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LORI L. AUSTIN
WHITE COUNTY RECORDER

APC MEETING – November 09, 2020

The White County Area Plan Commission met Monday, November 09, 2020, at 6:00 p.m. in the Commissioners’ Meeting Room, Second Floor, County Building, Monticello, Indiana.

Board Members Present: Charles Anderson, James Annis, Abbey Gross, Ralph Hasser, Doug Pepple, Stacy Selagy, Dennis Sterrett, & Brad Ward. Absent members were: Sid Holderly

Planning Department Representatives: Joseph Rogers, Executive Director, Katie Galbreath, APC Secretary; and Makenzie Martin (Attorney)

Registered visitors were: *See attached.*

The meeting was called to order by President Anderson.

Approval of The Minutes: There was a motion by Board Member Brad Ward and a second by James Annis to approve the meeting minutes of the 10/13/20 APC Regular Meeting. Approved unanimously, so moved.

REZONES:

- #1136 -Owner: Peoples Stores Inc, Applicant: Randall Stearns.;** The subject property is identified by: OP WOLCOTT BLK G LOTS 4 & 5, PT LOTS 3 & 6 & ALLEY BET 2 & 3, 6 & 7 & N 1/2 LOT 8 & N 1/2 LOT 7; Princeton Township; Parcel ID #91-76-25-000-024.600-018 known as 208 S. Range St, Wolcott, IN 47995. The proposed zoning map amendment involves a change of the zoning district from: R-2 (Single and Two-Family Residential) to I-2 (Heavy Industrial).

The purpose of this rezone is to allow for commercial storage and to allow the property owner to combine all lots in Block G to a common zoning district compatible with the current use. The parcel is currently used for the operation of a grain elevator. The Staff did find one variance request #97 applicable to the subject property. In September of 1977, Wolcott Elevator asked for a side setback variance to allow placement of a new grain bin. The variance file did not include information as to the side setback requirement at the time, but did indicate that the owner wanted to put the new grain bin 5’ from a residential district property line. The variance was granted by a unanimous vote on September 22, 1977.

This rezone is to bring the property into compliance as well as to allow the property owners to combine the subject property with the lots in the north-east corner of Block G (see Petition #1137). In order to do so, the lots must all have the same zoning district assignment.

Randall Stearns was in person to represent the request for the Rezone. Mr. Stearns stated that he is the manager of Peoples Stores Inc. in Wolcott. He stated that they recently purchased the corner property (south-west corner of Block G) that has an old house on it, they would like to tear down so the area can be developed for commercial purposes. Approval of rezone petition #'s 1136 & 1137, will allow the owner to consolidate the block into a single, development parcel and add commercial storage.

Charlie Anderson asked if there was anyone in the audience that would like to speak on the request. No one stepped forward to speak in-favor or against the request.

Director Rogers stated that there are two rezones that pertain to this block, one parcel is zoned as an I-1, which was the correct zoning under the previous ordinance, but is no longer valid. This rezone would bring that property into compliance and match up the other properties with the same zoning which will allow the owner to combine the parcels.

With no additional questions, ballots were passed out by MaKenzie Martin, Attorney.

Ballot Summary:

1. The proposed rezoning is consistent with the goals, objectives, and policies of the White County Strategic (Comprehensive) Plan and any other applicable planning studies and reports, as adopted and amended from time to time. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

2. The proposed rezoning is compatible with the current conditions (e.g. existing lots, structures and uses) and the overall character of existing development in the immediate vicinity of the subject property. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

3. The proposed rezoning is the most desirable use for which the land in the subject property is adapted. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

4. The proposed rezoning will not have an adverse effect on the value of properties throughout the jurisdiction. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

5. The proposed rezoning reflects responsible standard for growth and development. 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

President Charles Anderson announced the results, as follows:

8 votes cast -8 in Favor; 0 Opposed; 0 No Recommendation

**Rezoning request will be certified to the appropriate legislative body with a "Favorable" recommendation:
The Wolcott Town Board at the December 1, 2020 meeting.**

- 2. #1137– Owner: Peoples Stores Inc, Applicant: Randall Stearns.;** The subject property is identified by: OP WOLCOTT BLK G LOTS 1 & 2; Princeton Township; Parcel ID #91-76-25-000-005.300-018; known as 204 S. Range St, Wolcott, IN 47995. The proposed zoning map amendment involves a change of the zoning district from: I-1 (Light Industrial) to I-2 (Heavy Industrial).

The purpose of this rezone is to bring the subject site into compliance with the current zoning ordinance. The parcel is currently used for the operation of a grain elevator. The Staff did find one variance request #97 applicable to subject property. In September of 1977, Wolcott Elevator asked for a side setback variance to allow placement of a new grain bin. The variance file did not include information as to the side setback requirement at the time, but did indicate that the owner wanted to put the new grain bin 5' from a residential property line. The variance was granted by a unanimous vote on September 22, 1977. This property has historically been utilized as a grain and seed operation.

Randall Stearns was in person to represent the request for Rezone. See comments above.

Charlie Anderson asked if there was anyone in the audience that would like to speak on the request. No one stepped forward to speak in-favor or against the request.

With no additional questions from the Board or Audience, Attorney Martin passed out the ballots.

