

## PLYMOUTH PLAN COMMISSION

January 3, 2023

The Plymouth Plan Commission met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana on January 3, 2023, at 7:00 p.m.

Commission President Doug Feece called the meeting to order for Commissioners Alex Eads, Mark Gidley, Randy Longanecker, Beth Pinkerton, Angela Rupchock-Schafer, Linda Secor, Fred Webster, and Paul Wendel answering roll call whom were physically present. Bill Walters was absent. Others present were Building Commissioner Hammonds and City Attorney Surrisi. The public was able to see and hear the meeting through Microsoft Teams.

Commissioners Pinkerton and Gidley moved and seconded to approve the minutes of last regular meeting of December 6, 2022. The motion carried.

Deputy Clerk-Treasurer Williams Administered the Oath of Office to Paul Wendel.

Commission President Feece announced that the meeting would start with the reorganization of the commission.

Commissioners Gidley and Wendel moved and seconded to retain the current slate of officers. The motion carried by roll call vote.

Yes: Eads, Gidley, Longanecker, Pinkerton, Rupchock-Schafer, Secor, Webster, Wendel and Feece

No: None

Absent: Walters

### Current Officers:

Doug Feece, President

Timothy A. Eads, Vice President

Fred Webster, Secretary

Commissioners Wendel and Longanecker moved and seconded to retain the same meeting days and times, the first Tuesday of each month at 7:00 p.m. in the City Council Chambers. With the exceptions of the July meeting and the November meeting being changed to the following day. The motion carried by roll call vote.

Yes: Eads, Gidley, Longanecker, Pinkerton, Rupchock-Schafer, Secor, Webster, Wendel and Feece

No: None

Absent: Walters

### Changes in Meeting Dates:

July 5<sup>th</sup>, 2023

November 8, 2023

The discussion was had to retain Fred Webster as County Liaison and to retain the same appointed members to the Technical Review Committee.

PLYMOUTH PLAN COMMISSION  
January 3, 2023

The following legal notice was advertised in the Pilot Newspaper on December 21, 2022:

**NOTICE OF PUBLIC HEARING**  
The Plan Commission of the City of Plymouth, Indiana will hold a hearing on January 3, 2023 at 7:00 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indiana on the following matters:  
PC 2023-01: Shree Narayan LLC, 4192 S 150 W, Laporte, IN 46350. A minor plat of parcels  
50-42-91-303-039.000-019,  
50-42-92-101-273.000-019,  
and 50-42-92-101-274.000-019  
to combine the three (3) lots into two (2) lots located at 2124 and 2200 N. Michigan St., Plymouth, IN 46563, zoned C-3 Corridor Commercial District.  
Information on these matters may be obtained at the office of the Clerk-Treasurer, 124 N. Michigan St., Plymouth, IN and telephone 8574-936-2124. Written objections to the proposal filed at the Clerk-Treasurer's office will be considered and oral comments will be heard. The hearing may be continued from time to time as may be found necessary.  
If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948.  
Kyle Williams, Recording Secretary, Plan Commission, December 21, 2022

**PC 2023-01:** Shree Narayan LLC, 4192 S 150 W, Laporte, IN 46350: A minor plat of parcels 50-42-91-303-039.000-019, 50-42-92-101-273.000-019, and 50-42-92-101-274.000-019 to combine the three (3) lots into two (2) lots located at 2124 and 2200 N. Michigan St., Plymouth, IN 46563, zoned C-3 Corridor Commercial District.

City Attorney Surrisi reviewed the findings of fact and presented Booker's report in his absence. He read the applicant's letter aloud. See attached letter below.

Letter of Intent

12/22/2022

From,

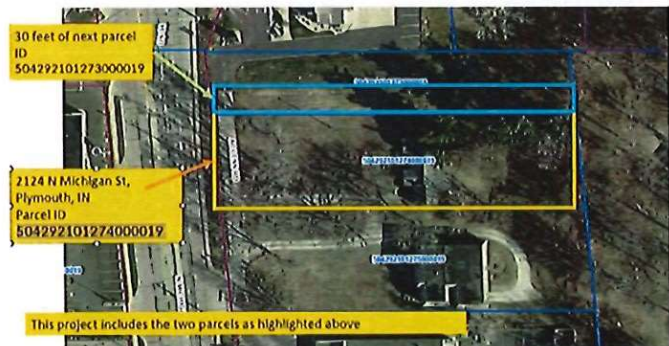
Narayan LLC

4192 S 150 W,

Laporte, IN 46350

To Whom It May Concern,

With this letter, I am submitting details about our plan for parcel# 504292101273000019 (30 feet of frontage) and parcel# 504292101274000019 as shown in below picture. We are going to combine these two parcels and create one parcel. This parcel is going to be used for Dunkin' Restaurant with drive thru.



