

WABASH COUNTY PLAN COMMISSION

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BZA MEETING MINUTES

September 27, 2011

**Wabash County Board of Zoning Appeals
Wabash County Court House
Wabash IN 46992**

BZA Board Members: Mark Milam, Don Roser, David Schuler, Joe Vogel, Jerry Younce, Attorney Larry Thrush.

Members present: Don Roser, David Schuler, Joe Vogel, Jerry Younce, Mark Milam and Attorney Larry Thrush.

Mr. Vogel opened the meeting at 7:00 p.m.

First item of business was review of August 23, 2011 meeting minutes.
Mark Milam motioned to approve the minutes. Jerry Younce seconds the motion. All members voted to approve minutes.

Dan Barton, Special Exception #6, pond

Mr. Vogel asked if the drainage board had been contacted regarding the pond.

Mr. Howard replied that Mrs. Slee was aware of the pond and there was no problem with county drains. Mr. Updike, NCRS was also contacted and a letter of approval was had been received from him for the pond.

Board members stated that the setbacks were far enough back and the slope of the land looked good.

Mr. Younce said as long as there were no county ditches involved, he had no objection to the pond.

Vote sheets were passed to Members.

Mr. Thrush tallied votes.

Special Exception #6 passed, 5-0.

Jason and Caley Eads, Variance #3, to make more than one sale of less than twenty acres within a five year period.

Dan Eads, father of Jason was in attendance. Mr. Eads explained that his son and daughter-in-law live out of state and would like to sell the property.

Mr. Dan Eads applied for a Variance in April 2010, in which he split 15 and 5 acres from the original 80 acres.

Jason Eads acquired the five acres at that time which included a house and outbuildings. Restrictions were placed on the 5 acres at that time.

Jason would like to sell approximately 3 of the acres back to Mr. Grossman, the farmer who purchased the parent parcel which now contains approximately 60 acres.

The original deed restrictions will stay with the house (2 acres) plus the condition of no further splits will be added. No restrictions would be placed on the 3 acres.

Mr. Howard stated that Mr. Grossman would need to add the 3 acres back to the original parcel making it one parcel.

Members proceeded to vote.

Mr. Thrush tallied votes.

Variance #3 passed, 5-0.

George Bitzer, Variance #4, a Variance from the setback requirements for a pond.

Mr. Tiede, lawyer for Mr. Bitzer, stated that Mr. Bitzer apologized for extending the pond without the Boards consent. Mr. Bitzer was unaware of setback requirements for ponds.

A 2 to 3 foot high burn will be constructed on the north side of the pond along the road to minimize the potential for cars slide off into the pond according to Mr. Bitzer.

Mr. Howard stated that the pond was built in 1988 at which time there were no requirements for setbacks and the pond was compliant with current setbacks before changes were made.

Drawings of the pond showing measurements before and after expansion were presented to Board Members.

Mr. Howard said that all setbacks were fine except for the west side, which comes within 30 feet of the property line.

Mr. Roser asked if Irvings own that property. Mr. Bitzer stated yes.

Mr. Bitzer added that he decided to expand that side because it was wet and marshy anyway.

Mr. Vogel asked how high the burn would be.

It would be 2 – 3 feet high stated Mr. Bitzer.

Mr. Howard described to Mr. Bitzer on the aerial photography where the burn should start and end.

Mr. Milam asked if the surrounding property owners were approved of the setback.

Property owners were notified and none were in attendance to protest.

Members proceeded to vote.

Mr. Thrush tallied votes.

Variance # 3 passed, with condition that a 2 – 3 foot high buffer be built along the front of the pond starting at the west end and going east.

John Heeter, Roann,

Mr. Heeter was in to address concerns residents of Roann have about the use of a building he owns in the town of Roann. Mr. Heeter operates a recycling business from this location which is located at 110 S. Chippewa Street, Roann, IN.

Mr. Howard told Board members that he sent a copy of the letter to the Town of Roann and they have no problem with the business as long as he keeps it cleaned up.

Mr. Vogel thought that recycling was ok as long as it was contained inside and nothing large such as vehicle was involved.

Mr. Heeter stated it was.

There is no burning at the site.

It was questioned if Mr. Heeter had to acquire a drivers license copy for the items he purchased from individuals. For anything over \$100.00 he is required to get a copy of the drivers license. He cannot purchase from anyone under the age of 18.

Mr. Heeter also told members that most of what he buys from individuals is less than 50 dollars.

Mr. Vogel stated that the business was an asset to the community.

Board Members agreed that as long as it was kept clean, the business could continue to operate without opposition.

The Board thanked Mr. Heeter for taking the time to come in for discussion.

Chris and Desra Bradford, Pool Manufacturing.

The Bradfords own a business which is located ON 1450N. St. Rd 13, N. Manchester.

The Bradfords are looking to expand their pool manufacturing business at the current location which contains 7 acres. The acreage was purchased in 1999 from Eagle Farms. They would like to split and sell 2 acres of the parcel that houses the current operation and keep the remaining 5 acres to the south for expansion.

