



Meeting Minutes

Whitestown Plan Commission

Date: June 9, 2014

Time: 6:30pm

Location: Whitestown Town Hall, 6320 S. Cozy Lane, Whitestown, IN 46075, (317) 769-6557

Call to Order

6:30pm

Pledge of Allegiance

Roll Call

- Mark Worthley, President
- Jason Lawson, Vice Pres
- Dennis Anderson (absent)
- Clinton Bohm
- Mike Roberts (absent)
- Greg Semmler
- Josh Westrich
- Staff:
 - o Deborah Luzier, Town Planner, GRW
 - o John Molitor, WPC/WBZA Attorney

Approve Agenda

1. June 9, 2014

Motion to approve agenda by Semmler. Second by Bohm. Motion passes unanimously.

Minutes

2. May 12, 2014

Motion to approve minutes by Bohm. Second by Semmler. Motion passes unanimously.

Old Business – Public Hearing

3. **Docket PC14-016-ZA - Zoning Amendment - Wrecks property I2 to R3.** The petitioner is requesting approval of a Zoning Amendment from I2 - General Industry to R3 - Medium-density Single-family and Two-family Residential for the purposes of a 232 unit subdivision to be known as Timberstone. The subject property contains 95 acres and is located at 7238 S Indianapolis Rd, on the west side of Indianapolis Rd, north of 750 S. The property is classified as Medium Intensity Residential (1-2 units/acre) in the Comprehensive Plan. The petitioner is Westport Homes and the owner is Wrecks, Inc.
 - a. Presentation – Mike Andreoli, attorney for petitioner. Introduces Tom O’Gara, environmental consultant to answer any questions. Describes property location. We will discuss the items brought up

at the last meeting. We are in the final stages of drainage design and are working with the county. We have a lot of on-site retention and are preserving wetlands. We will commit to no more than 219 lots. Describes rights-of-way to be dedicated. We have supplied a stub street for future development to the north. We have negotiated with the property owner to the north to provide us with space for a 50-foot bufferyard along this property line. The bufferyard may be a greenspace easement or something along that line. We will need to establish and maintain that bufferyard on the north side. We may need a waiver on the width, but we are still working on this. We are at 33% open space and the minimum requirement is 30%. We've also supplied you with renderings and elevations of proposed house plans as requested. We will have no problem meeting the anti-monotony requirements in the ordinance. We may try to meet the architectural incentives that the ordinance allows. I have distributed the environmental information that you requested including our request from IBP for a Comfort Letter. We've also supplied a copy of the coversheets for the Phase I Environmental Site Assessment from December 2013, the Phase II from January of 2014, and Further Site Investigation from March 2014. We've also supplied a copy of the cover sheet from Terra Site Development for the Geotechnical Engineering Report from February of 2014. The petitioner will not invest in this project until the environmental issues have been confirmed to be clear. We will be taking care of any drainage issues that may be associated with the site and the immediate area per the county's drainage ordinance. There are monitoring wells on the lots at the northeast corner of the development to monitor water from properties to the north. These lots will not be platted until IDEM approval to remove these wells have been granted.

b. Staff Report - Luzier

c. Public Discussion

- i. Brad Kallmyer, 5053 S Main St – I spoke at the last meeting about this project. I have two concerns. Staff should review the environmental documents referenced. The bufferyard is also a concern. The initial discussion was for a fence and berms on this end of the property. Will this still be constructed? Will the buffer easement be on the other side of the fence?

d. Rebuttal

- i. Andreoli – we have reviewed the environmental studies that were commissioned. We feel that there are no environmental issues on this subject site. The buffer to the north will include a fence on top of a mound as well as additional landscaping. We haven't finalized the design of this yet. We want to make sure that residents are not trespassing on properties to the north as well.

e. WPC Discussion

- i. Worthley – Kallmyer's concern, is that the northern buffer is on the remediation site. Is this the case?
- ii. Andreoli – remediation would not be required in this off-site bufferyard because there are no residential structures being placed in this area.
- iii. Worthley – which side of the buffer will the fence be on?
- iv. Tom O'Gara, environmentalist for petitioner – there is an existing site there. The buffer will be on the Wrecks property, which is subject to the IDEM remediation plan. We feel that IDEM would be in favor of a fence because it will further protect the remediation site. There may be monitoring wells as required by IDEM in this area. The off-site buffer is not an area of remediation itself; the bulk of the salvage yard itself is. A mound with a fence on top of it would be installed within the off-site bufferyard in order to serve security issues.
- v. Andreoli – we are flexible with where the fence is exactly located.
- vi. Semmler – should the site assessments be reviewed by Staff?

