



CEDAR LAKE PLAN COMMISSION WORK SESSION MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
November 1, 2023 at 6:00 pm

Call To Order:

Mr. Kiepura called the Plan Commission Work Session to order on Wednesday, November 1, 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

Members Present On-Site: Robert Carnahan; Heather Dessauer; James Hunley; 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; Ashley Abernathy, Planning Director and Cheryl Hajduk, Recording Secretary.

Absent: Richard Sharpe, Secretary

Work Session:

1. 2023-29 Harvest Creek – Preliminary Plat Extension

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

Vicinity: 9210 W 155th Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the first order of business is for a Petition requesting a 1-year extension on the Preliminary Plat for Harvest Creek from February 15, 2024 to February 15, 2025.

Mr. Michael Herbers, Diamond Peak Group LLC, 1313 White Hawk Drive, Crown Point, IN, commented he would like to request an extension for our Primary Plat that was approved in February 2023. We are working on a few permits and trying to make it more feasible so the end product is more cost effective for the end buyer.

Ms. Abernathy commented we have granted Preliminary Plat extensions in the past, and they applied for their extension in plenty of time for the Public Hearing.

2. 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 next 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, commented he was here last month and we discussed the reinstatement of the PUD which was done in 2006. There was an Ordinance with two items to be added at that time. One was to have a fence along the back and along the North back meeting the West and also along the North because it is industrial in this area. The second item is to add a writer that people would sign who bought a unit along the West or the North sides indicating they were next to industrial zoning. We have submitted Engineering and the Town Engineer submitted comments back.

Mr. Oliphant commented we received the comments back on October 26, 2023 and we are still working on it.

Mr. Anderson commented we will come back to the next work session so Engineering has enough time to work on the October 26, 2023 letter.

3. 2023-22 Bank Shots Bar & Grill – Rezone & Preliminary Plat

Owner/Petitioner: Bank Shots Bar & Grill, Inc., 875 Berkshire Place, Crete, IL 60417

Vicinity: 8120 Lake Shore Drive, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition requesting a Rezone from B-2 to a Commercial Planned Unit Development (PUD) and the Preliminary Plat for a One Lot Subdivision.

Attorney Adam Sworden, on behalf of Bank Shots Bar & Grill, commented we have a revised Site Plan. We submitted to staff two renditions and revisions to the Site Plan. The Town Engineer's letter came back with comments we are addressing with our Engineering Consultant. The primary change from what was presented is the outdoor seating for this location has been eliminated and they are looking for a rooftop design, which would be the primary seating for the restaurant. There would be little seating on the main floor of the restaurant. There would be parking along Foster Drive, which we had requested at the last meeting. Both revised Site Plans incorporate parking and more nontraditional parking along Lake Shore Drive where they removed the outdoor seating. There would be 22 spaces for parking, including eight normal parking spaces which complies with the Town Ordinance, seven would be for compact and four parking spaces for golf carts and/or ATV's. There would be two ADA parking spaces and one parallel parking space on the east side of the site. The biggest change besides the parking configuration is the removal of the fencing and barrier that was proposed before. There is sidewalk improvement along Lake Shore Drive which will continue the improvements from the roundabout that are currently in existence.

Mr. Oliphant commented we issued a letter on October 26, 2023 as a high-altitude Concept Plan review. We do not like the idea of parking off of Lake Shore Drive. The anticipation to have the 6-foot sidewalk monolithic on top of a curb and having parking there is not going to work. Parking off of Foster Drive would not pose a problem. Mr. Oliphant asked how much parking is going to be needed. Mr. Sworden commented there may be four full-time employees. Discussion ensued where the employees would park and putting signage or ballards in front of the restaurant to restrict access pulling in and out onto Lake Shore Drive.

Mr. Oliphant commented we do not want to promote golf cart and ATV access to Lake Shore Drive. Discussion ensued.

Mr. Oliphant asked how many parking spots are needed for this use. Ms. Abernathy commented 32 parking spaces, but she needs to verify with the Fire Department what the fire occupancy capacity is for this building.

Mr. Foreman stated the Ordinance is 25 miles per hour, but isn't sure what the speed limit is on Lake Shore Drive. Ms. Abernathy responded 30 miles per hour in that area.

