

May 12, 2021

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday, May 12, 2021 at 9:00 a.m. in the Hendricks County Government Center, Rooms 4 & 5, 355 South Washington Street, Danville Indiana. Members present were Mr. Tim Dombrosky, Chairman; Mr. John Ayres, County Engineer; Mrs. Ginger Harrington, Environmental Health Team Lead; Mr. David Gaston, County Surveyor; and Mr. Ron Kneeland, Plan Commission Representative. Also present was Mrs. Brandy Swinford, Recording Secretary.

Mr. Dombrosky called the meeting to order with the Pledge of Allegiance. There was a quorum with five (5) members present.

Mr. Dombrosky stated the first order of business was the approval of the minutes from the April 14, 2021 meeting.

After noting the corrections that need to be changed. Mr. Ayres motioned for approval of the minutes from the April 14, 2021 meeting subject to the revisions.

Mrs. Harrington seconded the motion.

FOR – 5 – AGAINST – 0 – ABSTAINED – 0 –

MIP 1134/21: ROBERT STATON; a 3-lot minor plat; 12.49 acres; Eel River Township; S27-T17N-R2W; located at 8005 W. CR 800 N. – North Salem (Holloway Engineering)

WA 318/21: MIP 1134 ROBERT STATON; a Waiver to the Subdivision Control Ordinance, Sec. 6.06: Street Trees (Holloway Engineering)

Mr. John Larrison, Holloway Engineering appeared. He reviewed the plans. They wished to divide the parcel into three (3) lots. They were planning on separating the house and garage in order to sell but had no intention initially to sell the other remaining lots now. He stated that they had agreed to move the fences back and perform the dye test. He noted that it was 2 hours and 20 minutes.

Mrs. Harrington asked if they had looked at the outlet where they had discussed the connection point.

Mr. Larrison replied that he had. They are showing the 6-inch outlet at that point because it is the collector. The others shown are all 4-inch and are not as deep.

Mrs. Harrington pointed out on the plans and questioned where the lines were connecting. She asked if a note could be added for future reference.

Mr. Larrison stated that he would add the note.

Mr. Ayres noted that if the petitioner were going to reconstruct the fence, he would advise that they do so outside of the ROW.

Mr. Dombrosky asked if he had added the legal non-conforming note to the plat.

Mr. Larrison replied that he had done that.

Mr. Dombrosky asked if Mr. Ayres was okay with the grading.

Mr. Ayres stated he had not seen the revision with the contours and was more of a general comment. He was okay as long as the contours were shown, and the water was going to run away from the road.

May 12, 2021

Mr. Larrison noted that it did run away from the road. He also added the landscaping notes. The landscaped trees are to be placed for Lot 1 now, and the rest of them are to be planted if any lot is sold prior to an issuance of a certificate of occupancy.

Mr. Dombrosky asked if they were okay with the street tree waiver with that condition. He also asked about the well radius.

Mrs. Harrington responded that the answer was that it was too close, but the septic was permitted.

Mr. Dombrosky opened the public hearing. Being that no one signed up to speak, he then closed the public hearing.

Mr. Ayres motioned for approval of both **MIP 1134/21: Robert Staton and WA 318/21** subject to staff recommendations.

Mrs. Harrington seconded the motion.

FOR – 5 – 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. Remove any trees or fencing that is within 10' from the edge of pavement. There is a slat board fence in Lot 1 and a farm fence along the edge of the farm field which will need removed.
2. A waiver of the street tree requirement has been submitted. For Lots 2 and 3, trees will be planted before issuing the Certificate of Occupancy for any structures. A note must be added to the plat. Lot 1 must plant trees in the grass but not in the field prior to recording the plat.
3. The site is flat with the road and does not appear to drain away from the road very well. Grading must be shown to ensure that water flows away from the road.
4. Add a note that the existing home on Lot 1 is a "Legal Nonconforming" structure due to setback. No additions to the existing home are allowed that increase the non-conformity of the structure.
5. Show proposed and existing wells with a 50-foot radius.
6. The existing well is approximately 30' from the septic tank.
7. Provide a dye test for SSD outlet. Connection of SSDs to tile location appears incorrect.

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 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.

MIP 1135/21: JOHN MEDJESKI (UNION CHURCH FARMS, LLC); a 3-lot minor plat; 7.55 acres; Middle Township; S29/30-T17N-R1E; located at 4587 E. CR 850 N., approx. 250 feet east of Roseboom Drain on CR 850 N. – Pittsboro (Hause Surveying)

Mr. Willard Johnson, Hause Surveying appeared with Mr. John Medjeski. He believed they had satisfied the county requirements with the new information they had provided.

Mrs. Harrington asked if they needed to discuss the riprap and animal guard. She stated that the statement is still on there, but it is where the old, proposed tile was. The new tile needs to have the riprap and animal guard as well. She asked if the note could be moved to reflect that and send a revised copy.

