



CEDAR LAKE PLAN COMMISSION WORK SESSION MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
October 4, 2023 at 6:00 pm

Call To Order:

Mr. Kiepura called the Plan Commission Work Session to order on Wednesday, October 4, 2023, at 6:00 pm with its members attending on-site and via zoom. The Pledge of Allegiance was said by all.

Roll Call:

Members Present via Zoom: John Foreman; Ashley Abernathy, Planning Director

Members Present On-Site: Robert Carnahan; James Hunley; Richard Sharpe, Secretary; 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 Cheryl Hajduk, Recording Secretary.

Absent: none

Mr. Carnahan commented he spoke with Mr. Nick Recupito who spoke with the Town Council President of Winfield, IN. They do not allow duplexes, paired villas, or townhouses. They only allow single-family homes.

Mr. Carnahan stated he is going to work on changing this for the Town of Cedar Lake.

Mr. Austgen commented the Ordinance would have to be enforced and shown to the developer representative of what is in the Ordinance. This will require a review of the Town's Zoning Ordinance and Subdivision Ordinance and/or any amendments that will adopt what regulations the Board and the Town Council deem appropriate after public hearings at the Plan Commission in the Legislative sense. In the application sense, it is a matter of enforcement by our staff with the developers who come in and identify what the laws are, what the regulations are and keep them.

Mr. Carnahan asked does Winfield have an Ordinance that handles this. Mr. Austgen commented they recently adopted a Comprehensive Plan and the Zoning Ordinances that are current. Mr. Carnahan asked do we have to change this if we want ours to be the same as theirs. Mr. Austgen responded in the affirmative.

Work Session:

1. 2023-06 – Centennial PUD Amendment & Reinstatement of Preliminary Plat

Owner/Petitioner: 133 LBM LLC, 8900 Wicker Avenue, St. John, IN 46373

Vicinity: 10702 West 141st Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the first order of business is for a Petition requesting to amend the PUD Ordinance and to re-establish the Preliminary Plat for Centennial.

Mr. Richard Anderson, 9211 Broadway, Merrillville, IN, representing 133 LBM LLC, stated there are 16.2 acres along the railroad tracks and Beacon Point Lane comes in from the East. Centennial is an existing PUD that was done in 2006 and this is a section that has not been developed yet. Part of this development, we are looking to revise the PUD to reduce the total density of the Centennial community from the original 20 units per acre to 7.86 per acre. We have an updated townhome plan and the plan increases the front and rear yards from 10-feet to 20-feet. The exterior of the townhomes will have five color variations and the units will be front loaded to give a parking space in front of the unit and will provide more privacy in the back for the unit owner. The units were 1,461 square feet and will now be 1,543 square feet. There will be a second entrance into this area going through from Freedom Way to Lot 19, which will be dedicated as a public street, so there will be two entrances in and out of it.

Mr. Oliphant commented we issued a letter on September 20, 2023 and the Land Plan layout is different from the former one. There is a detention basin in the northwest corner and then a singular detention basin on the southwest corner. It will drain through Centennial and Beacon West directly to Sleepy Hollow. There are rear alleyways that will no longer be there because of the rear-loading. We need another submittal.

Mr. Austgen commented Mr. Anderson provided a copy of the amended PUD Ordinance that is going to be needed to identify some changes that justify the Reinstatement of the Primary Plat and the restart of the PUD. It is not ready, but the foundation is in place.

Mr. Parker asked if it is required to inform the buyers that there is industrial and business activity in the area and they should know that before purchasing these properties. Mr. Austgen stated there is a disclaimer notification that the Plan Commission was talking about and can be included. This is going to be a recordable instrument; it is set up for that and puts into the record the subject parcel and development in any condition that occur with regard to the property. Discussion ensued.

Mr. Anderson commented he does not have an objection on this if it is best to advise them on this. Mr. Austgen stated we will add on Schedule B and Title Work which will be a reference to the instrument.

Ms. Abernathy commented as part of the original 2006 PUD Contract Agreement, they did have to put a solid opaque fence along the railroad tracks between the townhouses and railroad. Can we continue with this amendment or enforce the original PUD since this is amending that document. Mr. Parker commented from a safety standpoint it is a good idea. Mr. Anderson stated we can add that as one of the conditions.

Mr. Carnahan asked is the PUD is already approved. Mr. Austgen responded in the affirmative and they are extending the Amendment and Reinstatement. Mr. Carnahan asked can we change the concept. Mr. Austgen stated that is what the Ordinance that Mr. Anderson presented to me and he identified the areas in the PUD Agreement that needed an Amendment and the changes that will be made. Everything not changed will be ratified and re-affirmed.

