



CEDAR LAKE PLAN COMMISSION SPECIAL PUBLIC MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
May 1, 2024 at 6:00 pm

Call To Order:

Mr. Kiepura called the Plan Commission Special Public Meeting to order on Wednesday, May 1, 2024, at 6:53 pm with its members attending on-site. The Pledge of Allegiance was said by all.

Roll Call:

Members Present via Zoom: None

Members Present On-Site: Chuck Becker; Greg Parker; Robert Carnahan; James Hunley; Heather Dessauer, Secretary; Jerry Wilkening, Vice-President; and John Kiepura, President. A quorum was attained. **Also present:** Don Oliphant, Town Engineer; David Austgen, Town Attorney; Ashley Abernathy, Planning Director; and Cheryl Hajduk, Recording Secretary.

Absent: None

1. 2023-09 – 141st Partners – Final Plat

Owner: 141st Partners LLC, Mike Neubauer, 2802 East 139th Avenue, Crown Point, IN 46307

Petitioner: 141st Partners LLC, 2802 East 139th Avenue, Crown Point, IN 46307

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

Mr. Kiepura stated the first order of business is for a Petition requesting a Final Plat for a One Lot Subdivision.

Mr. Mike Neubauer, 2802 East 139th Avenue, Crown Point, IN 46307, commented we are looking for the Final Plat approval. We met with the Inspector from Burke Engineering and we walked the site have gone through manholes making sure there is no sediment getting off of our site, which is the case. We still need to deal with the stockpiles, because we cannot get trucks in there at this time due to the rain. We repaired the railroad culvert.

Mr. Oliphant commented it is better, but there is still work to do.

Mr. Carnahan commented it is the Northfolk railroad and you should have the information to contact them about cleaning the culvert. Mr. Oliphant commented we contacted them over a month ago, but we can get the contact you provided.

Mr. Wilkening asked Christopher Burke's letter dated April 12, 2024, there is a different opinion now. Mr. Oliphant commented we went out there last week and some things weren't done yet, but there are improvements now, especially with the ditch line between the railroad culvert and the interior culvert and

that is rip wrapped and there is still work to do in the pond to re-shape some of the side slopes that got caved in. We will generate another report and keep moving on.

Mr. Carnahan asked is the Letter of Credit still \$473,445.50. Mr. Oliphant responded in the affirmative. The 3 percent inspection fee have been paid and the MS4 inspection fee. Ms. Abernathy commented the fees have been paid and we received their Letter of Credit in the full amount.

A motion was made by Mr. Wilkening and seconded by Ms. Dessauer to approve the Petitioner's request for a Final Plat for the One Lot Subdivision pending improvements and referencing Christopher B. Burke's letter dated April 12, 2024; including MS4 Inspection Fee, Letter of Credit and 3% fee. Motion passed unanimously by roll-call vote:

Mr. Becker Aye
Mr. Parker Aye
Mr. Carnahan Aye
Mr. Hunley Aye
Ms. Dessauer Aye
Mr. Wilkening Aye
Mr. Kiepura Aye

2. 2024-10 – Schilling Development – Preliminary Plat

Owner: Cedar Lake 133, LLC, P.O. Box 677, St. John, IN 46373

Petitioner: Schilling Development, P.O. Box 677, St. John, IN 46373

Vicinity: 5604 W. 141st Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition requesting a Preliminary Plat for Lakeside South Unit 1 for a total of 34 Lots and 4 outlots. Mr. Austgen advised legals are in order.

Mr. Jack Slager, Schilling Development, along with Jack Huls, DVG, representing the Petitioner, commented this is Unit 1 of Lakeside South, and this is the first phase and includes 34 lots, along with the entrance off of 141st Avenue and a small detention area. It is a complicated set of engineering drawings, because being the first phase of many, we have to take into account all of the future phases while we are designing this phase. There are some open items and we are looking at a two-week deferral.

Mr. Oliphant commented we issued a letter on April 30, 2024. There is a lot of planning for future units, especially with utilities. The biggest item is water related and how that will be built out.

Mr. Kiepura asked if this will be ready in two weeks. Mr. Oliphant commented he believes so.

