

# **PLAN COMMISSION MEETING**

**April 10<sup>th</sup>, 2025**

President John Alessia called the meeting to order at 7:00. The Pledge of Allegiance was recited, and a moment of silence was held. Recording Secretary, Dianna Cade called the roll. The members answering the roll call were Greg White, John Alessia, Shane Tucker, Manny Frausto and Daniel Smith. Jim Konradi, Daniel Smith and Shane Lawrence participated in the meeting VIA zoom. 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 regular meeting minutes from March 12<sup>th</sup>, 2025 and seconded by Mr. Tucker and carried by a roll call vote of all ayes.

## **NEW BUSINESS:**

PC #25-004 – Petition to consider an application to request a rezone from R2 (residential) to PUD (Planned Unit Development) on a parcel within the Town boundaries of Lowell. Petition has been filed by Olthof Homes, St., 8051 Wicker Ave. St. John, IN 46373. The petition is for property located at approx. 16904 Cline Ave., 45-19-15-200-005.000-038. The parcel consists of approximately 141.55 acres and is currently zoned R2.

Kevin Paszko, OLTHOF Homes, 8051 Wicker Ave, St. John, IN.

Mr. Paszko stated he presented a concept plan to the Commission at the meeting on February 13<sup>th</sup>.

The site is composed of one parcel on 141 acres. Most recently used as farmland. He discussed the location and uses of the surroundings parcels. He stated the four products are:

48 single family detach lots at 80x130

114 traditional single-family product 60x130. Smaller slab style product.

40 single family attached duplex units At 90x130. 80 total units. Slab style

153 single family attached townhomes. 20x100 per unit.

Total of 395 units with a density of 2.78.

The open space will encompass sixty acres. This is due to the topographic elements and the NIPSCO easement on the far-right side. The areas will remain largely as is with only paths or roadways. NIPSCO easement will be an open grass area. Dog park is planned. Several areas will have amenities including playground, seating area, pavilion with gas grill and fire pit. Full sidewalk and trails. There will be a trail connection to Freedom Park near the central location. All amenities and open space will be maintained by the HOA. Excel and decel lanes will be provided at all entrances. There will be improvements made to Cline Ave including widening and sidewalks to connect to the subdivision to the south.

Mr. Paszko stated they would like to address the staff report's comments. Including tabling the petition until the May meeting. Discussion. Mr. Paszko stated OLTHOF will work with the staff and have new exhibits for next month.

Mr. Oman further discussed staff's comments which Mr. Paszko had addressed during his presentation. He discussed connectivity to Heritage Falls. He discussed the improvements to Cline Ave. He discussed the townhomes area stating the staff would like some input from the Commission on their thoughts for this area. He stated the homes bordering Heritage Falls will be

single family matching the R2 standards that exist in that subdivision. Mr. Oman stated the stormwater from this area will not enter Heritage Falls. Boulder Ridge will have a pond and there are two culverts under Nichols that are released to Freedom Park. The infrastructure will be designed and built to town standards. President Alessia commented on the density of the townhomes and asked if the amount is market driven. He stated the Commission suggested the PUD zoning from R2. He continued if the Commission feels the townhomes are too dense can they be changed to single family or cottage homes. Mr. Oman stated yes, the density will change with the removal of the townhomes on the south side of the northerly road. Discussion. Mr. Paszko stated OLTHOF is willing to change the number of townhomes on the section that Mr. Oman is referring to. He discussed the square footage and floor plans on each product.

Mr. Smith asked if the car parking for the town homes was on the front or back. Mr. Paszko stated they are front loaded. Mr. Oman stated a driveway into a traditional garage.

President Alessia stated he will open the public hearing. The petition is for a rezone from R2 to Planned Unit Development. This would allow a mixture of homes. President Alessia read the rules for a public hearing including the time limit which is three minutes. He opened the public hearing and stated please come forward and state your name and address for the record.

