

WABASH COUNTY PLAN COMMISSION

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WABASH COUNTY PLAN COMMISSION
BOARD MEETING MINUTES

MAY 2, 2019

**Wabash County Plan Commission Board
Wabash County Court House
Wabash IN 46992**

Board Members: Curt Campbell, Randy Curless, Jeff Dawes, Patty Godfroy, Doug Rice, Christian Rosen, David Schuler, Cheri Slee, Joe Vogel, Attorney Larry Thrush, Plan Director Mike Howard, Secretary Libby Cook

Present: Curt Campbell, Randy Curless, Jeff Dawes, Cheri Slee, Joe Vogel, Larry Thrush, Mike Howard, Libby Cook, John & Donna Wendt, David & Marty Wamsley, Margo Tucker, Sandy Pitts, Marianne McAllister, Jerry Dunn, Monte Pitts, Robert Pitts, Lorraine Pitts, Mike & Nancy Halderman, Max & Velma Pitts, Kris Frieden, Lisa Gilman, Josh & Ashley Wilcox, Stan Baszczak, J. Gillespie, Carl Miller, Phil & Sheri Wilcox, Lance Gray, Barry Eppley, Tom Wagoner

Board Chairman, Randy Curless opened the May 2nd meeting of the Wabash County Plan Commission Board at 7:00 pm. Mr. Curless asked if there was a motion to approve the minutes of the April 4th meeting. Joe Vogel made the motion to approve the minutes as written; this was seconded by Jeff Dawes. The minutes will stand approved. Mr. Curless then called on Plan Director, Mike Howard to address the first item on the agenda, the amended CFO ordinance.

Mr. Howard reviewed the changes that were proposed at the April 4th PCB meeting. He told the board that one point that does need some consideration is at what point do we consider construction has begun on the CFO facility. This was discussed at the April 23rd Board of Zoning Appeals meeting, it was brought up that moving dirt could be considered the beginning of construction. BZA members discussed this and decided that there should be more to it than that, there should be concrete, footers, this type of work

to be considered as construction begun. Mr. Howard then informed the Board that Wabash County Attorney, Mr. Steve Downs, has been sent a copy of the amended ordinance for review. Mr. Downs has suggested some edits to the ordinance and is not finished with his review. My recommendation to the Board tonight is that we can have a discussion of any part of the ordinance, but at this time I recommend that we do not approve the amended ordinance as we have it now but wait for Mr. Downs to complete his review and submit it back to us, we can then review it at the June meeting and make an approval of the certification to go back to the Commissioners.

Mr. Dawes asked what does IDEM consider as the start of construction within their 5 year permit timeline. Mr. Howard stated that he would have to check on that. Mr. Dawes asked as far as IDEM toward the end of the 5 year period what you have to do to keep the permit if the construction is not completed.

Mr. Curless asked if there was a motion to continue the CFO hearing until Mr. Downs completes his review. Mr. Vogel motioned to continue the hearing until the June 6, 2019 meeting to allow the County Attorney to complete his review. This was seconded by Mr. Dawes. The motion was approved. Mr. Curless opened the floor to audience members. Mr. David Wamsley stated that he thinks it would be nice if we could all have an opportunity to see what Mr. Downs mark ups are. Mike is saying that nothing material is changing, it is just paragraphs and commas, if that is all that it is, Mike is there any other, one piece that came up concrete in the ground was what the BZA talked about as a reference point. To keep things moving forward it would be nice if we could come to some kind of decision on that so that it can move forward for sure at the next meeting. Mr. Howard replied that he thinks that the Board is wanting to see what IDEM would consider as the project being started and to see what IDEM's verbiage is on that before the Board makes a commitment on what we think the county ruling should be.

Mr. Campbell asked if Board members would be able to see a copy before the next meeting. Mr. Howard replied that as soon as Mr. Downs has it completed, yes.

Mr. Campbell asked if it could be approved at the next meeting or does it have to wait another 30 days. Mr. Howard replied yes, that this is the scheduled public hearing and that with it being a continuation I will have to go before the Commissioners Monday to ask for a continuation.

Mr. Wamsley asked is this the only material change. Mr. Howard asked Mr. Wamsley to define what he means by material change. Mr. Wamsley, you had one bit of wording ground prep completed? That is just a reminder to me to discuss with the board. This group has agreed that they wanted to see what the IDEM wording is on that.

Mr. Wamsley asked "nothing else in the document has changed?" Mr. Howard stated that the only other thing that has changed, you commented about 6:25 E: Any Confined

Feeding Operation, to clarify that we put in (new site construction or existing site expansion). That was the only other change. Mr. Wamsley agreed.

Mr. Wamsley asked if this is the public meeting, there is not another one yet to go or anything like that. Mr. Howard replied yes the legal ad has been posted, tonight is the public meeting.

Mr. Vogel replied yes, it will be continued until next month. Mr. Howard also stated that the hearing will be continued to the June 6th meeting, with a motion for continuation and notification here tonight of the next meeting date, the hearing does not have to be advertised again.

Mr. Curless asked about standard building permits. Mr. Howard answered that a building permit is valid for 1 year, construction must be started within that year but the applicant can apply for an extension.