Mr. Carnahan asked are these townhouses. Mr. Anderson responded in the affirmative.

Mr. Kiepura stated this will not be ready in two weeks. Mr. Austgen commented the legal documents need to be modernized and terms and conditions need to be included and Engineering is not done. Mr. Anderson commented we can get the Engineering done in two weeks and the Ordinance is almost done. Mr. Austgen stated he is not done and this work session was to figure out the terms and conditions that needed to be inserted or not. We need to see engineering comments to determine if any of those are substantive to being included in this Ordinance and Amendment.

Mr. Kiepura commented we will see you back in one month at the next work session.

2. 2023-08 – Seal Tight Exteriors – Site Plan

Owner: Seal Tight Exteriors, 3239 Loverock Avenue, Steger, IL 60475

Petitioner: Adam McAlpine, PE, 398 E. 400 Valparaiso, IN 46383

Vicinity: 13741 Osborn Street, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a request for a Site Plan for a new business in the Lakeview Business Park.

Mr. Adam McAlpine and Mr. Vince Frassinone, property owner of Seal Tight Exteriors, stated we have been working with the Town Engineer and we are working through the various issues. We are finishing up the photometric plan and landscaping plan.

Mr. Kiepura asked if the company is a residential roofer. Mr. Frassinone stated we do commercial roofing. Mr. Kiepura asked are the materials brought to the job site or to the yard. Mr. Frassinone commented to the job site, but we keep some materials onsite and some of the equipment is on site.

Mr. Carnahan commented he does not see a problem with them storing things back in the industrial part of the Business Park. Discussion ensued regarding storing items onsite.

Mr. Oliphant commented we issued a second letter on September 30, 2023. The storage area was gravel and it is now asphalt and will be 32-feet by 133-feet to be located on the east side of the building.

Ms. Abernathy commented the PUD Agreement states they are required to install screening of 8-feet in height and any combination of berm, privacy fence or plantings that are opaque in nature.

Mr. Foreman commented this is exactly what the purpose of the Industrial Park is and welcomes them to Town.

Ms. Abernathy asked how many people will be in the office. Mr. Frassinone commented ten people and the rest of the employees will be on job sites.

Mr. Kiepura commented they will come back in two weeks for the public hearing.

3. Cedar Lake Storage – Requesting Alteration to Previous Approvals

Mr. Kiepura stated the next order of business is a request alteration to previous approvals.

Mr. Tim Porter, and Mr. Chris Porter, 9019 W. 133rd Avenue, stated we were planning on having some asphalt done this year, but due to extensive delays, it was unable to be completed within this year's construction timeframe because of another structure being built. There was a four-month delay with construction which was just rectified. We are requesting to alter the previous agreement and park a few vehicles on some of the gravel area before we get the area asphalted.

Mr. Carnahan asked when is the plan to get it asphalted. Mr. Porter commented we will get on the schedule next year.

Mr. Porter stated we are asking for a temporary stop gap measure and hopefully get it asphalted next summer. We have a Letter of Credit to ensure the top coat of asphalt is put down. Mr. Oliphant asked where does the asphalt stop. Mr. Porter commented halfway down to the buildings. Mr. Oliphant asked if the final coat of asphalt is down. Mr. Porter commented we would like to use the south portion of the lot that is gravel until the asphalt is installed next summer.

Mr. Parker asked is there a provision for enforcement for that. Mr. Oliphant commented he believes there was something in the agreement that they weren't allowed to use the gravel area for parking unless it was paved. Mr. Porter stated the Town has a Letter of Credit for the remainder of what needs to be done. Mr. Oliphant commented there are two Letters of Credit, one is for public infrastructure off of 133rd Street and a private one for ensuring the asphalt gets put in.

Mr. Oliphant asked can there be a stipulation to pull on their credit if they do not meet the certain deadline. Mr. Austgen stated the applicant can be required to secure a separate Letter of Credit surety with a date certain that is appropriate as determined by the Plan Commission. If the existing does not match up to a time period, the Plan Commission can deem appropriate having that separate surety and gives us a deadline, the funds available promptly for taking care of that surface work and fulfilling the terms and commitments that were imposed for this application.

Mr. Kiepura asked how much area are we talking about. Mr. Porter commented about a sixth of the property. Mr. Porter commented we have a few vehicles parked on the property from existing clients. Mr. Austgen commented the Ordinance was violated to serve your clients. Mr. Porter stated "yes."

