

The below minutes and written decisions are taken from the meeting to represent items addressed and actions taken by this board. All meetings are recorded with video and audio for our records. In the event these minutes and written decisions are ever in question or controversy, the audio/video archive shall be used to determine the actual item or action taken by individuals present at this meeting.

**MINUTES AND WRITTEN DECISIONS  
PLANNING COMMISSION  
AUGUST 14, 2019**

The Planning Commission of the Parish of Ascension held a Public Meeting on Wednesday, August 14, 2019 at 6:00 p.m. in the Courthouse East Meeting Room, Gonzales, Louisiana in a regular meeting convened.

**I. Meeting was Called to Order**

Meeting was called to order by Chairman Matthew Pryor.

**II. Roll Call of Members**

*The following members were present:*

Ken Firmin, Matthew Pryor, Aaron Chaisson, Wade Schexnaydre

*The following members were absent:*

Julio Dumas, Morrie Bishop, Anthony Christy

**III. Pledge**

**IV. Introduction of Staff**

Stacie Webb – Recording Secretary, Planning Commission

Cody Martin – Legal Counsel

Jerome Fournier, Director, Planning and Development

Eric Poche – Sr. Planner, Planning and Development

Lance Brock – Zoning Official, Planning and Development

Shaun Sherrow – Engineering Review Agent

**V. Chairman's Comments**

Chairman Pryor announced that agenda item #13, preliminary plat of Lake at West Creek-Major Revision, had been withdrawn from the agenda by the applicant earlier in the day.

**VI. Public Comment on any Agenda Item**

*Public hearing was opened.*

The following spoke:

1 – Kathryn Goppelt – (Lake at West Creek – Major Revision) – Not In Support

*Public hearing was closed.*

**VII. General Business**

Mr. Wade Schexnaydre stated he wanted to propose a change to the agenda. He said he had a resident email him concerns about a final plat approval and some issues that

he had noticed. Mr. Schexnaydre expressed that he felt it was important enough to give him the opportunity to talk and make his concerns known.

**Commission Action:** Moved by Mr. Wade Schexnaydre, seconded by Mr. Aaron Chaisson and unanimously adopted, to approve amending the agenda by adding an additional agenda item, as item 13 (B).

## VIII. Staff Report

### A) Subdivision Status – August 2019

Mr. Eric Poche presented and explained the attached status report on subdivisions.  
(*SEE ATTACHMENT A*)

## IX. Engineering Staff Report

Engineering had no report.

## X. Minutes

### A) Approval or Denial of the Minutes and Written Decisions of the July 10, 2019 Planning Commission Meeting

**Commission Action:** Moved by Mr. Wade Schexnaydre, seconded by Mr. Aaron Chaisson and unanimously adopted, to approve the minutes and written decisions of the July 10, 2019 Planning Commission meeting as presented.

## XI. Consent Agenda

### Final Plat Approval

#### **Belle Savanne Subdivision, Phase 2B**

The subject property is located on Hwy 73 approximately 2,800 feet North of Hwy 74 in Council District 8 and is zoned Medium Intensity Residential (RM). The application is on behalf of Engquist-Level Development, LLC by Quality Engineering & Surveying, LLC.

The entire property is 104.8 acres with an acreage in filing 2B of 33.2 acres. The applicant is applying for the final plat for Phase 2B, containing 99 lots as part of an overall plat for a major subdivision to contain 285 single-family residential lots. Lots range from 53 – 80 feet wide with a minimum size of 6,625 square feet. The overall subdivision will include 5.7 acres of designated park space. All open space/park requirements have been met.

#### Project Timeline:

- December 9, 2015 -Planning Commission approves the preliminary plat.
- March 14, 2018 – Planning Commission approves final plat for Phases 1 and 2A.
- July 19, 2018, Staff Level Minor Preliminary Plat Revision Approved
- September 6, 2018- Construction plans approved.
- July 23, 2019 Final Inspection Performed