- vii. Molitor – we would have to see if these documents can be reviewed by staff without violating any public disclosure laws. The town’s consultant may be qualified to review these documents.
- viii. Semmler – without review, I am not comfortable with letting a project move forward.
- ix. Andreoli – I would request that this not hold up the rezoning request, but clarified before platting occurs. We may even have the Comfort Letter from IBP available by then.
- x. Molitor – a Comfort Letter from IBP would be ideal.
- xi. Worthley – has IDEM indicated that there is not an environmental hazard on the off-site buffer?
- xii. O’Gara – we cannot confirm that at this time. A remediation plan has been approved by the state. There is minor, low-level ground water contamination on the southeast area of the Wrecks salvage yard property per se. Part of the approved plan includes sentinel wells. The screening levels for soil/water exposure by IDEM are not considered a risk for this area. There will be groundwater treatment on the salvage yard property. The petitioner is flexible with the placement of the fence. I am confident in saying that there is not an environmental risk or concern for any future residents of the subject site before you.
- xiii. Andreoli – soils from the subject site will be used to build the off-site bufferyard mound.
- xiv. Molitor – O’Gara, can you indicate the area that is remediated area on the map?
- xv. O’Gara – the remediated general area is north of the northeast corner of this site (north of monitoring wells #62 and #63) <references preliminary site plan map>. We feel that the remediated area has not affected the subject site.
- xvi. Worthley – I will reopen the public input portion of the hearing.
- xvii. Kevin Russell, Whitestown Town Councilman – I am speaking as a private citizen, not in my Councilman capacity. I want to know what the lot size and density is for the project. While you’re dedicating right-of-way on 600E, you could at least give right-of-way the full length of the development. There should also be an access drive on to 600E. The environmental issues are real. I know for a fact that vehicles were processed on the entire Wrecks salvage yard – not just the property northeast of the subject site. I understand that you cannot distribute proprietary studies, but we should have another outside review of the studies done on behalf of the town. Children have a lower tolerance for environmental impacts than adults. We need to prevent children from crossing this northern boundary at all costs. Perhaps a bond should be posted to protect any future residents from any environmental impacts that may come in the future.
- xviii. Andreoli – we have not given any consideration to a bond, but we could explore that. We cannot weigh in on that tonight. Constructing a new road is not a workable economic situation for a development of this size. The site is already limited with utility lines and wetlands. If you want information before a vote is taken by the WPC, then we will work with Staff and your legal counsel to do so.
- xix. Worthley – 213 lots on 95 acres is a density of 2.2 units/acre. Eagles Nest has a density of 2.5 units/acre.
- xx. Andreoli – lots average 75’ by 130’, which is comparable to Eagles Nest.
- xxi. Russell – that is comparable to Eagles Nest.
- xxii. Andreoli – the lots and home sizes we are proposing suggest that we are not anticipating any lot coverage waivers or variances.

Motion to continue to July14 meeting to allow time for GRW to review the Phase I and Phase II assessments produced by the petitioner by Worthley. Second by Semmler. Motion passes unanimously.

- i. Semmler – we are sensitive to the environmental issues and want to make sure we are making a good decision.
- ii. Steve Dunn, president of Westport Homes – we are also sensitive to the environmental issues and this is why we have done the additional studies we have done.

New Business – Public Hearing

4. **Docket PC14-005-PP - Primary Plat - Harvest Park Primary.** The petitioner is requesting approval of a Primary Plat to be known as Harvest Park subdivision with 295 lots. The subject property contains 108 acres and is located at 4947 S Main St, at the northeast corner of S Main St and 500 S. The property is zoned R3 – Medium-density Single-family and Two-family Residential. The Technical Advisory Committee (TAC) reviewed the plans on 5/13/2014. The petitioner is Pulte Group, the owner is Harrison & Jack Eiteljorg (trust), and the project engineer is HWC Engineering.
 - a. Presentation – David Compton, Pulte Homes. Distributes copy of PowerPoint presentation. We have added connection points for roads to the north and south as required. We are also asking for modifications to two of the waivers that were granted. We changed the type of product from Centex to Pulte, which increased the average sales price and types of homes to be built. This home product will increase square footage and also provide a move-up product for the area within the Lebanon school district. These homes have “life tested” features, making the homes more livable. We understand that you do not want “snout houses” dominating the neighborhood <shows images of Avalon neighborhood in Fishers>. The anti-monotony standards would still apply.
 - b. Staff Report - Luzier
 - c. Public Discussion – none
 - d. WPC Discussion
 - i. Semmler – is the garage protrusion also included for the ranch-style homes?
 - ii. Beddell – at least one of the floor plans on the single-story homes has a 14-foot garage protrusion. The home would be at least 1,700 sqft in area. Homes are all front-load. 14 feet protrusion would be the maximum.
 - iii. Semmler – a protruding garage tends to dominate the lot.
 - iv. Worthley – Luzier, could you comment on your Staff Report that the modifications negate the justification of the original waiver requested?
 - v. Luzier – the modifications would increase the number of protruding garages would go from 59 lots to 147 lots. Furthermore, a variance for narrower lots was granted. Allowing an extensive garage protrusion on these narrow lots would contribute to the garage-dominated street scape that Semmler referenced.
 - vi. Compton – 3-4 of the 9 home plans would have protrusions more than 6 feet. The garage seems more pronounced on a ranch than a two-story home.
 - vii. Beddell – we could commit that a garage on a ranch home would not protrude more than 6 feet.

