighting is essential to the safe operation of his business.
4. Commission’s Discussion: Multiple conversations ensued regarding the Public Way Vacation of the Ravens property, under normal circumstances the land being split, review of the Vacation Ordinance and discussion of the buffer waiver. Ravens confirmed for Wilkening that he believed

he owned the entire piece and requested the waiver for the buffer. Yatsko, representing Olthof, indicated plantings would be included on the buffer. Austgen indicated the ordinance was held pending this site plan as a condition of the vacation. Ravens clarified for Wilkening that he would like to pave the whole parking lot. Multiple discussions ensued regarding lighting fixtures, a photometric plan, being subject to the lighting ordinance, deflectors/shielding and safety. Austgen recommended Ravens and Torrena to meet with staff prior to the next meeting.

2. Price Point Builders-Rezone

Owner: Wintering, LLC, 1201 N. Main St., Crown Point, IN 46307
Petitioner: Price Point Builders, LLC, PO Box 1343, Crown Point, IN 46307
Vicinity: 14530 Wheeler St., Cedar Lake, IN 46303
Legal Description: Lots 22,27,28,29,30,31 & South half of Lot 32, in Shades Addition to Cedar Lake Plat I, Block 4 as per plat thereof, recorded in Plat Book 11 Page 30, in the Office of the Recorder of Lake County, Indiana
Tax Key Number(s): 45-15-35-429-014.000-043

Request: Petitioner is requesting a Rezone from Residential Multiple-Family (RM) Zoning District to Residential (R-2) Zoning District

1. Petitioner's Comments: Petitioner was not present.
2. Town Engineer's Comments: None.
3. Building Department Comments: Bakker stated they wanted to build a single-family home. She confirmed for Austgen that the application for the zone change had been completed. Kubiak stated if they show up in two weeks for the next meeting, he is fine with rezone from R2 to RM.
4. Commission's Discussion: Austgen confirmed for Wilkening that the petitioner did not need to be present in order for the approval. Members were in agreement to keep this on the agenda for the following meeting.

3. Viking Build Homes LLC-Subdivision

Owner: Viking Build Homes LLC, 7611 W. 140th Ave., Cedar Lake, IN 46303
Petitioner: Michael Tiller, 9204 Bryan Lane, Crown Point, IN 46307
Vicinity: 7611 W 140th Ave., Cedar Lake, IN 46303
Legal Description: PART OF THE GOVERNMENT LOT 4 IN THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE 2ND PRINCIPAL MERIDIAN, IN THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: LYING NORTH OF AND ADJACENT TO LOTS 32 AND 33 IN BLOCK 1 IN C.N. STRAIGHT'S SUBDIVISION IN PLAT BOOK 8 PAGE 20, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA, AND SOUTH OF THE SOUTH LINE OF THE ROAD WHICH IS 95 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF SAID C.N. STRAIGHT'S SUBDIVISION, BEING THE PREMISES WHICH LIE BETWEEN THE EAST LINE OF LOT 32 AND THE WEST LINE OF LOT 33, AS SAID LINES ARE EXTENDED NORTHERLY TO THE SOUTH LINE OF THE ROAD.
Tax Key Number(s): 45-15-26-355-019.000-043

Request: Petitioner is requesting Preliminary Plat and Final Plat for a One (1) Lot Subdivision

1. Petitioner's Comments: Michael Tiller, present tonight, stated he was working with DVG on site plans, preliminary and the final plat.

2. Town Engineer's Comments: Oliphant indicated they would need a waiver for lot depth; Bakker indicated it was 5 foot off. Oliphant stated his comments were minor in nature and consistent with those of 1-Lot subdivisions.
3. Building Department Comments: It was noted no variances would be needed and he would need to wait 30-days for Mylars.
4. Commission's Discussion: Tiller clarified for Dessauer that the only thing that was there now was grass/land and 100'-wide by 95'-deep.

4. Hanover Development LLC-Final Plat

Owner: Hanover Development LLC & Hanover Farms LLC, 8051 Wicker Avenue, Suite A, St. John, IN 46373
Petitioner: Hanover Development LLC., 8051 Wicker Avenue, Suite A, St. John, IN 46373
Vicinity: Approx. 12400 Wicker Avenue, Cedar Lake, IN 46303
Legal Description: Pt. SE.1/4 S.17 T.34 R.9 8.719Ac **and** Pt. SE.1/4 S.17 T.34 R.9 11.313Ac **and** Pt. SE.1/4 S.17 T.34 R.9 25.354Ac
Tax Key Number(s): 45-15-17-476-011.000-014 **and** 45-15-17-476-010.000-014 **and** 45-15-17-476-007.000-014

Request: Petitioner is requesting a Final Plat for Birchwood Farms Phase 2 – 25 Lots and 2 Outlots

1. Petitioner's Comments: Jeff Yatsko, present tonight on behalf of Olthof Homes, stated he was looking to Final Plat 25 lots and 2 out lots. Yatsko stated the utilities and roads are in, as-built sent to Oliphant and all items submitted.
2. Town Engineer's Comments: Oliphant stated the final plat review was done, awaiting Letter of Credit amounts and trying to strip out items to get the figure down.
3. Building Department Comments: None.
4. Commission's Discussion: Yatsko clarified lot numbers for Wilkening and that tree plantings will be on the west side.

