

July 12, 2017

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday, July 12, 2017 at 9:00 a.m. in the Hendricks County Government Center, Rooms 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. Julie Haan, Environmental Health Director; and Mr. John Ayers, County Engineer.. 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, May 10, 2017 and June 14, 2017 meetings.

It was determined that there were not enough members present who had attended the April 12, 2017 meeting so approval for those minutes was continued until next month's meeting.

Mrs. Johnston made a motion to approve the May 10, 2017 meeting minutes.

Mrs. Haan seconded the motion with Mr. Ayers abstaining.

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

Mr. Ayers then made a motion to approve the June 14, 2017 meeting minutes.

Mrs. Johnston seconded the motion with Mrs. Haan abstaining.

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

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

MIP 1083/17: JOSEPH ROGERS; a 2-lot minor subdivision; 12.78 acres, Middle Township, S17-T16N-R1E; located on the northwest side of East County Road 450 North and north of the intersection with East County Road 425 North. (Travis A. Norman PLS)

Mr. Joseph Rogers appeared to discuss his request for approval of a 2-lot minor subdivision on 12.78 acres and he reviewed the location of said proposed subdivision. Mr. Rogers then reviewed the conditions and recommendations in staff's letter dated July 12, 2017. He stated that the secondary septic easement was shown on the plat.

Mr. Dombrosky discussed removing old corner lines from the plat with Mr. Rogers.

Mrs. Haan asked about the location of the existing well and if it was fifty (50) feet away from the set aside.

Mr. Rogers pointed out the location of the existing well and confirmed that it was the correct distance from the secondary septic field easement.

Mr. Dombrosky asked about grading of the roadside area for drainage.

Mr. Ayers and Mr. Rogers confirmed that the drainage would be away from the road. Mr. Rogers stated he would add the elevations and flow arrows suggested by Mr. Ayers.

Mr. Dombrosky asked for any further comments. There being none, Mr. Dombrosky opened the public hearing. There being no one signed up to be heard, the public hearing was closed.

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Mrs. Johnston then made a motion to approve **MIP 1083/17: Joseph Rogers** subject to the conditions and recommendations in staff's letter dated July 12, 2017.

Mrs. Haan seconded the motion.

FOR – 4 –

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. On the plat, remove the lines in the right of way showing the old property corner.
2. The roadside area will need to be graded to ensure drainage away from the road.

CONDITIONS OF APPROVAL:

1. This development is subject to the Residential Design Standards in HCZO Chapter 8.1.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
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 Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

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MIP 1084/17: STALEY PROPERTY GROUP, LLC; a 3-lot minor subdivision, 15.523 acres, Center Township, S30-T16N-R1W, located on the east side of State Road 236, approximately 0.75 mile south of the intersection with West County Road 350 North. (Kruse Consulting, Inc.)

WA 285/17: MIP 1084 STALEY PROPERTY GROUP, LLC; a Waiver of the Subdivision Control Ordinance, Sec. 6.12 (1.b.) Sidewalks, Pathways & Pedestrian Ways. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the applicant. He discussed their request for a 3-lot minor subdivision on 15.523 acres and the location of the subject property. He stated that they had received Drainage Board approval and went on to discuss the staff recommendations. He stated that he had obtained a new soil report to correct the mislabeled lot numbers.

Mrs. Haan stated that she did not think she had a description for Lot #1, soil boring #3.

Mr. Kruse explained that the lot numbers were switched. He asked Mrs. Haan which ones she was missing.

Mrs. Haan stated #3 on Lot 1 and explained what she had read in the report. Mr. Kruse discussed the matter further with Mrs. Haan regarding the soil reports. Mrs. Haan asked Mr. Kruse to get her a description for Lot #1 soil boring #3. She then indicated that Lot #3 appeared to be very shallow and that they might not be able to do a trench system there.

Mr. Kruse stated he understood what she was talking about. Mr. Kruse then discussed the comment in the staff letter regarding the existing well which was located very close to the property line. He stated that they wanted to keep that well and would place a well protection easement around it.

Mr. Dombrosky asked how large an easement would be needed.

Mrs. Haan responded that it would be a fifty (50) foot easement.

Mr. Kruse stated they could do a fifty foot easement and the driveway could be inside the easement.

Mrs. Haan stated that was correct. She stated however she was concerned about the well so close to the driveway.

Mr. Kruse stated that the owner indicated he would place a large boulder there to protect the well.

