



**TOWN OF CEDAR LAKE – PLAN COMMISSION  
SPECIAL PUBLIC MEETING & WORK SESSION  
February 3, 2021 7:00 P.M.**

Call to Order (Time): 7pm

Pledge to Flag:

Roll Call:

Present Jerry Wilkening, President  
Present Richard Sharpe, Vice President  
Present John Foreman, Member  
Present John Kiepura, Member  
Present Chuck Bekker, Member  
Present Heather Dessauer, Member  
Present Robert Carnahan, Member

Present Donald Oliphant, Town Engineer – CBBEL  
Present David Austgen, Town Attorney  
Present Tim Kubiak, Director of Operations  
Present Jill Murr, Planning Director  
Present Malia Comia, Recording Secretary  
Present Teri Knowles, Recording Secretary  
Present Rick Eberly, Town Manager

**Special Public Meeting:**

**Old Business:**

**1. Hanover Community Middle School-1-Lot Subdivision, Rezone, PUD Amendment**

Owner/Petitioner: Hanover Community School Corp, 9520 W. 133<sup>rd</sup> Ave., Cedar Lake, IN 46303  
Vicinity: 10631 W. 141<sup>st</sup> Ave., Cedar Lake, IN 46303  
Legal Description: Hanover Central Middle School Sub. Lot 1 and Pt. W.1/2 SW.1/4 S.33 T.34 R.9  
(1330.02x696.5x1329.36x696.51ft) 21.25Ac  
Tax Key Number(s): 45-15-33-151-012.000-014 and 45-15-33-300-011.000-013

**Request:                   Petitioner is requesting a Rezone from Agriculture (A) Zoning District to a Community Business (B-2) Planned Unit Development (PUD) Zoning District and a Planned Unit Development (PUD) Amendment**

- Petitioner's Comments:** Don Torrenga from Torrenga Engineering Inc. and Dion Katsouros from Skillman Corp. Also attended: Mary McCulley School Superintendent, Nick Otis School Attorney, School Board President, and two Board Trustee's. Mr. Torrenga brought up what was needed to be discussed from last meeting with the Planned unit development ordinance that Mr. Otis was working on with Atty Austgen. Also, the decision with the sidewalk along 41.
- Town Engineer's Comments:** Mr. Oliphant stated there was about 20 engineering comments that were minor and that the major issue was how to handle the sidewalks.
- Building Department Comments:** Mr. Torrenga stated that Mr. Kubiak, from the previous meeting, claims a waiver or agreement be put together, if needed, similar to what was done with Strack & VanTil and won't be at the cost of the school corporation.
- Commission's Discussion:** Mr. Kubiak stated that Attorney Austgen was in process of making an agreement with Strack & Vantil. It has not been implemented at this time regarding the sidewalks. Also stated, is that it would end up being a cost if the sidewalks were applied in the wrong spot, with the fact that the curbs and sidewalks have not been

5. approved. Mr. Wilkening stated using the monies for the connection to Monastery subdivision verses them using the cost of a bus for transportation, or other areas that can

be interconnected. Attorney Austgen reminded that one needs to be careful and consider the decision of what needs to be in place with the legal, ordinances, and regulations. Commission went over other alternatives of where sidewalks can be applying for public use if not Rt 41. Mr. Eberly stated that fund monies can't be taken and be used in another direction if not used on the Rt 41 project. However, one can grant the wavier they are requesting under conditions that they put the sidewalks in from High School to Parrish or Monastery Wood South subdivision. That's one way to accomplish that but, then you're granting the wavier for the side walk on 41. It's a benefit for the school corp. As well as to us. Mr. Kiepora feels if there is an entranceway by the water tower; in the future, this will elevate traffic at light in both directions and with drop off in the mornings at the high school. Mr. Wilkening questioned the cross traffic in the center of 41 being allowed a certain measurement? Mr. Torrenge responded that it was INDOT's decision, and stated that INDOT wants the cross-traffic center increased. The Board doesn't have the right to do this only INDOT. He stated that the sidewalk being proposed is on INDOT's right away. INDOT only has the jurisdiction and we will have to go with them requirements and restrictions. Mr. Wilkening questioned where the sidewalk would go in for the Monastery Wood Sub. Location is the East side of town's property (water tower) South of the water tower – straight west towards baseball diamond. Mr. Otis (school atty) stated with the fact the school is willing to help fund the sidewalks, he feels the fact that Rt 41 is so busy that it wouldn't get used like hoped. Mr. Wilkening supported the fact that the side will be beneficial not only for the students but for the town. School Board agreed. It was noted that the sidewalk along Rt 41 will be approximately 13,000' length x 5' wide. Attorney Austgen recommends conditions that should be considered in certification to the town council on the zoning ordinance.

