

## **August 2, 2012**

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, August 2, 2012, in the Fire Department Training and Conference Room located at 5080 West State Road 46. Dan Swafford called the meeting to order at 6:00 p.m. Phillip Smith led the Pledge of Allegiance.

**Roll Call:** Members present were: Dan Swafford, President; Terry Baker, Vice President; Don Calvert, Russ Ryle, Phillip Smith and Sandra Hash. Phillip Rogers was absent. Connie Griffin, Director of Planning, and Rick Coppock, Bynum Fanyo and Associates, Town Engineer, were also present.

### **Approval of the Minutes – July 12, 2012**

**Don Calvert** commented they have not received the minutes from the July 12, 2012 meeting.

Dan Swafford entertained a motion to table approval of the July 12, 2012, minutes. Phillip Smith so moved. Russ Ryle seconded. Motion carried.

### **Monthly Conflict of Interest Statement**

**Don Calvert** advised one of the properties in discussion borders his property. Mr. Swafford explained he could still vote on the issue because it really isn't a conflict. Mr. Calvert stated he has a personal policy if it borders him he does not act on anything.

### **New Business**

#### **First Assembly of God Development Plan Amendment State Road 46, Ken Cook and Justin White, Board Members**

**Ken Cook, Representative of the Assembly of God,** explained the last time they were before the Plan Commission they discussed putting rip rap on a bank. At the last meeting, the Plan Commission took the matter under advisement and they want to know what they've come up with. Mr. Swafford replied the recommendation was to go back to the church and ask about a retaining wall. Mr. Cook said the church does not want to put in a retaining wall. Mr. Swafford asked if they're stuck on their original request. Mr. Cook said he feels it's the only way they know how to go and it's inexpensive. Ms. Hash stated at the last meeting they discussed possibly waiting until September or October to find out if they could establish grass. They also discussed the rip rap across from Smithville Telephone that is so grown up you can't see the house. Mr. Swafford reiterated Ms. Hash's statement that the rip rap is hard to maintain over the years. He asked Mr. Cook if they approached the church about whether or not they wanted to let it ride until September or October to establish grass. Mr. Cook answered he did not. Mr. Swafford stated comments were made at the last meeting that the hill was difficult to mow. Mr. Cook said mowing the hill is almost impossible. Mr. Swafford asked if he had any other suggestions or are they sticking with their original request. Mr. Cook replied there are a lot of suggestions and different ways of doing it but the rip rap seemed to be the most feasible. They're trying to avoid erosion tearing up anything.

**Sandra Hash** asked if Rick Coppock had explained the instructions on how to install the rip rap such as drainage under it. Mr. Cook replied Mr. Coppock hasn't explained it but a man who has offered to do it has done a lot of it.

**Russ Ryle** would like to see a revised development plan with the rip rap in place showing drainage and how the water flows into the overall stormwater plan.

**Dan Swafford** asked who the architect is. Rick Coppock replied they did the site plan for the project. There wouldn't be any revised drainage. It would be rip rap placed on the slope and it drains exactly the same as it did

before. What was originally proposed was an erosion control blanket which allows grass to grow back up through it but there was going to be a maintenance building there at one time which had a 4' wall around it. That's why there is a difference in the slope because the maintenance building is not going to be there and the wall of the maintenance building won't be there. So, the slope is a little bit steeper and that's why they're talking rip rap.

**Sandra Hash** stated the Indiana Department of Environmental Management ("IDEM") has guidelines for rip rap. The excavation foundation is supposed to be below the design elevation to allow for the thickness of the bedding material and rip rap. There has to be a key way at the base for drainage and there has to be 4" of sand underneath the fabric to protect it. It's going to be an expensive process just to put rip rap.

**Russ Ryle** explained they have to certify to IDEM that the requirements have been met. He would like to see a detailed drawing of how they're going to do it. It's just not laying stone on bare dirt. It's getting somewhat complex.

**Don Calvert** said his only concern is the rip rap. He doesn't want to create something that is going to be a problem for the church ten, twelve or fifteen years from now. He reiterated his concern is creating a problem now that is going to bite the church years down the road.

