

BOARD OF COUNTY COMMISSIONERS
RON AMSTUTZ • JONATHAN HOFSTETTER • SUE A. SMAIL

WAYNE COUNTY PLANNING COMMISSION MEETING
WAYNE COUNTY ADMINISTRATION BUILDING
3:00 PM WEDNESDAY: Dec 13th, 2023
Agenda

“Please turn off your cell phones during this meeting. Thank you.”

CALL TO ORDER:

ROLL CALL:

OATH: **“Please state your name when speaking to help with today’s minutes**

MINUTES: November 8th

OLD BUSINESS: None

NEW BUSINESS:

SUBDISIVION REPORT: Listed on Attached Agenda
(Splits, Annexations, Large Lots, Re-Plats/Re-numbers, MCADs)

EXTENTIONS: None

VARIANCES: None

COMMON ACCESS DRIVES: **MCAD-23-05**

MCAD-23-045, PLA 11 SW, CR 139 HEYL ROAD, APPLICANT: SJL, OWNER: CARL FINLEY, SURVEYOR: SJL.

The applicant is proposing to create (6) six lot CAD. A 3.438-acre lot, a 3.061-acre lot, a 3.945-acre lot, a 3.283-acre lot, a 3.217-acre lot and a 3.414-acre lot all on a 30- wide Common access drive with a cul-de-sac turnaround per sec 2.6 (C) (9). The lot is part of an existing– Donald Sigler Allotment and will be Donald Sigler Allotment # 3.

MAJOR SUBDIVISIONS: **MA-23-02**

Preliminary and Final:

MA-23-02 PLA 9 SE, CR 8, ANGLING ROAD, CR 36, FRIESTONE ROAD AND CR 139 HEYL ROAD, APPLICANT: SJL, OWNER: CARL FINLEY, SURVEYOR: SJL

The applicant is proposing to split a total of 14 lots. Lot 33, a 1.679-acre lot, lots 34-41, are all 1.500-acre lots, lot 42 a 3.8.23-acre lot, lot 43 a 2.432-acre lot, lot 44 a 2.513-acre, lot 45 a 2.158-acre lot and lot 46 a 2.020-acre lot.

Lot 33 will have 274.88’ of frontage on Firestone Road and 239.88’ of frontage on Angling. Lot 34 will have 197.76’ of frontage, lot 35 will have 181.42’ of frontage, lots 36 will have 181.84’ of frontage, lot 37 will have 187.49’ of frontage, lot 38 will have 193.71’ of frontage, lot 39 will have 202.98’ of frontage, lot 40 will have 197.11’ of frontage and lot 41 will have 188.40’ of frontage all on Angling Road.

The proposed lot 42 will have 178.27’ of frontage on Firestone Road. The Proposed lots 43,44, 45 and 46 will be on a Common Access Drive that has 50’ of frontage on Heyl Road.

INTERGOVERNMENTAL REVIEW: None

OTHER BUSINESS: NONE

NEW BUSINESS:

SUBDISIVION REPORT: (Splits, Annexations, Large Lots, Re-Plats/Re-numbers, MCADs)

APPLICATION NUMBER	OWNER	PARCEL	LOCATION	LOT ACREAGE
M-23-42	DOROTHY STIENER	47-02095.00	SUG 31 NW	3.6
M-23-43	SHAUN BEEGLE	22-00055.001	CON 36 MS NW	4.9 & 2.0
M-23-46	STEINER LIMITED PARTNERSHIP	04-00446.00	BAU 17 NE	2.1***
M-23-67	VERNON YODER	29-00116.014	FRA 23 SE	(2) 2.85
M-23-72	TIM AND KATIE MAST	39-00463.003	PAI 5 NW	1.122 & 5.650
M-23-82	ICKES BARKER FARMS LLC	42-00006.001	PLA 8 NE	9.6
M-23-86	JOSEPH & MARY HOSTETLER	30-01121.019	FRA 10 NE	4.3 & 1.8
M-23-99	PETER & JOAN KIKO	76-00071.010	SUG 12 SW	1.5 & 12.5

***** THIS CAN NOT BE SPLIT ANY MORE OR SOLD OUTSIDE FAMILY - RESOLUTION 2023-07 PER orc SEC 931.07**

EXTENSIONS: None

VARIANCES: None

COMMON ACCESS DRIVES: MCAD-23-05

MCAD-23-05, PLA 11 SW, CR 139 HEYL ROAD, APPLICANT: SJL, OWNER: CARL FINLEY, SURVEYOR: SJL.

