

August 10, 2022

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday, August 10, 2022 at 9:00 a.m. in the Hendricks County Government Center, Commissioners Meeting Room, 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. Dave Gaston, County Surveyor. 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 four (4) members present.

MIP 1156/22: CHRIS PURDY LIVING TRUST; a 3-lot minor plat; 7.0 acres; Brown Township; S19-T17N-R2E; located on the southwest quadrant of County Road 950 N. and Wilson Road (Benchmark Consulting)

WA 334/22 – MIP 1156; a Waiver to the Subdivision Control Ordinance, Section 6.12.2b – Sidewalks (Benchmark Consulting)

Mr. Nathan White, Benchmark Consulting was present. He reviewed the staff comments, noting that they had relocated the septic fields, gotten new soil borings, updated the setbacks and added the noted about the special drainage.

Mr. Ayres asked if they had wanted to continue to the next meeting due to health departments concerns.

Mrs. Harrington stated there was some concern that everything would be done by the deadline, but it is all taken care of today, so she was good with everything now.

It was noted at this time, Mr. Gaston arrived.

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

Mr. Ayres motioned for approval of **MIP 1156/22** subject to staff recommendations.

Mrs. Harrington seconded the motion.

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

Mr. Ayres motioned for approval of **WA 334/22**.

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

FOR – 3 – 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. Waiver:
 - a. 6.12(1)(b) Minor Plats: Sidewalks are required along the development side of all existing county roads, located within one (1) mile from an existing school, commercial

area or trailhead, or in all subdivisions located in Brown, Lincoln, Washington, or Guilford Townships.

- i. The petitioner has requested a waiver from this requirement until sidewalks are developed on adjacent properties.
 - ii. 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.
2. Lot summary table is incorrect. There are 3 lots being created.
3. Front setback along Wilson Road is 45'.
4. The area is flat and has demonstrated standing water. There must be a note on the Plat absolving the County of any responsibility for flooding issues within the lots or with any buildings constructed due to the grading or grades of the lots.
5. 8" SSD tile location on lot one must be field located.
6. SSFE on lot 1 and 2 will be above grade systems.
7. Contour lines/spot elevations not shown on page C101

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 1157/22: M & KW INVESTMENTS; a 2-lot minor plat; 15.5 acres; Clay Township; S6-T14N-R2W; located due west on Water Street in Coatesville from the intersection of Milton St. and Water St. (Moench Engineering)

WA 332/22 – MIP 1157; a Waiver to the Subdivision Control Ordinance, Section 6.12.1b – Sidewalks (Moench Engineering)

WA 336/22 – MIP 1157; a Waiver to the Subdivision Control Ordinance, Section 2.11 – 3:1 Lot Ratio Size (Moench Engineering)

Mr. Dombrosky stated that this case had been continued twice. There was not a representative from Moench Engineering present. He noted he had not heard from the petitioner nor received any revisions.

Mr. Dombrosky opened the public hearing. There being no one present to speak; he then closed the public hearing.

Mr. Ayres motioned to deny **MIP 1157/22: M & KW Investments, WA 332/22 and WA 336/22.**

Mrs. Harrington seconded the motion.

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

MIP 1158/22: CLINTON RUTLEDGE; a 2-lot minor plat; 13.0 acres; Clay Township; S6-T14N-R2W; located on Masten Road just northwest of the intersection of Masten Road and S. State Road 75 in Coatesville (Moench Engineering)

WA 333/22 – MIP 1158; a Waiver to the Subdivision Control Ordinance, Section 6.12.1b – Sidewalks (Moench Engineering)

Mr. Clinton Rutledge, 866 Lincoln Street, Danville IN was present.

There was discussion about the perimeter tile around the septic not being deep enough.

Mrs. Harrington stated that she had asked for elevations and depths and has not received those. The tile might work where it is, but she does not have enough information to say one way or another. There is another concern that when it goes across the street that it goes uphill. She noted that the septic looks better on paper, but she would still need new soil borings.

Mrs. Harrington motioned to continue **MIP 1158/22: Clinton Rutledge and WA 332/22** to the September 14, 2022 meeting.

Mr. Ayres seconded the motion.

