

April 11, 2018

The Hendricks County Area Plan Commission Administrative and Plat Committee held a meeting on Wednesday April 11, 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; Mrs. Sonnie Johnston, Plan Commission Member Representative; and Mr. David Gaston, County Surveyor. Also present was: Mrs. Suzanne Baker, Senior Planner; Mr. Nick Hufford, 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 March 14, 2018 meeting.

Mrs. Johnston made a motion to grant approval for the March 14, 2018 meeting minutes.

Mrs. Haan seconded the motion.

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

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

**MIP 1090/18: DAVID MULLINS;** a 2-lot minor subdivision, 20.01 acres, Marion Township, S11-T15N-R2W, located on the south side of U.S. Highway 36, approximately 0.50 mile east of the intersection with County Road 450 West. (Kruse Consulting, Inc.)

Mr. Dombrosky stated that a continuance had been requested for this matter of thirty (30) days to the May meeting to complete the requirements regarding the wetlands located on the property and obtaining IDEM approval.

Mr. Ayers made a motion to grant a thirty (30) day continuance for **MIP 1090/18: David Mullins.**

Mrs. Johnston seconded the motion.

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

**MIP 1091/18: SCOTT HAMPTON;** a 3-lot minor subdivision, 10.065 acres, Liberty Township, S20-T14N-R1E, located on the north side of East Hendricks County Road, approximately 0.2 mile west of the intersection with South County Road 425 East. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the applicant. He reviewed the location of the proposed plat to include three lots, one with an existing home and the other two vacant lots. He discussed the set aside septic field easement on Lot #2. He stated that the set aside easement for the septic field on Lot #2 was twenty (20) feet wide which was large enough only for a Presby system but not a perimeter drain. He stated that they had enlarged that to encompass a perimeter drain but that he did not make it the size of a conventional system because the borings would not allow them to do a conventional system.

Mr. Kruse stated they had made the size of the easement to accommodate the size of a septic field that would fit there.

Mrs. Haan commented that they would be limited to that type of system.

Mr. Kruse replied that was correct because of the borings.

Mrs. Johnston asked if that would be a problem.

Mrs. Haan stated no and that they were limited to the type of system that could be installed. Mrs. Haan stated that her comment in the staff letter just indicated what she believed was the intent of the ordinance and that at the time the ordinance was approved, the technology was not available for a Presby system.

Mr. Kruse added that they did use the Presby system when necessary.

Mrs. Haan added that the other option available if they could not do a Presby system was a secondary treatment.

Mr. Dombrosky asked if that would require approval of a modification.

Mrs. Haan responded not necessarily, and she explained further. She stated that what she was saying was if the Presby type of system should go away, they would be forced to do a secondary treatment with another type of system.

Mr. Dombrosky called for further questions or comments.

Mr. Ayers asked Mr. Dombrosky about his concerns regarding the usable acreage.

Mr. Dombrosky stated that he was satisfied.

Mr. Ayers then made a motion to grant approval for **MIP 1091/18: Scott Hampton** subject to the conditions and recommendations in staff's letter dated April 11, 2018.

Mrs. Haan seconded the motion.

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. Chapter 3 of the Hendricks County Subdivision Control Ordinance states that the secondary septic system site must be a minimum of 1500 square foot. The Health Department believes that the intent of the ordinance was to ensure that secondary system easement be large enough to support a typical three-bedroom, 1500 square foot conventional trench system. The proposed secondary sites are not large enough to provide this.

**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 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 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 1092/18: GARY HOUSER**; a 3-lot minor subdivision, 22.429 acres, Center Township, S18-T15N-R1W, located on the north side of West County Road 200 South, approximately .50 mile west of the intersection of South County Road 250 West. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared along with the applicant, Mr. Gary Houser, to request approval of a 3-lot minor subdivision.

Senior Planner, Susanne Baker, commented that there had been a comment from the County Engineer, John Ayers, that was not on the staff's letter regarding details of the perimeter drain tile outlet with the intersection needing to be shown.

Mr. Ayers explained his comment and that Mr. Kruse might want to show the elevation of the outlet.

Mr. Kruse stated he understood and that they should show the culvert going under the road and some rip rap.

Mr. Dombrosky asked for further questions or comments and there being none, he opened the public hearing.

