

Technical Review Committee Meeting
Wednesday, June 19, 2013
Public Meeting at 1:00 p.m.

PRESENT: Jim Urban— Oldham County Planning and Development Services
Brian Davis – Oldham County Planning and Development Services
Amy Alvey – Oldham County Planning and Development Services
Keith Smith – LaGrange Fire & Rescue Department
Beth Stuber—Oldham County Engineer
Stuart Strickler—Oldham County Board of Education
Tim Pfaff - Oldham County Board of Education
John Bennett—LaGrange Utilities
Dianne Zimmerman—Traffic Consultant—Oldham County Planning and Development Services

DOGWOOD ESTATES – 3200 MASSIE SCHOOL ROAD, LAGRANGE, KY 40031

Revised Preliminary Subdivision Plan/Development Plan
Applicant – Zahle Smith Properties, Inc.
Engineer – Mel Milburn Engineering

The plans were reviewed by the TRC and the following issues were discussed:

William P. Croley, PSC, 206 South Second Street, LaGrange, KY 40031, presented a brief summary of the application.

Agency Comments:

Brian Davis, Oldham County Planning and Development Services addressed the following:

- Please include a ROW stub from Massie School Road to the Gunn property.
- Sidewalks are required for this project (Section 5.5). Please include on the plan.
- Clarify which street cross section goes with what roads. Also list the total ROW width.
- Include 35' building limit line along Massie School Road ROW along the “rear” of lots 98, 99, 102, 103 and 104.
- Identify buildable areas/building pads on the following lots: 1, 13, 14, 15, 22, 45, 46, 64, 66, 72, 83, 85, 98, 100, 101, 103, 105, 106, 108, 109, 110, 120, 121, 131, 132, 141 and 142.
- Include the setback requirements for each zoning district in the information table.
- Include lot areas for Lots 96 to 108 (including open space).
- Include deed book and page number info for the adjoining Bowen property.
- Work with county engineer to determine the existing ROW width for Massie School Road.
- The lot numbers listed in the note regarding no access to Massie School Road do not exist. Please update those references.

- The R-2A zoning district has a Minimum Common Open Space requirement of 250 square feet per dwelling unit. Please show these calculations on the plan.
- Include density calculations in the information table.
- Include the zoning information for the adjoining properties.
- Note 8 at the bottom of the page states all lots shall have 5-foot wide concrete sidewalks but the street cross section shows 4-foot wide sidewalks.
- Show radius of all cul-de-sacs.
- Detention basins are not shown.
- Identify the limits of the existing zoning and identify specific areas where the zoning map amendment is being requested.
- Staff will need a legal description of the proposed zoning map amendment areas prior to going to legislative body for review.
- The filing deadline for the July Planning Commission meeting is Wednesday, June 26, 2013.

Keith Smith, LaGrange Fire and Rescue Department, addressed the following:

- Property will be served by two fire districts, LaGrange and Ballardsville Fire Departments.
- There will be no problem serving this proposed subdivision.

Stuart Strickler, Oldham County Board of Education, addressed the following:

- Sent Brian an e-mail with comments.
- He and Tim Pfaff, Assistant Director of Transportation see nothing that will prohibit providing school bus transportation throughout the development.
- Lots 1 through 13 will have a student pick up on Zhale Smith Road rather than coming through that small section.

Diane Zimmerman, Traffic Consultant, addressed the following:

- Is in the middle of preparing the traffic impact study.
- Needs to know the build-out year.

Beth Stuber, Oldham County Engineer, addressed the following:

- Will the utility poles be moved for the road expansion?
- Please show the right-of-way and pavement radius for the cul-de-sacs.
- We may require that the roundabout design be reviewed by our traffic engineer.
- All slopes greater than 30 percent must be marked on the plan. There several environmental sensitive areas within the development. Great effort should be made to protect the stream and the vegetation surrounding it even beyond the mandated buffer.
- Detention basins cannot be located within a "blue line" stream. Detention next to the streams must be approved by the Kentucky Division of Water.
- Where are Lots 153, 154 and 157 to 159 located?
- Please mark the road where Lots 20 and 21 will be located so that we can check for site distance.

