MINUTES OF MEETING OF
WASHINGTON COUNTY PLAN COMMISSION
BOARD OF ZONING APPEALS
Held May 1, 2017
Washington County Government Building

The Washington County Plan Commission was called to order at 7:00 p.m. by President, David Hoar. Plan Commission members in attendance were David Hoar, Kevin Carty, Danielle Walker, Preston Shell, Jeff Souder, Ervin Day, and Mark Hartman. Absent was Anthony Scifres. The Board of Zoning and Appeals was not called to order. Board of Zoning Appeals members present were Max Greene, Darrell Tye, and Mark Hartman. Absent were Anthony Scifres and John Mishler. Also present was WCPC/BZA attorney John Mead and Plan Director Travis Elliott, and members of the public Michael Gettlefinger and Rhonda Greene.

The Pledge of Allegiance was led by Preston Shell and Kevin Carty offered prayer.

Minutes of the April 3, 2017 meeting were reviewed. Upon motion by Preston Shell, second by Danielle Walker, the minutes were unanimously approved.

Plan Director Travis Elliott introduced Michael Gettlefinger. Gettlefinger has applied to IDEM for a manure storage facility. He has sent out the notices required by IDEM to property owners within a half mile of the site. The notices were not sent by certified mail. Gettlefinger is asking permission to waive the certified mail requirement in the local ordinance for approval. The question is whether the IDEM notification satisfies the Plan Commission's requirement.

There was discussion amongst the Board of Gettlefinger's request. IDEM requires notification within a half mile; the local ordinance only requires notification to adjoining land owners. David commented that it was his recommendation that Gettlefinger send notice by certified mail to the adjoining land owners.

There was discussion regarding the impact of the storage facility. There was some comment that this was an upgrade to the property; Danielle questioned the application of the existing point system to this request. Ervin commented this should improve points on the Board's application. Ervin inquired as to the distance to the county road and was told 4000'.

After further discussion, upon motion by Danielle Walker, second by Preston Shell, and the same being unanimously approved, the Commission required Gettlefinger to send notice to the adjoining land owners by certified mail.

There was some discussion regarding the type of notice to be given. The consensus was that a simple letter would be sufficient.

There was discussion regarding the current application form. It was felt the current application form does not meet the needs for a compost or manure storage facility. A simpler form is needed. It was noted that such a facility is an improvement of the overall operation.

General consensus of the Commission that a manure or compost storage facility is an improvement overall to the property, but an application for just a compost or manure facility

does not meet the threshold in our points system. David recommends that the Commission develop something separate to address applications for manure storage or compost buildings. It was noted that the classification of the operation itself would determine a minimum setback required for a storage building. A determination would need to be made whether the facility was AFO, CFO, or CAFO.

Upon motion by Kevin Carty, second by Mark Hartman, the Commission requested that Travis create an application for a storage or compost building to be used in those circumstances.

Travis questioned the fee to be charged for a manure or storage building application. The permit fee now for an AFO, CFO, or CAFO application is $250.00. Travis recommends that that fee be increased to $300.00 and then an application for separate manure storage facility be decreased to $100.00. No action was taken by the Commission.

Question regarding the setback to be applied to a manure or compost facility and how that would apply if the facility was grandfathered in under the ordinance. After further discussion, it was decided that a new manure facility would have to meet the minimum setback requirements for the type of facility (AFO, CFO, or CAFO) that is existing at the site. In the Gettlefinger case, the facility itself is grandfathered under the ordinance but the new application for the manure facility will need to meet the minimum setback requirements.

Travis commented on an open application by Zeigenbein. Question regarding odor abatement. Zeigenbein is going to remove trees and there was an issue regarding the allowance of points for green barrier. There was discussion by the Commission regarding issues. It was noted that, in order to receive points for the barrier, it must, in fact, exist. If Zeigenbein is going to remove trees, then he will need to move the structure in order to obtain additional setback points or plant a green barrier.

Travis raised a question regarding the recording of splits and the impact of the county Subdivision Control Ordinance. He questioned what is an exempt tract. He stated that if a sell-off is more than twenty (20) acres then it is not being recorded as a split. Jeff Souder commented that twenty (20) acre size is a benchmark. There was discussion of the subdivision ordinance. Jeff noted there are two (2) exemptions in the ordinance – family members and adjoining landowners.

David commented that the Commission needs to go back and review the Comprehensive Plan and the Subdivision Control Ordinance and consider the interaction of the two (2).

There being no further business, upon motion by Preston Shell, second by Mark Hartman, the Plan Commission unanimously approved to conclude its meeting at 8:30 p.m.

Washington County Plan Commission by:

David Hoar, President

Danielle Walker

Jeff Souder

Ervin Day

Mark Hartman

Anthony Scifres

Preston Shell

Kevin Carty

Board of Zoning and Appeals by:

Max Greene

Darrell Tye

John Mishler

Anthony Scifres

Mark Hartman

WCPC/BZA Attorney:

John W. Mead/Mark D. Clark