Mr. Sam Richard of 2532 West County Road 200 South appeared and expressed his concerns regarding the drainage at the culvert and a drainage easement that went up behind his property. He explained the standing water and saturation issues he had with his property and was concerned about the proposed lots with more houses to be built and the effect on his property.

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Mr. Kruse stated he understood and that the drainage from Mr. Richard's property went on to Mr. Houser's property and then down to the county road.

Mr. Dombrosky asked Mr. Gaston what had been discussed about this project at the Drainage Board meeting.

Mr. Gaston responded that it had been approved by the Drainage Board. He asked Mr. Richard about the culvert under the county road and whether it flooded from any kind of rain event or just the large rain events.

Mr. Richard responded that it happened during several rain events during the year.

Mr. Gaston stated that normally those culvert pipes were sized for a ten-year event and anything greater than that would cause it to back up some which would back things upstream for a period until it dissipated. He asked if Mr. Richard's property stayed saturated or just the field that Mr. Houser purchased.

Mr. Richard stated that it was probably the field and that he had saturated areas currently on his property.

Mr. Gaston asked Mr. Kruse if they would be re-grading the roadside ditch.

Mr. Kruse stated no and that there was a lot of fall on the property from the driveway onto Mr. Houser's property and that it kept going from there.

Mr. Richard asked what happened to the west of his property.

Mr. Kruse responded that from his driveway going west to the edge of Mr. Houser's property there was six feet of fall and across that property to the roadside ditch, there was another four feet of fall in 250 feet. He stated, therefore, there was a lot of fall across the front.

Mr. Dombrosky asked if the drive could be restricted.

Mr. Kruse stated it probably would be restricted due to the sight distance.

Mr. Ayers stated that he had not looked at the roadside conditions there.

Mr. Gaston stated he was not sure why Mr. Richard's property would be so saturated.

Mr. Kruse added that Mr. Richard's property had a lot of fall.

Mr. Gaston stated he understood Mr. Richard's concerns regarding how his property would be affected by other homes being built on the Houser property. He stated that Mr. Kruse had provided the easement running from the north property line down to the intersection. He asked Mr. Kruse how he thought Mr. Richard's drainage would be affected by any future homes and driveways being built.

Mr. Kruse stated that it would not be affected, and that Mr. Houser's and any other home builders' drainage would be affected and the water would need to be managed.

Mr. Gaston asked if Mr. Richard's property was being negatively affected at all with this development from a drainage standpoint.

Mr. Kruse stated in his opinion Mr. Richard's property would not be affected as it was on the high spot with all of Mr. Houser's property being lower.

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Mr. Ayers stated that there were no plans for grading and the future home builders would be dealing with the drainage on their lots.

Mr. Gaston asked if anything should be added to the plat regarding the drainage.

Mr. Dombrosky stated it would be determined by how comfortable Mr. Gaston's office would be in controlling the drainage on that site.

Mr. Gaston stated he would not want anyone building on those proposed lots to decide to alter their drainage and cause problems.

Mr. Dombrosky again stated it would be how comfortable Mr. Gaston would be in preventing that from happening in the future or if he thought a note on the plat would help. Mr. Dombrosky stated a note could be added to the plat that was worded somehow to prevent any drainage alterations on those lots.

Mr. Gaston asked Mr. Kruse how it could be worded, and Mr. Kruse stated he had never placed a note like that on a plat.

Mr. Ayers suggested it say that a property owner shall not construct anything that would impede the flow of drainage off adjoining properties.

Mr. Gaston stated to add it should say not impeding the positive drainage.

Mr. Ayers suggested it say maintain rather than insure.

Mr. Dombrosky suggested the note should say any alteration of the grade must be approved by the County Surveyor.

Mr. Gaston agreed with that statement. Mr. Gaston stated he was concerned and wanted to make sure Mr. Richard was protected. He stated he felt a note should be added to the plat.

Mr. Richard then asked if construction of other homes around him would devalue his property.

Mr. Dombrosky responded that they did not believe that would hurt the value of his home and that the effect would be neutral or could possibly increase the value of his home because of the development potential around there that might become more attractive.

Mr. Ayers commented that they could not predict what would happen regarding home values there.

Mr. Dombrosky asked for clarification of the note Mr. Gaston wished to place on the plat.

There was discussion on the matter and it was agreed the note should state positive drainage must be maintained away from neighboring properties and any ground alterations to be reviewed and approved by the County Surveyor.

Mr. Dombrosky called for the next person signed up to speak.