Mr. Johnson stated that he would do that. He noted that they may have to move the trees back further than the 10-foot requirement, just to make sure they stay away from the tile. He stated it was close to being right on the ROW line. They would like to move them back 12 feet off the ROW line just to be safe.

Mr. Dombrosky noted that he saw the easement for the subsurface drain.

Mrs. Harrington asked if they had decided to keep the house.

Mr. Medjeski replied that they had a few options there, either to tear the house down or put in a septic. He believed they were going to put a septic in.

Mrs. Harrington stated it would need to be done prior to recording.

Mr. Medjeski stated he understood. There was discussion about the fencing around the septic field.

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

Mrs. Harrington motioned for approval of **MIP 1135/21: John Medjeski** subject to staff recommendations.

Mr. Ayres seconded the motion.

FOR – 5 –

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. Remove any tree, brush, or fence that is within 10' from the edge of pavement.
2. Driveways must be graded such that they do not obstruct surface flow and a note placed on the plans stating such.
3. The secondary septic field for Lot 3 will require an above grade system.
4. Provide a recorded easement for the subsurface drain.
5. The existing block building on Lot 2 must be demolished prior to recording of the plat.
6. If keeping the house, a permitted septic system must be installed and have it approved by HCHD prior to recording the plat.
7. Add a statement regarding 10' of solid pipe, rip rap and animal guard should be relocated to the existing tile.

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 must be obtained from the Drainage Board prior to Approval 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. 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.

MIP 1136/21: RALPH RICHARDS; a 3-lot minor plat; 20 acres; Brown Township; S18-T17N-R2E; located on the east side of N. County Road 1025 E., last parcel in Hendricks County (Kruse Consulting)

WA 319/21: MIP 1136 RALPH RICHARDS; a Waiver to the Subdivision Control Ordinance, Sec. 6.12.1.B: Sidewalks, Pathways and Pedestrian Ways (Kruse Consulting)

May 12, 2021

Mr. Dale Kruse, Kruse Consulting appeared on behalf of the Richards family. They are requesting approval of a 3-lot minor plat. He reviewed the staff comments.

Mr. Dombrosky stated that they had requested a waiver for sidewalks. There are no sidewalks on either side.

Mrs. Harrington stated that the Health Department was not in favor of the waiver.

There was further discussion about sidewalks.

Mr. Dombrosky opened the public hearing. Being there was no one signed up, he closed the public hearing.

Mr. Ayres motioned for approval of **MIP 1136/21: Ralph Richards** subject to staff recommendations.

Mrs. Harrington seconded the motion.

FOR – 5 – AGAINST – 0 – ABSTAINED – 0 –

Mr. Ayres motioned for approval of **WA 319/21**.

Mr. Kneeland seconded the motion with Mrs. Harrington voting against.

FOR – 4 – AGAINST – 1 – ABSTAINED – 0 –

The staff recommendation are as follows.

DRAINAGE CONDITIONS:

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

STAFF RECOMMENDATIONS:

1. Remove any trees or brush within 10' from the edge of pavement.
2. The existing trees are shown to be within the road right of way. However, they are approximately 20' from the edge of pavement so are not in the Clear Zone. They may remain in place, with the understanding that the County can remove or trim them at any time at their discretion.
3. A note must be added that if the street trees are removed for any reason, qualifying trees must be planted in place.
4. Soil boring locations on lot 2 do not match soil report.
5. The SSFE for lot 2 may require an above grade system.

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 Hendricks County is required for individual building lots prior to obtaining a Building Permit.

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.

MIP 1137/21: MICHAEL & LAURA LAPORTE; a 1-lot minor plat; 2.50 acres; Guilford Township; S23-T14N-R1E; located on the north side of E. Hendricks County Rd., approx. 0.65 miles west of the intersection with S. State Road 267 (Kruse Consulting)

WA 320/21: MIP 1137 MICHAEL & LAURA LAPORTE; a Waiver to the Subdivision Control Ordinance, Sec. 6.12.1.B: Sidewalks, Pathways and Pedestrian Ways (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting appeared on behalf of the Laporte family. They are requesting approval for a 1-lot minor plat. He noted that they had previously done a 1-lot minor residential plat previously. He reviewed the staff comments.

Mr. Ayres asked if they were going to define the new driveway culvert. He asked if it took into account the dip at the end with the flow arrows to make sure that it actually did flow that direction.

Mr. Kruse stated that he had not intended them to do anything. He thought that it did in fact flow that way. He asked if Mr. Ayres thought they should run a dozer down through there. His concern is the potential erosion issues that may come from it.

Mr. Ayres stated he would look at it again. The main purpose for the comment initially was to make sure that it does get from point A to point B. If it does with what is there, he is okay with that.

There was more discussion about the driveway concerns and how to fix those issues.

Mr. Dombrosky opened the public hearing. There being no one signed up, he closed the public hearing. He noted that there was an associated waiver. He believed the grade prohibited sidewalks in this case.

Mrs. Harrington motioned for approval of **MIP 1137: Michael & Laura Laporte** subject to staff recommendations.

