



CEDAR LAKE PLAN COMMISSION PUBLIC MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
August 21, 2024 at 7:00 pm

Call To Order:

Mr. Kiepura called the Plan Commission Public Meeting to order on Wednesday, August 21, 2024, at 7:16 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; Jeff Bunge, Town Manager; Tim Kubiak, Director of Operations; and Cheryl Hajduk, Recording Secretary

Absent: None

Minutes:

Plan Commission Public, May 15, 2024; Plan Commission Work Session, June 5, 2024; Plan Commission Public, June 19, 2024

A motion was made by Ms. Dessauer and seconded by Mr. Hunley to approve the Plan Commission Public, May 15, 2024; Plan Commission Work Session, June 5, 2024; Plan Commission Public, June 19, 2024 minutes. Motion unanimously passed 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

Old Business:

- 1. 2023-22 Bank Shots Bar & Grill Site Plan and Preliminary Plat**
Owner: Joe Lopez, 3285 Glenwood Dyer Road, Lynwood, IL 60411
Petitioner: Adam McAlpine, 398E 400N Valparaiso, IN 46383
Vicinity: 8120 Lakeshore Dr. Cedar Lake, IN 46303

Mr. Kiepura stated the first order of old business is for a Petition requesting a Preliminary Plat for bar and restaurant renovation project to include new parking lot, perimeter sidewalk, storm sewer system, and landscaping.

Request: Site Plan Approval.

Mr. Kiepura commented the Petitioner is asking for a deferral to the next work session.

A motion was made by Mr. Parker and seconded by Mr. Carnahan to defer this item to the next work session. Motion unanimously passed 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. 2024-05 StorSafe – Final Plat (make it legal lot of record) (Preliminary previously approved)/ Site Plan approval

Owner/Petitioner: StorSafe of Cedar Lake LLC, 5301 Dempster St. Suite 300, Skokie, IL 60077

Vicinity: 13649 Wicker Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition requesting a Preliminary Plat for a bar and restaurant renovation project to include new parking lot, perimeter sidewalk, storm sewer system, and landscaping.

Mr. Jim Sayegh, StorSafe of Cedar Lake LLC, 5301 Dempster St. Suite 300, Skokie, IL 60077, commented hopefully we can take the next steps to get this approved. Mr. Sayegh discussed the steps getting to this point with this project. Our desire to develop a building at the front and we think it will be more attractive and our customers will be happier and we think the taxpayers will benefit. We received favorable feedback from the Plan Commission meeting previously. The front yard would require a Variance, and we removed parking at the front. We had to do a Plat of Consolidation to do a metes and bounds parcel if we are going to involve the front.

Mr. Sayegh commented there were a couple of matters with the Board of Zoning Appeals; one of which was fencing and we voluntarily wanted to do the fencing to do something nice for the neighbor. The parking is an issue. We tabled this to research the history of the site and the staff report confirmed the legality of the parking on the back. If we are not developing the front, then this becomes a matter for Engineering and the Building Department through the building process. We would like to focus on the Development Commitment that we were asked to create. The engineering issues are being worked through. Discussion ensued regarding parking on the gravel, and giving up a property right.

Mr. Sayegh commented we have a five-year loan to complete the 15-year project, and do the improvements that have been outlined. Discussion ensued in length regarding the phases of building.

Mr. Sayegh commented giving up gravel parking in the back overtime is a price that we are willing to pay to move forward with the building at the front. If it stays with the Development Commitment and if we need to change some language, we would like to do that.

Mr. Kubiak asked they are extending the water main with this new building. Mr. Oliphant responded in the affirmative. We were waiting for feedback from the water department of how they want to handle it.

Mr. Austgen asked does this project require an IDEM permit for water extension. Mr. Oliphant responded in the affirmative and would require a Notice of Intent. There is a well on the property that services the office area.

Mr. Austgen commented he was concerned about the permitting and the Engineers can work out the details. Mr. Huls commented this user does not require any water except for a single service for a bathroom and there is a well on the site that services that purpose. If there was a matter of timing, we could work that through, because that infrastructure would be public infrastructure on the plat and not the site. There could be a mechanism where the permit for the water main may be delayed, but we can still move forward with the project. There is no fire protection needed for building the well and there are no improvements being done where the water services are located. Mr. Oliphant commented there is no immediate user need for it, but it is for long-term planning.

