



Office of Environmental Adjudication
100 North Senate Avenue
IGCN Room N501
Indianapolis, IN 46204

Re: Petition for review pursuant to IC 4-21.5-3-7 and stay of effectiveness
Permit No IWIP 2016-274-49-JBT-A
Project Name Stonecrest Senior Living Facility
Southeast Corner Meridian/86th Streets
Indianapolis, IN 46240
Washington Township, Marion County
Date of permit issuance: August 19, 2016
Today's date: September 3, 2016

Under IC 4-21.5, the Administrative Orders and Procedures Act., I, as a near neighbor of the above referenced subject property and president of the Nora-Northside Community Council, Inc., hereby request a review and stay of effectiveness of the above referenced IWIP permit. Both the adjoining neighborhood and the Nora community have been "aggrieved and adversely affected" by IDEM's decision in the above-referenced case.

The Nora-Northside Community Council, Inc. (NCC) is 501(c)(3) not-for-profit corporation in the State of Indiana. It is an umbrella civic organization which boundaries encompass some 12 square miles (population 25 to 28 thousand) and over sixty neighborhoods in north central Marion County of Indianapolis, including the above referenced subject property (referred hereinafter as Stonecrest).

The willful desecration of the Stonecrest site without City or IDEM permits and in blatant violation of zoning commitments has created environmental and property value loss to the near neighborhood. It has enraged the community at large, members of which believe they are entitled to a public hearing. At that time, the permit applicants should answer for their indiscriminate destruction of a property designated by the City as an area critical to being a highly visible gateway to the City and with great environmental value for stormwater detention and discharge, stormwater filtration and absorption, air quality issues, and wildlife habitat. There are also questions as to why the Stonecrest developers have not fulfilled their (legal) zoning commitment to seek a mitigation location, if not in the Washington Township area, at least in the adjoining north central area. Our area will suffer great loss with no compensation in mitigation strategies.

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Most importantly, we believe the Stonecrest developers should not be absolved from their wetland damage action until a comprehensive stormwater drainage plan is approved by the city after review by an independent engineering consultant. They should also be required to provide definitive answers and materials to the following issues, either in the preferred public hearing or in writing:

- (1) Applicants should be required to provide a definitive listing of what alternative layouts in design in development footprint were considered in order to minimize wetland impact.
- (2) Applicants should be required to provide a definitive listing of locations considered and owners approached to locate mitigation in or around Nora, Washington Township, southern Hamilton or Boone Counties. When were they approached?
- (3) Applicants should clearly explain the methodology employed in determining stormwater discharge impact on the homes to the south and southeast.
- (4) Applicants should be required to explain why they allowed (or instructed) contractors to operate outside of regulatory process and legal zoning commitments during the complete destruction of the site.
- (5) Applicants should be required to explain how their claimed size of the impacted wetland areas was determined, later to be found to be half the actual size of IDEM's field inspection.
- (6) Should the State enter into agreements with entities not registered to do business in the State of Indiana?
- (7) Is there confirmation that the developers have obtained necessary Rule 5 permits?
- (8) What stringent third party enforcement strategies will be employed by IDEM to avoid the obvious current policy of allowing self-monitoring and enforcement as found in the permit? The developers' history of defiance of regulatory process and legal commitments should prohibit any such self-monitoring and enforcement. Whether such history is provoked by maleficence, ineptitude, or just indifference is irrelevant. This party has destroyed any sense of trust in the public and, one hopes, in the official realms.

Submitted by Ruth R. Hayes, President, Nora-Northside Community Council, Inc.
8565 North Pennsylvania St., Indianapolis, IN. 46240



copies: James Turner, Brian Wolff, Carol S. Comer