

## **April 27, 2011**

The Ellettsville, Indiana Plan Commission met in a special session on Wednesday, April 27, 2011 in the Fire Department Training and Conference Room located at 5080 West State Road 46. Phillip Smith called the meeting to order at 6:00 p.m.

**Roll Call:** Members present were: Phillip Smith – President; Phillip Rogers; Dan Swafford, Ron Wayt and Sandra Hash, Secretary. Clayton Sullivan and Don Calvert were absent. Rick Coppock, Town Engineer, was also present.

### **Autumn Ridge Final Plat Approval for Lots 40 and 41**

**Rick Coppock, Town Engineer** – Lots 40 and 41 have been under construction and the shell has been built for some time. Now that they have a potential buyer, they would like to final plat the two units for the purposes of selling them and transferring title. This is a condominium project so it is not the typical subdivision. You locate the outer dimensions of the building after it's been built and final plat it. This is what is transferred to the property owner. The remaining ground around that unit becomes part of the neighborhood association which is also referred to as "common ground." Dan Swafford, Connie Griffin, Darla Brown and Mr. Coppock met with the developers and went out to the site on Wednesday, April 20, 2011. There was still a concern with the drainage of the area in the center, more commonly known as the "pit." It had been previously stated that before the plat came for final approval, the area needed to be repaired so it didn't have a deep eroded area in the center. The developer put the appropriate drain tile pipe in the center of the pit, back filled it with dirt and then put erosion control matting over top to help hold the soil in place based on the recent rains. The pipe in the center drains into the back of in the inlet at the curb below grade. During periods of wet weather it should drain back into the inlet and make the area drier. Mr. Coppock presented a plat prepared by Phil Tapp, Registered Land Surveyor, and the request is for approval of Lots 40 and 41. The orientation on the original approval was a more to the west and now they are facing more to the northwest. They are substantially in accordance with the original approved plan. There are no public improvements as part of this that requires a bond. It doesn't include any part of the streets which have been paved. The street trees have been put in. The only item left on their public improvements list is to build sidewalk along Harvest Lane and the stub to the south. There is money in their bond to complete the improvements.

**Dan Swafford** – Asked Rick Coppock if he had inspected the work on the drain. Mr. Coppock responded he inspected it on the evening of April 25, 2011. The drain going into the back of the inlet, even though it wasn't raining at the time, was flowing water into the inlet. Everything else is pretty much covered with the erosion control mat. The erosion control mat is in place and there is quite a bit of matting. Mr. Swafford asked if the rip rap was removed. Mr. Coppock said he did not see any rip rap. Mr. Swafford asked Mr. Coppock if this would stop the erosion. Mr. Coppock said, barring another big torrential rain, this is as good as you can get until turf is established. The purpose of the drain pipe is to help establish the turf. Mr. Swafford asked if the plat is approved, and there is more erosion, will the developer still have to take care of it while the two units are being completed. Mr. Coppock stated he didn't know if there was any responsibility on the part of the developer because once it is final platted it is finished.

There could be recourse when they ask for the final occupancy permit. Usually, when you get the final occupancy permit it needs to be signed off by planning and then you could add features such as yard work that could be finished when the building was complete and could be occupied. Mr. Swafford asked the percentage the buildings have been completed to date. Jason Walls stated 35%.