Mr. Carnahan commented the concern is that we received a letter from the Indiana Department of Environmental Management with concerns about water and there is a concern with adding more structures and a potential of drying up wells in Town. A meeting will be needed with IDEM.

Mr. Huls commented these buildings do not require any water service. We are not increasing the demand on that and the only reason why there would be a request for a NOI is because for the public improvements of the extension along Route 41.

Mr. Kieपुरa commented it only refers to the west side of the lake. Mr. Carnahan commented it also refers to the east side to.

Mr. Hunley asked will there be a main down Route 41. Mr. Huls discussed the water main and where it would be located. Discussion ensued in length.

Mr. Wilkening asked Storsafe is fine with putting in the line. Mr. Huls responded in the affirmative and it would be a 12-inch water main along the frontage, and as far as the Variances and the feedback we have gotten back from Plan Commission, is that parking on gravel is not something that is allowed under the current Ordinance and we are trying to bring this into conformance and the best way to do that is with the Development Agreement that eliminates that right over time versus guaranteeing the bond.

Mr. Parker commented in the past, we have granted some time to get asphalt parking lots done and now we are fighting to get that done. Mr. Sayegh commented when DVG was hired, money would need to be in the budget for the water line.

Mr. Parker asked is this impervious surface. Mr. Oliphant commented gravel is still considered impervious. Mr. Sayegh commented we would have been happy with a Variance, but the guidance we received was to come up with an agreement that governs the situation. We developed the document, because we were asked to.

Mr. Parker asked is the stormwater shed detention is that adequate currently. Mr. Oliphant commented when Lakeview Business Park built out, at that time, the owner of that subdivision owned U-Lock and they provided detention in this Lakeview Pond. Discussion ensued.

Mr. Wilkening commented the 15-year business plan is too long with six phases over 15-years maximum.

Ms. Dessauer asked Mr. Austgen his thoughts on this Developmental Commitment. Mr. Austgen commented it is close. Ms. Dessauer commented we are waiting on that and a letter back to Mr. Oliphant. Discussion ensued regarding the next steps and moving forward to the next meeting.

Mr. Becker commented if the phases aren't done after the 15-year period, it will be no longer. Mr. Sayegh commented there would be two choices and it runs with the land. One of the choices would be to pave it and illuminate it with engineering, building permit to bring it into conformance or vehicles cannot be parked on it.

Discussion ensued regarding the long-term of building of 15-years for the storage facility.

Ms. Dessauer asked how does it get policed if the all of the building is not complete in 15-years. Mr. Austgen commented we would have to use the Ordinance to enforce and the approval of this body to enforce it and it could be daily fines and penalties.

Mr. Parker asked if they can do 10-years instead of 15-years. Mr. Sayegh commented conditionally that would be fine. Mr. Austgen commented there are things that are out of our control and we are dealing with IDEM now.

Mr. Huls commented there are two petitions in front of the Board, Site Plan approval and Final Plat. One of the guarantees with a Final Plat is the Performance Bond and that will make sure the developer performs the work that needs to be done and then the Maintenance Bond that covers any public infrastructure. The water main is part of the subdivision plat whether it is put in now or ten years from now. We could post the Performance Bond and have the plat recorded and pull building permits, because we have a Final Plat that will be a legal lot of record. We don't use any water; we will not be tapping into the water system. It is not a demand on the system. When we are able to file the permit with IDEM, we can get that built and move that Performance Bond into a Maintenance Bond.

Mr. Wilkening commented they are volunteering to follow all of the rules, and not go to the Board of Zoning Appeals. Mr. Huls commented there were items that were covered in the Board of Zoning Appeals that are in the Development Agreement and one is the continued use of the gravel and it is not going to be waived.

Mr. Oliphant asked will the illuminating be done as you go. Mr. Sayegh responded in the affirmative. It will have to be paved and it will have to comply with the Code and storm detention.

Mr. Huls commented any area that doesn't have a building on it, they would have the option to pave and eliminate in accordance with the requirements at that time for outdoor storage.

