

MINUTES

HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION (HTRPC)

MEETING OF FEBRUARY 16, 2012

- A. The Chairman, Dr. L.A. “Budd” Cloutier, Jr., called to order the regular meeting of February 16, 2012 of the Houma-Terrebonne Regional Planning Commission (HTRPC) at 7:06 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by him and the Pledge of Allegiance led by Mrs. Marsha Williams.
- B. Upon Roll Call, present were: Dr. L.A. “Budd” Cloutier, Jr., Chairman; Mr. Richard Elfert; Mr. James Erny; Mr. Jeremy Kelley; Mr. Keith Kurtz; Alex Ostheimer, Vice-Chairman; Mr. Gerald Schouest; Mr. Wayne Thibodeaux; and Mrs. Marsha Williams, Secretary/Treasurer. Absent at the time of Roll Call were: None. Also present were Patrick Gordon, Director, and Chris Pulaski, Senior Planner, Department of Planning & Zoning and Laddie Freeman, Legal Advisor.
- C. ACCEPTANCE OF MINUTES:
1. Mr. Thibodeaux moved, seconded by Mr. Erny: “THAT the HTRPC accept the minutes, as written, for the Regional Planning Commission for the regular meeting of January 19, 2012.”

The Chairman called for a vote on the motion offered by Mr. Thibodeaux. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
 2. Mrs. Williams moved, seconded by Mr. Thibodeaux: “THAT the HTRPC accept the minutes, as written, for the Zoning & Land Use Commission for the regular meeting of January 19, 2012.”

The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- D. Mrs. Williams moved, seconded by Mr. Thibodeaux: “THAT the HTRPC emit payment for the February 16, 2012 invoices and approve the Treasurer’s Report of January 2012.”

The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- E. PLANNING:
1. Planning Commissioners’ Comments:
 - a) Mr. Schouest discussed clearances of 5 on the sides of buildings and houses giving no access to the rear of the yard to place boats, campers, etc. and the desire to increase to 10’.
 - b) Mr. Thibodeaux discussed parishwide sewer and requested thought and consideration for the need and urgency of the same and make it a priority due to our health and safety.
 - c) Mr. Ostheimer discussed little input of the capital budget and projects being done by Administration and Council and requested quarterly updates to enable better planning on the Planning Commission’s part.
 - d) Mr. Erny discussed reservoir areas and getting the Parish Council to create a Master Plan to develop existing reservoir areas and creating new one utilizing flood gates and trying to eliminate ponds that are being put in all over the parish.
 - e) Mr. Kurtz discussed minimum lot size requirements in larger subdivisions that are designed for small lots, homes, and driveways.
 2. Administration’s Comments:
 - a) Mr. Gordon stated these types of planning efforts can be included into the Comprehensive Plan, Vision 2030. He stated the first community meeting would be held on February 28th in Montegut and encouraged Planning Commissioner’s to attend to add some recommendations.

- b) Mr. Gordon stated they were working on a Flood Ordinance by way of a \$20,000 grant to do so as well as to reach out to the public. He expressed the importance of the Flood Ordinance to educate the public on flood protection in the Parish. It will also enable the Parish to gain more points from the Community Rating System (CRS) which gets discounts on flood insurance for homeowners. He stated Terrebonne Parish was currently at a 6 which gets a 20% discount for homeowners and is the lowest in the state and anticipates a score of a 5 next year.
- c) Mr. Gordon also stated they were working hard on the pedestrian bike paths that is important to Terrebonne Parish and more sidewalks, bike paths, etc. were needed as another means of transportation as well as for recreation.

3. Chairman's Comments:

- a) The Chairman addressed more parks and common ground areas in the newly developed subdivisions that have smaller lot sizes and be done by Developers where they would see a need for it by making their developments friendlier to the people and a sense of community.
- b) The Chairman stated he would like to see Valhi Extension completed to Highway 90/I-49 as soon as possible as well as coming from I-49 back towards town where there is a large commercial presence and working in both directions.
- c) The Chairman also stated he would like to see new elementary/secondary schools in the Highway 311 corridor to handle the growing area and future growth.

