

August 15, 2018

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday August 15, 2018 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, Chairman; Mrs. Julie Haan, Environmental Health Director; Mr. John Ayers, County Engineer; and Mr. Corey Gehring, County Surveyor representative. Also present was: Mrs. Suzanne Baker, Senior 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 July 11, 2018 meeting. Since there was not a quorum currently present, Mr. Dombrosky tabled the approval until Mr. David Gaston, County Surveyor, arrived.

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

MIP 1096/18: MCGOVERN CONSTRUCTION, INC./TIM MCGOVERN; a 3-lot minor subdivision, 27.83 acres, Marion Township, S06-T15N-R2W, located on the south side of West County Road 100 North, approximately 0.50 mile east of the intersection with North Putnam County Road. (Kruse Consulting, Inc.)

EX 263/18: MIP 1096 MCGOVERN CONSTRUCTION; an Exception to the Subdivision Control Ordinance, Sec. 3.15 (2.a.) Completion of Improvements – Delay – Street Trees. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of Mr. McGovern to request approval for this 3-lot minor subdivision in Marion Township. Mr. Kruse stated that one of the lots would contain the home of Mr. McGovern and that Mr. McGovern had already obtained permits to construct a home, barn and septic system on the 27.83-acre parcel. He stated that Mr. McGovern also had a contract to construct a home for another couple on one of the requested lots and with an interest to buy on the third lot also. Mr. Kruse went on to discuss the conditions and recommendations in staff's letter dated August 15, 2017. He stated that he had added the pipe size and invert elevations for the proposed drive pipe at the road. He stated there was a question about how the maintenance of the pond would be handled and they had added a paragraph about the pond maintenance referring back in more detail to the covenants and language that had been added to the plat. He stated that there was a shared drive on the plat and a street name had been added and approved by the county addressing coordinator, Kim Bowman.

Mr. Ayers asked about the pipe by the road.

Mr. Kruse responded that a note had been added to remove and replace with a 15-inch corrugated metal pipe.

Mr. Ayers asked about invert elevations.

Mr. Kruse stated that the inverts had not been added and that he would add them. Mr. Kruse then went on to discuss the missing soil boring description #4 for Lot 1.

Mrs. Haan stated she had the description for Lot 4 and asked if Mr. Kruse had swapped the locations.

Mr. Kruse stated that he had due to better soils at the other location.

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Mrs. Haan asked if that was corrected on the plat also.

Mr. Kruse replied that it was.

Mrs. Haan asked if the one location under the drive would be protected.

Mr. Kruse stated they would cover it when they did the plot plan. Mr. Kruse then asked if the staff wanted a copy of the soil test for their file.

Mr. Dombrosky stated yes. Mr. Dombrosky also asked if there had been any questions on this plat at the Drainage Board meeting.

Mr. Gaston and Mr. Gehring stated no.

Mr. Dombrosky asked if the requested exception for the delay in planting the street trees was just a timing issue.

Mr. Kruse stated that was correct.

Mrs. Haan asked who would keep track of these exceptions.

Mr. Dombrosky replied that it would be himself and the engineering inspector, Roger Salsman, and that a bond was held also.

There being no other questions or comments, Mr. Dombrosky opened the public hearing. There being no one to come forward to speak, Mr. Dombrosky closed the public hearing and called for motions on the matters.

Mr. Ayers then made a motion to grant approval for **MIP 1096/18: McGovern Construction** subject to the conditions and recommendations in staff's letter dated August 15, 2018.

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

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

Mr. Ayers then made a motion to grant approval for **EX 263/18: MIP 1096 McGovern Construction – Delay of Street Trees** for a period of six (6) months.

Mrs. Haan 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. Pipe size and invert elevations need to be shown for the proposed drive pipe at the road.
2. The pond appears to be within a "P&D&UE", but there is no language on the Plat for this easement.

3. Soil boring description #4 for lot 1 SSFE is missing.
4. The submitted plat shows the SSFE in the SE corner of Lot 2. Soil borings 5, 6 and 7 are shown within the SSFE. The proposed septic system is shown in the NE Corner of the Lot 2 with only Soil boring 8 within that proposed system. The applicant must submit additional borings for the proposed septic system or show the SSFE in the NE corner of the plat. If the applicant chooses to show the SSFE in the NE corner of the plat, then a perimeter drain outlet must be shown for the proposed system.
5. Maintenance agreement for pond.
6. Driveway to be named, not ROW.

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 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.
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 rate 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 final design of the septic systems.
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.

