

August 11, 2021

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday, August 11, 2021 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; Ms. Krista Click, Environmental Health Director; Mr. David Gaston, County Surveyor. Members absent were Mr. Ron Kneeland. Also present was Mrs. Brandy Swinford, 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 stated the first order of business was the approval of the minutes from the July 14, 2021 meeting.

Mr. Ayres motioned for approval of the minutes from the July 14, 2021 meeting.

Mr. Dombrosky seconded the motion.

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

MIP 1142/21: JAMES & BRITTER COOK; a 2-lot minor plat; 5.44 acres; Guilford Township; S23-T14N-R1E; located on the west side of State Road 267, approximately 0.1 miles north of the intersection with Southern Ridge Drive (Kruse Consulting)

WA 322/21: MIP 1142; a Waiver to the Subdivision Control Ordinance, Sec. 6.12.1.B: Sidewalks, Pathways and Pedestrian Ways (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting appeared on behalf of the Britter family. It was noted that they had received drainage board approval. He stated that it was a 2-lot minor plat and reviewed the location. He stated that the last thing on the staff letter was the communication from the town on the sewer and water. They had wanted a couple final corrections which he stated they had done. He stated that he could email the letter to staff.

There was some discussion about an existing easement to the south between Mr. Ayres and Mr. Kruse.

Mr. Dombrosky asked if they had addressed the comments from the town and provided revisions but just have not gotten final approval from them.

Mr. Kruse stated that was correct.

Mr. Dombrosky asked how they were addressing the comments.

Mr. Kruse replied that they had completed all of them. They provided an easement line for the sewer line on the plat.

Mr. Dombrosky noted that he had discussed the trees with Mr. Brame and the town stated they did not want them placed on top of the sewer. Mr. Brame told him that there were also existing trees that if they had to move trees back from the sewer line they would encroach on the existing line. Those would need to be identified if they are going to stay. It was determined that they would work it out with Mr. Salsman. He asked if they were going to lower the casting on the manhole.

Mr. Kruse replied that they had shifted the drive to miss the manhole.

Mr. Dombrosky asked if drive was completely on one property now.

August 11, 2021

Mr. Kruse stated that it was. They had provided an easement on both properties. They staggered them and had a total of 45 feet of easement for access to get off the road.

Mr. Dombrosky asked if there was a non-access easement for the rest of the frontage.

Mr. Kruse stated he believed there was.

Mr. Dombrosky asked if Mr. Ayres was okay with that.

Mr. Ayres replied that he was. The sight distance was good there, but that they did not want too many access points. There was not much choice with this property. The non-access easement helps.

Mr. Dombrosky stated that they would have to consider a condition that the town accepts the final plans and provides sewer and water and that trees are installed or existing trees counted on the edge of the easement at 20 feet.

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

There was then discussion about the associated sidewalk waiver. Mr. Ayres and Mr. Gaston would be supportive of the waiver due to the surrounding subdivisions not having sidewalks along State Road 267.

Ms. Click noted that the health department was against sidewalk waivers.

Mr. Dombrosky stated that there was not much developed on that side of State Road 267.

Mr. Gaston stated that they did not want people developing there due to the fluvial erosion so it would likely stay undeveloped.

There was discussion about the possibility of a trail in the future. It was determined that they felt should sidewalks become adjacent to the property, they would have to install sidewalks.

Mr. Gaston motioned for approval of **MIP 1142/21: James & Britter Cook** subject to the staff recommendations.

Mr. Ayres seconded the motion.

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

Mr. Gaston motioned for approval of **WA 322/21: MIP 1142 Sidewalk Waiver** subject to staff recommendations and the plat having verbiage stating that if a sidewalk does come in connection with the property, the property owner will be responsible to build their section of the sidewalk across their property.

Mr. Ayres seconded the motion. Ms. Click voted against.

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

The staff recommendations are as follows.

DRAINAGE CONDITIONS:

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

STAFF RECOMMENDATIONS:

1. Sewer and water connection letters must be provided.

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 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 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.

Mr. Dombrosky noted that **MAP 296/21: Timber Ridge** had been withdrawn.