Ms. Dessauer asked where does the rooftop seating come into play with the parking spots. Ms. Abernathy stated it would be counted with the number of seats in the building. Mr. Sworden stated he does not have a concept from the architect if the outdoor seating would be an annual or seasonal seating. Discussion ensued in length regarding seating in the restaurant.

Mr. Kiepura commented if there are to be high top tables, there needs to be consideration for ADA seating. Mr. Sworden stated there would be a couple of lower tables on the main floor.

Ms. Abernathy commented on the Variance that would need to be included in the Development Agreement Plan between the Developer and the Town. Additionally, there needs to be safety provisions for parking in the front yard.

Mr. Oliphant stated it may be a combination of guard rails and ballards along Lake Shore Drive depending what the final Site Plan turns out to be. There are rear yard setback issues and parking issues which will be the biggest hurdle to get around. The adding of a rooftop does not help.

Mr. Sworden commented the Site Plan has greenspace for configuration and they do not have any parking to the East and Northeast which gets into that dog leg of the property. If we eliminate the non-traditional parking for golf carts and/or ATVs in the front of the building and we look at one access point coming off of Foster Drive for two-way traffic and make that work. Some of the parallel and perpendicular parking would be eliminated. This can give the opportunity to park to the East and Northeast of that building along Lake Shore Drive internally and use those parking spaces that we would lose in the front of the building. There would be a controlled access point that would eliminate any vehicular movement into or off of Lake Shore Drive. We can use those parking spaces and that can be determined for maximum seating and occupancy. Mr. Oliphant commented we do not have full width drive aisles through here. Mr. Sworden commented we would lose one of the spaces that is perpendicular off of Foster Drive and probably eliminate or go to parallel parking along the North property boundary, so there will not be any angled parking coming in and we can meet that two-way traffic requirement where you could have people go over that far side of the building and park. Mr. Oliphant stated this is going to be tight and there will need to be a dumpster put out in the back. Discussion ensued.

Mr. Sworden commented he spoke with Ms. Abernathy about how tight this site is and from a screening standpoint, because we back up to residents and do we have the room for parking to put up arborvitae. We can possibly have a garden fencing that have vine age and would eliminate the amount of space that would take up for a landscaping area. Mr. Oliphant stated we allow for opaque fences and that would be the easiest to do in this case.

Mr. Kiepura asked do they have to put sidewalk along Foster Drive. Ms. Abernathy stated that would be a Plan Commission decision if they request a waiver from putting sidewalks along Foster Drive. Mr. Oliphant commented it would be highly recommended. Mr. Carnahan asked is the sidewalk going on the

southside of Lake Shore Drive. Mr. Oliphant commented it will be on the northside of Lake Shore Drive. Discussion ensued regarding the phases of when sidewalks are going in along Lake Shore Drive.

Mr. Kiepura commented they need to meet with the Fire Chief and find out what the occupancy is in this building.

Mr. Parker stated parking off of Foster Drive would make the most sense. Discussion ensued regarding where parking spaces should be.

Mr. Kiepura commented we need to see everything that is going to be on this property on the Site Plan, i.e., parking, trash bins, entrances and exits.

4. 2023-24 – Goon Works LLC - Rezone

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

Petitioner: Goon Works LLC DBA Hoosier Ordnance, 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 we were here last month regarding rezoning from R-2 to B-2. We originally stated we would need eight to ten parking spaces and we currently have four parking spaces on our property and we have room for five parking spaces, but there is a plumbing cleanout on the property that we would have to clean out, fill in the square, and then we would have the extra parking space.

Mr. Carnahan commented there was discussion before with having an agreement with the clinic next door about sharing some parking spaces. Were there discussions with them. Mr. Davis commented we did and we reached out to our landlord and he said he would take care of that. The clinic is switching owners.

Mr. Oliphant stated maybe they can get a cross-access easement with the neighbor next door to meet the parking requirements.

Ms. Abernathy commented looking at the building size and how many employees that are needed; the requirement from the parking standard is eight to ten parking spaces. A Cross Access Agreement would be needed and we would need to know what the clinic's parking schedule is. Last month, the Board was not in favor of rezoning to B-2 but rezoning to B-1 and going for a Use Variance, so if that is still the case and if they need less parking or they are requesting less parking, when they go for the Use Variance and they could also look at a Developmental Variance for parking requirements.