The applicant is proposing to create (6) six lot CAD. A 3.438-acre lot, a 6.061-acre lot, a 3.945-acre lot, a 3.283-acre lot, a 3.217-acre lot and a 3.414-acre lot all on a 30- wide common access drive with a cul-de-sac turnaround per sec 2.6 (C) (9). The lot is part of an existing– Donald Sigler Allotment and will be Donald Sigler Allotment #3.

Health: For **the proposed 3.438, 3.045, 3.283, 3.217, and 3.414 vacant acre parcels** - Applicant must submit a soils report from a certified soil scientist identifying soil(s) in the primary and secondary replacement sewage treatment system area. Applicant must submit a plot plan noting the location of the primary and replacement septic system. A new STS shall not be sited in an area identified as a flood way, and only below grade soil absorption components of a new STS may be sited within any part of the one hundred-year flood plain except where prohibited by federal, state, or local regulations or ordinances. Applicant must submit the \$625 lot split review fee for the TRC application (\$125 x 5 = \$625). **Health waives review for the remainders.**

Planning: The Planning Commission will review this proposal at the December 13, 2023 PC meeting. The proposal was sent to the New Pittsburg fire department.

Staff recommends approval of a 6 lot Common Access Driveway per section 2.6

1. The drive shall be constructed to all standards according to Section 2.6. (c) (9)
2. A cul-de-sac turnaround must be installed per regulations because it will be for 6-10 lots. See figure 3 for reference.
3. Common access drive must satisfy the access management standards.

4. A common access drive must be placed within a defined access easement benefitting the lots which front on the common access drive. The design must be prepared by a licensed professional survey or engineer.

5. A homeowner's association or a common access drive agreement must be established in perpetuity for all lots served by the common access drive. Such agreement must be approved and placed on plat, referenced by deeds for all lots served and reordered by Recorder's Office.

Wayne SWCD: A watercourse was observed extending from the west property line of the proposed 5.081-acre parcel to the east property line of the proposed 3.438-acre parcel. Survey Drawing Note: A watercourse was observed on the proposed 5.081 and 3.438 acre parcels, as shown and identified on the survey drawing. State and Federal requirements may apply. It is up to the applicant to contact any agencies with jurisdiction in the watercourse before earth-disturbing activity is conducted in the watercourse. A Construction Application for Permit (CAP) shall be submitted to the Wayne SWCD office prior to constructing the Common Access Drive (CAD). Based on an estimated earth disturbance of one half acre of ground for each vacant, residential building lot, the total earth disturbance for the five lots and the construction of the common access drive will be one acre or greater. Therefore, a Storm Water Pollution Prevention Plan (SWP3), meeting the requirements of the Wayne County Storm Water Management Regulations, shall be attached to the CAP. All culverts to be installed for the purpose of constructing the CAD, shall be sized, by a Professional Engineer, to meet the Subdivision Regulations requirements. If a drive culvert is installed through the watercourse for the driveway to Lot 1, the culvert shall be sized by a professional engineer. The National Wetlands Inventory Map indicates that wetlands exist on the 3.045-acre parcel. Please note the wetland was identified on the electronic version of the National Wetlands Inventory Map. It is up to the applicant to contact any agencies with jurisdiction in the wetlands before earth-disturbing activity is conducted in the wetlands (See attached National Wetlands Inventory Map).

Map: No comment.

Engineering: The parent parcel (Lot 4) has an existing driveway identified as 5219 Heyl road that is in an acceptable location. The review fee for this lot split request is \$50 for each parcel, including the parent tract, for a total of \$300. Heyl road is classified as a local road with a 35' setback from the ROW line. Based upon the above review comments, this office does not have any additional concerns regarding this review.

MAJOR SUBDIVISIONS:

MA-23-02 (preliminary and final approval)

MA-23-02 PLA 9 SE, CR 8, ANGLING ROAD, CR 36, FRIESTONE ROAD AND CR 139 HEYL ROAD, APPLICANT: SJL, OWNER: CARL FINLEY, SURVEYOR: SJL

The applicant is proposing to split a total of 14 lots. Lot 33, a 1.679-acre lot, lots 34-41, are all 1.500-acre lots, lot 42 a 3.8.23-acre lot, lot 43 a 2.432-acre lot, lot 44 a 2.513-acre, lot 45 a 2.158-acre lot and lot 46 a 2.020-acre lot.

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The proposed lot 42 will have 178.27' of frontage on Firestone Road. The Proposed lots 43,44, 45 and 46 will be on a Common Access Drive that has 50' of frontage on Heyl Road.

Health: Health waives review for all parcels since all requirements have been met.

Planning: Application received Conceptual Approval at the May 10th, 2023 PC meeting and staff recommends preliminary and final approval contingent on compliance with the TRC requirements. One of the requirements is a subdivision name in which it is phase 4 of the Arrowhead Allotment. Planning Commission has final approval of the subdivision name per Section 3.4 Development Standard (H). This can be accomplished at a Planning Commission meeting if all the TRC comments are met.

