The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday, September 13, 2023 at 9:00 a.m. in the Hendricks County Government Center, Meeting Rooms 4&5, 355 South Washington Street, Danville Indiana. Members present were Mr. Tim Dombrosky, Director of Planning & Building; Mrs. Ginger Harrington, Environmental Health Team Lead; Mr. Dave Gaston, County Surveyor; and Mr. John Ayres, County Engineer. Also present was Mr. Brian Hurskainen, Senior Planner, and Mrs. Brandy Swinford, Recording Secretary.

Mr. Dombrosky called the meeting to order with the Pledge of Allegiance. There was a quorum with four (4) members present.

Mr. Dombrosky asked for a motion of the meeting minutes for the August 9, 2023 meeting.

Mrs. Harrington motioned for approval of the minutes of the August 9, 2023 meeting.

Mr. Ayres seconded the motion.

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

**MIP 1173/23: ESTUKAY, LLC;** a 3-lot minor plat; 14.10 acres; Marion Township; S28-T16N-R2W; located on the east side of SR 75, approx. 0.9 miles north of intersection with W. CR 200 N. (Kruse Consulting

**WA 351/23 – MIP 1173;** a Waiver of the Subdivision Control Ordinance, Section 5.01 (1)(e)(IV) Private Drive (Kruse Consulting

Mr. Dale Kruse, Kruse Consulting, 7384 Business Center Drive, Avon IN, was present along with Mr. Bill Staley. He reviewed the location, history and staff comments. He noted that he and Mr. Staley were both part owners of the property. They want to have three (3) lots on a publicly dedicated, privately maintained road and have asked for a waiver in order to do that. He stated they had added the notes requested to the plans. He noted that they will have to get a street name but need to verify with staff to make sure they will work.

Mr. Dombrosky opened the public hearing. There being no one signed up or present to speak, he then closed the public hearing.

Mr. Ayres motioned for approval of **WA 351/23**.

Mr. Gaston seconded the motion.

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

Mr. Ayres motioned for approval of **MIP 1173/23: Estukay, LLC** subject to staff recommendations.

Mr. Gaston seconded the motion.

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

The staff recommendations are as follows.

drainage conditions:

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

sTAFF RecoMMENdAtions:

1. Waiver 5.01(1)(e)(IV) Construction of a privately maintained road with Minor Plat
2. Specify stronger pipe material in addition to backfill where perimeter drain crosses driveway to lot 2.
3. The stop sign must be shown on the north side of the drive.
4. ROW needs to be named.

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 plan must be obtained from the Drainage Board prior to Approval by the Plan Commission. 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. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. 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.
5. 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.
6. Sidewalks must be installed when sidewalks become contiguous or adjacent on surrounding properties.
7. All new single-family and two-family dwellings in minor subdivisions shall include the minimum design standards identified in 8.1 Residential Design Standards of the Hendricks County Zoning Ordinance.

**MIP 1174/23: SCOTT & RENEE HERTENSTEIN;** a 2-lot minor plat; 7.57 acres; Eel River Township; S9-T16N-R2W; located on the east side of SR 75, approx. 0.5 miles north of intersection with W. CR 500 N. (Kruse Consulting)

**WA 352/23 – MIP 1174;** a Waiver of the Subdivision Control Ordinance, Section 5.01 (1)(e)(IV) Private Drive (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting, was present along with Mr. Scott Hertenstein. He reviewed the location and staff comments. He stated that this was similar to the previous one with the waiver request. There was discussion about the well locations. They cannot locate one on the property, as it has been gone long before Mr. Hertenstein purchased the property. He stated that their set aside area is more than 50 feet from the property line and the primary is more than 50 feet also.

Mrs. Harrington asked if they had any contact with the previous owner. She would like to know where the well location is.

Mr. Kruse replied he probably had some contact information for the previous owner. He would try and get some more information.

Mr. Dombrosky opened the public hearing. There being no one signed up or present to speak, he then closed the public hearing.

