

WABASH COUNTY PLAN COMMISSION

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Wabash County Board of Zoning Appeals

Wabash County Court House

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BZA MEETING MINUTES

TUESDAY, JANUARY 24, 2023

BZA MEMBERS: Dan Dale, Patty Godfroy, Mark Milam, Joe Vogel, Jerry Younce, Attorney Larry Thrush

PRESENT: Mark Milam, Joe Vogel, Dan Dale, Patty Godfroy, Jerry Younce, Brian Campbell, Plan Director; Larry Thrush, Board Attorney; Amanda Lyons, Board Secretary;

others present include: Bruce Horner, Traci Horner, Latheda Metzger, Dan Metzger, Cris Renn

The Wabash County Board of Zoning Appeals met on Tuesday, January 24, 2023, in the Commissioners Meeting Room of the Wabash County Courthouse. Board Chairman, Joe Vogel called the meeting to order at 7:00 pm. Mr. Vogel asked if there were any additions or corrections to the minutes of the December 12, 2022 meeting, there being none he asked for a motion to approve the minutes as written. Motion to approve by Mr. Milam, second by Mr. Dale, motion carried unanimously 5 – 0.

Mr. Vogel: The first item on the agenda is Election of Officers for 2023. Mr. Milam nominated Mr. Vogel for chairman, second by Ms. Godfroy. Board voted 5-0 in favor of Mr. Vogel serving as chairman. Mr. Younce nominated Mr. Milam for co-chairman, second by Mr. Dale. Board voted 5-0 in favor of Mr. Milam serving as co-chairman. Mr. Vogel nominated Ms. Lyons for secretary, second by Ms. Godfroy. Board voted 5-0 in favor of Ms. Lyons serving as secretary.

Mr. Vogel: The next item on the agenda is reviewing the Year End 2022 Report. Mr. Campbell presented board members with a copy of the reports and reviewed with them the Unsafe Premise fund, Monthly Summary of Collections, Permit Summary by Permit Type, Annual Permit Income report, New Homes report, Wabash County Permits 1990-2022, the 2016-2022 Permit Comparison, and Complaint Totals for 2022. Mr. Vogel asked for a motion to approve the 2022 Year End Reports. Motion made by Mr. Milam, second by Jerry Younce. Roll call vote was taken, with all members presents voting in favor. Motion passes 5-0.

Mr. Campbell shared with the board that he is researching online permit systems. One company, Cloud Permit, has quoted the service at \$6,000/year for the permit system, \$1,800/year for the code enforcement system, and a one-time set up fee of \$2,000. They determine the cost based upon the population. Cloud Permit system includes unlimited data storage and software support. Mr. Dale and Mr. Vogel inquired about funding if we opted to go with an online system, would it require asking County Council for an additional appropriation? Mr. Campbell shared with them that he would have to research the funding options further, and that he plans to research other online permit systems further as well. Cloud Permit indicated they could

operate with the systems we currently have, and they would integrate our forms and GIS. Mr. Vogel expressed an interest in online because of ease of access at any time.

Mr. Vogel then asked Mr. Campbell to provide an update on the solar project. Mr. Campbell shared with the board that Mr. Chris Neff from NextEra had visited the office to introduce himself on January 11, 2023. Mr. Neff offered two dates for potential tours of the Dunn's Bridge project, February 1st or February 8th. The Plan Commission office sent information to the PCB, BZA, County Council, and County Commissioners to determine which date would work best. Between those groups and NextEra it was determined the tour will take place on Wednesday, February 1, 2023. NextEra will provide a bus for transportation. The group will meet at the west side of the Honeywell Center parking lot and depart from there. It is approximately 1.5 hours commute each way, with about 2 hours needed on site for tour. Mr. Vogel then asked if there were any questions or concerns from board members or others in attendance.

Ms. Metzger: Will the public be invited to participate in the tour as well?

Mr. Campbell: At this time, I do not think that would be possible as numbers have already been submitted to NextEra for transportation and PPE. County attorney Steve Downs has worked with NextEra attorneys to ensure everything is set up properly.

Ms. Metzger: Is the proposed project to be all located on the south side of Wabash County?

Mr. Vogel: As far as I am aware it is to be all south, between State Road 13 and State Road 15.

Ms. Metzger: Is the board aware where battery storage placement would be and the effect on neighboring properties to those locations? Or in the event of expansion?

Mr. Vogel: My understanding is this location is the best option in Wabash County due to the power lines that are in the area. I would think they would have to come back before the board, but not certain.

Ms. Metzger: And the county gets \$9 million?

Mr. Vogel: I do not know that.

Ms. Metzger: What is the procedure if something happens that requires fire or emergency response and who is responsible for training emergency responders?

She was referred to the solar ordinance for more information on the training that is to be provided.

Mr. Renn: How did this project come to Wabash County, did the board ask them to come?

Mr. Vogel: NextEra had an interest in the area due to the location with the transmission lines, the company contacted Grow Wabash County, and from there a group came before the board.