Mrs. Haan stated that the staff letter indicated the well should be abandoned and that statement could now be excluded since the well was going to be used. Mrs. Haan indicated that a water sample would be needed.

Mr. Kruse stated that had been done and he would get a copy of it to Mrs. Haan. Mr. Kruse then discussed an approved entrance permit from INDOT being required prior to final approval. He stated he had attempted to print out the permits and was not able to figure it out. He stated that there were three driveways being installed and all listed as approved by INDOT.

Mr. Ayers asked Mr. Kruse to provide copies of those permits.

Mr. Dombrosky stated that the receipt of the permits could be tied to the issuance of any building permits.

Mr. Kruse stated that it could be tied to receipt prior to recording of the plat.

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

Mrs. Haan then made a motion to grant approval for **MIP 1084/17: Staley Property Group, LLC** subject to the following:

1. Conditions & recommendations in staff's letter dated July 12, 2017 with Comment #3 changed to adding easement around the existing well; and
2. Receipt of approved entrance permits from INDOT prior to recording.

Mrs. Johnston seconded the motion.

FOR – 4 –

ABSTAINED – 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. It appears that the lot numbers on the soil report were mislabeled. The applicant must provide locations and labels for soil borings 4, 7 and 8 on lot 3, descriptions and labels for soil borings 4, 5 and 6 on lot 2 and description for soil boring 3 and label for soil boring 2 and 4 on lot 1. Only two soil borings are located in the proposed absorption area on lot 2.
2. 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 on lot 1. 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.
3. Prior to recording, the existing well on the property must be properly abandoned by a certified well driller and the well abandonment log forwarded to the Hendricks County Health Department.
4. An approved entrance permit from the Indiana Department of Transportation will be required prior to final approval.

CONDITIONS OF APPROVAL:

1. This plat is subject to the Residential Design Standards in the Zoning Ordinance; Chapter 8.1.
2. 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. Soil boring 2 on lot 3 indicated compact glacial till at 28" and would require an above ground onsite septic system. 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.
3. 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.
4. 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.

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5. 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 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 or development 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.
6. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
7. Addresses must be added to the final plat prior to recording. 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 Engineer's Office. The Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

Mr. Ayers then made a motion to grant approval for **WA 285/17: MIP 1084 Staley Property Group, LLC – Sidewalk Waiver**.

Mrs. Johnston seconded the motion with Mrs. Haan voting against.

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

The staff memorandum on the Waiver was as follows:

MEMORANDUM

TO: Hendricks County Area Plan Commission Administrative & Plat Committee

FROM: Plan Commission Staff

DATE: July 12, 2017

RE: **WA 285/17: MIP 1084 STALEY PROPERTY GROUP - SIDEWALKS**

The applicant is requesting a waiver from sidewalk requirements.

The property is on a State road, and in a rural area of almost entirely residential development. For these reasons, the majority of staff has no objection to the request as long as a note is added to the plat stating sidewalks shall be installed when they become contiguous or adjacent on surrounding property.

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.

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MRP 074/17 (SW): NOBLE BECK, JR.; a 1-lot minor residential plat, 3.2 acres, Union Township, S05-T16N-R1W, located on the north side of County Road 625 North, 0.25 mile East of County Road 200 West. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared along with the applicant, Noble Beck, Jr., to request approval for this 1-lot minor residential plat on 3.2 acres and he reviewed the location of the property. He stated that the purpose of the application was to divide off three lots to the heirs of the estate.

Mr. Beck explained that the heirs were the children of his deceased sister and his parents were also deceased. He added that it had been his mother's wish that her grandchildren live on the property.

Mr. Kruse stated the purpose of the applications was to create three lots for three children. He pointed out the location of this southwest lot. He stated the lot contained an existing older farmstead home. He pointed out the access for the lot from County Road 625. Mr. Kruse stated that one of Mr. Ayers' concerns was how the lots were not connecting and leaving some weird shaped pieces in the middle. Mr. Kruse stated that Mr. Noble had now agreed to allow two of the lots to be increased in size and connect them. He stated that they did not now have any unusable remnants of land left in the middle of two of the lots. He pointed out a farm access and an easement for that was shown on the plat although it was not a separate recorded document. He pointed out the perimeter drain easement for the septic field that would be a separately recorded document as it was not on the lot. He stated all the perimeter drain easements had been recorded. He stated that they had soil borings and access to a legal drain which was on the original farmstead parcel.