Mr. Parker commented with a B-1, a Use Variance is the best approach. Mr. Austgen stated it is a good way to approach it and is a controllable way.

Mr. Parker commented there needs to be a deferral on any public meeting until the parking issues can be resolved. Ms. Abernathy commented it hasn't been advertised yet.

Mr. Hunley asked will there be an indoor range. Mr. Davis responded in the negative.

Mr. Davis commented during the FFL process, we had to send pictures of us, fingerprints, as well as, to the Chief Enforcement Officer in Lake County and the ATF.

Mr. Parker stated until there is a cross access easement available, any kind of use for that building is going to be limited until that is resolved, so this would be the next step going forward.

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

Mr. Kevin Paszko, Olthof Homes, 8051 Wicker Avenue, St. John, IN stated I am here for our second Concept Plan for our new Blue Sky Development. A brief summary was provided for the location and completion of the annexation. Since the last meeting, we took back everyone's comments and accommodated them as best as we could. We now have 69 single-family lots, 75 foot wide; 66 villa lots, 70-foot wide; and 30 paired cottage lots, 100-foot wide. This brings a total of 195 units with 2.4 dwelling units per acre. The difference between the plans and the units is there is one more single-family lot, one less villa lot, with a 10 percent increase in the overall in the width of those lots and four less paired cottage lots for a decrease of 11 units overall. Additionally, we added the lot lines for the homes by other sections which is reserved for Schilling LedgeStone Development and those measure 70-feet by 125-feet. For those lots, we will either plat them ourselves or we will have Schilling come in with a separate plat but we will work that out in the PUD Agreement when we get to that stage. We have also shifted the southern park and open space area to be more centrally located. We reconfigured the villa and paired cottage layout, so the villa is now wraparound the entire perimeter of that northern section, and we moved the paired cottages to that central section.

There was discussion about deeding the park and open space to the Town and have a Maintenance Agreement with the HOA. We met with the Parks and Recreation staff and Ms. Abernathy on October 23, 2023 for discussions. We talked a bit about that and then how we can best optimize that park and open space and will continue discussions with the Parks Department.

Traffic was a big point of discussion, so we commissioned a traffic study from First Group Engineering on October 11, 2023 to analyze the intersection of 141st Avenue and Parrish Avenue based on roughly 200 units going in there. We provided the Railside traffic study to First Group Engineering.

We anticipate results of the study next week and the study should provide a comprehensive idea of traffic in the area. Regarding the well site, Mr. Recktenwall and I spoke with Mr. Salatas on October 26, 2023 and were given information pertaining to costs associated with the test drilling and if we are willing to cover that. We are agreeable to that and will most likely make that part of our PUD Agreement. I am currently working with Ms. Abernathy to schedule a meeting with Town staff and the utility engineer to go over utility connections that would be available to us once we receive approvals and begin construction.

Mr. Foreman asked are you able to provide any land on the northside or eastside to be able to potentially widen both of those roads, if not now, in the future. Mr. Paszko commented he isn't going to confirm or

deny any potential improvements that will be there. Right now, we can only guarantee that whatever right-of-way would be required on that frontage would be dedicated.

Mr. Parker asked what is the difference between a villa and a paired cottage. Mr. Paszko explained the difference between the product types.

Mr. Oliphant commented once we see the traffic impact study, that will drive a lot of the infrastructure improvements. Once Mr. Paszko speaks to Nies Engineering about utility hookups and infrastructure, we will know more on that, and it will drive our Concept Plan review.

Ms. Abernathy commented she is working with our Utility Engineer, Public Works, and Mr. Salatas to set up that meeting to discuss utility connections and utility availability. We did have a meeting about the parks and Olthof is willing to work with the Parks Department regarding the parks and their amenities. They did include a landscaping plan that was included in your packets.

Mr. Kiepura commented he is happy to see the Park District involved with what is going on in these developments. What needs to be understood with the traffic study, is that we are not only talking about going from Parrish Avenue to Wicker Avenue on 141st Avenue. These cars will be going in all directions and we need to make sure the traffic study covers all viable routes for the subdivision.