**STAFF/ERA FINAL PLAT REVIEW COMMENTS (see attached Final Plat Comments) (SEE ATTACHMENT B)**

**ENGINEERING DEPT/ERA OUTSTANDING ITEMS: (see attached punch list from final inspection) (SEE ATTACHMENT C)**

**STAFF RECOMMENDATIONS**

Staff recommends approval of the final plat with Chairman signature and recording upon satisfactory completion of all outstanding punch list items, posting of the required maintenance bond(s) for infrastructure and sewer treatment plant expansion and any payment by the developer or credit offset being approved by the utilities department, for their portion of the sewer impact fee according to parish ordinances and final signoff by the following Parish Departments:

1. Inspections
2. Utilities
3. Roads
4. Stormwater
5. Drainage

Note: Phase 3 of the development is contingent on a connection to Bluff Road (LA 928) being completed as per the original conditions of approval at the December 9, 2015 Planning Commission meeting.

**Commission Action:** Moved by Mr. Ken Firmin, seconded by Mr. Wade Schexnaydre and unanimously adopted, to approve the consent agenda.

**XII. Public Hearing to Approve or Deny the following Family Partitions:**

**A) Lorena Aikens Property – Lots 2-A and 2-B**

The subject property is located on Lorena Drive on the east side of Aikens Road approximately 475' north of the intersection of Aikens Road and LA Hwy. 929 in Council District 11 and is zoned Medium Intensity Residential (RM). The application is on behalf of Roy Cobb by Earles and Associates, L.L.C., Professional Land Surveyors.

The Applicant is proposing a family partition of Lot 2 (1.013 acres) into Lot 2-A (0.505 acres) and Lot 2-B (0.508 acres). Lot 2-A is being donated to the applicant's mother and Lot 2-B is being retained by the owner.

**STAFF REVIEW COMMENTS**

Comments sent to Earles and Assoc., L.L.C., Professional Land Surveyors on 7-15-19:

1. R/W is a 40' Servitude of Passage according to Reference Map 1.
2. Property zoning is RM.
3. Verify that all existing structures located on the property are shown as required.
4. Revise the 'Dedication of Rights of Way' note to add: "The rights-of-way of streets shown heron, *unless specifically designated as private and*, if not previously dedicated,..."
5. All property owners along the servitude of passage will be required to sign the map or a pre-dial servitude agreement must be recorded with the map.
6. The 'Private Access Servitude' dedication statement must be included on the map.

7. The FEMA map panel is ...0040E and not ...0110E.
8. Submit final plat in CAD prior to final plat being signed.

**STAFF RECOMMENDATIONS**

This property division does currently meet the requirements of the family partition section of the subdivision regulations. The owner has owned the property for at least three years or prior to January 1, 2015 as required by Paragraph 17-4026.B. Should the commission concur with the staff analysis, staff recommends approval provided all comments are addressed on the final map as listed above and the required conveyance documents being completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mr. James Falgout with Earles and Associates, LLC presented this family partition.

*Public hearing was opened.*

No comments.

*Public hearing was closed.*

**Commission Action:** Moved by Mr. Wade Schexnaydre, seconded by Mr. Ken Firmin and unanimously adopted, to approve this family partition as presented.

**B) Camille Bourgeois Estate Property – Lots 5-A and 5-B**

The subject property is located on the north side of Stringer Bridge Rd. approximately 725' west of LA Hwy. 431 in Council District 6 and is zoned Rural (R). The application is on behalf of John D. Ruff by Earles and Associates, L.L.C., Professional Land Surveyors.

The Applicant is proposing a family partition of Lot 5 (4.091 acres) into Lot 5-A (3.148 acres) and Lot 5-B (0.943 acres). Lot 5-B is being retained by the owner and Lot 5-A is being donated to the applicant's mother.

**STAFF REVIEW COMMENTS**

Comments sent to Earles and Assoc., L.L.C., Professional Land Surveyors on 7-10-19:

1. Revise the 'Dedication of Rights of Way' note to add: "The rights-of-way of streets shown hereon, unless specifically designated as private and, if not previously dedicated,..."
2. Submit final plat in CAD prior to final plat being signed.

**STAFF RECOMMENDATIONS**

This property division does currently meet the requirements of the family partition section of the subdivision regulations. The owner has owned the property for at least three years or prior to January 1, 2015 as required by Paragraph 17-4026.B. Should the commission concur with the staff analysis, staff recommends approval provided all comments are addressed on the final map as

listed above and the required conveyance documents being completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mr. James Falgout with Earles and Associates, LLC presented this family partition.