**Including:**

- a.) Rezoning requirements
  - b.) Terms & conditions for Annexation.
  - c.) Approved Hanover Central School Corp. project contract
  - d.) Terms & conditions 1- Lot approval
  - e.) Terms & conditions to Board of Zoning on parking
  - f.) Compliance by the owner petitioner
  - g.) Plan Unit Development Zoning District classification zone map amendment
6. **Commission's recommendation to Town Council:** Mr. Foreman motioned to approve the Middle School 1-Lot subdivision rezone PUD amendment in a form of a favorable recommendation to the town council. Would like to have comments read by Attorney Austgen with the recommended conditions as well as contingent on the Engineering comments. As well as grant them a waiver for the Sidewalks on Rt 41 contingent on the high school connection Monestary Woods South subdivision to the existing high school sidewalks within a 2-year period of this date 2-3-21.

Motion: John Foreman 1<sup>st</sup> Richard Sharpe 2<sup>nd</sup>

Heather Dessauer	Chuck Becker	John Foreman	Robert Carnahan	Richard Sharpe	John Kiepora	Jerry Wilkening	Vote
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>7-0</b>

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

1. **Petitioner's Comments:** NONE
2. **Town Engineer's Comments:** Mr. Oliphant stated only thing would be the easement of the Plat located in the drainage of the detention unit. Also addresses.
3. **Building Department Comments:** Mr. Torrenga stated that all contingencies recommended on the Ordinance should be applied to the Plat.
4. **Commission's Discussion:** Attorney Austgen stated that all contingencies recommended on the Ordinance be applied to the plat.
5. **Commission's Decision:** Mr. Foreman made a favorable recommendation to approve the petitioner's letter 2-2-21. Request contingent on completion of engineer's comments and sidewalk installation to town council. Mr. Foreman amended motion.

Motion: John Foreman 1<sup>st</sup> Richard Sharpe 2<sup>nd</sup>

Heather Dessauer	Chuck Becker	John Foreman	Robert Carnahan	Richard Sharpe	John Kiepora	Jerry Wilkening	Vote
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>7-0</b>

## 2. Hanover Community High School-Site Plan

Owner/Petitioner:      Hanover Community School Corp, 10120 133<sup>rd</sup> Ave., Cedar Lake, IN 46303  
 Vicinity:                      10120 133<sup>rd</sup>, Cedar Lake, IN 46303  
 Legal Description:      Hanover Central Campus Sub Lot 1Ex. Fieldhouse & Spec. gym parcel  
 Tax Key Number(s):      45-15-21-451-005.000-014

**Request:**                      **Petitioner is requesting a Site Plan-Athletic Fields/Parking Lot**

1. **Petitioner's Comments:** Don Torrenga handed out the new plan which eliminates all access to 133<sup>rd</sup>, private drive and the road along the detention pond.

2. **Town Engineer's Comments:** Mr. Oliphant claims still minor issues mainly residential.
3. **Building Department Comments:** Jim the Architect, the only access now is south into parking lot and north side of school, and behind school just south of the football field. They stopped access and the new access is one to the very south of the parking lot and the other on the north side behind the school south of the football field.
4. **Commission's Discussion:** The new parking lot will be used only for athletic events and other larger scale events. Most of the time it will capped off and not used. The practice field is considered R1 Agricultural / no zone / recreational and doesn't need to be presented to the BZA.
5. **Commission's Decision:** Mr. Foreman motion to approve the site plan with two contingencies. The engineering letter dated 2-3-21 and high school connecting with Monastery Woods South subdivision within 2-years of today's date. Mr. Foreman amended motion with the addition of the drainage tile and detention basin setback waivers.

1<sup>st</sup> Motion: John Foreman 1<sup>st</sup> Robert Carnahan 2<sup>nd</sup>

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

**Adjournment of Public Meeting 8:14 pm**

**Work Session 8:14 pm**

**New Business:**

**1. Hanover Community High School-Site Plan**

Owner/Petitioner: Hanover Community School Corp, 10120 133<sup>rd</sup> Ave., Cedar Lake, IN 46303  
Vicinity: 10120 133rd, Cedar Lake, IN 46303  
Legal Description: Hanover Central Campus Sub Lot 1Ex. Fieldhouse & Spec. gym parcel  
Tax Key Number(s): 45-15-21-451-005.000-014

**Request:                      Petitioner is requesting a Site Plan-Additions to High School**

1. **Petitioner's Comments:** Mr. Torrenga explained the architect is modifying the site plans for the parking and sidewalk pointing towards 133<sup>rd</sup> and are not ready for presentation. Mr. Torrenga would like one clarification regarding the Ordinance for parking being 50' within the front yard setback.