Mr. Parker asked if the traffic study includes all viable routes. Mr. Paszko commented he is not sure of the full extent. It does cover 141st Avenue and Route 41. However, I am not sure if they studied outside of the 141st Avenue and Wicker Avenue area. Mr. Oliphant commented we may need to discuss that. Generally, we have discussed that internally to figure out what the bounds of the study will be and the study will have to extend out of that immediate intersection. Likely, the study will need to go from 133rd Avenue to 151st Avenue. Mr. Paszko stated he will reach out to First Group and see about the extent of the study.

Mr. Kiepura commented we cannot forget about the Harvest Creek Subdivision going in down on 155th Avenue, those cars will need to be in this study as well.

Mr. Kiepura asked if there will be enough water to supply this subdivision and is the proposed well sufficient. Mr. Paszko commented the test well will confirm that. Mr. Kiepura commented if not, it will need to be figured out where the water is coming from. Mr. Parker commented there needs to be some documentation to support that.

Mr. Kiepura discussed the sewer plant and the JMOB meeting. We hope to find out about level of connectivity is available, but if there is not lot of connection down there, we have developments in progress now that is going to utilize what is available. The three major concerns I see are potable water, waste water, and traffic.

Mr. Hunley asked who is going to own the water tower. Mr. Oliphant commented the Town would. Ms. Abernathy commented if the test well comes back good on that property, the first thing that would go in would be a new community well and then it would be the water tower. However, we need to wait on the test well to be drilled and come back and to see if it's a good well site or not.

Mr. Hunley asked if the JMOB is to discuss the projection for the flow and new test results from Wessler Engineering. Mr. Oliphant commented he cannot advise, as he does not attend the JMOB meetings. Mr. Parker asked is the next meeting on November 14, 2023. Ms. Abernathy responded in the affirmative.

Mr. Foreman asked if the northwest corner of the subdivision had a drop off where a retention wall was built next to Rose Garden. Will that retention wall remain for the people that buy the houses on the northwest corner of this new subdivision or will the grading be raised. Mr. Oliphant stated it just depends on how the Site Plan comes in grading wise. There is a retaining wall on Lots 1 and 2, so the furthest northeast lots within Rose Garden, it is maybe a two and a half or three-foot retaining wall. There is an Access Agreement of 10-feet along that to allow for fill against it to elevate everything, but that is just going to be driven by what Olthof comes up with their Site Plan.

Mr. Carnahan asked if 143rd Place will connect to Rose Garden. Mr. Paszko responded in the affirmative. Mr. Carnahan commented on that access and noted the traffic for the schools in the area.

6. 2023-28 Lakeside Unit 2 Block 1 – Final Plat

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

Vicinity: 5711 W 133rd Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition requesting the Final Plat for Lakeside Unit 2 Block 1 which contains 55 Single Family Lots and 1 Outlot.

Mr. Kevin Hunt, on behalf of Schilling Development, 8900 Wicker Avenue, St. John, IN, representing Cedar Lake 133 LLC, commented we will be seeking Final Plat approval for Lakeside Unit 2 Block 1 as part of the original Lakeside. The roads are being stoned and the curbs will be going in next week.

Mr. Oliphant stated we issued a couple of comments with DVG, their Engineer and they are minor. We will finalize the Letter of Credit values and quantities.

Ms. Abernathy commented she had a discussion with Mr. Neil Simstad, Utility Engineer, to make sure we have the capacity on the east side and Mr. Simstad said we do have the capacity for this final plat. There were minor addressing issues.

Mr. Carnahan asked do we have water going from 141st Avenue to the development. Mr. Hunt responded not at the moment. Anything from 141st Avenue is going through Lakeside South, which is still subject to Town Council approval. Mr. Carnahan commented we thought we needed the water capacity brought down there so they could do the other 146 homes and the first 200 homes that were already approved. Mr. Hunt commented this is Lakeside original. Discussion ensued.

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

7. 2023-04 Kolber – Site Plan

Petitioner: Steven Kolber, 828 Davis Street, Suite 300, Evanston, IL, 60201

Owner: CWK Properties – Cedar Lake LLC, 7949 W 79th Street, Unit 2, Bridgeview, IL 60455

Mr. Kiepura stated the next order of business is for a Petition requesting a Concept Plan for a Site Plan for a two (2) unit restaurant.

