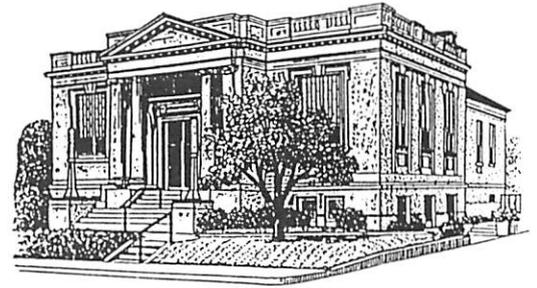


# WELLS COUNTY AREA PLAN COMMISSION

WELLS CARNEGIE GOVERNMENT ANNEX

223 W. Washington St.  
Bluffton, Indiana 46714-1955  
Room 211 PHONE - 824-6407



July 30, 2010

## WELLS COUNTY AREA PLAN COMMISSION MEETING

THURSDAY AUGUST 5, 2010, AT 7:30 P.M.

ROOM 105 (MULTI-PURPOSE ROOM) LOWER LEVEL OF THE WELLS CARNEGIE  
GOVERNMENT ANNEX BUILDING, 223 W. WASHINGTON ST., BLUFFTON, IN.  
USE ELEVATOR ENTRANCE - EAST SIDE OF THE BUILDING

### AGENDA

ROLL CALL

APPROVAL OF MINUTES

NEW ITEMS:

A10-08-17 JACKSON TWP. SE/4 13-25N-10E Timothy and Vicki Andrews request approval to divide a 78.11-acre parcel that is a secondary parcel. Property is located at 8708 S 600 West, Warren, IN and zoned A-1.

A10-08-18 JEFFERSON TWP. NW/4 21-28N-12E Linder Oil Company, INC. requesting development plan approval for an addition to the existing facility at 820 Industrial Parkway, Ossian, IN. Property is zoned I-1.

OTHER BUSINESS

ADVISORY

ADJOURN

ROLL CALL

Harry Baumgartner	Finley Lane
Angie Dial	Jerome Markley
Jarrold Hahn	Keith Masterson
Bill Horan	John Schuhmacher
Richard Kolkman	Mark Shaffer

Kent Kiracofe, APC Attorney

APC President, Bill Horan called the August 5, 2010 meeting to order at 7:30 p.m. ten members answered roll call, Mike Morrissey was absent.

John Schuhmacher offered a motion to approve minutes from the July meeting. Harry Baumgartner seconded the motion and the minutes were approved by a vote of 9-0, Mark Shaffer abstained.

**NEW ITEMS:**

**A10-08-17 JACKSON TWP. SE/4 13-25N-10E Timothy and Vicki Andrews request approval to divide a 78.11-acre parcel that is a secondary parcel. Property is located at 8708 S 600 West, Warren, IN and zoned A-1.**

Vicki Andrews spoke for the request to divide the secondary parcel using the one-time allowance to further sub-divide a minor subdivision. The plat committee had reviewed the petition and acknowledged that the request meets the minimum requirements by the tract being 10-acres or larger and two times the minimum road frontage.

Mrs. Andrews stated that their intention is not to build or create another building site; they are making the request only for financial reasons to re-finance. The survey shows 3.40-acres including the buildings will be separated from the 78.11 acre tract leaving the balance in a designated wildlife habitat.

Conditions: None  
Motion to approve: Jarrod Hahn  
Second: Mark Shaffer  
Vote: 10-0

**A10-08-18 JEFFERSON TWP. NW/4 21-28N-12E Linder Oil Company, INC. requesting development plan approval for an addition to the existing facility at 820 Industrial Parkway, Ossian, property is zoned I-1.**

Representing the petition was Bob Marshall, owner of Linder Oil and John Fyfe, engineer. The proposed development plan is for an approximate 350' sq. ft. addition to the current facility. The

addition is needed as the trucks that are coming in and being loaded out are actually longer than the building is wide and this will allow them to have an enclosed loading and unloading area.

The storm water run-off will not be impacted by the construction as it is being built over an existing concrete surface.

Angie Dial confirmed the Town of Ossian has reviewed the plans and there are no objections.

Conditions: none

Motion to approve: Jarrod Hahn

Second: Mark Shaffer

Vote: 10-0

**DISCUSSION:**

Matt Subler for Berne Redi-Mix and Darrin Johnson, owner of the Rockford Quarry appeared to discuss the status of the temporary permit that Berne Redi-Mix has for a cement mixing operation located within the quarry.

The discussion was to help with gathering information so that the plan commission will have a better understanding of the business practice of the quarry and Redi-Mix plant and the concerns of the nearby residents.

Jarrod Hahn offered information pertaining to a concern brought up at the last meeting by a property owner who had complaints about truck traffic and a culvert pipe in need of repair or replacement. He said he spoke with personnel at the State Highway Garage and they indicated that they would like to have a meeting with the County Highway Department and the land owners to see if something could be worked out for the culvert pipe at that intersection.

Jerome Markley asked how long they had been in operation at the quarry and the average number of trucks going in and out in the course of a day.

Matt Subler replied they have been working out of there since April 14<sup>th</sup> and that the number of trucks varies. This week due to weather he replied there were none, some weeks there may 10 to 20 trucks a day. For clarity it was stated that was trucks for the Redi-Mix plant.

Darrin Johnson stated for his business that day he probably had close to 100 loads go out. Stating that summer is busiest and that winter is slower and that the Berne Redi-Mix traffic is very light in comparison.

