

ROLL CALL

Dan Baumgardner	Jerome Markley
Harry Baumgartner, Jr	Mike Morrissey
	Tim Rohr
Jarrold Hahn	John Schuhmacher
Richard Kolkman	

Michael Lautzenheiser, Jr., Director

The August 4, 2016 meeting of the Area Plan Commission was called to order at 7:30 p.m. by President Jerome Markley. Eight members were present for roll call. Todd Fiechter, William Horan, & Becky Stone-Smith were absent.

APPROVAL OF MINUTES:

Jarrold Hahn made a motion to approve the minutes with changes from the July 7, 2016 meeting. Tim Rohr seconded the motion; the motion carried 8-0.

NEW ITEMS:

A 16-08-11 JEFFERSON TWP. NE/4 21-28N-12E Rethceif Properties, LLC requests an approval for a 18,125 sq ft Building Addition. The property is located at 420 Industrial Parkway, Ossian, IN 46777 and is zoned I-1.

Brett Miller, MLS Engineering, and Tim Fiechter, owner of Rethceif Properties LLC represented the petition. Mr. Miller explained that they were requesting an approval for a 18,000 sq. ft. addition to the North side of the building and a truck dock on the East side of the building. He said that there wouldn't be any additional utilities needed and that the storm water would be rerouted to the current flow area. Mr. Miller also said that there could possibly be an additional 7 employees added over the next 12 months. Jerome Markley asked if there were any board questions or comments. Tim Rohr asked if there would be additional truck traffic. Mr. Fiechter said that there would be some additional truck traffic, but not a lot. Mr. Markley asked if the Drainage Board, Plat Committee, or Town of Ossian had any comments or concerns regarding this project. Jarrold Hahn explained that the drainage would be going to the existing pond. Michael Lautzenheiser, Jr. said that the Plat Committee questions had been answered. He also stated that the Town of Ossian was ok with the project. Mr. Markley asked about additional parking. Mr. Miller said that they planned on adding 4,000 sq. ft for additional parking and a truck turn around area. Mr. Markley asked for public questions or comments. No public comments or questions.

Conditions:

Motion to Approve: Jarrold Hahn

Second: Harry Baumgartner, Jr.

Vote: 8-0

A 16-08-12 ROCK CREEK TWP. NW/4 1-27N-11E Gale Roughia-Snow requests an approval for a zoning change to R-2. The property is located at 756 W Hancock, Uniondale, IN 46791 and is zoned I-2.

Jody Holloway, Coldwell Banker Holloway, explained that they were asking for a rezoning from I-2 to R-2 to match the residential use of the property. He stated that it's always been used as a residence and that the buyer's financing company is requiring it to be zoned residential. He felt that it would serve the community better as a home residence instead of a rental. Jerome Markley asked if the office had received any called regarding this petition. Michael Lautzenheiser, Jr. said there hadn't been any calls. Mr. Markley asked the board if there were any questions or comments. Jarrold Hahn said he didn't have a

problem with changing the zoning but suggested looking at the surrounding areas since they were zoned industrial. He said that in the past when an industrial type building came in next to a residential area they were required to put up some type of screen or fence to help block view. He didn't think it would be fair to require that in this case since they were switching from industrial to residential. Mr. Markley asked Mr. Holloway his thoughts. Mr. Holloway asked if it had always been zoned I-2. Mr. Lautzenheiser, Jr. explained that it's never been changed in the past. Mike Morrissey said the new owner shouldn't be able to fight new industry that wants to come in. Mr. Markley asked if the buyer would need to be made aware. Mr. Hahn suggested that they be made aware of the I-2 zoning surrounding the property. Mr. Markley reviewed the possible motions to send on to Town of Uniondale for final decision. He asked if there were any public comments or questions. There were none.