John Bennett, Director of LaGrange Utilities Commission, addressed the following:

- Water and Sewer capacity is available and able to serve the proposed development.
- Property is in the Waste Water Facility plan area which was approved by the Division of Water last year.
- Understands that the property will be annexed into the LaGrange City limits, therefore water and sewer service will be provided by the LaGrange Utilities Commission.
- Need a water line extension from the Zhale Smith tank to the site.
- A six inch water line runs from Zhale Smith at the entrance of the tank all the way out to Massie School Road and needs a larger line.
- Need to share and participate in construction of that line; was to be shared with a previous development but that did not turn out.
- Development is responsible to construct the water and sewer lines and waste water pump station and there may be other improvements outside of the development.
- Pump station should be able to connect to an existing force main at the intersection of Zhale Smith and Maple.
- Need to coordinate with other projects to be sure all is done to the engineering standard.
- There may be other easements for water and sewer facilities on site.
- LaGrange Waste Water Treatment Plant is in an agreed order and under sanction with the KY Division of Water.
- Are schedule by the end of July to start portions of the plant to be constructed which will double the capacity of the plant.

Public Comment

Don Adams, 2401 Massie School Road, stated his concerns.

- The increased traffic, especially due to the curve at Zhale Smith.
- The number of houses proposed on property that currently only has three houses.
- The additional lighting to their properties from the many proposed houses.

Brian Davis responded that a condition that the project must have full cut-off lights can be included as part of the approval.

Suzette Ertel, 2219 Zhale Smith Road, stated the following concerns:

- The number of houses that will be constructed on less than one acre lots.
- Has lived on Zhale Smith for 24 years and there have been at least 10 accidents due to speed; there will be more accidents due to more vehicles on the road.
- The number of vehicles coming over the hill having a site distance problem.
- Adjoining properties may be left "torn up" as they were with a previous developer putting in the utilities.

Brian Davis responded that the property is zoned R-2 and allows a minimum of 12,000 square foot lots. Because sewers can serve the property, they are allowed to have lots smaller than one acre. One acre lots are served by septic systems.

John Bennett responded that there is a water line already on one side of the road. LaGrange Utilities will take it over once the subdivision has been completed. They intend to provide a full time inspector to oversee the construction of the sewers.

Shelly Prete, 2107 Massie School Road, LaGrange, stated her concerns.

- Feels no one is taking an interest in the traffic increase and speed.
- Because her fence has been hit several times, she tries to monitor the traffic on the curve on which she lives.

Brian Davis responded that the plans will be reviewed by the Police Department.

Jack Lockery – 2313 Zhale Smith Road stated his concerns.

- Traffic increase on Zhale Smith Road.
- The property may be left in the same condition as when the sewers were installed previously.
- Possibilities there may be a conflict of interest with the Applicants and the Oldham County Water District.

Dianne Zimmerman responded that Zhale Smith Road can handle 8,000 vehicles a day which is the average daily traffic, based on the Highway Capacity Manual, and based on the lane widths and speed of the road.

John Bennett responded that the previous sewers were installed by a private engineering company and they were not involved in that project.

Bill Croley responded that the Oldham County Water District is a special taxing district, and a public utility regulated by the Utility Regulatory Commission. Mr. Milburn and Mr. Hall are members of the Oldham County Water District; however, the Water District is not an Oldham County government. The appropriate utility is the LaGrange Utilities Commission, a special district in itself aligned with the City of LaGrange. Utilities do not get zoning approval.

Jim Beaven, 2001 Maple Drive, LaGrange, stated his concerns.

