

**MINUTES  
AREA PLAN COMMISSION  
NOVEMBER 5<sup>TH</sup>, 2007**

**PUBLIC HEARING OF THE AREA PLAN COMMISSION OF GRANT COUNTY** was held on Monday, November 5th, 2007 at 7:00 P.M. in a regularly scheduled meeting on the first floor of the Grant County Office Complex at 401 South Adams Street, Marion, Indiana. The following members were present: Myron Brankle, James Dickey, Dennis Fox, David Glickfield, Bob Highley, Gary Johnson, Jim McWhirt, Tony Manry, Dick Trobridge, John Woodmansee, and John Bonham, President. Members absent were Kim Windle. Staff present was Kenneth Ellis, Executive Director, Dale Carr, Joella Meeks and Brenda Harrison.

John Bonham brought the meeting to order with the Pledge of Allegiance.

John Bonham announced to the audience that the first petition would not be heard, that it was going through the IDEM appeal process and we would not hear it until the January meeting.

**Motion was made by Dick Trobridge to approve the August minutes as written, Tony Manry seconded. All members present voted yes; motion carried.**

**Docket: 03AFO-2007 (Public Hearing)**

**Name:** John Stuber

**Address:** 5353 E 300 N, Marion

**Zoning District:** Agriculture

**Legal Description:** Located in the Southwest Quarter of Section 25, Township 25 North, Range 8 East (Washington Township).

**Request:** Development Plan Review

We are waiting for the results of the IDEM Administrative appeal process.

**MOTION: Dick Trobridge made the motion to continue Docket 03AFO-2007 until the January meeting. Bob Highley seconded. All members present voted yes; motion carried.**

**Docket: 8Z-2007 (Public Hearing)**

**Name:** Leland Boren/Pacific Services Co. **Address:**

**Approximately 1707 S Main Street, Upland, IN 46989**

**Zoning District:** Residential Suburban

**Legal Description:** Being 25.135 acres, more or less and located in the Southwest Quarter of Section 10 in Jefferson Township (Upland Corporation).

**Request:** To change the zoning from Residential Suburban to Professional Business.

**Reigle, Upland Health & Diagnostic, Upland, IN represented this petition along with Angela Taylor and**

Mr. Reigle stated that the Upland Health & Diagnostic is planning on expanding and will be building new facility and needs the remaining portion of property rezoned to professional business from residential suburban.

The proof of publication is on file.

There were no objectors in the audience or on file.

**MOTION: Tony Manry made the motion to Docket 8Z-2007 to give a favorable recommendation to the Upland Town Council; Jim McWhirt seconded. All members present voted yes; motion carried.**

**Docket: 9Z-2007 (Public Hearing)**

**Name:** Robert Brown / Juan J. Correa

**Address:** 4034 E 100 N, Marion, IN 46952

**Zoning District:** Residential Suburban

**Legal Description:** Being 1.2 acres, more or less and located in the Northwest Quarter of Section 2 in Center Township.

**Request:** To change the zoning from Residential Suburban to Residential-4.

**Robert Brown, Marion, IN represented this petition.** Mr. Brown stated that he is creating a homeless transitional facility for veterans. They will be training the veterans how to use computers, telephones, etc. in order for them to take care of themselves. There are 800 homeless vets in Grant County. Mr. Brown stated that he and his wife along with Homer Tipton run Healing Families Ministries Church. He is working in conjunction with the VA. In the future, Mr. Brown stated that they would like to have a 100-acre horse ranch for the veterans to work at. Behind the church is the fellowship hall, Mr. Brown stated that they will be converting it into three bedrooms, and plan to expand that in the future. Also, plans to build a 100 x 50 two-story structure, in the future, to house five female veterans.

### **OBJECTORS:**

**Mick Roush, Marion, IN 46953** stated that he wasn't against the vets, but wanted to know since they were working with the VA and being a church, if this was an infringement of church and state and if they had Core A & B training. Also wanted to know what kind of protection there was for the neighbors.

### **REBUTTAL:**

Mr. Brown replied to Mr. Roush by stating that it did not infringe on church and state because they were a charitable outreach. Mr. Brown went on to explain that the medicines use would be under lock and key, there would only be non-narcotic drugs, there would be no sex offenders at the facility. This facility is to help the veterans get off the street. Currently, there aren't any full-time certified personnel, which he was working on getting certified. The vets that will be there are to be clean and sober for 90 days. They will be taught life and job skills. Mr. Brown also stated that the neighbors would not be harmed. He stated that it was a 12-step recovery process with biblical steps and he wants to educate the public about vets.

**MOTION: Bob Highley made the motion to Docket 9Z-2007 to give a favorable recommendation to the County Commissioners; Dick Trobridge seconded. All members present voted yes; motion carried.**

**Docket: 1P-2007 (Public Hearing)**

**Name:** Barry Barrett/Randall Miller

**Address:** Approximately SW Corner of South & 8<sup>th</sup> Streets, Upland, IN 46989

**Zoning District:** Residential-1

**Legal Description:** Being 1.75 acres, more or less and located in the Southeast Quarter of Section 4 in Jefferson Township (Upland Corporation).

