



**CEDAR LAKE PLAN COMMISSION SPECIAL PUBLIC MEETING MINUTES**  
**CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA**  
**September 7, 2022 at 7:00 pm**

**Call To Order:**

Mr. Kiepura called the Plan Commission Work Session to order on Wednesday, September 7, 2022, at 7:00 pm with its members attending on-site and electronically. The Pledge of Allegiance was said by all.

**Roll Call:**

**Members Present via Zoom:** John Foreman. **Members Present On-Site:** Robert Carnahan; Heather Dessauer; Richard Sharpe, Secretary; Chuck Becker; Greg Parker, Vice President; and John Kiepura, President. A quorum was attained. **Also present:** Don Oliphant, Town Engineer; David Austgen, Town Attorney; Chris Salatas, Town Manager; and Ashley Abernathy, Recording Secretary. **Absent:** None.

**New Business**

**1. Birchwood, Phase 1 – Rotation of Performance Letter of Credit to Maintenance Letter of Credit**

Mr. Kiepura stated the first order of business is for the rotation of the Performance Letter of Credit to Maintenance Letter of Credit for Birchwood, Phase 1.

Mr. Jeff Yatsko, Olthof Homes, stated they received the list from Mr. Oliphant of items needing corrected and are working through that list. Their original anticipation had been to convert this Performance Letter of Credit to a Maintenance Letter of Credit. However, due to the approaching expiration of the existing Performance Letter of Credit, they will be requesting an extension of the Letter of Credit.

Mr. Kiepura asked Mr. Oliphant about the outstanding items on the list. Mr. Oliphant commented the list is minor in nature. The only item that could be a potential issue in the completion of the list prior to the expiration of the Letter of Credit is paving related.

Mr. Yatsko asked the Plan Commission if they were agreeable to having the Performance Letter of Credit extended for a year. The Plan Commission was agreeable.

**2. Cedar Lake Storage LLC – Request for Reduction in Performance Letter of Credit**

Mr. Kiepura stated the next order of business is for a request to reduce the Performance Letter of Credit for Cedar Lake Storage LLC.

Ms. Dawn Crawford stated they are requesting a reduction in their 2 Performance Letters of Credit. The first Letter of Credit was in the amount of \$242,741.40 and a second in the amount of \$18,854.00. They have completed the binder for the first phase which would reduce the first Letter of Credit and completed the sidewalk for the second Letter of Credit.

Ms. Crawford commented that while they have completed the sidewalk, Mr. Oliphant mentioned the need for tie-ins and they are unaware of where they need to tie-in. Mr. Oliphant stated the initial plan is to mill some of the existing pavement to create an adequate butt joint to allow for a tie-in. He will be going out the next day to inspect the property. Discussion ensued.

Mr. Oliphant advised once the inspection is complete, a recommendation will be made to either reduce the Performance Letter of Credit or convert it to a Maintenance Letter of Credit for the sidewalk. The other Performance Letter of Credit is a private Letter of Credit for the interior improvement for the phases of the property. The binder has been installed, which will allow for a reduction in the Performance Letter of Credit.

Mr. Foreman joined via Zoom at 7:09 pm.

**3. Hanover Community School Corp. – Final Plat Amendment**

**Owner: Hannover Middle School Building Corp., 9520 W. 133<sup>rd</sup> Avenue, Cedar Lake, IN 46303**

**Petitioner: Hanover Community School Corp., 9520 W. 133<sup>rd</sup> Avenue, Cedar Lake, IN 46303**

Mr. Kiepura stated the next order of business is for a Final Plat Amendment for Hanover Community School Corporation to allow for the address on the Administration Building to be changed to 14525 Wicker and Red Cedars Elementary School to be changed to 10735 West 141st Avenue.

Mr. Salatas advised this is an amendment to the Final Plat due to the school wanting mail delivered to separate buildings and the Postal Office is requiring two separate mailing addresses for this matter. As such, a Final Plat amendment is needed to provide the separate addresses for the buildings.