The proposal was sent to the New Pittsburg fire department.

Staff recommends approval of a Type 1 CAD with the following conditions:

1. The drive shall be constructed to all standards according to Section 2.6.
2. The required signage installed
3. A T-type turnaround installed
4. An approved shared drive agreement submitted

The purpose of a major subdivision is to ensure creation of sound neighborhoods that are sensitive to the county's rural character, responsive to environmental constraints and be consistent with the Comprehensive Plan. Arrowhead Estates allotment number #1 is to the south of the proposed allotment and would just be an extension of the already existing allotment.

Wayne SWCD: A 20-foot-wide drainage course exists extending from the east property line to the south property line of the proposed 2.052-acre parcel. A 20-foot-wide drainage course exists extending from the east property line to the south property line of the proposed 1.629-acre parcel. A 20-foot-wide drainage course exists extending from the east property line to the southeast property line of the proposed 1.629-acre parcel. A 20-foot-wide drainage course exists extending from the east property line to the west property line of the proposed 1.633-acre parcel. A 20-foot drainage course exists extending from the north property line of the proposed 2.02-acre parcel west through the proposed 2.158-acre parcel to the north property line of the proposed 2.513-acre parcel. A 20-foot drainage course exists extending from the east property of the proposed 2.158-acre parcel to the north property line of the proposed 2.513-acre parcel. A 20-foot-wide drainage course exists extending from the south property line to the north property line of the proposed 2.483-acre parcel. A 20-foot-wide drainage course exists extending from the north property line to the west property line of the proposed 2.483-acre parcel. A 20-foot-wide drainage course exists extending from the south property line to the north property line of the proposed 3.946-acre parcel. A 20-foot-wide drainage course exists extending from the east property line to the west property line of the proposed 3.946-acre parcel. The approximate location of the drainage course is shown on the attached aerial photo, however, the drainage course location indicated on the survey drawing shall depict the actual location of the drainage course as it exists in the field. Drainage Course Note: A drainage course was observed on the proposed 2.052, 1.629, 1.633, 2.02, 2.158, 2.513, 2.483, 3.946 acre parcels. The drainage course is a swale, as shown and identified on the survey drawing. The drainage course should be preserved as a means of disposing stormwater and groundwater and is intended to benefit all who adjoin it. To preserve the function of the drainage, course an area described as, ten feet on each side of the centerline of the swale, extending along its entire length, should not be impeded. Within the drainage course, no structure, fencing, culvert or other material should be placed or permitted to remain which may obstruct, retard or divert the flow.

A Construction Application for Permit (CAP) shall be submitted to the Wayne SWCD office prior to constructing the common access drive or a dwelling in the proposed major subdivision. Based on an estimated earth disturbance of one half acre of ground for each vacant, residential building lot, the total earth disturbance will be one acre or greater. Therefore, a Storm Water Pollution Prevention Plan (SWP3), meeting the requirements of the Wayne County Storm Water Management Regulations, shall be attached to the CAP.

MA-23-02: Prelim and Final: Our original comments dated 4/18/23 still apply to this application. Drainage and drainage course easements shall be shown on the plat around proposed storm water basins and drainage courses, respectively, per Section 3.7 (E) of the Wayne County Subdivision Regulations. Language on the plat regarding the stormwater management system shall be per the Subdivision Regulations and Sections 7.04 and 7.07 of the Wayne County Storm Water Management Regulations, as well as, any additional language as required by the Wayne Soil & Water Conservation District.

Map: No Comment.

Engineering: Utility & right-of-way work permits have been submitted. This office has no further comments.

Comments from the May 10th Planning Commission

Planning Staff noted that the Engineer's office had updated comments and those were passed out to the Planning Commission. Planning Staff introduced John Long as the representative for the application and stating this was the second phase of the Arrowhead allotment. Commission member Fitzpatrick questioned the t- type turnaround for the 4 lot CAD. Staff did let the commission know they reached out to the fire department and they had not sent in any formal comments but did ask about the road width and the cul-de-sac. Staff explained that the road width will need to meet subdivision standards and that those follow the fires and safety guidelines and that a cul-de-sac was not needed with 4 lots just a t-type turnaround.

*Upon hearing no more discussion, **Staff Recommended Acceptance of the conceptual plan, and that the application could come back with preliminary and final approval at the same time.***

*Moved by **Joel Montgomery** to conceptually approve the application. Seconded by **Gene Pouly**.*

John Fitzpatrick abstained.

MOTION carried

INTERGOVERNMENTAL REVIEW: None

OTHER BUSINESS:

