

**Shelby County Plan Commission
Meeting Minutes
Tuesday
July 23, 2019**

Members Present:

Terry Smith
Scott Gabbard
Taylor Sumerford
Doug Warnecke
Chris Ross
Charity Mohr (arrived during petitioner's opening statement for RZ 19-09)

Members Absent:

Mike McCain
Steve Mathies
Kevin Carson

Staff Present:

Desiree Calderella – Planning Director
Mark McNeely – Plan Commission Attorney

Call to Order and Roll Call:

Doug Warnecke called the July 23, 2019 meeting to order at 7:00 pm in Room 208 A at the Court House Annex.

Approval of Minutes:

Chris Ross made a motion to approve the minutes from May 28, 2019. Terry Smith seconded the motion. The minutes were approved 5-0.

Public Hearings:

Doug Warnecke began the public hearing portion of the meeting by explaining the proceedings for the petitions.

New Business

RZ 19-08 – TAYLOR REZONING: Rezoning from the A2 (Agricultural) District to the RE (Residential Estate) District and waiver request to allow for a re-plat. The property is located in Jackson Township at the address 7400 W SR 252, Edinburgh.

Desiree Calderella read the petition into the record and stated that Staff recommends approval.

Paul Taylor had no additional comments.

The board opened the hearing for public comment. None was heard. The Board closed the public comment portion of the hearing.

Scott Gabbard made a motion to vote on the petition and Chris Ross seconded that motion. **The petition was approved 5-0.**

The Board adopted the following findings of fact:

1. The request is consistent with the Shelby County Comprehensive Plan.
2. The request is consistent with the current conditions and the character of current structures and uses in each district.
3. The request is consistent with the most desirable use for which the land in each district is adapted.
4. The request is consistent with the conservation of property values throughout the jurisdiction.
5. The request is consistent with responsible development and growth.

RZ 19-09 – CALDWELL DEVELOPMENT. LLC REZONING: Rezoning from the A1 (Conservation Agricultural) District to the A4 (Residential Estate) District to allow for a composting operation. The property is located in Jackson Township at the address 7400 W SR 252, Edinburgh.

Desiree Calderella read the petition into the record and stated that Staff recommends approval.

J. Lee McNeely, attorney for the petitioner, presented the case and provided the Board an informational packet (see case file).

The board opened the hearing for public comment.

Mike Buccieri, who lives at 1309 E Shelby 1200 N, Greenfield, presented a letter (see case file).

Steve Cummings, who owns property at 5851 S 200 E, Greenfield, indicated that he had concerns about the operation attracting rodents and insects, that the clay pad would not work, and about maintenance of the operation during the winter.

David Bolls indicated that the nearby dump already produced an odor and that the operation would increase traffic.

Diane Hannell, who lives at 11202 N 200 E, Morristown, indicated that she had concerns about the operation attracting animals and producing traffic.

Tina Wolf indicated that she had concerns about drainage and water contamination.

Kristina Bolls indicated that she had concerns about maintenance of the operation during the winter.

Tony Hughes indicated that he had concerns about traffic, road safety, road maintenance, previous issues with nearby businesses, and health effects.

Greg Conner, who owns property at 2546 E 600 S, Greenfield, asked for clarification on the physical barrier on the north side of the property and the physical footprint of the operation. He indicated that he did not think the operation would produce a significant amount of traffic.

The Board closed the public comment portion of the hearing.

Lee McNeely indicated that the operation would generate less than 10 trucks per day. He indicated that the operation would not impact drainage and may improve drainage in the area. He indicated that IDEM would monitor water quality. He indicated that planted corn would act as a buffer along the north side of the property. He indicated that windrows would be turned as needed, even during the winter. He indicated that the petitioner plans to make a significant investment in the operation and will likely not use the property for any other purpose.

Q: Doug Warnecke – What is the footprint of the operation?

A: Lee McNeely – Initially 4 acres and would never exceed more than 65% of the property.

Q: Doug Warnecke – How will the operation prevent trucks from leaking material onto the roads?

A: Lee McNeely – Materials are regulated by IDEM.

Q: Doug Warnecke – What traffic patterns will the operation generate?

A: Jordan Caldwell – 90% will use US52. They will not have any business contracts.

The Board, Lee McNeely, and Jordan Caldwell discussed technical aspects of the operation.

Q: Doug Warnecke – How long will each windrow be processed?

A: Jordan Caldwell – 60 – 90 days.

Q: Terry Smith – Do you plan to build any structures?

A: Jordan Caldwell – One barn.

Q: Chris Ross – Does the 20k tons represent the outbound material?

A: Jordan Caldwell – Yes.

Taylor Sumerford stated that he would like to visit an existing operation prior to voting.

Terry Smith indicated that the IDEM website listed 90 registered composting operations in the State.

Doug Warnecke stated that the operation would support County agriculture.

Q: Scott Gabbard – Any issues with drainage?

A: Lee McNeely – Regulated by IDEM.

Q: Scott Gabbard – Will the operation generally be out of production during the winter?

A: Jordan Caldwell – Yes.

Scott Gabbard stated that IDEM would regulate any chemicals.

Q: Desiree Calderella – Is the area shown for the 65% on the site plan an example or what the petitioner will commit to?

A: Lee McNeely – An example.

Terry Smith indicated that other uses permitted in the A4 District, except maybe a grain elevator, would have less real or perceived impact on surrounding property.

Chris Ross made a motion to vote on the petition and Charity Mohr seconded that motion. **The petition was approved 5-0**, with Taylor Sumerford abstaining.

The Board adopted the following findings of fact:

6. The request is consistent with the Shelby County Comprehensive Plan.
7. The request is consistent with the current conditions and the character of current structures and uses in each district.
8. The request is consistent with the most desirable use for which the land in each district is adapted.
9. The request is consistent with the conservation of property values throughout the jurisdiction.
10. The request is consistent with responsible development and growth.

RZ 19-10 – NOTICE TEXT AMENDMENT: Amendment to Article 9 to require that the Zoning Administrator publish legal notice in a newspaper of general circulation and pay the costs associated with such notice for all public hearings.

Desiree Calderella read the petition into the record and explained the purpose of the ordinance amendment.

Chris Ross made a motion to vote on the petition and Scott Gabbard seconded that motion. **The petition was approved 6-0.**

Discussion

Comprehensive Plan

The Board suggested a few changes. Desiree Calderella and the Board agreed that they should review the plan annually and adopt a new plan in five years.

Adjournment:

With no further business to come before the Board, Chris Ross made a motion to adjourn. Charity Mohr seconded that motion. The meeting was adjourned.

Doug Warnecke
President

Date

Scott Gabbard
Secretary

Date