**4. Silver Meadows – Preliminary Plat for a 98-Lot Subdivision and Rezone**

**Owner/Petitioner: Diamond Peak Group LLC, 1313 White Hawk Drive, Crown Point, IN 46307**

**Vicinity: 9210 W. 155<sup>th</sup> Avenue, Cedar Lake, IN 46303**

Mr. Kiepura stated the next order of business is for a Preliminary Plat for a 98-Lot Subdivision and a Rezone from Agricultural to PUD by Petitioner Diamond Peak Group LLC for a property located in the vicinity of 9210 West 155<sup>th</sup> Avenue.

Mr. Rick Hemphill, Diamond Peak Homes, advised Mr. Oliphant that Mr. Michael Herbers and DVG Team are reviewing his letter. They are aware of the need to bore for a well head and intend on doing this in October.

Mr. Hemphill advised they are wanting to propose two additional house plans that vary from the typical R-2 Zoning, in addition to the standard houses they offer which meet the typical R-2 Zoning requirements. Mr. Hemphill passed the proposed house plan renderings to the Plan Commission.

Mr. Carnahan stated the parcel being discussed tonight by Diamond Peak was part of the land swap to allow the Town to build the Sediment Dewatering Facility for the lake dredging. Mr. Hemphill stated they had purchased a 40-acre parcel in the area, which they then swapped with the Town. It had been preferable for the Town to have the parcel they owned for the lake dredging project.

Mr. Hemphill advised the proposed ranch they are wanting to include is around 1,400 square feet, with 3 bedrooms and 2 bathrooms. The two-story house is around 1,800 square feet, and is still in design phases. The intent for these homes is to provide houses at a better price point for those who could not afford to buy their standard houses. Currently, the houses they build begin selling around the mid \$400,000 range. Mr. Hemphill discussed the inspiration for these two styles of homes.

Ms. Dessauer inquired if the square footage estimate is only for living square footage. Mr. Hemphill responded in the affirmative. Ms. Dessauer asked if the 1,777 square footage listed for the two-story is not correct due to the mention of the rough square footage of the house being higher. Mr. Hemphill responded it is not correct. Currently, this design shows a bump out and their preference is to elongate the house. They are anticipating adding around 100 square feet to the two-story design.

Ms. Dessauer asked what the intended number of lots for the subdivision is. Mr. Hemphill responded they are anticipating 98 homes. This could vary dependent upon the location of the well head. Ms. Dessauer asked within the 98 proposed lots, how many of the smaller homes are they proposing. Mr. Hemphill responded they do not anticipate a large demand for this style of home. Their preference is to be able to offer these styles of homes and discussed the houses that they are frequently asked to build.

Ms. Dessauer asked what the proposed lot sizes are for the subdivision. Mr. Hemphill responded the intended lot size is 70 feet by 130 feet. A few of the lots will be larger and will have greater setbacks due to the larger size.

Mr. Parker asked if the entire development will be single family. Mr. Hemphill responded in the affirmative. Due to this, none of the proposed houses will be maintenance free. Mr. Sharpe asked if all the proposed houses will have basements. Mr. Hemphill responded in the affirmative.

Ms. Dessauer inquired if they are allowed would they be amenable to capping the amount of the smaller houses. Mr. Hemphill advised he did not have a mechanism to give them a number, unless the Plan Commission provides a number to them of how many of the smaller houses they are allowed to construct.

Mr. Austgen advised with the PUD Agreement that will be a part of the Ordinance. The PUD Agreement will require the developers to fulfill their contractual limitations. The number of smaller houses could be a term included within this document. Discussion ensued.

Mr. Kiepura stated if they agree to the inclusion of smaller homes a number or percentage would be needed, and discussed having the percentage around 10 to 20%. Mr. Hemphill asked if that percentage would be for both houses combined or each would be allowed that percentage. Mr. Kiepura clarified it would be for both plans together.

Mr. Jack Huls, DVG Team, engineering firm for the project, stated they have submitted full engineering with the PUD Documents. They have received review from Mr. Oliphant. As such, they are not anticipating to be back for Preliminary Plat in two weeks. They anticipate appearing at the October Work Session. Mr. Huls requested feedback from the Plan Commission regarding some of the bulk standards they are intending on incorporating into the PUD Document.

