

MINUTES

HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION (HTRPC)

MEETING OF SEPTEMBER 15, 2011

- A. The Chairman, Daniel J. Babin, called to order the regular meeting of September 15, 2011 of the Houma-Terrebonne Regional Planning Commission (HTRPC) at 6:22 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by Dr. L.A. "Budd" Cloutier, Jr. and the Pledge of Allegiance led by Mrs. Beryl Amedée.
- B. Upon Roll Call, present were: Mrs. Beryl Amedée; Mr. Daniel Babin, Chairman; Dr. L.A. "Budd" Cloutier, Jr., Vice-Chairman; Mr. Richard Elfert; Mr. James Erny; Mr. Keith Kurtz, Mr. John Navy; Mr. Alex Ostheimer; and Mrs. Marsha Williams, Secretary/Treasurer. Absent at the time of Roll Call was: None. Also present were Patrick Gordon, Director, Department of Planning & Zoning and Laddie Freeman, Legal Advisor.
- C. ACCEPTANCE OF MINUTES:
1. Dr. Cloutier moved, seconded by Mr. Navy: "THAT the HTRPC accept the minutes, as written, for the Regional Planning Commission for the regular meeting of August 18, 2011."

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
 2. Dr. Cloutier moved, seconded by Mrs. Williams: "THAT the HTRPC accept the minutes, as written, for the Zoning & Land Use Commission for the regular meeting of August 18, 2011."

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- D. Mrs. Williams moved, seconded by Dr. Cloutier: "THAT the HTRPC emit payment for the September 15, 2011 and approve the Treasurer's Report of August 2011."

The Chairman called for a vote on the motion offered by Mrs. Williams. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- E. COMMUNICATIONS:
1. Mr. Gordon read a letter from Keneth L. Rembert Land Surveyors, dated September 7, 2011, withdrawing the application for Southdown West Subdivision, Addendum No. 11, Phase D [See ATTACHMENT A].
- F. OLD BUSINESS:
- Dr. Cloutier moved, seconded by Mrs. Amedée: "THAT the HTRPC remove Old Business item F1 regarding Colonial Acres Subdivision from the table and be considered at this time."

The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
1. The Chairman called to order the Public Hearing for a conceptual and preliminary application by Coastal Home Builders for Process C, Major Subdivision for Colonial Acres Subdivision which was continued from the previous meeting.
 - a) Mr. Gene Milford, Milford & Associates, Inc., discussed the location and division of property. He stated the Developer met with the neighbors and Councilman Hebert regarding the concerns expressed at the previous meeting.
 - b) Discussion was held with regard to the maintenance of the pond which would be by the Parish.

The Chairman recognized Councilman Johnny Pizzolatto and Councilman Billy Hebert in the audience.

- c) The Chairman recognized Councilman Johnny Pizzolatto, District 5, 103 John Street, who expressed concerns of the condense area, no green space, drainage areas, and drainage issues. He requested the Commission deny the preliminary plan as to not disrupt the existing neighbors' lives.
 - d) The Chairman recognized Mary Kubala, 603 Cavaness Drive, who expressed concerns of the base elevation of the land, how much fill will have to be brought in, where the fill will come from, and the use of Alma to transport fill in heavy trucks, traffic, sewer, drainage, and crowded area schools.
 - e) The Chairman stated the School Board would have to make the decision as to what school the children in Colonial Acres would attend.
 - f) Mr. Gordon stated that most of Ms. Kubala's questions would be answered at the Engineering level, but the plat depicts the property to be at or above a 5' elevation.
 - g) The Chairman recognized Chris Domangue, 290 Palm Avenue, who expressed concerns of traffic and why Mary Kay wouldn't be utilized as an outlet to help relieve the traffic.
 - h) The Chairman recognized Delvin Foret, 209 Louis Drive, who expressed concerns of the property lines being extended to the centerline of the street.
 - i) Mr. Gordon stated he has seen property lines extended to the centerline of the street before and the road would be dedicated to the Parish for maintenance.
 - j) The Chairman recognized Janice Loebel, 309 Louis Drive, who expressed concerns of dirt being brought in, drainage, and flooding.
 - k) The Chairman recognized Barbara Schober, 518 Louis Drive, who expressed concerns of the pond in the backyards, raising the standards, small lots, number of lots, traffic, no green space, and drainage. She requested the matter be tabled to the Developer could reevaluate his plan.
 - l) The Chairman recognized Heather Loquette, 503 Cavaness, who presented pictures of flooding from the recent rain.
 - m) The Chairman recognized Garland Bryan, 111 Louis Drive, who presented pictures of flooding from the recent rain.
 - n) The Chairman recognized Chris Bryan, 111 Louis Drive, who explained the pictures presented by Mr. Bryan and requested the Developer to consider no ponds.
 - o) Dr. Cloutier moved, seconded by Mr. Kurtz and Mrs. Williams: "THAT the Public Hearing be closed."
- The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: None. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.
- p) Mr. Gordon discussed the sizes of the lots which were average sized lots and that they meet the minimum lot size requirement of 6,300 sq. ft. which has been in place since 1976. He stated the drainage issues would be addressed at Engineering, would not recommend tying in adjacent streets because of commercial districts and would recommend the pond to be dry for easier maintenance. He stated Staff recommended approval of the conceptual & preliminary plan.
 - q) Discussion was held with regard to flooding, lots extending out to the middle of the street and using to calculate square footage, getting a legal opinion of the same, and having a special meeting before the next regular meeting as to address the matter before the (60) day rule.
 - r) Mr. Ostheimer moved, seconded by Mr. Navy: "THAT the HTRPC table the conceptual and preliminary application for Process C, Major Subdivision for Colonial Acres Subdivision until a special meeting to be held on October 13, 2011."
 - s) Discussion was held with regard to a traffic study being requested and submitted at the Engineering stage, square footage, and traffic.

