

Pulaski County Advisory Plan Commission
Commissioners Room, Pulaski County Courthouse
Winamac, Indiana
Monday, 23 March 2015

Meeting Minutes

Present: County Councilor Jay Sullivan, Extension Board member Mike Putt; Doug McKinley, Rick Stone, Darrin Wagner. Building Commissioner David Dare, Community Development Commission Executive Director Nathan P. Origer

Absent: President Lawrence Loehmer (Surveyor's appointee), Vice-President Matt Rausch; County Commissioner Terry Young; Jim Thompson. Building Department/APC Secretary David Weber; APC Attorney Kevin Tankersley.

Guests present: County Commissioner Bud Krohn, Jr., Noah Hoppe, Anna Hoppe, Noelle Hoppe, Michael Veenhuizen, Matt Hoppe, Greg Hoppe, Rodney J. Dorsey, Howard Conner, Jim Kuiper, Matt Kelsey, Pam Chumley, Nick DeKryger, Lance Barton, Jon Hoek, Dick Nielsen.

Call to Order

In the absence of the president and vice-president, Mr. Wanger called the meeting to order at 7:05 p.m.

Approval of Agenda

Motion: Mr. Stone; second: Mr. McKinley; no discussion; approval: all.

Approval of Minutes – February 2015

Motion: Mr. Putt; second: Mr. McKinley; no discussion; approval: all.

New Business

Public Hearing, Docket #032315-01 — Petition to rezone by Livestock Engineering Solutions/Greg and Anna Hoppe: Mr. Wagner opened the public hearing at 7:07 and provide instructions regarding the process of the hearing and public comment. Mr. Origer read the Application for Rezoning into the record. Greg and Anna Hoppe, 11250 West 750 North, North Judson, Indiana, with consultant Michael A. Veenhuizen, of Livestock Engineer Solutions, request that parcel 004-00133-00 (66-04-01-400-009.000-004), at 11189 West 750 North, North Judson, Indiana, be rezoned from A-1, Agricultural, to A-2, Exclusive Agricultural, that they may construct to confined-hog feeding operations on this 80-acre parcel.

Mr. Veenhuizen introduced himself and Greg Hoppe, who then introduced his family. Mr. Veenhuizen then continued, explaining that two wean-to-finish buildings, with a combined maximum capacity of 7,040 pigs, would be constructed; the Hoppes would be supplying to Belstra Milling, which was represented by Messrs. Barton, DeKryger, and Hoek.

Mr. Wagner expressed concern about the proximity of a house to the southwest, in the event of further future expansion; an entire 40-acre parcels stands between the two, and between that and required setbacks, the 1,320-foot setback would easily be met. Review of the distance between the site and an R-1 district also occurred. The Hoppes had already had conversations with all of their neighbors about this project. Mr. Veenhuizen then reviewed the Findings of Fact, suggesting that in no way would this project be problematic.

Mr. Origer expressed his concern with the distance between the proposed structures and the Hoppe home, which is within 1,320 feet and on a separate legal parcel. He noted that this should not be material to the decision to rezone, but that it would have to be addressed, either by a re-designing of the project or a variance of development standards, before a building permit could be issued. He posited that whether such measures would be required depend on whether separate parcels, divided by a County road, could be considered parts of the same property (that word being employed in the relevant section of the zoning ordinance), or if separate parcels constitute separate properties. This would have to be further investigated.

Councilor Sullivan asked a number of questions regarding Indiana Department of Environmental Management permitting, and Mr. Veenhuizen assured him that no problems would arise here.

Mr. Wagner enquired of Mr. Dare as to whether green return-mail cards had been received; all but two had returned, and no-one had contacted the staff regarding any concerns with this project. Neither had any absent plan commissioners expressed any concerns.

Mr. Dare reported having spoken with Terry Ruff of the Pulaski County Highway Department; Highway had no concerns about this project's effects on local roads, but wished to be kept apprised of developments. Discussion ensued regarding on-site driveway improvements. Mr. Veenhuizen also noted that an enclosed mortality-composting facility would be on-site.

Mr. Wagner at this time called for public questions and comments. Commissioner Krohn enquired further about roads, specifically which would be used for transport; discussion ensued, and Greg Hoppe noted that roads in question are in good shape, had been well maintained, and already handle agricultural truck traffic well.

There being no further comments, Mr. Wagner closed the public hearing at 7:36 and entertained a motion on the question at hand; a decision to recommend the requested change in zoning from A-1 to A-2 to the County Commissioners, pending IDEM permit, was reached.

Motion: Mr. Stone; second: Councilor Sullivan; no discussion; approval: all.

Old Business

Update on Zoning Ordinance Revisions: Mr. Origer provided a brief update on the status of the overhaul of the ordinance, noting that following a two-hour meeting with local representatives, RATIO Design had received the green light to proceed with the first draft of the new ordinance. The public hearing to adopt the final draft likely would take place in late May, with consideration by the County Commissioners occurring in early June.

In light of the conversation about the setback between the proposed structure and the Hoppe home, supra, Mr. Wagner insisted that the new ordinance explicitly address the reciprocity of setbacks in such situations; discussion ensued on this matter, with all present agreeing.

Mr. Dare relayed some concerns that Commissioner Terry Young had expressed. Within the RR-1 Recreational District, Commissioner Young believes, retail businesses connected such uses (e.g., a bait-and-tackle shop) should be permitted. Mr. Origer expressed that he sympathized with Commissioner Young's belief, but that drawing distinctions between those businesses that support, but are not, recreational businesses, and others may be challenging, and so allowing them by special exception, rather than by right, may be a good compromise. This matter would be forwarded to RATIO for their consideration as they draft the ordinance.

Commissioner Young had also expressed concern about too-strict limitations on roadside stands. Significant discussion ensued, with the consensus being that seasonality, product, and concerns specific to a certain site all would have to be considered. This matter, too, would be forwarded to RATIO for their consideration.

Other Business

Executive Secretary position: Mr. Origer proposed looking into establishing an officer, the executive secretary, who would be responsible for reviewing the administrative secretary's meeting minutes prior to distribution and would serve on an executive committee when such an entity would be required. This would be looked into at the next meeting.

Possible zoning violation: Mr. Origer noted that a new sign had gone up on State Road 14 West for Alan's Care Care. Discussion ensued, with Mr. Wagner suggesting that this is a legal non-conforming operation. Mr. Stone suggested that whether the operation is a licenses business paying all applicable taxes be investigated, and Mr. Origer then questioned whether it would be legally non-conforming were it not legally operating. Mr. Dare would be looking into this.

Public Comment

Mr. Conner expressed his gratitude to the Commission for their service to the community.

Adjournment

Motion: Mr. McKinley; second: Councilor Sullivan; no discussion; approval: all. 8:06 p.m.

Respectfully submitted,
Nathan P. Origer, Executive Secretary