

MINUTES
HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION (HTRPC)
MEETING OF OCTOBER 19, 2017

- A. The Chairman, Dr. L.A. “Budd” Cloutier, Jr., Chairman, called to order the regular meeting of October 19, 2017 of the Houma-Terrebonne Regional Planning Commission (HTRPC) at 6:14 p.m. in the Terrebonne Parish Council Meeting Room with the Invocation led by him and the Pledge of Allegiance led by Mr. James Erny.
- B. Upon Roll Call, present were: Mr. Joseph “Joey” Cehan; Dr. L.A. “Budd” Cloutier, Jr., Chairman; Mr. James Erny; Mrs. Angi Falgout, Secretary/Treasurer; Mrs. Gloria Foret; Mr. Keith Kurtz; Mr. Alex Ostheimer, Vice-Chairman; and Mr. Wayne Thibodeaux. Absent at the time of Roll Call were: Mr. Jeremy Kelley. Also present was Mr. Christopher Pulaski, Director, Department of Planning & Zoning, and Mr. Laddie Freeman, Legal Advisor.
- C. **CONFLICTS DISCLOSURE:** The Chairman reminded the Commissioners that if at any time tonight, a conflict of interest exists, arises or is recognized, as to any issue during this meeting, he or she should immediately disclose it, and is to recuse him or herself from participating in the debate, discussion, and voting on that matter.
- D. **ACCEPTANCE OF MINUTES:**
1. Mr. Kurtz moved, seconded by Mr. Erny: “THAT the HTRPC accept the minutes, as written, for the Regional Planning Commission for the regular meeting of September 21, 2017.”
- The Chairman called for a vote on the motion offered by Mr. Kurtz. THERE WAS RECORDED: YEAS: Mr. Cehan, Mr. Erny, Mrs. Falgout, Mrs. Foret, Mr. Kurtz, Mr. Ostheimer, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- E. Mrs. Falgout moved, seconded by Mr. Cehan: “THAT the HTRPC emit payment for the October 19, 2017 invoices and approve the Treasurer’s Report of September 2017.”
- The Chairman called for a vote on the motion offered by Mrs. Falgout. THERE WAS RECORDED: YEAS: Mr. Cehan, Mr. Erny, Mrs. Falgout, Mrs. Foret, Mr. Kurtz, Mr. Ostheimer, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
1. Mrs. Falgout moved, seconded by Mr. Erny: “THAT the HTRPC approve the amendments to the 2017 Budget as presented.”
- The Chairman called for a vote on the motion offered by Mrs. Falgout. THERE WAS RECORDED: YEAS: Mr. Cehan, Mr. Erny, Mrs. Falgout, Mrs. Foret, Mr. Kurtz, Mr. Ostheimer, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
- F. **COMMUNICATIONS:** None.
- G. **OLD BUSINESS:**
- Mrs. Falgout moved, seconded by Mr. Erny: “That the Old Business be removed from the table and considered at this time.”
- The Chairman called for a vote on the motion offered by Mrs. Falgout. THERE WAS RECORDED: YEAS: Mr. Cehan, Mr. Erny, Mrs. Falgout, Mrs. Foret, Mr. Kurtz, Mr. Ostheimer, and Mr. Thibodeaux; NAYS: None; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.
1. The Chairman called to order the application by Cenac Family Properties, LLC requesting approval for Process D, Minor Subdivision, for Cenac Estates Subdivision.
- a) Mr. David Waitz, David A. Waitz Engineering & Surveying, Inc., stated he would not be discussing ownership of the property as Mr. Bordelon would be. He indicated they desired to know if the application would even get approval and if it wouldn’t, the legal proceedings between the families would be a moot point.
- b) The Chairman recognized a Public Speaker Card from Mr. William Bordelon, 407 Roussell Street, who stated he expected due diligence from the Planning Commission to know what was going on before moving on with the application. He indicated that Mrs. Cenac’s attorney, Rene Williams, has also stated Mrs. Cenac does not have the authority to go forward with the application as he and Mr. Freeman both agree. He said while it is a great project, she has neither authority to submit the application nor the authority to pay for the work Mr. Waitz has done.