*Public hearing was opened.*

The following spoke:

1 – Connie Braud – does not oppose.

*Public hearing was closed.*

**Commission Action:** Moved by Mr. Ken Firmin, seconded by Mr. Wade Schexnaydre and unanimously adopted, to approve this family partition as presented.

**C) Henry Broussard Property – Lots HB-1-A, HB-1-B and HB-1-C**

The subject property is located on the east side of Van Broussard Road approximately 1,600' south of David Dr. in Council District 7 and is zoned Medium Intensity Residential (RM). The application is on behalf of Henry Mark Broussard by Earles and Associates, L.L.C., Professional Land Surveyors.

The Applicant is proposing a family partition of Lot HB-1 (2.026 acres) into Lot HB-1-A (1.026 acres), Lot HB-1-B (.500 acres) and Lot HB-1-C (0.500 acres). Lot HB-1-A is being donated to a daughter, Lot HB-1-B is being donated to a grandson and Lot HB-1-C is being retained by the owner.

**STAFF REVIEW COMMENTS**

Comments sent to Earles and Assoc., L.L.C., Professional Land Surveyors on 7-15-19:

1. Revise the 'Dedication of Rights of Way' note to add: "The rights-of-way of streets shown heron, unless specifically designated as private and, if not previously dedicated,..."
2. Label, "30' Private Servitude of Passage".
3. Label Henry Mark Broussard as 'Owner' or 'Applicant'.
4. Henry Mark Broussard and Kelly Broussard will both be required to sign the map as they own the property where the servitude of passage will be located.
5. The FEMA map panel is ...0030E and not ...0045E.
6. Submit final plat in CAD prior to final plat being signed.

**STAFF RECOMMENDATIONS**

This property division does currently meet the requirements of the family partition section of the subdivision regulations. The owner has owned the property for at least three years or prior to January 1, 2015 as required by Paragraph 17-4026.B. Should the commission concur with the staff analysis, staff recommends approval provided all comments are addressed on the final map as

listed above and the required conveyance documents being completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mr. James Falgout with Earles and Associates, LLC presented this family partition.

*Public hearing was opened.*

No comments.

*Public hearing was closed.*

**Commission Action:** Moved by Mr. Wade Schexnaydre, seconded by Mr. Ken Firmin and unanimously adopted, to approve this family partition as presented.

**D) Aaron Vancleave Property – Lots B-1 and B-2**

The subject property is located on the south side of Churchpoint Rd. approximately 650' west of Denham Road Council District 10 and is zoned Rural (R). The application is on behalf of Aaron Vancleave by Earles and Associates, L.L.C., Professional Land Surveyors.

The Applicant is proposing a family partition of Lot B (2.581 acres) into Lot B-1 (2.088 acres) and Lot B-2 (0.504 acres). Lot B-1 is being retained by the owner and Lot B-2 is being donated to the applicant's daughter.

**STAFF REVIEW COMMENTS**

Comments sent to Earles and Assoc., L.L.C., Professional Land Surveyors on 7-11-19:

1. Revise the 'Dedication of Rights of Way' note to add: "The rights-of-way of streets shown heron, unless specifically designated as private and, if not previously dedicated,..."
2. Revise "LQT" B-1 in the Private Access Servitude dedication.
3. Submit final plat in CAD prior to final plat being signed.

**STAFF RECOMMENDATIONS**

This property division does currently meet the requirements of the family partition section of the subdivision regulations. The owner has owned the property for at least three years or prior to January 1, 2015 as required by Paragraph 17-4026.B. Should the commission concur with the staff analysis, staff recommends approval provided all comments are addressed on the final map as listed above and the required conveyance documents being completed and recorded according to Paragraph 17-4026.F of the Subdivision Regulations.

Mr. James Falgout with Earles and Associates, LLC presented this family partition.

*Public hearing was opened.*

No comments.

*Public hearing was closed.*

**Commission Action:** Moved by Mr. Aaron Chaisson, seconded by Mr. Ken Firmin and unanimously adopted, to approve this family partition as presented.