Mr. Samuel Richard of 1887 South County Road 250 West appeared and stated he was also concerned about the drainage. He stated his property was located east of the Houser property. He discussed the severe drainage problems that occurred.

Mr. Gaston looked at an aerial of the area and asked Mr. Richard if his property drained to the south. Mr. Gaston explained that the tile being installed on the Houser site was for subsurface water

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and that they were not picking up and trying to drain more surface water. He explained that they would be putting grass in the field and when converting farm field to grass, the co-efficient went up which meant the grass would slow the water down more than a tilled field.

Mr. Kruse then responded that when the tile was installed that would help to dry out the field so that it would not be wet all the time.

Mr. Ayers asked Mr. Richard if he understood that the tile would help dry it up over time to allow the water somewhere to go rather than just sheet flowing off the site.

Mr. Richard acknowledged he understood.

Mr. Ayers then asked what was the size of the pipe under the County Road 250 West.

Mr. Kruse stated he was not sure but thought it was bigger than a normal 15-inch culvert pipe.

Mr. Ayers stated he would look at that pipe and the ditch to the east to determine if there were any blockages.

Mr. Richard added that he was concerned with the drainage when the other homes were built and gave an example of a home that he used to own.

Mr. Dombrosky then asked if Mr. Gaston thought there was a risk that the county was taking.

Mr. Gaston replied that he thought they could look at the culvert in the downstream to try to get the water moving away. He stated that right now that culvert was going to be the same size and during a heavy storm event, it would not push through a 100-year storm event. He stated that the issue was with standing water after the rain. He stated that the tile would help with that and that they would look at the area to determine if there might be blockage and if they could remedy it. He stated there was a risk with building and that responsibility rested with the homeowner and builder.

Mr. Richard then stated he was also concerned with the potential new septic systems and how they might be affected by poor drainage.

Mrs. Haan stated that there would be a perimeter drain surrounding those systems and that should help. She asked if there was an easement or just a tile there.

Mr. Ayers stated it was an easement.

There was some discussion on keeping tree roots out of the tile and designing laterals and that the design would help with standing water on the site.

Mr. Richard asked about designing a new roadside ditch.

Mr. Gaston stated they would look at it and that the county used to require a new roadside ditch, but that requirement had been eliminated.

Mr. Ayers stated he could not require that anymore but could make sure that the water stayed off the road.

Mr. Dombrosky then closed the public hearing.

There was then some discussion on the note to be placed on the plat regarding the drainage.

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Mr. Dombrosky directed a question at Mr. Gaston if he was confident about a note regarding the prevention of an impediment to the flow off the properties and resolving that years down the road, or would he prefer not to have such a complicated note on the plat.

Mr. Ayers commented that if the note just said that he had to review it, that gave it no teeth to refuse it and that the purpose of having both notes clarified that the flow of water off the adjoining property should not be impeded with the purpose of Mr. Gaston's review to say that it would not.

Mr. Dombrosky stated he understood; but that if the regulation was already in place, would a redundant note be needed.

Mr. Gaston stated that he did not know if his ordinance gave him that kind of teeth after an approval.

Mr. Dombrosky stated he understood.

Mr. Kruse then read over the note he had drawn up to say "maintain positive drainage away from neighboring properties and any ground alteration after an original plot plan was reviewed and approved by the Hendricks County Surveyor.

Mr. Gaston stated that the wording about after the plot plan was reviewed could be deleted.

Mr. Dombrosky asked about the wording being ground alteration or grade alteration.

Mr. Ayers and Mr. Gaston stated it should say "any" alteration.

Mr. Ayers then made a motion to grant approval for **MIP 1092/18: Gary Houser** subject to the following conditions:

1. Conditions and recommendations in staff's letter dated April 11, 2018; and
2. Note placed on plat regarding drainage alterations.

Mrs. Johnston seconded the motion.

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. No comments from the Planning Department.
2. Details of the perimeter drain tile outlet at the intersection need to be shown (elevation, end section, outlet protection, etc.)

**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

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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 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 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.

Mr. Dombrosky stated that concluded the public portion of the agenda and they would now move on to the Business Session portion.