Mr. Huls explained they intend on utilizing an R-2 Zoning as the base zoning and discussed the variances from the R-2 Zoning District they will be seeking, such as lot size, and size of house at the foundation. This will include the percentage of houses that are smaller than allowed by bulk standards in the Zoning Ordinance.

Mr. Huls advised they will have the inclusion of Covenants and Restrictions and will provide copies of the same to Mr. Austgen. They are aware of the number of changes and are currently looking for any feedback from the Plan Commission. Mr. Huls discussed they had a meeting with the Parks Department where they talked about the park dedication and the need for an additional well site. They are proposing to utilize the well site as a park and converting the proposed park lot to an additional two lots.

Mr. Austgen commented there have not been finalized numbers presented in regards to the proposed bulk standards, and having those finalized components are critical to the PUD Agreement. It is his recommendation with the proposal of lower value projects doing form-based exhibits or drawings to identify the lots.

Mr. Huls asked for clarification if the suggestion is for schematic floor plans to be included in the PUD Agreement. Mr. Austgen stated that is correct. Currently, values are being presented at lower value homes with a smaller square footage. This would have an economic impact. As such, ensuring that what the Plan Commission deems appropriate is included in the PUD Documentation will prevent any additional changes. Discussion ensued.

Mr. Hemphill advised he is appreciative of the dialogue and they will think on a percentage that could be proposed.

Mr. Parker discussed he appreciates the single-family aspect of the presented plan, and feels that 1,400 square footage for a house is not a bad size. To him, the main concern being presented is having a subdivision with the same structure being repeated on every lot. Mr. Hemphill stated they do not like having the same structure repeated as a builder. In their contracts, they include that they cannot have the same house next to each other unless there is a manner of change to the structure.

Mr. Oliphant advised that the Developer is requesting that the sidewalk requirement be waived along 155<sup>th</sup> Street and Parrish Avenue. Ms. Dessauer asked why they did not want to include the sidewalk. Mr. Huls responded they are requesting the waiver due to the lack of connectivity and not viewing a need for the sidewalk. Mr. Parker commented while there may not be a current need for the sidewalk, the installation of the sidewalk is to provide connectivity in the future. Discussion ensued.

Mr. Huls stated the intent is to construct this property in 2 to 3 phases, with the first phase having an agreement with the Town to temporarily connect to Lynns way for water and sewer services. The Master Plan for the Town is to install an interceptor sewer to be installed along 155<sup>th</sup> Avenue. The services provided will connect into this interceptor sewer.

Ms. Dessauer asked when they intended to begin Phase 1 and how many lots would be included in this phase. Mr. Huls responded they anticipate beginning Phase 1 in the spring and they will be building 30 homes. Their engineering plans show a temporary lift station and there are plans of extending the water main to Lynns way.

Mr. Parker asked Mr. Oliphant if this is in alignment with the Town's plan. Mr. Salatas responded he has had meetings with Mr. Huls and Mr. Herbers regarding this item. What is being discussed does align with the Town's plans.

Mr. Huls commented they are permitted to construct 30 homes with temporary connection into Lynns way's services as a part of the land swap agreement. They are aware the rest of the plans are contingent on the Town's extension project as they move forward. Discussion ensued.

Mr. Austgen asked if what was being discussed has been documented with agreements that are being reached or have been previously reached to be included in the PUD Agreement. Mr. Salatas stated it was his understanding this was documented. Mr. Huls commented he had seen the agreement in writing. However, he cannot remember what it had been on and they will provide a copy to Mr. Austgen.

Mr. Kiepura asked Mr. Huls about their anticipated timeline for the Public Hearing. Mr. Huls responded they would like to appear in front of the Plan Commission at their October Work Session for a status update.