MIP 1097/18: JEROME & MELISA BRANSCUM; a 2-lot minor subdivision, 6.65 acres, Clay Township, S06-T14N-R1W, located on the west side of South County Road 200 West, approximately 0.15 mile north of the intersection with West County Road 571 South. (Kruse Consulting, Inc.)

WA 299/18: MIP 1097 JEROME & MELISA BRANSCUM; a Waiver of the Subdivision Control Ordinance, Sec. 6.12 (1.b.) Sidewalks, Pathways & Pedestrian Ways. (Kruse Consulting, Inc.)

EX 264/18: MIP 1097 JEROME & MELISA BRANSCUM; an Exception to the Subdivision Control Ordinance, Sec. 3.15 (2.a.) Completion of Improvements – Delay – Street Trees. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting appeared on behalf of the applicants, Jerome & Melisa Branscum to request approval for a 2-lot minor residential plat. He stated that the soil tests had been completed. He discussed the staff letter's comment that there was no proposed roadside ditch.

Mr. Ayers discussed the staff comment on the roadside ditch and blocking the drainage and adding a note on the plat similar to what had been done on a previous plat approval to indicate that the lot could not be built up or bermed to prevent drainage away from the road.

Mr. Dombrosky stated that the staff letter contained that language that could be copied to the development plan.

Mr. Kruse stated he would put that note on the plans.

Mrs. Haan asked if the use of existing tile meant one that Mr. Kruse had installed and was calling an existing tile.

Mr. Kruse stated that was correct.

Mrs. Haan asked if he had permission to install it.

Mr. Kruse stated yes.

Mrs. Haan suggested that rip rap be used.

Mr. Kruse stated that had been done and photos were taken. He stated he would provide those photos to Mrs. Haan and also would add the note on plans.

Mrs. Haan stated that would protect the septic system.

Mr. Dombrosky stated that a sidewalk waiver had been submitted because the property was within a mile of Cascade High School.

Mr. Kruse added that the school did not have sidewalks on their property.

Mr. Gaston commented that sidewalks had not been required on another nearby minor residential plat to the north.

Mrs. Baker commented that sidewalks would not have been required for a minor residential plat.

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Mr. Dombrosky asked for member opinions on the sidewalks as no other sidewalks had been required in the area.

Mrs. Haan stated she would not be in favor of a sidewalk waiver.

Mr. Gaston stated he would be okay with a sidewalk note on the plat.

Mr. Kruse stated that note had been placed on the plat.

Mr. Ayers then made a motion to grant approval for **MIP 1097/18: Jerome & Melisa Branscum** subject to the conditions and recommendations in staff's letter dated August 15, 2018.

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

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

Mr. Dombrosky then stated that the public hearing needed to be opened.

Mark & Susan Milhous of 5662 South County Road 200 West appear and stated that their property adjoined the Branscum property. Mr. Milhous stated that he had been asked about drainage to his property ditch and he was okay with it. They reviewed the displayed plans and asked questions about the layout and the sidewalk discussion. Mrs. Milhous asked if the trees on the property would be preserved and Mr. Kruse stated yes.

There being no one else signed up to be heard, Mr. Dombrosky closed the public hearing.

Mr. Ayers then made a motion to grant approval for **WA 299/18: MIP 1097 Jerome & Melisa Branscum**, Waiver of requirement for sidewalks.

Mr. Gehring seconded the motion with Mrs. Haan voting against.

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

Mr. Ayers then made a motion to grant approval for **EX 264/18: MIP 1097 Jerome & Melisa Branscum** for a delay in installation of street trees for six months.

Mr. Gehring seconded the motion and the vote was unanimous.

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. No road side ditch is proposed because the contours show natural fall away from the road; however, the fall is slight and the wooded area will slow drainage and it will tend to stay wet on the lot. The lot cannot be built up or bermed in such a way to prevent drainage away from the road.

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 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.
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 rate 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 final design of the septic systems.
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.

MRP 093/18: JEROME BRANSCUM; a 1-lot minor residential plat, 2.5 acres, Liberty Township, S08-T14N-R1W, located on the south side of West County Road 600 South, approximately 0.13 mile east of the intersection with South County Road 200 West. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of Mr. Branscum for approval of a 1-lot minor residential plat. He stated that the parent parcel was approximately 20 acres and that they were cutting out 2.5 acres for the plat.

Mr. Kruse then discussed the perimeter drain outlet and that a document for recording was prepared.

Mrs. Haan stated that location was good, and she requested a copy of the recorded easement when completed.

