

**Storm Water Board
Work Session
August 9, 2011**

The Storm Water Board for the Town of Cedar Lake held their regular Work Session on August 9, 2011. The meeting was called to order at approximately 7:00 p.m. Members present were: Jerry Wilkening, Vice Chairman, and Walter Crissey. James Cornett, Public Works Director, Greg Parker, Town Council Liaison, and Jennifer Montgomery, Recording Secretary, were also present. Greg Wornhoff, Chairman, was not present at tonight's meeting.

I. **Minutes:** Minutes from the July 26, 2011 Public Meeting were given out for vote at the next Public Meeting.

II. **Public Comment:**

- Shirley St. Germaine of 14723 Reeder Court was present at tonight's meeting. Mrs. St. Germaine stated that she would like the Town of Cedar Lake to determine and evaluate the proper drainage for the property located at 14727 Reeder Court and all adjacent properties. Mrs. St. Germaine stated that the owners of 14727 Reeder Court, Joe and Heather Ponziano, have brought in a sizable amount of fill and elevated their property, which is now preventing rainwater to drain properly in the neighborhood. Pictures were submitted evidencing same. It was stated that standing water has never been an issue in the area, even in heavier precipitation, and that these problems only started occurring once Mr. Ponziano began changing the elevation of his property. Mrs. St. Germaine asked the Board if the Town can please investigate and maybe have an independent engineer view and remedy the problem. Mrs. St. Germaine also stated that other neighbors said they are now experiencing the same problems. Jerry Wilkening stated that the Town Engineer will investigate the area to see if the issues currently in the area are due to the elevation change at 14727 Reeder Court.
- Joe Ponziano of 14727 Reeder Court was present at tonight's meeting. Mr. Ponziano approached the Board to explain the photographs which were submitted with his fill permit application in July 2011. Mr. Ponziano explained that the site plan submitted with his fill permit application contained proposed elevation changes, not existing. Mr. Ponziano explained the way the water currently flows on the property. Mr. Ponziano stated that the pictures he submitted were taken after the last heavy rainfall, which was approximately June 2011. Mr. Ponziano stated his intentions with the fill permit are to redirect water to the creek that runs behind his property. Jerry Wilkening reiterated that the Town Engineer will investigate the whole area to assess the issues being discussed tonight.
- 14825 Reeder Court. Question about permits. Joe came in with topo report. Approved the same day for fill permit. Is that the way it goes? Everything is dated July 6, 2011. Why weren't all the questions answered on the application. Jerry stated that the Board does not have anything to do with permits. JC stated that he went out to the site and that everything looked ok and the permit was granted. Since then, JC has not been to the site to check. Mrs. Bauer stated that she has a police report from June 30, 2011, where Joe Ponziano stated he had permission from the Town of Cedar Lake to landscape. Mrs. Bauer also stated that he has been bringing fill onto his property for over a year. Mrs. Bauer stated that nothing has ever flooded this bad. Mrs. Bauer stated that the house is five (5) feet above grade. Joe Ponziano stated that his house is only eighteen (18) inches above grade. The Board again explained that the Town has experienced a significant amount of rain this year, 31 inches so far, and that everyone is experiencing unusual flooding and that the Engineer will be out to investigate the area.
- Joe Ponziano stated that his home elevation is not five (5) feet above grade. Mr. Ponziano stated that the building inspector at the time came out and that everything was done in accordance with Town Code. It was stated that water will naturally go downhill and that one of the neighbors in attendance tonight is 28 feet below top of street. Only four (4) loads of fill have been brought in since the expiration of the original building permit for the new home on the property. Mr. Ponziano stated that he technically didn't even need a fill permit to do the work, as he was not grading more than eight (8) inches from the existing land. Mr. Ponziano also stated that he has documentation of every load that was taken to and from the residence during and after construction of the residence.
- Carolyn Conley of 14818 Reeder Court was present at tonight's meeting. Ms. Conley stated that the way the water flows come straight down her property. Mrs. Conley pointed out different areas around the property at 14727 Reeder Court that hold water and what areas tend to flood. Mrs. Conley also stated that flooding in the area has never been so severe until the residence was built at 14727 Reeder Court. Mrs. Conley stated that she understands that her residence is lower than others in the neighborhood, but she would like to see the site investigated.