Mr. Steven Kolber, 828 Davis Street, Suite 300, Evanston, IL, commented this is for the corner of 133rd Avenue and Osborne Street. It is a two-tenant building with two separate restaurants and the owners of the property are also the franchisees for both of the restaurants. One of the restaurants will be a Jets Pizza and the other will be a Wingstop. We will be requesting a couple of Variances. The Town Engineer has reviewed the first offering that our Engineers have put together and we are making revisions.

Mr. Oliphant commented we issued a Letter on October 26, 2023. We are waiting for a re-submittal. Mr. Oliphant asked do you want to see a fronting sidewalk on Osborne Street and improvements on that road. Mr. Kiepura commented we discussed not having any entrance or exit onto a residential street. Mr. Oliphant commented currently they show one. Ms. Abernathy commented it had been discussed, but Mr. Kolber looked at the Engineering of being able to get a vehicle in and out of the residential street for deliveries that they wouldn't have the turn radii they need to get them in and out of there safely. This is why they kept the entrance on Osborne Street and we talked to them about if this will be something they want to do, it was entirely probable that the owner is going to have to improve Osborne Street to be able to hold that type of traffic.

Ms. Dessauer asked how does this differ from Bank Shots Bar & Grill with Lake Shore Drive and Foster Avenue. Mr. Parker commented because that building is already there.

Mr. Oliphant asked is the parcel on the southwest corner of Osborne Street a business. Ms. Abernathy stated to the East of it is B-3 and to the West of it is B-3, to the South is R-2. Directly across is zoned business to the East and West. Mr. Oliphant commented their entrance would face another commercial zoned parcel, which is currently a residential use. Discussion ensued regarding traffic on 133rd Avenue and Osborne Street.

Mr. Kiepura asked what are the size of the delivery trucks. Mr. Kolber commented they will be smaller semis. Mr. Kiepura asked is the entrance and exit on the southside of Osborne Street. Mr. Kolber responded in the affirmative. Mr. Kiepura stated one of the ways from going South on Osborne Street is to make it a right out only.

Mr. Kiepura asked does screening need to go up. Ms. Abernathy stated they are against the public right-of-way on the East. It is an unimproved platted walkway, so they are against the Town property on the East and next to them is a business. We do not require screening between commercial and commercial, only commercial and residential.

Mr. Oliphant commented it is a B-3 zoned parcel, but it is a residential use. Mr. Austgen stated reasonable restrictions or conditions can be imposed and discovered in the process. Discussion ensued.

Mr. Foreman asked can a right turn lane be put in for cars wanting to go East. Mr. Oliphant commented the 133rd Avenue improvements extend onto Osborne Street 25 to 30 feet off the edge of the pavement. There are curb radii through there with one storm inlet. The current width does not support three lanes of about 25-feet. We could widen the road, but that would be substantial work involved. There is a utility pole on that radii which would have to be moved.

Mr. Carnahan asked is there seating capacity in these restaurants. Mr. Kolber commented these are delivery and takeout only.

Ms. Abernathy stated there are two or three Variances needed. There will be a Variance for reduction in setback from the eastern boundary and they are asking for 7-feet, and a Variance for parking is needed

for the front yard setback along Osborne Street or 133rd Avenue, because it is in the front yard setback. They are proposing 23 parking spaces. Ms. Dessauer asked why do they need that many parking spaces with no indoor seating. Ms. Abernathy stated for takeout only, it only requires one space for 15 square feet of customer space. It was over 300 square feet for the two units.

Ms. Dessauer commented Osborne Street should be a right-turn only. Discussion ensued regarding traffic in this area.

Mr. Kiepura asked how far on Osborne Street does the improvement go to. Mr. Oliphant commented the proposed entrance is far South on that property. The southern radii off of it is their property boundary. Discussion ensued regarding road improvements and the entrance off of Osborne Street.

Ms. Abernathy commented they need to do their formal application to the Board of Zoning Appeals.

Mr. Kolber stated we will work on the Scope of Work and what the Town is requesting.