- t) The Chairman discussed getting a legal opinion from the Parish Attorney by October 11, 2011 instead of October 13, 2011.
- u) MOTION AS AMENDED: Mr. Ostheimer moved, seconded by Mr. Navy: "THAT the HTRPC table the conceptual and preliminary application for Process C, Major Subdivision for Colonial Acres Subdivision until a special meeting to be held on October 13, 2011 or before at the Chairman's discretion."
The Chairman called for a vote on the amended motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: None. THE CHAIRMAN DECLARED THE AMENDED MOTION ADOPTED.
- v) The Chairman called the special meeting for Tuesday, October 11, 2011 at 6:00 p.m. to address the conceptual and preliminary application for Colonial Acres Subdivision. The location of the meeting will be determined based on availability of the meeting room.
- w) Dr. Cloutier moved, seconded by Mrs. Williams & Mr. Erny: "THAT the HTRPC request the Developer to submit a traffic study as the plan relates to the traffic flow onto Alma Street."
- x) Discussion was held with regard to traffic studies done by the Parish versus Developer.
The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, and Mrs. Williams; NAYS: Mr. Ostheimer; ABSTAINING: Mr. Babin; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

G. APPLICATIONS:

- 1. The Chairman called to order the Public Hearing for an application by C.H. Arceneaux for Process D, Minor Subdivision for the Survey of Tracts "A" & "B", Property belonging to C.H. Arceneaux.
 - a) Mr. Ken Rembert, Keneth L. Rembert Land Surveyors, discussed the location and division of property.
 - b) No one was present from the public to speak.
 - c) Dr. Cloutier moved, seconded by Mrs. Williams: "THAT the Public Hearing be closed."
The Chairman called for a vote on the motion offered by Dr. Cloutier. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: None. THE CHAIRMAN DECLARED THE PUBLIC HEARING CLOSED.
 - d) Mr. Gordon discussed the Staff Report and stated Staff recommended conditional approval provided that drainage calculations were submitted to the Terrebonne Parish Engineering Division for review and approval.
 - e) Discussion was held with regard to the area not being in a forced drainage area which would then not require drainage calculations to be submitted.
 - f) Mr. Ostheimer moved, seconded by Dr. Cloutier: "THAT the HTRPC grant approval for the application for Process D, Minor Subdivision for the Survey of Tracts "A" & "B", Property belonging to C.H. Arceneaux."
 - g) Discussion was held with regard to a letter of no objection from Lafourche Parish.
The Chairman called for a vote on the amended motion offered by Mr. Ostheimer. THERE WAS RECORDED: YEAS: Mrs. Amedée, Dr. Cloutier, Mr. Elfert, Mr. Erny, Mr. Kurtz, Mr. Navy, Mr. Ostheimer, and Mrs. Williams; NAYS: None; ABSTAINING: Mr. Babin; ABSENT: None. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

2. The Chairman called to order the Public Hearing for an application by D & G Rentals, LLC for Process C, Major Subdivision for D & G Estates.
 - a) Mr. Galen Bollinger, Charles L. McDonald Land Surveyors, Inc., representing the developer, discussed the location and division of property.
 - b) The Chairman recognized Lenwood Cunningham, 104 Hamner Drive, who expressed concerns of drainage and sewer.
 - c) Mr. Bollinger stated the drainage sloped naturally to Bayou Blue and not into the subdivision, that there was a separate lot of record that a house would be built on between Hamner Drive and the proposed subdivision.
 - d) The Chairman recognized Kelly Rodrigue, 102 Hamner Drive, who also owns property on 202 Country Estates, who expressed concerns of Lafourche Parish approving the proposal because the property drains into Bayou Blue.
 - e) The Chairman recognized Herb Picou, 102 Hamner Drive, who expressed concerns of being included in the Engineering phase of the development.
 - f) Dr. Cloutier moved, seconded by Mrs. Williams: "THAT the Public Hearing be closed."

