MINUTES OF REGULAR MEETING
OLDHAM COUNTY
PLANNING AND ZONING COMMISSION
Tuesday, January 22, 2019

At 9:00 a.m., local time on the above date, this meeting of the Oldham County Planning and Zoning Commission, hereinafter called the Commission, was called to order in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky, by Chairman Kevin Jeffries.

Other Commission members present were:
Sam Finney  Iva Davis  William Douglas
John Falvey  Joe McWilliams  Ed Hafling
Bob Klingenfus  Jan Horton  Mary Ann Smith
Laura Bohne  Berry Hampton  James Neal

Commissioners Greg King and Kevin Mesker were absent.

Others present and sworn in were Planning and Development Services Director Jim Urban, Assistant Director Amy Alvey. Attorney John Carter was present for the meeting and Administrative Assistant Shelly Nunn was the Secretary for the meeting.

Approval of Minutes – Motion was made by Commissioner Hampton and seconded by Commissioner McWilliams to approve the minutes as amended December 18, 2018 submitted. Motion carried by unanimous voice vote.

Secretary Shelly Nunn called and read Docket PZ-19-001:
DOCKET PZ-19-001- Application has been filed by Pulte Group for the approval of a Preliminary Open Space Subdivision Plan for 80 lots on approximately 81.5 acres to be known as Goshen Place. The property is located at Goshen Lane and Plantation Boulevard, Goshen. The zoning is R-2 Residential District and CO-1 Conservation/Residential District.

1. Introduction of the application by staff and questions by the Commission:
Assistant Director, Amy Alvey, presented the following:
• Summary of the application.
• Case History (see Exhibit A, Staff Report dated, January 22, 2019).
• Site history.
• Aerial Photos of the site.
• Photos of property.

Paula Wahl, Oldham County Traffic Consultant, Neel-Schaffer, Inc. 200 Whittington Parkway, Suite 205, Louisville, after being sworn, presented the following:
• Gave analysis of the traffic study.
• The weekday trips are estimated at 847 per day for the proposed subdivision between Valley Drive and Plantation Drive.
• The Federal Highway Administration has criteria for road classifications for jurisdictions to use based on the traffic volumes.
Jim Silliman, Oldham County Engineer, 4734 Grand Dell Drive, Crestwood, after being sworn, presented the following:

- Clarified Goshen Lane as sub collector road and understands the proposal of 18 feet width with concrete rolled curb to match existing section by Pulte Group.
- Recommended there be a Binding Element with considerations for the improvements of Goshen Lane between Valley Drive and the new entrance to not only widen to 18 feet but address the 90 degree curve radii.
- Construction plans shall calculate the post development discharge to assure that it doesn’t exceed the pre-development rate.
- No report has been provided to staff regarding these environmentally sensitive areas.

Michael Williams, Director of Pupil Personnel with Oldham County Schools, 6165 W. Hwy 146, Crestwood, after being sworn, presented the following:

- Presented the current enrollment statistics for the campus. Based on the multiplier OCBE recommends 35 building permits per year if approved by the Planning Commission.
- Spoke with their transportation office and found no issues with buses on Goshen Lane.

Amy Alvey responded to questions from the Commission:

- All agency concerns for the project would need to be addressed before submitting for a record plat.
- North Oldham Fire Department stated at the TRC meeting they have to find an alternate route with their apparatus/equipment in the event Goshen Lane is blocked.

Kevin H. Gibson, General Manager of Oldham County Environmental Authority, 700 West Jefferson Street, LaGrange, after being sworn, presented the following:

- Capacity of the Ohio River Wastewater Treatment Plant is currently at 45 percent.
- The development would tie into Pebble Point Station and its capacity is at 70 percent.

Chairman Jeffries called for a 10 minutes recess at 9:48 a.m.
The Commission came back into session at 9:58 a.m.

2. Presentation by the applicant or representative and others in support of the application:

Attorney, John Talbott, Bardenwerper Talbott & Roberts, 1000 N. Hurstbourne Parkway #200, Louisville, was present to speak in behalf of this application.