Ms. Dessauer commented they can write whatever they want in the Commitment so we can enforce it. Whether it be a \$5,000 a day fine or whatever it is; we do not have that now.

Mr. Parker commented if something is going to be asphalted and in three years it will be ripped out to put in a building doesn't make any sense.

Mr. Huls commented we will be back in two weeks and Mr. Oliphant will have a resubmittal letter.

Mr. Huls commented there is an existing storm sewer between the buildings and we did not put that in and it doesn't meet all of the Ordinances. We are making improvements on the south road and we are making accommodations according to that Ordinance that the water will be captured by our new system and brought to the pond. Discussion ensued in length regarding the fence, landscape buffer, and screening, which will be in the Development Commitment.

Mr. Oliphant commented the fencing around the commercial parcel in the front that is being used as residential, and the north long vacant parcel.

Mr. Kiepura commented at the Board of Zoning Appeals felt that eliminating the liability for putting screening on the North section boundary would have been granted. The opposition was that it is residential and if they were to develop the residential, then screening would be needed. If it is developed, it will be developed commercial, but maybe we should have a clause in there, if it goes residential, that the screening would need to be put up. Mr. Sayegh commented that would be fine.

Mr. Austgen asked how do we treat the discussions with the water issue and permit. This timeline is important and the letter from IDEM is with the Town Council President, dated August 9, 2024 and the Town Council on August 20, 2024, talked about that letter and started to place a strategy to deal with the enforcement agency and assessment and compliance. We just received all of this and we aren't taking any water out of this.

Mr. Parker asked are we holding a Bond for the water line and it can be put in at any time. Mr. Austgen commented one is a NOI Permit and the other is putting a water line in. Discussion ensued regarding a timeline with the developer and the responsibilities of the Town.

Mr. Parker asked we cannot hold a Performance Bond on the water line until such time we can produce water capacity. Mr. Austgen commented we are promising we can provide water and that is what a NOI Permit is allowing construction extension. If they are asking for an IDEM NOI Permit, then that's what it would be. Mr. Oliphant commented there is a box on the NOI Permit of what the user needs is going to be.

Mr. Parker asked how much is a storage facility going to use. Mr. Austgen commented there will be no water used. Discussion ensued regarding a Performance Bond for the water main.

Mr. Wilkening commented IDEM will make the decision as to whether or not this is an exception to the situation. Mr. Austgen commented maybe they will or maybe they won't.

Mr. Huls commented if we install the water main right now, there is no users on it and the valve would be closed down to Lakeview Business Park and you cannot have water sitting in there. The permit would be separate.

Mr. Wilkening asked who submits the request to IDEM. Mr. Huls commented we do. Mr. Wilkening commented the municipality needs to sign off on the details and IDEM will decide the fate of everything. Discussion ensued in length regarding IDEM and what their purpose is.

A motion was made by Mr. Wilkening and seconded by Mr. Becker to defer this Petition for 30-days to the next work session in two weeks. Motion unanimously passed 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

3. 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 for a Preliminary Plat for Lakeside South.

Mr. Kiepura commented the Petitioner is asking for a deferral to the next work session.

A motion was made by Mr. Carnahan and seconded by Mr. Parker to defer this Petition for 30-days to the next work session in two weeks. Motion unanimously passed 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

4. 2024-11 Newenhouse- Preliminary Plat

Owner: Melissa Newenhouse, 14829 Reeder Road, Crown Point, IN 46307

Petitioner: Michael Newenhouse, 14829 Reeder Road, Crown Point, IN 46307

Vicinity: 14829 Reeder Road, Crown Point, IN 46307

Mr. Kiepura stated the next order of business is for a Petition for a Preliminary Plat for a one-lot subdivision.

Mr. Michael Newenhouse, 14829 Reeder Road, Crown Point, IN commented last month the Preliminary was supposed to be approved, but the Final was mistakenly approved. There was a clerical error and was steered wrong.

Mr. Kiepura commented he is here tonight for Preliminary Plat to be approved and to consider the waiving of the 30-day waiting period for final mylars.