Mr. Kiepura asked what are they storing there. Mr. Porter commented RV's and campers.

Ms. Abernathy commented we have a private Letter of Credit for the paving of the entirety in the amount \$113,181.48, which does not expire until October 20, 2024.

Mr. Kiepura asked when we take the Letter of Credit to pave it, how do we move the equipment that is sitting there. Mr. Austgen commented movers will have to be hired to move the equipment that is in the way. Mr. Oliphant stated this was never in the Letter of Credit value. The stipulation was put in there was a couple fold, knowing there would be potentially RV storage and tracking that down to 133rd Street and guaranteed that it will be paved based on previous developments that haven't followed that. We would have to look at the Letter of Credit to ensure there is enough money to potentially move whatever

units are there and have enough left over to pave it. Mr. Sharpe commented we need to know the number of units stored there and how many in total can be stored at the facility.

Mr. Kiepura asked how many vehicles or boats are wanting to be stored. Mr. Porter commented there are 20 units on the gravel section right now and it isn't wise for us to take on anymore.

Mr. Kiepura commented we need a Letter of Credit for moving the units and only 20 units can be parked there.

Mr. Kiepura stated they will be back for the next work session and will discuss with Mr. Oliphant the number of units stored at the facility and then decide what the Letter of Credit will be. Discussion ensued.

Ms. Abernathy commented the Zoning Ordinance does not allow for parking on gravel without a Variance, they will be in front of the Board of Zoning Appeals next week requesting that Variance. They had applied back in 2021, but they withdrew their Petition. Mr. Kiepura commented it will be contingent on what we do.

Mr. Parker asked if this is a temporary Variance. Ms. Abernathy stated if this is the reasonable condition of the BZA. Their original approval and what their Site Plan was approved for was for that entire lot to be asphalted. Our Zoning Ordinance does not allow for parking on gravel, so for this Board to grant them a waiver or amend their previous approval to use that gravel, they need the Variance.

Mr. Austgen asked did this project get approved before March 1, 2022 when Ordinance 1402 became law. Ms. Abernathy stated September 19, 2021. Mr. Austgen commented this project preceded our new Zoning Ordinance and that was the guideline by which the Planned Use approval actions were given to this project.

4. 2023-24 – Goon Works LLC - Rezone

Owner: Raenbeau Properties, LLC, PO Box 2010, Cedar Lake, IN 46303

Petitioner: Goon Works LLC DBA Hoosier Ordinance, 7580 W. 84th Place, Crown Point, IN 46307

Vicinity: 13955 Morse Street, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition requesting a Rezone from R-2 to B-2.

Mr. Jacob Davis, 7580 W. 84th Place, Crown Point, IN and Mr. James Bryce Broviak, 11151 Sesna Drive, Burns Harbor, IN stated they would like to get the property rezoned from R-2 to B-2, because we would like to open a firearms store at this location and we need to have it zoned commercial to operate.

Mr. Parker asked if this is a metes and bounds parcel. Ms. Abernathy commented the legal lot of record is Lot 1 in the Kubish Subdivision.

Mr. Kiepura commented there are four parking spaces. Mr. Davis stated there is a grass area and we would like to extend that for more parking spaces. The grass area is in-between the two buildings. We have an agreement with the doctor next door that we are able to use some of their parking spots. Mr. Kiepura commented the agreement needs to be in writing.

Mr. Sharpe asked where is the main entrance. Mr. Davis responded in the front.

Mr. Carnahan asked what kind of security will they have. Mr. Davis commented we will have cameras linked to our phones, we will have vaults for end of closing day, two safes and security doors at the entrance and exit. The windows will have pull down security gates.

Mr. Kiepura asked how many parking spaces do they need. Ms. Abernathy commented she will need to verify how many spaces are needed.

Mr. Parker asked what is the zoning at the doctor's office next door. Ms. Abernathy responded R-2.

Mr. Parker asked what is the nearest building that is zoned B anything. Ms. Abernathy commented a couple properties South of Tastee Top and there are a couple North on Morse Street. There is spot zoning along Morse Street where there are commercial buildings, so with them asking to rezone, it does fit the spot zoning that was talked about.

Mr. Kiepura stated they are asking for a rezone and they are not the owners. Mr. Parker asked could they get a Variance for a B-2. Mr. Austgen stated it could be a Variance of Use and the whole use can be controlled. Mr. Kiepura commented the Variance of Use would stay with this owner only.

