



*Kenton C. Ward, CFM*  
*Surveyor of Hamilton County*  
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*Suite 188*  
*One Hamilton County Square*  
*Noblesville, Indiana 46060-2230*

July 28, 2010

Nelson & Frankenberger  
ATTN: Jon Dobosiewicz  
3105 East 98<sup>th</sup> Street  
Suite 170  
Indianapolis, IN 46280  
VIA E-MAIL: [Jon@NF-LAW.com](mailto:Jon@NF-LAW.com)

**RE: Union Street Flats at Grand Junction**

Dear Mr. Dobosiewicz

We have reviewed the construction plans submitted to the Hamilton County Surveyor's Office on July 2, 2010 for this project and have the following comments:

1. The proposed project falls in the incorporated area and MS4 jurisdiction of the City of Westfield.
2. The proposed project falls in the Anna Kendall Regulated Drain Watershed and has the Anna Kendall Regulated Drain within the project boundaries.
3. This proposed project DOES NOT fall within a Westfield Wellhead Protection Zone.
4. Please submit an outlet permit for the direct discharge into the Anna Kendall Regulated Drain. The application is available on our website at <http://www.hamiltoncounty.in.gov/surveyor>, and then go to Forms.
5. The Hamilton County Stormwater Management Technical Standards Manual (HCSMTSM) Section 302.02 requires the site to discharge no more than 0.1 cfs per acre up to the 10 year 24 hour storm event and 0.3 cfs per acre for the 11 to 100 year storm event. Since this is not being provided on this site, a variance will need to be requested from the Hamilton County Drainage Board. The application is available on our website at <http://www.hamiltoncounty.in.gov/surveyor>, and then go to Forms.

Please note the variance will not be considered until the Westfield Regional Detention Plan has been reviewed by the Drainage Board Consultant, Clark Dietz Inc., approved by the Drainage Board, and construction has commenced.

6. The HCSMTSM Section 105.01 prohibits the filling of the land in the floodplain of a regulated drain. Since this project is proposing fill in the floodplain, a variance will need to be requested from the Hamilton County Drainage Board. The application is available on our website at <http://www.hamiltoncounty.in.gov/surveyor>, and then go to Forms. Before this variance can proceed to the Drainage Board, it must be reviewed by the Drainage Board Consultant, Clark Dietz Inc., with the full cost of the review being paid for by the variance petitioner. Additional information will be sent accompanying this letter as how to set the process into motion.
7. The reduction of the Anna Kendall Regulated Drain Easement will require a written legal description, including a graphical exhibit, and a Non-Enforcement Agreement on Individual Tracts, which is available on our website at <http://www.hamiltoncounty.in.gov/surveyor>, and go to Forms. Please note that a condition of the fill in the floodplain variance will likely include granting of additional easement to the Drainage Board, so this may best be handled by waiting for those requirements.
8. Improvement will be required on the Anna Kendall Regulated Drain within the boundaries of the project. Please schedule a meeting in accordance with Hamilton County Ordinance 4-26-99-C #4 to determine the scope of the required improvements. These improvements could include, but not limited to, tree clearing, erosion repair/bank stabilization, and sediment removal.
9. Earth moving work within the Floodway will require a Construction in a Floodway Permit from the Indiana Department of Natural Resources and possibly other state and federal level permits. The developer will be fully responsible for obtaining the permits prior to any work commencing that is a requirement of this office or the Hamilton County Drainage Board.
10. The placement of the site stormwater BMP within the Floodway of the Anna Kendall Regulated Drain does not seem to be appropriate or recommended by HCSO, by is up to the discretion of IDNR and the City of Westfield. While this does fall under Westfield's jurisdiction, it does seem the requirements for an infiltration trench (BMP PC-105) will be difficult to meet in this location.
11. The proposed walking path along the Anna Kendall Drain will need to have signs to warn of possible flooding in accordance with HCSO Standard Detail D-24.
12. Please provide a site drainage emergency overflow routing exhibit as required in Section 303.07 of the HCSMTSM, so we can see where the water flows, if any structures are in danger of flooding, and what point the flow will use to enter the Anna Kendall Regulated Drain.

13. Please note that further comments may be necessary at a later date.

Should you have any questions, I can be reached at 317-776-8495.

Sincerely,

A handwritten signature in blue ink that reads "Greg Hoyes". The signature is written in a cursive, flowing style.

Greg Hoyes, AC, CFM  
Plan Reviewer

CC: Pete White – Westfield Public Works  
Kevin Todd – City of Westfield  
Dave Lucas – HCHD  
Jim Shields – Weihe Engineering  
Ed Fleming – Weihe Engineering  
Todd May – J.C. Hart