- Presented the site plan showing aerial view of the subdivision and Goshen Lane.
- Summary of acreages, lot sizes and open space subdivision regulations (Section 5.12).
- Discussed the road width improvements on Goshen Lane.
- Pulte agrees to improve water infrastructure with Louisville Water Company.
- School capacity is adequate to accommodate the number of students generated by this development.
- Presented summary report by Ron Thomas, Redwing Ecological Services, Inc. which states the site appears to include four intermittent streams, twelve ephemeral streams and one pond. (Applicant, Exhibit A).

Diane Zimmerman, President of Traffic Engineering, LLC, 12803 High Meadows Pike, Prospect, was present and sworn in to speak on behalf of this application:

- The Traffic Impact Study shows different service level ranging from A to E and states there will be minimal impact to the existing highway network.
- No capacity deficiencies were identified during the study.
- No improvements are required or recommended to provide additional capacity.
- US 42 left turn lane is not warranted.

Eric Senn, Land Design & Development Inc., 503 Washburn Ave., #101, Louisville, was present and sworn in to speak on behalf of this application:
- Explained sewer line layout and pump station capacity.
- Overview of the proposed three detention basins on the site.
- Looking at improving the drainage issue at the entrance of Goshen Lane.

(3) **Testimony and questions by those opposing the application:**
Attorney Clay Barkley, Strobo Barkley PLLC, 239 South 5th Street, Louisville, was present to speak on behalf of Goshen Lane Preservation Group and Taylor Creek Woods Homeowners Association and stated the following:
- The homeowners are opposed to this development.
- Reviewed minimum lots sizes and the regulations.
- Summary of the three detention basin’s shown on the site plan map.
- Discussed the density and environmental issues of the property.

Adam Kirk, Adam Kirk Engineering, Transportation Engineer PhD, 137 Columbus Spring Drive, Georgetown, after being sworn, presented the following:
- Reviewed the traffic impact study and geometry of the roadway.
- Crash Analysis states 7 crashes on Goshen Lane.
- Discussed sight distance requirements.

The following were present and sworn prior to speaking in opposition to this application:
- Lisa LaRocca, 2201 Goshen Lane, Goshen, KY 40026 - Goshen Crest Farm
- Herb Hurst, 12103 Plantation Blvd., Goshen, KY 40026 – Taylor Creek Woods HOA
- Nana Lampton, 3915 Tirbracken Lane, Goshen, KY 40026
- Joyce Fletcher, 1600 Goshen Lane, Goshen, KY 40026
- Judge Karen Conrad, 2025 Goshen Lane, Goshen, KY 40026
- Bill Fithian, 1814 Rivers Landing Drive, Prospect, KY 40059
- Renato LaRocca, 2201 Goshen Lane, Goshen, KY 40026 – Goshen Crest Farm
- Martha Hargis, 1514 Goshen Lane, Goshen, KY 40026
- Dave Wallace, 11900 Spring Meadow Lane, Goshen, KY 40026
- Craig Small, 2017 Goshen Lane, Goshen, KY 40026
- Dee Schreur, 1842 Rivers Landing Drive, Prospect, KY 40059
- Matt Bucher, 1505 Taylor Creek Court, Goshen, KY 40026
- Cynthia Caldow, 2017 Goshen Lane, Goshen, KY 40026
- Ken Heppermann, 12103 Grist Mill Way, Goshen, KY 40026
- Lora Welch, 1509 Colonial Court, Goshen, KY 40026

Subjects in opposition were:
- Traffic safety, infrastructure.
- Storm water run-off and pollutants.
- Karst/sinkholes/topography changes.
- Concerned with blasting during construction.
- Protection of the private cemetery dated in the 1800’s on Goshen Ln.
- Conservation of environmentally sensitive area.
• Compliance with land use policy and regulations.
• School overcrowding.
• Fiber optic/Internet service interruptions.

Chairman Jeffries called for a 10 minute recess at 11:41 a.m. To discuss increasing the time. The Commission came back into session at 11:51 a.m.

Motion by Chairman Jeffries to add 15 minutes to the time clock for Testimony by opposition and 15 minutes added to the Rebuttal for the Applicant. Motion carried by unanimous voice vote.

(4) Questioning of the applicant and those opposing the application by the Commission:
Dr. LaRocca responded to questions from the Commission:
• There are engineers and hydrologic consultants looking into the storm water run-off.

