



WINFIELD PLAN COMMISSION

MEETING MINUTES

OCTOBER 13, 2022 @ 6:00PM

Pledge of Allegiance was recited.

The Winfield Plan Commission held a meeting on Thursday, October 13, 2022, at the Winfield Town Hall at 5:58 pm. Those present: Tim Clayton, Mark Nelson, Dave Anderson, Joe Gacsy and Jim Hajek. Also present: Town Engineer Mike Duffy; Attorney Ryan Deutmeyer, Austgen Kuiper Jasaitis P.C. and Town Administrator Nick Bellar. Not present Gerald Stiener.

MINUTES TO BE APPROVED:

Tim Clayton entertained a motion to accept the Minutes to be approved. Mark Nelson made a motion to accept the minutes from September 9, 2022. Jim Hajek seconded the motion. All were in favor. The motion carried 5-0.

OLD BUSINESS:

None

NEW BUSINESS:

1. Docket PC 2022-11 – Secondary Plat Approval – Aylesworth Phase 2 – 93 lots

Todd Kleven, Director of Land Acquisition for Lennar Homes, 1700 E. Golf Rd, Schaumburg, Illinois, and Lake County resident residing at 250 E. 123rd Place, Crown Point, Indiana. He is here for Phase 2 of the Aylesworth subdivision, final plat, for 93 lots. The entire phase is just about improved, lacking the final coat of asphalt and some miscellaneous out lot improvements. Aylesworth was an 11-month work in progress, which was successfully approved last year, and construction began last year on Phase 1 and entering Phase 2. The plan is to be in front of the Plan Commission next year with Phase 3, with asphalt meeting 109th Avenue at the far east entrance. They are working very closely with Town staff on the improvements to 109th Avenue and the roundabout, making sure their plans mesh with the Town's plans.

Nick Bellar said everything looks like it is in good shape. Engineering is also good with everything. Nick Bellar said the staff recommends approval. Dave Anderson made a motion to Approve Docket PC 2022-11 – Secondary Plat Approval for Aylesworth Phase 2 – 93 lots. Mark Nelson seconded the motion. All were in favor. Motion carried 5-0.

2. Recommendation to the Town Council: Consideration of Performance Bond amount for Aylesworth Phase 2

Mike Duffy stated the value of the improvements is \$1,912,953.50. The Town adds 10%, making the total bond amount \$2,104,248.85. Jim Hajek made a motion for a favorable recommendation to the Town Council for a Performance Bond amount of \$2,104,248.85. Motion was seconded by Dave Anderson. All were in favor. Motion carried 5-0.



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3. Recommendation to the Town Council: Consideration of Performance Bond reduction amount for Aylesworth Phase 2

Mike Duffy explained that the Developer was granted permission to start working on the final plat approval and they have quite a bit of the improvements in already. They have about \$512,000 worth of work to complete, however by ordinance, it can only be dropped by 30% of the original Performance Bond approved, so that would make the reduction down to \$573,886.05. Dave Anderson made a motion for a favorable recommendation to the Town Council for a Performance Bond reduction of \$573,886.05. Mark Nelson seconded the motion. All were in favor. Motion carried 5-0.

4. Discussion and Action: MODA Zoning Commitment for Cross-Access

Attorney Ryan Deutmeyer explained that as part of the MODA approval, one of the conditions was that cross-access had to be granted in case the secondary lot was ever developed, especially by someone other than MODA. There was a zone change for that particular piece of property, and the best way to accomplish that cross-access was through a zoning commitment, which is a recordable instrument that guarantees cross-access is to run with the land. This will run in perpetuity, and ensures the other parcel is not land locked and has access to 109th. Tim Clayton entertained a motion on the MODA Zoning Commitment for cross-access, with the conditions that once signed by the Plan Commission, and notarized, MODA would need to sign and would be responsible to record. Jim Hajek made a motion to Approve the Zoning Commitment as stated, with the appropriate signatures by Tim Clayton and Dave Anderson, and final execution by Hartman Properties LLC. Dave Anderson seconded the motion. All were in favor. Motion carried 5-0.

5. Discussion Item: Clover Grove Performance Bond Discussion

Jeff Yatsko, Project Manager, Olthof Homes, 8051 Wicker Ave. St. John, IN, stated they are nearing completion on Clover Grove. There is one item left on the Performance Bond that they will not be able to get done this year, it's the north bound passing blister on Randolph. They've had some challenges with it, since there was no right-of-way that existed. They've had to reach out to two landowners, one being the Federal Government and the other a local resident. They have paid them for the right-of-way, but they are having challenges getting the paperwork signed and recorded. They also paid REMC to move a pole, but due to supply chain issues they just recently got the pole delivered. Because of these challenges, they will miss the window to pave before winter. He is asking if the passing blister item can be a separate Performance Bond in the amount of \$38,000 and he will work with staff to get a punch list, so that all the other items can move to "maintenance". Mike Duffy said he had no issue with doing this, it's been done in the past. Attorney Deutmeyer said that Attorney Austgen has been in contact with Olthof Homes to discuss this matter. Attorney Deutmeyer suggested that there be a condition attached of a reasonable time frame, and it was agreed that June 30, 2023, was reasonable for completion. Mike Duffy will review the original Bond items and pull out those that specifically



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relate to the passing blister, plus 10%. Staff will complete a walkthrough and assemble documents for review by the Plan Commission.

STAFF/ATTORNEY REPORT

None

With no further business before the Commission Dave Anderson made a motion to adjourn the meeting, which was seconded by Mark Nelson. All were in favor. Motion carried 5-0

ADJOURNMENT: 6:19 PM

Attest:

Plan Commission Secretary

Plan Commission President

Transcriber: Monika Valente