Mr. Parker asked should this be zoned B-1. Mr. Carnahan commented the vision was to zone Morse Street as business. Mr. Austgen stated this would be a policy call.

Discussion ensued regarding parking on this property and a Variance of Use.

Mr. Kiepura commented this should be zoned B-1 with a Special Variance of Use and go in front of the Board of Zoning Appeals for the Special Variance of Use. A Cross-Access Agreement will need to be in writing with the business next door.

Mr. Kiepura stated they will be back for the next work session.

5. 2023-25 Wahlberg – Concept Plan

Owner/Petitioner: Jeff Wahlberg, 7315 Lake Shore Drive, Cedar Lake, IN 46303

Vicinity: 7315 Lake Shore Drive, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition requesting a Concept Plan for a One Lot Subdivision.

Mr. Jeff Wahlberg, 7315 Lake Shore Drive, Cedar Lake, stated his property is six lots and his home takes up four of the lots and it is challenging to contend with when it comes to tax and utility bills. We would like to simplify this into one lot instead of six lots.

Mr. Austgen asked is this about land use and property taxes. Mr. Wahlberg commented the property is taking up four lots and it is confusing. Mr. Parker commented potentially this can be sold and another house can be built on the lake. Mr. Austgen commented it would need to get past permitting.

Mr. Austgen commented this is about ease of ownership, property taxes and the key numbers will be combined to get one tax bill. This does not need to go through a subdivision process. Discussion ensued regarding combining the lots into one lot.

6. 2023-26 – Commonwealth Electric – Site Plan

Owner: Henn Holdings/Commonwealth Electric, 13733 Wicker Avenue, Cedar Lake, IN 46303
Petitioner: Rob Henn/Henn & Sons Construction, 13733 Wicker Avenue, Cedar Lake, IN 46303
Vicinity: 13741 Alexander Street, Cedar Lake, IN 46303 – Lot 21 Railside Subdivision

Mr. Kiepura stated the next order of business is for a Petition requesting a Site Plan approval for a residential/commercial electrical contractor shop and office for Lot 21 in the Railside Business Park.

Mr. Jack Huls, DVG, stated this is Lot #21 in the Railside Subdivision and the Final Plat was approved at the previous Plan Commission Meeting. This will be a recorded lot and we would like bring in a business on this lot. We are proposing a Site Plan and building plans for this site. We have submitted all the requirements, photometric plan, landscaping plan and are in accordance with the Town's Ordinances. We have adequate parking; the area is fenced in and the use areas will be paved.

Mr. Parker asked is the PUD Agreement provided. Mr. Huls commented it may have been included from Ms. Abernathy, so you know that the zoning for this area is consistent with the use we are proposing.

Mr. Oliphant commented we are still looking at everything and asked could this be a formal application when it is not a legal lot of record yet. Mr. Austgen stated probably not. Mr. Huls commented the mylars were approved and are ready for signatures to be recorded.

Mr. Oliphant commented this was submitted on September 14, 2023 before the formal approval. Mr. Huls stated we submitted the plans and there aren't building permits being applied for. We are seeking Site Plan approval and we are not applying for building permits until the lot recording is done.

Mr. Parker asked how long is it going to take to get the legal lot of record. Mr. Huls responded less than a week. Discussion ensued regarding the procedures of getting legal lots recorded.

Mr. Sharpe asked is this towards the front of the subdivision. Mr. Huls responded towards the middle.

Mr. Kiepura commented they will be back in two weeks.

7. 2023-27 – Blue Sky – Concept Plan

Owner: Region Holdings, Inc., 425 Joliet Street, Dyer, IN 46311
Petitioner: Kevin Paszko, Olthof Homes, 8051 Wicker Avenue, Cedar Lake, IN 46303
Vicinity: 14517 Parrish Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition requesting a Concept Plan for the proposed Blue Sky Development.

Mr. Ed Recktenwall and Mr. Kevin Paszko, Olthof Homes, stated we are presenting something new on a fresh piece of property. This was the Hokanson parcel and it has been going through the annexation process for the last couple of months. The parcel is 80 acres and is located at the southwest corner of 141st Street and Parrish Avenue. Olthof Homes is a local builder and a community developer and we have been building in this area for over 60 years.