Mr. Kirk responded to questions from the Commission:
• Clarified site distance on Goshen Lane.
• Described Critical Crash Rate method.
• Agreed that Goshen Lane would be safer if expanded all the way to Rose Island Road because of the geometrics along the roadway.

Both Dr. LaRocca and Mr. Kirk were dismissed from meeting at 12:09 p.m.

Chairman Jeffries called for a one hour lunch break at 12:10 p.m. The Commission came back into session at 1:10 p.m.

Dan Hempel, 10350 Ormsby Park Place, Suite 103, Louisville, was present and sworn to speak on behalf of Pulte Homes responded to the questions from the Commission:
• All underground utilities are marked by each individual utility companies before beginning construction.
• If the fiber optic line was properly marked and they damaged it, they (Pulte) would have to repair it.

Attorney John Talbott responded to questions from the Commission:
• Pulte Homes build anywhere from 15,000 to 20,000 homes a year nationwide.
• Very few complaints with the volume of homes.
• EPA suit was 12 years ago and it took down four national builders, penalty to Pulte Homes was a small amount.
• Clarified the gross density for open space.
• Individual lot size and width may be smaller than required by the zoning district.
• The septic system would be a bigger problem than sewers, especially if they have karst features.
• The smallest proposed lot size in R-2 is 11,937 square feet just below the 12,000 square feet.
• The development is under the 200 lot requirements in order not to have two entrances.
Kevin Young, Principal of Land Design & Development, 503 Washburn Avenue, Suite 101, Louisville, was present and sworn to speak on behalf of the applicant responded to the questions from the Commission:

- Discussed the open space subdivision regulations.
- Karst features are identified on the preliminary plans and they were able to avoid them.
- Explained how the detention basin would help the neighbor with the horse farm.
- Blasting is necessary to install the sewer line.

Ron Thomas, Redwing Ecological Services, Inc., 1139 South Fourth Street, Louisville, was present and sworn to speak on behalf of the applicant responded to the questions from the Commission:

- Division of Water permits are not needed before preliminary plans only before starting construction.

Eric Senn, Land Design & Development Inc., 503 Washburn Ave., #101, Louisville, responded to questions from the Commission:

- Discussed the flow of water coming off the site and has calculated the size of the detention basins.
- Per the Oldham County regulations the Homeowners Association signs an agreement to maintain the detention basins.
- The length of the street to the main cul-de-sac is not to exceed 1000 feet.

Motion by Chairman Jeffries to add 10 minutes to the time clock for questioning by the Commission. Motion carried by unanimous voice vote.

(5) Rebuttal evidence and Cross Examination by the Applicant:
Attorney Talbott stated the following:

- The plans are to avoid the cemetery when widening Goshen Lane.
- Discussed drainage issues and water shed.
- Proposed to expand the radii on the curves.

Eric Senn stated the following:

- Showed that Dr. LaRocca’s property is on a bluff and is outside of their drainage area.
- Discussed drainage issues on Rose Island Road and Rivers Landing Lake.
- The County Engineer will review the erosion control plan and stormwater detention to make sure they meet all criteria.
- Summary of the detention basin and blue-line streams.

Rebuttal evidence and Cross Examination by the Opposition:
Attorney Barkley stated the following:

- Addressed the stop work orders that Pulte Homes had on three other developments.
- Discussed the three detention basins and their locations on the property.
- Stated there should be a detailed environmental analysis to make sure the citizens are safe.
- Discussed the conservation zoned acres and lot sizes.
• The proposal is inconsistent with the plot plan, with the zoning ordinance and the subdivision regulations.

Attorney Talbott responded to the question:
• The dedication of open space area will be protected land as required under the subdivision regulations.

(6) Final statement of the Opposition:

Attorney Barkley summarized the position of opposition regarding the following:
• Blasting during construction.
• The fiber optic service for their small on-line business should not be disrupted.
• Construction over and around blue-line streams will affect the land, sinkholes and erosion control.
• Traffic safety, issues of the size of the road and the “S” curves.
• 1000 foot cul-de-sac and the 250 ADT’s.
• States they are in violation of the CO-1 guidelines.
• Reviewed density and environmental issues.
• Issues with the detention basins.