Mr. Campbell: At the end of 18 months if it is not completed? Mr. Vogel replied it has to be started 12 - 18 months is not to completion but when it is started. Mr. Vogel stated that we wanted to see it started, anyone could put in a driveway, we wanted to see some investment into it.

Mr. Howard: That is correct. Someone could lock down an area of ground for 5 years.

There being no further comments, Mr. Curless stated that will conclude the CFO hearing and it will be continued to the June 6th 2019 Plan Commission Board meeting.

Mr. Curless: The next item on the agenda is the vacate request by Kris Frieden.

Mr. Howard: Kris Frieden is requesting a vacate of 5 lots in Speicherville. A survey of the property has been completed, it was then discovered that there is a metes and bounds and lots description of the property, there can't be both. Mr. Frieden is asking to have the lots vacated and have a metes and bounds description of his property. Mr. Carl Miller, a neighbor, asked where the alley is located. Mr. Howard stated that the alley on the Frieden property had been vacated in 2011. Board members discussed the area and descriptions. Mr. Miller stated that he may be interested in requesting a vacate of the alley that goes through his property which is west of Mr. Frieden's. Mr. Howard told Mr. Miller what he would need to do to proceed. Mr. Curless asked for a motion on the vacate request. Mr. Vogel made the motion to give a favorable recommendation to the Wabash County Commissioners; this was seconded by Mr. Campbell. The motion carried. Mr. Howard told Mr. Frieden that the request will be heard by the Commissioners on Monday, May 6th.

Mr. Curless: The next item on the agenda is Joshua Wilcox, SE #3 for a pond with variances.

Mr. Howard: Joshua Wilcox lives at 2624 S 300 E, in Lagro Township. In 2018 Todd Kline constructed a pond on the Wilcox property, without a permit. Mr. Wilcox said that Mr. Kline told him that anything under ¼ acre did not require a permit; all ponds greater than 100 sq. ft. require a Special Exception. Mr. Wilcox provided the Board with a letter from a neighbor stating that they don't have a problem with the pond. Mr. Howard then shared photos of the pond with the Board. The pond is approximately ¼ acre; Mr. Wilcox is seeking a variance from the property line setbacks to the west and south. The setbacks from the roadway and north line are all ok. The depth of the pond will be approximately 12 feet, the water shed into the pond is less than 1 acre and has no geothermal feed. Board members discussed drainage concerns. Mrs. Slee stated that the Drainage Board did give a favorable recommendation for the permit application.

Mr. Curless asked for a motion on Special Exception #3. Mr. Dawes made the motion to give a favorable recommendation for the request to the Board of Zoning Appeals. This was seconded by Mrs. Slee. SE #3 was approved unanimously. Mr. Wilcox was told that the next hearing will be before the Board on Zoning Appeals on Tuesday May 28th at 7:00pm.

Mr. Howard informed the Board that he has talked with Mr. Mike Cummins one of the investors in the Fountainvue Mobile Home Park. The Plan Commission office has issued a permit to move two mobile homes into the park, photos were provided of both homes. A mobile home park in Grant County is closing and Mr. Cummins was asking about the possibility of moving some of the mobile homes to Fountainvue. Mr. Cummins was told that any homes being considered would have to go through the Wabash County permit process and provide photos of all 4 sides of the mobile home. One of the homes we have permitted is from the mobile home park that is closing; it does meet the county requirements. The second home is one that the Board has dealt with in the past in Wabash County. The Fountainvue Mobile Home Park is outside of the incorporated limits of the town of Lafontaine, it is under the jurisdiction of the Wabash County Ordinance. The lot sizes do meet the county requirements. The town of Lafontaine does provide the water and sewage utilities for the park. Mr. Jay Gillespie and Mr. Lance Gray from the town of Lafontaine are present to discuss the Variance application and have asked to discuss some concerns that the Town of Lafontaine has in regards to Fountainvue. Mr. Howard stated that Mr. Cummins is interested in coming back and talking with the Board about some ideas he has for the future of the park.

Mr. Howard gave the Board the following complaint updates:

- The Bullard property in Lafontaine, Mr. Bullard is deceased. We are continuing to work on this.

- Adams St. in Roann, the house has been razed, the property owner has brought several items in, and he is to be working on cleaning up the property.
- Property on the Roann Richvalley Road, I have contacted the owner, they will submit an outline and timeline for clean-up of the property.
- The Chris Shelton house in Urbana is to be razed.
- The David Moser property in Urbana, per court order issued 5/2/2019 the structure is to be razed and everything cleaned up. Mr. Moser has 30 days to appeal the court decision after that time the structure can be razed.
- Norag Elevator in Speicherville, I have contacted IDEM, the work they were to have done is not being completed. A report has also been sent to IOSHA, I have not received any response from IDEM or IOSHA.
- Todd Custer, campground in the Liberty Mills area, nothing new to report, Mr. Custer continues to work on his permitting with IDEM and DNR, etc.

There being no further business, Mr. Curless asked for a motion to adjourn. Mr. Vogel made the motion to adjourn; this was seconded by Mr. Campbell. The meeting adjourned at 8:40 pm.

Libby Cook
Secretary, Wabash County Plan Commission Board
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