MIP 1112/21: ERIC & HEIDI SPAHN (REPLAT); a 1-lot minor plat replat; 3.54 acres; Brown Township; S16-T17N-R1E; located at 10295 N. County Road 550 E. – Pittsboro (Kruse Consulting)

Mr. Dale Kruse, Kruse Consulting appeared. He stated there was a drainage easement that had been on the table for a while. He showed the existing drainage pattern. He noted that they had located the tile, but it is non-functioning. They are rerouting the tile to another that was put in when the subdivision was put in, then rerouting the swale and reconnecting where the two come together. It is now shown on the plans.

Mr. Ayres asked if Mr. Gaston had seen his revision to the first staff comment. The first one was from last time, and they had shown how it was going to be rerouted. He still felt like there needed to be some comment because it does have drainage from upstream that this is responsible for. It is still a pretty broad, flat swale and he has concerns that if that does not function that the property owners upstream may come back on the county for approving it.

Mr. Gaston replied that he was okay with the wording that was used.

Mr. Kruse stated that the slope of the ditch will not be any different than it is today. They have not increased the travel path.

August 11, 2021

Mr. Gaston motioned for approval of **MIP 1112/21: Eric & Heidi Spahn (Replat)** subject to staff recommendations.

Mr. Ayres seconded the motion.

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

The staff recommendations are as follows.

DRAINAGE CONDITIONS:

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

STAFF RECOMMENDATIONS:

1. Applicant is responsible for perpetuating offsite drainage through this property. County assumes no responsibility for the adequacy or function of the drainage features shown on these plans.

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 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 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.

EX 282/21: MIP 1138 – NEVELS; an Exception to the Subdivision Control Ordinance; Section 9, Item 9.06 – Street Trees in order to record prior to planting trees (Kruse Consulting)

Mr. Dombrosky stated it was an exception to delay planting street trees due to the weather.

Mr. Gaston asked what the typical timeline was.

Mr. Ayres stated it was usually six (6) months.

August 11, 2021

Mr. Gaston motioned for approval of **EX 282/21: MIP 1138 – Nevels** to allow recording of the plat prior to installation of street trees with the condition they be installed by February 11, 2022.

Ms. Click seconded the motion.

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

It was noted that both **MRP 127/21: Richard Courtney** and **MRP 128/21: Michael Smith** had been withdrawn.

DPR 492/21: BISZANTZ FLOWER FARM (SECONDARY); a development plan review for a flower farm; 28.52 acres; S23-T14N-R1E; located on E. County Road 825 S. and S. County Road 701 E. (Moench Engineering)

Mr. Dombrosky stated that the primary had been continued the night before at plan commission. This is the third continuance for this project. They have not addressed the comments.

Mr. Ayres motioned for continuance of **DPR 492/21: Biszantz Flower Farm (Secondary)** until the September 15, 2021 meeting.

Mr. Gaston seconded the motion.

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

DPR 493/21: SOLENTIAL ENERGY (SECONDARY); a development plan review for a solar field; 57 acres; Middle Township; S17-T16N-R1E; located at 4289 and 4265 E. County Road 400 N. – Danville (Design-Aire Engineering)

Mr. Gaston stated that this had been continued at the drainage board. They will hear both primary and secondary in September.

Mr. Dombrosky stated that staff had been working through plans with them. They had received primary approval from plan commission.

Mr. Gaston motioned for continuance of **DPR 493/21: Solential Energy (Secondary)** until the September 15, 2021 meeting.

Mr. Ayres seconded the motion.

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

DPR 494/21: I-70 WEST LLC – PUMP HOUSE/BLDG 3 (SECONDARY); a development plan review for a pump house; 53.98 acres; Liberty Township; S26-T14N-R1W; located at Innovation Boulevard and Distribution Dr. (Studio A of Indianapolis)

Mr. Dombrosky noted that there was no representative present last night for this one, but the plan commission did approve the primary.

Mr. Gaston stated that the rule in drainage board is that if no representative shows up, it is an automatic continuance.

August 11, 2021

Being that this was a rare occurrence for this representative, it was determined they would reach out and continue on with the case. It was a consensus that they were okay with the project, and it was noted that there were no remonstrators.

Mr. Dombrosky noted that they did receive architectural modifications.

There was more discussion about the project.

Mr. Ayres motioned for approval **DPR 494/21: I-70 West LLC – Pump House/Bldg. 3 (Secondary)** subject to staff recommendations.

Ms. Click seconded the motion.

FOR – 4 –

AGAINST – 0 –

ABSTAINED – 0 –

There being no further items to be discussed, the meeting was adjourned at 9:34 a.m.

Tim Dombrosky, Chairman