(7) Final statement of the Applicant:

Attorney Mr. Talbott stated the following:
• More than one neighborhood meeting and twice the amount of neighbors invited, as well as the school board, and the traffic consultant.
• Meet all regulations.
• Client will spend a million dollars fixing the road.
• Will be increasing the water pressure.
• Solution to traffic concerns.
• Addressed the stop work order, no violation notices.

County Attorney Carter discussed a legal issue:
• There are two different zoning districts on this tract, R-2 and CO-1.
• CO-1 can only have, under the zoning district, one acre tracts. There are 38 acres in the CO-1 tract and there are 57 lots.
• The Oldham County Subdivision Regulations state they cannot have more lots in the zoning districts than the density allows.
• Under our regulations this development does not meet our regulations in that respect.

Attorney Talbott responded to the legal issue:
• R-2 has a density standard.
• No density standard in CO-1 zoning regulation.
• This is a ministerial function.
Attorney Barkley responded to the legal issue:

- States the Zoning Ordinances, in Kentucky are required to set out the intensity of use (and define a minimum lot size), not subdivision regulations.
- This application is inconsistent with the zoning ordinances and is illegal.

Motion by Chairman Jeffries to a 10 minute recess at 2:58pm. The Commission came back into session at 3:08pm.

END OF PUBLIC HEARING

Administrator Urban stated the following:

- The Planning Commission’s challenge is to sort through all the factual information.
- Suggested the Commission members be very specific on the motion for approval or denial.
- The staff report lists three Proposed Binding Elements.

Attorney Carter stated the following:

- Discussed the open space subdivision lot sizes and zoning regulations.

**FINDINGS AND DECISIONS PZ-19-001**

2000 Block of Goshen Lane, Goshen

Preliminary Subdivision Plan – Pulte Goshen

(Goshen Place)

Motion was made by Commissioner Bohne and seconded by Commissioner Horton to deny Docket PZ-19-001 because:

- It does not comply with multiple objectives of the comprehensive plan regarding transportation and environmental protection.
- It does not comply with all the subdivision regulations.
- The development of an open space subdivision is not intended to allow increased densities using land with marginal development potential regarding the blue line streams, sinkholes and other environmental features.
- Twenty feet of pavement width is recommended in the Subdivision Regulations and the proposed improvements to 18’ does not meet that recommended width.
- The density has been increased in the CO-1 area beyond the approvable number of lots for that zoning.

The vote to deny was as follows:

**YES:** Commissioners Bohne, Finney, Hampton, Neal, Smith, Horton, McWilliams, Douglas, Davis, Falvey, Hafling, and Kling enfus.

**NO:** None

**ABSTAIN:** None

**ABSENT:** Commissioner King and Mesker.

**Motion to deny has passed on a vote of 12-0.**

Chairman Kevin Jeffries called for a 10 minute recess at 3:20 p.m. The Commission came back into session at 3:30 p.m.
Secretary Shelly Nunn called and read Docket PZ-19-002:
DOCKET PZ-19-002- Application has been filed by JS Real Estate, LLC for the approval of a Revised Preliminary Subdivision Plan for 87 lots on approximately 154.6 acres to be known as Ballard Woods Section 5. The property is located East Highway 22 at Ballard Woods Drive and Ballard Glen Parkway, Smithfield. The zoning is R-1 Residential District, AG-1 Agricultural/Residential District and CO-1 Conservation/Residential District.

1) **Introduction of the application by staff and questions by the Commission:**
Assistant Director, Amy Alvey, presented the following:
- Summary of the application.
- Case History (see Exhibit A, Staff Report dated, January 22, 2019).
- Site history.
- Aerial Photos of the site.
- Photos of property.

Paula Wahl, Oldham County Traffic Consultant, Neel-Schaffer, Inc. 200 Whittington Parkway, Suite 205, Louisville, presented the following:
- Gave analysis of the traffic study.
- Discussed the left turn requirements on Highway 22 at Ballard Vista Drive and Ballard Glen Parkway.

Jim Silliman, Oldham County Engineer, 4734 Grand Dell Drive, Crestwood, KY 40031 presented the following:
- Projected volumes indicate a need for a left turning lane at Ballard Vista Drive.