**Ken Cook** stated if weeds or grass come up through it's possible it could be sprayed. Mr. Calvert asked if this could be done in a flood zone. Mr. Coppock replied yes, they can do that.

**Rick Coppock** explained rip rap is not something that is certified to IDEM. Most of the time it is put in without the sand base under it. It's just fabric with rip rap on top of it. Just because of the slope the sand base is probably not going to hold real well. There are places where rip rap has been used like that, it's held up and has been there for over 20 years. As long as you keep it maintained and keep the weeds out of it it'll hold up. One place that comes to mind is an office building complex at Winslow Road, Henderson and Walnut Street Pike that has a hill probably 25' to 30' tall and they have had rip rap on it for approximately 25 years. It's really steep and there are no weeds in it. It has been well maintained over the years. It doesn't have any unsightly growth. Mr. Swafford asked if they approve it is there anyway they can maintain it to make sure it stays looking that way. They don't have any control on how it's maintained after it's been approved. Is that correct? Mr. Coppock answered there is a weed ordinance.

**Sandra Hash** asked why they don't follow IDEM guidelines. Mr. Coppock replied most of the time it's installed people don't put sand underneath it. They dig it out and put the fabric and rip rap on top of it. If there's a slope and sand is put on it it will keep sloughing off. It's hard to get a flat stable base underneath. It's just not done. Ms. Hash asked if the drainage is necessary. Mr. Coppock answered he's uncertain as to what they're talking about in that instance. A key way is put in to keep it from sliding. The key way notches it at the bottom and gives it a plane. The trench can be sloped with the key way across it to provide some drainage out the end. Ms. Hash said it also talks about using different sizes of rip rap and a smaller type of rip rap to fill in all the gaps. If the sand, cloth, small rip rap and large rip rap were used it'll eliminate a lot of weeds if it's done properly. The sand would also help filter.

**Russ Ryle** showed the IDEM diagram which illustrated the underlying dirt, ground level, rip rap and key way. The rip rap is required to be below surface level with a key way. He's still uncertain as to what they meant by "key way". Rip rap is only to be used where the slope of the ground coming down is greater than 2 to 1. His question is does the slope meet that requirement. He thinks part of the slope they want to rip rap is greater than 2:1 and is too steep to use it. They're almost to the point where there has to be some type of retaining wall. It is too steep to mow or use rip rap.

**Rick Coppock** outlined the location of the key way and explained its purpose. Whether it's 2:1, 3:1 or 1:1 it can hold rip rap. This is not a case where rip rap couldn't be used. The slopes in Autumn Ridge are much greater than 2:1. Mr. Swafford commented the rip rap in Autumn Ridge is not holding. Ms. Hash commented it is definitely going to take some excavating to get the key way built up before the rip rap is put in. Does the size

of the hill have to be reduced so that the rip rap matches the same level as the surrounding areas? Mr. Coppock replied they should scrape off some of it. Ms. Hash commented she doesn't think it would be out of line to ask for a plan to make sure they are going to use what they should and that it's up to par. She doesn't think INDOT's was up to par. Mr. Ryle asked how tall the hill is. Mr. Coppock said he doesn't know without looking at the plan. Mr. Ryle said they need to come back with a plan showing the height of the hill, type of slope and what would be the design for putting the rip rap in.

**Dan Swafford** asked how the Plan Commission members felt. Did they want to see it on a plan? Mr. Ryle replied it doesn't have to be a whole new plan. It's an amendment to the existing plan. Ms. Hash commented it's to ensure that it's done properly and has the different sizes of stone. Terry Baker stated before they put them through the expense of doing that they need to decide if they'll allow rip rap. Phillip Smith said he has no problem with it. Mr. Baker said he has a problem with it. Ms. Hash said she's not fond of it because of the shape of the INDOT rip rap in Town. Mr. Smith commented INDOT doesn't take care of their rip rap. Mr. Ryle proposed they make the decision on rip rap when they see their plan. Their option is to stay with grass or produce the plan knowing they may not approve rip rap. Approval hinges on the quality of the plan they put together. He can see where approving rip rap is a case by case basis. As far as the highway department, ditches aren't 18' to 25' hills. The hill is at least a 15' tall hill in spots, if not 20'. It's a lot more to hold up against gravity than what you do in a ditch along the highway. The fact INDOT doesn't follow this procedure doesn't surprise him because they aren't dealing with the physical forces of a longer run on a vertical drop. Mr. Coppock advised INDOT uses rip rap a lot for slope stability. If you look along State Road 46 going back into Bloomington there is a ramp going south they've had slumping of the slope which they filled with rip rap to help hold the bank in. Mr. Ryle said the key word is "help". He doesn't think it's been completely successful.

