

BZA MINUTES

November 18, 2013

Members present: Charles Addington, Bill Davis, Lee DeGuise, Myron Cougill, Dan Rismiller.

Members absent: Phil DeHaven, Christy Starbuck

Staff present: Jamie Stump, Recording Secretary/Executive Director

Legal representation: Jason Welch.

Others present: See attached sheet

The meeting was called to order by Chairman Lee DeGuise at 7 p.m.

Chairman DeGuise: It's a little after 7 so I will call this meeting of the Randolph County Board of Zoning Appeals in session. First item on the agenda is to approve the minutes from our last meeting, September 16, 2013. For the record today's date is November 18, 2013. Do I have a motion to approve the minutes?

Unknown: So moved.

B. Davis: Second.

Chairman DeGuise: All those in favor signify by saying Aye. All those opposed. Minutes are approved. Ok, the only application we have on tonight's docket is BZA2013-19-V a Variance. I am assuming you are here as the applicant sir? Would you please step forward and state your name and address for the record, this is a recorded meeting.

J. Nemeth: My name is Jeffery Nemeth, I live at 4507 Washington Boulevard, Indianapolis, Indiana. And I am representing EDP Renewables as the applicant for the variance.

Chairman DeGuise: Ok, have you received Article V, Conduct of Hearing from Jamie and her office?

j. Nemeth: Yes, I have.

Chairman DeGuise: Ok, what we need you to do is give a brief synopsis of what you are applying for and why.

J. Nemeth: Sure, so, EDPR as part of our ongoing studies with the wind farms we are developing and will be constructing here in Randolph County, we are wanting to install a temporary Meteorological Tower that exceeds the height restriction. The height restriction ordinance that you have here on the books. What we are proposing to install is a 95 meter MET Tower, which is actually the hub height of the current towers that we would be installing here in the project. It allows us to give a more accurate reading of what the wind speeds will be at that height. It really helps us fine tune our projections of what the wind speeds will be.

Chairman DeGuise: One quick question, Jamie was everything published according to the regulations?

J. Stump: Yes. It will be up there how long?

J. Nemeth: It will be there two years.

Chairman DeGuise: And I assume that with this application you have permission from the current landowners?

J. Nemeth: Yes, we have entered into a legal agreement with the landowners that would allow us to install the tower there.

Chairman DeGuise: And, Jamie, your office has had no phone calls regarding this application?

J. Stump: No. None.

Chairman DeGuise: In particular, the airport, that is the one I would be concerned about.

J. Nemeth: We have received our FAA permit for the tower, anything greater than 200 feet requires an FAA determination and we have received a positive determination on this.

Chairman DeGuise: We also have, correct me if I'm wrong, Jason, somewhere in our ordinances having to do with MET Towers and the Turbines, we have to have local airport ok. I know we did when we went through that one in the City of Winchester.

J. Welch: Yes, there is a place in the ordinance that makes reference to that.

J. Nemeth: My understanding is when they go to the FAA they contact the local airports.

Chairman DeGuise: I am just trying to cover the board, we had a hearing for a wind tower here in Winchester, and we had to go through this and we had to be involved with the airport. So we are just making sure we are covered, that's all.

J. Welch: For an application, according to the ordinance I am looking at 16.11.4, is this generally applicable, it's what we have used in the past. It indicates there needs to be a copy of an agreement from the landowner authorizing the placement, a preliminary site plan, and then BZA approval upon the petition for hearing.

J. Stump: I have all that in the office. I mean, I don't have it on the records.

J. Welch: Do you have a preliminary site plan?

J. Nemeth: Yes, we have provided a map showing where the MET Tower would be located as well as showing exactly what the distances...

Chairman DeGuise: We have this part.

J. Nemeth: No, that's not what I submitted.

Chairman DeGuise: That's just what we get here in the BZA.

J. Nemeth: No, I provided a detailed map showing where it would be located on the property, and then also the distances from each of the adjoining landowners.

C. Addington: All the surrounding people were given notice?

J. Nemeth: Yes, there was a publication that was sent out.

Chairman DeGuise: So we have no negative calls that we know of?

J. Stump: No.

Chairman DeGuise: Anyone have any questions for this gentleman? No questions, I know it's obvious, but I have to say this....but does anyone in the audience have any questions or comments. Any motions from the board?

B. Davis: I will make a motion to take a vote.

[Unknown] Second.

Chairman DeGuise: All those in favor signify by saying aye. All those opposed. And the motion passes. We need to take action to approve. We'll do it that way.

B. Davis: I make a motion that we take action to approve.

[Unknown] Second.

Chairman DeGuise: All those in favor of the motion to approve signify by saying aye. All those opposed. Jamie, do you want to take a roll call vote.

J. Stump: Yes, Charles Addington, yes. Bill Davis, yes. Lee DeGuise, yes. Myron Cougill, yes. Phil DeHaven, absent, Christy Starbuck, absent, Dan Rismiller, yes. Motion approved.

Chairman DeGuise: The variance is approved, you still have some work to do as far as the permit itself.

J. Stump: Here is the copy of the ordinance, it's on...

J. Welch: page 163

J. Stump: It's on page 163, and that will give you the rest of the stuff of what you need to do to apply for the permit. You need to bring the stuff in from the airport....

J. Nemeth: You said you need the landowner contract, and the information from the FAA, I will bring those in.

J. Stump: And there's a few other things on there so if I could get those I would appreciate it.

Chairman DeGuise: But you're all set with this board, though. That's it.

J. Nemeth: Thank you very much. Have a good night.

Chairman DeGuise: I would like to introduce a motion to adjourn the meeting.

B. Davis: Second.

Chairman DeGuise: All those in favor signify by saying aye. All those opposed. This meeting of the BZA is adjourned.

Lee Deguise, Chairman

Christy Starbuck, Vice Chairman

Jamie Stump, Executive Director/Recording Secretary