Conditions:

Motion to send Do Pass Recommendation to Uniondale: Jarrod Hahn

Second: Mike Morrissey

Vote: 8-0

A 16-08-13 CHESTER TWP. NE/4 1-25N-11E Janice Soper requests an approval for a 280' Communication Tower. The property is located Meridian Rd., Poneto, IN 46781 and is zoned A-1. Nate Meyer, ABM Wireless, explained that Verizon wireless wanted to improve the reception in the Poneto area. He said that all setback requirements were met and asked for a conditional approval based on the foundation and tower specs still needed. Jerome Markley asked if the Plat Committee had anything regarding this petition. Michael Lautzenheiser, Jr. mentioned the concerns the Plat Committee had regarding signage, culvert size, maintenance schedule, and anti-climb device. He said that the office had received all the answers requested. Mr. Markley asked about drainage concerns. Jarrod Hahn said there were none. Mr. Markley asked Mr. Meyer to confirm the location on the property for the tower. Mr. Meyer confirmed that it would be in the corner of the property. Tim Rohr asked about trucks needed for construction. Mr. Meyer said that there would be some trucks for the construction such as cement trucks and a crane but that the maintenance would be done via a van or pickup truck. Mr. Rohr asked about possible road damage. Mr. Meyer explained that they were doing as County Engineer suggested. Mr. Markley asked if the Highway Department had any concerns. Mr. Hahn said that the County Engineer was ok with the project. Mr. Markley asked if there were any public comment or questions. There were none.

Conditions: Foundation and Tower Specifications will be provided.

Motion to Approve with Condition: Jarrod Hahn

Second: Tim Rohr

Vote: 8-0

A 16-08-14 LANCASTER TWP. NE/4 & SE/4 20-27N-13E Heritage Acre Farms, LLC requests an approval for two 229' x 142' CFO Buildings. The property is located on 800 E, Bluffton, IN 46714 and is zoned A-1.

Michael Veenhuizen, Livestock Engineering Solutions Inc., explained the request for 2 CFO Hog Barns to be located on 800 E. He talked about the plan to divide the property after the approval was given. Mr. Veenhuizen explained the manure storage details and the manure application process. He also mentioned the water useage that would take place at the facility. He talked about the truck traffic for during the year and explained how he felt they meet the points required by the zoning ordinance. Mr. Veenhuizen said that the points would equal 231.75 and that everything had been submitted to IDEM for review. Jerome Markley asked if there would be a residence on the property. Mr. Veenhuizen explained that there wouldn't be a residence there. Mr. Markley asked about the land application of manure. Joel Fiechter explained that the land was either owned or there was a land contract for the life of the barn. Mr. Markley asked how many pigs there would be at one given time. Mr. Veenhuizen told the board that the plan was to raise 8800 wean to finish pigs and that would be 4400 per barn. He also explained a second

option that was applied for with would increase the number to 17,600 pigs. Mr. Markley asked if the Plat Committee had any comments. Michael Lautzenheiser, Jr. explained that the legal drain was to be handled by the Drainage Board. He also said that we received the written notice for culvert size from the Highway Department. Mr. Lautzenheiser, Jr. also talked about how the required trees were added to the shelter belt. Mr. Markley asked Jarrod Hahn about the Drainage Board questions. Jarrod Hahn explained that everything was covered and provided.

