



CEDAR LAKE PLAN COMMISSION WORK SESSION MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
April 2, 2025 at 6:00 pm

Call To Order:

Mr. Kiepura called the Plan Commission Work Session to order on Wednesday, April 2, 2025, at 6:00 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; James Hunley; Robert Carnahan; Jerry Wilkening, Vice-President and John Kiepura, President. A quorum was attained. **Also present:** Ben Eldridge, Town Manager; Don Oliphant, Town Engineer; Ran Deutmeyer, Town Attorney; Tim Kubiak, Director of Operations; Terrence Conley, Planning Director; Cheryl Hajduk, Recording Secretary

Absent: None

Old Business:

1. 2023-13 – Lakeside Unit 2, Block 2

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

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

Mr. Kiepura stated the first order of old business is to allow the Petitioner to request a Final Plat for Lakeside Unit 2, Block 2.

Mr. Jack Slager, Schilling Development, representing Lakeside, commented we will be here in two weeks requesting Final Plat for Unit 2, Block 2. These are the 35 lots at the southwest corner of Unit 2. The infrastructure was started last year and we are waiting for the water tower to go in. We are also working on the Letter of Credit amounts.

Mr. Slager commented any potential approval in two weeks would be contingent on final IDEM sign-off, so we are good on the water system.

2. 2025-05 – Steuer/Oliphant – Preliminary Plat for a One Lot Subdivision

Owner/Petitioner: CBBEL, Don Oliphant, 214 S. Main Street, Suite 201, Crown Point, IN 46307

Vicinity: 13941 Morse Street, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of old business is to allow the Petitioner to request a Preliminary Plat for a One Lot Subdivision.

Mr. Oliphant commented this is a one-lot subdivision. The Town decided to plat this parcel for the owner in exchange for an easement they provided at the north end of Rocklin Street for the Shades Phase 1 project. It is re-appearing as old business because the advertising was incorrect and now has been corrected and re-advertised.

3. 2025-12 – Henn & Sons – Concept Plan

Owner/Petitioner: Tom and Barb Littles, 9602 W. 135th Place, Cedar Lake, IN 46303

Vicinity: 13318 Wicker Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of old business is to allow the Petitioner to request a Concept Plan for an existing business.

Mr. Rob Henn, 13455 Parrish Avenue, Cedar Lake, IN, commented we presented a concept for the small addition for the body shop on 13318 Wicker Avenue. Due to it being a small addition, we are seeking blanket waivers to be able to work with the Building Department on this addition. The State has proceeded with acquiring property on Route 41 for the two-way center turn lane that will be put in.

Mr. Kiepura commented the waivers would be for parking, drainage, paving, lighting and signage. Mr. Henn commented that would be for everything and we were hoping for a blanket waiver for the site. Mr. Kiepura commented he does not like blanket waivers. Mr. Henn commented another waiver would be for landscaping.

Mr. Parker commented Mr. Littles needs enough room to operate the extra equipment he needs for the new technology on cars for his body shop to operate his business. Discussion ensued regarding a 16-foot addition or a 24-foot addition.

Mr. Tom Littles, 9602 W. 135th Place, Cedar Lake, IN, commented the 16-feet by 42-feet would be fine to operate with. Mr. Carnahan asked the reduction of the 8-feet will not hinder anything. Mr. Littles responded in the affirmative.

Mr. Wilkening asked what is the height of this building. Mr. Littles commented the ceiling height is 13-feet and will match the roof line.

Mr. Wilkening commented the approval of what is there now had a certain restriction of cars and now the State is going to take more space from the car lot and will it take it out of compliance for approval that they had before or will it be grandfathered in. Mr. Wilkening asked why is the water main waiver not listed. Mr. Conley commented this is up for discussion.

Mr. Wilkening commented because the car lot has restricted number of vehicles, when the State takes more space, where does that leave them. Mr. Deutmeyer asked was the lot restriction based upon the square footage of the parcel. Mr. Wilkening commented it was the quantity of cars. Discussion ensued regarding car lot and approval of cars that can be parked there.