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

MIP 1162/22: JR LAZARO BUILDERS; a 3-lot minor plat; 23.22 acres; Center Township; S15/16-T16N-R1W; located on the south side of W. CR 500 N., approx. 0.25 miles east of the intersection with N. Washington St. (Kruse Consulting)

WA 338/22: MIP 1162 – LAZARO; a Waiver to the Subdivision Control Ordinance, Section 2.11.1c – Lot Depth (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting was present along with the neighbor to the east, Mr. Daniel Pitts.

There was discussion and explanation about the pipe, drainage and swale along the eastern property line.

Mr. Pitts asked about the requirements for a 100-year flood and the pipe sizing.

Mr. Gaston explained that they do not require pipe sizing to be on a 100 year, they require it be sized for a 10-year like INDOT. In a subdivision, if there is a swale between houses, they do want to make sure the elevation does not flood the houses. In this situation, the swale was designed for anything over a 10-year.

There was further discussion about the subdrains and swales and whose responsibility those would be.

Mr. Pitts asked where the sump pumps would drain.

Mr. Gaston said that is one thing that would be looked at when the plot plan comes in. He said they would probably go to the south to the regulated drain.

Mr. Dombrosky noted the waiver for lot depth.

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

Mrs. Harrington motioned for approval of **MIP 1162/22: JR Lazaro Builders and WA 338/22** 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:

1. Waiver:
 - a. 2.11(1)(c) Lot Depth. The depth of any lot should not be more than three (3) times the width of the lot, as measured from the front lot line to the rear lot line. Lots with a depth greater than three (3) times the width may be allowed by the Plan Commission upon unusual circumstances such as extreme hardship, topography or unusable remnant.
 - i. Lot 3 could be revised to meet lot depth/width ratio.
 - ii. Easement should run along edge of the floodplain as it is the purpose of the lot depth waiver request.
2. The Erosion Control Plan must be more detailed.

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.

MRP 142/22: JOSEPH BAKER; a 1-lot minor residential plat; 3.72 acres; Clay Township; S27-T15N-R2W; located on the south side of S. CR 300 S., approx. 360 feet east of S. CR 550 W. (Willard Johnson)

Mr. Willard Johnson, 3905 Vincennes Road #104, Indianapolis IN was present. He reviewed the staff comments and noted that they had been addressed.

Mr. Gaston motioned for approval of **MRP 142/22: Joseph Baker** 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:

1. Please correct the wording regarding the SSFE statement on the plat to match what is written in the ordinance.
2. Need elevations or contour lines to show that the SSFE is on contour.

3. SSFE should be labelled as SSFE on development plan
4. Need an invert elevation for the SSD outlet.

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.

DPR 308/22: HEARTLAND SOLUTIONS – PARKING LOT EXPANSION (SECONDARY); a development plan review for parking lot expansion; 3.44 acres; Guilford Township; S20-T14N-R2E; located at the northeast quadrant of S. CR 1025 E., east of Hendricks County Rd. (First Group Engineering)

Mr. Dombrosky noted that the staff letter was incorrect in stating they needed drainage board approval. They needed Tri-County approval.

It was noted that they did not have Tri-County approval. They were still working some things out.

Mr. Ayres asked if the Tri-County approval was a prerequisite of our approval.

Mr. Dombrosky replied that it was not a strict requirement, but it was their risk. If they do not get approval, they would have to refile.

Mr. Dombrosky motioned for approval of **DPR 308/22: Heartland Solutions – Parking Lot Expansion** 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 approval by Tri- County Conservancy District.

STAFF RECOMMENDATIONS:

1. Approved modifications:
 - a. 7.2(D)(3) Parking Layout.
 - b. Table 7.3 Minimum Parking Space Requirements

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.

WA 339/22 – MIP 1092; a Waiver to the Subdivision Control Ordinance, Section 2.11.1c – Lot Depth (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting was present. He explained that the request was for the plat in the middle, and he wanted to buy part of another lot which would not have the portion of the lot that extended to CR 200 S. He showed on the plans.

Mr. Dombrosky noted that it was not changing the number of lots, so it does not interfere with the intent of the 3:1 ratio.

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Mr. Kruse stated they were not planning to build on it.

Mrs. Harrington motioned for approval of **WA 339/22**.

Mr. Ayres seconded the motion.

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

There being no further items to be discussed, the meeting was adjourned at 9:50 a.m.

Tim Dombrosky, Chairman