Mr. Kneeland seconded the motion.

FOR – 5 – AGAINST – 0 – ABSTAINED – 0 –

Mr. Ayres motioned for approval of **WA 320/21**.

Mr. Kneeland seconded the motion with Mrs. Harrington voting against.

FOR – 4 – AGAINST – 1 – 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. Remove any trees or brush within 10' from the edge of pavement.
2. Show ditching from the drive pipe to the pipe under the road to ensure water flows.
3. Ravine must be cleared of trash and debris.
4. Due to the grade of the drive, it should be constructed with a hard surface for a minimum 50' from the edge of the County Road to minimize the amount of stone and/or debris that could wash out onto the roadway.

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 Hendricks County is required for individual building lots prior to obtaining a Building Permit.
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 126/21: CHAD REDMOND; a 1-lot minor residential plat; 2.15 acres; Marion Township; S30-T16N-R2W; located on the east side of Clay Road, 1.01 miles north of W. County Road 200 N. – North Salem (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting appeared. He stated this was a family land split. He reviewed the staff comments. He stated that they had shown where they think the perimeter drain goes in the easement. He asked Mrs. Harrington if she had seen the easement document.

Mrs. Harrington stated that she needed clarification from Mr. Dombrosky. She did not have the easement document but had the easement on the plat. She asked if they needed a separate document if it were on the plat.

Mr. Kruse stated that Mr. Steuerwald in the past has stated that if the easement is outside of the platted perimeter, it needed a separate document because the legal description on the plat would not include that.

Mr. Dombrosky and Mr. Gaston agreed and stated that made sense.

Mr. Ayres motioned for approval of **MRP 126/21: Chad Redmond** subject to staff recommendations.

Mrs. Harrington seconded the motion.

FOR – 5 – 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. All brush and trees within 10' from the edge of pavement must be removed prior to recording of the plat.
2. Show the perimeter drain outlet with an easement.
3. Property must be graded to ensure drainage is away from the roadway.

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.

May 12, 2021

MAP 296/21: TIMBER RIDGE – LOTS 2 & 3 (REPLAT); a major plat replat of 2 lots; 16.81 acres; Lincoln Township; S10-T16N-R1E; located at 5099 Timber Ridge Trace and the parcel to the northeast (Kimley-Horn & Associates)

Mr. Dombrosky noted that this case needed to be continued. The applicant was not able to address the staff comments before TAC meeting.

Mr. Ayres motioned to continue **MAP 296/21: Timber Ridge** to the June 9, 2021 meeting.

Mrs. Harrington seconded the motion.

FOR – 5 – AGAINST – 0 – ABSTAINED – 0 –

DPR 491/21: WESTPOINT, BLDG. 3 (SECONDARY); a development plan review for a warehouse building; 43.38 acres; Liberty Township; S25-T14N-R1W; located on State Road 39 and Westpoint Blvd. (Banning Engineering)

Mr. Ryan Lindley, Banning Engineering appeared.

Mr. Dombrosky stated that this did receive primary approval last night at plan commission. He did want to elaborate and clarify on the possible expansion mentioned last night. If it is a separate building it would be a separate DPR.

Mr. Lindley stated he understood. He stated they wanted to keep options open. They were getting to the point where a second entrance from State Road 39 is in everyone's minds.

There was discussion about the internal pavement section.

Mr. Lindley asked if they needed a hard copy of the notices.

Mr. Dombrosky replied they did. He asked if there were any further questions.

Mr. Ayres motioned for approval of **DPR 491/21: Westpoint, Bldg. 3 (Secondary)** subject to staff recommendations.

Mr. Kneeland seconded the motion.

FOR – 5 – AGAINST – 0 – ABSTAINED – 0 –

The staff recommendations are as follows.

DRAINAGE CONDITIONS:

Subject to approval by Hendricks County Drainage Board.

STAFF RECOMMENDATIONS:

1. Modification Request – Maximum Impervious Area
 - a. Attached is a letter requesting a modification to the lot standards for impervious area. The developer proposes to exceed the maximum impervious for this lot with acknowledgment that the entire Westpoint Business Park will have reserved open

May 12, 2021

space/conservation areas and the overall impervious area will be less than the allowed maximum. Staff does not object to this reasoning.

2. Proposed guardrail must meet INDOT Standards.
3. Review the interior pavement section labeled as heavy duty which calls for 4" of intermediate and surface.

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 Area Plan Commission. Secondary Stormwater Approval must be obtained from the Drainage Board prior to Secondary 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. The applicant will have two (2) years from the date of approval to obtain an Improvement Location Permit/Building Permit. Should this two (2) year period elapse without the applicant having obtained the appropriate permit, the development plan approval will become null and void.
5. Development plan approval does not constitute approval of signage unless such approval is expressly granted by the Plan Commission as part of this development plan. Signage review and approval is typically carried out as a permitting process separate from development plan approval.

There being no further items to be discussed, the meeting was adjourned at 9:41 a.m.

Tim Dombrosky, Chairman