

December 9, 2009

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday, December 9, 2009 at 9:00 a.m. in the Hendricks County Government Center, Rooms 4 & 5, 355 South Washington Street, Danville, Indiana. Members present: Mr. Don F. Reitz, Plan Director and Chairman; Mr. Bill Hahn, Surveyor Representative and Acting Member; Mr. Larry Crowder, Environmental Health Acting Member; and Mrs. Sonnie Johnston, Plan Commission Member Representative. Also present was: Mr. Brett Pickett, Deputy Surveyor; Mrs. Lesa Ternet; Planner; Mr. Eric Fazzini, Plan Technician; and Mrs. Joanne Garcia, Recording Secretary.

Mr. Reitz called the meeting to order. There was a quorum with four (4) members present.

Mr. Reitz then called for the approval of the minutes for the November 12, 2009 meeting.

Mrs. Johnston made a motion to grant approval for the November 12, 2009 minutes.

Mr. Hahn seconded the motion with Mr. Crowder abstaining.

FOR – 3 – AGAINST – 0 – ABSTAINED – 1 –

MRP 007/09: ROGERS MINOR RESIDENTIAL PLAT; a 1-lot minor residential subdivision on 2.0 acres, Liberty Township, S29-T15N-R1W, located on the east side of County Road 125 West, approximately 0.10 mile south of County Road 350 South. (Higbie Land Surveying)

WA 225/09: MRP 007 ROGERS MINOR RESIDENTIAL PLAT; a Waiver of the Subdivision Control Ordinance, Chapter 6, Section 6.15 Roadside Ditches, as per Section 5.04(3)(k) Minor Subdivision, Roadside Ditch Details. (Higbie Land Surveying)

Mr. Tony Higbie of Higbie Land Surveying appeared on behalf of the applicant. He reviewed the location and details of the site. He stated that he had provided a ten foot tile easement to the north to the outlet and through discussions with the County Engineer, John Ayers, it would be outletted into an existing pipe under County Road 125 West. He stated he had filed the waiver of the roadside ditch, which was close to county standards and did flow naturally to the north.

Mr. Reitz asked Mr. Higbie if he had received a copy of staff's letter of conditions and recommendations.

Mr. Higbie stated yes and he believed he had complied with that letter.

Mr. Reitz asked for further comments from the members.

Mr. Crowder stated the Health Department had received the soil report and it looked good for a septic field.

Mrs. Johnston asked if Mr. Ayers was okay with the waiver for the roadside ditch requirement.

Mr. Fazzini stated that the ditch was near county standards as it was.

Mr. Higbie stated that he had discussed the matter with Mr. Ayers who was okay with approving the waiver.

Mrs. Johnston then made a motion to grant approval for **MRP 007/09: Rogers Minor Residential Plat** subject to all staff conditions and recommendations in letter dated December 1, 2009.

Mr. Crowder seconded the motion.

FOR – 4 – AGAINST – 0 – ABSTAINED – 0 –

Mrs. Johnston then made a motion to grant approval for **WA 225/09: MRP 007 Rogers Minor Residential Plat** for a waiver of the Subdivision Control Ordinance regarding the Roadside Ditch requirement.

Mr. Hahn seconded the motion.

FOR – 4 – AGAINST – 0 – ABSTAINED – 0 –

The staff recommendations were as follows:

DRAINAGE CONDITIONS:

1. Subject to Drainage Board approval and the conditions of the County Surveyor.

STAFF RECOMMENDATIONS:

1. This lot is subject to the Residential Design Standards in the Hendricks County Zoning Ordinance.
2. The applicant has requested a waiver of the Subdivision Control Ordinance (HCSCO) requirement of roadside ditches. The applicant stated that a waiver of this requirement is needed as the existing ditch is close to meeting County standards and naturally slopes to an adequate outlet (HCSCO Chapter 6.15).

