

## **LOWELL PLAN COMMISSION MEETING**

**October 14th, 2021**

John Alessia called the meeting to order at 7:00pm. The Pledge of Allegiance was recited, and a moment of silence was held. Recording Secretary Dianna Cade called the roll. Members answering the roll call were John Alessia, Manny Frausto, Greg White, Shane Tucker, John Gruszka and Jim Konradi. Shane Lawrence was absent. Also, present was Rich Oman, Director of Planning and Development, and Town Attorney Nicole Bennett.

### **APPROVAL OF MINUTES:**

Mr. White made a motion to approve the meeting minutes from September 9th, 2021, seconded by Mr. Frausto and carried with a voice vote of all ayes.

### **OLD BUSINESS:**

**TABELED FROM MARCH 11<sup>TH</sup>, 2021 - PC #21-006** - re-plat approval in accordance with §155.193 Major Subdivision for a parcel within the Town boundaries of Lowell, IN has been filed by Mannik & Smith Group, on behalf of their client: **Trilogy Health Services, LLC.**, 303 Hurstbourne Pkwy suite 200, Louisville, KY 40222 This is for property located at approx.: **North of 18275 Burr St.**, Lowell, IN. Parcel number: 45-19-25-201-036.000-008.

Greg Schunck, Civil Engineer, Mannik & Smith. Mr. Schunck stated they are requesting to be tabled this month. They are still working on getting Aldi to sign off on an easement vacate.

Attorney Bennett stated the Commission needs to determine if there is good cause to continue tabling this petition. Mr. Tucker asked Trilogy if it was beneficial for the town to keep tabling this petition or for the Commission to deny tabling any further and the petitioner would have to reapply. Discussion followed. Mr. White asked if there was a foreseeable date that this could be wrapped up by. Mr. Schunck stated Aldi must make the next move, they have asked numerous times for additional information and we have complied with their requests. Mr. Schunck stated they did have a follow-up with the Aldi attorney and Mr. Oman this week. Mr. Schunck stated Aldi is evaluating the neighboring pond that they empty stormwater into. He cannot answer as to when this will get straightened out. He stated if it is a matter of reapplying when they get the easement vacate signed off by Aldi they can do that. Attorney Bennett stated from her understanding the consideration is if the 3<sup>rd</sup> parcel where Aldi's drainage is going to has the consent of the properties HOA. She said without this consent even if that is the current practice, if the HOA decided to stop letting them use it the drainage would fall back to the existing easement that would bind Aldi, Walgreens, and Trilogy back together again. She stated the next step would be to get the consent from the HOA whose pond is receiving the drainage from these entities. Discussion followed. Mr. Oman stated at this point his recommendation would be to remove them from the agenda and once they get this easement agreement they could readvertise. Attorney Bennett stated if her recollection is correct because they have advertised that is considered action by this board and they would have to wait one year before they can reapply.

Mr. White made a motion to table the petition, seconded by Mr. Gruszka and carried with a roll call vote of all ayes.

**TABELED FROM MARCH 11<sup>TH</sup>, 2021 - PC #21-007 – site plan** - has been filed by Mannik & Smith Group, on behalf of their client: **Trilogy Health Services, LLC. North of 18275 Burr St., Lowell, IN.** Parcel number: 45-19-25-201-036.000-008.

Greg Schunck, Civil Engineer, Mannik & Smith. Mr. Schunck stated they are requesting to be tabled this month

Mr. White made a motion to table PC #21-007, seconded by Mr. Konradi and carried with a roll call vote of all ayes.

**NEW BUSINESS:**

**PC #21-032 - PRIMARY PLAT-** An application for a preliminary plat approval for a 2-lot sub in accordance with §155.193 Major Subdivision for a parcel within the Town boundaries of Lowell, IN has been filed by Lifehouse Homes, P.O. Box 352, Lowell, IN 46356. This is for property located at approx. Platinum Dr. AKA: Detention Area, Lowell, IN., Parcel number: 45-19-25-255-009.000-008

Rob Fischer, Lifehouse Homes, 627 E. 110<sup>th</sup> Ave., Crown Point, IN. He stated his intention tonight was to ask for a 2-lot preliminary plat subdivision approval. However, he was told today that he will need to advertise for a plat of vacation prior to this, he is therefore, requesting to be tabled until next month. Mr. Oman stated he did not realize that they could not vacate this easement through the platting process since it is the town's easement. Mr., Oman stated he would ask that the Commission tables this petition until next month.

Mr. White made a motion to table, PC #21-032, seconded by Mr. Frausto and carried with a roll call vote of all ayes.

**PC #21-033 – FINAL PLAT** – Beverly Estates 2 lot sub. Approx. Platinum Dr. AKA: Detention area.

Mr. White made a motion to table PC #21-033, seconded by Mr. Frausto and carried with a roll call vote of all ayes.

**PC #21-034 – FINAL PLAT** – Sierra Ridge Phase 2, Unit 2- 26 lots.

Chris Adams, representing DIVI Development, 741 Village Pkwy., Lowell, IN, 46356. He stated he is looking for final plat for unit 2 phase 2 for Sierra Ridge.

Mr. Oman stated at the TRC meeting, there was discussion on the conservation easement and language was requested to be noted on the plat stating what is allowed in that easement. They have complied with that request. The homeowners will own this as part of their lot, it will only be an easement. The staff wanted specific language on the plat of what could be done with that easement. Mr. Oman stated everything else looks good.

Mr. Tucker made a motion to approve C #21-034, final plat Sierra Ridge, Phase 2, Unit 2, seconded by Mr. Konradi and carried with a roll call vote of all ayes.

Mr. Konradi made a motion to accept the staff report as the Findings of Fact, seconded by Mr. White, and carried with a roll call vote of all ayes.

**DISCUSSION:** Move November 11<sup>th</sup>, regularly scheduled Plan Commission meeting, the town hall is closed that date.

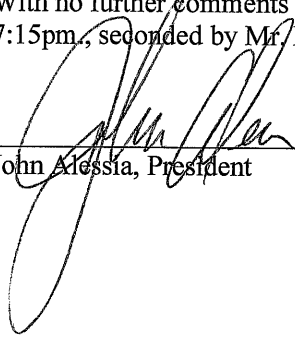
Mr. Konradi made a motion to move the regularly scheduled November Plan Commission meeting to November 18<sup>th</sup>, due to the town hall being closed on November 11<sup>th</sup> for Veterans Day, seconded by Mr. Frausto and carried with a voice vote of all ayes.

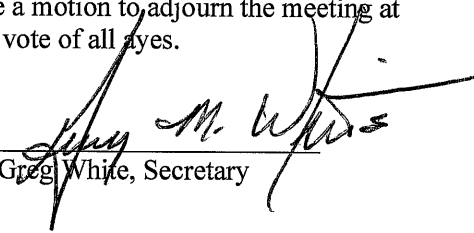
**PUBLIC COMMENT:** None is heard in person or on-line

**ANNOUNCEMENTS:** Next regularly scheduled meeting will be held on November 18<sup>th</sup>, 2021

**ADJOURNMENT**

With no further comments or questions, Mr. Tucker made a motion to adjourn the meeting at 7:15pm., seconded by Mr. Frausto and carried by a voice vote of all ayes.

  
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John Alessia, President

  
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Greg White, Secretary