F. COMMUNICATIONS: None.

G. APPLICATIONS:

1. The Chairman called to order the Public Hearing for an application by Gary Trahan for Process D, Minor Subdivision for the Subdivision of Property belonging to Nelson P. Trahan.

- a) Mr. Alex Teague, Morris P. Hebert, Inc., discussed the location and division of property.
- b) No one from the public was present to speak.
- c) Mr. Ostheimer moved, seconded by Mr. Erny: "THAT the Public Hearing be closed."

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

- d) Mr. Gordon discussed the Staff Report and stated Staff recommended conditional approval provided that addresses are depicted on the plat and all utility letters are submitted.
- e) Mr. Erny moved, seconded by Mr. Thibodeaux: "THAT the HTRPC grant approval of the application for Process D, Minor Subdivision for the Subdivision of Property belonging to Nelson P. Trahan conditioned addresses were depicted on the plat and all utility letters were submitted."

The Chairman called for a vote on the motion offered by Mr. Erny. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

2. The Chairman called to order the Public Hearing for an application by Lee Morrison for Process D, Minor Subdivision for Revised Tract 1A-1 and Tract 1A-3, A Redivision of Tract 1A-1, Property belonging to Ridge Oaks, L.L.C.

- a) Mr. Ken Rembert, Keneth L. Rembert Land Surveyors, discussed the location and division of property.
- b) No one from the public was present to speak.

c) Mr. Erny moved, seconded by Mr. Kurtz: “THAT the Public Hearing be closed.”
The Chairman called for a vote on the motion offered by Mr. Erny. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.

d) Mr. Gordon discussed the Staff Report and stated Staff recommended conditional approval provided that addresses are depicted on the plat for each lot as approved by the 911 Communications District.

e) Mr. Erny moved, seconded by Mr. Schouest: “THAT the HTRPC grant approval of the application for Process D, Minor Subdivision for Revised Tract 1A-1 and Tract 1A-3, A Redivision of Tract 1A-1, Property belonging to Ridge Oaks, L.L.C. conditioned addresses are depicted on the plat for each lot as approved by the 911 Communications District.”

The Chairman called for a vote on the motion offered by Mr. Erny. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

3. The Chairman stated the next item on the agenda was an application by D & G Rentals, L.L.C. requesting engineering approval for Process C, Major Subdivision for D & G Estates.

a) Ms. Mary Lou Davis, Terrebonne Parish Engineering Division, read a memo concerning the punch list items for the development [See *ATTACHMENT A*].

b) Mr. Leonard Chauvin, Leonard Chauvin, P.E., P.L.S., Inc., representing the Developer, stated he would need more guidance with Item No. 4 regarding density and would have to further discuss with Engineering.

(1) Mr. Gordon stated there seemed to be a discrepancy with acreage and it would have to be resolved between Mr. Chauvin and Engineering.

(2) Mr. Chauvin stated they would comply/resolve with all items on the punch list.

c) The Chairman recognized a Public Speaker Card from Kelly Rodrigue, 202 Country Estates Drive, who expressed concerns of drainage, detention pond, green space, and the possible intent for mobile homes.

(1) Mr. Gordon stated the property was not zoned and clarified Planned Unit Developments (PUDs) and architectural renderings that are submitted. Ms. David indicated they were not received for this development. Mr. Gordon further discussed an adjacent approved mobile home park and that this would be a better designed development.

d) The Chairman recognized a Public Speaker Card from Robert Reaves, 203 Hamner Drive, who stated he was opposed to the development and expressed concerns of it being too dense, whether home would be sold or rented, parking, and drainage.

e) Discussion was held with regard to off-street parking, parking requirements, importance of architectural control and re-submittal of the engineering application due to it not being submitted.

f) Discussion ensued with regard to Engineering being able to re-review the application once architectural renderings are submitted.

g) Mr. Ostheimer moved, seconded by Mr. Elfert: “THAT the HTRPC table the application requesting engineering approval Process C, Major Subdivision for D & G Estates until the next regular meeting of March 15, 2012.”