**MRP 089/18: RODNEY & TAMARA LASLEY;** a 1-lot minor residential plat, 3.00 acres, Eel River Township, S32-T17N-R2W, located on the south side of West County Road 800 North, approximately 0.10 mile west of the intersection with Ladoga Road. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the applicants. He reviewed the location of the property and their request for approval of a 1-lot minor residential plat to separate their house from the balance of their ground. Mr. Kruse then discussed the staff comment regarding a copy of the recorded easement for the existing perimeter drain on a separate document prior to recording of the plat. He stated that document had been executed by the Lasley's and would be recorded.

Mrs. Haan stated she would like to be provided with a copy.

Mrs. Haan then made a motion to grant approval for **MRP 089/18: Rodney & Tamara Lasley** subject to the conditions and recommendations in staff's letter dated April 11, 2018.

Mrs. Johnston seconded the motion.

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. The Health Department will require a copy of the recorded easement for the existing perimeter drain on a separate document prior to recording the plat.

**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.

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**MRP 090/18: MARK BRENEMAN**; a 1-lot minor residential plat, 7.687 acres, Liberty Township, S04-T14N-R1W, located on the south side of West County Road 550 South, approximately 0.25 mile west of the intersection with Ladoga Road. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared on behalf of the applicant. He reviewed the location of the property and stated that Mr. Breneman wished to separate a lot from the original forty (40) acres on which to build a house. He stated that due to the size of the planned house, they might need to do a Presby onsite sewage system.

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

(It was noted here that Mr. Gaston left the meeting.)

Mrs. Haan made a motion to grant approval for **MRP 090/18: Mark Breneman** subject to the conditions and recommendations in staff's letter dated April 11, 2018.

Mrs. Johnston 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. No Planning Department comments.

**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

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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.

(Note: Mr. Gaston returned to the meeting.)

**MRP 091/18: BRIAN SMILEY**; a 1-lot minor residential plat, 1.750 acres, Marion Township, S03-T15N-R2W, located on the west side of North County Road 550 West, approximately 0.4 mile north of the intersection with U.S. Highway 36. (Kruse Consulting, Inc.)

Mr. Dale Kruse of Kruse Consulting, Inc. appeared along with the applicant, Brian Smiley. Mr. Kruse reviewed the location of the property and stated that Mr. Smiley had obtained a piece of property from his grandmother on which to build a home. He stated that one of the staff comments indicated that the intermittent stream be shown on the development plan and that had been done.

Mrs. Baker reviewed the comments from the County Engineer that had not been on the staff's letter. She stated that Mr. Ayers wanted an invert elevation of the existing driveway pipe.

Mr. Kruse stated he would supply those.

Mrs. Baker then stated that also requested was that the roadside ditch north of the driveway be cleaned and regraded to provide positive drainage.

Mr. Kruse read the note that was placed on the plans which stated that the roadside ditch would be regraded as necessary for a proposed north line of Lot 1 and the existing eighteen (18) inch to provide positive drainage with the placement of an erosion control blanket.

Mr. Ayers stated he was satisfied with that note.

Mr. Smiley asked if there was a concern about the road being too low.

Mr. Dombrosky stated no.

There being no further questions or comments, Mr. Ayers made a motion to grant approval for **MRP 091/18: Brian Smiley** subject to the following:

1. Staff conditions and recommendations in staff's letter dated April 11, 2018; and
2. Providing the invert elevation of the driveway pipe on the plans.

Mrs. Haan seconded the motion.

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. No Planning Department comments.
2. The septic system perimeter drain must outlet to the intermittent stream shown in the Soil Survey of Hendricks County (on page 28). The intermittent stream must be shown on the development plan.
3. The roadside ditch area north of the driveway must be cleaned and regraded to provide positive drainage to the satisfaction of the County.
4. Invert elevations of the existing driveway pipe must be shown.

**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.

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**MAP 653/18 (SECONDARY): WOODCREEK CROSSING, SECTION 11;** a 25-lot major residential subdivision, 10.27 acres, Washington Township, S26-T16N-R1E located on the south side of Northfield Drive and west of County Road 800 East, at the south terminus of Meadow Creek. (Abercrombie & Associates, Inc.)

Mr. Joseph Farruggia, 8200 Graves Road, Cincinnati Ohio appeared and stated that he had not brought any plans as he had assumed his engineer had sent those to the staff and he stated that his engineer had assured him that he had addressed all the staff's comments. He stated that they had a drainage meeting to discuss the mounds and that those mounds could be eliminated and that they would be located about ten to twelve feet off the property line. He stated that there were some mounds existing on the location of the old Section 7 and that he thought the mounding was part of the original approval.

