

March 14, 2018

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday March 14, 2018 at 9:00 a.m. in the Hendricks County Government Center, Rooms 4 & 5, 355 South Washington Street, Danville, Indiana. Members present: Mrs. Suzanne Baker, Acting Chairman; Mrs. Julie Haan, Environmental Health Director; Mr. John Ayers, County Engineer; Mrs. Sonnie Johnston, Plan Commission Member Representative; and Mr. Cory Gehring, Deputy Surveyor. Also present was: Mr. Nick Hufford, Planner; and Mrs. Joanne Garcia, Recording Secretary.

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

Mrs. Baker then called for approval of the minutes for the February 14, 2018 meeting.

Mrs. Johnston made a motion to grant approval for the February 14, 2018 meeting minutes.

Mrs. Haan seconded the motion and the vote was unanimous.

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

Mrs. Baker then called for the first item on the Business Session portion of the agenda as follows:

**MRP 088/18: RICHARD & AMBER WHITE;** a 1-lot minor residential plat, 2.355 acres, Marion Township, S10-T15N-R2W, located on the west side of South County Road 525 West, approximately 0.55 mile south of intersection with U.S. Highway 36. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared along with the applicant, Amber White. Mr. Kruse stated that Mrs. White would be living on the plat owned by her family. He stated the parcel would be approximately 2.355 acres. Mr. Kruse stated since there were no staff recommendations, he would answer any questions from the members.

Mrs. Haan stated that her comments did not get into the letter and she asked Mr. Kruse about the perimeter drain.

Mr. Kruse responded that there had been two options and one was to run a tile and that he did not have a dye test done because the Health Department had already approved it approximately two years ago when a septic system was installed, and a dye test was conducted at that time.

Mrs. Haan stated she would need that information.

Mr. Kruse asked Mrs. White when that had occurred, and she responded it had been done last year. Mr. Kruse stated that not long ago they had received approval for accessory quarters for the grandparents to live in and he pointed out the location on the map and where the septic system had been installed. He then pointed out where the perimeter drain was located and where it went to a tile that accessed a pond. He also pointed out that it had been dye tested and where it came out.

Mrs. Haan asked what size the drain was.

Mr. Kruse responded either a size 4 or 6. He went on to state that the proposal was to connect to that drain and run it around a low area.

Mrs. Haan stated that she understood him to say that there was an existing drain and another one would be installed.

Mr. Kruse stated that was correct and that it would basically be extended.

March 14, 2018

Mrs. Haan asked if the drain would go onto another parcel and would there be an easement.

Mr. Kruse stated yes and that he had a drafted easement prepared.

Mrs. Haan stated she would need a copy of the executed easement prior to recording.

Mr. Kruse stated that they had not installed a tile yet as the weather had been too wet. He also added that the easement was crossing another parcel but that it was all in the same family's hands.

Mr. Kruse then went on to discuss an existing row of trees with Mr. Ayers. Mr. Kruse explained that Mrs. White did not want to remove those trees and her reasons.

Mr. Ayers explained to them his opinion on why the trees needed to be removed and possibly only one row of the trees needed to be removed. He stated that row was too close to the right-of-way.

Mrs. White asked if she could just trim that first row of trees back. She expressed her concern that if the first row was removed, it might harm the others and dismember their sound and wind barrier.

Mr. Kruse stated that the two rows had grown together and that the inside after cutting would not look good.

Mr. Ayers stated that would probably be true at first, but that they would grow and fill in again.

Mrs. White asked what was the distance that was required to be cleared.

Mr. Ayers stated in this instance it was probably forty (40) feet from the center road line. He stated even though the first row needed to be removed, he was allowing them to keep some trees in that right-of-way.

Mrs. White asked why it was now a concern and not before since the trees had been there for 25 years.

Mr. Ayers responded that there had been no right-of-way granted until the platting process started.

Mr. Kruse then suggested that since the trunks of the trees were even farther back than the canopy, would it be acceptable to just trim all those branches back to the clear zone.

Mr. Ayers stated he was more concerned with the trunks of the trees than the branches and especially if they had to do any type of road maintenance there. He explained that if someone ran off the road and hit a tree in the right-of-way, the county would be liable. He stated although such situations did exist elsewhere in the county, they attempted to correct that whenever they could.

Mr. Kruse argued that the base of these pine trees was much farther than ten (10) feet and that the pine tree branches did grow out very wide.

Mr. Ayers explained that the ten (10) feet was based on a clear zone for a straight roadway. He asked how far out the ditch line was.

Mr. Kruse replied that he was not sure and that it was a typical county ditch. Mr. Kruse stated if they limbed the trees up, the trunks would be farther than ten (10) feet and probably around fifteen (15) feet.

March 14, 2018

Mr. Ayers then stated that he would agree to the clearing of the tree branches rather than cutting down the trees. He stated he would want to make sure the distance was ten (10) feet. He stated they should be kept cut back to the clear zone.

Mr. Kruse stated he would go out and measure the distance of the trunks.

Mrs. Baker asked Mr. Ayers if he would want that done prior to recording of the plat and with a note on the plat.

Mr. Ayers stated yes, and Mr. Kruse added that usually the note is placed on the development plan and not the recorded plat and Mr. Ayers agreed with that.

Mrs. Haan asked how that would be enforced if the property was sold.

After some discussion, it was agreed that the note about keeping the branches trimmed/maintained back to the clear zone would be placed on the recorded plat.

Mr. Ayers then made a motion to approve **MRP 088/18: Richard & Amber White** subject to the following conditions:

1. Staff conditions and recommendations in letter dated February 14, 2018;
2. Note placed on plat that trees be maintained to the clear zone width; and
3. Perimeter drain tile to be covered by an easement submitted to the Hendricks County Health Department prior to recording of the plat.

Mrs. Haan 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. Approval as presented.

**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.

March 14, 2018

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. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.

There being no further business, the meeting was adjourned at 9:21 a.m.

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Suzanne Baker, Acting Chairman