- c) Discussion was held with regard to the verbiage that was changed on the application by Mrs. Cenac, discrepancy of the members of the board, the legalities of the LLC, and the agreement and disagreement between all members of the LLC.
- d) Mr. Freeman discussed the matter and stated he spoke to Mr. Rene Williams, Mrs. Cenac's attorney, and he said Mrs. Cenac didn't have the legal authority to request Mr. Waitz to place the matter back on the agenda after it was tabled indefinitely at the previous meeting in September. He said our state law requires an owner to apply for the developments and there are reasons why we request the information we do on our applications. He stated there were many discrepancies with the application, the LLC, legal authority and neither she nor her attorney was even present at the meeting to discuss the matter. He stated the Planning Commission had every right to deny the application if they chose.
- e) Discussion ensued with the application, signatures, and initials and oversights.
- f) Mr. Thibodeaux moved, seconded by Mrs. Falgout: "THAT the HTRPC deny the application for Process D, Minor Subdivision, for Cenac Estates Subdivision due to not having a proper application."
- g) Discussion was held with regard to being consistent and not disputing how a particular LLC operates stating it not being the Planning Commission's responsibility to certify ownership and stepping out of our comfort zone by getting involved in the legalities and delaying the development.
- h) Discussion ensued with regard to having someone come forward and dispute ownership to the Commission was reason enough to get involved and this was comparable to a stranger applying to divide someone else's property that Mrs. Cenac doesn't have the legal authority of the LLC to apply to develop the property.
- i) Clarification was given that it was not an ownership issue but an issue as to whom in the LLC has the authority to develop the property owned by the LLC. It was stated that someone is disputing the legal authority and the application being incorrectly completed.
- j) Discussion ensued with regard to the Planning Commission not involving themselves in the legalities, the family feuding none of the Commission's business, and taking sides whether they grant approval or denial of the application and they could appeal to the Council if a denial was granted.
- k) Mr. Thibodeaux clarified his motion, seconded by Mrs. Falgout: "THAT the HTRPC deny the application because the application does not follow our rules that the person making the application clearly state that they have the authority of the owner of the property."
- l) Mr. Pulaski stated he would not discuss the Staff Report after listening to the Planning Commission's legal advisor.

The Chairman called for a vote on the motion offered by Mr. Thibodeaux. THERE WAS RECORDED: YEAS: Mr. Cehan, Mr. Erny, Mrs. Falgout, Mrs. Foret, Mr. Kurtz, and Mr. Thibodeaux; NAYS: Mr. Ostheimer; ABSTAINING: Dr. Cloutier; ABSENT: Mr. Kelley. THE CHAIRMAN DECLARED THE MOTION ADOPTED.

H. APPLICATIONS:

- 1. The Chairman called to order the Public Hearing for an application by Terrebonne Parish Recreation District No. 9 requesting approval for Process D, Minor Subdivision, for Tract "A" (Raw Land), Tract "B", and Tract "C" to be acquired from Archrock Services, LP by Terrebonne Parish Recreation District No. 9.
 - a) Mr. Galen Bollinger, Charles L. McDonald Land Surveyors, representing the Recreation District, discussed the location and division of property.
 - b) No one from the public was present to speak.

- c) Mr. Cehan moved, seconded by Mrs. Falgout: “THAT the Public Hearing be closed.”

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

- d) Mr. Pulaski discussed the Staff Report and stated Staff recommended conditional approval provided upon the submittal of all utility letters.
- e) Discussion was held with regard to the Noble Energy tract existing with no frontage, and not part of this application, but the Recreation District giving a servitude of passage to access.
- f) Mr. Kurtz moved, seconded by Mr. Cehan: “THAT the HTRPC grant approval of the application for Process D, Minor Subdivision, for Tract “A” (Raw Land), Tract “B”, and Tract “C” to be acquired from Archrock Services, LP by Terrebonne Parish Recreation District No. 9 conditioned upon the submittal of all utility letters.”

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

- 2. The Chairman called to order the application by S & A Capital Investments, LLC requesting engineering approval for Process C, Major Subdivision, for Coteau Ridge Subdivision.

- a) Ms. Joan Schexnayder, on behalf of the TPCG Engineering Division, read a memo regarding the punch list items for the development dated October 19, 2017 [See *ATTACHMENT A*].
- b) Mr. Gene Milford, Milford & Associates, Inc., representing Mr. Shaw, stated they would resolve/comply all punch list items.
- c) Discussion was held with regard to the 5' servitude and confirmed it was in favor of Da Swamp and not the proposed subdivision.
- d) Mr. Erny moved, seconded by Mrs. Falgout: “THAT the HTRPC grant engineering approval of the application for Process C, Major Subdivision, for Coteau Ridge Subdivision conditioned the Developer comply/resolve all punch list items per TPCG Engineering Division’s letter dated October 19, 2017 [See *ATTACHMENT A*].”

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

I. STAFF REPORT:

- 1. Mr. Pulaski read into the record a letter he wrote to the Terrebonne Parish Council with regard to Fire Hydrant Spacing Standards in the Subdivision Regulations [See *ATTACHMENT B*].

J. ADMINISTRATIVE APPROVALS:

Mrs. Falgout moved, seconded by Mr. Thibodeaux: “THAT the HTRPC acknowledge for the record the following Administrative Approvals 1-7.”