Michael Williams, Director of Pupil Personnel with Oldham County Schools, 6165 W. Hwy 146, Crestwood, presented the following:
- Presented the current enrollment statistics for the campus. Based on the multiplier OCBE recommends 15 building permits per year if approved by the Planning Commission.

Assistant Director Alvey and Director Urban responded to questions from the Commission:
- Discussed the zoning map amendment on Ballard Glen.
- Clarified Ballard Woods zoning.

2) **Presentation by the applicant or representative and others in support of the application:**
Attorney Berry Baxter, 117 West Main Street, LaGrange, was present to speak in behalf of this application.
- Summarized past history from staff report.
- Aerial view of new proposal of Ballard Wood Section 5 lots. (Applicant Exhibit A).
- The plan is in conformance with all zoning and subdivision regulations.
- Complies with LU-2 and LU-2-1 of the Comprehensive Plan.
- Agree to all binding elements in the staff report upon approval.

Bob Vinsand, Vinsand Engineering & Land Surveying, Inc., 306 West Jefferson Street, LaGrange, was present and sworn to speak in behalf of this application:
- Summarized the new site entrance, stub road, and 87 lots on 154.6 acres.
- Eliminated five creek crossings that were approved from the original application.
• With current configuration, they will be placing cul-de-sacs on the ridges and will not have to cross the creeks.
• Discussed the gross density, zoning, and four proposed detention basins.
• The redevelopment plan for Lot 98 in Ballard Woods was approved by the Commission in July 2018 as the new access point.
• All utilities will connect from Ballard Woods Section 4 and the new Section 3 of Ballard Glen.

Diane Zimmerman, President of Traffic Engineering, LLC, 12803 High Meadows Pike, Prospect, was present and sworn to speak in behalf of this application:
• The Traffic Impact Study shows KY 22 at Ballard Vista Drive operating at Level of Service A with or without the development. (Applicant Exhibit B).
• No capacity improvements to the intersection are required.

(3) Testimony and questions by those opposing the application:
Attorney Steve Porter, 2406 Tucker Station Road, Louisville, was present to speak in opposition of this application:
• Clients disapprove of the name to be called “Ballard Woods”.
• The new 87 lots will not be a part of the original Ballard Woods HOA.
• The homeowners association do not want to have any responsibilities for this development, such as future maintenance and HOA dues.
• Requesting a Condition of Approval that the name not be called “Ballard Woods” to avoid confusion and additional problems.
• Requesting a Condition of Approval to restrict construction vehicles and traffic through Ballard Woods.

The following were present and sworn prior to speaking in opposition to this application:
• Erin Guilfoil, 4048 Ballard Woods Drive, Smithfield, KY 40068
• Brett Schleder, 4046 Ballard Woods Drive, Smithfield, KY 40068
• Brian Jones, 4047 Ballard Woods Drive, Smithfield, KY 40068
• Larry Myers, 3902 Ballard Woods Court, Smithfield, KY 40068
• Stephanie Hawkins, 100 West Jefferson Street, LaGrange, KY 40031

Subjects in opposition were:
• Traffic safety, blind spot/left-hand turn.
• HOA financial responsibility.
• Lot sizes will be smaller.
• Architecturally, the homes are different.
• Opposed to the name of development
• Multiple detention basin requirements.
• Construction entrance.
• Mixing the neighborhoods together.

(4) Questioning of the applicant and those opposing the application by the Commission:
Ms. Zimmerman responded to questions from the Commission:
• The KY Transportation Cabinet determines if a left turn lane is warranted or not warranted.
• The Traffic Impact Study submitted on January 17, 2019 states the left turn lane is warranted.
• Trip generation study was used to project traffic levels from beginning to end of development by using the one percent annual growth rate.

Along with the traffic impact study, an evaluation can be made at a regional level or by using the Major Thoroughfare Plan (MTP).

Attorney Baxter responded to questions from the Commission:
• Received an email recently from Mr. Porter concerning the name of the development which was never mentioned in the TRC meetings.

Walt Schumm, 6100 Breeze Hill Road, Crestwood, responded to questions from the Commission:
• Building restrictions are similar but are not the same as Ballard Woods.
• The original 33 lots are owned by one of his LLC’s.
• Takes three to four years to turn the development over to the HOA.
• HOA fees are different in Ballard Woods and Ballard Glen subdivisions.
• Construction trucks will enter Ballard Glen Parkway and existing through Ballard Woods.