**Dan Swafford** asked how they wanted to proceed. He's in agreement with not wanting them to have the extra cost of rip rap if they aren't going to allow it. Will they ever be able to establish growth on the hillside? He doesn't know. Right now there's no way with the weather. Ms. Hash asked if this is going to require excavation can they bring some of the top of the hill to the bottom and smooth it out so it's not so steep. Then they would be able to mow it. Mr. Swafford replied if they start that then some of the bank and possibly some of the tree line would have to go. Mr. Coppock advised they would have to go out a greater distance. Mr. Swafford commented there's a parking lot at the bottom and it would really change the plan. Mr. Ryle said he would vote against rip rap but if there was a good managed plan he would vote for it. Mr. Swafford commented it's not unreasonable to ask for a plan. Ms. Hash asked if it's graded as in the plan and how it could be verified. Mr. Ryle replied it would have to be surveyed. Mr. Swafford asked Mr. Coppock if the grade is according to the plan. Mr. Coppock replied they don't take actual shots to verify the slope. Ms. Hash commented this is one of the problems they've always had. This shows the need for an independent engineer to sign off verifying the development is done as presented to the Plan Commission. Mr. Ryle concurred.

**Dan Swafford** asked Mr. Cook if he would like to proceed with bringing back a plan for the proper installation of the rip rap or does he want them to vote on whether or not to modify the original plat. Mr. Cook replied when you start having everything drawn up it's a lot of expense which may or may not benefit them. They can still vote against or for it. Mr. Swafford said he agrees with that. It's a catch 22 whether or not they ask for a plan and then they may or may not like the plan or be happy with the rip rap. He could see where some of the commissioners don't want to vote without seeing a plan for the rip rap. Personally, he doesn't like rip rap but if they can show it won't be unsightly in five or ten years he can live with it. He would rather see a retaining wall but it's an additional cost and it wasn't in the original plat. Ms. Hash suggested they look at the plan that was presented and see how it was laid out from the beginning and what the slope was suppose to be. She asked Mr. Coppock if it was on the plan. Mr. Coppock replied the contour was on the plan.

**Russ Ryle** said the problem is they clearly established whether Mr. Coppock's wearing a Town of Ellettsville hat or client hat nobody has been out there with a tripod and verifying what it is. They're talking about a hypothetical plan that may or may not match today's reality. Mr. Coppock replied as Bynum Fanyo they go out and stake the site to how it is to be constructed. The Town does not hire them to go out and as-build the site.

There's not a requirement in the Town code that anybody goes out and as-builds the drawings as they're going. The only duty he has as a Town Engineer is to inspect the erosion control and see that it's in. Everything else such as roads and streets fall to the Street Commissioner. It's their job to look at the sites and see if those things are constructed correctly in the drainage. He reiterated all he looks at is the erosion control. Mr. Swafford asked if the bulk of the erosion is settling at the bottom of the hillside. Mr. Coppock responded if it does get in the drain system it accumulates in the pond which was designed as a sediment pond during construction. It has two different places to be caught before that happens. Mr. Swafford asked about the danger of eroding the bank away until it comes into the adjacent property owners. Mr. Coppock answered it's not going to get into anybody's property on the upstream side of things. Anything that comes off the hillside is going to come down. Mr. Swafford clarified he's talking about the bank being eroded away where it cuts into the top of the bank toward the adjacent property owners. Mr. Coppock replied it is really sheet flow across there. They'll get some reels and little gullies through there but there's not any concentrated flow where it's going to start washing and work it's way back after the other property owners area up in there. It's a pretty good ways from that.