Please process required steps to complete this process. Please let me know if you have any other questions.

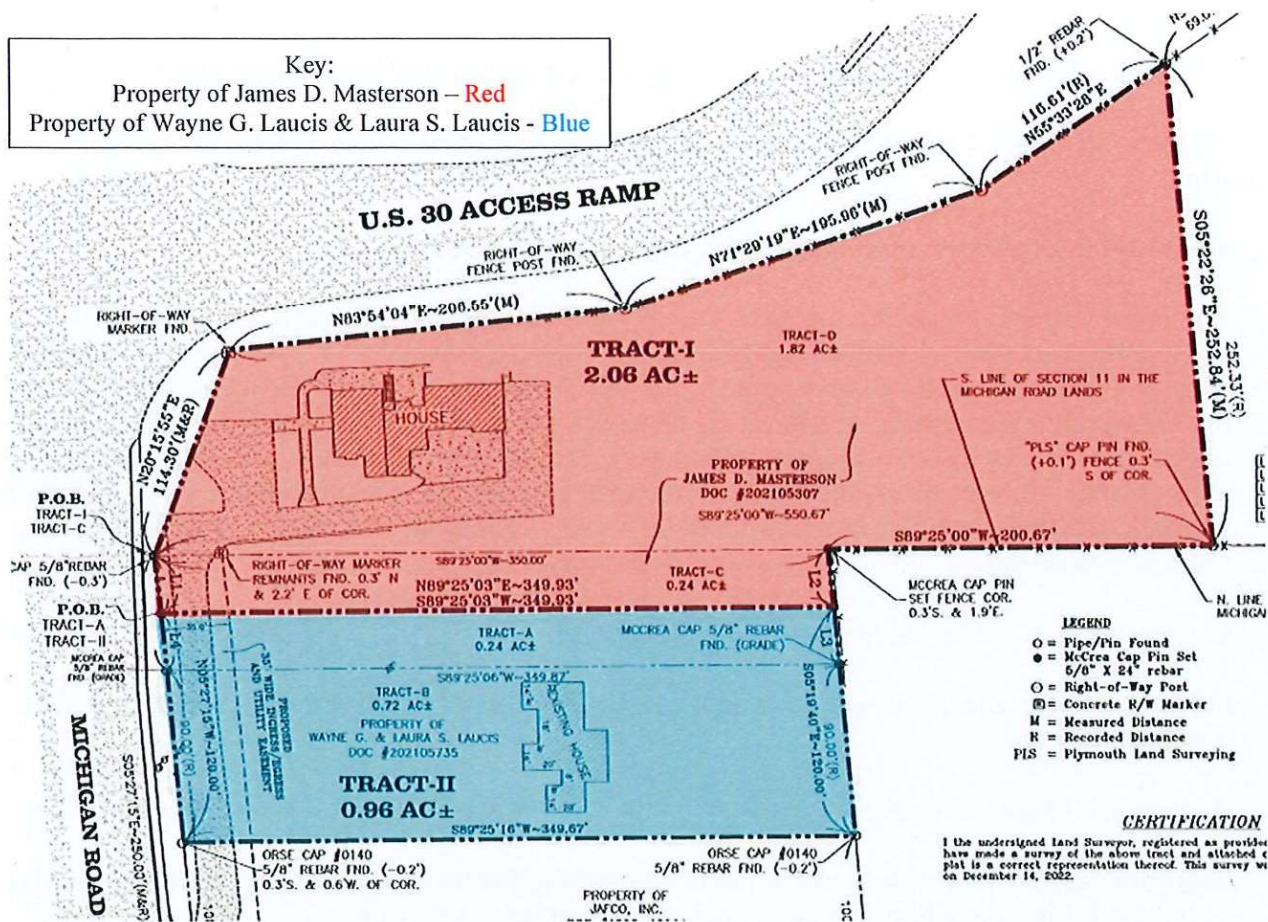
Sincerely,  
Kalpesh Patel

Cell# 224-542-8721



# PLYMOUTH PLAN COMMISSION

January 3, 2023



Surrisi states that this matter came to the attention of the Technical Review Committee (TRC) a couple of meetings ago and they talked through any concerns with the staff and nothing major arose from the discussions.

Feece asks if the road out front is city owned.

Surrisi responds by stating that it is not and states that the applicant may be able to speak more on this. He states that the city was not aware of the historical background or any documentation of who owns that road or if there are any easement agreements between the parties.

Rupchock-Schafer asks if the plan is to have the Dunkin' Donuts go all the way out to Michigan or for it to go up to the secondary access road.

