

BZA MINUTES

FEBRUARY 26, 2007

Members present: Mike Blankley, Dale Clevenger, Charles Addington, Bill Davis, Gary Moore, Christy Starbuck.

Members absent: James Trautman.

Staff present: Cathy Flatter, Executive Director, Jamie Stump, Recording Secretary.

Legal representation: Robert C. Oliver.

Others present: See attached sheet.

The meeting was called to order by Chairman, Mike Blankley at 7:00 PM.

Chr. Blankley: First thing on the agenda tonight is to approve the minutes of the January 22, 2007 meeting. I would entertain a motion to accept the minutes as written.

G. Moore: So moved.

D. Clevenger: Second.

Chr. Blankley: A motion has been made and seconded. Everyone in favor of the motion say aye. "Ayes". Opposed (none). The minutes have been approved as written.

BZA 2007-1-CU Kamp Modoc, (Modoc, IN)

Chr. Blankley: What we will do is call the first petitioner up to the microphone and speak your name and you will tell us what you want to do and then we will ask questions. Anybody against it, everybody will have an opportunity to speak and we will just go back and forth until we are done and then we will take a vote on it. Jamie the first one will be BZA 2007-1-CU, Kamp Modoc. Mr. Swift, I believe is the petitioner. First of all, we will ask you Jamie if the notices have been sent out and received back.

J. Stump: Yes.

C. Flatter: Twice.

Chr. Blankley: So will you speak into the microphone and tell us your name and what you want to do.

J. Swift: My name is Jim Swift and I am the managing member of Kamp Modoc, LLC located in Modoc, Indiana. What I request is to get a conditional use permit to build a approved septic system for camp ground usage on the northeastern part of the specified lot there. It is currently a farm field. I have just received information from the Indiana State Department of Health as far as how much usage and retention time and all that kind of stuff. I just received that a couple weeks ago. Also I am looking to build, somewhere in the future, build on the southwestern part of this property, buildings, whether it be a store, office or game room buildings for camp ground use.

Chr. Blankley: And if I recall, it has been a few days since I read this, you are going to put a liner in it?

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J. Swift: Oh yes, they require, I was just reading through one of my papers and they require some kind of polyethylene liners to line the wetland bed with them. Impermeable liner made of polyvinyl chloride, high density, polyethylene or polypropylene or other approved materials. Liner is usually 20 to 30 mil depending upon regulations. It says a 45 mil butyl rubber liner that has been treated with UV resistance may also be acceptable. I have not got drawings or anything back from the engineer yet. I just received from the State how much storage that I had to have for the amount of camp sites that we have there.

Chr. Blankley: Now when they start this, you are not going to do it are you?

J. Swift: No. I might do some of the digging but not the rest.

Chr. Blankley: Who will come in and inspect it? Do you know?

J. Swift: The State.

Chr. Blankley: The State does that.

J. Swift: If the State doesn't want to they shoot it off to the county for certain...

C. Flatter: I think that, according to what our County Sanitarium has told me before about anything that is State project, they just kind of, the county level washes their hands of it and has the State do all the inspections because there are not any local permits required.

J. Swift: Right. I had talked to Rick Burge is it?

C. Flatter: Brown.

J. Swift: Rick Brown.

C. Flatter: He is the sanitarium.

J. Swift: Okay, I talked to Rick Brown and he had indicated that occasionally the State asks him to go down and look at something or whatever. Generally the State is responsible for inspecting all of that and inspecting all of the sewer lines that are going to be put in as far as the depth and the flow and all that kind of stuff.

C. Addington: Mr. Swift you might tell about how they've got it at the rest stop down on 70. Same thing down there.

J. Swift: Down on I-70, I believe it is just this side of Greenwood, on the westbound side at the rest stop there they have a wetlands system there that they have just constructed with Purdue University. As a matter of fact, since I talked to Charles there, I had stopped by, it was a real cold day, kind of walked around it to get a closer look at what they had put in.

C. Flatter: Is that the newer truck stop that they built the new building and everything there?

J. Swift: Yes.

C. Flatter: Is it Greenfield?

J. Swift: Yes, Greenfield. On I-70, this side of Greenfield, yes. They have it right out there by the parking area and the highway.