Mr. Dombrosky stated that a picture of the well was also requested by the Health Department.

Mrs. Haan stated that they had received that photo.

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

Mrs. Haan made a motion to grant approval for **MRP 093/18: Jerome Branscum** subject to the conditions and recommendations in staff's letter dated August 15, 2018.

Mr. Gehring seconded the motion and the vote was unanimous.

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. Prior to recording, Health Department must be provided with the recorded copy of the offsite perimeter drain easement.

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 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.

MRP 094/18: RYAN HOSTETLER; a 1-lot minor residential plat, 4.65 acres, Brown Township, S05-T16N-R2E, located on the north side of East County Road 650 North, approximately 0.49 mile east of North County Road 1000 East. (Bradley Frye/Davis Homes/Hause Engineering & Surveying)

Mr. Bradley Frye with Davis Homes, 3950 Priority Parkway South Drive, Indianapolis, appeared on behalf of Mr. Hostetler.

Mr. Dombrosky stated that the matter had been heard before the Drainage Board and that there were still questions set out in the staff's letter on how the plat had been drawn.

Mr. Frye stated he had a copy of the revised plat and he submitted a copy of it to staff.

Mr. Gaston stated that they had been okay with the small gap and the overlap of the survey lines on the north side.

Mr. Dombrosky asked again if that discrepancy had been resolved and about waiving the unclaimed space to the north and Mr. Gaston stated that had been resolved with the Drainage Board.

Mr. Frye stated that it had been and there was further discussion on the matter and how it had been resolved.

Mrs. Haan asked what was planned for the existing well.

Mr. Frye stated that the well would be inspected this week to make sure it was a good well and that it could be used. He added that they would be utilizing the city sewer for the property.

Mr. Dombrosky asked if it was shown on the development plan.

Mr. Frye stated that it was shown on the revised plans and that the location of the well was approximately 200 feet back from the edge of the road. After some discussion, Mr. Frye was asked to provide a set of plans to the staff prior to recording with the location of the well shown.

There being no further discussion, Mrs. Haan made a motion to grant approval for **MRP 094/18: Ryan Hostetler** subject to the following conditions:

1. Conditions & recommendations in staff's letter dated August 15, 2018; and
2. Receipt prior to recording of revised plans showing well location.

Mr. Gehring seconded the motion and the vote was unanimous.

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. Show location of well and explain the plans for use. Prior to recording, if the well is not going to be used, it must be properly abandoned by a licensed well driller according to 312 IAC 13-10-2 and the well abandonment log forwarded to the Health Department.
2. Note the 35' setback on Development Plan
3. Note that the 40' in the front is dedicated ROW
4. Verify the survey lines are correct, 2 ½ gap on the north side
5. Don't plat and overlap on the west side of the property

CONDITIONS OF APPROVAL:

8. 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.
9. 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.
10. 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.
11. 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.
12. Secondary septic field easements (SSFE) must be shown on the plat, or separate easement document to be recorded with the plat must be provided.
13. 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.
14. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.

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EX 261/18: MIP 1095 CHARLIE & VICTORIA PATTERSON; an Exception to the Subdivision Control Ordinance, Sec. 3.15 (2.a.) completion of Improvements – Delay – Street Trees. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the Pattersons to request the delay in installation of street trees on the property until his house was constructed by Spring of 2019.

After discussion, Mr. Kruse stated that Mr. Patterson would be okay with a delay until the end of May 2019.

Mr. Ayers then made a motion to grant approval for **EX 261/18: MIP 1095 Charlie & Victoria Patterson** subject to completion of installation by May 31, 2019.

Mr. Gehring seconded the motion which was unanimous.

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

EX 262/18: MIP 1094 RICHARD & SHIRLEY LARKIN; an Exception to the Subdivision Control Ordinance, Sec. 3.15 (2.a.) Completion of Improvements – Delay – Street Trees. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the Larkins to request a delay of installation of the street trees due to weather concerns.

Mr. Dombrosky stated that they were to prepare an inventory estimate. He added that Mr. Salsman was actually waiting for an estimate on this request and the previous one for the Patterson minor plat.

Mr. Kruse stated that those estimates had both been prepared and would be provided.

Mrs. Baker stated that she believed Mr. Salsman had those estimates.

Mr. Ayers then made a motion to grant approval for **EX 262/18: MIP 1094 Richard & Shirley Larkin** for a period of six months.

Mr. Gehring seconded the motion which was unanimous.

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

There being no further business, the meeting was adjourned at 9:42 a.m.

Tim Dombrosky, Chairman