

March 9, 2016

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday, March 9, 2016 at 9:00 a.m. in the Hendricks County Government Center, Room 3, 355 South Washington Street, Danville, Indiana. Members present: Mr. Don Reitz, AICP, Planning Director and Chairman; Mrs. Sonnie Johnston, Plan Commission Member Representative; and Mrs. Julie Haan, Environmental Health Director. Also present was: Mrs. Lesa Ternet, Planner; and Mrs. Joanne Garcia, Recording Secretary.

Mr. Reitz called the meeting to order with the Pledge of Allegiance. There was a quorum with three (3) members present.

Mr. Reitz then called for approval of the minutes for the February 10, 2016 meeting.

Mrs. Johnston made a motion to approve the February 10, 2016 meeting minutes.

Mrs. Haan seconded the motion.

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

Mr. Reitz then called for the first public hearing item on the agenda as follows:

**MIP 1074/16: KENT S. ELLIOTT;** a two (2) lot minor subdivision, 12.988 acres, Center Township, S1,6-T15N-R1W,1E, located on the west side of County Road 300 East and 0.42 mile south of the intersection of County Road 300 East and County Road 100 North and including Lot 43 of Gailcrest Subdivision. (Banning Engineering, PC)

**WA 273/16: MIP 1074 KENT S. ELLIOTT;** a Waiver of the Subdivision Control Ordinance, Section 6.12 (1.b.) Sidewalks, Pathways and Pedestrian Ways – Minor Plats - Sidewalks. (Banning Engineering, PC)

Mr. Jason Coyle of Banning Engineering PC and Mr. Kent Elliott, property owner, appeared.

Mr. Elliott explained that the part of the property to be platted was a farm owned by his parents who were moving to a smaller residence and his sister planned to occupy the existing house on a lot fronting County Road 300 East and the remainder along with the Gailcrest lot to be created as Lot 2 for himself and his wife with access through the existing Gailcrest subdivision.

Mr. Reitz asked them to review the staff recommendations.

Mr. Coyle reviewed their request for a sidewalk waiver along County Road 300 East as there were currently no other sidewalks along that county road and a note would be placed on the plat indicating that when sidewalks became contiguous or adjacent, sidewalks would be installed. He then discussed the septic systems for the lots. He stated that additional borings would be needed and he indicated that they had moved the location of the septic systems along the north line to allow the planting of trees for a buffer of adjoining properties. He stated that they believed the intent had been met with the soil borings as they did have a boring within each of the three fields. He stated that Mr. Elliott had stated he had no intention of building for ten to fifteen years and would have to go through the same process again with the soil borings at that time.

Mrs. Haan stated that was the reason for her recommendation #4 to indicate that new soil borings would need to be done at that future time.

Mr. Coyle then discussed recommendation #5 dealing with the front building setback line. He stated that the Thoroughfare Plan showed a seventy-five foot half right-of-way and a fifty foot building line. He stated they were willing to dedicate at this time a forty foot half right-of-way and would be

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agreeable to the fifty foot building setback line off of the forty foot half right-of-way; but at this time, they felt like a seventy-five foot half right-of-way was extreme.

Mr. Reitz stated that was a different subject and that there was a waiver for the sidewalk which the Health Department would most likely not approve. He stated, therefore, there might be a situation where the plat would be approved without the sidewalk waiver.

Mrs. Ternet stated that the waiver could be continued.

Mr. Reitz then opened the public hearing.

Mr. Dale Gladden of 3208 North County Road 500 East, appeared. He stated that he was concerned regarding a possible existing tile draining into the swale. He stated he was concerned about a change in the drainage and also possibly installing a new tile.

Mr. Gladden and Mr. Elliott discussed the drainage on the two properties.

Mrs. Ternet then brought up the scenario about getting something in writing on the plat as to future drain plans for the property in case of a change in ownership.

There being no one else signed up to be heard, Mr. Reitz closed the public hearing.

Mrs. Haan then commented that she did not understand the discussion as to recommendation #5.

Mrs. Ternet explained that the discussion on #5 was not something that they could handle right now as to right-of-way dedication.

Mr. Reitz stated that was a decision to be made by the Board of Commissioners.

Mrs. Ternet stated that the plat would need to then be amended to show a fifty foot right-of-way.

Mrs. Ternet then asked about the pipeline on the property and whether or not the pipeline company had been notified.

Mr. Coyle stated yes.

Mrs. Ternet asked if they had a copy of a letter from the pipeline company.

Mr. Coyle stated they had a blanket easement across the property and they had worked with them to reduce it to a fifty foot easement. He stated they had a recorded document to that effect and would get a copy for Mrs. Ternet.

Mr. Coyle then discussed #6 as to the RCP driveway pipe. He stated they had placed a note on the plat to indicate that the pipe would be sized accordingly at the time of the plot plan or at the time a building permit was issued as no building was planned for ten to fifteen years.