#### **5. Duddy – Concept Plan**

**Owner/Petitioner: Robert & Joanne Duddy, 3625 Wirth Rd, Highland, IN 46322**

**Vicinity: 12721 Cline Avenue, Cedar Lake, IN 46303**

Mr. Kiepura stated the next order of business is for a Concept Plan for a Two Lot Subdivision to Three Lot Subdivision by Petitioner Mr. Robert Duddy and Ms. Joanne Duddy for a property located in the vicinity of 12721 Cline Avenue.

Mr. Salatas advised the Petitioner does not appear to be present at the meeting and recommended deferring this item to the October Work Session. Mr. Austgen recommended removing this from the Agenda until the Petitioner reaches out to the Town. Discussion ensued.

Mr. Kiepura directed for this to appear on the October Work Session and for the Petitioner to be notified of the deferral and consequent removal from the Agenda if they do not attend.

**6. Lakeside South – Concept Plan**

**Owner: Cedar Lake 133, LLC, 8900 Wicker Avenue, St. John, IN 46373**

**Petitioner: Schilling Development, 8900 Wicker Avenue, St. John, IN 46373**

**Vicinity: 5604 West 141<sup>st</sup> Avenue, Cedar Lake, IN 46303**

Mr. Kiepora stated the next order of business is for the Concept Plan for a Rezone to a PUD for Lakeside South by Petitioner Schilling Development for the property located in the vicinity of 5604 West 141<sup>st</sup> Avenue.

Mr. Jack Slager, Schilling Development, representing the Petitioner, discussed the history of the original Lakeside subdivision. They began discussions of annexing the property for Lakeside South in May 2021 with Mr. Rick Eberly, Mr. Tim Kubiak, and Mr. Neil Simstad to discuss utilities and annexation. They have proceeded with the annexation for the property and they completed that process in June 2022.

Mr. Slager advised in August they purchased an additional 22 acres adjacent to the property, located in the northwest corner. This additional 22 acres allowed for the Concept Plan to be amended from the original plans brought to the Town. They have worked with a land planner and landscape architect to create the design for the subdivision.

Mr. Slager stated the main road through the subdivision will tie-in to the main road through the original Lakeside. The main road will have an entrance off of 141<sup>st</sup> Avenue, and there will be road stubs provided east for potential future development. They will ensure the entrance will have a berm and be landscaped. There will be additional entrances within the subdivision to identify the different sections. The property will have a 13-acre lake in the middle, a 10-acre park at the entrance, and an east-west walking path throughout the development.

Mr. Slager discussed they decided to utilize curved roads to add character to the subdivision and to reduce monotony in the development. They are proposing three different sections in the subdivision, single-family residences, cottage homes, and paired villas. The cottage homes and paired villas will be maintenance free. Each product type will be approximately 25% of the land. They are proposing 156 single family homes for 25.9% of the land, 210 cottage homes for 25.4% of the land, and 230 paired villas for 21% of the land, with the remainder of the land being utilized for the lake, parks, and the like. The overall proposal is for 596 housing units, for a density of 2.7. Mr. Slager compared the proposed density to the density of original Lakeside of 2.5. Mr. Slager discussed at length the lot sizes and anticipated prices for each section of the subdivision.

Mr. Slager advised currently there is no municipal water at the site. The Town is going to be extending the water main down 141<sup>st</sup> Avenue and they have agreed to extend the water main down 141<sup>st</sup> Avenue, through the subdivision and connect to the existing water main in Lakeside. This extension will provide the link to the water tower. In addition, they intend to install a deep, oversized 15-inch sanitary sewer that will connect to Morse Street, run through their development, and connect to the existing Lakeside sanitary sewer.

Mr. Salatas asked if the proposed sanitary sewer line would eliminate the need for any lift stations. Mr. Slager responded in the affirmative and stated in the future Robin's Nest can be connected to this sanitary sewer system if desired by the Town. This would allow for the lift station in Robin's Nest to be eliminated.

Mr. Slager stated they anticipate 6 to 8 years for developing the subdivision for a 10-year build-out. Ms. Dessauer asked how many phases they anticipate. Mr. Slager responded approximately 8 phases, with 1 phase a year and a mix of all 3 housing styles. They would begin with the main entrance off of 141<sup>st</sup> Avenue and approximately 20 units from each section.