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

- g) Mr. Gordon discussed the Staff Report and stated Staff recommended conditional approval provided a general site plan is depicted on the plat and a common recreational area is depicted on the plat at or above 36,000 square feet.
- h) Discussion was held with regard to lots in the turning "T" which would be similar to a cul-de-sac.
- i) Dr. Cloutier moved, seconded by Mrs. Williams: "THAT the HTRPC grant conceptual and preliminary approval for Process C, Major Subdivision for D & G Estates conditioned a general site plan is depicted on the plat and a common recreational area is depicted on the plat at or above 36,000 square feet."

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

3. The Chairman called to order the Public Hearing for an application by Travis Buquet for Process B, Residential Building Park for Amber Beth Court Residential Building Park.
 - a) Mr. Kevin Rizzo, T. Baker Smith, Inc., representing Mr. Buquet, discussed the location and division of property.
 - b) No one from the public was present to speak.
 - c) Dr. Cloutier moved, seconded by Mr. Erny: "THAT the Public Hearing be closed."

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

 - d) Mr. Gordon stated that no regulations governed these types of developments approximately four (4) years ago until Councilwoman Teri Cavalier got with the Planning Commission to develop regulations concerning multiple structures on a piece of property outside of the zoning district. He stated the existing homes on the property were approved before the new regulations came into effect and the applicant was wishing to add two (2) more homes onto the property. He stated Staff recommended approval of the Residential Building Park.
 - e) Discussion was held with regard to the proposal being a non-conforming use and continuing to allow structures to be added to a non-conforming use that doesn't currently meet the regulations.

- f) Mr. Ostheimer moved, seconded by Dr. Cloutier: “THAT the HTRPC deny the application for Process B, Residential Building Park for Amber Beth Court Residential Building Park due to non-compliance to the regulations and that it is a planned building park that uses its access as Bayou Gardens which is prohibited in the regulations.”
- g) Mr. Erny offered a substitute motion, seconded by Mr. Kurtz: “THAT the HTRPC grant approval of the application for Process B, Residential Building Park for Amber Beth Court Residential Building Park along with a variance for the access through an existing subdivision.”
- h) Mr. Freeman questioned the reasoning of the variance; whereas, it didn’t meet a section of the current law and that there was an additional variance included on the application to reduce the required road right-of-way from 40’ to 30’ due to the location of the existing road and property lines.
- i) Mr. Gordon stated he would recommend granting both of the variances.
- j) Discussion was held with regard to the reasoning for the variance and including that information in the motion.
- k) **SUBSTITUTE MOTION AS AMENDED:** Mr. Erny offered a substitute motion, seconded by Mr. Kurtz: “THAT the HTRPC grant approval of the application for Process B, Residential Building Park for Amber Beth Court Residential Building Park along with variances for the access through an existing subdivision and to reduce the required road right-of-way from 40’ to 30’ due to the location of the existing road and property lines due to the proposal being adjacent to a pre-existing subdivision that had been built prior to the adoption of the new regulations for Residential Building Parks.”
- l) Discussion was held with regard to new laws, allowing expansion to non-conforming uses, no adjacent property owners to speak against the development, the requested variances, and the road meeting the regulations.

The Chairman called a vote on the substitute motion offered by Mr. Erny. **THERE WAS RECORDED: YEAS:** Mrs. Amedée, Mr. Elfert, Mr. Erny, Mr. Kurtz, and Mr. Navy; **NAYS:** Dr. Cloutier, Mr. Ostheimer, and Mrs. Williams; **ABSTAINING:** Mr. Babin; **ABSENT:** None. **THE CHAIRMAN DECLARED THE SUBSTITUTE MOTION ADOPTED.**

- 4. The Chairman stated the next item on the agenda was an application for final approval by Teuton-Caro Developments, L.L.C. for Process C, Major Subdivision for Wallace J. Thibodeaux Estates, Addendum No. 4, Phase A.
 - a) Joan Schexnayder, Terrebonne Parish Engineering Division, read a memo concerning the punch list items for the development [See *ATTACHMENT B*].
 - b) Mr. Gene Milford, Milford & Associates, Inc., representing the Developer, stated they would comply/resolve with all of the punch list items.
 - c) Mr. Elfert moved, seconded by Mr. Erny: “THAT the HTRPC grant final approval for Process C, Major Subdivision for Wallace J. Thibodeaux Estates, Addendum No. 4, Phase A conditioned upon the Developer complying/resolving with all punch list items per the Terrebonne Parish Engineering Division’s memo dated September 15, 2011.”