Jerome Markley asked if there were any board or public comments or questions. Michael Reynolds told the board that he would be the closest residence to the project. He explained how he had been asked to sign a waiver but didn't feel it would help him at all. He was concerned about the water usage. Mr. Reynolds said that it felt more like an industrial complex and not a farming operation. He said he was not in favor of this petition. Mr. Markley asked if there were any water issues in the county from a CFO. Michael Lautzenheiser, Jr. said that he was unaware of any. Jarrod Hahn talked about the water supply needed. Michael Veenhuizen said that 70 gal./minute wasn't needed for this operation. Steve Aschliman said that his property is ½ mile north of the proposed project. He talked about the large pig operations in North Carolina and how certain chemicals in the soil got too high to allow anymore to be opened. He asked why we wanted to follow in North Carolina steps and who was going to maintain the county road. Tyson Brooks told the board that he is ½ mile south of the operation. He said that he felt the buildings should be on a different property. He explained that there were a number of people here concerned about the CFO coming in at that location. Mr. Brooks said that it shouldn't be considered family farming since the barns are being backed by Tyson, Inc. He asked if Adams County had been contacted about the CFO operation. He voiced concern about flooding that can take place in that area. He talked about the Fiechter's farms and how they have 3 farms in 2 counties and if there was enough time to manage another barn with excellence. William Morris asked for the points to be confirmed. Mr. Lautzenheiser, Jr. confirmed the 231.75 points line by line. Mr. Morris asked if the manure was injection and incorporation or just injection. Mr. Lautzenheiser, Jr. said that it is planned for all liquid injection. Mr. Morris gave a message to the neighbors and told them that they are the watch dogs. If they see something wrong call the Area Plan office and report it to Michael Lautzenheiser, Jr. Mark Maller said that he just sold his residence in Craigville and purchased property just south of Mike Reynolds. He said that his concern is the well and water problems that may occur. He mentioned talking to Joel Fiechter about project and how if he'd known this project was a possibility then he wouldn't have purchased there. He also talked about the traffic and how it would increase on that road and concern for kids playing. Mr. Maller also asked who was going to maintain the road. Mr. Markley explained that Wells Co. is in charge of the East & South county line roads. Tammy & Nathan Meyer talked about their traffic concerns with their small children. They also talked about flooding issues and how they felt this project would cause even more. They didn't feel that the trees would help with the smell going to their property since they are to the north of the proposed project. Mrs. Meyer didn't understand that land selection and location. She said that she felt it was more of a factory than a farm. Karen Fiechter-Aschliman said that her father was the one to sell the land to Wayne Fiechter. She talked about being shocked by receiving the letter from IDEM instead of hearing from the petitioners directly. She said that her father had all intention of the land staying as farm ground for beans or corn. She mentioned being unsure on the land contracts for the manure applications. Rita Carr said that pig smell is bad. She said that there are a lot of pig farmers around and that she didn't want another one. Mr. Brooks said that he didn't feel that if they were tube pumping that they would meet the 70 points for liquid injection. Randy Plummer talked about liquid injection and how far he currently runs manure in tubes for up to 3 miles. He talked about the phosphate levels and how IDEM requires record keeping showing that levels are being checked. He said that in the last 8 years there has been very little increase in the levels. Mr. Plummer said that with the high number of corn fields being used as silage that it takes nutrients out of the ground. Mr. Markley asked how IDEM worked. Mr. Plummer said that there are many unannounced visits from IDEM. They are audited every 1 to 2 years and show up immediately if there has been a report. He also said that there is a record of all reports. Mr. Reynolds asked about an animal operation that dumped manure on frozen ground north of him. Mr. Plummer explained that regulations only apply to CAFO permitted barns. He

went on to say that the smaller facilities do not have the same requirements as a CFO/CAFO. Mr. Markley asked about the State Chemist and what they permit. Mr. Plummer explained that the license for application is thru the State Chemist and that IDEM permits the CAFO/CFO operations. Mr. Veenhuizen gave the board and public additional information in regards to the questions and concerns that were presented.

Jerome Markley asked if there were any additional board questions. Mike Morrissey asked about the frozen ground application. Michael Veenhuizen explained that if it were 600 head of pigs it may not be regulated but with the 2,500 pigs it wouldn't be allowed. Dan Baumgardner asked how close one of the owners lived to the property. Joel Fiechter said that he would be the closest and he lived 1.75 miles south of the proposed project. Jarrod Hahn asked if there was a plan in place for a mass casualty of the hogs for any reason. Mr. Veenhuizen said that IDEM didn't require a plan; however, all pigs would be removed from property and taken elsewhere. Mr. Markley asked the board if the petition fits in the ordinance. He said that it is in an A-1 area and meets the points required. He said that they are required to meet and maintain the points throughout the life of the barns. Mr. Markley said that he understood and appreciated the concern regarding this project. Michael Lautzenheiser, Jr. explained that there was an increase in points for the distance to a residence setback. Mr. Markley mentioned the wind projects and how the ordinance was changed. He said that it can't be changed tonight but to contact the commissioners and tell them your opinion. John Schuhmacher asked how saturation levels were determined for the county and when to stop approving the petitions. Mr. Markley said that it was up to the commissioners not the board to decide. Dan Hunt talked about his rental properties in Craigville and how a couple years back someone dumped chicken manure on a field nearby. He said that hog smell is even worse. Mr. Hunt also mentioned the flooding around the area. Mr. Markley said that it is the commissioners that decide if there are too many and that the ordinance needs changed. Mr. Lautzenheiser, Jr. reminded the board that if there was an approval that there would need to be a recorded commitment letter showing that the points will be maintained throughout the life of the barns. Mr. Morrissey asked about the waivers presented for the petition. Mr. Lautzenheiser, Jr. explained that the waivers were to reduce the 300' setback on the North & South property lines. Mr. Markley explained that if IDEM doesn't approve the petition then our approval doesn't matter. Mr. Markley confirmed the waivers. Mr. Morrissey said that the points are met. He asked what the most beneficial way was to make a motion including waivers.