Ms. Dessauer asked if there would be connectivity with the main road between Lakeside and Lakeside South. Mr. Slager responded the connectivity would not be there initially. This is due to building the subdivision both north and south from their respective starting points and eventually meeting in the middle with the subdivision. They will be completing the sewer and the water main and discussed the work needed to begin the development.

Mr. Salatas asked if there were any intentions for any additional Lakeside subdivisions. Mr. Slager stated their intentions are to create one Lakeside subdivision and this addition was named Lakeside South for planning purposes. Both the entrance off of 133<sup>rd</sup> Avenue and 141<sup>st</sup> Avenue will have a sign stating Lakeside.

Mr. Kiepura asked if they intended to complete the original Lakeside before beginning construction on Lakeside South. Mr. Slager responded they would like to continue with Lakeside original. However, they do not anticipate being complete with the original Lakeside when they begin work with Lakeside South.

Mr. Kiepura asked if they could begin finishing the original Lakeside subdivision now or do they need to wait for the sewer main. Mr. Slager responded they mainly need to wait for the sewer, which is the major run from Morse Street. They are able to utilize the water they currently have for approximately 30 homes. They have the capacity within the existing water. Discussion ensued.

Mr. Austgen advised if the next phase is a proposed 55 homes and they are only able construct 30, they are not able to contractually approve that. If the approval is for 55 homes, the approval is saying 55 homes are able to receive utilities. Mr. Slager stated Mr. Simstad had discussed the leftover capacity, and an option they can conduct is a new flow test with the existing 54 homes running on the water system. It is possible they can get water to more than 30 homes.

Mr. Oliphant asked Mr. Slager when they intend to begin water and sewer main extensions. Mr. Slager responded they would like to begin the offsite sewer work over the winter, if possible. The water main is being brought to Lakeside, and they have designed for this. Mr. Huls advised these extensions are included in Lakeside Unit 2 Subdivision. While they are tied to the Lakeside South project, they are permitted as part of Lakeside Unit 2 approval.

Mr. Kiepura asked if they are proposing two entrances, with one being located on 133<sup>rd</sup> Avenue and one on 141<sup>st</sup> Avenue. Mr. Slager responded in the affirmative. Mr. Kiepura asked what the potential impact is on traffic in the area. Mr. Slager commented that is a concern.

Mr. Parker asked Town Council members of the Plan Commission if there has been discussion of improvements or upgrades to avenues of traffic on the east side of the lake. Mr. Carnahan responded there are plans to construct improvements to roads along the east side of Morse Street. However, they have not reviewed any lane additions. Discussion ensued at length.

Mr. Slager advised they can conduct a traffic study and stated the traffic is something they have taken into consideration.

Mr. Becker commented he was not a fan of including more multi-family units. Mr. Slager stated he was aware that it was a large number. If the proposed development was done in smaller increments, it would not be as large of a number. Their attempt is to create a cohesive plan.

Mr. Oliphant asked Mr. Slager if they could conduct a traffic impact study for the total build-out. Mr. Slager responded in the affirmative and stated this would help them identify where bottleneck traffic will be.

Discussion ensued regarding the amount of multi-family units within the Town.

Mr. Slager stated they will conduct traffic studies to determine any potential traffic issues. They have not indicated a connection to Robins Nest on the plan were there is the location of a stub street. They are already providing connection in the original Lakeside and Robin's Nest. This will provide an additional connection. If this connection is wanted, the layout does allow for them to include the connectivity.

Ms. Dessauer stated she had a couple of concerns with the density, lack of entrances in and out of the subdivision, and impact on the surrounding areas.

Mr. Oliphant asked if they would like to discuss the sidewalks along 141<sup>st</sup> Avenue. Mr. Slager stated they had attempted to provide connectivity by connecting the walking path throughout the subdivision. If the Plan Commission wants to have a sidewalk along 141<sup>st</sup> Avenue, they will install the sidewalk. Discussion ensued.

Mr. Slager further discussed the proposed density in Lakeside South and compared it with the density of other subdivisions within the Town. They are proposing a clustered development with more open green space.