Mr. Kiepura commented they will be back in two weeks for waiver approval.

New Business:

1. 2025-06-Surf Internet

Owner: Surf Internet

Mr. Kiepura stated the first order of new business is to allow the Petitioner install a new Town wide service using fiber optic cables.

Mr. Pat McCulley, 68446 (inaudible) Road, 37 Millersburg, commented he is representing Surf Internet and we would like to build fiber optics in Cedar Lake. A question was raised regarding bonding the project. We are going to be doing 3,500 passings in Cedar Lake, which is a five million investment for us. Everything is underground, except for some above-ground structures. The center of the network, where everything starts is called the OLT in a communication cabinet and will have its own power. We break things up into areas called passings, where we do 400 at each passing and each one will have one above ground cabinet.

Discussion ensued regarding the drawings that the Board was looking at and explanations from Surf Internet.

Mr. McCulley commented everything will be done in the public right-of-way.

Mr. Parker asked the minimum depth is 24-inches and 36-inches. Mr. McCulley commented our normal practice is to go 24 to 36 inches, unless there is a local city ordinance or permitting ordinance or with INDOT. This takes us above water and sewer and we are usually above most main-line power and gas and we are only below services if there happens to be a service that comes off of the main for a business.

Mr. Carnahan commented it looks like the entire Town would be covered. Mr. McCulley commented within the Town limits.

Mr. Parker asked do they use contractors. Mr. McCulley commented we use general contractors and our own people in the field that do spot-checking and management.

Mr. Wilkening asked if there are fines issued, who takes care of that. Mr. McCulley commented we hold our contractors to that, but at the end, it would be us if there is a problem.

Mr. Conley commented we came up with a new permit to where we can specify where we can, where these people will be in the right-of-way, except for in the house. Discussion ensued.

Mr. Wilkening asked how is Surf Internet liable on paper. Mr. McCulley commented legally we don't think we are liable on paper, other than, committing to a bond that is exactly what it is for. If we went out of business in a year and the Town has our bond, that money is set aside. Most of the bonds we deal with are the life of the project plus two to five years. Locates are the biggest time constraint for us and it is not man power, daylight or weather. Most towns allow us to do two or three serving areas at a time and then we get them cleaned up and inspected.

Mr. Kiepura asked what is the length of the project. Mr. McCulley commented at least a year or a little more.

Mr. Eldridge asked how much notice can be given to what section you will be starting on, so our people can keep up with the locates. Mr. McCulley commented our contractors will keep in contact ahead of time for locates and a construction schedule. We also let resident know when we will be in the area throughout the process. Discussion ensued.

Mr. Carnahan asked will a landscaper be used. Mr. McCulley commented most of our contractors have a crew that will come out. Discussion ensued.

Mr. Kiepura commented we are going request a Bond or a Letter of Credit. Mr. McCulley commented they do rolling bonds. Discussion ensued in length regarding bonds and how long maintenance would be for.

Mr. Kiepura asked when would Surf Internet like to start. Mr. McCulley commented we need to get permits and approvals. We would like to start in May 2025.

Mr. Oliphant asked are we handling engineering reviews in each service area administrative with staff or are we bringing review back to the Plan Commission. Mr. Kubiak commented each section needs to be handled individually. Mr. Oliphant commented we can handle this like our utility reviews, which is through email and directly with the utility. The major things we look at is there a potential significant conflict with any our public infrastructure and would be quick reviews.

2. 2025-07 – NRAA Family Investments – Site Plan for Railside, Lot 6

Owner/Petitioner: NRAA Family Investments, 11688 Patterson St., Cedar Lake, IN 46303

Vicinity: Railside

Mr. Kiepura stated the next order of new business is to allow the Petitioner to request a Site Plan for Railside, Lot 6.

Mr. Russ Pozen, DVG, commented we are representing NRAA Family Investments, and we received comments back from Mr. Oliphant and our engineers have dealt with the comments and we will have the comments back to the Town and Mr. Oliphant.