- 1. Revised Lots 1 & 2, A Redivision of Lots 1 & 2, Block 1 of Green Acres Subdivision and Lot 1-A, Block 8, Addendum No. 6 of Oakshire Manor Subdivision, Section 9, T16S-R17E, Terrebonne Parish, LA
- 2. Revised Lots 100 & 35, A Redivision of Lot 100, Addendum No. 1 & Lot 35, to Presque Isle Subdivision, Section 5, T17S-R18E, Terrebonne Parish, LA
- 3. Revised Lot 18, A Redivision of Lots 18 & 19 of Block 3, Addendum No. 3 to Ardoyne Plantation Estates, Section 16, T16S-R16E, Terrebonne Parish, LA
- 4. Resubdivision of Tracts A, B, & A-B-C-D-E-F-G-H-A into Tract CVS & Tract A-B-C-D-E-F-G-H-A-1, Section 102, T17S-R17E, Terrebonne Parish, LA

5. Revised Tract A-B-C-D-E-A and Revised Lot 1 of Crescent Plantation Subdivision belonging to Blum & Bergeron Realty Co., Inc., et al, Section 101, T17S-R17E, Terrebonne Parish, LA
6. Lot Line Shift between Tract "A" and Tract "B" of Property belonging to Joseph Frederick Chauvin, Jr., Section 58, T19S-R17E, Terrebonne Parish, LA
7. Lot Line Adjustment between Properties belonging to Mark Anthony Hebert & Mark Anthony Hebert, et al adjacent to Grand Bois State Park, Section 76, T17S-R19E, Terrebonne & Lafourche Parishes

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

K. COMMITTEE REPORT:

1. Subdivision Regulations Review Committee: None.

L. COMMISSION COMMENTS:

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

M. PUBLIC COMMENTS: None.

N. Mr. Thibodeaux moved, seconded Mr. Cehan: "THAT there being no further business to come before the Houma-Terrebonne Regional Planning Commission, the meeting be adjourned at 7:04 p.m."

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

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



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TERREBONNE PARISH CONSOLIDATED GOVERNMENT

October 19, 2017
1st Review
Item No. H-2

TO: Christopher M. Pulaski
FROM: Joan E. Schexnayder, P.E. *JES*
SUBJECT: Coteau Ridge 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. 24.7.6.2.6 Does not conform to the SDDM:
 - a. VII.A Since this development will result in disturbance of more than 5 acres a LAR100000 permit and a NOI need to be submitted to LaDEQ. TPCG-ED should receive a copy prior to construction.
6. 24.5.4.6.7 Approval letters should be provided from the following utilities:
 - a. Waterworks
 - d. Department of Health and Hospitals
8. 24.7.5.2 Approval from TPCG Utilities for street lights 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 me if you have any questions or comments.

JES/bbd

cc: Ernest Brown
F.E. Milford, III, P.E.
Planning Commission
Engineering Division
Reading File
Council Reading File

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L.A. "BUDD" CLOUTIER, JR., O.D.
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Vice Chairman

ANGI FALGOUT
Secretary / Treasurer

JOEY CEHAN, JR.

JAMES ERNY

GLORIA FORET

JEREMY KELLEY

KEITH KURTZ

WAYNE THIBODEAUX



CHRISTOPHER M. PULASKI, PLA
Director

BECKY M. BECNEL
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LADDIE FREEMAN
Legal Advisor

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October 17, 2017

VIA EMAIL

Terrebonne Parish Council
Attn: Mr. Dirk Guidry
District 8, Council Chairman
Terrebonne Parish Consolidated Government
P.O. Box 2768
Houma, LA 70361

Re: Fire Hydrant Spacing Standards in Subdivision Regulations

Dear Councilman Guidry:

The purpose of this letter is to inform you that in response to recent Council concerns involving fire hydrant spacing requirements in the Parish Subdivision Regulations, the Houma-Terrebonne Regional Planning Commission thru its Subdivision Regulations Review Committee met on August 24, 2017 to discuss fire hydrant regulations. Members of the local Fire Chief's Association were present at the meeting and noted that the National Fire Protection Association (NFPA1) fire code allows for up to a 10% variance on the spacing requirements.

At the subsequent Planning Commission meeting held on September 21, 2017, the Commission discussed the matter. The Commission determined that should a variance request come before them that they will approve a variance of up to 10% allowance provided that the applicant demonstrate sufficient hardship and that granting of the variance would not negatively impact the health, safety and welfare of the general public. Once way an applicant can effectively demonstrate this is by providing the Commission with a letter of no objection from the local fire district and Consolidated Waterworks.

Should you have any questions, please call me at (985) 873-6569.

Best Regards,

Christopher M. Pulaski, PLA, Director
Department of Planning & Zoning

cc: HTRPC Members
Hon. Gordon E. Dove, Parish President
HTRPC Correspondence File