

December 12, 2018

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday December 12, 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; Mr. Kim Galloway, Acting County Engineer; Mrs. Julie Haan, Environmental Health Director; Mr. David Gaston, County Surveyor; and Mrs. Sonnie Johnston, Plan Commission 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 five (5) members present.

Mr. Dombrosky then called for approval of the minutes for the November 14, 2018 meeting.

Mrs. Haan made a motion to grant approval for the November 14, 2018 meeting minutes.

Mrs. Johnston seconded the motion with Mr. Galloway and Mr. Gaston abstaining.

FOR – 3 –                      AGAINST – 0 –                      ABSTAINED – 2 –

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

**MIP 46/18: GREGORY & LADONNA MANTOOTH (REPLAT, LOT 7):** a replat of Lot 7 in an existing minor subdivision plat, 1.87 acres, Liberty Township, S12-T14N-R1W, located on the south side of East County Road 600 South, approximately 0.76 mile east of State Road 39. (Moench Engineering, PC)

Mr. Dombrosky stated that this matter had not appeared before the Drainage Board and therefore would need a continuance.

Mr. Gaston made a motion to grant a thirty (30) day continuance for **MIP 46/18: Gregory & Ladonna Mantooth (Replat, Lot 7).**

Mrs. Haan seconded the motion.

Mr. Dombrosky then stated he needed to open the public hearing and there being no one present to speak, Mr. Dombrosky closed the public hearing.

The vote to continue was unanimous.

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

**MIP 1102/18: MICHAEL WYMORE (WYMORE ESTATES);** a 2-lot minor subdivision plat, 9.84 acres, Brown Township, S35-T17N-R1E, located at the eastern terminus of Wood Blaize Drive. (Benchmark Consulting, Inc.)

Mr. Nathan White of Benchmark Consulting appeared along with Mr. Wymore. Mr. White stated that a 2-lot plat was being requested for Mr. Wymore to construct a home on one of the lots with one extra lot for potential future sale. He reviewed the location of the proposed plat and that they had an agreement with the Town of Brownsburg to connect to the sewer system. He stated they had addressed the comments in the staff's letter dated December 12, 2018 and had made Lot 2 deeper.

Mr. Galloway asked if the right-of-way would be dedicated.

Mr. White stated that it would be a dedicated right-of-way with no road construction at this time.

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Mr. Galloway asked about at least eighteen (18) feet for the drive.

Mr. White responded that it would be an eighteen (18) foot gravel drive which had originally been fourteen (14) feet.

Mr. Dombrosky asked about a note on the plat regarding further development.

Mr. White stated that had been placed on the plat.

Mrs. Baker asked about the driveway locations being set.

Mr. White responded by indicating where Mr. Wymore intended to construct his home and was still working out details for the driveway location.

Mrs. Baker responded that the addressing coordinator would need that information in order to address the lots.

Mr. White committed that the drive for Lot 1 would be west of Lot 2.

Mr. Gaston stated that the project had received Drainage Board approval.

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

Mrs. Johnston made a motion to grant approval for **MIP 1102/18: Michael Wymore (Wymore Estates)** subject to the following conditions:

1. Staff conditions and recommendations in letter dated December 12, 2018; and
2. Commitment for drive to be stone and 18 feet wide.

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

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. This is proposed to have a privately maintained public right of way. The proposed drive is shown to be stone, 18' wide. It will connect to Wood Blaze Drive in Highland Springs.—Any further split of MIP 1102 or development to the east will require this private drive to meet County standards, including but not limited to curbs, pavement, drainage, sidewalks and street trees.

**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

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

Mr. Dombrosky stated they would now move on to the Business Session items:

**MRP 100/18: GREGORY & LADONNA MANTOOTH;** a 1-lot minor residential plat, 0.93 acres, Liberty Township, S12-T14N-R1W, located on the south side of East County Road 600 South, approximately 0.76 mile east of State Road 39. (Moench Engineering)

Mr. Dombrosky stated that this matter needed to be continued.