Mrs. Harrington noted that she would feel better if they waited and would be in favor of a continuance.

Mrs. Harrington motioned to continue **MIP 1174/23: Scott & Renee Hertenstein** to the October 11, 2023 meeting.

Mr. Ayres seconded the motion.

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

**DPR 514/23: THE CHURCH BY THE SIDE OF THE ROAD (SECONDARY);** a development plan review for a parking lot expansion; 1.7 acres; Washington Township; S17-T15N-R2E; located at 10323 E. CR 100 S. – Avon (Moench Engineering)

Mr. Dombrosky stated that this cannot be heard since the primary was continued at plan commission due to lack of a quorum.

Mr. Gaston noted that it had been continued at drainage board.

Mrs. Harrington asked if it had to be continued since she thought they had reached their limit of continuances.

Mr. Ayres noted that the staff’s recommendation was for denial and made a motion for denial.

Mrs. Harrington seconded the motion.

Mr. Gaston noted that they had received a call from the petitioners who were frustrated. He told them to go to the Town of Avon and get it annexed.

Mr. Dombrosky stated that the primary is still on the docket. So, they would have to reapply for the secondary.

Mr. Ayres stated he stands by his motion.

Mr. Gaston asked how Mr. Dombrosky felt about that.

Mr. Dombrosky replied he felt that since it had to be continued at plan commission, a similar motion should be done. He understood Mr. Ayres point.

Mrs. Harrington asked if there had been any revisions turned in.

Mr. Dombrosky replied there had not. He stated Mr. Moench contacted him on Monday to say that he understood he needed to go to the Town of Avon for approval of the ditch.

A vote was taken. Mr. Dombrosky voted against.

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

**MIP 1169/23: JOE STEWARD (REVSION);** a 3-lot minor plat revision; 16.0 acres; Marion Township; S6-T15N-R2W; located on the north side of W. US Hwy. 36, approx. 0.5 miles east of intersection with N. Putnam County Road (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting, was present. He explained the revision revolves around the driveways. He noted they do have their INDOT permit. He showed on the plans the proposed 4 driveways, with them abandoning the existing home drive. He reviewed the staff comments.

Mr. Dombrosky asked if there was a way for the back parcel if it wanted to be subdivided further.

There was further discussion about that and the access easement and dedicated potential right of way.

Mr. Kruse stated that INDOT allowed them to put a 12-inch diameter culvert because they had head room.

Mr. Ayres replied that he would defer to INDOT. Staff comment 3 should be removed.

Mrs. Harrington motioned for approval of **MIP 1169/23: Joe Steward (Revision)** subject to staff recommendations and removal of comment number 3 and approval of 12-inch sewer pipe.

Mr. Ayres seconded the motion.

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

The staff recommendations are as follows.

drainage conditions:

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

sTAFF RecoMMENdAtions:

1. Offsite drainage easements must be recorded as sperate documents prior to recording.
2. Waiver for 4 lots on one driveway
3. ~~Driveway pipes should be 15” diameter minimum.~~

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 plan must be obtained from the Drainage Board prior to Approval by the Plan Commission. 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. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. 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.
5. 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.
6. Sidewalks must be installed when sidewalks become contiguous or adjacent on surrounding properties.
7. All new single-family and two-family dwellings in minor subdivisions shall include the minimum design standards identified in 8.1 Residential Design Standards of the Hendricks County Zoning Ordinance.

**MAP 218/23: CENTER VALLEY ESTATES – REPLAT (SINGH);** a major plat replat of Lots 1-3; 12.38 acres; Liberty Township; S24-T14N-R1W; located on the south side of E. CR 875 S., approx. 1100 feet east of intersection with SR 39 (Kruse Consulting)

**WA 354/23 – MAP 218;** a Waiver of the Subdivision Control Ordinance, Section 6.12 (1) (b) Sidewalk, Pathways & Pedestrian Ways (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting, was present. He reviewed the location and staff comments. They want to create one lot from two and half lots. He noted that they had applied for a stormwater permit.