(5) Rebuttal evidence and Cross Examination by the Applicant: None
(6) Rebuttal evidence and Cross Examination by the Opposition:

Attorney Porter stated rebuttal evidence of the opposition regarding:
• On December 12, 2018 at the Ballardsville Fire Department neighborhood meeting the questions were raised regarding the new lots, HOA fees, and the current roads.
• Letter from Mrs. Guilfoil to the Oldham County Planning & Development Services questioning the naming of the new subdivision.
• Geographically looks to be more with Ballard Glen Section 4 than Ballard Woods Section 5.
• Condition of Approval not to use the name “Ballard Woods” and secondly asking the construction traffic to go through Ballard Glen.

Erin Guilfoil stated the following:
• Three issues discussed at the TRC meeting:
  o The “For Sale” sign.
  o Not showing the connection road, breach of contract.
  o Lot sizes were smaller.

(7) Final statement of the Opposition:

Attorney Porter stated the following:
• HOA for both Ballard Woods and Ballard Glen would appreciate left turn lanes.
• The naming of the development and the construction traffic are the two main concerns.

(8) Final statement of the Applicant:
Attorney Baxter stated the following:
• Since 2001-2002, this land was always proposed to be developed as single family residential.
• Promised the residents in Ballard Woods that the new homes would be consistent.
• Made a commitment to build on one acre lots with large homes priced at $400,000 and up.
• The plan does not require variances or waivers and is in conformance with the subdivision regulations.
• Agreed to the Binding Elements in staff report.

END OF PUBLIC HEARING
Administrator Urban summarized the decision before the Commission.

FINDINGS AND DECISIONS PZ-19-002
Preliminary Subdivision Plan
Ballard Woods Section 5
East Highway 22 and Ballard Woods Dr./Ballard Glen Parkway, Smithfield

Motion was made by Commissioner Falvey and seconded by Commissioner Davis to approve Docket PZ-19-002 the Revised Preliminary Subdivision Plan, Ballard Woods Section 5 because;
• It complies with objectives of the comprehensive plan, the zoning ordinance and the subdivision regulations.
• There are no request for variances or waivers.
• The applicant has agreed to the five (5) binding elements and incorporate the left turning lane that shall be constructed before the first record plat and the construction access.

The following Binding Elements were included in the motion:
1. The approval applies only to the plan presented at the January 22, 2019 Oldham County Planning Commission public hearing.
2. There shall be no subdivision of any lot into a greater number of lots without review by the Oldham County Planning Commission.
3. The preliminary plan must comply with all established federal, state and county ordinances and requirements at the time of approval, and no record plat will be approved until all standards are satisfied.
4. The cumulative phasing plan shall limit the number of building permits issued to seventeen (17) per year beginning with the first record plat.
5. A left turn lane is warranted under current conditions and shall be constructed before the first record plat.

The Vote was as follows:
NO: None
ABSTAIN: Commissioner Smith
ABSENT: Commissioner King and Mesker
Motion approved on a vote of 11-0-1.

Secretary Shelly Nunn called and read Docket PZ-19-003:
DOCKET PZ-19-003- Application has been filed by JS Real Estate, LLC for approval of a Preliminary Subdivision Plan for 30 lots on approximately 42.86 acres to be known as Poplar Ridge Place. The property is located at 3701 West Highway 22, Crestwood. The zoning is R-2 Residential District.

1) Introduction of the application by staff and questions by the Commission:
Assistant Director, Amy Alvey, presented the following:
- Summary of the application.
- Case History (see Exhibit A, Staff Report dated, January 22, 2019).
- Site history.
- Aerial Photos of the site.
- Photos of property.

Assistant Director Alvey responded to questions from the Commission:
- The school district for Poplar Ridge Place would be Camden Station Elementary, East Oldham Middle School and South Oldham High School.
- Total campus capacity was 116.95 percent, which gives the applicant the 15 permits per year.