CONDITIONS OF APPROVAL:

1. A properly executed County/Owner Inspection Agreement must be provided prior to approval with all appropriate fees paid prior to the start of any construction.
2. This project is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit covering storm water quality. Procedures there under are governed locally by the Hendricks County Stormwater Management Ordinance and corresponding Technical Standards Manual. An application, fees, construction plans, specifications and Stormwater Pollution Prevention Plan must be presented for approval to the Hendricks County Drainage Board separately from the application to the Hendricks County Area Plan Commission. Secondary Stormwater Approval for a plat, PUD or development plan must be obtained from the Drainage Board prior to Secondary Approval (or Approval in the case of minor plats) by the Plan Commission or its Administrative and Plat Committee. In addition, an Erosion Control Permit issued by the Hendricks County Surveyor is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.
3. A septic system must be designed for these lots prior to building permit application to reflect the actual house location and size. The initial review of the submitted soil analysis indicates that the soils are rated severe and that septic systems are feasible on these lots. Additional soil borings for each lot may be required at the time of septic permit application. Proposed subsurface drain outlet elevations are required on each lot prior to final approval.
4. The absorption field areas must be fenced in such a way that accidental crossing of the site with equipment is prohibited. This may be done by farm fence, snow fence, or other similar materials. Preservation of the absorption field areas is the responsibility of the developer and if these areas are not preserved, it could make the lots unbuildable.
5. Easement(s) for the secondary septic system(s) must be shown on the plat, or separate easement document(s) to be recorded with the plat must be provided.
6. Prior to recording a statement must be added to the plat that states: Those designated as secondary septic field easements (SSFE) are secondary septic field easements that are hereby expressly reserved for the purpose of the placement of a sewage disposal field. Uses shall be limited to those consistent with the proper operation of a septic system and that will not result in soil compaction. The easement shall terminate only with the written approval of the Hendricks County Health Officer.

7. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
8. Addresses must be added to the final plat prior to recording. The Director of the Plan Commission will not sign the final plat without addresses included. To obtain addresses, the applicant must submit a request to the Planning and Building Department well in advance of the recording package being forwarded to the Hendricks County Engineer's Office. The Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

EX 220/09: MAP 687 NEW ENGLAND WAY; an extension of an exception of the Subdivision Control Ordinance, Chapter 3, Sec. 3.15-2 (b.), for completion of fencing and landscaping along New England Way Boulevard. (Rolling Hills, LLC)

Mr. Matt Arnold of Rolling Hills, 3717 Clarks Creek Road, Plainfield, appeared. He stated that the extension of the exception was being requested due to the financial constraints for the project. He stated that the amenity center had been completed first and would be opening in approximately two weeks.

Mr. Reitz stated that the situation was typical due to a lack of development causing a delay in completion.

Mrs. Johnston asked if the engineering inspector, Roger Salsman, had any concerns regarding this request.

Mr. Reitz stated that Mr. Salsman was okay with the request.

Mr. Pickett asked if this was the third extension requested.

Mr. Reitz stated yes.

Mr. Fazzini stated that Mr. Salsman had requested this be the last extension approved for the project.

Mr. Arnold stated that he had been informed this would be the last extension requested.

Mr. Reitz stated that the motion could include that no further extensions would be granted.

Mrs. Johnston stated she was concerned about another extension being approved.

Mr. Reitz stated that the conditions were somewhat extraordinary. He stated it was a very expensive project but felt that this last extension was reasonable.

Mr. Pickett asked if this extension was for completion along the main drive of the project.

Mr. Fazzini stated that it was for fencing and landscaping along the main drive.

Mr. Pickett asked if a one year extension to November of 2010 could be approved instead of a two year extension.

Mr. Arnold stated he was not sure about the one year extension.

Mrs. Ternet suggested an extension through the spring of 2011 to allow them to install the plantings.

Mr. Pickett stated 18 months would probably be okay.

Mr. Reitz then asked about extending it to June 1, 2011.

There were no objections to the eighteen month extension.

Mrs. Johnston then made a motion to grant approval for the extension of **EX 220/09: MAP 687 New England Way** for fencing and landscaping along the main drive subject to the following:

1. Granting a final extension of the exception for completion of the fencing and landscaping along New England Way Blvd. subject to staff's memorandum dated December 1, 2009; and
2. Extension granted to June 1, 2011.

Mr. Hahn seconded the motion.

