

**LOWELL PLAN COMMISSION MEETING  
SEPTEMBER 12, 2013**

President Kelley called the meeting to order at 7:00 P.M. The Pledge of Allegiance was recited. Recording Secretary Gena Knapp called the roll. Members answering the roll call were Richard Kelley, Eli Carras, Craig Earley, Robert Philpot, and Matt Felder. James Konradi and Don Parker were not in attendance. Also present were Town Attorney David Westland, Planning Consultant Jim Mandon, and Public Works Director Greg Shook.

**APPROVAL OF MINUTES**

Mr. Carras made a motion to approve the August 8, 2013 regular meeting minutes, seconded by Mr. Earley and carried by roll call vote.

**OLD BUSINESS**

**NEW BUSINESS**

Review Findings of Fact for PC #13-014 – Meadows of Cedar Creek – Vacation of Lots 33-45 – Mr. Earley made a motion to approve the Findings of Fact for PC #13-014, seconded by Mr. Philpot. Mr. Earley asked if there had been any correspondence from Mr. Mason since the last meeting. Planning Consultant Jim Mandon stated the letter that was sent to Mr. Mason was from Attorney Jack Kramer, so any communication would have gone through him. Attorney David Westland stated Mr. Kramer has not heard anything from Mr. Mason. The motion carried by roll call vote.

Jim Mandon – Plat of Easement for Lowell Professional Center – Mr. Mandon stated that Mr. Trulley had asked him to talk about this just as an informational point because the agreement has already been approved and accepted by the Town Council as of Monday night. He stated as you know, we have had drainage issues with some of the improvements not being fully installed along Spring Run, and one of the impediments of finishing those off in an appropriate way was the fact that there was no legal right to get to the ditch to complete the storm sewer system. Mr. Trulley has been working with the people that are developing the medical center to try to secure that easement in a way that was not contentious, which he was able to do so. There is now a twenty-foot easement that will go across the property. He stated we did have a meeting some time ago to try and locate the easement so it would not be an impediment to the development of the rest of the property near the medical building. It turned out to be located in such a manner so that it could not only be used by the property to the west to continue the storm sewer system, but it is also a good location for the continuation of the roadway that will eventually connect those two developments together. It also works out from a size of lot standpoint so that we could have one more developable lot to the east of the medical facility, and then behind there it could be developed in one large lot, or divided in a north/south access with access provided from the south end of the properties with a

roadway that would head east and then connect to the existing roadway that is being installed right now. The easement was placed at a location that will not impede the rest of the development of the site, and it works well from a drainage standpoint. Attorney Westland stated the easement is thirty feet wide, not twenty. Mr. Mandon stated the easement will move across and the detention pond will be put in at the east half of the easement and just north of it. This pond is likely to be a decorative pond that will hold water all of the time with a fountain to make it an asset to the developments that occur to the north and east of the medical facility. This pond will still be a functional detention pond.

Jim Mandon – Changes to Current Building Permit Fees – Mr. Mandon stated the building permit fees are very dated. All of the communities nearby collect higher building permit fees. In order to cover the cost of administrative duties, legal, planning, and other expenses that are involved with some of the buildings that come in, it is incumbent on you to recommend to the Town Council to increase those fees to keep pace with the actual cost of providing the service. This is part of the Zoning Ordinance so it does require a public hearing in order to change the fees. We are asking you to schedule a public hearing tonight for the next meeting to consider the change in fees. After the hearing, you would make a recommendation to the Town Council. Discussion followed. Mr. Felder asked if the existing fees were what was on the paper in front of them. Mr. Mandon stated the existing fees are typed and the written fees are what Mr. Trulley is proposing. He stated if you would like a few fee structures from other communities, we could have that at the next meeting. Mr. Felder asked if the current inspection fees were up to date with other communities. Mr. Mandon stated these are much lower. Mr. Felder stated he is not one for raising fees, but with some of the financial struggles we are having, are there more fees that should be changed than just the ones marked. Mr. Mandon stated these are just the ones that are being recommended. There may be other changes at a future date, these are just the ones that are most utilized. Mr. Philpot made a motion to set a public hearing regarding the change in current building permit fees, seconded by Mr. Carras. Attorney Westland stated as long as you are advertising that you are going to be holding a public hearing to consider changes to this section regarding building fees, once Mr. Trulley and Mr. Mandon are here at the public hearing, if there are additional modifications you would want to consider, you can bring those up at the public hearing. Discussion followed about getting together some neighboring communities' fee schedules to compare at the public hearing. The motion carried by roll call vote.

## **ADJOURNMENT**

With no further questions or comments, Mr. Felder made a motion to adjourn the meeting at 7:15 PM, seconded by Mr. Philpot and carried by roll call vote.

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Richard Kelley, President

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Elias Carras, Secretary