NEW WHITELAND PLANNING COMMISSION

JUNE 25, 2019

7:00 pm

PUBLIC HEARING

Chairman, John Perrin began the meeting at 7:00 p.m. Members present were Marshall Walker, John Perrin, Dennis Montgomery, Matt Gillock, Chad Waltz, Duane McCauslin and Jeff Weaver. Zoning Administrator, Tim Guyer and Attorney, Lee Robbins were both in attendance.

**MINUTES**:

Marshall Walker motioned to approve the minutes as presented from the March 2018 Plan Commission meeting. Chad Waltz seconded the motion. Vote was 7 affirmative.

**ADMINISTRATOR’S REPORT**:

There were seven building permits issued, total of $845,556.48.

**ELECTION OF OFFICERS**:

CHAIRMAN:

Jeff Weaver nominated John Perrin for Chairman. John respectfully declined.

John Perrin nominated Matt Gillock for Chairman. Chad Waltz seconded the motion. Vote was 7 affirmative.

VICE CHAIRMAN:

John Perrin nominated Jeff Weaver. Marshall Walker seconded the motion. Vote was 7 affirmative.

**OLD BUSINESS**:

Matt asked me if I had any old business. I did not.

**NEW BUSINESS**:

**Preliminary Plat Approval for Grassy Manor on 75 West**

Attorney, Lee Robbins explained the plat process and introduced it to the Plan Commission, because these rarely come up. The Plan Commission oversees the subdividing of ground. According to the zoning ordinance, the petitioner submits a sketch plan, which is the first draft of the preliminary or primary plat. Notice is

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sent to checkpoint agencies such as the police, fire and public works departments as well as DNR and the local school corporation. Those agencies have a stake in how ground gets developed. That has been done. Those agencies have been given the time to respond and have discussion on threshold concerns. And there have been no objections.

Subdivisions are categorized as either a Minor subdivision or a Major subdivision. Grassy Manor is clearly a Major subdivision because it has more than 4 lots.

The Town has an affidavit that notice requirements have been met.

Those are the steps that have been done that leads us to tonight’s meeting. This is a Public Hearing to review the preliminary plat for Grassy Manor.

The Plan Commission can approve, disapprove or conditionally approve this primary plat.

Attorney Brian Tuohy took the floor, introduced himself and Bill Bryant and Ty Rinehart with Lennar Homes, and Gordon Glitz is the engineer for the proposed project.

This property is almost 53 acres and is owned by the Nesses, they are here tonight. This property is already zoned RS3 and has zoning commitments recorded with Johnson County Indiana. Grassy Manor will have 101 lots with single family homes. There will be one entrance on 75 West with a boulevard in the middle. On the east side of this property there will be three common areas controlled by a Homeowner’s Association. The common areas are about 22 acres.

Lennar Homes has only heard from The Brown’s in Portland, Oregon and they are not opposed to the development.

Mr. Tuohy states that in 2002 there were specific Zoning Commitments made on this land. He displayed them to the members and went through them one by one.

Lennar Homes is prepared to meet all the Zoning Commitments except for 2(g) which states “The developer of the REAL ESTATE shall upgrade County Road 75

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West adjacent to the REAL ESTATE in a manner which complies with all relevant Ordinances and standards of the Town of New Whiteland.”

Mr. Tuohy continues that there have been a couple of meetings with the street and sewer departments concerning the upgrade of road 75 West. He hopes they can come up with an agreement. Mr. Tuohy concluded that if the board is inclined to approve the primary plat tonight conditioned upon working something out on the 75 West road, Lennar Homes would like to turn these 52 acres into “Grassy Manor.” Lennar Homes will be coming back to the Plan Commission in July with a proposal to amend the commitment concerning 75 West being upgraded. They will take a closer look at 75 West and look at its current condition.

Chairman, Matt Gillock asked if anyone from the audience would like to speak.

Teresa West owns agriculture land east of the ditch by this property, she asked about drainage. Would it impact their land? Ty Rinehart addressed it by explaining when a development takes place they are required to capture all the storm drainage and release it at a lower rate. They cannot cause more run off than before the development. If something was to come up in the future, it would be addressed.

Matt Gillock concluded the Public Hearing. Attorney, Lee Robbins states that tonight the Plan Commission is to consider the layout of the lots. The Town has Construction Standards that have specs for infrastructure, they will be held to those standards. Lennar Homes will be required to post bonds with the Town. Lee states that the 2002 Zoning Commitments exist. They are attached to that property, the commitments are in place.

Mr. Tuohy mentioned the Declaration of Covenants for Grassy Manor. It is not uncommon to include those for the Town to enforce. Lee Robbins states this doesn’t cause the Town to take on any duty, only if the Town chooses to do so. Lee asked them to provide them to the Plan Commission and himself. Ty Rinehart with Lennar Homes states he will.

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John Perrin motioned to approve the primary plat as submitted condition to the Zoning Commitments and for Lennar Homes to submit and include the Declaration of Covenants to Grassy Manor. Duane McCauslin seconded the motion. Vote was 7 affirmative. Brian Tuohy thanked the board for their time tonight.

**Building Permit Application**:

Matt Gillock states a minor change is needed on our permit applications to include impervious surface for commercial buildings permits.

The builder will have to let the town know how much impervious surface they have on this improvement. This will help with the Town billing commercial properties.

Tim Guyer asks who is going to do those calculations? Matt Gillock replies whoever is submitting the application will give the Town that information and then Matt, Tim Guyer or Duane McCauslin will double check the calculations. This is for commercial developments only. John Perrin motioned to approve the change for commercial structures only. Marshall Walker seconded the motion. Vote was 7 affirmative.

**Sanitary Construction Standards**

The Town’s current Sanitary Construction Standards were last updated in 1998. The Town contracted with Wessler Engineers to help with the upgrade. They have been reviewed by Matt Gillock and Duane McCauslin. These standards should bring the Town up to 2019 instead of 1998. Jeff Weaver motioned to approve and adopt the Sanitary Construction Standards. Chad Waltz seconded the motion. Vote was 7 affirmative.

Meeting was adjourned at 7:55 p.m.

Respectfully submitted,

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Approved By: Cindy Yates

Recording Secretary