Surrisi responds by stating that at the time of the TRC meeting the applicants desire was to go out to Michigan Street but it was discussed that it was a State Right-of-Way and that there would need to be a State driveway permit. He addresses that there was also the concern of that flower median that is right across from where folks would be turning if they were trying to go southbound and make a left-hand turn. He states that something like that would have to be taken into consideration but he is not sure how that has developed since the meeting and perhaps the applicant can speak to that.

**Sarah Funk-Adkins (Broker Associate for Collins & Company Realtors)**



PLYMOUTH PLAN COMMISSION  
January 3, 2023

Funk-Adkins states that the applicant is working on getting it opened to Michigan Street.

Webster asks Jim Masterson if he has any background on that road given that he has been there for a while.

**Jim Masterson (2200 N. Michigan Street, Plymouth, IN 46563)**

Masterson responds by stating that ever since 1995 he has been maintaining the quality of that road since he has been there given that nobody has taken responsibility to do that. He states that he has a guy who does all the plowing for him coming in. He explains that at some point someone is going to have to come up with an easement agreement. He states that Ralph Booker and himself had talked about that as it should have been done a while ago. He states that those strips come out to the road when you look at the overlay of the property. He explains that when they did the access coming in there, that no one ever addressed that and it needs to be addressed at some point. He adds that he would gladly talk to whomever to do that.

Webster asks if that was put in when they built the road.

Masterson agrees and states that he is not aware of any easement on the record as they had tried to research it before.

Webster and Masterson spoke on the history of the prior owners of the property for the easement.

Rupchock-Schafer asks if she is correct in understanding that they are waiting for INDOT to get back with the applicants on whether or not it goes out to Michigan Street or not.

**Shree Narayan LLC (4192 S 150 W, Laporte, IN 46350)**

Narayan responds by agreeing and stating that it is a process.

Gidley asks if they go out and get a permit then Masterson would also need a permit.

Masterson responds by stating that it would only make sense to have one permit there like where he comes out.

Gidley states that even if INDOT were to approve this that there should be some kind of shared access. He states that you can't have three new driveways along there. He states that with Masterson being so close to the ramp that they could not imagine him getting that driveway permit.

Masterson responds by agreeing and stating that he does not believe that they will. He states that he believes what it is going to come down to is an easement agreement and correcting the entrance where they are coming in now. He restates that there is no way they are going to allow three cuts out onto Michigan Street. He states that he checked on it and nobody got back to him from the State when he purchased that property because where his sign is would have been a beautiful tie into Skylane Drive. He states that it would have been a really nice frontage road down through there but the rest of the people to the south did not want to talk about it at that time.



## PLYMOUTH PLAN COMMISSION

January 3, 2023

Feece states that his only concern is that they have to be careful here because he does not want another situation like Taco Bell. He adds that they have a real mess there. He explains that he is not meaning to bash on Taco Bell but rather the intersection that they have there is a real mess. He states that he does not want to see that happen there in any way that they end up with the mess that they have got otherwise. He states that he is not opposed to Dunkin' Donuts coming in but if you have ever got on or off the access ramp out there that it is not an easy thing to do on Michigan Street at times. He states that if they ever come through and do a US 30 revamp that some situations out there may change somehow but he has no idea what they have planned for that clover leaf or if it is going to stay or if it is going to go.

Gidley adds that he does not think that they are going to change that intersection.

Masterson agrees with Feece's point but states that this would not be nearly as bad as Taco Bell since they can actually go south. He states that Culver's is there and they are using their properties coming in and out of there. He adds that so far, they have not had an issue with that. He states that when you go in and out of Taco Bell that you come to a dead stop there as people are coming from three directions there. He states that with theirs, if someone were to be there that you would just have to wait for clearance and get in. He states that there he does not see an issue but at some point, someone would need to work out an easement agreement between the property owners that are there to make it easier.

Webster recalls when Culver's was first proposed, they had an issue trying to find out who owned the Walgreen's property and it found out if was in New York. He states that the issue had to do with the sewer line. He asks if all of those properties' sewer lines run south and connect to the sewer line that Culver's and Walgreens are all in.

Masterson responds by stating when they were doing the pilings on US 30 years ago, they ruined his septic tank. He states that it totally collapsed from the pilings they were putting up for the overpass and he had a sinkhole the size of a vehicle behind his garage. He states that he received no consideration for that and he hired Michiana Contracting who came in to the tune of \$18,000.00 to connect him 800 feet down in front of Ponderosa and hook in there.