- It is presently difficult to turn left from Zhale Smith Road onto Highway 53.
- There are two subdivisions that have not yet been completed and many lots not sold.
- The proposal to build 160 more houses.
- Because they do not require a bond, he had to pay thousands to have his property repaired because of the condition the property was left.
- More water in the creek will cause more drainage problems.

Diane Zimmerman responded that the road “could” handle, 8,000 trips a day, and is based on national standards at 35mph; any road can handle 8,000 trips.

John Bennett responded that they do not handle drainage; only water and sewers.

Tammy White, 2615 Zhale Smith Road, LaGrange, stated her concerns.

- Has seen about 15 accidents in the last 10 years because the road is not wide enough especially for the school busses.
- Understands that Zhale Smith Road is to be considered a bypass from the downtown area of LaGrange.

- The numerous species that will be affected due to removing their habitat and the increased water shed.

Judy Gunn, 3111 Blakemore Lane, LaGrange, stated her concerns.

- Once the houses are constructed, they will receive much water run-off.
- Requests that drainage and calculations be overseen as there may be much flooding in her yard.

Jim Prohaska, 2000 Massie School Road, LaGrange, stated his concerns:

- Massie School Road may be affected by the additional traffic.
- Those roads are considered a by-pass, and will cause overload on egress.

Sharon Adams, 2401 Massie School Road, stated her concerns.

- Lives at the intersection of Dogwood and the Clarence McGraw and David Jones properties.
- Due to the condition of the property, there is much standing water and flooding when it rains.
- The addition of many houses will cause more drainage and will also affect the numerous wildlife.
- The additional homes will create much light pollution and they will experience a glow at the edge of their beautiful property.
- The additional vehicles will cause much car exhaust.
- There will be more children and feels there will be no outside area for the children to play; requests a play area for the children.
- Concerns for the children due to speeding and additional traffic.
- There will be much construction traffic and additional traffic from the construction workers' vehicles on Zhale Smith Road.
- Reiterates concerns for the wildlife and where the wildlife will go.

Shelly Prete, 2107 Massie School Road, LaGrange, returned and stated more concerns:

- Wants more information regarding traffic, what schools the children will attend, whether fire hydrants will be available and asks when the property was rezoned to R-2.

Diane Zimmerman responded as follows:

- Traffic counts were conducted on May 21 and May 22, 2013; they were done between 7– 9 a.m. and 4-6 pm at the intersections of Highway 53 and Zhale Smith Road, and intersections of Zhale Smith Road and Massie School Road; there will be a report once it is submitted.
- Her job is to measure the amount of traffic on the road and determine whether the road can handle the traffic; if it cannot handle the traffic they will determine what can be done to solve the problem.
- She has not finished her report and the analysis is not yet complete.
- The 8,000 number is a standard number for all Kentucky counties, for a two-lane road.
- There is nothing unique about Zhale Smith Road and it is wider than many Oldham County maintained roads.

Stuart Strickler responded that the Oldham County School District is looking at redistricting and will do a study as to the present numbers. He cannot say at this time what school the children will attend.

Keith Smith responded that there will be fire hydrants placed in the development. The Oldham County Hydrant Ordinance is the same for the Ballardsville and LaGrange Fire Districts. The number of hydrants is based on the length of distance – about 700 to 800 feet in between hydrants and based on the number of gallons per minute in a residential area.

Brian Davis responded that the property has been zoned R-2 since 1968. There are two things that govern the density; one is the zoning district, and if sewers are available.

Don Adams, 2401 Massie School Road, returned and stated more concerns.

- Feels that the traffic studies should have been done on a Friday when school is in session and from 3-7 p.m.

Diane Zimmerman responded that it is standard that a capacity analysis be complete. They look at the busiest hour of the day. They do not measure capacity in a 24 hour period. Analysis is usually done on Tuesday, Wednesday or Thursdays as they feel these are the busiest days of the week. And 7-9 a.m. and 4-6 p.m. are the best times. She does not know the numbers of bicyclists.

Jim Beaven, 2001 Maple Drive, LaGrange, has more questions.