Chr. Blankley: I am going to ask a question. It is probably silly but does that ever have to be cleaned out?

J. Swift: What happens is the sewage from the campers and the houses and the bath house go into a septic tank. The septic tank of fluid that usually goes into the ground gets pumped into the wetlands and that further filters the sediment out.

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J. Swift: To answer your question, I don't know whether the wetland gets pumped out but the septic tanks get pumped out because that is where all the solids settle right there in the septic tank.

Chr. Blankley: Any of the board members have any questions? Is there anyone in the audience opposed to this?

D. Swimm: I have some questions about it. I am not particularly opposed to it I would just like to ask some questions.

Chr. Blankley: Come up and speak your name.

D. Swimm: My name is Dennis Swimm. I am an adjoining property owner. Are you wanting to put it back where you have the flags?

J. Swift: Yes, where the flags are. No that is where the sand mounds are going to be.

D. Swimm: Where is basically the slurry pit going to be?

J. Swift: Slurry pit?

D. Swimm: Isn't it going to be like a small lake? The pictures that you sent me and where you are talking about down there at Greenfield, that is basically a small holding pit, pond. I know exactly where you are talking about. I mean, from everything you've sent me, it is going to be like a small pond.

J. Swift: That is actually under ideal circumstances, you will not see any water whatsoever. That is all gravel right there. The plants are planted into the gravel and that is what further filters the water.

D. Swimm: Then with like your inlet and outlet, where is your outlet going to go?

J. Swift: The outlet, we haven't put it down on paper yet as far as where everything is going to be positioned but right there where the flags are, I have a soil survey form and the soil scientist had done some drillings where you are talking about where the flags are, that is the drillings right there. The state had required me to put the sand mounds like right here and one right there. That is where the sand mounds are going to go.

D. Swimm: So then this isn't what you are going to do?

J. Swift: That is what I am going to do. What happens is the fluid, once it comes out of the septic tanks for the campers, then it goes through the sand mound through that right there or through the wetlands. It further filters the water and then the water goes into the sand mound and then percolates into the soil.

D. Swimm: Okay. So then it is not.....

C. Flatter: There is no actual standing

J. Swift: Under the constructed wetland system, no there is nothing standing whatsoever.

C. Flatter: It is filtered through the septic system and then through the ...

J. Swift: It is settled through the septic system.

C. Flatter: And then the fluid from the septic system goes into the wetland and then that is filtered....

J. Swift: Further filtered then it goes into the sand mounds as absorption. Now your residential, that only goes from a septic system to the ground. This has the extra filtration step.

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J. Swift: That is why we can..... you know it is a smaller area plus you have evaporation through the plants and all that kind of stuff. I am not going to say there will never be any water standing in there. If we get a heavy rain or something like that there is probably going to be some water but there is no water. You can walk on top of this.

D. Swimm: The one down at the rest area in Greenfield it is basically like a lagoon. If I am not mistaken.

C. Addington: Nope.

J. Swift: No it is not.

D. Swimm: I guess my concern is with odor being where I live at and if I maybe wanted to build a home back on the back part of my property and also with water runoff.

J. Swift: As far as water runoff,

D. Swimm: Well that is what I was just asking. Is there going to be a stream of water running anywhere?

J. Swift: No not at all. All the water is going to be filtered into the sand mounds. The way the State has it, the Department of Health has it, requires me to have a design...

D. Swimm: Well in this, this didn't and I don't know whether you even have this....

J. Swift: I just sent that to you to

D. Swimm: I know and I appreciate that.

J. Swift: to give you kind of an idea of what the wetlands system is.

D. Swimm: From this I just took it that it was going to be like a small reservoir.

J. Swift: All of that up to the top is all gravel. That is all gravel right there.

D. Swimm: Okay.

J. Swift: The fluid comes out of the septic tanks flows through on the one end, it flows through that gravel and the roots of the special plants absorbs the nitrogen and all the other kinds of, let me see if I can find it here.....