Mrs. Johnston made a motion to grant a thirty (30) day continuance for **MRP 100/18: Gregory & Ladonna Mantooth.**

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

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

**MRP 101/18: DANIEL G. & CATHY L. SHELTON;** a 1-lot minor residential plat, 1.52 acres, Guilford Township, S10-T14N-R1E, located on the south side of East County Road 600 South, approximately 0.63 mile east of Moon Road and South County Road 600 East. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the Shelton's. He reviewed the location of the property and the staff recommendations. He stated that there was an existing septic system and he had discussed how to handle that system with Mrs. Haan. He stated they would show a set-aside easement and that a soil test would be done tomorrow, and it would be shown as an acceptable location prior to recording the plat. He stated there were no plans currently to construct anything on the lot.

Mr. Gaston stated that the project had received Drainage Board approval.

Mrs. Haan made a motion to grant approval for **MRP 101/18: Daniel G. & Cathy L. Shelton** subject to the conditions and recommendations in staff's letter dated December 12, 2018.

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

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. Creating a one lot MRP, 1.52 acres with the remaining parent parcel 18 acres.
2. There is a record of a permitted septic system for the existing house that was constructed in 1971. The applicant has provided documentation that the property line of the MRP is not within 300 feet of sanitary sewer connection. Prior to recording the applicant must provide an secondary septic field easement with an adequate soil boring.

**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 102/18: TOBY PHILLIPS;** a 1-lot minor residential plat, 11.988 acres, Liberty Township, S29-T15N-R1E, located on the southwest corner of East County Road 350 South and Martin Road. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of Mr. Phillips. He reviewed the location of the property and that they were creating a 1-lot plat out of a 20 acre parcel. He stated that the owner of the property was creating the lot for the purpose of selling it to Mr. Phillips. Mr. Kruse

then discussed the staff comments as to further splitting of the lot being difficult due to the slopes and that any future lots must have at least 1.5 acres of buildable area if on septic and well. Mr. Kruse displayed the site plan and stated that the property did have a lot of slope and that the plan was to build on the top part of the lot.

Mr. Gaston stated that the project had received Drainage Board approval.

Mr. Dombrosky stated that it should be noted that both lots would require 1.5 acres of buildable ground.

Mr. Kruse stated he understood the concerns and conditions.

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

Mrs. Haan made a motion to grant approval for **MRP 101/18: Toby Phillips** subject to the conditions and recommendations in staff's letter dated December 12, 2018.

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

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. Creating a one lot MRP that is 10.245 acres. Further splitting this lot could be difficult due to the slopes, and future lots must have at least 1.5 acres of buildable area if on septic and well.

**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.

**EX 267/18: MAP 738 DORSEY BUSINESS PARK;** an Exception to the Subdivision Control Ordinance – Sec. 3.15 (2.a) – Delay of Asphalt Placement. (Justin Dorsey)

Mr. Dombrosky stated for this matter that had already been approved administratively, he just wanted to make it part of the record that it had been approved unanimously. He stated that a staff memo and record of emails would serve to confirm that approval.

**MAP 646/18 (REPLAT OF REPLAT OF LOTS 4 & 5): LIBERTY MEADOWS ESTATES, LOT 5;** a replat of the replat of Lots 4 & 5 in a major residential subdivision, 2.00 acres, Washington Township, S08-T15N-R1e, located on the north side of East County Road 100 South, approximately one mile south of U.S. Highway 36 and east of South County Road 400 East. (Survey First, LLC)

The applicant and representative were not present. After some discussion among the staff members and Mr. Kruse who stated he was familiar with what was being done there, it was determined that there had been no easement originally between the two lots. Mr. Gaston stated that it had received Drainage Board approval.

Mr. Dombrosky opened the public hearing. There being no one present to be heard, Mr. Dombrosky closed the public hearing.

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

Mrs. Haan made a motion to grant approval for **MAP 646/18: Liberty Meadows Estates, Lot 5 (Replat)** subject to the conditions and recommendations in staff's letter dated December 12, 2018.

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

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. Lots 4 and 5 of Liberty Meadows' Primary and Secondary Plat were approved in 2001. In January 2018, there was an approval to combine Lots 4 and 5 into one lot (Lot 5). Now the petitioner is requesting to separate those lots again back into the original configuration which was approved in 2001 for Lots 4 and 5.

**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.

The meeting was adjourned at 9:18 a.m.

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Tim Dombrosky, Chairman