FOR – 4 – AGAINST – 0 – ABSTAINED – 0 –

The staff memorandum was as follows:

EX 220/09: MAP 687 NEW ENGLAND WAY – FENCING & LANDSCAPING

The applicant is requesting a two-year extension of an exception originally granted on July 11, 2007 delaying the installation of fencing and landscaping along New England Way Boulevard for the above referenced plat. This is the third exception request for these improvements; the previous exception expired on November 1, 2009. If granted, the fencing and landscaping along New England Way Boulevard would have to be installed by November 1, 2011.

EX 223/09: MAP 687/DPR 369 CAMARGO CLUB, PHASE II; an extension of the Subdivision Control Ordinance, Chapter 3, Sec. 3.15-2 (b.), for completion of sidewalks and landscaping improvements. (Rolling Hills, LLC)

Mr. Matt Arnold of Rolling Hills, LLC appeared to request an extension of the exception for completion of sidewalks and landscaping improvements for Camargo Club, Phase II. He stated that they were completing the landscaping as they went through construction and had begun installation in the common areas. He stated they wished to delay installation of sidewalks until the construction was completed.

Mr. Reitz stated that this would be the third extension requested.

Mrs. Johnston suggested the same time frame approved for the previous extension.

There were no objections to her suggestion.

Mrs. Johnston then made a motion to grant approval for the extension of **EX 223/09: MAP 687/DPR 369 Camargo Club, Phase II** for completion of sidewalks and landscaping improvements subject to the following:

1. Granting a final extension of the exception for completion of sidewalks and landscaping subject to staff's memorandum dated December 1, 2009; and
2. Extension granted to June 1, 2011.

Mr. Hahn seconded the motion.

FOR – 4 – AGAINST – 0 – ABSTAINED – 0 –

The staff's memorandum was as follows:

EX 223/09: MAP 687, DPR 369 CAMARGO CLUB, PHASE II – SIDEWALKS & LANDSCAPING

The applicant is requesting a two-year extension of an exception originally granted on January 8, 2008 delaying the installation of sidewalks and landscaping for the above referenced plat and development plan. This is the third exception request for these improvements; the previous exception expired on November 1, 2009. If granted, both the sidewalks and landscaping would have to be installed by November 1, 2011.

MAP 690/09 (EXTENSION OF TIME): THE RESERVE AT SHILOH CREEK; an extension of the preliminary approval granted January 11, 2005 for 98 lots, Washington Township, S5-T15N-R2E, located on the southeast corner of County Road 100 North and County Road 1050 East. (Kruse Consulting, Inc.)

Mr. Reitz explained the request to extend the preliminary approval. He stated that the staff was recommending a two year maximum extension.

Mrs. Johnston asked if this would be the last extension they could request.

Mrs. Ternet stated that the ordinance allowed one extension of two years and after that, the project would be required to re-file with the Plan Commission.

Mr. Pickett asked if the Town of Avon should be handling the matter as he believed the subdivision had been annexed.

Mrs. Ternet stated that this section of Shiloh Creek was not yet annexed.

Mr. Fazzini stated that the Town of Avon had indicated they would not annex this project until it was built out.

There being no further questions, Mrs. Johnston made a motion to grant approval for **MAP 690/09: RESERVE AT SHILOH CREEK (PRIMARY) (EXTENSION OF TIME)** for two years to January 11, 2012.

Mr. Reitz seconded the motion.

FOR – 4 – AGAINST – 0 – ABSTAINED – 0 –

The staff memorandum was as follows:

MAP 690/09 (EXTENSION OF TIME): RESERVE AT SHILOH CREEK (PRIMARY)

The applicant is requesting a two-year extension of time of primary approval of the above referenced subdivision. The primary plat was approved on January 11, 2005 which renders it effective until January 11, 2010, per Section 3.10 of the 1997 Subdivision Control Ordinance. Section 1 of this subdivision has been fully developed and the plat recorded.

Staff recommends the maximum extension of two-years, without a public hearing, be granted which would extend the primary approval for the remaining sections until January 11, 2012.

There being no further discussion, Mr. Reitz adjourned the meeting at 9:19 a.m.

Don F. Reitz, AICP, Chairman