Mr. Paszko stated at the September 19, 2023 meeting, the Town Council approved and adopted the Annexation Ordinance and the Fiscal Plan for the parcel. By the end of October 2023, it should be ready

and it will receive agricultural zoning when it becomes part of the Town. There will be an Access and Indemnity Agreement to drill for a test well site in the northwest corner. There is a potential for a well site or water tower in the future. The parcel is surrounded by residential uses, a few PUD's, R-2 zoning and a small wetland and watercourse. The Comprehensive Plan update document is from June 2021, the parcel was projected to become a medium density, residential usage similar to the surrounding neighborhoods. The goals that the Town wishes to meet with development were to provide a diverse market of housing options, expand the demographics of the Town, meet a variety of residential uses to serve all stages of life and to expand housing for the elderly, young professionals and families. The Town wants to appeal to all people with economic backgrounds and demographics.

Mr. Paszko stated on the transportation front there will be two main entry points with one off of 141st Avenue and one off of Parrish Avenue, as well as, connection to the stub road at 143rd Place. The utilities will have a sanitary connection in the northwest corner and a water connection at the intersection of 141st Street and Parrish Avenue, as well as, the stub utilities on 143rd Place. We are still coordinating with Mr. Neil Simstad about underground connections and we continue to move through the planning process in the coming months and we are aware of the utility concerns in the Town and we will work with Mr. Oliphant, Mr. Simstad and Town staff to accommodate this project.

Mr. Recktenwall stated we are proposing a mixed residential use project with the majority being single-family detached units totaling 137, but we are also offering single-family attached product in the northwest corner totaling 68 units. We are looking for transitional zoning across the project and along the frontage of 141st Street and Parrish Avenue, we are proposing more intent uses. In the northwest corner, we are proposing more paired cottage style single-family attached product and to the South and West, we would have single-family detached products. The north half of the project would be all maintenance free products and there would be no pools, sheds and the space provided would be for the residents. For active uses, we propose to have open space in the middle of the community with a park and a detention area. The southern part would have another entrance that would be aligned with 143rd Place which would be a median type entrance and exit with some landscaping. There will be detention ponds throughout the area with fountains. We have provided an Amenity Plan that includes paved walking paths throughout the community and would also connect to the playground. There would be some putting greens throughout with a resting structure for people's use. Discussion ensued regarding landscaping and some other features.

Mr. Recktenwall commented the HOA would maintain the open spaces, but we are open to other discussions if the Town wants to see something else in this area. We will also be improving 141st Street and Parrish Avenue with curb, gutter and sidewalk which would provide connectivity to Ledgestone to the North.

Mr. Recktenwall stated the total project would be 206 units and the density is 2.5 units per acre with a mixture of different product types.

Mr. Carnahan commented we would need to see 70-foot lots.

Mr. Hunley commented there are three major subdivisions plus the Industrial Park which would cause a lot of traffic going onto Route 41.

Mr. Parker commented traffic is an issue in this area and we are to a point to not have any more paired villas and cottages. The entire property is zoned agriculture and will need to be re-zoned. He would like

to see 70-feet by 135-feet minimum, single-family homes. This area will need more than just curb, gutter and sidewalk on Parrish Avenue and 141st Street.

Mr. Recktenwall commented we will have a traffic study which is required. Mr. Parker asked do we know what the water supply calculations on the west side is. Mr. Recktenwall stated we have a well site reserved.

Mr. Hunley commented it would be better to have the single-family facing Parrish Avenue and 141st Street and have the paired villas in the back; switch places so when you're going down Parrish Avenue, you would have the better-looking homes there.

Mr. Parker commented we need to think of public safety, density and traffic. It is already dense in that area. We need to be responsible going forward, but in the near future until the infrastructure is in place for water and sewer and everything we need.

Mr. Foreman asked would the Petitioner be willing to give us the center of Parrish West and also the center of 141st Street South additional land, so in the future it can be expanded to a three-lane road instead of two width turn lanes. We will need to plan for the west side of the tracks and widening that someday. Maybe this can be negotiated with the Town with this new development.

Mr. Oliphant asked is this going to be a Planned Unit Development or straight zoning. Mr. Recktenwall commented we are proposing a PUD.

Mr. Kiepora asked what is the homes "by other" is that part of this concept or is this separate. Mr. Recktenwall commented it could be part of this PUD or it can become a separate plat.

Mr. Carnahan commented we can be more selective on what we do. Mr. Recktenwall stated we are willing to work with the Town, so we will take these comments back and re-think a few of the items.

Discussion ensued regarding the traffic in this area.

Mr. Kiepora commented the HOA taking care of the open spaces and the parks is fine, but we would also ask that the open spaces and parks be turned over to the Town. The Town would own them, but the HOA maintains them.