8. Centennial Villas Phase 1 – Request to Convert from Performance Letter of Credit to Maintenance Letter of Credit

Mr. Kevin Paszko, Olthof Homes, 8051 Wicker Avenue, St. John, IN stated Mr. Oliphant issued a letter on October 3, 2023 recommending the conversion of Performance Letter of Credit to Maintenance Letter of Credit. We would like to have the conversion on the agenda in two weeks.

Mr. Oliphant commented it will be for \$93,460.79 for three years.

Update Items:

1. Building Regulations & Fee Amendment

Ms. Abernathy commented it needs to be re-circulated.

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

Mr. Oliphant commented we will have our punch list shortly. It will be extended at full value for the next year.

3. Ledgestone – Maintenance Letter of Credit expires December 7, 2023

Mr. Oliphant commented Schilling is still working on this and they have our punch list.

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

Ms. Abernathy commented we have not heard anything. An email was sent stating the letters were going to expire. Mr. Oliphant commented the asphalt needs to go down before they rotate and binder repairs need to be done first. A pull date would be set at the November 15, 2023 Work Session or hold a Special Public Meeting at the December 6, 2023 meeting.

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

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

Mr. Oliphant commented this will be extended and includes the changes to the detention basin.

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

Mr. Oliphant commented Mr. Slager sent him an email and they completed our punch list from June and we need to inspect.

Mr. Austgen asked do the items in Beacon Pointe Unit 2 includes the drainage, flow issues, and yard issues. Mr. Oliphant commented Unit 2 does not include the outlot where that detention basin sits. They are connected because they share a similar drainage system. Half of Unit 2 flows to the first basin off of 141st Avenue.

Mr. Austgen stated there was a meeting held with the affected property owners and Engineers for assessment of the situation and condition needed for resolution or disposition favorable to fixing whatever the problem was.

Mr. Oliphant stated this will move forward in the Spring and Unit 1 will not rotate out. If they get our punch list addressed in Unit 2, this can go into Maintenance.

Mr. Hunt commented we want to wait unit the weather is more favorable to complete Unit 1.

Mr. Huls commented Unit 1 is where the Bond is being held. Units 2 and 3 can be completed.

Mr. Austgen asked is there are documented resolution plan. Mr. Oliphant commented we do have plans from DVG and the plans were introduced to the residents.

9. Summer Winds Unit 1 – Performance Letter of Credit expires February 15, 2024

Ms. Abernathy commented we have not heard anything. An email was sent stating the letters were going to expire. Mr. Oliphant commented the asphalt needs to go down before they rotate and binder repairs need to be done first.

10. Cedar View – Performance Letter of Credit expires February 15, 2024

Ms. Abernathy commented this will get extended, but there is still time in the building permit.

Tabled:

2023-18 Bay Bridge

2023-19 Founders Creek

2023-20 Red Cedars

Public Comment:

Ms. Barbara Orze, 10290 W. 138th Place, commented she has concerns of where the playground area is going to be placed in the new Blue Sky development which is at the northern end of the subdivision next to 141st Street and there is talk about widening that street in the future and currently there is a lot of

traffic. When there is a lot of traffic, there is also a lot of vehicle emissions and subject to pollution. It would be better to put a playground in a centrally located area.

Ms. Angie Mikolajczak, 12806 Lee Court, commented the speed limit is 30 miles per hour, but it drops down to 15 miles per hour and there will be cars accelerating and braking at the same time in the area of Bank Shots Bar & Grill. Discussion ensued regarding getting in and out of the area around Taco Bell.

Ms. Jennifer Prunsky, 14617 Blaine Street, commented she would like to find out if an EPA test was done on the South Shore Golf Course. Mr. Carnahan commented this topic has been tabled. Ms. Prunsky commented some of the Town Council members were involved in the water and sewer infrastructure. What is the level of involvement of the members. We are highly sensitive to the water and sewer issues.

Ms. Abernathy commented the Town Council is also the Utility Board. Any utility related decision or redevelopment decision is done by Town Council. Ms. Prunsky asked are they responsible for approving the number of homes being built. Ms. Abernathy stated subdivisions and plats are wholly under the responsibility of the Plan Commission. The Utility Board oversees the utilities.

Adjournment: Mr. Kiepura adjourned the meeting at 7:43 pm.

TOWN OF CEDAR LAKE PLAN COMMISSION

John Kiepura, 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 November 1, 2023