Surrisi states to clarify a little bit that the issue between Culver's and Walgreens had to do with a storm sewer drainage issue. He states that he knows they talked at the TRC meeting about having all drainage dealt with on site and there were some discussions with their engineers about underground storage that they are still investigating. He states that they pointed them towards the City Ordinance so they were aware of the standards in which they had to comply with. He states that one of the solutions that was discussed was potentially having their own underground storage rather than a retainage basin or something like that.

Gidley asks Masterson if he has an easement for that sewer line.

Masterson responds by stating that his sewer line runs out on the other side of the utilities out there and then runs all the way down.

Gidley asks if it goes through the access road.

Masterson responds by stating that it does not. He states that it is on the left side of that access road.

PLYMOUTH PLAN COMMISSION

January 3, 2023

Gidley asks for clarification that it is in the little bit of green between the sidewalk and the access road. Masterson agrees. Gidley states that if there is a driveway permit that it is going to go over his sewer line.

Masterson states that his sewer is on the north side of his building. He states that line goes to the west, clear across his property to the front and then to the grass area that goes all the way to the south and ties in.

Surrisi states that it may go across the city main where his lateral connects but it does not sound like it goes across his private property.

Rupchock-Schafer states that she has some concerns about approving something before they know what INDOT is going to do. She states that if they do not know what INDOT is going to do then that really impacts whether or not that is going to pop on to that road all the way up to Michigan and that changes what they are looking at.

Surrisi states that this is really all about the combination of the lots. He states that it is preferable to have more compact lots so many of the factors mentioned don't really play into this proposal. He states that whether or not this happens, they can still apply to INDOT for their permit and they would not have any control over whether or not INDOT decides that or not.

Rupchock-Schafer asks for clarity that they are just approving the replating of the three plats to two plats and they are not approving anything from Dunkin' Donuts nor that access road. Surrisi agrees.

Masterson states that he had to jump through a lot of hoops for this replat. He explains that he had a 60-foot lot that they have split in two making them 30 by 350 to combine it with the existing one that the Laucis have that is now 120 x 350. He states that they paid to have all of that done and then he had to replat his property now for the second time on the north.

Surrisi states that this was at the suggestion of Booker and the TRC that it would be a cleaner way for the lots to be treated.

Commissioners Webster and Eads moved and seconded to open the public hearing. The motion carried.

There were no comments from the public.

Commissioners Webster and Eads moved and seconded to close the public hearing. The motion carried.

Longanecker asks who would approve the easements for this access road.

Feece responds by stating that the property owners would have to get together to do that.

Surrisi adds that they would have to record that.

Longanecker asks if that would have to be considered first before this gets access first to Michigan Street. He states that he just has a problem with that and that he would like to voice his opinion.



PLYMOUTH PLAN COMMISSION

January 3, 2023

Feece states that he agrees with him but he does not think they can determine whether that happens or not. He states that he would like to voice his opinion as well given that he does not think it is wise to go straight out and, in his opinion, he believes that the property owners need to get together and make it an access road. He states that everyone can take care of what is out in front of their house and be done with it. He states that he would hate to see more accesses onto Michigan Street then what are there right now. He adds that it would be detrimental to the community.

Webster states that's going to be INDOT's call.

Feece adds that he hopes they make wise decisions.

Longanecker adds that is the problem.

Gidley asks if anyone is going to express the interest of the public to INDOT and say that they do not like the idea of three new accesses along there. He states that he believes the city or someone needs to say something. He states that he hopes that INDOT will say no and there shouldn't be three new accesses along there but the City Administration should notify INDOT by stating that there should not be three.

Surrisi states if that is something the Board would like them to carry that they could certainly send that.

Gidley states that he believes there should definitely be something sent. He adds that he is not opposed to Jim Masterson, this application, or even Dunkin' having a restaurant there but he just knows what three possible new driveways close to that ramp would mean for traffic. He adds that would be a mess. He states that it is going to be a mess with that median there already. He states that he does not believe you will be able to go southbound with that median there and he does not want them to take that median out.

Funk-Adkins states that it is the applicants plan to perhaps widen the access road.

Webster states that he cannot see a highway engineer coming in and changing any of what is already there.

Narayan states that he would like to make it easier for everyone.

Commissioners Webster and Gidley moved and seconded to approve PC 2023-01 as presented. The motion carried by roll call vote.

Yes: Eads, Gidley, Longanecker, Pinkerton, Rupchock-Schafer, Secor, Webster, Wendel and Feece

No: None

Absent: Walters

With there being no other business to come before the Commission, Commissioners Webster and Gidley moved and seconded to adjourn the meeting. The motion carried and the meeting adjourned at 7:30 p.m.

  
\_\_\_\_\_  
Kyle Williams, Recording Secretary