Michelle Dumbsky, 17506 Cline Ave., Lowell, IN. Mrs. Dumbsky stated her house is located right down the road from this proposed subdivision. She stated she has had new building all around her since she purchased her house. She understands growth but would like responsible growth. She has attended many of these meetings for the past thirty years. The Commission's comments were always they are not going to make decisions that are going to hurt Lowell. They are going to keep Lowell the kind of place they want it to be. Multi-unit housing brings people that are of temporary residence. Lot of rentals and it just usually does not bring an increased value to a town. That is a fact. She stated there is evidence. President Alessia asked if she had any evidence to back up that comment. Mrs. Dumbsky stated you can google it. President Alessia stated that he did review that earlier today and he found no studies. He asked her to send him the evidence. She stated we have townhomes and apartments already; slap housing will not increase the value of this town. She is nervous about this. This Commission will set the tone for the future of Lowell.

Nancy Frigo Sventanoff – 17037 Great Oak Ct, Lowell. She stated that she had some questions about zoning. This is the first that she has heard about this petition and is not sure her questions have been addressed previously. She stated she is familiar with the property because at one time the area was a pig farm. She is not sure if this has been taken into consideration with the environmental studies. She asked if anybody had done any studies in relation to the high-tension wires on this parcel. This parcel is adjacent to the unincorporated area to the Lake County highway and the park. She is concerned about the number of bulk sales due to the number of children in this area and the line of site. She stated she has sold real estate in this area for 32 years and sold numerous homes. She has sold OLTHOF homes in the past and the questions she was always asked were about parking, turnarounds, school bus issues, The density is obtrusive and the topography is high to low. There is a dedicated wet land in this parcel; how is that getting preserved. Lighting is also an issue. President Alessia stated to Mrs. Sventanoff that she has thirty seconds. She stated these are all valid points, she just found out about this a few hours ago. The entryway needs to be super big. This is a highly trafficked road. President Alessia stated that her time was up.

Zach Avery, 8727 Yorktown Dr. Lowell, IN. Mr. Avery stated that he found some information online regarding multifamily subdivisions and that President Alessia must have not looked that hard. He stated there is a study from Temple University that R2 subdivisions have substantially lower crime rates than a PUD. The rate is 32% lower. President Alessia asked when the study was from.

Mr. Avery stated 2021-2024. President Alessia stated thank you. Mr. Avery stated that he found this information in under three minutes and President Alessia must have not looked too hard. He stated he lived in Heritage Falls for two years. He stated he grew up in Chicago and this never works. He discussed his family's heritage. He stated this does not work out, temporary housing with renters' crime goes up, congestion, property stolen, people get shot and hurt. This is the reason I left Chicago. Seeing this pop up is no surprise since Lake County is left leaning. Listen to us, we are the ones you work for, we pay taxes, we speak with our money. We are saying no to this, and this is apparently the second time we have said no. If this goes in, I am out of this town and county. President Alessia stated FYI we are all residents. The Commission members discussed their years of residence in the town. President Alessia stated he has 45 seconds. Mr. Avery stated this is the second time we have been here on this proposed subdivision. President Alessia stated we have not had a crowd like this is years. Mr. Avery stated it was two years ago. Mr. Oman stated are you referring to the petition for this parcel to get rezoned to R2 for all single-family homes called Freedom Lakes? This is a completely different layout. Mr. Avery stated that it looks like your minds are made up. Mr. Tucker asked where the rentals came from. Mr. Avery stated rental/temporary housing. President Alessia stated because a person who buys \$400,000 home cares less than somebody who buys a \$300,000 home according to him. Mr. Tucker stated these homes are \$325,000 minimum. Mr. Tucker asked where this idea came from regarding temporary housing and rentals. Mr. Avery stated you are putting words in my mouth. Mr. Tucker stated you are saying we are putting crap up here and there are going to be shootings. This is a nice development. Mr. Avery said from a financial standpoint. Numerous voices are heard shouting from the crowd. Discussion ensues.

