

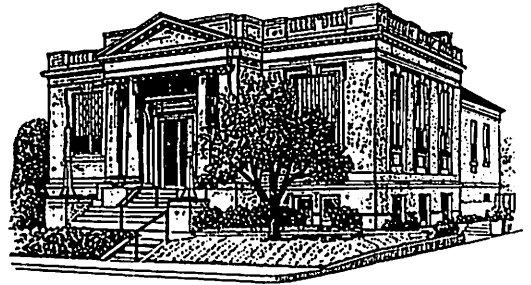
# **WELLS COUNTY AREA PLAN COMMISSION**

**WELLS CARNEGIE GOVERNMENT ANNEX**

**223 W. Washington St.**

**Bluffton, Indiana 46714-1955**

**Room 211 PHONE - 824-6407**



## **November 20, 2009 WELLS COUNTY AREA PLAN COMMISSION MEETING**

**THURSDAY DECEMBER 3, 2009, 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 SIDE ENTRANCE - WEST SIDE OF THE BUILDING**

### **AGENDA**

**ROLL CALL**

**APPROVAL OF MINUTES**

#### **NEW ITEMS:**

**A09-12-22 LIBERTY TWP., SE/4 36-26N-11E Francis K. and Ruby H. Harris request property at 0126 W. Walnut St., Poneto to be rezoned from B-1 to R-2.**

**A09-12-23 ROCK CREEK TWP., NE/4 23-27N-11E Robert D. and Bonnie L. Harris request development plan approval for the construction of a residential solar wind energy tower to be placed at 1140 W 300 North, Bluffton in a A-1**

**A09-12-24 CHESTER TWP. David L. and Carrie Ramseyer request development plan approval for a meteorological tower (wind test tower) on a parcel located on 200 West between 800 and 900 South in an A-1 zone.**

**OTHER BUSINESS:**

**ADVISORY**

**ADJOURN**

ROLL CALL

Deb Charleston	Jerome Markley
Angie Dial	Keith Masterson
Jarrold Hahn	Mike Morrissey
Bill Horan, President	John Schuhmacher
Finley Lane	Mark Shaffer

Michael Lautzenheiser, Jr., Director

On December 3, 2009, President, Bill Horan, called the meeting of the Area Plan Commission to order at 7:30 p.m. Ten members were present for roll call; Harry Baumgartner was absent.

Minutes from the November meeting were approved with a motion by Mike Morrissey and seconded by Jarrod Hahn the membership voted 9-0-1, John Schuhmacher abstained.

**NEW ITEMS:**

**A09-12-22 LIBERTY TWP., SE/4 36-26N-11E Francis K. and Ruby H. Harris request property at 0126 W. Walnut St., Poneto to be rezoned from B-1 to R-2.**

Mr. and Mrs. Francis Harris appeared for their rezone request. The rezoning of this property to R-2 would reflect the past and current use of the parcel. The property directly south is also zoned R-2 and the B-1 designation is the result of many years ago the thought there would be B-1 expansion in the rural town that has not occurred. A R-2 zoning will best suit the size of the parcels and the existing setbacks in the area. The property owners inquired about adding onto their home and a permit cannot be issued to expand a legal non-conforming use without either a BZA action or rezoning property.

Motion - Do Pass Recommendation: Jarrod Hahn

Second: Finley Lane

Vote: 10-0

Conditions: Petition will be sent to the Poneto Town Board for final approval.

**A09-12-23 ROCK CREEK TWP., NE/4 23-27N-11E Robert D. and Bonnie L. Harris request development plan approval for the construction of a residential solar wind energy tower to be placed at 1140 W 300 North, Bluffton in a A-1.**

Bonnie Harris appeared to represent the request for a 68' ft. residential wind turbine to provide electricity for their farm. A waiver has been signed by four neighboring property owners and submitted. The nearest residence will have a distance of separation of 695' ft. with the signed waiver agreement the setback to adjacent properties may be reduced to 650' ft.

The blades on the residential type turbine are 13' ft. in diameter; and have been determined not to have the impact that the commercial towers previously approved would possibly have that the ordinance was drafted for originally.

Motion to Approve: Jarrod Hahn

Second: John Schuhmacher

Vote: 10-0

**A09-12-24 CHESTER TWP. David L. and Carrie Ramseyer request development plan approval for a meteorological tower (wind test tower) on a parcel located on 200 West between 800 and 900 South in an A-1 zone.**

Test tower approval requested by Kent Dougherty with APEX Wind Energy. The tower will be a 60-meter tower just under 200 ft., estimated to be on site about 24 months and then removed. Stated was that this tower will be identical to the tower previously approved on the Gearheart property in Jackson Twp.

The tower is galvanized metal and will not be illuminated; there is not a need for anti-climb devices for this tubular type construction and it will be more than 1,000' ft. away from adjacent property residences. The tower will have 16 guy wires and the standard safety features for this type of tower.

Motion to Approve: Mike Morrissey

Second: Mark Shaffer

Vote: 10-0

#### **ADVISORY:**

Dolores Wilson from the Rockford community wanted to speak about her concerns with the Rock Creek Stone Quarry and the permitting of a cement plant being allowed to temporarily locate there. She wanted to know the time frame and process for the ordinance revisions. She suggested board members not rush to make changes to allow this use in their residential community. She encouraged any board member to visit her property at 3:00 a.m. to hear the noise that she hears which is one of her concerns.

Michael said they were not trying to rush the ordinance but that is never too early to start the discussion rather than to wait until end of the 3-years when the temporary permit will end. Michael offered to coordinate a meeting with residents of Rockford and owner of the Rock Creek Stone Quarry. Some suggestions were made as to where a meeting could be held away from the government annex building thinking it could spur more participation from the residents. It was agreed it was necessary to enter into some discussion with both parties. Questions were posed as to whether there could be restrictions imposed for hours of operation stating that the Quarry was in existence before zoning was implemented.

Joe Langel spoke from the audience and asked the board to remember during the amendment process that the zoning designations were put in place for a reason. Adding he also has heard the

stone crusher running from his house at 5:00 a.m. and he is not as near to the quarry as Mrs. Wilson. Stating some of the problem being the residents of Rockford all do not understand the process and what can be done or not and he has an edge on understanding how the process has to play out as a past board member. He acknowledged that he and the residents of the Rockford do not have serious concerns with the cement plant but when asphalt plant was mentioned they all do have strong objections.

**DIRECTOR COMMENTS:**

Michael reminded the board that review/revisions would begin in the new year for the Comprehensive Plan and he will be looking for feedback from the them pertaining to the towns they represent.

The yearly review of the existing zoning ordinance will also begin with two of the more prominent issues being residential size wind turbine guidelines and the permitted use of cement plants in conjunction with a stone quarry.

The December 3, 2009 meeting of the Area Plan Commission adjourned at 9:00 p.m.

*Bill Horan*

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Bill Horan, President

ATTEST: *Michael W. Lautzenheiser, Jr.*  
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Michael Lautzenheiser, Jr., Secretary