**Sandra Hash** wants to see what was laid out in the plan. There was to be a garage there and if there was to be one surely it wasn't going to set on a slope. She reiterated she wants to go back to the original plan and see why they ended up with a hill that is too steep to mow and a need for rip rap before they proceed. Mr. Coppock commented it's up to the church but they could plant some type of ground cover on the slope. It could be something that grows low to the ground. Ms. Hash commented there are several types of ground cover that could serve that purpose. Mr. Swafford stated it would probably be cheaper for the church to plant ground cover because it doesn't have to be maintained. There are some that will stay under the weed limit and smothers out anything else that tries to grow in it. Mr. Coppock stated it is up to the church to come back if they want to look at anything different or proceed with rip rap.

**Ken Cook** said the thing that bothers the church the most on the bank is trying to keep everything mowed to less than 9" high. One criteria hurts them one way and another criteria hurts them another way. Mr. Swafford knows with the ground cover there are plants that will cover it and will stay under 9". The only thing is most of them are invasive. If you don't keep it mowed at the top and bottom they'll spread. Mr. Cook commented he doubts the church would be against it. Mr. Swafford proposed the church contact the Planning Department and get a list of non-invasive vegetation. It'll have to be planted when it cools down in the fall. Mr. Ryle said some of it may have to wait until spring depending on the species. Mr. Swafford asked Connie Griffin to search for something that can be planted in the fall. He's afraid to leave the bank bare over the winter. Mr. Baker said it also needs to be drought resistant. Mr. Coppock said they could also look at silt fence staggered up the hill so that it limits the area of flow to help maintain the bank. Ms. Hash asked when the vegetation took hold could it be removed. Mr. Coppock said yes, the silt fence could be pulled out. Ms. Hash reiterated she still wants to see the original plan. Mr. Swafford asked that they remember to bring the original plan to the next meeting and provide copies to all Plan Commission members. This issue will be brought up at the next meeting. Mr. Coppock said he can email the plan to everyone.

**Phillip Smith** commented they could use a mixture of rip rap and ground cover. Once the ground cover starts growing it's going to cover the rip rap and they wouldn't see it anyway. Ms. Hash stated if they could get a ground cover to take it would save them a lot of money on rip rap. Mr. Ryle said his concern is given the severity of the slope the rip rap, unless it's really big flat rock that's not rolling it's going to come down hill. Mr. Coppock advised when they put it in they push it down and it all locks into place. If it's put in right it doesn't move. Ms. Hash asked how they put the rip rap down without

tearing the fabric. Mr. Coppock replied the fabric is more like felt and will mould to it. For the most part rip rap doesn't have sharp points on it – it's rounded edges. Mr. Ryle said he has used landscape cloth which is akin to felt at his house and the best he ever got out of it was five years because it deteriorates.

**Dan Swafford** explained to Mr. Cook he's to go back to the church and discuss the thoughts and suggestions of the Plan Commission and then come to the next meeting. In the meantime, Mr. Coppock has electronic files of the plat he will email to everyone. If there are any questions they'll proceed from there. They have a little time and they want to make the best decision for all concerned. They are a focal point of the Town and they want to make sure everything looks good on the site. Mr. Cook advised he will work with Ms. Griffin to figure out what to do on the slope. Mr. Swafford asked Mr. Coppock how hard it would be to get the elevation. Mr. Coppock stated it would cost \$300-\$400. Mr. Ryle asked if that's part of the project cost or Town's cost to verify things are done right. Mr. Swafford asked if there is an agreement with Bloomington for them to come and look at the building plans. Ms. Hash replied they do building permits for structures but not the site. Mr. Swafford asked if no one double checks the plat. Mr. Coppock replied neither Monroe County nor Bloomington are required to do as-builts. Nobody requires it around here. It's the same in Bloomington and Monroe County. They have site inspectors who work out of different departments. Such as Monroe County who has road control inspectors and Bloomington has inspectors but they don't survey them or shoot to verify elevations. Mr. Ryle commented normally, he doesn't know if it's necessary except given the uniqueness of this project he thinks it's desirable. Whether or not they can get it done is another question.

