

**LOWELL PLAN COMMISSION MEETING
JUNE 9TH, 2016**

Vice President Jim Konradi called the meeting to order at 7:10 P.M. The Pledge of Allegiance was recited. Recording Secretary Dianna Cade called the roll. Members answering the roll call were Jim Konradi, Chris Salatas, Mike Gruszka, and Edgar Corns. Matt Felder and Elias Carras were absent. Also present were Planning Consultant Jim Mandon, Town Attorney Nicole Bennett, Town Manager Jeff Sheridan and Carl Ferro, Building Administrator

APPROVAL OF MINUTES

Mr. Corns made a motion to approve the April 14th, 2016 regular meeting minutes and April 19th, 2016, special meeting minutes, seconded by Mr. Salatas and carried with four ayes.

PUBLIC HEARING

PC #16-015, Amend Ordinance §155.06 – Definitions “Living Space.” Adding to Definitions: *That portion of a residential structure constructed, completed and usable as finished floor area. Such area shall be heated and directly connected to other finished floor area. As such, attached garages shall not be considered living space.*

Mr. Mandon stated that it is just a matter of trying to clarify the code on what we count as actual livable space. We want to clarify that the attached garage does not count.

The public hearing was opened, with no one to speak for or against the petitioner, the public hearing was closed.

Mr. Corns made a motion to forward a favorable recommendation to the Town Council to amend ordinance 155.006, seconded by Mr. Gruszka and carried with a roll call vote of all ayes.

NEW BUSINESS

Appoint a Member of the Plan Commission to the Technical Review Committee.

Mr. Mandon stated the state statutes provision allows for local municipalities to have something in their code called minor subdivisions. He further explained a minor subdivision and Technical Review Committee, and its function. He stated that the state statute requires a member of the Plan Commission to be appointed to the Technical Review Committee.

Atorney Bennett asked who the current members of the committee are. Mr. Mandon stated himself, Carl, Public Works Director, Fire Chief, Police Chief, and the Town Manager. Mr. Konradi asked the Board if any of the members were interested in being on the Committee. Mr. Corns stated that he would be interested.

Mr. Gruszka made a motion to appoint Mr. Edgar Corns, to the Technical Review Committee, seconded by Mr. Salatas, carried with a roll call vote of all ayes.

Attorney Bennett asked Mr. Mandon if the statute required the Plan Commission member to be present at the Technical Review Committee meetings. Mr. Mandon stated not present, but there has to be a representative named.

DISCUSSION:

Mr. Mandon stated that he would like to discuss the zoning district standards chart. He explained what is included on the charts. He stated that he is referring to residential zones only for this discussion. The code in the district charts state that accessory structures are to be placed in the rear of the property with a rear setback of 15' (fifteen) minimum. He then refers to section 155.075 which is accessory uses and structure standards for all zoning districts and in the standards of this section it states as follows:

(a) In residential districts, an accessory building may be erected in the rear quarter of the lot and shall be located no less than five feet from the rear lot line; and no less than five feet from an interior lot line.

Mr. Mandon stated that he spoke with Attorney Bennett and she has a suggestion on a language change that can be made. Attorney Bennett discussed both sections in the code. Discussion followed. Attorney Bennett discussed her proposal to set forth in changing the language in 155.075 (A)(1)(a) to strike out "residential districts" and "add unless otherwise indicated in the construction standards". Attorney Bennett stated that in the new business districts standards there are no rear setback requirements. Either way 155.075 needs to be modified. Attorney Bennett stated that she would like to hear Mr. Mandon's input on whether or not it should be a strike out or if the setbacks should be required in business districts as well as residential or removed all together. Discussion followed. Mr. Mandon stated that in other sections of the code it has a provision in it that you cannot put a structure in an easement without permission from the entity that granted it. Discussion followed. Mr. Mandon suggested to the Board that they think about what they would like to revise on these codes and we can talk about it some more next month.

ANNOUNCEMENTS:

PUBLIC COMMENTS:

ADJOURNMENT

With no further comments or questions, Mr. Corns made a motion to adjourn the meeting at 7:30pm, seconded by Mr. Gruszka, and carried by a voice vote.

Mr. Jim Konradi, Vice President

Elias Carras, Secretary