The parcel is zoned agriculture..

Mr. Howard explained that he invited the Bradfords to come in and discuss their plans for expansion with the Board.

Desra Bradford said the facility would be a composites manufacturing facility. They will manufacture large fiberglass pools.

They will have to apply for a Title V permit from IDEM which would cover most all environmental permit requirements.

Mr. Howard asked if there were other environmental permits to obtain.

Desra stated that Title V would basically cover everything.

The initial building would be 150 x 75 -80 or about 11,000 square feet with options to add on later.

Desra told members that they are currently researching all of their options to determine the best way to proceed.

Mark inquired about entrances to the plant. They intend to use the current entrance off of county road 1450N and add a second entrance from State Road 13. Desra stated she spoke with the State last year and said they would not have a problem with the drive coming off of State Road 13. It would have to have a deceleration lanes.

Mr. Vogel asked about how the pools were constructed and the amount of odor from materials used. Is there any residue?

The pools are constructed using a spray process, explained Desra, there is a gel coat that consists of styrene.

Board members asked about odor emissions and the possibility of odors effecting Timbercrest.

Jerry said that Timbercrest was approximately one and a one half miles away and odor would not be an issue.

The building would be required to have a filtration and exhaust system that would reduce odor.

Mr. Vogel asked if there were any creeks nearby.

There are no creeks, just sand stated Desra.

Board Members inquired what would be the size of another structure if they expanded. It would be another 11,000 square feet. That would most likely be the maximum expansion or scope of this plant.

They will start out running one shift, 5 days a week. They should manufacture two pools per shift. The market will dictate production increases.

The pools would be shipped to distribution points and an inventory of finished products would be stored outside on the ground.

The Title V permitting is calculated for full production equal to 24 hours a day 7 days a week. Because it is considered as "large manufacturing" they would be permitted to emit 100 tons of particles per year. Desra stated they should not exceed 20 tons per year.

Production would be about 20-40 large pools a month at this time of year and would pick up in the spring,

Mr. Vogel asked how many employees would be needed.

Desra said initially it would be around 10-15 and possibly 20 – 30 later on.

Mr. Howard inquired if manufacturing would include hot tubs or other fiberglass items.

Desra stated they would indeed consider manufacturing anything that fits within the scope of the business and falls under the Title V permit.

Board Members questioned if 5 acres would be enough land for the entire operation.

Desra said it would be.

There is currently no distribution locations of this type in the midwest.

This expansion would eliminate the need for the long distance trucking, which is extremely expensive. Depending on the size, 5 – 10 pools can fit on a truck for transportation.

Mr. Howard wanted to know if they have considered any industrial park. There might be cost advantages. Desra said it was more money to stay at the current location, and they are looking at all possible options including the industrial park. The park has more land but also has covenants that are not conducive to their manufacturing process.

One issue is that a fence must be constructed higher than the products if stored outside. EDGWC is working with the Bradfords and the Manchester Industrial Park to see if the covenants are conclusive or if they can be adjusted. Three of the businesses in the park don't meet the current covenants according to Desra.

There would be a 10 year tax abatement at the current site and a 20 year abatement at the industrial park. The business would also have the advantage of drive by traffic exposure on State Rd. 13.

Mr. Howard explained that the county is in the process of writing the comprehensive plan and looking into preserving Ag land in the future.

Mr. Vogel said he is not in favor of spot rezoning which would have to be done in order to have the plant at the current location.

The present business which is in an Ag zone was permitted by a 1999 variance but the property would have to be rezoned to industrial for the manufacturing. Currently, industrial businesses are not allowed in an Ag zone.

The Board expressed concern if the property was rezoned industrial, what would happen if the property was sold in the future.

Desra told the board they had a time frame of thirty days to decide on the proposal by the industrial park. The 30 days for incentives starts today (9/27/11).

They would need an answer from the Plan commission Board as soon as possible..

No construction could begin until the air permit was acquired and the air permit cannot be applied for until they have a definite manufacturing site selected.

Mr. Milam thought the expense of getting electricity to the current site would be very expensive. A sub-station would be much closer in an industrial park.

Mr. Howard said he has requested some information from IDEM that he would like to review with the Board before a final decision was made.

Desra explained that covenants at the industrial park stipulate that buildings be constructed with at least 3 sides, brick or stone. Their building would be a block structure.

Mr. Howard asked if raw materials used in the process would be classified as hazardous. Some are. They would have to be stored in a separate part of the building.

Pools must be less than 16 feet in width to transport without police escort. The pools are built at 15 feet, 11 inches to eliminate police escort.

Desra told the Board she can supply information about all the products used in the manufacturing process if needed.

Mr. Vogel asked what was done with the fiberglass trimmed from the pools.

The leftover material would be trash and discarded according to Title V requirements.

Mr. Howard told Mrs. Bradford he would contact her next week with a decision.

No other business.

Meeting adjourned.

Joe Vogel