Mr. Hunley asked if a neighbor wants aluminum siding and the other neighbor wants vinyl siding, how does this get handled. Mr. Recktenwall stated our HOA's are set up to where there are architectural committees and that the homeowner would meet the standards and those standards are written that they would only be able to do a certain material on the home. Discussion ensued.

Mr. Kiepora commented they will be back at the next work session.

Update Items:

1. Building Regulations & Fee Amendment

Mr. Salatas commented we are waiting for comments back.

2. Beacon Pointe East Unit 3 – Performance Letter of Credit expires November 5, 2023

Mr. Oliphant commented they paved the final coat and there are a couple more items on the punch list and it will rotate into maintenance.

3. Rose Garden Estates Unit 2 – Performance Letter of Credit expires December 9, 2023

Ms. Oliphant commented we completed the entire subdivision and that punch list will go out next week. The as builts for Units 2 and 3 have been received and Lennar has been completing repairs.

4. LedgeStone – Maintenance Letter of Credit expires December 7, 2023

Mr. Oliphant commented we sent out the punch list and they are addressing those comments along with Public Works comments.

5. Summer Winds Unit 2 – Performance Letter of Credit expires December 20, 2023
6. Summer Winds Unit 3 – Performance Letter of Credit expires December 23, 2023

Mr. Oliphant commented we have not heard anything from the developer.

7. Beacon Pointe East Unit 2 – Performance Letter of Credit expires January 30, 2024
8. Beacon Pointe East Unit 1 – Performance Letter of Credit expires January 30, 2024

Mr. Oliphant commented Schilling provided an update and McFarlane is handling some concrete punch list items.

9. Beacon Pointe East Unit 1A – Maintenance Letter of Credit expires January 30, 2024
10. Beacon Pointe East Unit 2 – Maintenance Letter of Credit expires January 30, 2024

Mr. Oliphant commented this is coming out of maintenance and we need to do a punch list.

Public Comment:

Ms. Barb Orze, 10290 W. 138th Place, commented they want to put the townhomes in the Centennial subdivision which are next to the railroad tracks. Will there be a fence put up between the townhomes and railroad tracks. Mr. Kiepura responded in the affirmative.

Ms. Orze commented there is nice vegetation and trees along the wetland area and can a fence be put up on the east side of the townhomes and the wetland area.

Ms. Orze commented according to the Code, parks are supposed to be more interior and the people within the subdivision can access them readily and not at the entrance.

Ms. Orze commented she does not like the idea of a gun shop in an area that doesn't fit.

Mr. Terry Broadhurst, 14513 Morse Street, commented when he purchased his property, he was told "no" to a lot of things he wanted to do. Discussion ensued regarding the new home that is being built on Morse Street.

Mr. Broadhurst commented Cedar Lake Storage asked for an amendment to a PUD that they already violated. They are in violation and they will make money every month with the vehicles being stored there. Discussion ensued.

Mr. Broadhurst commented if there are going to be rules; then it needs to be for everybody.

Mr. Broadhurst asked what if one of the buildings sell; then what happens to the Cross Access Agreement for the gun shop. He stated having a gun shop close to residents isn't a good idea.

Mr. Broadhurst commented the last five subdivisions were less than a third of single-family homes. Discussion ensued regarding granting a road with a PUD.

Ms. Abernathy stated Cedar Lake Storage was never given permission to park on the gravel. When they came for final occupancy, they were told they were in violation of their approval. They requested alteration and they were told that is not something that could be granted by town staff and it had to be presented at the Plan Commission and it had to be approved by them. At no point in time, did town staff or anybody in the Building Department give them the o.k. to park on that gravel. It was told to them that they needed to clear it out. They said they would like to continue and they were told they needed to request a proper approval from the Plan Commission.

Mr. Broadhurst commented Ms. Abernathy is correct but he didn't say the Town Planning Department gave them approval, but he is in agreement with Ms. Abernathy but is in a disagreement with Mr. Austgen, because if he wanted to stand his ground, the amendment goes under the new Ordinance with no parking on the gravel without a Variance.

Adjournment: Mr. Kiepora adjourned the meeting at 8:06 pm.

TOWN OF CEDAR LAKE PLAN COMMISSION

John Kiepora, President

Greg Parker, Vice-President

Richard Sharpe, Secretary

John Foreman, Member

Robert Carnahan, Member

Heather Dessauer, Member

Jim Hunley, Member

ATTEST:

Cheryl Hajduk, Recording Secretary

These Minutes 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.

Minutes of October 4, 2023