### **XIII. Public Hearing to Approve or Deny the following Preliminary Plats:**

#### **A) Lake at West Creek – Major Revision**

~~McLin Taylor, Inc.~~

~~(Council District 11)~~

*This item was pulled from the agenda prior to the meeting by the developer.*

#### **B) Added Agenda Item**

Mr. Ricky Compton expressed in October of 2013 an ordinance was adopted by the Parish Council to establish design guidelines for Major Subdivisions. He expressed what bothers him is that it is not being followed and wanted to bring it to the Commission's attention. He read aloud the following summary regarding Cedar Springs Subdivision:

"In October of 2013, after many months of hard work, the Parish Council passed a new ordinance for Major Subdivision development. In exchange for a reduction in lot sizes, developers would now be required to provide sidewalks or trails to connect all homes to a newly required park(s) in each subdivision. Also, with the newly required shade tree on every lot, and required trees in each park, someday that walk to the park could be in the shade to a place to relax or play. At least that was the idea. I'm here tonight to talk about a subdivision that is literally a par 4 from my house. I drive by it every day. I watched as the contractor began construction without any erosion protection. I took pictures as the contractor allowed silt and mud to free flow into our roadside ditch. I informed the Parish of the deficiencies of the contractor and within a few days, the problems were corrected....but, not without damage having already been inflicted. (Apr 2018)

Several months into construction, the poorly constructed silt protection had failed, and once again, caramel colored water flowed off of the construction site, and into our roadside ditches. Again, because of lack of personnel or lack of oversight, the Parish didn't do anything until I phoned them to inform them of the violations to their SWPPP permit. Again, the problems were resolved, but only after a concerned citizen identified a problem the Parish is obligated to identify and correct. (Sept 2018)

In February, when construction was nearing completion, I watched anxiously as the Planning Commission was going to hear the Final Plat for this subdivision. See, because one month before, the Council passed an ordinance amending the Subdivision Regulations which no longer allowed contingencies on Final Plats. Watching this subdivision being constructed, I knew, for a fact, that the contractor had not installed any of the required trees or the sign per the Ordinance in the Park space.

But, when I reviewed the Final Inspection Letter from CSRS for this subdivision, under Landscape Requirements, it listed NONE.

Here we are, 6 months after the Final Plat was approved. 12 Homes are under construction, 5Homes have been finalized or very soon will be, and still not a SINGLE Class A tree has been planted in this subdivision. This Developer has chosen to plant crepe myrtles on the lots instead of what the law requires. Not only is this considered an ornamental tree but it does not meet the requirements of the Ordinance for required caliper (width of the tree's trunk) or actually provide shade.

Where am I headed with this?

Based on some quick research...since 2015, over 5,600 lots have been granted Final Plat approval, with many of those being approved under the Major Subdivision Guidelines. Meaning, most of those subdivisions should include sidewalks that connect to parks with trees, and trees on each and every lot that not only meet a species standard (for what they WILL grow into over the next several decades) but a size standard, to insure they aren't planted as saplings.

I have a full-time job...I'm not driving the roads of Ascension Parish everyday insuring the developers are doing what they promised...That's someone else's job. But, I have watched this one subdivision right around the corner from my house fail to follow the rules at every turn and fail to plant the trees that they promised they would plant....that the ordinance requires that they plant.

My question is: How many more subdivisions haven't followed the rules?

Because, I'd be willing to bet it's not JUST this one. I would strongly suggest that this Commission request a full accounting of ALL subdivisions approved since the Major Subdivision guidelines were adopted and perform an analysis of whether or not they are conforming to the requirements of the code...and if they are not...what are the repercussions?"

Mr. Jerome Fournier addressed the SWPPP issue. He said the Parish is fully aware of the problem with the stormwater program and stated the program was audited by DEQ earlier this year. He said the Parish's civil engineer in charge of the SWPPP program is going through each subdivision and making sure the developer complies with the program.

Mr. Fournier expressed they are aware of the project Mr. Compton is speaking of on Norwood Road and have been out to the site on several occasions. He said they have been monitoring it to make sure there has been no flooding issues with all the rain events that we have been having.