Mr. Austgen commented he did not hear about this problem, but the approval that was given by scrivener's error, mistake in reading it or inaccuracy reading that it was for Primary Plat and not Final Plat or vice versa and is correctible by motion of this Plan Commission. Mr. Oliphant commented Remonstrators were not called and advertisements were not checked a month ago. Mr. Austgen commented the Plan Commission

can consider waiving those details and irregularities. Discussion ensued regarding the waiting period and not starting over.

Mr. Austgen commented the correct motion needs to be stated from the minutes that were approved last month, so it is substantive to the record.

A motion was made by Mr. Wilkening and seconded by Mr. Parker that the verbiage from the last approval of July 2024 meeting to be changed to reflect the correct approval for Primary Plat and not Final Plat. Motion unanimously passed 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. Newenhouse commented he found out that the mylar copies were signed. Is the Final Plat on the mylars. Mr. Oliphant commented we need to make sure everything is correct, and if there is a change, the mylars would have to be re-printed and signed.

Mr. Oliphant commented if the prior July approval is now the Primary Plat approval, then it is 30-days from that date to this Final Plat and if that 30-days is lapsed, it can be signed and recorded.

A motion was made by Mr. Wilkening and seconded by Ms. Dessauer that we approve the Final Plat for the property at 14829 Reeder Road, and reference any corrections, if any with Christopher B. Burke letter from July 16, 2024 and with the contingencies that the mylars be reviewed and may need to be corrected. Motion unanimously passed 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

5. 2024-12 Hanover Central High School – Site Plan for Synthetic Turf Fields

Owner: Hanover Central High School, 10120 W 133rd Ave, Cedar Lake, IN 46303

Petitioner: Aaron Reynolds/Aaron Hurt, 530 E. Ohio Street, Suite G, Indianapolis, IN 46204

Vicinity: 10120 W 133rd Ave, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition for a Site Plan for Synthetic Turf Fields at Hanover Central High School.

Mr. Aaron Reynolds, Civil Environmental Consultants, 530 E. Ohio Street, Indianapolis, IN 46204, commented we are representing Hanover Central High School for Site Plan approval of two synthetic fields and they are proposed to replace the existing baseball field and softball field on the high school campus.

The last work session, Mr. Oliphant provided review comments and we responded and provided revisions, but we didn't get them back until earlier this week. We would like to request approval and if any outstanding comments or additional comments that Mr. Oliphant may have will be addressed.

Mr. Oliphant commented we received the re-submittal and there isn't anything major. Skillman submitted half of the submittal for as-builts that the pipe that is draining to is clear and is good. We need to still look at the re-submittal.

Mr. Wilkening commented the original submittal was to do the fields. There are two other parcels and were they on the original submittal. Mr. Reynolds commented it was and the architect highlighted those areas on their plans. Mr. Oliphant asked are the bullpens existing. Mr. Reynolds responded in the affirmative and the proposed turf field does cover both of the areas of the bullpens.

Ms. Dessauer asked what else should we expect from the review letter. Mr. Oliphant commented the drain from the immediate drains from the fields are similar. Discussion ensued regarding the drains.

Ms. Dessauer asked when is the work supposed to start. Mr. (inaudible), Skillman, 264 Fieldstone Drive, commented we would like to start the work as soon as possible.

Mr. Kubiak asked what is going on with the as-builts with the previous projects. Mr. Oliphant commented there was an update letter and we are waiting for the revised survey. Discussion ensued.

Mr. Reynolds commented we want to have everything graded by mid-October and we can get final as-builts done after that.

Mr. Wilkening commented there are five individual spaces that are getting individual turf, not four. Is this correct. Discussion ensued regarding the spaces, which would be the field, the southside of the East field, and two practice areas on the West field.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley to approve the synthetic turf for the Hanover Central High School field contingent on Christopher B. Burke's review and approval of the most recent submittals. Motion unanimously passed 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

6. Birchwood Phase 4 – from Performance to Maintenance Letter of Credit to expire on August 21, 2027.

Mr. Kevin Paszko, Olthof Homes, 8151 Wicker Avenue, St. John, IN, commented we have completed all of the performance requirements. Mr. Oliphant commented this is the last phase in Birchwood to rotate out of Performance. This can be rotated into Maintenance for a period of three years in the amount of \$73,938.50 with our letter dated August 16, 2024.