**Storm Water Board
Work Session-Minutes
August 9, 2011
Page 2 of 2**

III. Written Communication:

IV. New Business:

- A. 142nd Avenue and Lauerman Street; drainage concerns.
- B. Maintenance of Sleepy Hollow Ditch.
- C. Sandy Brownfield, 11396 W 133rd Lane; drainage concerns. The Board has not heard any information from the Town Engineer or Board Chairman. Jim Cornett stated he visited the site and that the restrictor by the pond by McDonald's goes down to a four (4) inch pipe. Jerry Wilkening stated he is not sure that the pond is the size it used to be. Jim Cornett stated that the Town Engineer looked at the design, and that it was designed with the four (4) inch restrictor pipe. Jerry Wilkening stated he would like to see a print of the design. The Board agreed that more investigation needs to be done to figure out where the root of the problem is and find a solution.
- D. Hanna Celorio, 9408 W 143rd Lane & Ronald Irvine, 9409 W 143rd Place; Jerry Wilkening stated that he is not sure that the trees in Mr. Irvine's yard are entirely to blame for the drainage problems at 9408 W 143rd Lane, and that it seems that there may be a grading problem on the Celorio property. Mr. Wilkening stated he cannot be sure of this, though, as he has not had an opportunity to walk the property himself. Walter Crissey stated concerns about holding Mr. Irvine liable for the trees which were planted in the easement, as the trees were there when he purchased the home. Jerry Wilkening stated Mr. Irvine still must maintain the trees in the easement. The Board discussed whether or not the easement is considered a waterway. Jim Cornett stated that it is an easement, and that it was, at one time, a swale. The Board discussed going out to the site again to investigate further, and that obtaining the civil plans for the neighborhood may be helpful.
- E. Walter Singleton, 9400 block of W 143rd Place; drainage concerns. See Public Comment.
- F. Jennifer Filar, 14734 Dewey Street; drainage concerns. Jim Cornett stated that Town Administrator Ian Nicolini called Ms. Filar and informed her that she needs to replace her culvert pipe. Once Ms. Filar purchases the pipe, the Town will install it for her. Nothing has been heard since. Walter Crissey inquired how difficult it would be to reestablish the swale at the property. Jim Cornett stated that it would be more plausible to install the culvert. The Board discussed questions concerning new houses being built around the property. It was agreed that there was no elevation change when the new home behind Ms. Filar was built. Jerry Wilkening inquired if any kind of testing could be done to find out how long the standing water issue has been present at Ms. Filar's residence. It seems that water has always tended to shed in Ms. Filar's direction. Discussion occurred regarding getting too involved in issues on private property. Jerry Wilkening stated that a line needs to be drawn when it comes to private property. Mr. Wilkening also stated that there is not much the Storm Water Board or the Town can do if the homeowner is not going to follow their recommendations.

V. Other Business:

- A. Anthony Putzbach, 7316 W 142nd Avenue; drainage concerns. Ongoing.
- B. American Legion Washington Street/CLEA; drainage project. No new information. Discussion occurred regarding when the project is going to start. Jim Cornett inquired if the pipe will be replaced under Lake Shore Drive. Walter Crissey stated that Ed Robinson had stated that it would be, but Mr. Crissey was not sure if it is. Walter Crissey stated he will try to obtain a copy of the plans for the next meeting.
- C. Public Works projects.
 - 1. Grading and swaling during significant precipitation. Jim Cornett stated that the grader is ready to go, but the crews are busy chip sealing the roads right now.
 - 2. Potawatomi Park; responsibility of maintenance of sediment pond. Jim Cornett stated he is trying to get with Matt Lake to find out exactly what they want to do with the park.
- D. Delinquent Storm Water drainage fees. Delinquent notices were mailed out to customers July 12, 2011. The recording secretary stated that the delinquent notices include all utility delinquencies, not just storm water delinquencies.
- E. Edison Avenue and 131st Avenue, drainage concerns. No new information.
- F. Water's Edge Condominiums, 8125 Lake Shore Drive and 128th Place, north of Lake Shore Drive; drainage project. In progress. Engineers are still working details out with the contractors to come up with best design plan.
- G. 127th Avenue and Cline Avenue; drainage concerns. No new information.
- H. South side of 133rd Avenue, west of Robin's Nest; drainage concerns. No new information.

VI. Final Public Comment: None.

**Storm Water Board
Work Session-Minutes
August 9, 2011
Page 3 of 2**

VII. Board Comment:

- Winding Creek Estates 2: Walter Crissey stated discussion occurred regarding who is responsible for the maintenance of the retention pond. Public Works employees did go to the site and do some work, which Mr. Crissey stated to them to track their hours. From Mr. Crissey's understanding, the Rule 5 Permit is expired, and that it is the responsibility of the developer to maintain the area. Jim Cornett stated he would find out if the Town has taken over the neighborhood or not. If that is the case, the Town would be responsible for maintenance.
- Jerry Wilkening stated that he would like to know exactly what is going on at the middle school. Mr. Wilkening stated concerns about IDEM getting involved and creating more issues.
- Jerry Wilkening inquired if anyone is going to get out to Parrish Fields to investigate. Jim Cornett stated that Public Works tried to televise the line, but there is a lot of stone in the line, which will need to be jetted out. Mr. Cornett also stated that with his equipment, his access/ability is limited.
- Jim Cornett discussed various projects that Public Works is getting to, as well as drainage problems that are going to be corrected.