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: Mr. Erny; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

H. STAFF REPORT:

1. Mr. Gordon stated he would get back with the Commissioners regarding the possible APA Commissioner Trainings.
2. Mr. Gordon discussed the proposed changes to the HTRPC By-Laws with regard to a change in State law that was not reflected in the by-laws as well as tie votes [See *ATTACHMENT B*].
 - (1) Mr. Freeman further clarified the proposed changes. He stated that when the State law changed indicating add-ons to the agenda would require a unanimous vote and a public comment period, the Commission did practice the new requirements because State Law takes precedent over the by-laws but were never changed to state the same in the by-laws.
 - (2) In the other issue, Mr. Freeman stated the By-Laws indicate *Robert's Rules of Order* as the method of conducting meetings and is indicated in the by-laws that the Chairman can break a tie vote. Mr. Freeman stated as his interpretation of *Robert's Rules*, the Chairman can also make a tie vote. He stated that this has never become a real issue but should be changed in the by-laws for clarification.
 - (3) Mr. Freeman also stated that the By-Laws require 30-day notification to the members in order for amending which is why the matter will be voted on at the next meeting.
 - (4) Further clarification was given that if the Chairman makes a tie, it kills the motion and no action is taken. He further stated that no action taken then allows the matter to be approved.
 - (5) There were no comments on Amendment No. 1 regarding the change to the By-Laws concerning the unanimous vote.
 - (6) Concerning Amendment No. 2 with regard to the Chairman making a tie vote, Mr. Ostheimer stated he favored prohibiting the Chairman from voting except to break a tie and the Chairman's obligation is for the Commission to make a decision and not to stop a decision that has been made by the Commission. He requested the Chairman to be allowed to only break a tie vote and not to make a tie vote.
 - (7) Mr. Thibodeaux stated Mr. Ostheimer was imposing stricter requirements versus Robert's Rules and if we run our meetings using Robert's Rules, we should accept that.
 - (8) Mr. Elfert agreed with Mr. Thibodeaux and supported the amendment as written.
3. Mr. Ostheimer moved, seconded by Mr. Erny: "THAT the HTRPC ratify, accept, and present the 2011 HTRPC Annual Report to Parish President Michel Claudet and to the Terrebonne Parish Council and instruct the Chairman to be at the meeting when it is presented to answer any questions."

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
4. Mr. Gordon discussed the Master Thoroughfare Plan with regard to Hollywood Road Extension from Valhi Boulevard to Bayou Black Drive which runs along Summerfield Place, Addendum No. 17. He stated the Developer inquired as to whether the Parish and Planning Commission still wanted the alignment because he was in the process of doing the last phase of his development and whether he could move forward.
 - a) Mr. Ostheimer moved, seconded by Mr. Kurtz: "THAT the HTRPC make no modifications to the Master Thoroughfare Plan as indicated and as it pertains to the proposed Hollywood Road Extension from Valhi Boulevard to Bayou Black Drive at this time."

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

5. Mr. Gordon discussed Sugarwood Subdivision with regard to its intersection upon completion of Valhi Boulevard Extension. He stated Ravensaide Drive, Sugarwood, Addendum No. 5, was approved to be extended to Valhi once completed. Now the Developers have come and requested that Sugarwood Boulevard be extended rather than Ravensaide. Mr. Gordon stated all three streets eventually have to be extended but the first would be Ravensaide as agreed. Discussion was held with regard to leaving everything as is. No action was taken.

I. ADMINISTRATIVE APPROVALS:

Mr. Ostheimer moved, seconded by Mr. Schouest: "THAT the HTRPC acknowledge for the record the following Administrative Approvals 1-3."

