

January 9, 2019

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday January 9, 2019 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. John Ayers, County Engineer; Mrs. Krista Click, 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 December 12, 2018 meeting.

Mrs. Johnston made a motion to grant approval for the December 12, 2018 meeting minutes.

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

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

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 the applicant had requested a continuance of this matter.

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

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

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

MIP 1050/18 (REPLAT LOT 1): SIMONCRE JC X, LLC; a replat of Lot 1 in a minor subdivision plat, 5.168 acres, Lincoln Township, S20-T16N-R2E, located on the north side of East U.S. Highway 136, approximately .04 mile west of Raceway Road, more commonly known as 10992 East U.S. Highway 136. (American Structurepoint)

DPR 469/18 (SECONDARY): O'REILLY AUTO PARTS; a development plan review to establish a new retail store, 1.12 acres, Lincoln Township, S20-T16N-R2E, located on the northwest corner of U.S. Highway 136 and North Raceway Road. (American Structurepoint)

Mr. Tyler Comstock with American Structurepoint appeared on behalf of the applicant. He stated they had been working to obtain all of the necessary approvals.

Mr. Gaston asked if they had received INDOT approval.

Mr. Comstock replied that they had not. He stated that they had submitted to INDOT their most recent updated plans approximately three weeks before this meeting. He stated that due to an illness, the case was being submitted to a new reviewer, which he anticipated would require more time to complete.

January 9, 2019

Mr. Ayers asked if it affected the driveway and the drainage outlet.

Mr. Comstock replied that was correct.

Mr. Gaston recommended a continuance of this matter and the secondary development plan, also on the agenda.

Mr. Comstock stated that he would be keeping in touch with the new reviewer. He then asked if the staff had any additional comments or requirements for him.

Mrs. Baker mentioned the sewer easement on the plat to align with the sewer line.

Mr. Comstock replied that they had realigned it to center on the existing pipe.

Mrs. Baker commented that was what Mr. Mardis had requested. She also added that in regard to the development plan application, the dumpster enclosure would need similar materials as used in the proposed building, INDOT approval and that the sanitary sewer easement should be recorded and shown on the plans for the replat.

Mr. Gaston added that the Drainage Board had approved the plans subject to the INDOT approval.

Mr. Comstock asked that when he received the INDOT approval, should he let them know and would he be required to come to another meeting.

Mr. Dombrosky stated he would not have a problem with Mr. Comstock not being present for the replat approval meeting after the INDOT approval was received.

There being no further questions or comments, Mr. Dombrosky called for a motion to continue the matters.

Mr. Ayers then made a motion to continue **MIP 1050/18 (Replat Lot 1): Simoncre JC X, LLC** and the public hearing for thirty days to the February meeting.

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

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

Mr. Ayers then made a motion to continue **DPR 469/18 (Secondary): O'Reilly Auto Parts** for thirty days to the February meeting.

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

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

MIP 1098/18: DPJ FARMS, LLC; a 3-lot minor subdivision, 8.5 acres, Brown Township, S15-T17N-R1E, located on the west side of State Road 267, approximately 0.3 mile north of County Road 1000 North. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the applicant. He explained that the property had been owned by two brothers and that one of the brothers, Wayne Johnson, had recently died. He stated that the matter had been heard previously and been approved subject to resolution of certain issues. He stated that the owners had been certain there were septic systems existing on the properties, but after hiring someone to search, it was determined that there were no

existing septic systems. He stated he was not sure what the owner would decide to do, and Mr. Kruse felt the safest thing was to withdraw the application at this time. He stated that the property was going to be sold but how that was going to happen was not decided at this time.

Mr. Dombrosky stated that a motion to withdraw the matter was not needed.

MIP 1103/18: REX A. JR. & TAMARA L. DUGAN; a 2-lot minor subdivision, 9.212 acres, Clay Township, S29-T15N-R2W, located approximately 0.50 mile from the intersection of State Road 75 and West County Road 350 South on South County Road 700 West. (Kruse Consulting, Inc.)