Mrs. Ternet indicated that statement needed to be placed on the plat now prior to recording and subject to getting the invert elevations.

Mr. Coyle argued that the plan was hypothetical and could change.

Mrs. Ternet stated she understood but for the purposes of getting an approval, something needed to be indicated as to the proposed size even though it might be changed in the future. Mrs. Ternet stated that there were no driveway permits required so whatever was on the plat was what would be enforced.

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Mr. Coyle then stated that they would need to do a drainage study in order to size the pipe.

Mrs. Ternet stated then that the approval would be subject to the decision of the County Engineer as to that pipe size.

There being no further discussion, Mr. Reitz called for a motion.

Mrs. Johnston made a motion to grant approval for **MIP 1074/16: Kent S. Elliott** subject to the following conditions:

1. Conditions and recommendations in staff's letter dated March 2, 2016; and
2. Approval by County Engineer of staff recommendation #6 regarding invert elevations and size for the RCP driveway pipe being shown on the plans.

Mrs. Haan seconded the motion.

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

Mrs. Johnston then made a motion to approve **WA 273/16: MIP 1074 Kent S. Elliott – Sidewalks.**

Mr. Reitz seconded the motion with Mrs. Haan against.

FOR – 2 –                      AGAINST – 1 –                      ABSTAINED – 0 –

The motion did not carry due to lack of a quorum.

Mr. Coyle then requested that the matter of **WA 273/16: MIP Kent S. Elliott** for the sidewalk waiver be continued for thirty (30) days.

The staff conditions and recommendations for MIP 1074/16 were as follows:

#### **DRAINAGE CONDITIONS:**

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

#### **STAFF RECOMMENDATIONS:**

1. This development is subject to the Residential Design Standards in the Hendricks County Zoning Ordinance; (HCZO Chapter 8.1).
2. The applicant has requested a waiver of the Subdivision Control Ordinance (HCSCO Chapter 6.12 1.b.) requirement for sidewalks in Center Township because this property is within one (1) mile of a commercial area. The applicant stated in their written request that there are no existing sidewalks along County Road 300 East nor are there sidewalks within the Gailcrest subdivision. The applicant has included a note on the plat stating when sidewalks become contiguous or adjacent on surrounding property, sidewalks will be installed.
3. 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 diseases 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.
4. The Health Department does not have a record of a permitted septic system for the existing home, however staff was able to locate an existing septic tank and a soil absorption field

consisting of at least two fingers. The revised plan submitted shows that the proposed septic locations have been relocated. Due to the relocation, there is only one soil boring in the primary septic field. The Health Department will require additional soil borings within the proposed soil absorption area prior to issuance of a septic permit for this property.

5. The plat must be revised to show the front building setback line as 50 feet and not 35 feet.
6. Invert elevations and size must be shown for the RCP driveway pipe.

**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 needed 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. Secondary septic field easements (SSFE) must be shown on the plat, or separate easement document 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.

Mr. Reitz then stated they would move on to the Business Session items on the agenda.

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**MAP 653/16 (SECONDARY): WOODCREEK CROSSING, SECTION 9;** a 12-lot major subdivision, 4.71 acres, Washington Township, S26-T16N-R1E, located at the terminus of Meadow Creek & Mossy Creek. (Abercrombie & Associates, Inc.)

Mr. Joseph Farruggia of Woodcreek Crossing Development, LLC, appeared. Mr. Farruggia addressed the recommendations in staff's letter dated March 2, 2016. He stated that they had to show more details for the additional street trees. He stated that they had changed the references on the plans from Ohio standards to Indiana standards. He stated they had added the exact type of castings to be used on the plans. He stated that the box size for the structures 100 and 101 were changed. He stated they had analyzed all of the stormwater drainage. He explained the changes and the addition of a temporary swale.

Mrs. Ternet asked if instead of doing the stubs to the rear of Lots 238-241, they were going to put in a temporary swale.

Mr. Farruggia stated they could stub those lots. Mr. Farruggia stated the swale was for a future section. Mr. Farruggia then discussed the remaining staff recommendations with the members and explained how they would comply with those recommendations.

Mrs. Ternet stated that in regard to #13 as to the types of sidewalk ramps that were now five feet but were originally four feet. Mrs. Ternet then asked if Mr. Farruggia had addressed #3 in the letter as to a note on the plat being removed as to regulated drainage easements. She stated that note could be left on the plat.

Mr. Farruggia then discussed the sanitary sewer allocation and that they were waiting on that letter. He stated they had purchased extra EDU's for other sections and would utilize those for Section 9.

Mrs. Haan stated she had talked to West Central Conservancy and that she had received a confirmation email regarding the extra EDU's available for this section.

Mr. Farruggia stated he would get a confirmation letter to the staff.

There being no further discussion, Mr. Reitz called for a motion.

