

ROLL CALL

Harry Baumgartner, Jr.	Jerome Markley
Angie Dial	Keith Masterson
Jarrold Hahn	Mike Morrissey
Bill Horan	Tim Rohr
Richard Kolkman	John Schuhmacher
Finley Lane	

Michael Lautzenheiser, Jr., Director

The May 3, 2012 meeting of the Area Plan Commission was called to order at 7:30 p.m. by President Jerome Markley. Ten members were present for roll call. Finley Lane and Mike Morrissey were absent.

**APPROVAL OF MINUTES:**

Bill Horan made a motion to approve the minutes from the April 5, 2012 meeting; Jarrod Hahn seconded the motion, the motion carried 8-0-1, with Jerome Markley abstaining.

**NEW ITEMS:**

**A12-05-08 NOTTINGHAM TWP SE/4 19-25N-11E Apex Wind Energy, Inc. requests approval of a 60 meter WECS test tower. The property is owned by Brenda Moser and is located at South 100 E. Property is zoned A-1.**

Kent Dougherty, development manager with Apex Wind Energy, requesting placement of two 60 meter MET towers. These would be the same type as the rest that are located in southern Wells County. One of these is a moved MET tower that was acquired from Wind Capital Group, which is currently on a property in Liberty Township. It will be moved to this property. The other is an entirely new MET tower that will be brought in.

Michael Lautzenheiser, Jr. stated the questions that were brought up during the Plat Committee meeting. Information from the FCC and FAA requirements were received. No potential impact on FCC and FAA does not require any additional lighting for anything under 200'ft. The project is not located in or near a flood plain area.

Mr. Dougherty stated that part of the field is still being farmed. He advised the board on how the towers and the guy wires would be removed. He stated that there are lease agreements with both land owners and they would cover any damage to crops or tiles. FAA does not require lighting on these MET towers, but there will be marker balls and they will be painted with red and white striping at the FAA's recommendation. These towers will not be permanent. They will be up for about 3 to 5 years and the ground leases are for 5 years, therefore, it wouldn't be longer than 5 years.

Conditions:

Motion to Approve: Bill Horan

Second: Angie Dial

Vote: 9-0

**A12-05-09 CHESTER TWP NE/4 36-25N-12E Apex Wind Energy, Inc. requests approval of a 60 meter WECS test tower. The property is owned by Paul & Jennifer Rumble and is located at West 1100 S. Property is zoned A-1.**

Kent Dougherty, development manager with Apex Wind Energy, stated that this will be the same as the previous petition, but this will be the new MET tower.

Michael Lautzenheiser, Jr. stated that like the other Met tower petition, the Plat Committee concerns were resolved. This too met all of the setback requirements.

Mr. Dougherty advised that this tower too would have to marker balls and striping and be virtually identical to the other MET tower. He stated that this is not intended as an aggressive move, but these two MET towers are part of a larger Meteorological study of the Midwest.

Conditions:

Motion to Approve: John Schuhmacher

Second: Bill Horan

Vote: 9-0

**A12-05-10 LANCASTER TWP SW/4 22-27N-12E 3 Rivers Federal Credit Union requests approval of a Development Plan for a bank branch office. The property is located at the northwest corner of the intersection of Monroe St. and Commerce Dr. Property is zoned B-3.**

Jason Gerber, Engineering Resources the civil engineering design firm for 3 Rivers Federal Credit Union, presented the development plan for the new branch office. The structure will be 2,665 square feet with three drive-thru lanes and associated parking on the property. The proposed building would match with the adjacent properties and it would comply with the setbacks. Access to the property would come from the drives off of Commerce Drive and Monroe Street. There will be a bypass lane for safety. The property will have 23 parking spaces and signs will be located west of the Monroe Street entrance. There will also be directional signs on the lot and one LED sign fixed to the building. The lighting on the site for the parking area will not spill out to the adjacent apartments to the south. Water utilities will be from Commerce Drive and electric, gas, and data service will be off of Monroe Street. Storm water discharge will be to Lowe's regional detention basin and it has sufficient capacity for the increase due to this property. No dumpster will be located on this property.

Michael Lautzenheiser, Jr. stated the items that were discussed at the Plat Committee meeting. The Bluffton Street Department reviewed the ingress/egress off of Commerce Drive and Monroe Street. They prefer the existing design, as far as having access off of each street. The storm water flow was asked to be shown on the aerial design.

Jarrold Hahn discussed the drainage of the property. He explained the Lowe's regional detention pond.

Mr. Lautzenheiser continued to explain the Lowe's regional detention pond. This is the last lot that would directly drain into that pond. Everything else around Commerce Drive can use the pond, but they would have to meter themselves before they would get to it.

Conditions:

Motion to Approve: Jarrod Hahn

Second: Richard Kolkman

Vote: 9-0

**A12-05-11 HARRISON TWP NW/4 28-26N-12E Steven and Julia Prible requests approval for a CAFO for 1 – 4,400 head wean to finish hog barn. The property is located at 4063 S 200 E, Bluffton, IN 46714 and zoned A-1**

Michael Veenhuizen, Livestock Engineering Solutions, is the agricultural engineering consultant for Steve and Julie Prible. Joel Hoehn, Stoodly and Associates, designed the development plan for the Prible's. Both were representing the petition.