Mr. Ayers asked about the location of the third parcel and how it fell in relation to the other two. Mr. Ayers stated that his concern in looking at all three of the parcels was creation of pipe stem lots and how they were laid out. He stated he did appreciate Mr. Kruse connecting two of the lots although the drive accesses were different.

Mr. Beck commented that all of the driveways were on the edge of tillable land that his family farmed.

Mr. Ayers discussed the driveways further and stated his struggle with the plan as a whole.

Mr. Beck explained how the unusual layout had occurred over time.

Mr. Ayers stated he did not have a better suggestion as to the layout of the lots.

Mr. Kruse added that the intent was to create lots for the kids in the wooded areas and use up less tillable land. He stated that all three parcels were being created in good desirable wooded areas with good drainage. He stated that there was a legal drain tile and explained how the drainage worked.

Mr. Dombrosky asked about the existing pipelines and that they did not have easements.

Mr. Kruse stated that there were blanket easements for the pipelines.

Mr. Dombrosky then stated that he did not have an issue with the stem lot design and did not see it as a negative since it was maintaining or not infringing on the tillable farm ground, as well as providing access to the desirable living areas. He stated they had satisfied his concerns with not leaving the undesirable remnants. He stated a discussion had already been had that creating a minor plat rather than three minor residential plats would not be beneficial.

Mr. Ayers asked about combining driveways on two of the lots.

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Mr. Kruse stated that was not desired because they wanted to keep the farmhouse ground separate from the other lots.

There was some further discussion with the staff and Mr. Kruse on the drive layouts.

Mr. Dombrosky then called for a motion.

Mrs. Johnston made a motion to grant approval for **MRP 074/17 (SW): Noble Beck, Jr.** subject to the conditions and recommendations in staff's letter dated July 12, 2017.

Mrs. Haan then commented that she understood Mr. Ayers' concerns. She added that she had been confused when she saw the three lots being created as minor residential plats when she thought those plats were always supposed to be separate. She stated, however, that there was the correct amount of property and she now understood better and that they had satisfied all of the Health Department's requirements.

Mrs. Haan then seconded the motion.

Mr. Ayers asked if one of the parcels crossed.

Mr. Dombrosky stated that it did and that was why at the beginning he had discussed doing a minor plat. He stated it had been decided, however, that it would not accomplish anything other than changing the title.

Mr. Ayers stated that he understood the reasoning behind the layout of the lots but that he was still uncomfortable with it.

Mrs. Haan repeated her comments and why she was voting for approval.

Mr. Dombrosky called for a vote and the motion passed with three in favor and one against, that being Mr. Ayers.

FOR – 3 – AGAINST – 1 – 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. It is the opinion of the County Engineer that this plat, in conjunction with the other 2 from the same owner, violate the purpose and intent of the MRP ordinance as approved by the Plan Commission and the County Commissioners. In addition, the layout of these MRP's does not reflect orderly or beneficial development.

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. The proposed system does not appear to be on contour, however the applicant stated that would be addressed during the design phase. 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 Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

MRP 075/17 (E): NOBLE BECK, JR.; a 1-lot minor residential plat, 3.7 acres, Union Township, S05-T15N-R1W, located on the north side of County Road 625 North, 0.50 mile east of County Road 200 West. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. and Mr. Noble Beck Jr. appeared again for the second minor residential plat.

Mr. Ayers asked about the drive for this lot being located on a different parcel.

Mr. Kruse stated Mr. Ayers was correct.

Mr. Dombrosky called for a motion on this plat.

Mrs. Johnston then made a motion to grant approval for **MRP 075 (E)/17: Noble Beck, Jr.** subject to the recommendations and conditions in staff's letter dated July 12, 2017.

Mrs. Haan seconded the motion with Mr. Ayers voting against. The motion carried.

FOR – 3 – AGAINST – 1 – 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. If there are easements for the pipeline, they need to be shown on the plat.

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2. It is the opinion of the County Engineer that this plat, in conjunction with the other 2 from the same owner, violate the purpose and intent of the MRP ordinance as approved by the Plan Commission and the County Commissioners. In addition, the layout of these MRP's does not reflect orderly or beneficial development.

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. The proposed system does not appear to be on contour, however the applicant stated that would be addressed during the design phase. 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 Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

MRP 076/17 (NW): NOBLE BECK, JR.; a 1-lot minor residential plat, 4.1 acres, Union Township, S05-T15N-R1W, located on the east side of County Road 200 West, approximately 0.25 mile north of County Road 625 North. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. and Mr. Noble Beck, Jr. appeared on behalf of the third minor residential plat for his property.