VIII. Adjournment: The Work Session ended at approximately 8:06 p.m.

Attest: _____
Recording Secretary

**Storm Water Board
Public Meeting
July 26, 2011**

The Storm Water Board for the Town of Cedar Lake held their regular Public Meeting on July 26, 2011. The meeting was called to order at approximately 7:02 p.m. Members present were: Jerry Wilkening, Vice Chairman, and Walter Crissey. James Cornett of Public Works, Jennifer Montgomery, Recording Secretary, and Greg Parker, Town Council Liaison were also present. Greg Wornhoff, Chairman was not present at tonight's meeting.

- I. **Minutes:** Motion to accept the Minutes from the June 28, 2011 Public Meeting was made by Walter Crissey. Jerry Wilkening seconded. Motion carried.
- II. **Public Comment:** None.
- III. **Written Communication:**
 - Letter to Smith Ready Mix from Doug Wolf of Indiana Department of Environmental Management, Office of Water Quality regarding Industrial Storm Water Inspection Report.
 - Information regarding inspections and fence regulations from the Cedar Lake Building Department.
- IV. **New Business:**
 - A. Sandy Brownfield, 11396 W 133rd Lane; drainage concerns. No new information. Mark Kaiser of Christopher B. Burke Engineering, Ltd. stated that he will be pulling plats to look at easements and specifications.
 - B. Parrish Fields, 9300-9400 block of W 143rd Place and Lane; drainage concerns. Mark Kaiser is to review the site and make recommendations to the Board. Greg Parker asked if Public Works was able to televise the site. Jim Cornett stated that Public Works tried, but they are unable to see anything. Discussion occurred regarding possible reasons for the problems being experienced in the area. Neil Simstad was present at tonight's meeting regarding the drainage of Hanover Middle School. Mr. Simstad stated that recommendations have been made and that inspections have been done. The developers will have four (4) weeks to comply with the plans before citations will be issued for any violations. Mr. Simstad stated that ponds 3, 4, and 5 did not exist at the time of the last inspection, but that restrictors have been installed in those ponds. The last inspection was done on June 17, 2011 and everything that was installed was in compliance and matched what was approved through the Plan Commission. Mr. Simstad stated he can forward this information to the School Board so they are up to date. Greg Parker stated he will talk to the other Town Council Members and decide if Neil or Ian Nicolini will be responsible for forwarding this information.
 - C. Jennifer Filar, 14734 Dewey Street; drainage concerns. Mark Kaiser stated he will release a memo with possible recommendations. Mark also had a copy of the topography of the area, and that the natural flow of water seems to flow toward the property in question. Jim Cornett stated that once the homeowner purchases the necessary material, Public Works can install the pipe within a week or two. Discussion occurred regarding whether or not the Town should handle private matters when dealing with drainage concerns. Discussion also occurred regarding new homes being built in the area, and what may be causing the drainage issues. Greg Parker explained that if an easement is granted to the Town, the easement is no longer private.
- V. **Other Business:**
 - A. Anthony Putzback, 7316 W 142nd Avenue; drainage concerns. Completed. Remove from agenda.
 - B. American Legion/CLEA, Washington Street; drainage project. No new information.
 - C. Public Works Projects.
 - 1. Grading and swaling during significant precipitation. No new information.
 - 2. Potawatomi Park; responsibility of maintenance of sediment pond. No new information.
 - D. Delinquent Storm Water drainage fees. No new information.
 - E. Edison Avenue and 131st Avenue; drainage concerns. No new information.
 - F. Water's Edge Condominiums, 8125 Lake Shore Drive, and 128th Place, north of Lake Shore Drive; drainage project. Mark Kaiser indicated more options are being looked at to try to get drainage around the condominium garages instead of going under. Mark Kaiser stated work is scheduled begin on Monday, August 1, 2011 and that the projects will be worked on simultaneously. Lake Shore Drive will probably be cut in order to correct drainage problems within the project.
 - G. 127th Avenue and Cline Avenue; drainage concerns. No new information.
 - H. South side of 133rd Avenue, west of Robin's Nest; drainage monitoring. No new information.

**Storm Water Board
Public Meeting
July 26, 2011
Page 2 of 2**

VI. Final Public Comment: None.

VII. Board Comment:

- Walter Crissey stated that clarification on the difference between ditches and swales is needed. It was clarified that a ditch tends to have moving water running through it, whereas a swale carries water to a storm structure or a ditch. Mr. Crissey inquired if the Town Council is able to amend or clarify these definitions in the Ordinance. Discussion also occurred regarding who is responsible for ditches and swales. Easements give the Town the ability to maintain a ditch or swale. Right-of-way gives the Town the obligation to maintain a ditch or swale. Greg Parker stated that Public Works has the ability to investigate issues they see and make judgment calls on those regarding storm water.

VIII. Adjournment:

The Public Meeting ended at approximately 8:02 p.m.

Greg Wornhoff, Chairman

Jerry Wilkening, Vice Chairman

Walter Crissey

Attest: _____
Recording Secretary