**Request:** To approve the vacation of the existing Upland Land Company's 1<sup>st</sup> Addition plat and to approve the preliminary plat for The Highlands Subdivision consisting of 5 lots.

**Joseph Certain, of Kiley, Harker, & Certain, Marion** represented this petition. Mr. Certain explained that in order to start the preliminary plat of The Highlands Subdivision, the existing plat needed to be vacated. The Highlands would consist of 5 lots for Single Family Development, there would not be any manufactured homes allowed.

**Randall Miller, 145 E 3<sup>rd</sup> Street, Marion** stated that in the future there will be more lots developed, and that they have asked for a concept of future plans.

Mr. Manry asked if a variance was needed. Mr. Ellis replied that it was not need in a platted subdivision.

The proof of publication is on file.

There were no objectors in the audience or on file.

**MOTION: Bob Highley made the motion to Docket 1P-2007 to vacate the existing plat; James Dickey seconded. All members present voted yes; motion carried.**

**MOTION: Tony Manry made the motion to Docket 1P-2007 to give a favorable recommendation to the Upland Town Council; Dick Trobridge seconded. All members present voted yes; motion carried.**

#### **1AZM-07 – Amendment of the Zoning Maps. (*Continuation*)**

Ken Ellis, Executive Director stated that the Area Plan Office had sent out letters to the property owners, and there had been replies back to the office regarding the zoning changes either by written request or verbal.

The proof of publication is on file.

There were no objectors in the audience or on file.

**MOTION: Bob Highley made the motion to Docket 1AZM-07 to give a favorable recommendation to the Grant County Commissioners; Jim McWhirt seconded. All members present voted yes; motion carried.**

#### **OTHER BUSINESS:**

Mr. Bonham stated that the Executive Committee had met to discuss manure handling. The proposal made was taken to the Area Plan Attorney Bruce Elliott.

Bruce stated that the state statute resolution would run afoul of the state. Area Plan does not have the right to regulate manure application. That is the job of the State Chemist and IDEM. Area Plan Commission is only to do zoning and setbacks.

Mr. Bonham stated that there should be a schedule established for the Executive Committee regarding their next meetings.

Mr. Bonham stated that they would open the floor for the public to speak and they would be given two minutes.

#### **Steve Palmer, 9936 E 200 S, Marion**

Mr. Palmer stated that he was the Regional Manger for Farm Bureau. He has dealt with livestock for years. He stated that we need to meet specifications.

#### **Mick Roush, 6271 E 100 N, Marion**

Mr. Roush stated that we need farmers. He said that in the United States we have the safest food and that we don't want our food coming from across the borders.

**Sandra Buckler, 3645 N 800 E, Van Buren**

Mrs. Buckler wanted clarification on the manure handling. Mr. Highley explained that the Plan Commission could not regulate manure handling, that it was the job of the State to regulate.

**Gilbert Foudray, 4691 E 550 N, Marion**

Mr. Foudray stated that he had a retention pond in, and there had been a fish kill. He stated that the Health Department had no concerns regarding the fish kill, and that the Department of Natural Resources had no concerns, and he called the IDEM Emergency Response and they came out. The problem was from a septic system that was above ground. And there was no place for the waste to go but into streams and into the pond.

**Wendell Cates, 2937 W 200 N, Marion**

Mr. Cates stated that IDEM keeps good care of what they put on and how much. No one is out to hurt anyone.

**Mike Turner, 5180 E 200 N, Van Buren**

Mr. Turner stated that he would like to see more vets than hogs.

**Dan Pierce, 1045 E Bond, Marion**

Mr. Pierce stated that there is a bit of confusion. Something against factory farms and the stench would affect him and those that visit.

**Phil Mitchell, 2231 N 600 E, Marion**

Mr. Mitchell stated that the 8,000 hogs would be behind his home. He had worked at GM plant for 30 years to pay for his home, and now there will be 8,000 hogs behind him that will destroy their lives.

**Jason Sweet, 8625 W 697 N-27, Converse**

Mr. Sweet stated that he had just built a hog barn for 2400 hogs. He stated that if the barn is built right there is no problem. He said that there is more of a stench in older barns than the newer ones. Mr. Bonham told Jason how much he appreciates how he runs his business. Mr. Dickey asked how strict IDEM was. Mr. Sweet stated that IDEM has been out twice, but would be there more if there were a spill or a neighbor complained. He also mentioned that the Area Plan Office was out everyday.

Myron Brankle stated that he began with the dairy trying to come into Van Buren. He went with the County Commissioners and others to Ohio to the CAFO there; it was nice better than DeGroot. Then he went to Newton County to the Fair Oaks dairy. The dairy he went through was for show. He went to the other dairies in Newton County and they were nothing like the first one he saw. They were operated by Hispanics, and manure was being spread 24/7. There aren't any other residents in Newton County except for the factory farms.

He would prefer for the manure handling to be controlled by Grant County instead of IDEM.

**Motion made by Tony Manry to adjourn the meeting, Dick Trobridge seconded. All members present voted yes; motion carried.**

Meeting adjourned at 8:45 pm, and the APC Executive Committee met following the meeting for a brief discussion.

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**John Bonham, APC President**