Mr. Carnahan asked if there was a possibility of extending some roads from the west side of the development out to Morse. Mr. Slager stated it has been an item they reviewed. While it is not impossible, they would need to cross Founders Creek and they are not aware of the viability of crossing the creek. This is something they can take a look at. Discussion ensued.

Mr. Salatas stated he would have to review it but the proposed density for Lakeside South does not appear to be too far off of the desired density within the Comprehensive Plan.

Mr. Parker discussed the potential of improving and widening the main thoroughfares around the lake in an attempt to reduce the amount of traffic, especially with higher density subdivisions coming to Cedar Lake. Mr. Austgen stated when presenting their plans, developers anticipate that if they follow the Town's Code, they are able to develop their property. Mr. Parker stated he was aware of this and discussed there being different forms of planning that can occur. Discussion ensued.

Ms. Dessauer asked Mr. Slager when they develop a property why they do not create 1-acre lots and sell them for a greater price. Mr. Slager responded the math does not add up at that point and explained how they develop a property and how they determine price per lot.

#### **7. Davis – Concept Plan**

**Owner: Tammy Fisher, 14009 Sherman Street, Cedar Lake, IN 46303**

**Petitioner: Thomas Davis, 7580 West 84<sup>th</sup> Place, Crown Pointe, IN 46307**

**Vicinity: 14004 to 14009 Sherman Street, Cedar Lake, IN 46303**

Mr. Kiepura stated the next order of business is for a Concept Plan for waivers from sidewalk, curb and gutter, and street width by Petitioner Thomas Davis for a property located in the vicinity of 14004 to 14009 Sherman Street.

Mr. Thomas Davis and Ms. Alexis Davis were present for this item.

Mr. Davis stated they have a contingent contract for some property on Sherman Street for 2 half acre lots. Ms. Davis commented Sherman Street is platted through the property and the owner of the property has her house on one of the lots. The intent is to subdivide the lot and sell the back half of the lot.

Mr. Davis advised his intent is to build a house for his daughter for the lots located at 14004 Sherman Street. Sherman Street ends before the lots they would like to build upon.

Mr. Parker asked for clarification if the proposed building site will not have any frontage. Mr. Davis clarified currently there is no street. They would need to install the street.

Mr. Kiepura asked if Sherman Street is splitting the property. Mr. Davis responded in the affirmative.

Mr. Oliphant indicated on the Lake County GIS Map where the property is located and where the road ends.

Ms. Dessauer asked if this has already been subdivided. Ms. Davis responded in the negative and stated they had not been aware of the lots connecting to her house being included in the sale of the land.

Mr. Davis stated they were aware the property would need to have a street frontage and they would need to install the street. They are wanting to know how far they need to take the street and if they would need to install curbs and sidewalks.

Mr. Foreman asked if the Petitioner was going to own Lots 47 through 52 and 1 through 6. Mr. Oliphant responded in the affirmative. Mr. Foreman discussed the potential of conducting a Public Way of Vacation for Sherman Street in between the lots, if they buy the lots on both sides of Sherman Street. This would enable the Petitioner to go in front of the BZA and request a reduction of frontage to 30 feet. Discussion ensued.

Mr. Carnahan asked if they were wanting to build just one house. Ms. Davis responded in the affirmative. Multiple conversations ensued simultaneously.

Mr. Oliphant advised the Right of Way ends at the north end of the parcel. Mr. Davis commented there is approximately 300 feet from where the pavement ends to the end of the Right of Way.

Mr. Oliphant commented if the Petitioner utilizes Mr. Foreman's suggestion, an additional variance would be needed for not fronting on a public street. Otherwise, they would need waivers from the Plan Commission for not extending the road through the entire frontage. The Petitioners are present tonight to obtain direction and feedback from the Plan Commission if they will grant them waivers. Mr. Oliphant advised he has no issue with the waivers for the sidewalk and curb. The primary wavier would be where the improved public road would stop.

Ms. Dessauer asked where they intend to build the house. Ms. Davis responded they intend to build the house on Lots 47 through 52. Ms. Dessauer asked to clarify if the intent was only to build one house. Mr. Davis responded in the affirmative.