Motion to approve PC14-005-PP and waivers with conditions by Worthley. Second by Bohm. Motion passes unanimously.

CONDITIONS:

- *Primary Plat Condition: So that Staff can properly review the details of the primary plat and ensure t that commitments have been satisfied, the final draft of ALL comments that have been made (rezoning, variances, and waivers) must be received and be ready for recording by Staff at least two weeks prior to placing the Secondary Plat for Section 1 on a WPC agenda.*

- *WAIVER #3 Modification Condition: In addition, garages on ranch homes shall not protrude more than six feet forward of the front of the house.*

Announcements

5. Status Report on the Comprehensive Plan Update

- a. Bohm – we are coordinating efforts between the land use team and the economic strategic team. We have expanded the Steering Committee to be more of a regional committee that represents areas of Whitestown as well as surrounding jurisdiction. At our meeting this week, we will start grading the current plan and make modifications where needed. The plan is still for the plan to be ready for adoption at the end of the year. The plan will include areas in the future annexation areas. We have representation on the Committee from these areas.

6. Driveway Width Concerns –

- a. Luzier – Whitestown does not have a minimum or maximum driveway width standard. When driveways that are designed for three-car garages are extended all the way to the street, it can consume the front yard of the home. Do we want to set a maximum width?
- b. Worthley – bring some pics and we can discuss further at the next meeting.

7. Whitestown Jurisdiction with regard to IDEM –

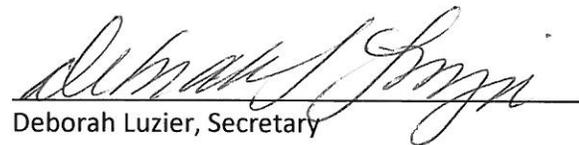
- a. Lawson – IDEM will not allow a residential development to install water lines unless the ground is clean. There are already stops in place.
- b. Molitor – IDEM has jurisdiction, but the town has jurisdiction too.

Adjourn

8:10pm



Mark Worthley, President



Deborah Luzier, Secretary

Whiteston PC BZA Meeting

Date: 6.9.14

Meeting Attendance Sign-in Sheet (please print)

			Notify if judicial review is filed? ✓
	Name	Address	
1	DUANE SHARRER	TEARA GEOTECH SOLUTIONS 1307 W 161 ST WESTFIELD, IN	
2	Thomas F. O'Garra	Taft Lew One Indiana Square, Suite 3500 Indpls., IN 46204	
3	Stephen Damm	Cushman Wakefield - Summit 241 N. Penn Indpls IN 46204	
4	Brad Penny Kallmyer & Kelly	5053 S. Main Whitestown	
5			
6			
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8			
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WHITESTOWN



INDIANA

WPC MEETING - PUBLIC COMMENT/REQUEST TO SPEAK

The Whitestown WPC welcomes your comments. Please complete this form and **hand it to the secretary**. The WPC Chairman will call on you to speak during all public hearings appearing on the agenda.

When speaking, please approach the microphone at the podium and state your name, address, and city/town in which you reside. Address your comments to the WPC as a whole.

Note: This form is subject to public disclosure and provides necessary information for preparation of the permanent record of the meeting. If a follow-up is requested, and address is necessary for the purpose of receiving communication from the Town.

Name: Brad Kallwyer	Date: 6/9/14
Address (optional): 5057 S. Main	City:
Agenda Item: Marvest park / Timberstone	
Comments:	
<input type="checkbox"/> Check if you want to be notified if a judicial review is filed.	

WHITESTOWN



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Name: <i>KEVIN RUSSELL</i>	Date: <i>6/9</i>
Address (optional):	City:
Agenda Item: <i>WESTPORT HOMES</i>	
Comments: <i>o Plat concerns</i>	
<input type="checkbox"/> Check if you want to be notified if a judicial review is filed.	