Mr. Campbell: I believe the company contacted Grow Wabash County, and from there a group came before the board.

Mr. Renn: When people would be notified to share their disagreement?

Mr. Campbell: When NextEra files the Special Exception those within the required area would be notified by mail.

Mr. Renn: Will you speak with residents in the area when touring?

Mr. Vogel: The tour is informational only with the company. But I want to assure you that people will not be shut out from sharing concerns and asking questions. I anticipate a lot of people will have questions.

Mr. Renn: At this point nothing is agreed upon?

Mr. Campbell: At this point they have not applied yet. They are working with landowners on leases currently is our understanding.

Ms. Metzger: Who are the landowners? Is there a map available?

Mr. Campbell: We have a crude map, but do not know exactly who is included.

Mr. Vogel: They are looking at a strip along 15 that goes at an angle toward Somerset, but I don't know all the landowners.

Mr. Dale: I know from talking to landowners that some landowners have turned it down, some have agreed. So it won't be one big block, probably be scattered.

Mr. Vogel: It could be they won't get enough to make it profitable.

Ms. Metzger: What is the name of the company?

Mr. Campbell: NextEra

Mr. Vogel: The public can always call the office to check if any information is being given. Typically anything goes to Plan Commission Board first then to Board of Zoning Appeals with a favorable or unfavorable recommendation from the Plan Commission Board.

Mr. Renn: Why have minutes not been updated online since November?

Mr. Vogel: December 12th meeting minutes were approved tonight and will be posted. If there's no new business, we don't meet. I would encourage you to attend the Plan Commission Board meeting on February 2. We may be able to discuss more after the February 1 tour.

Ms. Horner: They are surveying out there, but you have no map?

Mr. Vogel: They are doing soil tests but have not brought anything to us yet.

Mr. Campbell: Mr. Mike Howard, the former Plan Director, has suggested that when they do apply we go through the ordinance line by line to insure the application meets the requirements with Board Attorney Larry Thrush.

Mr. Dale: I spoke with the crew that was working. They were putting posts in the ground and after a few days they have a process they use to check for wobble to determine if the ground would withstand the panel placement. That's being done before they sign with landowners. They are still working with landowners and have not started with the county yet.

Mr. Campbell: Yes.

Ms. Horner: Would they have to have the land owner permission to place posts?

Mr. Vogel: Yes.

Ms. Horner: What is the timeline for the project?

Mr. Dale: The timeline was in the minutes we approved this evening. They anticipate having a site plan in spring 2023, filing for a Special Exception in spring 2023, and having a final plan in winter 2023-2024, with construction taking 18-24 months after final plan.

Mr. Renn: When do we need to be ready to complain?

Mr. Dale: Spring 2023

Mr. Vogel: Information will be published in the newspaper, Wabash Plain Dealer, when they file for the Special Exception.

Mr. Campbell: I have discussed the need for public information meetings with NextEra

Mr. Renn: Who has the final decision?

Mr. Campbell: This Board.

Mr. Renn: So you'll take a vote?

Mr. Vogel: Yes.

Mr. Horner: How does the process start?

Mr. Campbell: NextEra will submit a Special Exception. It will go before the Plan Commission Board and then Board of Zoning Appeals.

Complaints

Mr. Campbell shared with the board:

- He has met with Mr. Thrush for some updates on open complaints
- MacOwan / Ebert house south of LaFontaine on State Road 15
 - MacOwan was owner but had a tenant in the house, had complaints of trash and rubbish.
 - MacOwan sold the property to the tenant's mother, Ada Ebert.
 - Within days of the purchase, the house caught fire. Ms. Ebert has had the house inspected by a few contractors. At this time, they do not believe it is salvageable. She reports it has been boarded up, she is working on cleaning up the trash on the property, and she will advise on demolition plans. She would like to maintain the well and septic on the property if possible. Well is located in the basement.
- Other complaints that have come in to the office have been minor, working through contacting owners for correction on those.

Other business:

Mr. Campbell shared with the board that a Verification of Drainage Plan was required for an ILP under the new ordinance. The Plan Commission Office created a form that will allow the Surveyor's Office to determine if an exemption can be used or if a project will need to go before the Drainage Board. Mr. Campbell attended the Drainage Board meeting on January 17, 2023 and got the form approved.

Mr. Campbell also shared with the Board that the Plan Commission office met with Marcie Shepherd, County Auditor. She shared how the TVs and other technology in the meeting room could be integrated into Plan Commission and Board of Zoning Appeals meetings. Mr. Campbell plans to slowly

integrate it as it would allow the use the GIS systems, etc. during the meetings and could eventually cut down on the number of printed papers used.

There being no further business Mr. Vogel asked for a motion to adjourn. Mr. Younce made the motion to adjourn, seconded by Mr. Milam, motion carried. Meeting adjourned at 7:50 pm.

Amanda Lyons

Secretary, Wabash Co. Board of Zoning Appeals