D. Swimm: Well this on where you have this,....

J. Swift: That is the flags right there that you see.

D. Swimm: And where are the proposed sand mounds?

J. Swift: The sand mounds are going to be like right here is going to be one sand mound and right there is going to be another sand mound.

D. Swimm: Where will the wetland be?

J. Swift: The wetland will probably be either right here, we haven't decided. I haven't taken it to the engineer yet to see what the best place on the property is.

D. Swimm: I understand.

J. Swift: We had to get the sand mounds approved first because that is where it actually goes into the ground and into the absorption.

D. Swimm: Like on this, like about here would be that house?

J. Swift: Over here would be that house. We are more over in the northern part of the property there.

D. Swimm: I saw where you had the flags back there.

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J. Swift: Yes, we are more over in this, let me see here, we are more over in this area right here because it slopes down this way and it slopes down that way and it slopes down that way. This is the ideal spot right here for that as far as the soil scientist was concerned.

D. Swimm: Well like I say, my main concern was the way I understood this. I thought it was a running stream of water.

J. Swift: Supposedly you will never see any water under ideal circumstances when everything is working right. If we have a real heavy rain, several inches of rain, then that is always a possibility.

D. Swimm: With that if like it was unsightly or anything, what would be the chances of planting some pine trees around there or something?

J. Swift: I am up with that. Bushes or something. The only thing that is going to be, well it wouldn't be unsightly because we keep track of our grass and everything and we don't get out there and mow the sand mounds like we are supposed to or something...

D. Swimm: It's not that. I just don't want a big sewer pit back there.

J. Swift: I understand.

C. Flatter: As a matter of fact, in this packet of information that you had given us, it was the very first thing it says on here, I don't know if the people got a copy of this....

D. Swimm: Yes I did.

C. Flatter: It says, "controlling the flow allows the natural processes to occur and clean the wastewater more efficiently", and then down here, "Wetlands are also pleasant to look at, attract desired wildlife, and provide environmental education opportunities." So there is a real positive to this kind of process. I am assuming you have a pretty high water table back in that area currently.

J. Swift: Right, plus the soil is not conducive to digging trenches and putting in your regular pipe and that kind of stuff.

D. Swimm: That is all I needed.

C. Flatter: We will need to have a copy of that drawing that you've been referring to. I don't know if you have an extra with you?

J. Swift: Okay, no I don't. I can save you a copy.

C. Flatter: I can just run down and make copies of it when we are done.

J. Swift: Yeah, this is a soil survey right here. I neglected to bring the state, I didn't even think about bringing the state....

C. Flatter: That is okay, just as long as I have a copy of the drawing because you kept referring to that in your conversation with him.

Chr. Blankley: Anybody else? Board members any questions? I would entertain a motion to take action.

C. Starbuck: I'll make that motion.

G. Moore: Second.

Chr. Blankley: All in motion signify by saying aye. "Ayes". Opposed (none). I would entertain a motion to for a roll call vote.

D. Clevenger: So moved.

B. Davis: Second.

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Chr. Blankley: It has been moved and second. All in favor of a roll call vote signify by saying aye. "Ayes". Opposed (none). Jamie we are ready for a roll call vote.

A roll call vote was taken: Dale Clevenger, yes; Mike Blankley, yes; Charles Addington, yes; Bill Davis, yes; Gary Moore, yes; Christy Starbuck, yes; James Trautman, absent.

C. Flatter: Your petition has been approved. Do you need to leave right now because if you do I can go down and make a copy?

J. Swift: Thank you. No, I can sit around for a while. I don't have to go to work until April.

C. Flatter: You have a little time yet.

BZA 2007-7-SP & V (Ben Barnhouse, Union City)

Chr. Blankley: Next one on the agenda is Ben Barnhouse and that is BZA 2007-7-SP & V. Wait a minute they need a chair.

C. Flatter: Pull that chair up right there and sit beside her. There that is fine.

Chr. Blankley: Did you receive an Article V, Conduct of Hearing, when you applied. Will you please speak your name into the microphone for us.

D. Barnhouse: I am Dawn Barnhouse.

J. Barnhouse: John Barnhouse. Ben's brother.

Chr. Blankley: Okay, will you please tell us what you want to do.