2. **Town Engineer's Comments:** NONE
3. **Building Department Comments:** Wants to know if the drive aisles are under this restriction. Mr. Eberly will get clarification. Mr. Carnahan would mention to change the drive aisles due to headlights being higher than the roads of 133rd.
4. **Commission's Discussion:** NONE

## 2. Henn-Concept Plan

Owner: Rob Henn, 13733 Wicker Ave., Cedar Lake, IN 46303  
Petitioner: Russ Pozen, 1155 Troutwine Road, Crown Point, IN 46307  
Vicinity: 13212 Wicker Ave., Cedar Lake, IN 46303  
Legal Description: N.65FT OF E.E.290FT OF S.560FT OF SE1/4 SE1/4 SE1/4 S.20 T.34 R.9 0.433 AC and N. 65FT. OF S. 625FT. OF E. 200 FT. OF SE SE S.20 T.34 R.9 .295A and W.90FT OF E.290FT OF N.130FT OF S.690FT OF SE SE S.20 T.34 R.9 .207AC. SUBJ TO EASEMENT  
Tax Key Number(s): 45-15-20-480-021.000-014 and 45-15-20-480-020.000-014 and 45-15-20-480-009.000-014

**Request:**                    **Petitioner is requesting a Concept Plan**

1. **Petitioner's Comments:** Mr. Pozen from DVG Team Inc. / Crown Point, Rob Henn from Henn & Sons. Mr. Pozen is requesting on site approval to the current location of building on Rt 41 (the old Gard's Laundromat) This location is 3 parcels that will be combined into one. The building will be divided into 3 separate units. Two retail and one office. Sign will be redone. New asphalt for the parking lot and resized to meet requirements. Well, is acceptable. Mr. Pozen stated the Drainage is poor. Storm water detention required.
2. **Town Engineer's Comments:** Mr. Oliphant stated INDOT claim that it is a town service system even though it is in a INDOT right away. They maintain open ditch lines but not enclosed. Also, CMP piping needs replaced.
3. **Building Department Comments:** Mr. Carnahan stated past issues with the drainage on 41 with the east side of the building. INDOT catch basin does not drain properly.
4. **Commission's Discussion:** Council questioned parking on frontage with angle parking. Height of parking is questioned with future asphalt. Drainage of dry detention basin that storm water will flow at an end section. A storm sewer-built underneath asphalt has a direct connect to a manhole, which is connected to the CMP pipes.

## 3. Cedar Lake Ministries-Concept Plan

Owner/Petitioner: Cedar Lake Ministries, 13701 Lauerman, PO Box 665, Cedar Lake, IN 46303

**Request:**                    **Petitioner is requesting a Concept Plan**

1. **Petitioner's Comments:** Jack Huls-DVG Team, Inc., John Terpstra-on zoom, Brent Knoll-executive director-on zoom, Nathen Peterson-on line. Mr. Terpstra stated they wanted a plan unit development that would set a base line for the legal nonconforming use that would be accepted by the Town of Cedar Lake and that would restrict any alterations or improvements to the lots if that alteration were for improvements, and were to increase that nonconformance. Roadways going through are not conducive to allowing emergency vehicles easy access. Need a baseline obligation of Cedar Lake Ministries will not allow these roadways to either go away or altered make it a challenge.
2. **Town Engineer's Comments:** NONE
3. **Building Department Comments:** Commission went over several issues questioned above regarding the permits, construction of lot buildings, roadway construction, lake front walkway, zoning, BZA, permits. Also, commission went over the history to what needed to modernize the grounds with regulations.

**Update Items:**

1. **Rose Garden Estates Water Main Extension:** Mr. Oliphant states this is taken care of.
2. **Zoning Ordinance Amendment:** changed to next meeting.
3. **Plan Commission Rules and Regulations:** Mr. Eberly and Atty Austgen collaborated and revised the rules and regulations to make them specific to Cedar Lake and are proposing that the plan commission will consider and adopt.
4. **YMCA-withdrawal:** Mr. Wilkening state they withdrew and this concluded and closed.

**Public Comment:** Beacon East was approved last year to start development. They have acquired a couple of extra parcels. This will allow to extend curb and water lines. Their concept for amendment was presented.

**Adjournment:** 10:45pm

**Press Session:** Plan Commission Public Meeting – February 17, 2021  
Plan Commission Work Session – March 3, 2021