Mr. Dale Kruse, Kruse Consulting, Inc., appeared on behalf of the applicants. He reviewed the history and location of the property. He discussed creating a non-access easement along State Road 75 and it had been added to the plat. He then mentioned the staff comment regarding the street trees located within the right-of-way.

Mr. Ayers stated that had been his comment and that he thought they had had a discussion on where it was practical to place them out of the right-of-way and he pointed out on the plans the areas of his concern. He stated that ideally, they preferred that trees be out of the thoroughfare plan right of way. He stated he just wanted to have a discussion on the matter.

After a discussion, Mr. Kruse commented that he could push the plantings back on Lot 1 but not on Lot 2.

Mr. Dombrosky added that they should be moved back where practical on Lot 1 and Mr. Ayers agreed.

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

Mr. Gaston added that the matter had received Drainage Board approval.

Mr. Ayers made a motion to grant approval for **MIP 1103/18: Rex A. Jr. & Tamara L. Dugan** subject to the following:

1. Conditions and recommendations in staff's letter dated January 9, 2019 with relocation of street trees on Lot 1 out of the right-of-way on State Road 75, where practical.

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:

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

STAFF RECOMMENDATIONS:

1. Street trees will be located within the 75' Thoroughfare Plan ROW on SR 75. Where practical, they should be out of that area.

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

MIP 1104/18: JEFF ROBERTS; a 3-lot minor subdivision, 15.8 acres, Center Township, S19-T15N-R1E, located on the south side of East County Road 200 South, approximately 0.45 mile east of South County Road 300 East. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting and Mr. Jeff Roberts appeared. Mr. Kruse reviewed the proposal and the location of the property. Mr. Kruse stated that Mr. Roberts planned to build a home on Lot 1. Mr. Kruse went on to review the staff conditions. He stated that they had added non-access easements between the proposed driveway locations. Mr. Kruse then indicated on the plan where he had shown a driveway pipe crossing the drainageway on Lot 3 and discussed the sight distance for the driveway locations.

Mr. Kruse discussed the sight distance with Mr. Ayers who indicated that the best way to do that was with a road profile and submit to Mr. Ayers for review.

Mr. Dombrosky asked if Mr. Ayers wanted to approve the plat subject to receiving a road profile showing adequate sight distance for Lot 3.

Mr. Ayers stated yes.

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

Mr. Ayers then made a motion to grant approval for **MIP 1104/18: Jeff Roberts** subject to the following conditions:

1. Conditions and recommendations in staff's letter dated January 9, 2019; and
2. Submission of road profile showing adequate sight distance for Lot 3 to County Engineer.

Mrs. Click 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. Creating a 3-lot subdivision on 20 acres.
2. Lots 1 and 2 should both have non-access easements between the proposed driveway locations.
3. Lot 3 must have a driveway pipe placed where it crosses the drainageway. It must be shown on the plans with elevations.
4. Driveway locations must have 360' of sight distance.

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

MIP 1105/18: MICHAEL WOOLARD; a 2-lot minor subdivision, 19.51 acres, Clay Township, S06-T14N-R2W, located on the west side of Phillips Street in the Town of Coatesville and along the south side of the Vandalia Trail. (Moench Engineering)

Mr. Dombrosky stated that a letter requesting a continuance had been received from the applicant's engineer and he added that there were still some significant issues with this plat.

Mr. Gaston stated that Mr. Moench had not appeared at the Drainage Board meeting.

Mr. Ayers then made a motion to continue for thirty days **MIP 1105/18: Michael Woolard.**

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

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

That concluding the public hearing portion of the agenda, Mr. Dombrosky moved on to the business session items as follows.

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, PC)

Mr. Dombrosky stated that this matter also needed to be continued to next month's meeting.

January 9, 2019

Mr. Ayers made a motion to continue for thirty days **MRP 100/18: Gregory & LaDonna Mantooth.**

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

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

MRP 103/18: SCOTT & JENNIFER BULLERDICK; a 1-lot minor residential plat, 6.00 acres, Marion Township, S32-T16N-R1W, located on the south side of West County Road 200 North, approximately 0.30 mile west of the intersection with State Road 75. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared along with Mr. Scott Bullerdick. Mr. Kruse stated that Mr. Bullerdick wished to purchase the property and his builder, Mr. Bob Sandberg, was also present. Mr. Kruse reviewed the location of the property. He stated that the only staff comment was regarding the completion of a Wetland Determination Report which showed no wetlands located on the property.

Mr. Dombrosky noted that there appeared to be adequate buildable area.

Mr. Kruse then stated that three manholes had been located and he pointed out the locations of those on the plans.

Mr. Gaston commented that it would be advisable to tie into a manhole with their perimeter drain.

Mr. Kruse replied that had been shown that way on the plan.

Mr. Gaston advised Mr. Kruse to come into his office and file for a permit so that an inspection could be made to confirm that it was done correctly. Mr. Gaston also stated that the project had received Drainage Board approval.

Mrs. Click asked Mr. Kruse to provide her with a copy of the wetlands report.

Mr. Dombrosky then asked if Mr. Kruse was going to file a letter of map correction for the wetlands.

Mr. Kruse stated he was not sure how to do that with a wetlands report.

Mr. Ayers stated that the process was less formal than for a floodplain report.

Mr. Kruse stated that he could provide a shapefile for the wetlands report.

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

Mrs. Click then made a motion to grant approval for **MRP 103/18: Scott & Jennifer Bullerdick** subject to the conditions and recommendations in staff's letter dated January 9, 2019.

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. Wetland Determination Report was completed May 11, 2018 - no wetlands located on the property.

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.

MAP 739/18 (PUD 36) (SECONDARY): SONORA, SECTION 2; an 86-lot major residential subdivision, 32.721 acres, Brown Township, S05-T16N-R2E, located west of Raceway Road, between County Road 650 North and County Road 700 North. (Banning Engineering PC)

Mr. Jason Coyle of Banning Engineering appeared on behalf of the applicant.

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

January 9, 2019

Mr. Dombrosky asked if the street name changes had been completed.

Mr. Coyle stated yes, those name changes had been made and he stated that they were also working through some comments from American Structurepoint on the sanitary sewer. He stated they would be providing another set of revised plans today. He added that the only comments they had not received as yet were from Citizen's Water and were not expecting to receive those for another two weeks.

Mr. Dombrosky then asked about the allocation for the sewer. He stated that the previous property owner had already paid for a portion.

Mr. Coyle stated that a large percentage had been allocated with twenty-one (21) remaining to be paid for. He stated that once the comments on the sewer by American Structurepoint had been addressed, the allocation letter would be issued.

Mr. Dombrosky asked Mrs. Click if she had any concerns.

Mrs. Click responded by asking about an easement for the future connection for the south property line.

Mr. Coyle stated that had been executed and he would provide a copy. He added that he was not sure if it had been recorded. He then asked if approval could be granted subject to receipt of the items discussed.

Mr. Dombrosky stated he would be okay with approving subject to receipt of the Citizen's Water approval.

Mr. Coyle explained that it was a matter of their approval of the technical review of the waterlines.

Mr. Ayers then asked about the sewer allocation.

Mr. Coyle stated that they had received comments from Structurepoint and had revised their plans and then needed to send those revisions back to them for their review.

There was a discussion among the members on approving the project subject to receipt of the allocation letter and other items. After discussion, the members agreed on approving the project and Mr. Dombrosky called for a motion.

Mrs. Baker first asked about a street name change requested by her addressing coordinator to show Somerset Drive on the overall plans.

Mr. Coyle stated he would make that change.

Mr. Gaston then made a motion to grant approval for **MAP 739/18 (PUD 36) (Secondary): Sonora, Section 2** subject to the following:

1. Staff conditions & recommendations in letter dated January 9, 2019;
2. Receipt of recorded sewer easement for property owner to the south;
3. Receipt of Allocation Letter for remaining units; and
4. Receipt of revised plans with street name corrections.

January 9, 2019

Mr. Ayers 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. Provide proof of sanitary sewer allocation.
2. Street names and change location should reflect changes discussed at the Dec. 21 meeting. Then show identification signs where street names change.

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 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.

The meeting was adjourned at 9:40 a.m.

Tim Dombrosky, Chairman