Jerome Markley inquired about the hours of operation and Matt replied that they run what they believe to be normal business hours nothing before 7:00 a.m. and they haven't had anything past 5:00 p.m. but adding there could be something in the future that could demand them to deviate some from those hours.

Kent Kiracofe asked if the plant was operated with full-time employees.

Matt replied that at this time it is staffed on an as needed basis.

Matt Subler representing Berne Redi-Mix addressed some questions and gave the board information pertaining to their business operations.

They have another plant in a very similar type situation located in Celina, Ohio where they lease ground at a stone quarry, and based on their business there on their very busiest day they may have almost 100 trucks and that would be very rare. And hours of operation in the event of a job requiring that volume would load at the earliest about 5:30 a.m. again stated that would be very rare.

They have a plant located in their sand and gravel quarry in Jay County near Pennville; there is a plant located in Berne, right next to a residential area, also in the town of St. Henry, Ohio all running without objections.

In response to the question about noise from the Redi-Mix operation that would be in addition to noise generated by the stone quarry. Matt said his opinion is that the only noise would be the truck engines running when they are being loaded.

Matt said they are what they call a batch mix plant not a central mixing plant, and they just dump the material into the truck and the truck is mixing it.

Regarding any additional dust Matt said the plant has a dust collector on it. When the truck pulls in to load it automatically turns on and sucks up the dust, he believes it works very well, as it is very windy out there some days and believes you could see it if there were dust. The collected dust gets fed back up into the cement silo.

Addressing the water run-off Matt said they are aware of what is required by either IDEM or the EPA and this plant does not qualify for those requirements as everything is contained on site into the quarry nothing reaches any waters of the state. Darrin Johnson added they run quarterly samples for IDEM and nothing has changed since the Redi-Mix plant has been in operation.

Matt said more than 50% of the raw material used for their product would be stone from the quarry. Therefore if the plant were located somewhere else that many more loads of stone would be hauled out of the quarry to another location.

Jerome Markley said that perhaps four months time is not adequate to make a judgment, but so far do they see this as a positive decision? Matt replied that in view of this being a down year for the economy they are satisfied and believe they have gained some customers.

Matt said he believes in Jay County in 1998 they had some zoning issues to address and they went through the process there were truck routes worked out and some other issues as they are also located in an agricultural zone there.

Darrin Johnson stated that after the Berne Redi-Mix began operations and were running he went to the nearest resident and they stood on the porch and he asked them if they could hear the concrete plant running and they told him no, and it was running at that time.

Darrin related that a typical business day for the quarry is from 7:00 a.m. to 5:00 p.m. they are still in the growth stage and hope to grow the business, then will be able to buy bigger equipment, better their production, work less hours and become better in their operation.

Last summer they were able to pick up an Army Corp of Engineers project that they worked extended hours, but something like that he said may only come around every 5 or 6 years.

Darrin stated he bought the business in 2004 from Donny Heller and that he believed he started the business in 1964. Pertaining to the quarry practices Darrin said they blast at most 2 or 3 times a week all pending on how busy they are, just recently they only had 1 blast in more than a two week period. They have a call list to notify nearby residents before blasting. After the blasting the stone is run through a crusher, which the previous owner did not crush stone. Darrin said they moved in a portable crusher and although they don't crush everyday they do crush the majority of the time and have been crushing he believes since May or June of 2005.

Darrin again stated he has an open invitation for anyone to visit to see either his or the Berne Redi-Mix operation.

With the information gathered the APC board will need to decide how to best serve the community and the business owners either by ordinance amendments that will allow a special exception for a cement mixing plant in the A-1 or perhaps the permitted uses in the A-1 changed to allow a cement mixing-plant in the A-1 if in conjunction with a stone quarry.

Dolores Wilson spoke about her objection to the noise that is generated from the stone crusher, and that she had called the plan director to come out one morning at 5:30 a.m. to hear it. Her desire is for the temporary permit to run its course and then even perhaps extend it on a temporary basis and she does not want the plan commission to rush any decision.

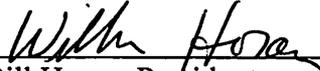
Darrin said Dolores has been to his quarry more than once he has tried to address her complaints realizing that he can't totally make her happy although he has and is trying to work with her. Also stating there are residents that live closer who have no complaints. They have built the berm up higher that helps with noise and the crusher will be moved down deeper into the quarry he estimates in about 6 months.

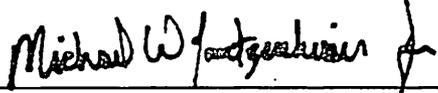
Both Matt Subler and Darrin Johnson expressed their desire to have a decision sooner than later for peace of mind and to not be in limbo any longer. Darrin said it is his understanding that there are not issues or complaints with the Berne Redi-Mix plant but with his business which is pre-existing and the discussion was to be on the merits of the concrete plant being a permitted use, not the Rockford Quarry.

Suggestions were made for Michael to contact Jay County and inquire about their procedures for allowing the cement mixing plant that is located at a quarry also in an agricultural zone.

Bill Horan suggested in November after what would be considered a season with the information received thus far that the issue could be re-addressed then.

The August 5, 2010 meeting of the Area Plan Commission at 9:10 p.m.

  
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Bill Horan, President

ATTEST:   
\_\_\_\_\_  
Michael Lautzenheiser, Jr., Secretary