

June 14, 2017

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday, June 14, 2017 at 9:00 a.m. in the Hendricks County Government Center, Room 4 & 5, 355 South Washington Street, Danville, Indiana. Members present: Mr. Tim Dombrosky, Planning Director and Chairman; Mrs. Sonnie Johnston, Plan Commission Member Representative; Mrs. Ginger Harrington, Health Department Representative; Mr. John Ayers, County Engineer, and Mr. David Gaston, County Surveyor, who arrived late to the meeting. Also present was: Mr. Nick Hufford, Planner; and Mrs. Joanne Garcia, 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 then called for approval of the minutes for the April 12, 2017 and May 10, 2017 meetings.

It was determined that there were not enough members present who had attended both of those meetings so approval of the minutes for April 12 and May 10 was continued until next month's meeting.

Mr. Dombrosky then called for the first matter on the Public Hearing portion of the agenda as follows:

**MIP 1081/17: JAMES PATRICK GILHAM;** a 2-lot minor subdivision; 14 acres, Middle Township, S14-T17N-R1W, located on the south side of East County Road 1025 North, approximately 0.25 mile west of North County Road 150 East. (Kruse Consulting, Inc.)

Mr. Dombrosky suggested moving this matter down the agenda as the representative of this matter had not yet arrived.

The next matter before the members was a continuance request for another thirty days for the following matter:

**DPR 450/16 (REVISION TO SECONDARY): I-70 WEST, LLC (BUILDING 2);** a revision to an approved development plan, 45.67 acres, Liberty Township, S26-T14N-R1W, located along Innovation Boulevard and west of State Road 39. (Studio A Indianapolis)

Mr. Ayers made a motion to continue the above matter for thirty(30) days.

Mrs. Harrington seconded the motion.

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

**MIP 1081/17: JAMES PATRICK GILHAM;** a 2-lot minor subdivision; 14 acres, Middle Township, S14-T17N-R1W, located on the south side of East County Road 1025 North, approximately 0.25 mile west of North County Road 150 East. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the applicant, Mr. Gilham. He stated they wished to create two lots with an existing home on one and the other being vacant.

Mr. Ayers asked about the TOPO showing where the water was draining to.

A buyer of one of the lots was in the audience and he approached the table to hear the discussion on this matter. Mr. Kruse introduced him as Sean.

Mr. Kruse stated that the elevations showed the water would drain away from the road. He explained that Mr. Ayers' concern was if there would be water standing by the road and if a culvert was needed near the driveway. He stated the answer was neither.

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(It was noted here that Mr. Gaston arrived to the meeting.)

Mr. Ayers stated he had wanted confirmation on the plans that the water was draining away from the road and not standing there. He stated he was okay with Mr. Kruse's explanations.

Mr. Kruse then stated that he was asked to do an additional soil boring and he had done that.

Mrs. Harrington stated she had not received a new soil boring. She asked how it had turned out.

Mr. Kruse stated it was good and he would get a copy of that to her along with a revised plan.

Mr. Dombrosky then stated that the plans confirmed there would be no ditch work and the plans showed the existing street tree requirements.

Mr. Ayers agreed that it appeared that no ditch work would be needed.

Mr. Kruse stated that they did have trees to be removed in the right-of-way. He stated that there was a band of about three or four feet of trees to be removed. He stated he believed that would be all of the improvements needed.

Mr. Dombrosky asked Mr. Kruse if he would submit the Notification of Mailing.

Mr. Kruse stated he would get that submitted as he had not brought it with him.

Mr. Dombrosky then opened the public hearing on the matter.

Robb and Penny Hauser, 10142 North County Road 471 East, appeared and stated that they were the proposed buyers for one of the lots. Mr. Hauser discussed where they wanted to place their house on the lot and changing the location of the proposed septic farther back on the lot.

Mr. Kruse stated that new soil borings would be needed and if they were acceptable depth soil borings and the drain was deep enough they could change the proposed location of the primary location for the septic along with a secondary location set aside.

Mr. Dombrosky added that the secondary location was actually a platted easement so it would need to remain in the same location.

Mr. Hauser responded that they had wanted to leave the front of the property as natural as possible.

Mr. Dombrosky stated that would work as the secondary location could remain as is unless or until it was ever needed and then would need to be cleared.

Mr. Hauser stated he understood.

Mrs. Penny Hauser asked a question about approval being subject to receipt of the Notification Affidavit as she needed to get an idea of when they could move forward with the closing on the property.

Mr. Kruse responded that the trees would need to be cleared in the right-of-way at the front of the property and then the plat could be recorded. He gave an approximate time of about three weeks before the Hauser's and the buyer for the other lot could complete their closings on the lots.

There being no one else signed up to be heard, Mr. Dombrosky closed the public portion of the hearing and called for a motion.