2) Presentation by the applicant or representative and others in support of the application:
Attorney Berry Baxter, 117 West Main Street, LaGrange, was present to speak in behalf of this application.
- Summarized the subdivision plan for 30 lots on 42.86 acres.
- No stub connection to any adjoining subdivisions.
- Will utilize on-site septic systems.
- Traffic assessment was completed and showed no mitigation was necessary.
- Complies with all zoning and subdivision regulations.

Bob Vinsand, Vinsand Engineering & Land Surveying, Inc., 306 West Jefferson Street, LaGrange, was present and sworn to speak in behalf of this application:
- Summarized the subdivision plans.
- Aerial Photo of the development.
- Discussed the gross density, zoning, and proposed detention basins.

(3) Testimony and questions by those opposing the application:
The following were present and sworn prior to speaking in opposition to this application:
- Grace Temple, 3605 W. Highway 22, Crestwood, KY 40014
- Neal Deaves, 5501 Highpoint Drive, Crestwood, KY 40014
- Rick Brown, 3716 Mickendee Court, Crestwood, KY 40014
- Stephanie Hawkins, 100 West Jefferson Street, LaGrange, KY 40031

Subjects in opposition were:
- Drainage, water shed.
- Traffic.
- Location of the main entrance to subdivision.
- Run-off onto their property, buffer.
- Construction process.
- Existing culvert.
- Connecting to other subdivisions.
- Was an environmental study done?
• Septic or sewer.

Bob Vinsand responded to Mrs. Temple questions:
• Summary of run-off from this entrance, topography of the road and how it will be constructed.
• Described the width of the road, with curb and gutter.

(4) Questioning of the applicant and those opposing the application by the Commission:
Bob Vinsand responded to questions from the Commission:
• C.W. Seymour with KY Transportation Cabinet stated at the TRC meeting there will be no increase in run-off allowed to the road right-of-way.
• On the perimeter of the property, they will construct ditches that will take the water into the detention basin and the retention basin.

Mr. Brown responded to questions from the Commission:
• If the run-off increases to certain levels, it will cause leach field flooding on the Highpoint subdivision side of property and could cause septic issues.

Jim Silliman responded to questions from the Commission:
• TRC comments did address the slope/stormwater that has been an issue and will be addressed in construction plans.

(5) Rebuttal evidence and Cross Examination by the Applicant: None
(6) Rebuttal evidence and Cross Examination by the Opposition: None
(7) Final statement of the Opposition: None
(8) Final statement of the Applicant:
Attorney Baxter stated the following (Exhibit A):
• It is in conformance with all zoning and subdivision regulations.
• There are no requested variances or waivers.
• It complies with the comprehensive plan.
• Agreed to the incorporation of all proposed binding elements.

END OF PUBLIC HEARING
Administrator Urban summarized the decision before the Commission.

FINDINGS AND DECISIONS PZ-19-003
Preliminary Subdivision Plan
(Poplar Ridge Place)
3701 West Highway 22, Crestwood

Motion was made by Commissioner McWilliams and seconded by Commissioner Horton to approve Docket PZ-19-003 the Preliminary Subdivision Plan (Poplar Ridge Place) because:
• It complies with objectives of the comprehensive plan, the zoning ordinance and the subdivision regulations.

The following Binding Elements were included in the motion:
1. The approval applies only to the plan presented at the January 22, 2019 Oldham County Planning Commission public hearing.
2. There shall be no subdivision of any lot into a greater number of lots without review by the Oldham County Planning Commission.
3. All sinkholes shall be shown on the record plat.
4. The preliminary plan must comply with all established federal, state and county ordinances and requirements at the time of approval, and no record plat will be approved until all standards are satisfied.
5. The cumulative phasing plan shall limit the number of building permits issued to fifteen (15) per year beginning with the first record plat.

The Vote was as follows:
YES: Commissioners Bohne, Finney, Hampton, Neal, McWilliams, Douglas, Davis, Falvey, Hafling, Smith, Horton and Klingensfus
NO: None
ABSTAIN: None
ABSENT: Commissioner King and Mesker

Motion passed on a vote of 12-0.

There being no further business, the Planning Commission meeting adjourned at 6:30pm.

The next regular meeting will be Tuesday, February 26, 2019, at 9:00 a.m. in the courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky.

Approved: Respectfully Submitted:

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Kevin Jeffries, Chairman Shelly Nunn, Secretary