

November 13, 2019

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday November 13, 2019 at 9:00 a.m. in the Hendricks County Government Center, Rooms 4 & 5, 355 South Washington Street, Danville, Indiana. Members present were Mr. Tim Dombrosky, Chairman; Mr. John Ayres, County Engineer; Mrs. Krista Click, Environmental Health Director; Mrs. Tiffany Dalton, Deputy Surveyor, and Mr. Jeff Pell, Plan Commission Representative. Also present were Mrs. Suzanne Baker, Senior Planner; and Mrs. Brandy Swinford, 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 called for the approval of the minutes of the October 9, 2019 meeting.

Mr. Pell motioned for the approval of the October 9, 2019 minutes.

Mrs. Click seconded the motion.

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

MIP 761/19: (REPLAT) ROBERT W. HOCKADAY; a 3-lot replat of a minor plat; 25.66 acres; Middle Township; S1-T16N-R1W; located on the north side of County Road 600 N. approximately 1590 ft. west of the intersection with County Road 250 E. (Maurer Surveying Inc.)

WA 310/19: MIP 761 ROBERT W. HOCKADAY; a Waiver of the Subdivision Control Ordinance, Sec. 6.12.1.B Sidewalks, Pathways and Pedestrian Ways (Maurer Surveying Inc.)

Mr. Scott Barden, Maurer Surveying appeared as well as Ms. Joy Skidmore, Single Source Realty appeared on behalf of Mr. Hockaday. It is an existing 1-lot minor plat. They wish to rearrange their property lines and add a third. Ms. Skidmore clarified that there were 3 owners. Two of them are wanting to swap properties to give one owner the additional space he wants along the side of his existing property. As part of that, one of the owners wanted to plat another parcel in order to sell it to Mr. Hockaday. She stated that was the simplified version of the 2-step process of what is going on and how they arrived at this proposed plat.

Mr. Dombrosky stated that as of the last meeting there were a lot of questions about septic.

Mrs. Click replied that they had reviewed the revisions that were sent over. Most of the comments have been addressed. They do still have a major question about the septic fields on Lot 2. They had discussed the secondary soil boring was taken from appeared to be in the primary field. In looking at the aerial and talking with the soil scientist, he believes it was actually south of the primary field, so they have some concerns about where the actual primary field is located. They want to make sure its not getting into the boundary of where the property line was drawn. She knows that location in Lot 3 is correct.

Mr. Barden noted that he changed those on the plans to what was shown in the soil report. Between the time they were done, and their field person went out to take the shots, he thinks that markings had been disturbed and possibly replaced incorrectly.

Mrs. Click stated that there is still the question of whether the lot is further north.

Mr. Dombrosky asked how she wanted that resolved.

Mrs. Click replied that she had a staff member go out this morning to see if they could see if they think there was plenty of room there or not. She stated they need to verify where the septic field

is. If it is on the property line, then we would have an easement issue. She does not feel comfortable approving it without knowing where that field sits.

Ms. Skidmore asked how you would locate that.

Mrs. Click replied that you can see in the grass where the lines are. They can be located both on the measurements on the application as well as what they can see. If the location is correct, then they would need soil borings for the secondary field as it stands now.

Mr. Dombrosky asked about staff comment #9. He did not understand the comment.

Mrs. Click stated that the current septic field for Lot 1 outlets into a field tile into an easement.

Mr. Dombrosky asked if they meant to say Lots 1 and 3.

Mrs. Click replied that was correct.

Mr. Dombrosky stated that it sounded like more time was needed.

Mrs. Click replied yes, they need to time to verify where the primary septic field is for Lot 1 and clarify where we would like the secondary easement to stay where it is and take another soil boring from there.

Ms. Skidmore asked if the process going forward was to get some type of conditional approval or do they need to come back once they have the two (2) locations identified.

Mrs. Click stated that she felt they had too much up in the air to do a conditional approval today because if that is further north, then there will be an easement issue. We also need to know that the soil boring works. There are just too many conditional things depending on where we move things to be able to approve today.

Mr. Dombrosky opened the public hearing.

There being no one signed up to speak, he closed the public hearing.

Mr. Ayres motioned to continue **MIP 761/19: (Replat) Robert Hockaday** and **WA 310/19: MIP 761/19 – Robert Hockaday** until the December 11, 2019 meeting.

Mrs. Click seconded the motion.

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

MRP 110/19: MAX & TERESA GILL; a 1-lot minor residential plat; 9.05 acres; Union Township; S20-T17N-R1W; located at 9165 N. County Road 151 W., Lizton. (Ally Land Consultants)

Mr. Bill Evans, Ally Land Consultants appeared. This will be a single-family residence on well and septic. They have been in contact with the Health department as late as Friday afternoon. They intend on building in the spring. The tile will be installed in the next 2-3 weeks. Proper paperwork will be filed in regard to inspections and dye testing. They have made the revisions per the Health department. He stated he still needed to get those over to them. They had received drainage board approval yesterday with normal conditions. They made the commitment that they would get an as-built over to them. He noted that they would get the well that is adjacent to the property shown on the plans. They had obtained additional soil borings. He stated that Mr. McClain should have sent them over to the Health department. They agree with all the staff comments.

Mr. Dombrosky asked if they understood all the inspections and fees.

Mr. Evans stated they understood.

Mrs. Click confirmed they had received the soils report. She stated they were not ideal, but they were do-able for the secondary location.

Mr. Ayres motioned to approve **MRP 110/19: Max & Teresa Gill** subject to staff recommendations.

Mrs. Dalton seconded the motion.

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

The staff conditions and recommendations are as follows:

DRAINAGE CONDITIONS:

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

STAFF RECOMMENDATIONS:

1. Provide proof of notification to utilities, Fire Dept, school, Lizton and INDOT.
2. The outlet tile for the perimeter drain will be installed after approval but before recording. The Planning and Building Department will inspect.
3. Provide documentation of the dye test demonstrating the field tiles are open and flowing to an outlet.
4. Provides soils report for the soil boring in the secondary septic field easement (SSFE).

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. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. 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.
5. 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.

6. Secondary septic field easements (SSFE) must be shown on the plat, or separate easement document to be recorded with the plat must be provided.
7. 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.

MRP 111/19: CATHERINE ABBOTT; a 1-lot minor residential plat; 8.64 acres; Clay Township; S33-T15N-R2W; located at 4955 S. County Road 675 W., Coatesville. (Deckard Engineering & Surveying)

Ms. Allison Helmly, Deckard Engineering appeared. She stated that they have made the changes to the secondary septic to make it more on contour. They are now over fifty (50) feet from the proposed well instead of the twelve (12) like before. They have also updated their property line to reflect the right of way for Lot 1.

Mr. Dombrosky asked to see the plat. He noted that the stream and pond needed to be removed. He asked if they had an invert elevation on the perimeter drain outlet. He confirmed with Mrs. Click that she needed that on there. Once those items are addressed, he said they were good.

Mr. Ayres motioned for approval of **MRP 111/19: Catherine Abbott** subject to staff recommendations and changes discussed to the plat.

Mr. Pell seconded the motion.

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

The staff conditions and recommendations are as follows:

DRAINAGE CONDITIONS:

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

STAFF RECOMMENDATIONS:

1. The current configuration of this parcel is 8.64 acres and is split by S CR 675 West. The portion on the west side of 675 CR West which has no structures, will remain unplatted. The portion on the east side of 675 West is what currently is being requested to be platted which has a single-family home and other outbuildings located on it.
2. Do not show intermittent streams, the pond, or the perimeter drain outlet on the plat.
3. Soil borings are not needed on the plat. At least one soil boring needs to be provided in the secondary septic field easement (SSFE) on the development plan.
4. Provide documentation that the existing well and old dry well have been properly abandoned.
5. Show that the subsurface drain will not be within 10 feet of the 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. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. 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.
5. 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.
6. Secondary septic field easements (SSFE) must be shown on the plat, or separate easement document to be recorded with the plat must be provided.
7. 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.

MRP 112/19: RYAN & RELLA WINGLER; a 1-lot minor residential plat; 7.15 acres; Center Township; S20-T16N-R1W; located at 3180 N. State Road 39, Danville. (Kruse Consulting Inc.)

Mr. Dale Kruse, Kruse Consulting Inc. appeared. They are trying to fix an illegal lot split with platting. The property doesn't have any road frontage, so they are asking for a modification to allow the parcel that exists on an easement without road frontage. Staff comment number 2 talks about the history of the property and how we got where we are today. The third comment talks about the outlet for the perimeter drain. He stated that we talked about this at the staff review meeting. What they ended up doing was showing a drain around the secondary site tying into the existing tile shown on the records from the Health department. He believed that it was deep enough due to the existing slope. He asked if they had received the soil borings. It is now shown on the plans. He noted that they were twenty (20) feet from the first finger. He stated the that he had given them a copy of the easement.

Mr. Dombrosky asked if the Health department was satisfied.

Mrs. Click stated that she was. Her only question was did we know where the recorded septic system drains to.

Mr. Kruse replied that the inspection report shows it tapping into an existing tile in the field. He does not know where it goes from there.

Mrs. Click stated that was not ideal normally for a review, but there is a lot of issues with this one.

Mr. Kruse stated that he could do a mound system without a drain if he had to on the secondary site.

Mr. Dombrosky stated that we were still unclear what we were going to consider an adequate outlet and if an existing field tile is an adequate outlet.

Mrs. Click stated she knows there is an existing one there, but that they usually like to see an intermittent stream or knowing that the outlet drains.

Mr. Kruse stated that it was adequate for what was there now.

Mr. Dombrosky asked if everyone understood the modification for no road frontage. It was developed when it shouldn't have been and then split when it definitely shouldn't have been. He stated that the drive entrance is already adequate enough he believed. He noted that the original condition was that no development would occur until the access was brought up to county's standards.

Mr. Ayres asked what was happening with that.

Mr. Dombrosky replied that a house was built three (3) years later and it was not done then.

Mr. Ayres asked why we would not make them comply now.

Mr. Dombrosky stated his thought was the alternative is that there is an illegal lot left and the existing home on the illegal lot. If there is something that needs to be done as far as physically improving the drive, we can do that now. It is not practical to change the lot lines at this point.

Mr. Kruse stated these people didn't create the issue; it was done by previous owners. They didn't know until they went to get a permit to build a barn.

Mr. Dombrosky stated he felt the original conditions were practical at the time and should have been done then. It is not now due to the ownership. Building and planning created the issue when they issued a permit on parcel with an existing condition on it and should have been made to comply at that time.

Mr. Kruse asked what detail they were hung up on.

Mr. Dombrosky stated it was frontage.

Mr. Kruse stated if that was the case, how do we correct that today. The modification request is a way to correct it. If the application is denied because the original was not complied with then you will have an illegal lot split here forever.

Mr. Dombrosky stated that the frontage requirement is there to regulate density and the house is already there. He is looking at that a little more lenient because of that. If we did deny it, the only route for them to go is to require frontage which is not practical or possible.

Mr. Ayres asked if there were any issues with the platted lot.

Mrs. Click stated they had worked through the issues.

Mrs. Dalton motioned for approval of **MRP 112/19: Ryan & Rella Wingler** subject to staff recommendations and subject to adding a not on the plat stating there is to be no further subdivision of the parcel unless proper road frontage is dedicated.

Mr. Pell seconded the motion.

FOR – 5 –

AGAINST – 0 –

ABSTAINED – 0 –

The staff conditions and recommendations are as follows:

DRAINAGE CONDITIONS:

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

STAFF RECOMMENDATIONS:

1. This is an existing illegal split. The lot was created prior to the current owners purchasing. There is a request to modify the 50' road frontage requirement.
2. History of this property:
 - a. Prior to 1998, this parcel was 40 acres with one single-family home on it (not the residence located on the Wingler's lot).
 - b. May 18, 1998, a variance was approved (VAR 19/98) for no road frontage to allow a home site back in the woods of the property (which includes the Wingler's lot). Further development was contingent on the access being brought up to County standards.
 - c. June 9, 1998 MIP 777 was approved (with no road frontage) which is the lot just adjacent to this lot and the home was built in 1999. No driveway/access improvements were made.
 - d. The Wingler's home was built in 2000 and was a legal lot at the time because it still had road frontage and 20 plus acres. However, the lot was split in 2009 to its current configuration of 7.61 acres with no road frontage and was not platted- making this an illegal/non-buildable lot.
3. No acceptable outlets for perimeter drains are shown
4. Show soil borings and provide a soils report
5. Provide at least one soil boring for the secondary septic field easement (SSFE).
6. Septic record shows diversion swale possibly disturbing the SSFE.
7. Provide a copy of the drive 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. The Hendricks County Planning and Building Department must be notified at least seventy-two (72) hours prior to any site improvements being installed.
4. 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.

5. 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.
6. Secondary septic field easements (SSFE) must be shown on the plat, or separate easement document to be recorded with the plat must be provided.
7. 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.

MAP 542/19: (REPLAT) ESTATES OF WYNBROOKE – LOTS 562 & 563; a 1-lot replat of a major plat; 0.80 acres; Washington Township; S32-T16N-R2E; located at 10975 Poppy Hill Drive, Indianapolis. (Kruse Consulting Inc.)

Mr. Kruse, Kruse Consulting Inc. appeared. He stated that this replat is to combine two (2) lots into one (1) parcel. There are two goals. One is the combine the two lots and then create a common area to deed to the homeowner's association and the improvements they maintain. Then they plan to have Whicker build a home. Building department already has the application for the home.

Mr. Dombrosky stated his only comment was that it was a little odd that the common area is becoming a common area instead of an easement. When the rest of the subdivision was done it was done under an easement for landscaping. Usually there are either all common areas or all easements.

Mrs. Click motioned for approval of if he had to on the secondary **MAP 542/19: (Replat) Estates of Wynbrooke** subject to staff recommendations.

Mr. Pell seconded the motion.

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

The staff conditions and recommendations are as follows:

DRAINAGE CONDITIONS:

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

STAFF RECOMMENDATIONS:

1. Combining Lot 562 and 563 into one lot.
2. Sidewalks will be required per the original plat.
3. The sump pump should connect to the storm sewer across the street

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

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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.

There being no further items to be discussed, the meeting was adjourned at 10:01 a.m.

Tim Dombrosky, Chairman