**Sandra Hash** – Looked at the project and it looks much better.

**Bill Schneider** – Showed photos of the pit in May 2008 when the pit was filled with water. The drain pipes came into the pit and they stopped. They did not go to the storm sewer or any existing drain. There are two pipes connected to four homes on Harvest Lane and they funnel into the pit. He also showed additional photos after the repair completed on Saturday, April 23, 2011, by City Lawn. They put in a drain and ran the drain pipe down to the storm drain at the street. He suggested connecting the two pipes to a “Y” pipe that goes down into the drain. This would solve the retention of the water coming from the roofs of the four houses. The water would then go to the storm sewer. Dan Swafford stated he is not certain those are down spout drains but may be perimeter drains. Mr. Schneider stated the problem is so close to being resolved. Although it is common ground, Mr. Schneider asked what it could be used for because it will always be slushy and damp. Phillip Smith said he did not agree the property would always be soft and moist because, this time last year, if that same bank was there, there wouldn't be a drop of water. This year, it has rained for a solid month. Dan Swafford stated if the drains are not part of Lots 40 and 41 then there is nothing the Plan Commission could do at this meeting because it is specifically to address those lots. Phillip Smith added the meeting is to discuss Lots 40 and 41 and not drainage in another area. Mr. Swafford stated that's correct unless there is a drainage problem on Lots 40 and 41. Ron Wayt asked if it was a detention pond originally on the plat. Rick Coppock stated originally on the plat it was shown as a swale. Mr. Schneider responded it is common ground for all units that surround the detention pond. Their concern is what will happen to the area when Lots 40 and 41 are sold to another individual and the developer no longer is responsible for that spot. Phillip Smith stated the developer will always be responsible for that spot until the Town signs off on final occupancy on everything. Rick Coppock stated final occupancy relates only to the building itself so when it's complete and ready to be occupied, the building department has a sign off that electric is okay, inspections has been made and the yard area is the last thing to be signed off on the checklist. It means if the building is complete it is ready to be occupied. This really isn't really a Town Plan Commission function it is done through the building department and Planning Department. Phillip Smith asked how many empty lots remain. Jason Walls responded 14. Mr. Smith asked if they were all on the outside perimeter. Mr. Walls answered two lots remain in the inside perimeter. Mr. Schneider stated once this gets approved, their concern is that nothing else will get completed. He is certain no one was aware of the problem on a hill. Sandra Hash asked the location of a storm drain in a photograph. Mr. Schneider confirmed it was the storm drain installed on April 23, 2011. Dan Swafford asked Rick Coppock, in his professional opinion; if is this an issue or will the drain resolve the problem. Mr. Coppock stated, with all the downspouts coming through there, it will make the area wet. The whole idea of the inspection was the pipe at the end of the eroded area. He couldn't state it would be better if the pipes were dug up and tied all together.

**Jason Walls** – During construction, before the other units even existed down the slope, there was a berm. The berm wasn't allowing any water to flow over the edge of the hill and down the ravine. A ditch was dug and two pipes were laid with gravel over top to give the water trapped at the top of the hill an access to flow down over the hill. Those are not downspout drains but actually put there to help the water collected behind the hill to have a way to flow over the hill. When the pit was filled in, the berm at the top was cut and smoothed off. They didn't spend the money to cut and dig the pipes out of the trench. Phillip Smith asked what the downspouts are attached to. Mr. Walls stated he most of them run away from the house a number of feet, perhaps ten to twelve feet and come out on top of the yards. Dan Swafford asked if the pipes were buried underground or could you see them on top of the yards. Mr. Walls responded most of them are buried but some are exposed. Dan Swafford asked if the downspouts on the houses on Harvest Lane are not coming out on the side of the hill. Mr. Walls stated not that he was aware of but they are tiled.

**Andy Somogyi** – The downspouts come off the roof and then come out about ten feet on the top of the plateau as shown in the photograph. They drain out on the upper plateau about ten feet out from the house.

**Sandra Hash** – Stated they have dug around her house several times and a black perimeter pipe goes around the house and extend out about five or six feet at the corners to drain the water away from the house. The rain spouts go out on top of the ground.

**Bill Schneider** – Stated his front downspouts were dug into the hill. They hit another pipe that runs all the way down to the rip rap and into the creek.

**Marie Gingras, 5014 Harvest Lane, Lot 46** – Recently, they purchased a condominium in Autumn Ridge. The inspector stated he would go ahead and let the sale go through but the ground is constantly moist. The ground would need re-graded to raise the ground and make sure it's draining away from the foundation. There is a drain spout that runs down the common wall with the unit next door and drains into the open area. A small black pipe was originally buried, but half of has begun to surface. There is grass over the top of the pipe. About half the pipe is exposed and half is completely buried in the ground. There is also a slope toward the homes where the water is pooling.

**Ron Wayt** – Asked Rick Coppock if there was anything in Autumn Ridge not to Town Code. Mr. Coppock answered not as it pertains to Lots 40 and 41. They are only 35% complete and no lots have been graded.

Phillip Smith entertained a motion to approve the final plat for Lots 40 and 41 of Autumn Ridge. Dan Swafford made a motion to approve Units 40 and 41. Phillip Rogers seconded. Roll Call Vote: Phillip Smith – yes; Phillip Rogers – yes; Dan Swafford – yes; Ron Wayt - yes and Sandra Has - yes. Motion carried 5-0.

**Phillip Smith** – Asked Jason Walls to do anything he could to help with the pit problem. Dan Swafford stated they understand it's not his responsibility but if he could help the residents or do anything with those two pipe ends it would be appreciated.

Plan Commission, April 27, 2011

## **Adjournment**

Phillip Rogers made a motion to adjourn. Ron Wayt seconded. Phillip Smith adjourned the meeting at 6:43 p.m.

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Dan Swafford, President

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Clayton Sullivan, Vice President

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Sandra Hash, Secretary

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Don Calvert

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Phillip Smith

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Phillip Rogers

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Ron Wayt