

**LOWELL PLAN COMMISSION MEETING MINUTES
JULY 10, 2008 @ 7:00 PM**

President Kelley called the meeting to order at 7:33 PM. The Pledge of Allegiance was recited. Roll call was taken. Members answering the roll call were Richard Kelley, Elias Karras, Matt Felder and Jim Konradi. Mr. Huseman came in after the roll call was made. Absent were Frank Lovely and Greg Shook. Also present was Director of Community Development Wilbur Cox, Attorney Steele and Recording Secretary Christine Marbach.

Approval of Consent Agenda:

- a) President Kelley asked for a motion to approve the June 12, 2008 meeting minutes. Mr. Karras moved to approve the meeting minutes. Seconded by Mr. Konradi. Voting was **all in favor**.
- b) **Claims or expenditures – None.**

New Business:

None

Public Hearings:

None

Old Business:

None.

Discussion:

K M & N Properties, LLC – Request for deferment of proposed public improvements in Heritage Falls Subdivision. Jim Wieser, Attorney for K M & N Properties was present and introduced one of the principals of K M & N Properties, Jack Kovich. Attorney Wieser explained that the primary plat approval had certain items such as utilities and infrastructure installation. The agreement for the Water Booster Station is in place. The developers have paid for the engineering from Commonwealth Engineers for Heritage and Treasure Lakes. The Booster Station will be delivered on the 15th of September and will take a few weeks to install and will increase the water pressure in the development. Mr. Kovich explained that the water lines have been extended from Freedom Springs through Timbersprings to Heritage Falls. As of this week, a secondary line has also been tapped at Deere Way to bring water from that direction in addition to Freedom Springs. He stated since they have complied with the agreement with the town to install water lines to the subdivision, they have found that the homes sales of the buildings in the Parade of Homes is lacking. He further explained that the market is soft right now and it is anticipated that this will last at least through this year. He stated that they have committed to extend the water lines and does not see a need to do anything more after the Booster Station is in. He is asking if he could stage this development as time goes on, and the demand escalates, they will continue to eventually complete the Nichol Street extension and the extension to Morse Street. After the Booster Station is completed they will make sure that the pressure will be adequate for fire protection. He

does not see putting in any improvements until they are needed. They will be a letter of credit in place for payment of these extensions. Mr. Huseman stated that they would not know what the draw down would be until the tests are done and the Public Works Director gets back. Mr. Kovich stated that he would not know what the volume and pressure would be until the Booster Station is in and everything should be done by October 1st, 2008. Mr. Cox explained that on the 4-7-08 letter from Mr. Wieser, they would instead of making a full extension to Morse Street and Nichols Street, they want to give the town full letters of credit insuring that will be done when it's necessary. They are also asking for a minimum of 15 permits with a maximum of 20 permit to be issued for the 2008 construction season. The final decision on any improvements that will be necessary will be up to the Public Works Director and the Town Engineer after the tests are made and the Booster Station is installed. Mr. Cox stated that he did not have a problem working with the development and needs a conceptual approval from the Plan Commission. Mr. Kelley stated that they should go ahead and proceed with Mr. Cox on this development. Mr. Kovich stated that everything is completed and wants to get off a Performance Bond and get a Maintenance Bond.

Adjournment: Mr. Carras moved to adjourn at 7:30 PM.

Richard Kelley - President

Elias Carras- Secretary

Note: The above-proposed minutes are submitted for review and approval as the official minutes by the Plan Commission.

Christine Marbach – Recording Secretary