

**LOWELL PLAN COMMISSION SPECIAL  
MEETING JUNE 27<sup>TH</sup>, 2023**

John Alessia called the meeting to order at 6:35pm. 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, Shane Tucker, Daniel Smith, Shane Lawrence, and Greg White. Jim Konradi and Manny Frausto were absent. Also, present was Rich Oman, Director of Planning and Building and Town Attorney Nicole Bennett.

**NEW BUSINESS:**

**PC #23-008 - PRELIMINARY PLAT** - An application for a re-plat approval in accordance with §155.193 Major Subdivision for a parcel within the Town boundaries of Lowell, IN has been filed by 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 and Smith Engineering, representing Trilogy Health Services, 20600 Chagrin Blvd #500, Shaker Hts, OH 44122.

Mr. Schunck stated these petitions have been a long time coming, he would like to thank the town staff and the Commission for their patience. All the necessary legal easement documents have been secured and were forwarded to the town attorney.

Mr. Schunck stated tonight, they are petitioning for preliminary plat approval. Nothing has changed much from the plat that was submitted previously a few years ago. He stated he would be happy to answer any question the Commission or the public may have.

President Alessia opened up the public hearing.

Mr. Jim Bober, 18244 Bel Aire, Dr. Lowell. Mr. Bober stated his house is right at the corner on the other side of this property. He stated the fence will only come to the middle of his property. Mr. Rider, Trilogy Healthcare stated the fence will come to the end of Trilogy's property. Another remonstrator is heard speaking in the background. She is told to please refrain until it is her turn at the podium. Mr. Bober stated this is a permanent fence and it will only cover half of their property and the other half will be accessed by the retirement home. Mr. Oman displays the county GIS map on the screen for a clearer picture of where his property is. Mr. Bober indicates where his property is. He stated he would like the fence to be the entire distance of their property.

Mr. Heath Rider, Trilogy Health, 451 Winter Pine Dr., Findley, OH 45840. Mr. Rider stated he would remove the fence in its entirety and use a landscaping barrier. Mr. Rider asked Mr. Oman if a fence or barrier is required. He stated he assumed it was. Mr. Oman stated it is not. The zoning is both residential therefore no buffer is required by the town. Mr. Rider stated they do utilize plantings and he may want to keep the fence between him and Aldi and Walgreens. He does not want the traffic that is parked there to enter through their campus. Mr. Rider stated he will remove the fence if it pleases these remonstrators. An audience member heard stating we want a divider, so we are not looking at the nursing home. Mr. Rider stated it was not a nursing home. Attorney Bennett asked the remonstrator to approach the podium.

Roseann Falls, 18228 Bel Aire Dr., Lowell, IN. She stated this campus is directly behind her patio. She stated there is no landscaping in her rear yard. She discussed the distance between her and the proposed medical compound. She stated her property line is right there. She stated right now on your lot the only thing out there is weeds that are extremely high. She stated there is no landscaping for the other units on Bel Aire that face your nursing home. These units are right opposite the nursing home windows. Attorney Bennett stated the fence nor landscaping is not legally required. Ms. Falls stated but they should be decent to their neighbors and they can afford it. Attorney Bennett stated we cannot force them to do something that is not mandated by ordinance. Discussion. Mr. Rider stated he is trying to comprise among all of you he can leave the fence or put-up landscaping. Mrs. Falls stated all you have to do is extend the fence to surround my neighbors at 18244 Bel Aire. Mr. Rider stated he cannot fence in the part of the property that is not his. Attorney Bennett explained the rules of public comment for the Plan Commission. Discussion.

President Alessia addressed the remonstrators and asked if they wanted the fence. Mr. Bober stated they would like the fence to go the length of his property. President Alessia stated that is not going to happen. Trilogy does not own that property. President Alessia stated either fence half the way or bushes he is not legally obligated to put in either. Discussion.

Jancis Bober, 18244 Bel Aire Dr., Lowell, IN. She asked for clarification on the length of the fence. She would like it to extend the length of her property. Attorney Bennett stated it is going to stop in the middle of your property. She discussed the property lines for Trilogy and 18244 Bel Aire Dr. Mr. Rider stated to the remonstrators they could extend the fence the length of their property. Discussion

Mr. Rider stated he agrees to install the fence as indicated on the site plan to the end of his property.

No remonstrators are heard or seen online. Mr. Alessia closed the public hearing.

Mr. White made a motion to approve PC 23-008, preliminary replat, seconded by Mr. Lawrence and carried with a roll call vote of all ayes. MOTION PASSED 6-0.

Mr. White made a motion to accept the staff report as the Findings of Fact, seconded by Mr. Tucker and carried with a roll call of ayes. MOTION PASSED 6-0

**PC #23-009 – FINAL PLAT** - filed by 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.

Mr. Tucker made a motion to approve PC #23-009, final plat, seconded by Mr. White and carried with a roll call vote of all ayes. MOTION PASSED 6-0

Mr. White made a motion to accept the staff report as the Findings of Fact, seconded by Mr. Lawrence and carried with a roll call vote of all ayes. MOTION PASSED 6-0

**PC #23-010 – SITE PLAN** - filed by 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.

Mr. Tucker made a motion to approve the site plan.

Attorney Bennett stated for discussion, staff was recommending conditions on this approval. Were those reviewed.

Mr. Oman stated the TRC recommendation was for curb to be installed on the north end wrapping into the Walgreens by the south entrance on Burr. It is the apron in the ROW. Mr. Schnuck stated they agreed to that.

Mr. Tucker amended his motion for approval to include the condition that the curb be installed on the north end wrapping around Walgreens as requested by the TRC, and the development fees are paid, seconded by Mr. Lawrence, and carried with a roll call vote of all ayes. MOTION PASSED 6-0

Mr. White made a motion to accept the staff report as the Findings of Fact, seconded by Mr. Tucker and carried with a roll call of all ayes. MOTION PASSED 6-0.

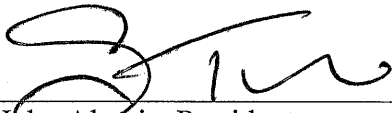
**DISCUSSION:** NONE

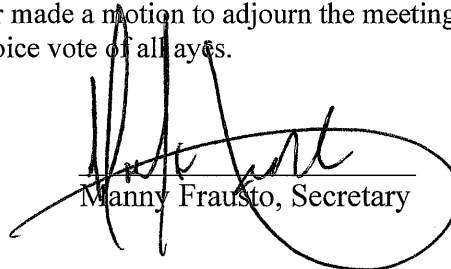
**PUBLIC COMMENT:** None is heard in person or on-line

**ANNOUNCEMENT:** Next regularly scheduled meeting is on July 13<sup>th</sup>, 2023.

**ADJOURNMENT:**

With no further comments or questions, Mr. Tucker made a motion to adjourn the meeting at 7:00 pm., seconded by Mr. Lawrence and carried by a voice vote of all ayes.

  
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John Alessia, President

  
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Manny Frausto, Secretary