Dan Swafford entertained a motion to table the First Assembly of God's Development Plan. Terry Baker made a motion to table the First Assembly of God's Development Plan. Russ Ryle seconded. Roll Call Vote: Dan Swafford – yes; Terry Baker – yes; Don Calvert – yes; Russ Ryle – yes; Phillip Smith - yes and Sandra Hash – yes. Motion carried 6-0.

#### **Taco Bell – Potential Patio Addition to Service Outdoor Dining Guests – Connie Griffin**

**Connie Griffin, Planning Department**, presented the plan submitted by Taco Bell. Taco Bell has had an afterthought to their plan. They are proposing, in the front area that faces State Road 46, to add three patio tables to change the area. She verified there is four feet between the landscaping and the tables so it is accessible. She requested they make one of the tables accessible for a wheelchair. This has been a good partnership. She has given them an extension for the landscaping to mid September because of drought conditions. They are asking for a minor amendment to add the patio area. It does not change the foot print. There is landscaping in front of the patio area.

**Phillip Smith** asked what is located where the patio area will be. Ms. Griffin responded sidewalk. The patio will stay within the curb area. They will remove the sidewalk and install a patio. This is a new building design and adding the patio is another way to make it a nice looking building. Ms. Hash asked if the existing sidewalk will remain the same width. Ms. Griffin replied the footprint remains the same. Mr. Ryle said he noticed there is a 10' 5" mark and asked if it is the width of the concrete area in front of the building. Ms. Griffin replied yes. Ms. Hash added it includes the sidewalk. Mr. Ryle asked if that's the existing footprint. Ms. Griffin answered yes. There is 4' between the tables and the bushes. There is nothing that will prevent pedestrian traffic. Mr. Ryle asked if the landscaping bushes between the tables and the drive-thru are at ground level or on a planter box to further delineate for the safety of children. Ms. Griffin answered when she drove through there today it's up from where the drive-thru is located and there is curbing.

Dan Swafford entertained a motion to approve the plan for a patio at Taco Bell. Phillip Smith made a motion to approve the plan for a patio at Taco Bell. Don Calvert seconded. Roll Call Vote: Dan Swafford – yes; Terry Baker – yes; Don Calvert – yes; Russ Ryle – yes; Phillip Smith - yes and Sandra Hash – yes. Motion carried 6-0.

**Connie Griffin, Director of Planning**, advised the next item is not an agenda item. However, pursuant to §2.4(D) of Legislative Procedures, items that come before the Plan Commission which were not on the agenda may be added by motion of the Plan Commission and a majority vote. To be placed on the agenda is an encroachment and utility easement concern at 4315 Rindle Lane.

Dan Swafford entertained a motion to add it to the agenda. Russ Ryle made a motion to add it to the agenda. Phillip Smith seconded. Roll Call Vote: Motion carried.

**Connie Griffin, Director of Planning**, explained a draft of a resolution for a right to encroach has been prepared by Darla Brown, Town Attorney. It is being prepared for the August 13, 2012, Town Council meeting. The encroachment issue came about through survey findings because the property was in the process of being sold. They found the home encroached 3.8 feet over the side yard set back but the current requirement is 10 feet. It is actually 1.3 feet into a drainage easement. The Street Commissioner has visited the site and they've been in discussion with the Town Engineer. The petitioner is Kurt Sieboldt of 4315 N. Rindle Lane located in the Spring Valley Subdivision, Section 3, which was recorded in November 2003.

**Don Calvert** asked if he needed to leave the meeting because of a conflict of interest. Ms. Griffin replied technically a conflict of interest does ask that the person leave the meeting room. Mr. Swafford told Mr. Calvert it was fine if he remained in the audience. Ms. Hash advised he has no financial interest or gain in this property.