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Mr. Ayers then made a motion to grant approval for **MIP 1081/17: James Patrick Gilham** subject to the following conditions:

1. Conditions and recommendations in staff's letter dated June 14, 2017; and
2. Receipt of Affidavit of Written Notification and Certificate of Mailing to affected property owners prior to recording of the plat.

Mrs. Johnston seconded the motion.

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

The staff conditions and recommendations were as follows:

**DRAINAGE CONDITIONS:**

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

**STAFF RECOMMENDATIONS:**

1. At least three soil borings in the proposed soil absorption field are required, however the submitted plot plan shows only two soil borings in the proposed soil absorption field and one soil boring in the general area of the soil absorption field. Additional soil borings may be required at the time of septic application, or a written statement from the soil scientist must be submitted to the Health Department stating that the submitted soils analysis is representative of the soil in the soil absorption field.
2. Grades and spot elevations need to be provided to show drainage patterns adjacent to the roadway. If the water does not drain adequately then a side ditch and driveway pipes need to be provided.
3. Trees and other obstructions need to be removed to provide a 10' clear zone from the edge of pavement.

**CONDITIONS OF APPROVAL:**

1. This development is subject to the Residential Design Standards in the Hendricks County Zoning Ordinance; (HCZO Chapter 8.1).
2. Prior to recording, all plans must be approved as to form by the County 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. 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. 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.
8. 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.
9. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
10. 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.

It was noted here that the next item on the agenda, **MAP 653/17: Woodcreek Crossing, Section 10 (Secondary)** would be moved to the end of the agenda as the representatives for this project had not yet arrived to the meeting.

**MAP 425/17 (REPLAT): STANLEY COVE, SECTION 1, LOTS 30 & 31;** a replat of two lots in a major residential subdivision, 0.74 acres, Guilford Township, S13-T14N-R1E, located 0.15 mile west of the intersection of Spring Valley Drive and County Road 825 East. (USI Consultants, Inc.)

Mr. Joe Hess of USI Consultants, Inc. appeared on behalf of the applicant. He stated that this was just a request for a simple replat of two lots in this subdivision. He stated addressing had been approved and they had received Drainage Board approval also.

There being no questions or comments, Mr. Dombrosky called for a motion.

Mrs. Johnston made a motion to approve **MAP 425/17: Stanley Cove, Sec. 1, Lots 30 & 31 (Replat)** subject to the conditions and recommendations in staff's letter dated June 14, 2017.

Mr. Ayers seconded the motion.

FOR 5 –                      AGAINST – 0 –                      ABSTAINED – 0 –

The staff conditions and recommendations were as follows:

**DRAINAGE CONDITIONS:**

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

**STAFF RECOMMENDATIONS:**

1. This development is still subject to the conditions of approval of the original Major Plat of Stanley Cove.

**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, 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. 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.
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.
6. A State Plan Release is also required for multifamily, residential and non-residential (commercial and industrial) projects. In no way will a Development Plan Review be construed as a substitute or a waiver for these other required permits.

**MRP 072/17: JASON WALKER;** a 1-lot minor residential plat, 3.90 acres, Marion Township, S20-T15N-R2W, located on the south side of West County Road 250 South, approximately 0.50 mile west of State Road 75. (Kruse Consulting, Inc.)

Mr. Dale Kruse and Mr. Kevin Studley of Kruse Consulting, Inc. appeared on behalf of the applicant, Jason Walker.

Mr. Studley stated that the offsite easement for the perimeter drain needed to be recorded and they had the Comer Law Office prepare the easement and were waiting for the property owner's signature on that document. He stated that there was also a note on the plat for that instrument number and everything was in place except for the property owner's signature, after which the instrument would be recorded.

Mr. Kruse added that due to the transaction being between family members, he was not anticipating any problems getting the signature on the easement for recording.

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Mr. Dombrosky asked if anyone had a problem approving the plat subject to receipt of the recorded easement prior to recording of the plat.

No one having a problem, Mr. Dombrosky called for a motion.

Mr. Ayers made a motion to approve **MRP 072/17: Jason Walker** subject to the following:

1. Conditions and recommendations in staff's letter dated June 14, 2017; and
2. Receipt of copy of recorded easement for the offsite perimeter drain prior to recording of the plat.

Mrs. Johnston seconded the motion.

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

The staff conditions and recommendations were as follows:

**DRAINAGE CONDITIONS:**

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

**STAFF RECOMMENDATIONS:**

1. Prior to recording a copy of the recorded easement for the offsite perimeter drain must be provided to the Health Department.

**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 does not constitute a request for addresses.

**MRP 073/17: STALEY PROPERTY GROUP, LLC;** a 1-lot minor residential plat, 4.276 acres, Center Township, S30-T16N-R1W, located on the east side of State Road 236, approximately 0.6 mile south of the intersection with West County Road 350 North. (Kruse Consulting, Inc.)