Mr. Carnahan asked on the report, there are 19 items that are not addressed and there are 22 items partially addressed and what is the explanation on the water main of an 8-inch to a 12-inch. It is not clear what we are proceeding in putting in yet. Mr. Oliphant stated the trunk main is a 12-inch main and will connect into the Town's water main on 141st Avenue, southwest corner of the property. There has been discussion of interim scenarios. The 12-inch main down Lakeside Blvd. which is the center of the development that connects into Lakeside North and that will be 12-inch and will be a connection into our main at some point. We are trying to balance how much infrastructure is to go in all at once based on what we need and based on water needs for the long term. It will be 12-inch continuous at some point and whether we need it now or if we can wait three to four years down the road.

Mr. Oliphant commented this is the segment from the entrance, which is 141st Avenue to where we connect in. They have to put in laterals on the next street up right now to serve the unit. The transmission main on 141st Avenue is not needed right now. They are only platting to the entrance and not the entire stretch and they will do be doing road improvements. They are only focusing on the entrance right now for this unit. The 12-inch does not need to go in right now. We have plenty of pressure and volume to handle that for the foreseeable future; several hundred lots. There has been discussion if it can go in later as those lots build out and more users come online to that system. It would need to be vetted if we are fine with that. We need to get to a final layout and Development Plan.

Mr. Carnahan stated we need to get that hooked into our water tower at the east side and we told the Indiana Regulatory Commission that we would loop the system by 2028, but not sure if that is going to happen. Mr. Oliphant commented this is combining the East and West side together.

Mr. Carnahan asked what would be the results if we cannot get that looped by 2028. Mr. Austgen stated we would be seeking an extension of that term of that compliance and likely an engineering request.

Mr. Becker commented the concern is planning for the future and the need for expansion. Mr. Oliphant commented once we get the tank online and the two production facilities tied together, it extremely increases that system to what it is today.

Mr. Carnahan asked was everything submitted to IDEM to try and get approval for our water system. Mr. Oliphant commented we submitted permits for documentation in lieu of the permits. The permits are coming right behind it for the Paradise Cove upgrades and for Morse water main sewer as well. That has to be done together with this connection and with Robin's Nest upgrades with the tank coming online.

Mr. Oliphant stated we received a response back from IDEM and we have draft permits together that the Water Department is reviewing. We need another round of water testing on Paradise Cove and then we can submit the construction permits for the upgrades and for the Morse water main.

Mr. Kiepura called for remonstrators for or against this request. Seeing none; public comment is closed.

Ms. Abernathy commented we do not have any major comments at this time and we are working with the Town Engineer and the Developer to try and make sure everything is in order.

A motion was made by Mr. Carnahan and seconded by Mr. Wilkening for a two-week deferral to the next Public Hearing. Motion passed unanimously by roll-call vote:

Mr. Becker	Aye
Mr. Parker	Aye
Mr. Carnahan	Aye
Mr. Hunley	Aye
Ms. Dessauer	Aye
Mr. Wilkening	Aye
Mr. Kiepura	Aye

Mr. Parker commented he reached out to Mr. Smith who wants to construct a new home who was on the last agenda and he said he was going to zoom in for the meeting. Mr. Smith has deposits down on items for the new construction.

Mr. Parker read out loud for the record of what Mr. Smith said, "Mr. Parker, they told us the meeting would be May 15, 2024 and I did not have one tonight. Thank-you for reaching out. Can I call you or should I follow-up with you tomorrow." Mr. Parker asked if he had a zoom link and Mr. Smith stated he was not provided a zoom link. Ms. Abernathy commented she gave Ms. Hajduk the information to add Mr. Smith for the zoom meeting. Ms. Hajduk responded she added him to the meeting.

Mr. Wilkening stated Mr. Smith can present the concept at the next meeting. Ms. Abernathy commented it is for a waiver request.

Tabled:

2023-18 Bay Bridge

2023-19 Founders Creek

2023-20 Red Cedars

Public Comment:

Ms. Abernathy commented she would like to thank the Plan Commission, as well as, the Town Council and the Board of Zoning Appeals for the opportunity that was presented to me as first the Recording Secretary and then as the Planning Director for the Town.

Adjournment: Mr. Kiepura adjourned the meeting at 7:42 pm.

TOWN OF CEDAR LAKE PLAN COMMISSION

John Kiepora, President

Jerry Wilkening, Vice-President

Heather Dessauer, Secretary

James Hunley, Member

Robert Carnahan, Member

Greg Parker, Member

Chuck Becker, 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 May 1, 2024