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

G. STAFF REPORT: None.

H. Dr. Cloutier moved, seconded by Mr. Erny: “THAT the HTRPC acknowledge for the record the following Administrative Approvals 1-5.”

- 1. Survey of Tracts "A" and "B", Property belonging to Victoria Walker Aycock, et al, Section 18, T18S-R17E, Terrebonne Parish, LA
- 2. Redivision of Lot 1 & A portion of Lot 2, Block 45 of the City of Houma, Section 7, T17S-R17E, Terrebonne Parish, LA
- 3. Revised Lot 3 and Revised Lot 4, Block 2, Sugarwood Estates Subdivision, Section 102, T17S-R17E, Terrebonne Parish, LA
- 4. Redivision of Property belonging to Odis F. LeCompte, et als, Section 8, T19S-R18E, Terrebonne Parish, LA

5. Proposed Lot Line Shift for the eastern half of Lot D1 and Lot E formerly belonging to the Breaux Heirs in Semple Plantation, Section 9, T17S-R18E, Terrebonne Parish, LA

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

I. COMMITTEE REPORTS:

1. Subdivision Regulations Review Committee: None.
2. Comprehensive Master Plan Update:
 - a) Mrs. Robinson stated there would be a Steering Committee meeting on October 18, 2011 at 3:30 p.m. at the Waterlife Museum.

J. COMMISSION COMMENTS:

1. Planning Commissioners' Comments: None.
2. Chairman's Comments: None.

K. PUBLIC COMMENTS: None.

- L. Dr. Cloutier moved, seconded unanimously: "THAT there being no further business to come before the Houma-Terrebonne Regional Planning Commission, the meeting be adjourned at 7:36 p.m."

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

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

Kenneth L. Rembert

LAND SURVEYORS

since 1973

635 SCHOOL ST. HOUMA, LA. 70360
504-879-2782 (FAX) 504-879-1641

September 7, 2011

Houma-Terrebonne Planning & Zoning
P. O. Box 1446
Houma, LA 70361

Att: Mr. Pat Gordon:

Re: SOUTHDOWN WEST ADDENDUM #11, PHASE "D"

Dear Pat:

Please remove the above referenced item from consideration at the September 2011 meeting.
More changes are needed on the use of this property by the owner.

Thank you.

Sincerely,


Kenneth L. Rembert

KLR/apr



TERREBONNE PARISH
CONSOLIDATED GOVERNMENT

P.O. BOX 6097
HOUMA, LOUISIANA 70361
868-5050

P.O. BOX 2768
HOUMA, LOUISIANA 70361
868-3000

September 15, 2011
Item No. G4

TO: **Pat Gordon**

FROM: **Gregory E. Bush, LTC, USA, Retired**
Director of Public Works

SUBJECT: **Wallace J. Thibodaux Estates, Addendum No. 4, Phase A**
Final Inspection

A final inspection of the above referenced subdivision was held by representatives of the Department of Public Works. The following punch list items remain and need to be addressed:

1. The survey plat shall show the state plane coordinate (Louisiana South Zone) of at least two (2) points with the subdivision.
2. All permanent benchmarks shall be shown on the final survey plat including elevation, datum, date, & three point ties.
3. Street light globes shall be installed.
4. Stumps in detention pond shall be removed to flow line.
5. Nails from tack strips shall be removed from all expansion joint and joints shall be sealed properly.
6. Side slopes of detention pond shall be reshaped.
7. Grout voids in plaster shall be repaired at the following locations:
 - i. St. 12+52.76 CB06 RT
 - ii. St. 14+52.76 CB06 RT & LT
 - iii. St. 18+85.54 CB06 RT
 - iv. St. 21+28.23 CB06 RT & LT
 - v. St. 23+77.73 CB06 RT
 - vi. St. 32+33.19 CB06 LT
8. Wood forms shall be removed at the following locations:
 - i. St. 16+56.11 CB06 RT
 - ii. St. 41+34.01 CB07 LT
 - iii. St. 52+61.53 DMH
9. St. 52+61.53 DMH - debris shall be removed.
10. Bearings and distances shall be provided for drainage servitude along St. Louis Bayou.
11. 24.7.6.4 Benchmark shall be made of brass or aluminum disk and stamped with the elevation and date set.
12. 24.7.5.6 No approval letter from Waterworks.

Wallace J. Thibodaux Estates, Addendum No. 4, Phase A
Final Inspection
GEB Memo to PG dated 9/15/11
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This review does not imply that the drainage plan, or any other building plan, submitted for this project complies with all other requirements of the Parish Codes. Please feel free to contact Joan Schexnayder at 873-6720 if you have any questions or comments.

cc: Planning Commission
Gene Milford, III, P.E.
Tom Bourg
Philip Liner
Engineering Division
Reading File
Council Reading File