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## CH15 15 .29 - Additional Improvements

A. The following miscellaneous improvements shall be included on the plat or construction plans for all subdivisions submitted to the Commission for approval.

B. Monuments and markers.

1. Monuments shall be four inches square, precast concrete and a minimum of three feet long. They shall have a deep cut cross, cast in the top of the monument.
2. Markers shall be 5/8-inch diameter steel rods at least 12 inches long, with a copper, aluminum or other non-corrosive cap.
3. Monuments and markers shall be set plumb and the top shall match the finish grade elevation. The cross on monuments shall coincide exactly with the intersection of the plat point being referenced. One line of the cross shall be in alignment with at least one line of the subdivision line referenced.
4. Monuments shall be set at the plat boundary intersecting all street right-of-ways.
5. Markers shall be set at.
  - a. All street centerline control, i.e., point of intersection, point of curve, and point of tangency.
  - b. Intersection of all boundary lines and street centerlines; and
  - c. All boundary intersections.
6. Any existing section, half section, or quarter section stone or monument that may be encountered on the project, shall be protected from damage. Should any damage occur, the monument shall be reset at the direction of the Madison County Surveyor. The cost shall be borne by the developer.
7. All U.S., state or geological monuments or bench marks shall be preserved in their precise position.

C. Sidewalks.

1. Sidewalks, as defined herein, shall be located on each side of all local public and private streets and on the developed side of all perimeter public and private roadways in all Residential, Industrial, Planned Development, and Town Center districts.
2. The minimum width of any residential sidewalk shall be four feet. Commercial sidewalks shall be five feet in width. All sidewalks shall be constructed to a minimum thickness of four inches of Portland cement concrete set upon a compacted granular base of at least four inches, subject to any further applicable guidelines contained within the Americans With Disabilities Act of 1991.

3. On interior subdivision streets sidewalks shall be located within the public right-of-way at least one-half foot in from the property line, but no closer than three feet from the back of curb.
4. ...
  - a. On perimeter streets or roadways sidewalks may be located within the public right-of-way and may also be located within a designated "Common Area" or "Landscape Easement", or combination thereof.
  - b. In no instance shall a sidewalk of this nature extend more than six feet into the public right-of-way of the perimeter street or road.
5. Multi-purpose paths, as defined herein, shall be located where it is deemed necessary to accomplish the goals and objectives of the Circulation Plan, a component of the Parks and Recreation Master Plan.
6. ...
  - a. The minimum width of any multi-purpose path shall be eight feet and shall be constructed to a minimum thickness of four inches of asphalt surface upon a compacted granular base of at least four inches.
  - b. Where it is identified in the Circulation Plan, other material, methods of construction, and development standards may be warranted, as determined by the Director of Planning and/or the Town Engineer.
7. ...
  - a. Multi-purpose paths along perimeter streets or roadways may be located within the public right-of-way and may also be located within a designated "Common Area" or "Landscape Easement", or combination thereof.
  - b. In no instance shall a multi-purpose path of this nature extend more than nine foot into the public right-of-way of the perimeter street or road.
8. Where the developer/owner can demonstrate the acceptability of waiving or altering certain development standards relating to sidewalks and multi-purpose paths, it may be the ruling of the Administrator with a concurring recommendation from the appropriate body of governmental authority that such standards be altered, reduced or eliminated.

#### D. Street Signs.

1. The developer shall install a minimum of one street sign at each street intersection within the subdivision and on all perimeter intersections. The signs shall be set on the northeast corner of the intersections, at a point approximately six inches from the sidewalk intersection (on the street side).
2. Street signs shall be of aluminum, 6 inches by 24 inches, shall be double faced with letters of Scotchlite or the equivalent, 4 inches in height, and shall be mounted upon a galvanized pipe post, 10 feet in length and 2 inches inside diameter and approximate 2-1/2 inches outside diameter, set in concrete to a depth of 2-1/2 feet.

#### E. Plantings.

1. When requested by the developer, or when required by the Commission, the developer shall provide plantings within the grass strip between the back of curb and the sidewalk.
2. Planting requirements on development plans.
  - a. No tree or shrub shall exceed a maximum height of 18 feet at maturity: and

b. No shrub exceeding 3 feet at maturity, or any tree, shall be planted closer than 20 feet to any other tree or shrub.

3. Covenant requirements on plat. When trees and/or shrubs are provided by the developer, the covenants shall include the following statements:

- a. The owner or person in control of the dominant real estate adjacent to the area between the street and the sidewalk and/or right-of-way easement line on which any tree or shrub is planted pursuant to the above, shall be responsible for the maintenance and removal of the tree or shrub if such removal is necessary.
- b. If after notice from the town, the owner or person in control fails to maintain or remove a dead tree or shrub or any dead or dangerous limbs or branches thereon, the town may remove said shrub or limbs and collect the costs thereof from the owner.
- c. The town and all public utilities retain their ownership and right of access to the area between the street and the right-of-way easement line of the dominant owner and retain the right to reasonably remove any tree or shrub impeding necessary work to be performed by the town and/or all public utilities, or other properly authorized users.
- d. Neither the town nor any public utility or other properly authorized user of the town's property located between the street and the sidewalk and/or right-of-way easement line shall be liable to the owner of the dominant real estate for any damages done to trees or shrubs, located upon town property between the street and the sidewalk and/or right-of-way easement line as a result of actions of the town or any public utility or other authorized user or their agents or employees in the performance of their duties.

4. Obstruction hazard. If any tree or shrub planted pursuant to the above shall, in the opinion of the Town Council create a hazardous obstruction to vision which may endanger vehicular or pedestrian traffic, then said tree or shrub shall be appropriately trimmed or removed by the owner pursuant to the procedure as described in division (2) above.

5. Damage to street and/or sidewalk. If any tree or shrub planted pursuant to the above shall cause damage to any street, curb, or sidewalk then said tree or shrub causing such damage shall be removed and the damage repaired by the dominant land owner or person in control as set forth in division (3) above.

#### F. Street lights, yard lights.

1. The developer shall install, or cause to be installed, street lights at all intersections as required by the Town Engineer and/or as recommended by Public Service of Indiana. The intended purpose of the street lighting is to provide adequate night visibility for traffic at all intersections.
2. It is not the Commission's intention to require street lighting to all areas that lie between the street intersections. This lighting shall be provided by yard lights, installed by the home builders and maintained by the homeowners.
3. The yard lights shall be specified and set out on the covenants.

#### G. Utility construction credit.

1. Notwithstanding any previously or subsequently adopted ordinances or agreements of the town, and intended to be in conformance with them, the following policy shall apply to public utility extensions under the control of the town.

2. Certain public utilities, constructed by the owner/developer relative to the development of a particular subdivision, may also be of benefit to other owners/developer relative to their respective developments. When this is the case, the town may, upon request of the owner/developer, enter into contractual agreements which shall provide for proportional cost recovery of the installed utility. These agreements shall be in accordance with the appropriate Indiana Statutes: and the cost for preparing any and all exhibits, studies, and legal services shall be borne by the owner/developer. The required exhibits and studies shall be prepared by the Town Engineer. Further, in the case of sanitary sewers, the town may direct the Town Engineer to prepare the plans and specifications for certain sewer lines, and the owner/developer shall reimburse the town for those engineering costs. In all cases, the appropriate agreements shall be prepared and executed prior to the start of construction of any utility that is eligible for this construction cost credit.