Mrs. Haan made a motion to grant approval for **MAP 653/16: Woodcreek Crossing, Section 9 (Secondary)** subject to the following conditions:

1. Staff conditions & recommendations in letter dated March 2, 2016; and
2. Receipt of letter of approval from West Central Conservancy District.

Mrs. Johnston seconded the motion.

FOR – 3 –                      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, The applicant proposes to utilize existing sanitary sewer allocation that was approved as part of Section 2. There was a revision of Section 2 approved in September 2015 reducing the number

of lots from the original approval. A letter from the West Central Conservancy District must be submitted that states there is adequate sanitary sewer allocation for this section of Woodcreek Crossing prior to approval.

2. There is a street tree requirement that was in place at the time this project received primary approval in 2002. A street tree must be installed outside of the right-way, a minimum of 20 feet from fire hydrants or utility poles, maximum spacing shall be 50 feet and a minimum of 1 ½ inch caliper measured at 6 inches above the ground.
3. There is a note on the plat under "Certificate of Ownership" regarding drainage easements and/or regulated drainage easements being dedicated to the public. Only regulated drainage easements are dedicated to the public therefore, this note must be removed.
4. There are a couple of references to State of Ohio Standards; these need to be changed to Indiana.
5. For Structures 100 and 101, an East Jordan 7490 casting is called out. This won't work with the rolled curb shown. An EJ7495 (or equivalent) is a better fit.
6. Structure 100 and 101 call out a Type E structure, which is too big for the castings. Structures 200 and 201 call for a square 24" x 24" box, which will not work with the round beehive castings specified.
7. On the subdrain at the rear of Lots 238-241, stubs should also be shown for the future lots to the south. Those can be constructed now much easier than when the adjacent lots are developed.
8. The sub drain placed along the front of Lots 188 to 191 should be placed in the rear of the lots to avoid damage from utility installations. It could tie into Structure 200 as it is located now.
9. The street subdrain detail shows a tee detail which can be eliminated.
10. The grading plan shows Mossy Creek past Structure 100 and 101 draining onto existing Section 1; it is assumed that the storm drainage in Section 1 is sized for this runoff.
11. The grading plan shows Meadow Creek to drain into an undeveloped section. The applicant must explain how this runoff will be addressed at the end of Meadow Creek.
12. Barricades must be shown at the end of Meadow Creek.
13. The types of sidewalk ramps must be called out where they are shown.

**CONDITIONS OF APPROVAL:**

1. A properly executed County/Owner Inspection Agreement must be provided prior to secondary 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, a Clean Water Permit issued by the Hendricks County Surveyor/ Clean Water Department is required for individual building lots prior to obtaining a Building Permit from the Planning and Building Department.

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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. 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.

**MAP 686/16 (SECONDARY): BRANCHES, SECTION 8;** a 20-lot major subdivision, 10.9 acres, Brown Township, S5-T16N-R2E, located south of County Road 700 North and approximately 0.18 mile east of County Road 1000 East. (The Schneider Corporation)

Mr. Reitz stated that this matter needed to be continued due to being continued by the Drainage Board.

Mrs. Johnston made a motion to grant a thirty (30) day continuance for **MAP 686/16 (Secondary): Branches, Section 8.**

Mrs. Haan seconded the motion.

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

**MAP 643/16 (REPLAT): THE PARKS AT PRESTWICK, PHASE 5, LOTS 156, 155 & 154;** a replat of three lots into one lot, 1.86 acres, Washington Township, S17-T15N-R1E, located approximately one mile north of East County Road 200 South and approximately 0.125 mile east of South County Road 450 East. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the applicant. He explained their request to replat the named lots by eliminating Lot 155. He stated this was being done to obtain additional land for the applicant.

There was a discussion between Mr. Kruse and the staff as to the sidewalks.

Mr. Kruse stated that they would install sidewalks prior to recording.

Mr. Reitz called for a motion.

Mrs. Haan made a motion to grant approval for **MAP 643/16: The Parks at Prestwick, Phase 5, Lots 156, 155 & 154 (Replat)** subject to the following:

1. Staff's Memorandum dated March 2, 2016; and
2. Installation of sidewalks along lot that is being eliminated prior to recording of plat.

Mrs. Johnston seconded the motion.

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

The staff's memorandum was as follows:

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**MEMORANDUM**

**TO:** Hendricks County Area Plan Commission Administrative & Plat Committee  
Hendricks County Drainage Board

**FROM:** Plan Commission Staff

**DATE:** March 2, 2016

**RE: MAP 643/16 (REPLAT): PARKS @ PRESTWICK, SEC. 5, LOTS 154-156**

This is a request to replat the above lots by eliminating Lot 155. The owners of Lots 154 & 156 are splitting Lot 155 in order to obtain additional land. There are no easements that will be affected by this replat nor does it affect the PUD ordinance.

Staff is not opposed to this request.

There being no further business, the meeting was adjourned at 9:42 a.m.

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Don F. Reitz, AICP, Chairman