1. Revised Lot 5, Block 1 of North Terrebonne Commercial Park & Revised Lot 1 of Addendum No. 1 to North Terrebonne Commercial Park, Section 4, T16S-R16E & Section 4, T16S-R17E, Terrebonne Parish, LA
2. Survey of Revised Lot 4-B and Revised Lot 5 of Block 1, Marcel Place Subdivision, Section 105, T17S-R17E, Terrebonne Parish, LA
3. Redivision of Property belonging to Walter Harvey, or assigns, Section 86, T15S-R16E, Terrebonne Parish, LA

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

J. COMMITTEE REPORTS:

1. Subdivision Regulations Review Committee:
 - a) Mr. Ostheimer stated the Council Subdivision Regulations Review Committee met and agreed to send to the whole Council the standardization of the lots to 6,000 sq. ft. He also stated the Fire Chief's Association are working up a proposal to come up with standards on fire hydrants and intended to be a parish-wide standard and will be sent to the Review Committee as well as the Planning Commissioners. He also stated the mobile home regulations are still under review.
2. Comprehensive Master Plan Update:
 - a) Mr. Pulaski stated the last Steering Committee meeting was this past Tuesday, February 14, 2012 and the second round of public input meetings will begin on February 28, 2012 and will continue throughout the end of March. He stated he would send a list of all the meetings and locations to them. He further stated another steering committee meeting would be held in April, hopefully to have some recommendations from the Planners in early summer which would then go to the Planning Commission, then Council by the end of the year.
 - b) The Chairman encouraged all Commissioners to pick at least three meetings to actually attend two of those meetings and encouraged presence at said meetings.

K. COMMISSION COMMENTS:

1. Planning Commissioners' Comments:
 - a) Mr. Ostheimer encouraged Commissioners to find the time to attend the National APA Conference.
2. Chairman's Comments: None.

L. PUBLIC COMMENTS:

1. Councilman Danny Babin, District 7, 347 Tulip Drive, commended the Commission on the job they have to do that he sees from the other side. He stated he was the Chairman of the Council's Subdivision Regulations Review Sub-Committee and they were waiting for the Update to the Comprehensive Plan to proceed in order to eliminate a duplication of efforts. He stated he was also the Chairman of the MPO dealing with the roads of the tri-parish area and would help in whatever way he can.

M. Mr. Ostheimer moved, seconded Mrs. Williams: “THAT there being no further business to come before the Houma-Terrebonne Regional Planning Commission, the meeting be adjourned at 8:20 p.m.”

The Chairman called for a vote on the motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mr. Elfert, Mr. Erny, Mr. Kelley, Mr. Kurtz, Mr. Ostheimer, Mr. Schouest, Mr. Thibodeaux, and Mrs. Williams; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

*Becky M. Becnel, Minute Clerk
Houma-Terrebonne Regional Planning Commission*



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TERREBONNE PARISH CONSOLIDATED GOVERNMENT

February 16, 2012
1st Review
Item G-3

TO: **Pat Gordon**

FROM: **Gregory E. Bush, LTC, USA, Retired**

SUBJECT: **D & G Estates Subdivision
Review of Engineering Approval**

The Engineering Division of the Terrebonne Parish Department of Public Works has reviewed the plans and calculations for the above referenced subdivision. The plans and calculations fail to comply with Parish Ordinances and Subdivision Regulations in the following areas:

1. 24.5.4.6.5 R.S.33:5051 Plat should state for Engineering Phase and should show location of bench mark and drainage servitude for pond.
2. 24.5.3.3 Specifications were not provided.
3. 24.5.4.7.6 Block number not shown on plat.
4. 24.7.1.4.6.3.d Density should not exceed 8 residential units per 1 acre.
5. 24.7.6.2.6 Does not conform to the SDDM:
 - a. IV.A. Discharge was not limited to the 10 year pre development rate.
 - b. IV.D.1 DOTD HYDRO6020 and HYDRO6000 should used for storm drain and inlet spacing.
 - c. V.A.2 Grading plan was not provided.
 - d. V.A.3 Roadway Stations and dimensions of servitudes should be provided on profile of Plan/Profile Sheets
 - e. V.A.8 Cross Sections at a maximum of 100' intervals should be provided showing the roadway, ditch, and lot grades.
 - f. V.B.8 All drainpipes under roadway should be joined in conformance with LADOTD Type 3 joints.
 - g. V.C.3 Profile of Bayou Blue was not provided.
 - h. VI.A.4 Detailed Plan and Cross Section need to be provided for Detention Pond.
 - i. VII.A-C Erosion Control details should be provided.