Christine Krupa, 17219 Nightingale Pl, Lowell, IN. She stated she will ask the question they were trying to ask. Is there anything in the covenant that states the smaller homes cannot be rented out. Mr. White stated anybody can rent out their property. Mrs. Krupa stated so essentially it could become a rental area. Mr. White stated so could Heritage Falls. Attorney Bennett stated by law there is nothing that can be done that restrict rentals. You can check the state statute it changed in 2018. This is state law not local ordinance.

Jennifer Hardy – 8539 Potomac Way, Lowell, IN. Mrs. Hardy stated that President Alessia said that the Commission had approached the developer to rezone from R2 to PUD. Why? President Alessia stated it is consistent on what we are seeing people purchase. He discussed the trend with younger people who are buying their first home. He is of the opinion that the market dictates things. OLTHOF would not entertain a PUD if they didn't think they were going to sell these products. Discussion. Mrs. Hardy stated with that number of homes and 3.5 cars per home that is 1300 cars coming up and down Nichols. Will Nichols be paved. Discussion on phazer rating and INDOT. Mrs. Hardy stated Heritage Falls has a water pressure issue. Is there any discussion on increasing water pressure coming to Heritage Falls. Discussion.

Kari Borucki, 8541 Yorktown Dr. Lowell, IN. She stated she is a mother of young children. They moved here from Chicago about two years ago to get away from the issues there. She stated they love the community here. She is concerned about traffic. She asked what road is connecting to her subdivision. Mr. Oman stated Ben Franklin Dr. She is worried about traffic zipping through their subdivision. President Alessia stated the irony in your statement is that two years ago some of the residents in town did not want you here either, but we are happy to have you. That is the reality. President Alessia stated if people want to come, we should afford them. Mrs. Borucki stated that it is fine, I'm just concerned about the traffic.

William Muirhead, 18805 Austin Ave, Lowell, IN. Mr. Muirhead stated last year he was here at this meeting discussing EMS services. There are not enough ambulances or fire houses to support

what we have now. There are still another 800 hundred houses to be built and lived in this year. I am assuming when these were added more fire, police and ambulances were added. Will this happen with this rezone also? The ambulance people that were here last year are already behind, they call Lake Dale when they need it. President Alessia asked Chief Gamblin if he wanted to respond. Chief Gamblin stated there are two staffed ambulances on duty. Lake Dale does not have an ambulance they are volunteer fire dept only. Chief stated to Mr. Muirhead I think you are referring to Cedar Lake. Mr. Muirhead asked if the roads would be wide enough for a police car, fire truck and ambulance on each street. President Alessia stated Mr. Oman spoke of this earlier in relation to the staff report. Mr. Oman repeated the change that the staff requested. Mr. White stated there are standards for road widths. To deviate from that would require a waiver from this Commission. He would not support a waiver for a smaller road width.

Charles Smith, 131 W Commerical Ave, Lowell, IN. He inquired about the drain tiles and asked if they had been checked. If a bunch are broken, they can flood the area. He asked if there is a vote being taken today. President Alessia stated the staff recommendation is to table because all of the concerns have not been meant between the town and OLTHOF. President Alessia stated that the public hearing will be kept open until next months meeting. Mr. White stated there will be a requirement for a full drainage report. Mr. White continued, the stormwater from Heritage Falls and this subdivision runs off from the east through a regulated drain (county) and into Freedom Park. The requirements are much stricter than they were fifteen or twenty years ago. Mr. Smith stated these developers come in and build a subdivision and then they are gone, the people that live here their taxes go up to fund the increased need for schools, and EMS. Shouldn't the developers have to pay for this. Discussion on taxes. Mr. Smith stated can you make sure that OLTHOF pays their employees and 1099's them. President Alessia stated that is not in our privy.