D. Barnhouse: We want to replace a trailer that burnt down.

J. Barnhouse: I think it is more of a small variance to the front on First Street. It is existing foundation and we want to go ahead and use the foundation that is there and we need that small variance and permission to go ahead and build it.

C. Flatter: Actually there are two petitions. One is the Special Exception because there had been a mobile home there before but it burnt down how long ago?

D. Barnhouse: Three or four years ago.

C. Flatter: Okay, so they could have replaced it within a 12 month time period but that didn't happen so it is a special exception because it is in a residential zoned area, which we forgot to get that residential zone on there on our petition. So that is the special exception. Then the variance is because they are wanting to use the existing pad that was located there, which put it only 10 feet off of the right-of-way, but if you look at the aerial, you can see that it is an 80 feet right-of-way for that little street in New Pittsburg. Actually it looks like it is a lot further off of the street then what the variance makes it seem like because they platted the streets 80 feet wide in New Pittsburg. They thought it was going to grow. So basically just wanting to put back the trailer that was there, another one, about the size of the one that was there and then they are going to add on to this trailer to make it the 950 square feet so they didn't need a variance on the size. It is a very small one. It is only a 9' x 50'.

Chr. Blankley: Do we act on this all at once?

C. Flatter: Two separate votes.

Chr. Blankley: Does anybody from the board have any questions?

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C. Addington: When are you planning on putting the trailer in?
D. Barnhouse: When the weather breaks.
C. Addington: Okay in the spring.
D. Barnhouse: Yes.
C. Flatter: Is a family member going to be living in, it is not actually going to be a rental is it?
D. Barnhouse: No actually we have children that....
C. Flatter: You are trying to get rid of?
D. Barnhouse: Right. Yes. They are 30 years old it is time for them to go on. If they don't we are going to move into it.
C. Addington: How old is the trailer?
J. Barnhouse: I really don't know. How old was that? It is a pretty old trailer. He bought it because it was run down. It is going to be remodeled once we get it set in there. But it is in pretty good condition at this time.
C. Addington: Thank you.
Chr. Blankley: Any other questions from the board? Okay we will take action on the Special Exception first. Do I have a motion to take action?
G. Moore: So moved.
C. Addington: Second.
Chr. Blankley: It has been moved and seconded that we take action on BZA 2007-7-SP. Do I have a motion for a roll call vote?
D. Clevenger: So moved.
B. Davis: Second.
Chr. Blankley: It has been moved and seconded that we have a roll call vote. Anybody against it? Okay, we will have a roll call vote.

A roll call vote was taken: Mike Blankley, yes; Charles Addington, yes; Dale Clevenger, yes; Christy Starbuck, yes; James Trautman, absent; Bill Davis, yes; Gary Moore, yes. The Special Exception was granted.

Chr. Blankley: Now we will go for the variance. Does that carry the same number?
C. Flatter: The same number with the variance.
Chr. Blankley: Okay we will act on BZA 2007-7-V. I would entertain a motion to take action.
B. Davis: So moved.
C. Starbuck: Second.
Chr. Blankley: All in favor of the motion signify by saying aye. "Ayes". Opposed (none).

A roll call vote was taken: Christy Starbuck, yes; James Trautman, absent; Gary Moore, yes; Bill Davis, yes; Dale Clevenger, yes; Charles Addington, yes; Mike Blankley, yes. The variance was granted.

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C. Flatter: You are good. All you have to do is come in and get the permits and have the Health Department give me something in writing on hooking it into the existing system and we can issue the permits.

J. Barnhouse: Thank you. Have a nice evening.

C. Flatter: Take care.

Chr. Blankley: Is there anything else to come before the board tonight?

C. Flatter: I have nothing.

The meeting adjourned at 7:30 PM.

THE NEXT REGULARLY SCHEDULED MEETING IS MARCH 19, 2007 AT 7:00 PM IN THE COMMISSIONERS CONFERENCE ROOM OF THE RANDOLPH CENTER FOR FAMILY OPPORTUNITY, WINCHESTER, INDIANA.

Mike Blankley, Chairman

Dale Clevenger, Vice Chairman

Jamie Stump, Recording Secretary