Mr. Dombrosky noted he understood the waiver request due to the location and he does not have a problem with it.

Mr. Ayres motioned for approval of **WA 354/23.**

Mr. Gaston seconded the motion. Mrs. Harrington voted against.

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

Mr. Ayres motioned for approval of **MAP 218/23: Center Valley Estates – Replat (Singh)** subject to staff recommendations.

Mr. Gaston seconded the motion.

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

The staff recommendations are as follows.

drainage conditions:

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

sTAFF RecoMMENdAtions:

1. Based on County Attorney’s opinion, replat will essentially vacate right of way
2. A general stormwater permit is required.
3. Secondary septic field will require an above grade system.
4. Waiver 6.12(1)(b) Sidewalks are required less than a mile from a commercial area.
   1. The Health Department is not in favor of any sidewalk waivers due to high rates of obesity, in children and adults, as well as the chronic disease that result from limited exercise opportunities. Studies show that people with access to sidewalks get more exercise. Reduction of short car trips when engines emit the most pollution because they are not yet warmed up will also improve air quality.

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 plan must be obtained from the Drainage Board prior to Approval by the Plan Commission. 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. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. 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.
5. 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.

**MRP 149/23: NED WALLISER**; a 1-lot minor residential plat; 5.33 acres; Center Township; S18-T15N-R1E; located on the east side of S. CR 300 E., approx. 200 feet south of intersection with E. CR 150 S. (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting, was present. He reviewed the location and staff comments. He noted that the changes had been made and notes added to the plans.

Mrs. Harrington motioned for approval of **MRP 149/23: Ned Walliser** subject to staff recommendations.

Mr. Gaston seconded the motion.

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

The staff recommendations are as follows.

**drainage conditions:**

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

**sTAFF RecoMMENdAtions:**

1. Barn must be disconnected from septic for 1687 S CR 300 E and connected to a system on this lot prior to issuance of the Certificate of Occupancy.
2. Show distance from existing barn to property line.
3. Title and second page need to be revised to show this is a minor residential plat not an MIP.

**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 plan must be obtained from the Drainage Board prior to Approval by the Plan Commission. 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.
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5. 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.
6. Sidewalks must be installed when sidewalks become contiguous or adjacent on surrounding properties.

**MRP 150/23: MASON COX;** a 1-lot minor residential plat; 2.004 acres; Eel River Township; S3-T16N-R2W; located on W. CR 650 N., ¼ mile west of CR 575 W. along the south side of 650 N. (Cross County Consulting)

Ms. Stacy Walton, Cross County Consulting, 5921 Cadillac Drive, Speedway IN, was present. She reviewed the location and plans. There were no staff comments to review.

Mr. Dombrosky asked if there were any concerns.

Ms. Walton asked about the next step in getting signatures and how that process works.

Mr. Dombrosky replied that she could get signatures at any time.

Mrs. Harrington motioned for approval of **MRP 150/23: Mason Cox** subject to staff recommendations.

Mr. Ayres seconded the motion.

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

The staff recommendations are as follows.

drainage conditions:

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

sTAFF RecoMMENdAtions:

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 plan must be obtained from the Drainage Board prior to Approval by the Plan Commission. 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.
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5. 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.
6. Sidewalks must be installed when sidewalks become contiguous or adjacent on surrounding properties.

WISHES TO BE HEARD

Mr. Dale Kruse, Kruse Consulting, wanted to discuss a previous petition to amend the plat for Mr. Diehl. He wants to shorten the cul-de-sac due to the cost. He showed on the plans what they would like to do. The lots would be similar to what they look like now, the lot lines would shift a bit. It would be a plat revision since it is not recorded yet.

Mr. Dombrosky stated that it needed to be common practice to extend the right of way through the to the property line.

There was further discussion about how to handle this case and the changes that would need to happen.

There being no further items to be discussed, the meeting was adjourned at 9:57 a.m.

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Tim Dombrosky, Chairman