**Connie Griffin** read a summary of the resolution titled "*Setback Encroachment and Utility Easement Encroachment at 4315 N. Rindle Lane, Bloomington, Indiana*". Basically, it discusses the encroachment measurements. A copy of the Surveyor Location Report drawing and Surveyor Location Report are attached. There is verbiage that protects the Town. It doesn't make the encroachment the responsibility of the new owner. This resolves the encroachment issue. The Town retains the right of its utility easement. No additional construction would occur in this area. It binds the owners throughout the process. It in no way indicates any intention on the part of the Town to abandon any part of the drainage easement. It's not intended to relieve the owners of any provisions of applicable zoning ordinances or statutes. The Town Attorney prepared a draft of a motion to carry it forward to the Town Council. Ms. Hash noted the resolution was absent of a number so it will have to be referred to by its title and the number will be assigned at the Town Council meeting.

Dan Swafford entertained a motion to recommend to the Town Council that the proposed resolution regarding a setback encroachment and utility easement encroachment at 4315 Rindle Lane be approved. Phillip Smith made a motion to recommend to the Town Council that the proposed resolution regarding a setback encroachment and utility easement encroachment at 4315 Rindle Lane be approved. Dan Swafford seconded. Roll Call Vote: Dan Swafford – yes; Terry Baker – no; Russ Ryle – no; Phillip Smith - yes and Sandra Hash – yes. Motion carried 3-2 with one abstention.

## **Commissioners Comments**

**Russ Ryle** wanted to discuss Don Calvert's abstention for conflict of interest. They are a seven member board. He was thinking it takes four affirmative votes to pass something. Ms. Hash asked if it was a majority of those present. Ms. Griffin replied that was her understanding. Mr. Baker said Mr. Calvert wasn't present but hadn't left. Mr. Ryle stated when he read the rules it stated a majority of the membership was needed to pass a motion. Ms. Griffin said §2.8(A) of Legislative Procedures states, "*A requirement that resolution be passed by a majority vote of the Plan Commission means a majority vote of the all members which is a vote of four members. Any requirement that an ordinance or resolution be passed by a two-thirds vote of the Plan Commission means at least a two-thirds vote of all the members which is a vote of five members.*" Mr. Swafford explained the Town Council proposed the resolution so they didn't really pass the resolution. It's a proposed resolution that's going to be sent to Town Council. Is that considered a resolution?

**Russ Ryle** had another point of order. Generally, the Plan Commission recommends to Town Council. Basically, a lack of vote means it goes to Town Council without recommendation, not that it can't go to Council? Mr. Swafford noted the motion stated "*they recommend to the Town Council that the proposed resolution regarding the set back encroachment be approved.*" Mr. Ryle said what the Plan Commission is doing, in affect, is sending it to Town Council without a recommendation. Mr. Swafford stated that's the way it will have to be stated. Ms. Hash noted it could state it was a positive vote of the members present. Mr. Swafford instructed Ms. Hash to note it was 3 to 2 vote for approval but it was not the majority so it goes to the Town Council without recommendation.

**Russ Ryle** commented as-built is something that has caused the Town grief for a number of years. When you look back at the number of construction related issues that have come before the Plan Commission and Town Council such as complaints and non-compliance issues, a number of them could have been headed off on the front if an as-built inspection was done. What is the feeling of the group of instituting an as-built requirement? Mr. Swafford said he's always thought it was a great idea to have as-builts. He's worked for the university for 15 years and they always got as-builts. Ms. Hash asked him to define as-builts. Mr. Swafford defined as-builts as noting any changes or deviation from the original plat after the project has been completed. They would have a plat with as-builts marked on it. It's a correction sheet. Mr. Coppock explained it gives an as-built drawing of what is actually there and it notes the changes between what the design originally was and the finished product. For example, if something is to be three feet deep and it's 2.75 feet deep then that would be marked on the set of drawings and drawn back in to the correct elevation.