Mr. Dale Kruse and Mr. Kevin Studley of Kruse Consulting, Inc. appeared on behalf of the applicant, Staley Property Group, LLC. He reviewed their request for a one lot minor residential plat and the location of said plat. He added that at one time this property had a radio antenna tower located there. He stated that the applicant also owned the property next door and that the plat being requested today had a small piece of the other property taken out and added to it in order to have room for the primary and secondary septic field easements. He stated that they did not have their INDOT permit in hand but had filed for said permit. He stated at their site meeting with INDOT, they did not have an issue with their design and could continue to use the driveway that was existing. He stated, however, that the driveway was not in a good location.

Mr. Ayers asked why it was not in a good location and if that was due to poor sight distance.

Mr. Kruse stated yes. He stated they had shifted the drive to the high point on the property to achieve good sight distance.

Mr. Ayers asked if INDOT had a problem with that location.

Mr. Kruse stated no, they had no problem with the new location and although they could use the old drive, INDOT did not like that location. Mr. Kruse explained that although they had not received the permit and it was working its way through the system, they had received positive feedback on it. He stated that the only other comment in the staff's letter had to do with showing the set aside boring and they had now shown that on the plans.

Mrs. Harrington stated she would need a copy of the revised plans showing the set aside boring location. Mrs. Harrington then asked where the location of the existing house was.

Mr. Kruse stated that was on the other property.

Mr. Dombrosky stated they had discussed this and that there was an existing well and house on that other piece of property.

Mrs. Johnston asked if they were planning on using the well.

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Mr. Kruse stated not for the proposed lot. He stated there was no well or house on the proposed lot. Mr. Kruse stated that they were, however, also working on the ground where the well was located and were aware of it.

Mrs. Harrington stated that since the house had been demolished, she needed coordinates of the existing well and that should have been done at the time of the demolition. She stated they did not have to abandon the well but had to GPS it and fill out an application.

Mr. Kruse stated he would comply.

It was noted here that Mr. Ayers was leaving the meeting. He briefly discussed with Mr. Kruse what he wanted changed on three pending plats in the name of Noble Beck, Jr. Mr. Ayers stated he had a problem with the way they were laid out. He stated he felt they violated the intent of the minor residential plat ordinance. Mr. Ayers added that they could set up a meeting to discuss the matters further but that the way it sat now, he was not comfortable with it.

Mr. Dombrosky then asked Mr. Ayers before he left the meeting if he was okay with approving the Staley Property Group minor residential plat.

Mr. Ayers stated he was okay with approval subject to receipt of the INDOT driveway permit prior to recording.

There being no further questions or comments, Mr. Dombrosky called for a motion and added to Mrs. Harrington that Kruse Consulting had filed a new application to be heard next month on the adjoining property with the well location.

Mrs. Johnston made a motion to grant approval for **MRP 073/17: Staley Property Group, LLC** subject to the following:

1. Conditions and recommendations in staff's letter dated June 14, 2017; and
2. Receipt of INDOT permit prior to recording.

Mrs. Harrington seconded the motion.

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

The staff conditions and recommendations were as follows:

**DRAINAGE CONDITIONS:**

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

**STAFF RECOMMENDATIONS:**

1. Driveway placement and permitting is subject to INDOT approval. An INDOT permit must be provided prior to final approval.
2. Show location of secondary soil boring on the plans.

**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. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
6. 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. Dombrosky then stated that motions for continuance would be needed for the next three minor residential plats on the agenda.

Mr. Kruse asked if there was any reason to discuss these matters.

Mr. Dombrosky stated they could be discussed. He added that they had already had a couple of discussions on them.

Mr. Kruse stated that he had discussed them briefly with Mr. Gaston too.

Mr. Dombrosky added that they should go ahead and continue them before discussing.

Mrs. Johnston made a motion to continue the following matters for thirty (30) days.

**MRP 074/17: NOBLE BECK, JR.**

**MRP 075/17: NOBLE BECK, JR.**

**MRP 076/17: NOBLE BECK, JR.**

Mrs. Harrington seconded the motion.

FOR – 4 –

AGAINST – 0 –

ABSTAINED – 0 –

Mr. Dombrosky then stated that there was still one item open on the agenda and since no one had arrived to discuss the matter, he called for a continuance. He added that he was not comfortable approving it as there had still been no Allocation Letter submitted.

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Mrs. Johnston then made a motion to continue for thirty (30) days **MAP 653/17: WOODCREEK CROSSING, SECTION 10 (SECONDARY)** for thirty (30) days to the July meeting.

Mr. Gaston seconded the motion.

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

There being no further business, the meeting was adjourned at 9:37 a.m.

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Tim Dombrosky, Chairman