Mr. Oliphant stated there would need to be the restriction included on the plat to prevent an additional house being constructed, as recommended by Mr. Austgen.

Mr. Parker recommended working with an engineering firm for the project.

Mr. Oliphant advised if they intend to vacate the Right of Way, they would need to go to the Town Council meetings. Variances would be needed from the BZA. Discussion ensued.

#### **Update Items:**

1. Building Regulations & Fee Amendment

Mr. Salatas advised he was anticipating this item coming to a conclusion soon. He is anticipating an October or November Public Hearing for the update to the Building Regulations and Fee Amendment.

2. 133<sup>rd</sup> Commercial Corridor Moratorium

Mr. Salatas advised they have gathered the data for the 133<sup>rd</sup> Commercial Corridor. Mr. Austgen and himself will begin analyzing the data gathered.

3. Nyby Development Corp. – Preliminary Plat for One Lot Subdivision & Site Plan.

Mr. Salatas stated this item is tied directly to the previous item.

4. Rose Garden Estates, Unit 1 – Performance Letter of Credit Expires October 14, 2022

Mr. Oliphant advised they are currently working on inspecting this unit and there is a potential for a reduction in the Performance Letter of Credit or the Letter of Credit is renewed in full.



5. Off Shore Estates – Performance Letter of Credit Expires October 30, 2022

Mr. Oliphant advised when Mr. Carey paves the road and installs his street lights. He will be able to convert this Performance Letter of Credit to a Maintenance Letter of Credit.

6. Lakeside Unit 1, Block 2 – Maintenance Letter of Credit Expires December 3, 2022

Mr. Oliphant advised they will begin inspections for this Letter of Credit, and it should hopefully be able to expire.

7. Rose Garden Estates – Performance Letter of Credit Expires December 9, 2022

Mr. Oliphant advised he believes this is for Unit Two and is similar to Item 4. There has not been an inspection conducted in this unit yet.

8. Beacon Pointe, Unit 4 – Performance Letter of Credit Expires December 1, 2022

Ms. Abernathy advised there was a scrivener's error on the agenda, and the correct expiration date for this Performance Letter of Credit is December 11, 2022.

Mr. Slager advised they have received their punch list and they have been working through them. He will check on the progress of the list.

9. Sumer Winds Unit 2 – Performance Letter of Credit Expires December 20, 2022

10. Summer Winds Unit 3 – Performance Letter of Credit Expires December 23, 2022

Mr. Oliphant stated these two items can be discussed together. The developer is wanting to install the surface layer of asphalt in the development. However, it is not at the 80% build-out requirement. Currently, this is one of the slowest developments to be built.

**Public Comment:** Mr. Kiepura opened the floor for Public Comment.

Ms. Brenda Roberts, **15008 Morse Street**, commented she has previously requested a meeting to discuss the water and sewer connection to her property located at 14908 Morse Street. Mr. Kiepura advised Ms. Roberts to have a meeting with Mr. Salatas and this is not a matter the Plan Commission can assist her with.

**Adjournment:** Mr. Kiepura adjourned the Work Session at 9:12 pm

## TOWN OF CEDAR LAKE PLAN COMMISSION

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John Kiepora, President

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Greg Parker, Vice-President

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Richard Sharpe, Secretary

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John Foreman, Member

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Robert Carnahan, Member

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Heather Dessauer, Member

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Chuck Becker, Member

ATTEST:

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Ashley Abernathy, Recording Secretary

*The Minutes of the Cedar Lake Plan Commission Work Session are transcribed pursuant to IC 5-14-1.5-4(b) which states:*

*(b) As the meeting progresses, the following memoranda shall be kept:*

*(1) The date, time, and place of the meeting.*

*(2) The members of the governing body recorded as either present or absent.*

*(3) The general substance of all matters proposed, discussed, or decided.*

*(4) A record of all votes taken by individual members if there is a roll call.*

*(5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.*

*Cedar Lake Plan Commission: Minutes of the Work Session September 7, 2022.*