Mr. Veenhuizen explained the petitions for an additional 4,400 head wean to finish hog barn. There is already one currently at the location site. There was originally a permit for both buildings that was obtained five years ago. The construction authorization had expired through IDEM. They have reapplied and that IDEM permit is being mailed to the Prible's. Mr. Veenhuizen explained that due to the original site development from five years ago, before there was a CAFO ordinance, the proposed building will be on the north side of the current building therefore it cannot meet the setback requirement of 300'ft from the property line. The proposed building would be 106'ft from the north property line. IDEM requires 100'ft off of any property line. Steve Prible has discussed this with the two closest neighbors and he has confirmation, in letter form, from one of those neighbors that they have no opposition to the 106'ft setback from the property line. Mr. Prible will meet with the other family to explain his plans and get a letter from them.

Mr. Hoehn discussed the storm water drainage for both buildings, since there were previously no requirements for the first building. There will be additional stone between the two buildings for their load out shoots and their silos. The water from the north side of the existing building and the south side of the proposed building to a swale in the stone area between the two buildings and that will be taken east to small detention basin, which will be surrounded by grass. There was an 8"inch tile put in around the existing building and to the north of the proposed site for the new building. There was a tile riser placed in the lowest area on the site, which was tied into that 8"inch tile. The tile will tie into the Ehle legal drain, which goes north off of this property. There will be a shut off valve at where the 8"inch tile connects to the Ehle drain and a shut off valve will also be located in the detention basin.

Mr. Veenhuizen discussed the point system and how the proposed CAFO scored in each of the areas. The proposed site meets the setback distance from schools and other public areas and the primary odor control, that is being proposed, is a covered manure storage. There is also a secondary odor control, a tree shelter belt, which will be used. The point system threshold is 220 and with the deduction of points for the setback, this project is at 297.

Michael Lautzenheiser, Jr. explained the point system and then went through the petition and listed how many points the project received in each of the criteria.

Mr. Veenhuizen explained what water conservation does in a CAFO. It reduces the waste of water by as much as 30%.

Mr. Lautzenheiser continued explaining the points earned on the project and where the plan received negative points. He then described the Agreement to Maintain CAFO Development points.

Steve Prible advised that for manure application, he has lease agreements with neighbors for application. He stated that the 500 acres would be enough for both barns because he is using 200 acres for the current barn.

Conditions: Must have copies of the letters from the neighboring property owners and the Agreement to Maintain CAFO Development Points recorded

Motion to Approve: Bill Horan

Second: Angie Dial

Vote: 9-0

**OLD ITEMS:**

**A12-04-07 HARRISON TWP NW/4 4-26N-12E Mack F. and Karol K. Stewarts are in violation (V2012-001) for having a home occupation outside of the primary structure, for conducting a business that does not qualify as a home occupation, and for constructing two building additions to a detached garage without a permit. Property is located at 828 W. Market St., Bluffton, IN 46714. Property is zoned R-2.**

There was no one in attendance to represent this violation.

Michael Lautzenheiser, Jr. explained the violation procedure of the initial letter and a site visit. He stated that there was some resolution to the violation, which was the parked cars were removed and some of the piles of auto parts were removed. However, they reappeared about a week later. The site in front of the garage area is continuing to be used as an auto salvage/repair type business location. He explained the ordinance regulation for home occupations in residential zoning areas.

Jarrold Hahn and Mr. Lautzenheiser discussed the difference between the locations of operation of a home occupation in town versus in the country. They also talked about the city abandoned and junk vehicles.

The board discussed the addition to the garage that was done 2 to 3 years ago without a permit. Also, talked about whether the setbacks for the addition were met. They also discussed the number of additions that were added to the structure.

Mr. Lautzenheiser stated that the City of Bluffton received a complaint about this property. Their number one concern is about the auto business being run at this location. He explained the equipment located at the property, which would suggest that an auto business was located there.

The board discussed the difference between what would fall under their control and what would have to be done by the City of Bluffton, in order to help take care of this issue. The city believes that if the board handles it that there would be a more permanent result.

Mr. Lautzenheiser explained the communication that he has had with the property owner. He described the letters that were sent and the visits to the site that he made.

Conditions: Issue a letter to have a permit be obtained for the addition & breeze way. Also clean up the lot within 30 days. Then if neither is done, pass it on to the attorney

Motion: Bill Horan

Second: John Schuhmacher

Vote: 9-0

**OTHER BUSINESS:**

Michael Lautzenheiser, Jr. advised the board of the members that had already been appointed to the steering committee for the comprehensive plan. Those being:

- Scott Mossburg, representing the Wells County Commissioners
- Todd Mahnensmith, representing the Wells County Council
- Terri Hughes-Lazzell, representing the Town of Ossian
- Bette Erxleben, representing the City of Bluffton

He stated that the school boards representative and the representative for the small towns has not been determined yet. He explained the roles of the steering committee and the subcommittees and also the process of the comprehensive plan. He also stated that there would be the need for general public on the steering committee.

**APC/BZA/Plat Committee representatives for the steering committee:** Bill Horan, Jerome Markley and Jarrod Hahn

Motion: Angie Dial

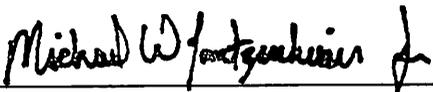
Second: Tim Rohr

Vote: 9-0

**ADVISORY:**

John Schuhmacher made a motion to adjourn the meeting. Richard Kolkman seconded the motion and the motion passed with a vote of 9-0. The May 3, 2012 Area Plan Commission meeting adjourned at 8:51 p.m.

  
 Jerome Markley, President

ATTEST:   
 Michael Lautzenheiser Jr., Secretary