Mr. Oliphant Lots 26 and 27 have a break line between the zoning districts within Railside, where B-3 breaks into M-1. The southern limits in both of these lots are the break between the uses. The screening has been waived, but these will need side-yard screening between the two. We would recommend a waiver for screening on the north line of both, but the south line would have to be maintained. There is some off-site flow to the West and the Site Plan has to be changed a little to get it through. It is a 1.4-acre site, commercial lot with parking.

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

3. 2025-08 – Henn Holdings, LLC – Site Plan for Railside, Lot 26

Owner/Petitioner: Henn Holdings, LLC, 13733 Wicker Avenue, Cedar Lake, IN 46303

Vicinity: Railside

Mr. Kiepura stated the next order of new business is to allow the Petitioner to request a Site Plan for Railside, Lot 26

Mr. Oliphant commented this is similar to Railside, Lot 6 with the same comments and they will be back in two weeks for approvals.

4. 2025-14 – Radlovich

Owner/Petitioner: Red Carpet Smoke Shop, 13202 Wicker Avenue, Suite A, Cedar Lake, IN

Vicinity: 13202 Wicker Avenue, Suite A, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of new business is to allow the Petitioner to request the use of an existing pick-up window for the business.

Mr. (inaudible), owner of Red Carpet Smoke Shop, commented we would like to use the existing pick-up window for the business. Mr. Kiepura asked is the window being used now, and the owner commented it is not. Discussion ensued regarding ingress and egress allowing access to the window.

Mr. Conley commented the use goes with the tenant and not the owner, because it is already existing.

Mr. Wilkening asked if there is a Maintenance Agreement to the neighbor to the South. The owner commented it is being worked on. Mr. Thiel is actively pursuing the relationships with the owners of the facilities by the smoke shop.

Mr. Wilkening asked do lines behind the smoke shop need to be painted. Mr. Oliphant commented from the window it is 45-feet and two or three cars can be in queue at the window.

Mr. Conley commented the reason they are at the work session is because the use in our Ordinance for the drive-up service window has to be approved by the Plan Commission and they will be back in two weeks for an approval and using the pictures in the packet as a Site Plan.

5. 2025-15 – Recupito

Owner/Petitioner: Alexander Recupito, 10819 133rd Avenue, Cedar Lake, IN
Vicinity: 10819 133rd Avenue, Cedar Lake, IN

Mr. Kiepura stated the next order of new business is to allow the Petitioner to rent single family home while running a business on the property.

Mr. Al Recupito, 10812 W. 134th Place, Cedar Lake, IN, commented he would like to rent the home on the property and there is enough parking. There are three 10 by 20 spots on the east side of the property. There are another four spots on the west side of the shop.

Mr. Wilkening asked is there a timeline to do the concrete where the gravel is. Mr. Recupito commented when the weather breaks.

Mr. Conley commented he is operating as a business and the house was already being rented out and is a residential property. When he became the owner, he was operating in this condition and he is asking to do what has been done in the past.

6. 2025-16 – ServPro – New Satellite location

Owner: 14420 Morse Street, LLC, 14420 Morse Street, Cedar Lake, IN 46303
Petitioner: Burton Enterprises, LLC, 1437 W. Lincoln Highway, Schererville, IN 46375

Mr. Kiepura stated the next order of new business is to allow the Petitioner to open a satellite location.

Mr. Daniel Fagan, 205 West Lakeview, Lowell, IN, commented we are downsizing and we will be going into the lakeside marina, which is vacant.

Mr. Wilkening asked is anything else going to be stored besides equipment. Mr. Fagan commented boats will still be stored there to. Discussion ensued regarding where items will be stored.

Mr. Wilkening asked how many parking spaces are there. Mr. Fagan commented five in front of the building. Discussion ensued regarding no parking along Morse Street.