4. Beacon Pointe of Cedar Lake LLC (Beacon East Phase 1)-Final Plat

Owner/Petitioner: Beacon Pointe of Cedar Lake LLC, 8900 Wicker Avenue, St. John, IN 46373
Vicinity: 9000 W. 141st Avenue, 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): 45-15-37-376-002.000-014

Request: Petitioner is requesting Final Plat for Phase 1

1. Petitioner's Comments: Michael Tiller, present tonight on behalf of Schilling developers of Beacon Point East, indicated they would be requesting Final Plat for Phase 1, noting improvements are going well, underground work was almost complete and curb and paving complete next week.
2. Town Engineer's Comments: Oliphant indicated he would have more next week. Michael confirmed for Oliphant there would be 8 duplexes and the remaining cottage totaling 28 units.
3. Building Department Comments: Kubiak noted most of the ponds are that deep, but when full and not a dry season, you do not see it.
4. Commission's Discussion: Oliphant confirmed for Wilkening the fence along the entrance drive, not around the retention pond and that the pond would look less deep when water was in it. He stated there are built-in safety ledges and set-back requirements being met. Multiple discussions took place regarding pond including depth of 10-12 feet, safety measures, algae growth, and fish habitation.

5. Ledgerstone – Performance Letter of Credit-Expires November 15, 2021

Owner/Petitioner: Diamond Peak, 1313 White Hawk, Crown Point, IN 46307

Request:

1. Petitioner's Comments: Michael Tiller, present tonight on behalf of Schilling, stated surface was down on Saturday and most likely converting their bond into maintenance.
2. Town Engineer's Comments: Oliphant stated inspection would be done before November, adjustments to the grade, there were not a lot of items to be addressed and remaining items were deemed minor in nature. Tiller noted the seeding of the lawn was addressed. Oliphant indicated all utilities were in and the stockpile had been eliminated.
3. Building Department Comments: Kubiak noted a lot of the sewer taps were eliminated and there were only two remaining lots to build on that were already sold. Bakker stated a vote needed to be done at the next meeting.
4. Commission's Discussion: All members were good.

UPDATE ITEMS:

1. Rose Garden Phase 1-Letter of Credit: Bakker stated they would like to extend the LOC as is, a draft form has been received and is currently being reviewed by legal.
2. Centennial Phase 12-Letter of Credit: Oliphant stated they made most of the repairs and did not feel it would be a problem rolling over into Maintenance. Bakker stated a check was being held.
3. Summer Winds Unit 2 - Performance Letter of Credit - Expires December 20, 2020: Oliphant stated they would likely be reduced down to 25%.
4. Summer Winds Unit 3 - Performance Letter of Credit - Expires December 23, 2020: Oliphant stated they would likely be reduced down to 25%.
5. Beacon Pointe Unit 3 – Performance Letter of Credit – Expires May 13, 2021: Oliphant stated they had some time on this one. Tiller indicated surface would be down in the next 2 weeks. Bakker indicated Huls requested Unit 3 & 4 (noted below) to be on the November agenda. Tiller confirmed for Oliphant that Beacon Pointe is completely sold out.
6. Beacon Pointe Unit 4 – Performance Letter of Credit – Expires October 1, 2021: Same as #5 above.

Public Comment:

Kiepora noted the bright lighting at the house on the curve by Bug-a-Boos. Suggestion was made he contact Code Enforcement.

Foreman stated the Town of Cedar Lake hired a Town Manager. He noted the many years of Eberly's experience in planning and the Building Department gaining a wealth of knowledge and processes, including the transfer of Murr joining the Building Department. Discussions took place on transition of staff and roles moving forward.

Kiepora if operation was taking place in the old golf cart location on HWY 41 that was a used car lot. Kubiak confirmed Billy's Vintage Stereo is currently operating a B2 business in the location. Multiple discussions ensued regarding permitted use in the zoning, occupancy permits and business licenses not currently being required.

Becker asked about Melody Hill tearing down houses to make a Beer Garden. Kubiak confirmed a demo permit had been obtained, got a permit from the DNR to put slips in, they would have to present a plan if they want to increase their parking and obtain special events permits accordingly.

Foreman talked about the Town's plan to have more walking and parking along Morse and Lake Shore Drive. Dessauer noted safety concerns along walking paths. Discussions took place regarding a few properties along the route and conceptual/proposed ideas.

Kiepura expressed his concern for lack of communication. Kubiak stated there is no one person to communicate everything to everyone and that is the reason why there are different people on each board to share that information.

Dessauer inquired on the status of the YMCA. Foreman indicated he had not heard anything new. Bakker stated if they had anything new to present, they would be back on the agenda.

Adjournment: 8:52 pm.

Press Session:

Next Meetings: Plan Commission Public Meeting – October 21, 2020 at 7:00 p.m.
Plan Commission Work Session – November 4, 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.