5. 24.5.4.6.7 No approval letter from the following:
 - a. Waterworks
 - b. Gas Utility
 - c. Department of Health and Hospitals
 - d. TPCG Pollution Control
 - e. Electric Utility

7. 24.7.5.4.2 Gas main servitude shall be provided.

8. 24.7.5.2 Street light spacing exceeds minimum spacing requirement with the maximum deviation being 10 feet less than the allowed 150 ft spacing.

9. 24.7.5.2 No specifications were provided showing street lights to latest code.

10. 24.7.6.5 Sidewalks shall be a minimum of 4" thick and be made of concrete with a minimum compressive strength of 4000 psi.

11. DOTD Permit was not provided.

12. Servitude for waterline along Bayou Blue should be labeled and bearings/distances should be provided.

This review does not imply that this subdivision submitted complies with all other requirements of the Parish Codes. Please feel free to contact Joan Schexnayder if you have any questions or comments.

GEB/mld

cc: Tom Bourg
Philip Liner
Leonard J. Chauvin, Jr., P.E., P.L.S.
Planning Commission
Engineering Division
Reading File
Council Reading File

Proposed Amendments
Houma-Terrebonne Regional Planning Commission By-Laws

Amendment #1

Changes were made to RS 42:14 and RS 42:19, and the Houma-Terrebonne Regional Planning Commission By-Laws were not amended to reflect these changes. For your review, RS 42:14 and RS 42:19 are as follows:

§14. Meetings of public bodies to be open to the public
D. Except school boards, which shall be subject to R.S. 42:15, **each public body conducting a meeting which is subject to the notice requirements of R.S. 42:19(A) shall allow a public comment period at any point in the meeting prior to action on an agenda item upon which a vote is to be taken.** The governing body may adopt reasonable rules and restrictions regarding such comment period.

§19. Notice of meetings
(ii) Such notice shall include the agenda, date, time, and place of the meeting, provided that **upon unanimous approval of the members present at a meeting of a public body, the public body may take up a matter not on the agenda.** Any such matter shall be identified in the motion to take up the matter not on the agenda with reasonable specificity, including the purpose for the addition to the agenda, and entered into the minutes of the meeting. **Prior to any vote on the motion to take up a matter not on the agenda by the public body, there shall be an opportunity for public comment on any such motion in accordance with R.S. 42:14 or 15.** The public body shall not use its authority to take up a matter not on the agenda as a subterfuge to defeat the purposes of this Chapter.

The proposed amendment to the Houma-Terrebonne Regional Planning Commission By-Laws, Section 8.8 as warranted by RS 42:14 and RS 42:19:

8.8 Order of Business. Prior to each regular or special meeting, the Chairman and the Planning Department staff shall prepare an agenda of all matters to be considered at the meeting. Said agenda should be published according to law. By majority vote of the members present the order of the agenda items may be rearranged. Unless applicable law requires prior and/or public notice, items may be added to the agenda by the affirmative unanimous vote of two-thirds (2/3) of the quorum present after first allowing the opportunity for public comment on any such motion.

Amendment #2

Another amendment for consideration is regarding Section 7.6.d of the By-Laws as it pertains to tie votes. As per Mr. Laddie Freeman, *Robert's Rules* allows the Chairman to break a tie vote as well as make a tie vote. The proposed amendment as suggested by Mr. Freeman:

7.6.d In the event of a tie vote on any official issue, the Chairman may exercise his prerogative under *Robert's Rules of Order Newly Revised* to break a tie vote or to make a tie vote. The Chairman may exercise his right as a Commission member to debate on a motion only after relinquishing the chair to the Vice-Chairman.

February 1, 2012