- Asks if the length of the road and the stop signs taken into consideration as to the capacity determined.

Diane Zimmerman responded that the stop signs determine the capacity. The 8,000 daily count applies to the straight-away. They did not do a count at Jericho Road. Massie School Road has a 25 mph speed limit.

Madeleine Lockery, 2313 Zhale Smith Road, LaGrange, stated her concerns.

- Traffic is a big issue.
- Her mailbox is across the street and is dangerous to cross the street as vehicles fly down the hill.
- The property has not been repaired from last time the sewers were installed.
- Because the vehicles fly down the road, she often has to jump into the poison ivy as there is nowhere to go to keep from being hit by a car.
- They are at the bottom of the hill and the drain that runs under Zhale Smith overflows and water is dumped onto her property; her property floods often and is getting worse.
- The creek dams up when it overflows.

Diane Constant, 2311 Zhale Smith Road, stated her concerns.

- Her family has owned her property for 100 years.
- When sewers came through her yard, nothing was done about the clean-up afterwards; she and her brother dug out the large boulders that were left.

- She wants to know who is in charge after all is said and done.

Bill Croley responded that it depends on the problem they are dealing with. Once the items are complete, those concerns are taken over by the agency or the county; it is the developer's responsibility to comply with the law. If a home owner has not been satisfied, one needs to call Planning and Zoning so that the issue can be addressed.

Brian Davis responded to call the Planning Office and they will determine what agency should address the problem.

Beth Stuber responded that the Board and those present that she is meeting with PBI Bank concerning these issues. PBI is taking over the development that went bankrupt; they are aware how the ditch lines were left. The roads are an unresolved issue; the annexation was questionable and there were issues as to the City taking care of that. The County maintains to a particular point. The City at the time was not aware of the problems. They do try to bond, but they did not expect to see the streets torn up. She is not aware of the utilities along the road. They bond for erosion control and other public improvements. They do not want mud running into the creek.

Don Adams, 2401 Massie School Road, LaGrange, returns with more concerns.

- Storm Water people are not here to answer any questions.
- Feels Crystal Lake Subdivision should be informed of this proposal.

Beth Stuber responded that her office is in charge of drainage or flooding. The Environmental Authority addresses water quality issues. She has been to the site to review for this meeting. She will have an inspector oversee the construction. A plan will be proposed as to soil and erosion and will be inspected during construction to keep mud out of the creek, and to keep the impact detention out of the stream. Ideally there will be no velocity of the water released.

Brian Davis responded that the property is proposed to be annexed into the City of LaGrange. Notices will be mailed to adjoining property owners and it will be noticed in the Oldham Era regarding the Zone Change hearing.

Beth Stuber responded that they do not do a fly-over, but do a "Google Earth". They can determine the water shed for the area, and whether it is grass filled, crop, or forest areas.

Glen Farmer, 2407 Zhale Smith Road, LaGrange, stated his concerns.

- Is concerned that they be may forced to hook up to sewers.

John Bennett responded that by law, they cannot force someone to hook up to sewers.

Shelly Prete, 2107 Massie School Road, LaGrange, returned with more concerns.

- She prefers that they build fewer houses.
- She wishes to keep the property in an agricultural state.
- They are happy with the existing lay of the land.

Jim Beaven, 2001 Maple Drive, LaGrange, returned with more concerns.

- Asked how the water will run-off the roof areas and the streets and wishes a study as to what water will do to this area.
- How will it affect the creek during a storm.

Beth Stuber responded that an intense study will be done. They do the best to address all concerns. All lots will be modeled regarding this run-off. They check for a 10 year storm and a 100 year storm. They are leaving a buffer zone as significant between the creek and homes, which is very important.

Brian Davis responded to those present that the submittal deadline for the July 23, 2013 Planning Commission meeting is June 26, 2013.

End of Public Meeting

Meeting adjourned at 2:18 p.m.