Mr. Dombrosky called for a motion on this third minor residential plat.

Mrs. Johnston made a motion to grant approval for **MRP 076/17 (NW): Noble Beck, Jr.** subject to the conditions and recommendations in staff's letter dated July 12, 2017.

Mrs. Haan seconded the motion with Mr. Ayers voting against. The motion carried.

FOR – 3 –

AGAINST – 1 –

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. It is the opinion of the County Engineer that this plat, in conjunction with the other 2 from the same owner, violates the purpose and intent of the MRP ordinance as approved by the Plan Commission and the County Commissioners. In addition, the layout of these MRP's does not reflect orderly or beneficial development.

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. The proposed system does not appear to be on contour, however the applicant stated that would be addressed during the design phase. 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 Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

MRP 077/17: MARY ANNE GREELEY (BUTZ-MOORE); a 1-lot minor residential plat, 5.2 acres, Brown Township, S32-T17N-R2E, located on the north side of East County Road 750 North and west of the intersection with North Raceway Road. (Kenneth D. Smith/Municipal Civil Corporation)

Mr. Kenneth Smith of Municipal Civil Corporation, 3421 Covington Street, West Lafayette, Indiana appeared on behalf of the applicant. Mr. Smith reviewed their request for approval of this plat and reviewed the location of same. He stated that they had made the corrections to the plat as set out in staff's letter to include bolding the 50 foot ROW line and the outfall for the perimeter drain.

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Mrs. Haan stated that was usually shown on the design plans and not the plat.

Mr. Ayers discussed that the construction details needed to be shown on the plans and not on the plat.

Mr. Smith then asked about showing the flow arrows and spot grades.

Mr. Ayers added that those could stay on the plat but normally should be on the construction plans.

Mr. Smith and Mr. Ayers then discussed the drainage for the plat and Mr. Ayers wanted to make sure that the drainage flowed away from the ROW. Mr. Smith was instructed to show those changes on the development plan and submit a revised set.

Mr. Smith then asked about recommendation #4 that all sheets of the plans must conform to the requirements of the Subdivision Control Ordinance. He stated he believed they had done that. He stated that they needed to change the legal description and he asked about whether two separate legals were needed.

Mr. Dombrosky and Mr. Ayers stated yes. Mr. Ayers stated for the overall and one without the ROW. Mr. Smith was given specific instructions on preparing the legal descriptions and what items were required on each sheet.

Mr. Ayers stated he would be comfortable with approving the plat subject to the changes discussed being completed and revised plans submitted.

Mr. Dombrosky called for a motion.

Mr. Ayers made the motion to grant approval for **MRP 077/17: MARY ANNE GREELEY** subject to the following:

1. Conditions and recommendations in staff's letter dated July 12, 2017; and
2. Receipt of revised plans with referenced changes made.

Mrs. Johnston 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.

STAFFRECOMMENDATIONS:

1. There is an unlabeled line on the plat. It needs to be removed or identified.
2. The 50 ROW line should be bold on the plat.
3. The location of the perimeter drain outfall must be shown.
4. All sheets of the plans must conform to the requirements of the Hendricks County Subdivision Control Ordinance.
5. Flow arrows and spot grades must be provided to show that drainage will be away from the road right of way.

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 Plat Address Information Sheet submitted with the plat application does not constitute a request for addresses.

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. Dombrosky stated he had received a letter from Max Mouser of Studio A Indianapolis informing that the developer had gone ahead and installed the required landscaping for this site. He stated that now there would be no reason for the requested revision to the landscaping plans. He stated, therefore, this application was withdrawn.

MAP 653/17 (SECONDARY): WOODCREEK CROSSING, SECTION 10; a 20-lot major residential subdivision, Washington Township, 7.27 acres, S26-T16N-R1E, located on the south side of Northfield Drive and west of County Road 800 East, at the terminus of Villa Boulevard. (Abercrombie & Associates, Inc.)

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Mr. Joe Farruggia of Woodcreek Crossing Development. 7861 Kemper Road, Cincinnati, Ohio, appeared on his behalf to request secondary approval for Section 10 of this subdivision.

Mr. Dombrosky asked Mr. Farruggia if he had received his allocation letter for this section.

Mr. Farruggia stated he did but did not have it with him and had forwarded it to Mr. Dombrosky.

Mr. Dombrosky stated that he had replied to Mr. Farruggia indicating that what he had submitted was not the allocation letter.

Mr. Farruggia asked if he had received anything today and Mr. Dombrosky stated no.