Carol Brazeal, 16141 Lakewood, Lowell, IN. Mrs. Brazeal stated, is this the second plan? You had another one ahead of this one? President Alessia stated there was a conceptual plan. She stated there was another plan before this, what changed? The last plan was just regular homes. She just found out today. President Alessia stated in February they came in conceptually they got our opinions. What is here tonight is still a working document. They have a staff review and based on that they are not ready to move forward. Discussion. Mrs. Brazeal asked if there would be a HOA and fees. Mr. Paszko stated yes and there will be fees. Mrs. Brazeal asked if there would be a restriction in the covenants that does not allow renting out homes. Mr. Paszko stated there is language that can be added. Mrs. Brazeal asked what that language was. Mr. Paszko stated he does not know it verbatim. Attorney Bennett stated that it cannot be restricted by law. Mrs. Brazeal stated the language should say that you must be a resident and a person who buys the house, if you do not have any skin in the game it goes to crap. She can prove it she has four rentals in Cedar Lake that she has to pull the weeds, picking up the sticks and doing everything. Discussion.

Emily Stage 134 N Fremont, Lowell, IN. She stated that she moved to Lowell a few years ago. She stated she might be of a similar age to the Commission members' kids. She is concerned about the median yearly income of a two-family household. Regional profile data is just under \$70,000. Her concerns are the affordability. What happens if no one can afford them. How do we make big homes affordable in this economy. Discussion. President Alessia stated that is why Lowell is popular land is less expensive and that is why it is attractive to younger people. There are people who stretch their dollar to thin. Her concerns are building houses that no one can afford. Discussion. Mrs. Stage asked what the time frame is for the build out. Mr. Paszko stated it is a phased-out community it will take years it is a large community.

Dennis Keithly, 13505 Belshaw Rd. Lowell, IN Mr. Keithly stated he would like to know about the sewer infrastructure. Cedar Lake has a moratorium on building. He asked what the plan was for the

sewer plant expansion. President Alessia stated the EQ basin project has been awarded. Mr. Oman discussed some of the improvements that staff is working on. He discusses a study that the staff is using from 2020. Mr. Keithly asked how many houses are proposed at the corner of Belshaw and Joe Martin. Attorney Bennet stated 537. Discussion.

Kayla Clark 2303 Spring Run Ln, Lowell, IN. She stated they never received a letter about this meeting and wanted to know why. Attorney Bennett stated by law that the perimeter is 100 foot adjacent to the entire boundary of the property and you are not within that requirement. Ms. Clark asked why. Attorney Bennett stated because that is the law. Ms. Clark stated you all live here, don't you want to know what is going on in your town. Why do we have to find out on social media. I think this is a valid concern for this entire town. There was not a ringleader, there was a social media post. That is why most of the people are here tonight. There is concern about the schools, fire, and police. Ms. Clark stated to President Alessia, you said you voted based on your conscientious why not vote for what the people saying. We voted for you. President Alessia stated this is no way a mandate. Discussion. She stated they moved here because it was a small town, it is safe. President Alessia stated we cannot tell people what to do with their property. Law prevents that. Numerous remarks are heard from the crowd. Mr. Lawrence stated to tell the farmers to quit selling their land.

Mitch Pattee, 16703 Cline Ave, Lowell, IN. He stated he owns 80 acres north of this parcel. There is a 10,000-acre water shed that runs through the big grass water way. He stated when the county redid Cline Ave, before they got the stone base back in, they put new culvert pipes in, and they were not big enough. There was a big rainstorm, and it flooded and torn everything out in the road. He hopes the town understands the volume of water that runs through there. Mr. Pattee stated he came to the town to talk about this previously. He wants the town to realize the volume of water. He can see where the waterway runs. Mr. White discussed the drainage reports. Mr. Pattee stated he was on the water and soil board in the county for a while and discussed the field north of this. That is how he found out about the water shed. He asked if there would be more meetings. Mr. Oman stated yes.

The public hearing is left open.

Mr. Tucker made a motion to table the petition, unit May 8<sup>th</sup>, 2025, seconded by Mr. White and carried with a roll call vote of all ayes.

**PUBLIC COMMENT:** Nothing further is heard in person or online.

**ANNOUNCEMENTS:** Next regularly scheduled meeting will be held on May 8<sup>th</sup>, 2025

### **ADJOURNMENT**

With no further comments or questions, Mr. Tucker made a motion to adjourn the meeting at 8:05pm, seconded by Mr. White and carried by voice vote of all ayes.

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John Alessia, President

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Manny Frausto, Secretary