Mr. Eric Poche addressed the issue with the planting of the trees. He said since the Parish removed the performance bond option from the subdivision code, one of the allowances in the code is if there is not water available; allow them not to plant the trees in the park spaces until the water is available. He expressed typically what they have done in the past is allowed them to move forward making sure that the trees are planted in the park space prior to the first certificate of occupancy be issued. Mr. Poche said he would not say they have caught every one of them, but they can certainly be more diligent about making sure they



adhere to the code as it is written. He expressed this may be the reason why the particular subdivision, that Mr. Compton mentioned, does not have trees according to the code.

*Public hearing was opened.*

The following spoke:

1 – Councilman Daniel Satterlee

2 – David Burnyard

*Public hearing was closed.*

Mr. Wade Schexnaydre requested staff to come back monthly with a report a) identifying items that have been in violation; b) that have not been enforced; and c) when said items have been justified. He would like this for each subdivision before it comes for final approval.

Mr. Jerome Fournier stated he would coordinate with DPW (Inspectors) and have this report for the Commission at the next meeting.

Chairman Pryor said he would recommend to the Council to change the law whereby administration can enforce to have a certificate of occupancy withheld until that lot/subdivision is in compliance to the subdivision code.

**Commission Action:** Moved by Mr. Aaron Chaisson, seconded by Mr. Wade Schexnaydre and unanimously adopted, to recommend to the Parish Council to have them study the Unified Land Development Code (ULDC) Section 17-4094 to determine if there are any other options that can be added to the code for enforcement and/or compliance; or amendments that can be made to that ordinance to require enforcement or compliance with the ULDC other than or in addition to an injunction relief to have it done quicker, easier, cheaper than having to go to court. Also, that there be a fine schedule.

#### **XIV. Adjourn**

A motion was made by Mr. Wade Schexnaydre and unanimously adopted; meeting adjourned at 6:37 p.m.

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Matthew Pryor, Chairman



August 6, 2019

Mr. Jerome Fournier  
Ascension Parish Planning Commission  
P.O. Box 1659  
Gonzales, La 70707

**RE: Belle Savanne 2B  
Final Plat Review**

Mr. Fournier:

As the Engineering Review Agency for the Ascension Parish Planning Commission, we have reviewed the Final Plat submitted for the above referenced development for compliance with the Ascension Parish Subdivision Regulations and the Ascension Parish Development Code. Shown below are the comments made by both the ERA and Ascension Parish staff to the Consulting Engineer as a result of the review of this project, as well as a description of their correction or response made to these comments (**shown in bold print**).

1. Sheet 1: Looks like Lot A-1-A-4 is also in FIRM Map -C0025E. Revise flood zone note accordingly.
2. Number of lots is 98, not 99 as stated. Revise accordingly.
3. Note "PRIVATE" in name on sheet title as required.
4. List the latest approval/revision stating "staff" or Planning Commission" revision type and date as well as the original approval at the Planning Commission.
5. There appear to be 86 lots in this filing and not the 99 as shown.
6. Add Flood Zone designation to 'Flood Area' legend symbol.
7. Add lot areas as required.
8. Add 15' Public Sewer Servitude within Private Servitude of Passage for sewer trunk line to LS/STP servitude.
9. All drainage servitudes along interior lots will be designated and labeled as 'Private' and those along the boundary as well as through ponds to be designated and labeled as 'Public'.
10. Be aware that the sewer development fee note may need to be revised based on the results of the credit review with the Parish Utilities Dept.
11. On the 'Tree and Park Space Standards' block, note in item 3 that the park space is now meeting a Stage 4 Park requirement.
12. Amend note no. 7 under 'General Subdivision Notes' to read as shown under item 11 under, 'General Subdivision Notes' on the checklist.
13. Add note no. 13 about adhering to the approved drainage plans under 'General Subdivision Notes' as shown on the checklist.
14. Add 'Public Sewer Dedication' note under Section 'H' on the Checklist.
15. Add note to plat stating, "The streets and roads of this Subdivision Filing (2B), are Private Roads and are the responsibility of the homeowners and homeowner's association. No Road or Street in this filing can be maintained by Parish Government." This statement is to be placed in one corner of the plat in a bold font equal in size to "REFERENCE PLAT" heading.
16. Submit verification from LDH that the STP expansion and any other Sewer Treatment systems have final approval for use.

**The following should be considered by the Planning commission in their analysis of the case:**

1. No comments

## ATTACHMENT B

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Should you have any questions or comments, please do not hesitate to contact me at (225) 769-0546.

