

# *WABASH COUNTY PLAN COMMISSION*

*Wabash County Court House*

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## **BZA MEETING MINUTES** **DECEMBER 28, 2017**

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

**BZA MEMBERS:** Dan Dale, Mark Milam, Dave Schuler, Joe Vogel, Jerry Younce, and Attorney Larry Thrush

**PRESENT:** Joe Vogel, Dan Dale, Mark Milam, Jerry Younce, Larry Thrush, Mike Howard, Tom Finicle, Mary Finicle, Erica Jones, Jaron Jones, Nancy Irgang, Tim Irgang, Kathy Lengel, Hubert Robinson, Brad Carpenter, David Milliner, Kathy Kilty, Barb Drye, Michael Veenhuizen, Steve Heath, Lori Heath, Jeremy Milliner, Todd Elliott, Tina Elliott, Tim Milliner

The December 28, 2017 meeting of the Wabash Co. Board of Zoning Appeals was called to order by Chairman, Joe Vogel at 7:00 pm. Mr. Vogel asked for a motion to approve the minutes of the November 2017 meeting. Jerry Younce made the motion to approve the minutes, this was seconded by Mark Milam. The motion was approved.

Mr. Vogel called on Plan Director, Mike Howard to present Variance #9, Milliner Farms request for a variance from the road setback for a waste processing facility for their future swine Confinement Feeding Operation. The Milliners are asking for approval to place the waste processing facility 100 feet from the road instead of the required 300 feet setback.

Jeremy and David Milliner explained that they are asking for the variance to try to minimize the amount of ground that will be taken up by the facility. We would like to have it closer to the road due to cost of building the infrastructure and the buildings, we are also trying to keep the processing facility away from the CFO buildings for biosecurity protection. The greater distance between the buildings would create less opportunity of contamination from anyone visiting the waste processing facility to the swine facilities. The processing facility is using new technology and they anticipate having visitors to tour the building. If we go closer to the road it condenses the footprint, the further we go east or west the closer we are going to be to other individual's personal property.

Mike Veenhuizen, with Livestock Engineering Solutions, Design Decisions, is working with the Milliners. Mr. Veenhuizen told those present that the projected four confinement buildings meet the Wabash County required setbacks. The facility is being designed to maximize distance from residential properties, conserve water usage within the facility, to make all pieces of the facility work well and to work with the landscaping. Mr. Veenhuizen then answered questions from the Board members which included items such as: storage of waste, water conservation, transporting from building to building, pumping system, frequency of the handling process.

Mr. Vogel reminded everyone that the confinement buildings meet the Wabash County requirements. The distance from neighboring residences is okay.

Mr. Veenhuizen informed the Board that if they keep the original plan that they would have to move the entire complex approximately 200 feet.

Mr. Vogel asked, if you do that does it affect the neighbors more.

Mr. V. It would change the setback to the neighbors approximately 1 - 2 percent.

Jeremy Milliner, stated that for biosecurity it would keep traffic away from their buildings that house the hogs. Mr. Veenhuizen continued, this would be beneficial for folks wanting to see the new technology being used in the processing facility and not encroaching on the confinement buildings.

Mr. Vogel asked Mr. Howard, do we have any screening requirements on this?

Mr. Howard: yes, we would require screening.

Mr. Howard then asked Mr. Veenhuizen if there are any other places using this technology?

Mr. Veenhuizen replied that there are a number of different liquid/solid separation technologies being used. One of the technologies that has been incorporated is based in Michigan.

Mr. Vogel then opened the meeting up to questions from the audience. He reminded everyone that at this time we are not talking about the confinement buildings, just the variance request for the waste processing facility. Questions presented ranged from: distance from residences, are there plans for power outages, methane emissions – will they be collected, how much can the land handle before it gets into the drinking water, is there a requirement on how many acres per hog before the land has to be tested.

Mr. Veenhuizen told the audience that there will be a generator back up system for the site. The manure is not stored long term, generating of emissions we anticipate and expect that it will be lower than normal production buildings, he continued with the explanation of the handling process. The use of the manure on the ground is heavily regulated, there is an obligation to do soil testing of the land receiving the manure. There are specific regulations regarding this, whether it is manure or other fertilizer sources being applied, this is to protect the ground water. Your question about odor and emissions is very valid, this is why we are investing in this, we are

trying to break that odor cycle. We are going to be spreading solids now that have been treated. We are going to be handling a cleaner liquid. There is a big difference between a dairy and a swine CFO. The land base requirement for 10,000 hogs to manage it on a nitrogen basis is 450 acres to manage the manure produced.

One neighbor asked if anybody in any surrounding areas in IN, OH, MI, or IL are using this technology?

Mr. Veenhuizen stated, in this particular combination, no. This is bringing some industrial wastewater technologies into agriculture.

One neighbor stated that she has a respiratory condition, she was not notified on the first request.

Tim Irgang, to be transparent why not notify everybody within 1 mile of the proposed facility?

Mr. Howard, the original request was for the buildings to be built behind the current Milliner home site, at that location there were 3 – 4 structures that were less than 1,320 feet from the proposed site. Our notifications follow the Wabash County regulations. In 2007 when the ordinance was created we had a room full of people. How many of you were here then? The ordinance states that we have a 250 feet notification requirement, this is computer generated. IDEM will notify everybody within one half mile.

Mr. Veenhuizen informed everyone that there will be another notice sent out by IDEM.

Board member, Jerry Younce reminded the audience that they are living in a rural area and that times have changed for the farming community.

Neighbor, Lori Heath asked where could this waste facility be put that it would be the least intrusive, not worrying about cost or convenience for the applicants? We understand that it is an agriculture business.

Mr. Veenhuizen stated that he believes this is the least intrusive. You suggested putting it behind the barns, that doesn't really change the distance from the neighbors of influence.

Mr. Vogel called for a vote on the request for Variance #9.

Board Attorney, Larry Thrush tallied the votes, the request for Variance #9 did not pass.

Mr. Vogel asked if there were any other items to discuss, there being none he asked for a motion to adjourn the meeting. The meeting adjourned at 8:30 pm.

*Libby Cook*  
*Secretary, Wabash County Board of Zoning Appeals*  
*( per the recording of the meeting)*  
*mtb*