

**LOWELL PLAN COMMISSION SPECIAL MEETING
MARCH 28 2016**

President Don Parker called the meeting to order at 8:00 P.M. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members answering the roll call were Elias Carras, Edgar Corns, Mike Gruszka, Matt Felder and Don Parker. Chris Salatas and Jim Konradi were absent. Also present were Planning Consultant Jim Mandon, Town Attorney Dave Westland, Department of Public Works Director Greg Shook, Town Engineer Craig Hendrix, Town Councilman Will Farrellbegg and LeAnn Angerman and eleven citizens.

NEW BUSINESS

Mr. Parker stated we are here tonight to talk about Journey Church of God, they are requesting some waivers from the subdivision control ordinance. Mr. Parker stated before we do there is another option in our ordinance that we need to look at and address which is improvement of existing streets. Mr. Parker asked Attorney Westland to address the Board and further explain.

Attorney Westland stated that, currently on the agenda there, is a public hearing that has been properly noticed for a waiver of the ordinance sections that require sidewalks and curbs in the event of improvement to property. Attorney Westland stated you are properly noticed for a hearing on that issue if you wanted to consider that waiver. However, before you get to that, section 155.195 of your ordinance states that whenever a proposed subdivision like this borders or includes an existing street like Belshaw Rd, the commission may require, as condition of plat approval, the reconstruction of the street, provision of sidewalks and any other improvement consistence with the requirements of that sub chapter. Attorney Westland stated the Plan Commission needs to decide if in this instance you are going to require the waiver procedure to go forward or if it is not relevant to this particular piece of property. Attorney Westland stated the first item is whether or not you are going to require this waiver process. Discussion followed with the opinions of Mr. Mandon and Mr. Hendrix.

Mr. Parker stated that based on what we just heard from the staff and the attorney and when you start dealing with waivers you set precedents, he would like to see a Commission member make a motion that we not require the conditions that are listed in this chapter. Mr. Gruszka made a motion to approve, seconded by Mr. Carras. Attorney Westland stated to clarify for the record, the motion is that the Commission would not require any improvement to the road or the provision of sidewalk, or any accel/decel lanes, is that correct? Mr. Gruszka stated yes. Motion carried with a roll call vote of all ayes.

Mr. Parker stated based on the action that was taken, we will not need to have the public hearing for PC #16-006. Attorney Westland stated the issue of whether or not a waiver is necessary has been moved. Mr. Parker asked the Pastor if he understood that everything went his way, you will be able to start.

Mr. Parker stated that there is a drainage issue that he would like to address. There are some people in the audience that it affects and he has some pictures that were provided to the Commission that show the drainage problems. Mr. Parker asked Mr. Hendrix to discuss the conversations that he had today about the drainage issues. Mr. Hendrix discussed the drainage in the area and what improvements the church will be making with drainage. A resident asked about the culvert that runs underneath. Discussion followed.

Mr. Parker addressed the residents and stated that all these improvements would be on the preliminary plat and the meeting is on April 14th. If you would like to come, we would have some more information. Mr. Parker stated that Greg Shook was going to work with the county and see if they can help us resolve some of these issues. Discussion followed.

Mr. Parker stated that there is one more issue that we need to discuss and that is the meeting schedule for the preliminary plat and final plat. Mr. Parker asked Steve Debold if he would still like to do it on April 14th. Mr. Debold stated that what we would like to see happen is the preliminary plat, final plat and site plan review all on the same night. Mr. Parker stated we can arrange that and it would be on the 14th, however I would like the attorney to address this because we have talked and there are a couple of concerns that we may have. Attorney Westland stated according to the timeline this would be up for preliminary plat approval on Thursday April 14th, and typically you would do the final plat and site plan approval at the next meeting which would be may 12th. Attorney Westland stated legally it can be done on the same night. What the Plan Commission would be doing is approving preliminary plat if appropriate, approving Finding of Fact for preliminary plat if appropriate, and Final plat approval and signing the Mylar's. The risk you run is that if you submit your plans for preliminary plat approval and for some reason those are modified as a result of that public meeting you will have to re do your Mylar's. Discussion followed.

Mr. Parker stated that we can do a special meeting, possibly the 19th or the 20th of the next week. Discussion followed. Mr. Parker stated that we need a letter brought to Town Hall before April 4th, on how you want to proceed that gives us some time to prepare the agenda.

ANNOUNCEMENTS:

APPROVAL OF MINUTES

Mr. Corns made a motion to approve the March 10th, 2016 regular meeting minutes, seconded by Mr. Felder and carried with five ayes.

ADJOURNMENT

With no further comments or questions the meeting was adjourned at 8:25pm.

Donald Parker, President

Elias Carras, Secretary