Waivers: Waivers provided for North & South property lines.

Conditions: Recorded commitment saying that the points will be maintained thru the life of the barns.

Motion to Approve with Waivers & Condition: Mike Morrissey

Second: Harry Baumgartner, Jr.

Vote: 7-1 (John Schuhmacher)

OLD ITEMS:

A 15-07-10 WELLS COUNTY Ordinance Amendments

- **Zoning Ordinance**
 - **New & Adjusted land uses.**
 - **Special Exception requirement amendments.**
 - **Sign Ordinance amendments.**
 - **Recreational Vehicle regulation amendments.**
 - **Development Plan expiration regulation amendments.**
 - **Additional and updated ordinance definitions.**

Michael Lautzenheiser, Jr. explained the changes that were made based on calls received by the office. Slaughter house has 2 classifications – Small (5000 & under) and Large (over 5,000). He said that the small slaughter houses would be allowed in A-1, I-1, and I-2. He also explained that the large slaughter houses would only be allowed in the I-2 zoning district. Jarrod Hahn asked about adding small slaughter

houses to B-1, B-2, and B-3 so retail would be available. Mr. Lautzenheiser, Jr. explained that retail would be allowed in the I-1 zoning. He also explained the Food Production & Processing changes and gave examples of both.

Michael Lautzenheiser, Jr. talked about the second option that went along with the RV section. Jerome Markley asked if this was in addition to or replace what was proposed. Mr. Lautzenheiser, Jr. said that it would be one or the other.

Jack Pace asked if there was an ordinance in place that honors Wells County residents. Michael Lautzenheiser, Jr. explained that the ordinance debate has been debated time and time again. He said it is all based on who adopts the amendments on a yearly basis. Jerome Markley gave an example of the wind energy and how some of the people wanted it changed and it got changed. He said that enough people talked to the different boards and commissioners and things were changed.

Conditions:

Motion to Continue to September 1st Meeting: Mike Morrissey

Second: Jarrod Hahn

Vote: 8-0

OTHER BUSINESS:

V2014-016: RTT Investments LLC

Michael Lautzenheiser, Jr. informed the board of an email from Matthew Mead. He explained that the project is still with the DNR and that it's nearing the time of approval. He said that the next step is to apply for a LOMA. He suggested continuing 4 months.

Conditions:

Motion to Continue to December 1st Meeting: John Schuhmacher

Second: Jarrod Hahn

Vote: 8-0

V2015-007: Dean Lloyd

Michael Lautzenheiser, Jr. gave an update on this violation. He said that we have new owners to contact based on a land contract agreement.

V2015-012: Kerry & Dennis Miller

Michael Lautzenheiser, Jr. said that the title is in someone else's name. He said that it was vacated and that the Miller's pay the taxes and that it's on their property. Mr. Lautzenheiser, Jr. said that they are still liable and need to have it removed.

Conditions:

Motion to Continue to October 6th Meeting: Mike Morrissey

Second: Jarrod Hahn

Vote: 8-0

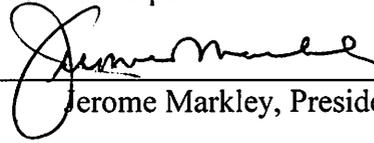
DISCUSSION:

ADVISORY:

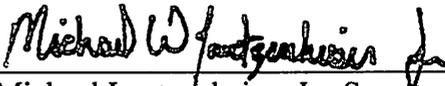
Jerome Markley confirmed the September 1, 2016 meeting. Mr. Markley also mentioned that this was Richard Kolkman's last meeting as a member of the Area Plan Commission since he was moving and no longer going to live in Uniondale.

ADJOURN:

John Schuhmacher made a motion to adjourn the meeting. Harry Baumgartner, Jr. seconded the motion. The August 4, 2016 Area Plan Commission meeting adjourned at 10:10 p.m.



Jerome Markley, President

ATTEST: 

Michael Lautzenheiser Jr., Secretary