A motion was made by Mr. Wilkening and seconded by Mr. Hunley to approve the rotation for the amount of \$73,938.50 with Christopher B. Burke's letter dated August 16, 2024. Motion unanimously passed 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

7. Centennial Estates, Phase 2 – Performance Letter of Credit to Maintenance Letter of Credit to expire on August 21, 2027.

Mr. Kevin Paszko, Olthof Homes, 8151 Wicker Avenue, St. John, IN, commented the Letter of Credit is August 21, 2027 and we have completed everything. Mr. Oliphant commented this is the last phase for Centennial Estates and is the eastern block adjacent to Parrish Avenue. They have met all of the punch list requests and Public Works requests. We can rotate this for three years in the amount of \$53,012.84.

A motion was made by Mr. Wilkening and seconded by Mr. Hunley to approve the Performance Letter of Credit to transfer to Maintenance and referencing the Christopher B. Burke's letter dated August 16, 2024 for a total of \$53,012.84. Motion unanimously passed 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

8. Centennial Villas, Phase 2 – Extension Performance Letter of Credit to expire September 5, 2025

Mr. Kevin Paszko, Olthof Homes, 8151 Wicker Avenue, St. John, IN, commented we are requesting a one-year extension of the Performance Letter of Credit to expire on September 5, 2025. We only have final surfacing left to complete for the performance items. We are not at the 80% threshold as the Town requires, but we should meet that early next year.

A motion was made by Ms. Dessauer and seconded by Mr. Hunley to approve the extension of Performance Letter of Credit to now expire on September 5, 2025 and the current value of the Letter of Credit. Motion unanimously passed 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

9. Put Lighting Ordinance into Town Code

Mr. Kiepura asked if there were any Remonstrators for or against this Ordinance. Seeing none; public comment was closed.

Mr. Carnahan asked what was the 50% going to do. Mr. Wilkening commented you can do up to 50% and there was discussion about changing 10% and keep changing 10%, you have changed everything. It is the cumulative to 50%. Mr. Kubiak commented if you change one fixture, it has to comply. Discussion ensued regarding changing of lighting.

Mr. Kubiak commented this will help with police and people that are out at night and help with the enforcement of this. Discussion ensued regarding lights.

Mr. Austgen commented the Resolution is in the packet, but it wasn't on the agenda, which the Resolution would need to be in a Motion.

A motion was made by Mr. Wilkening and seconded by Ms. Dessauer that the Lighting Ordinance be put into the Town Code and to delete the 50% exceptions regarding replacement of fixtures that exist in Chapter 14, Section T. Motion unanimously passed 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

A motion was made by Mr. Wilkening and seconded by Ms. Dessauer that a recommendation to the Town Council regarding the Resolution to be assigned to the Town of Cedar Lake, Lake County, IN for an amendment to the Zoning Ordinance, Number 1402 Provisions, regarding lighting regulations therein and all other Town Ordinances or parts thereof, in conflict therewith, and all matters related thereto with the corrections discussed and to make a recommendation favorable to the Town Council and to move to approve the Resolution. Motion unanimously passed 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

10. MS4 Inspection Memo Update

Mr. Wilkening stated the next item is the MS4 Inspection Memo update.

Mr. Oliphant commented this memo is catching up with 2024 and is organized by Developers with every active subdivision in the Town when it was inspected, if there were fines recommended, stop work orders

recommended, and also, primary corrective actions. We did not note them all. There are recommendations of stop work orders and possibly enforced.

Ms. Dessauer asked where do we see what fine was issued and who is paid and who has not paid. Mr. Oliphant commented this is tracked by the Building Department and when our inspections come into the Town, they are addressed to the Town Manager and his staff. Mr. Wroe is writing a program that will send the Plan Commission updates so they know what is going on.

Ms. Dessauer commented if the Developer has outstanding fines and they are not paid, it is difficult to approve a Petition. Discussion ensued.

Ms. Dessauer asked whose discretion is it to give out fines. Mr. Bunge commented it is the Town Manager's and their offices discretion.