7. 2025-17 – Hebron Golf Carts – Permit Occupancy

Owner: Jamie Vesely, 19102 Wicker Avenue, Lowell, IN 46356

Petitioner: Jacqueline Goodman, d/b/a Hebron Golf Carts, 244 West 900 South, Hebron, IN 46341

Vicinity: 9602 W. 133rd Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of new business is to allow the Petitioner a transient merchant permit occupancy at Scooter Shooterz.

Ms. Jacqueline Goodman, 244 West 900 South, Hebron, IN 46341, commented she would like a seasonal permit to sell golf carts and they would not be serviced at this location.

Mr. Kubiak commented this is a secondary occupancy due to Scooter Shooterz still being there.

Mr. Hunley asked what is the difference between an occupancy permit and a food truck selling food. Mr. Parker commented it is the truck and the trailer that makes the difference. Mr. Kubiak commented we are working on clarifying the Ordinance.

Ms. Jamie Jenkins, 19102 Lowell, IN.

Mr. Wilkening asked is transient the best word for using this as a use. Mr. Deutmeyer commented it can be "second use."

Mr. Kubiak commented the approval would be a second use due to the Chapter 17 rules and the Board waiving a Site Plan requirement, because they are an existing business.

Mr. Conley commented there is a classification in the Code that has transient use and they didn't know if it was going to be for one year. They are allowed to go up to a full year. Mr. Parker asked do they have to come back in one year. Mr. Kubiak stated we can remove the word "transient" from the request.

Mr. Kubiak commented they are allowed so much signage per the width of the building for the secondary use. Discussion ensued.

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

8. 2025-18 – Leithleiter

Owner: Tanner, Morey, 13320 Lincoln Plaza, #4, Cedar Lake, IN

Petitioner: Jamie Leithleiter, Focus Nutrition, 10432 Nicklus Street, Crown Point, IN 46307

Vicinity: 13320 Lincoln Plaza, #4, Cedar Lake, IN

Mr. Kiepura stated the next order of new business is to welcome a new business to the community.

Ms. Jamie Leithleiter, 10432 Nicklus Street, Crown Point, IN 46307, commented the current owner has decided to sell the business. This is a like for like business and it is ownership transfer.

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

Update Items:

1. Summer Winds Commercial – Maintenance Letter of Credit in the amount of \$25,752.60 to expire on April 21, 2025

Mr. Oliphant commented everything looks good. It can expire and vote on it in two weeks.

2. 141st Partners – Performance Letter of Credit in the amount of \$473,445.50 to expire on April 22, 2025

Mr. Oliphant commented he did not have an update and staff will need to contact them and they will have to extend.

Tabled:
2023-18 Bay Bridge
2023-19 Founders Creek
2023-20 Red Cedars

Discussion:

Mr. Kubiak commented we have an application for a multi-use pavilion for conference grounds. According to the Planned Unit Development, they are approved for leisure buildings and fits into the category. The structure is 60-feet wide and 128-feet long. The sidewalls on this would be 14-feet.

Mr. Wilkening asked are there permits for the buildings that are there. Mr. Kubiak responded he thought so, but will check.

Mr. Parker asked why does it have to be 14-feet for sidewalls. Mr. Kubiak commented it may be for storing RVs in the winter. Discussion ensued.

Mr. Parker commented have Mr. Austgen review the Planned Unit Development for more answers regarding accessory structures.

Mr. Kubiak commented Storsafe brought in a permit for the first two buildings in the rear since they are hold for the one-lot subdivision and the water main extension. They have their Development Agreement, which shows the first unit was the first one in the front once the subdivision is approved. There should be no reason for them to come back here for the next two buildings because they are awaiting a one-lot subdivision with the water main extension to do the front building. They have the next two buildings proposed for their indoor heated storage buildings and eliminating some outdoor parking.

Mr. Wilkening asked was the approval based on documents and phases from West to East. Mr. Kubiak commented that was agreed on, but they cannot build the front building with the water. Mr. Wilkening commented if it was approved in phases and then jump phases, do we need an Amendment. Discussion ensued in length regarding the phases.

Public Comment: None was had.

Adjournment: Mr. Kiepura adjourned the meeting at 7:55 pm.

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 April 2, 2025