**Dan Swafford** said Don Calvert made a good point that it's just like Taco Bell. When they get an as-built copy of Taco Bell the picnic tables would be penciled in. Mr. Coppock said you probably wouldn't shoot the picnic tables. Mr. Swafford said the picnic tables are permanent and they're set in concrete. Mr. Coppock explained the tables could still be removed. They would shoot the concrete and other physical structures. Ms. Hash stated when this was discussed before they had agreed they wanted the as-built and it would be tacked on to the building inspection. Mr. Coppock said there wouldn't be an as-built on a house. Ms. Hash asked if it would be more of a commercial facility. Mr. Swafford answered it would be the plat because they don't care what's inside the house. Ms. Hash said Mr. Calvert had a back yard with no problems and this addition came in up the hill from him and then he had flooding issues. If the as-built was verified would that guarantee the flooding might not have happened or how would it affect it? Maybe the plan was faulty from the beginning and was going to create more runoff. Mr. Swafford confirmed Mr. Coppock stated earlier that as-builts weren't used in Bloomington. Mr. Coppock replied he can't ever recall doing certified as-builts.

**Russ Ryle** said he is more interested in as-builts as to the slope, drainage and required improvements such as landscaping, sidewalks, lights, etc., including setbacks for the project. Such as the buildings are the right place, right setbacks, etc. He is looking for some way to prevent finding there is a completed structure 3.6' too close to something in the future. Mr. Coppock commented that would not be part of this type of as-built. Mr. Ryle stated that would be part of the ongoing inspection process. When the foundation is laid all that has to be done is to take someone out there with a tape measure and if the foundation isn't correct then it should be fixed. Mr. Swafford stated in the apartment complex near him there was a place when they were going through the plat approval process that was to have an emergency vehicle road in the back. After everything was said and done it's not there. It was never taken to the Plan Commission or anywhere else it was just changed at some level. He thinks the Planning Director probably changed it. Ms. Hash stated the Planning Director was the person who insisted on the emergency vehicle road.

**Russ Ryle** stated they need ongoing on-site inspections. He is wanting to make sure projects are built to plan. When the Plan Commission approves a plan, there is no guarantee what goes in the ground is going to meet those requirements. Mr. Swafford commented that's why they have Rick Coppock and Connie Griffin. Mr. Ryle said they've heard three times during this meeting nobody goes and checks these things. Mr. Coppock explained that really comes back to departments such as utilities who oversees their lines and inspects water and sewer lines during construction. In Monroe County when a road comes in the Highway Department inspects it. When a project went in on Union Valley Road the Street Department checked the subgrade before they paved. He's uncertain if the Street Department looks at sidewalks, curbs or storm drains during the construction process. Mr. Swafford asked him what he suggested if they want to put this into the code. Mr. Coppock replied he has a sample code from Greenwood at the office. He'll provide it to Connie Griffin and she can pass it on. As for houses, it's up to the developer. Every once in awhile they'll get over the setback. In general they're pretty good about it. When Bynum Fanyo goes out they stake the footer and give the offsets to the footer. Then they'll set the different corners so the contractor can pull the dimension in to get the footer formed up. Then they will pin the footer where they actually put a nail in as to where the edge of the block is for the house to be.

Plan Commission, August 2, 2012

That's pretty much the standard. Ms. Hash asked who would request they do that. Mr. Coppock answered most of the time it's the builder. Mr. Calvert commented they need to make sure the builders are honoring the setbacks. Ms. Hash asked what the inspection Mr. Coppock performs is called. Mr. Coppock replied it's a survey function called "pinning the footers". Mr. Swafford asked if the as-builts would catch something such as the emergency access road mentioned in an earlier example. Mr. Coppock replied it is something that should be noted. The emergency access couldn't work because there's an 8' bank behind it. There was a proposed development on the other side that was to go through and that would have tied in to the emergency access but it never happened. Mr. Swafford requested this be put on the agenda for the next meeting under New Business.

## **Adjournment**

Terry Baker made a motion to adjourn. Don Calvert seconded. Dan Swafford adjourned the meeting at 7:15 p.m.

---

Dan Swafford, President

---

Terry Baker, Vice President

---

Don Calvert

---

Sandra Hash, Secretary

---

Phillip Rogers

---

Phillip Smith

---

Russ Ryle