Update Items:

1. Cedar Lake Storage – Phase 2 Update

Mr. Chris Porter, 405 North Lafayette Street, Griffith, IN, commented we received the drain material and the trenches were dug and the pipes were in place. Concrete was poured around the East aisle drain and getting the rest hooked up in the next few days. We have Site Services coming out next week.

2. Beacon Pointe East, Unit 1 – Update, Performance Letter of Credit expires October 30, 2024

Mr. Oliphant commented locates have been called for the pond project and it is supposed to start next week. The Letter of Credit expires on October 30, 2024.

3. Rose Garden Estates, Unit 3 – Performance Letter of Credit expires August 22, 2025, Plan agreed to extend to February 22, 2025.

Mr. Oliphant commented the last meeting agreed to extend for six months and is reflective to February 22, 2025 date versus August 2025.

4. Centennial, Phase 13 – Maintenance Letter of Credit expires 10/29/24

Mr. Oliphant commented this is an original phase in the original development. The Maintenance Letter of Credit will be the last and will expire soon. They addressed the punch list items.

5. Centennial, Phase 15 – Maintenance Letter of Credit expires September 5, 2024

Mr. Oliphant commented this is an original phase in the original development. The Maintenance Letter of Credit will be the last and will expire soon. They addressed the punch list items.

Board Discussion:

Mr. Parker asked about the Frick property. There are two easements needed for it. Why is that. Mr. Oliphant commented that project was done in 2017 and we stuck a pipe out to the right-of-way boundary that is at the northeast corner of his property. It was going to be a future project, because we knew it was low back there. The majority of the lot at Bugaboos drains to that rear yard. We met with Mr. Frick a few

weeks ago to bring the project up to him regarding an easement. Ms. Dessauer commented that Mr. Frick had said his house was flooding because of the water draining into the yard.

Mr. Kubiak commented the house is torn down, and it will be re-built, the drain would need to go in at the property. Discussion ensued.

Mr. Carnahan asked if there was drainage to the lake. Mr. Kubiak commented we need the easement to get the pipe into the drain and it would drain.

Discussion ensued black topping Bugaboos parking lot.

Tabled:

2023-18 Bay Bridge

2023-19 Founders Creek

2023-20 Red Cedars

Public Comment:

Ms. Angie Mikolajczak, 12806 Lee Court, asked was the majority of the conversation regarding Storsafe paving the back lot and then it came to discussion about drainage. Mr. Parker commented there is drainage there.

Mr. Carnahan commented they would build in the front and then over 15 years, they would pave it with putting in a building, because they do not want to pave it and then have to tear paving up and build a building. Mr. Parker commented he is not required to pave in the back, it is legal non-conforming the way it exists currently.

Ms. Mikolajczak commented Developers should have to follow the Building Ordinance just as the residents do, or face penalties. All permits should be charged three times the amount, if already working, regardless if something is being demolished, repaired or remodeling.

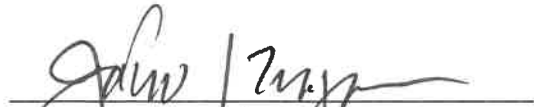
Mr. Wilkening commented if there is a permit for one year and there is an extension for another year, are there reminders in the database about permits that are passed two years. Mr. Kubiak responded in the affirmative and they are sent a letter when their permits are ready to expire. Some have to be looked into on a case-by-case basis. Discussion ensued.

Mr. Parker asked how did Boz hot dogs get approved. This was a real estate office turned into a hot dog place and there was no stormwater required or drive thru. Mr. Kubiak commented this is an existing B-2 use for a B-2 business. Mr. Kubiak commented Boz does not have a drive thru. Discussion ensued regarding the parking and using the same footprint. Mr. Oliphant commented we looked at the lighting for the building and that will change.

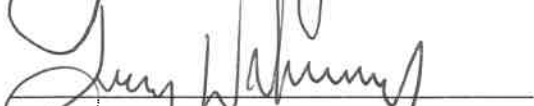
Ms. Mikolajczak commented that the restaurant should be ADA compliant.

Adjournment: Mr. Kiepura adjourned the meeting at 9:45 p.m.

TOWN OF CEDAR LAKE PLAN COMMISSION



John Kiepura, 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 August 21, 2024.