Sincerely,

CSRS, Inc.

**Engineer Review Agency for the Ascension Parish Planning Commission**



**Shaun Sherrow, P.E., PMP**

*CC: Seth Mosby, PLS, Quality Engineering & Land Surveying, LLC*

July 31, 2019

Mr. Jerome Fournier  
Ascension Parish Planning Commission  
P.O. Box 1659  
Gonzales, LA 70707

**RE: Belle Savanne – Phase 2B  
Final Inspection Letter**

Dear Mr. Fournier:

The final inspection for the above referenced project was held on 7/23/2019 at 8:00 am. The contractor, project engineer's representative, inspection department, planning department, and various utility departments were present. By electronic copy of this letter, we are transmitting compiled comments received from all parties to the engineer. The engineer or contractor will contact subdivision inspection department when these items are ready for a re-inspection:

**Project Closeout**

1. Provide the following closeout items if not already provided:
  - a. Provide as-builts for storm drainage system that satisfy section 17-4010C of the UDC. All servitudes should be clearly denoting the distinction between public and private maintenance. Engineer should consult with the Drainage Department for identification of proposed public servitudes.
  - b. Provide as-builts for sanitary sewer system that satisfy section 17-4010C of the UDC. All servitudes should be clearly denoting the distinction between public and private maintenance. Engineer should consult with the Utilities Department for identification of proposed public servitudes.
  - c. Provide all testing reports if not already submitted.
  - d. Provide maintenance bond agreement for public items only.
  - e. Provide updated engineer certification if not already submitted.
  - f. The signed testing lab certification if not already submitted.
  - g. Any applicable sewer agreement with the Parish needs to be completed prior to the Final Plat being signed.

**Final Plat Items**

1. (See final plat review letter from review process).
2. In accordance with Subdivision Regulations 17-4011 F, project is proceeding with private streets. Construction plans were reviewed and approved as public streets. Proper notation should be placed on the Final Plat and all as-built drawings denoting the distinction between public and private maintenance items.

**Drainage**

1. The approved construction plans call for a typical rear yard swale ditch along the rear of Lots 135-141 per the swale section on Sheet 5-A. Currently this ditch appears to be around 3' in depth. Verify if this additional capacity is needed; if so, plans will need to be updated to reflect this change and provide the

# ATTACHMENT C

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required drainage servitude width to accommodate the criteria in Section 17-4045 (E) of the Subdivision Regulations. If the additional ditch capacity is not required, the existing ditch will need to be reshaped to match the approved plans.

2. Verify that all pre-cast lifting wires have been removed from all drainage structures and that the holes are grouted back in.

## **Sanitary Sewer**

1. Ensure all sewer stacks/markers contain a cap at the top to protect unwanted substances from compromising the integrity of the system.
2. Complete installation of Treatment Plant, Treatment Plant site and features in accordance with Ascension Parish Subdivision Construction Specifications and Approved Construction plans. Schedule an inspection with the Utilities Department upon completion.
3. Contractor should provide all record drawings, Operation and Maintenance (O&M) Manuals and spare parts in accordance with Section 16 of the Ascension Parish Subdivision Construction Specifications.

## **Roadway**

1. Developer elects to develop this subdivision with private roads. Provide and install "No Public Maintenance" signs on Belle Rene Drive and Belle Mere Drive where the road meets the limits of this filing. Contact the Traffic Department for approval of signage and location.
2. Project is being introduced as Private Streets. Provide a maintenance bond for public street items. Provide an exhibit detailing what will be dedicated to the public.
3. Provide curb and gutter on Belle Prairie Drive at street stub-out. Refer to sheet 17 in approved construction plan set for reference.

## **Erosion Control**

1. The silt fence around box B-4 has collapsed during heavy rains. Reestablish required erosion control.
2. The developer/owner must continue to maintain erosion control measures as stipulated by the owner's SWPPP throughout home building process

Do not hesitate to contact me should you have any questions.

Engineering Review Agency for the Ascension Parish Planning Commission



**Shaun Sherrow, P.E., PMP**

CC: (via email) William Purser, P.E., Quality Engineering & Surveying, L.L.C.