Mr. Dombrosky asked Mr. Farruggia if he had paid all of his fees.

Mr. Farruggia stated all but one for the stormwater which was in the mail and sent last week.

Mr. Dombrosky asked if he had paid the West Central Conservancy District fee.

Mr. Farruggia stated not yet. He stated he would pay that fee once they were ready to start. He stated he did have an availability letter from WCCD for the sanitary sewer which would be paid when they were ready to start the project sometime this month.

Mr. Dombrosky stated that the last letter he had received stated the sewer fee would be paid on July 3rd.

Mr. Farruggia stated the check had been cut and he could drop it off to WCCD next week.

Mr. Dombrosky stated all they were waiting on was the allocation letter.

Mr. Farruggia asked if he could be approved contingent upon receipt of that letter. He stated they had been approved before without the sewer fee being paid. He stated he had spoken with the WCCD District Manager, Gary Padgett, who indicated he was okay with the way it was being requested. He stated Mr. Padgett understood that they were going to pay the fee. Mr. Farruggia stated that they already owned some of the EDU's and they would need to pay the difference.

Mr. Dombrosky stated he had received a capacity availability letter.

Mr. Farruggia stated again that the only fee that had not been paid and would be was the sewer fee and he requested approval subject to payment of those fees prior to the start of construction.

Mr. Ayers stated he believed that they had been waiting to approve this section when they received the allocation letter indicating that the fees had been paid.

Mr. Farruggia stated that they did have the letter from the sewer district affirming that the capacity was there.

Mr. Dombrosky explained that the concern was that another developer could possibly come in and get that capacity before Section 10 of this development got started.

Mrs. Haan stated that was the theory and that the allocation letter requirement was also in the ordinance.

Mr. Farruggia then stated that he could have the check brought up tomorrow for payment of the sewer fees by FEDEX and he could receipt the staff.

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Mr. Dombrosky stated he understood the concerns on all sides.

Mr. Farruggia stated he was sure that there was some time frame that once he received the availability letter that they would hold the allocation for the development.

Mr. Ayers asked when the availability letter had been received.

Mr. Dombrosky stated it had been at least three weeks ago. Mr. Dombrosky stated the question was if they were going to bend the rule.

Mrs. Haan stated she was not in favor of bending the rules.

Mr. Ayers stated that he thought Mr. Farruggia understood what was needed.

Mr. Farruggia stated he thought he knew since they had received approval for the capacity. He stated when he left the meeting he would call his office and have them FEDEX the fee to the WCCD and that in less than 24 hours he would have it done.

Mrs. Johnston asked if they had received Drainage Board approval.

Mr. Dombrosky stated yes.

There was further discussion between the parties on the rules and what had been understood and not understood regarding the allocation letter. Mr. Ayers explained why the rule for having the allocation letter in place was required.

Mr. Ayers commented that it was up to Mr. Dombrosky and what he was comfortable with. Mr. Dombrosky stated he had talked with Mr. Padgett and he was comfortable that the allocation would be received.

Mrs. Haan stated that the ordinance needed to be changed if we were going to continue to make exceptions on this requirement.

There was further discussion on the matter. Mr. Dombrosky then added that he was okay with granting approval in this case and that he would not be okay with it in the future.

Mr. Ayers then made a motion granting secondary approval for **MAP 653/17: Woodcreek Crossing, Section 10 (Secondary)** subject to the following:

1. Staff conditions & recommendations in letter dated July 12, 2017;
2. Receipt of proof of payment on July 13, 2017 of sanitary sewer fees; and
3. Receipt of sanitary sewer Allocation Letter.

Mrs. Johnston seconded the motion with Mrs. Haan voting against. The motion carried.

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

Mr. Dombrosky then made a comment that other exceptions were made prior to approval even though this one was larger and had a larger fee and he did not feel this approval was any different from those and that until conditions were satisfied, no work could begin.

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

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. 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.
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.

Mr. Dombrosky stated that concluded the regular meeting and now would move on to a discussion with Mr. Dale Kruse.

(It was noted here that Mrs. Johnston left the meeting.)

Mr. Kruse stated that his discussion was on two plats, one being the Staley plat and another that had a preliminary consultation last month and also an exempt subdivision plat. He stated that this involved projects along State Roads and the question was how to identify the lot line and where the right-of-way was and what it was.

A discussion was then had on how these situations should be handled in the future.

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There being no further business, the meeting was adjourned at 10:36 a.m.

Tim Dombrosky, Chairman