Mr. Gaston stated that he had discussed this with Mr. Abercrombie and that they might want to talk with the property owners to see if they wanted the mounding to be installed. Mr. Gaston stated that if they wanted it, it could be done and if not, it could be eliminated as he did not really want the mounding.

Mr. Farruggia stated he had not had any complaints or calls from anyone that fronted on Dan Jones Road except for the property owner in the very corner of County Road 200 and Dan Jones Road.

Mr. Gaston stated that had been taken care of. Mr. Gaston stated if there were no complaints and the mound was requested, then they should go ahead with the installation.

Mr. Dombrosky asked what the decision of the Drainage Board had been.

Mr. Gaston replied that they had approved the plans as presented.

Mr. Dombrosky stated that the former Director had received a letter from a former property owner who thought there had been an agreement for the mounding to be installed. He stated, however, that they could find no agreement like that on any of the approvals.

Mr. Gaston stated again if the property owners wanted it, it should be done.

Mr. Dombrosky asked if all the comments in the staff's letter had been addressed.

Mr. Ayers stated he had not looked at all of them and he asked Mr. Farruggia if he had looked at them.

Mr. Farruggia stated no, and he was then provided with a copy of the staff's letter.

Mr. Ayers stated that most of the items were minor and that a lot of them seemed to be drafting errors or corrections.

Mr. Gaston stated he had spoken with Mr. Abercrombie on some of the Drainage Board issues. He asked Mr. Ayers if he thought there would be any problems if the issues were addressed.

Mr. Ayers stated not if they all got corrected.

Mr. Dombrosky stated that Mrs. Baker had reviewed the plans and that they should go through the items that had not been addressed.

Mrs. Baker stated that she could not find where the total acreage was listed, and Mr. Farruggia was instructed to add that to the plans.

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Mrs. Baker then asked about calling the mound in the back a landscape easement.

Mr. Dombrosky stated he thought the mounding would be considered landscaping.

Mr. Gaston stated it should also be a drainage easement.

Mr. Dombrosky stated that it was listed that way and could stay a landscaping and drainage easement.

Mrs. Baker stated the easement should be over the whole mound.

There was further discussion on easements on the plans.

Mr. Farruggia commented that he thought each homeowner should maintain some portion of the mound.

There was further discussion on the easement/drainage access.

Mrs. Baker then asked what needed to be done regarding the Allocation Letter.

Mr. Farruggia stated that they knew they needed to obtain that prior to construction.

Mrs. Haan then stated that without that allocation letter, the capacity was not reserved for the development. She stated that she believed in the past the Allocation Letter and the IDEM permit were always required prior to granting secondary approval for the project.

Mr. Farruggia asked if he could do the same thing that was done on the last section of the development with a letter stating that the capacity was there.

Mr. Dombrosky stated he would not have a problem approving it contingent upon receipt of the Allocation Letter and prior to the start of any construction.

There was a further discussion on what decision the members wanted to make on the matter of the Allocation Letter and Mrs. Haan's comments that if that was going to be the normal decision made for these projects, that the ordinance requirements might need to be amended.

Mr. Ayers asked Mrs. Haan if she would or would not agree with the decision to approve contingent on receipt of the Allocation Letter.

Mrs. Haan stated she would not be in favor of that decision and that she liked to support the provisions of the ordinance, which she stated was written for a reason.

Mr. Ayers then stated he agreed with Mrs. Haan and Mrs. Johnston was also in agreement.

There was further discussion with Mr. Farruggia on how the process worked to receive an Allocation Letter.

Mr. Farruggia added that the sanitary sewers were already installed on the site. He stated he would contact the person from IDEM to move forward.

Mrs. Baker stated that most of the other comments in the letter had been addressed. She stated that she had received the comments late and had not had a lot of time to completely review them.

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Mr. Gaston added that he had not reviewed the revised plans based on the comments in the staff letter. He stated he would review them and if there were any issues, the approval could be subject to resolution of them.

After some further discussion, a motion was made by Mrs. Johnston to continue **MAP 653/18: Woodcreek Crossing, Section 11 (Secondary)** for thirty (30) days to the May meeting to allow time for the applicant to receive the Allocation Letter.

Mrs. Haan seconded the motion.

FOR – 5 –

AGAINST – 0 –

ABSTAINED – 0 –

There being no further business, the meeting was adjourned at 10:13 a.m.

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Tim Dombrosky, Chairman