Ballot Summary:

- 1. The proposed rezoning is consistent with the goals, objectives, and policies of the White County Strategic (Comprehensive) Plan and any other applicable planning studies and reports, as adopted and amended from time to time.** 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None
- 2. The proposed rezoning is compatible with the current conditions (e.g. existing lots, structures and uses) and the overall character of existing development in the immediate vicinity of the subject property.** 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None
- 3. The proposed rezoning is the most desirable use for which the land in the subject property is adapted.** 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None
- 4. The proposed rezoning will not have an adverse effect on the value of properties throughout the jurisdiction.** 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None
- 5. The proposed rezoning reflects responsible standard for growth and development.** 8 Agree; 0 No Opinion; 0 Disagree; APC Comments: None

President Charles Anderson announced the results, as follows:

8 votes cast - 8 in Favor; 0 Opposed; 0 No Recommendation

**Rezoning request will be certified to the appropriate legislative body with a "Favorable" recommendation:
The Wolcott Town Board at the December 1, 2020 meeting.**

PERMIT APPROVALS:

1. #21223 – Owner: Ronald & Nancy Seymour, Applicant: Wabash Heartland Innovation Network- Aerostat Project: OUT NE SE; 29-27-4; 26.450; 535; Parcel ID # 91-74-29-000-001.500-005; Honey Creek Township; 1254 W. 50 N, Reynolds, IN 47980. ILP Application for new wireless telecommunications facility.

Director Rogers stated that the office received three citizen communications pertaining to this petition, two in favor and one against. Director Rogers went on to give a brief history about the state revised wireless

communication statutes which have been incorporated into the County's zoning ordinance. The state has certain prohibitions that apply for wireless communication considerations and each member was given a copy of the Ordinance Section listing those prohibitions. Board members were asked to refrain from asking any questions or discussing issues related to the prohibitions.

Pat Corey, Wabash Heartland Innovation Network (WHIN), was present to provide information on the planned project. Mrs. Corey introduced a few members from her team in attendance. Attending parties were Dr Johnny Park CEO, Jack Stucky, vice president of engineering, Stephine Long, WHIN board member, and white county resident, Lesley Boss, representative of the community foundation of Lafayette, and Steve Hubbard, CEO for RTO Wireless

Pat Corey presented a PowerPoint that gave more information about this aerostat project. See file for hard copy of presentation.

Charlie Anderson asked if there was anyone in the audience that would like to speak on the request;

Mike Lewitz, neighbor, asked how the installation would impact him. He wanted more information about how long the aerostat was intended to be at that location and for details on the physical presence of the site; ie, fencing, lighting and the specific location of the unit. He asked Ms. Corey how long it would take to install. Pat Corey said that the goal is for the aerostat to be in flight by the end of the year and site preparation is a minimal construction process. The tether would be 803 ft from Mr. Lewitz's property line. The compound is about 200 sq ft and everything in the compound at ground level will be enclosed by a fence. There are lights every 350 feet on the tether going up. The aerostat will run off power and not a generator. Dave Duplissis, RTO wireless operation's manager, stated the compound is a 200' X 200' square area and that the fence will hide everything from the public's view. He further stated that the only lighting would be motion lights and for security reasons only, that the generator would be for backup power only since the site is intended to be serviced by commercial power 100 percent of the time. The generator will run for 30 minutes once a week, usually during the day around 10:30. The activation of the generator is just to test the generator to make sure it is available should an emergency arise. Mr. Lewitz wanted to make sure no lights were going to be tethering around his house. Mr. Duplissis said that the unit will only have the aviation lights necessitated by FFA requirements; there is no intention to have spot lights or bright lights on site, only emergency motion sensor lights. Mr. Lewitz asked how long the aerostat will be there. Pat Corey stated that the lease is for a few years and can be renewed after that. Mike Lewitz stated he didn't have any further concerns about the aerostat and is ok with it.

Mike Ruelmer had a question about how the blimp will affect his auto steer on his John Deere equipment. Mr. Hubbard stated that the spectrum band they will use for the aerostat is different than the spectrum band John Deere uses so there will be no interference. Mr. Ruelmer stated that he gets his signal from any of three satellites and asked if the aerostat would be in the path of one of those signals thus affecting his use. Mr. Hubbard stated that the aerostat should not impact satellite signals and that they have never had that occur on installations to which they have participated. The aerostat is made of a thin fabric so it isn't dense in a manner that would impact other satellite signals. Mr. Ruelmer asked how tall the fence would be? Mr. Duplissis stated that the fence would be 7 feet tall. Mr. Ruelmer asked how far off the property line the fence would be located? Mr. Duplissis stated it is in the plans and that they didn't put it close to road or neighbors. Mr. Rogers stated the compound is 50ft away from the property lines.

Don Lay wanted to know more details about the structure and also about safety issues. He googled that in war zones and Baltimore these types of units broke lose in a storm and have caused damage to properties because of the dragging of the long cable. Mr. Duplissies explained that the tether will be attached to the middle of the compound and then it will be attached to the aerostat. They will have a small telecommunication shelter that is 4' x4' which will serve as an equipment room where the power and fiber integrate. They will also have a helium trailer that will be brought in for aerostat fill-ups. The generator, which will be used for backup, is under 7 ft tall. You won't be able to see these structures because of the fence. They will have an equipment trailer that will be brought sporadically for testing purposes. Mr. Hubbard stated that the aerostats Mr. Lay mentioned are very large and are geared to go 5000 feet and higher which results in a much longer tether. He stated those companies made a calculated risk to not use a tether quite as strong as is necessary. When you have a smaller system like the one proposed, the stress on the tether is lighter and so the strength of the tether doesn't need to be as strong as that required for larger units. The amount of force it would have to destroy the tether would be in the range of 150 mph winds. You can get a lighting strike that can cause electrical damage down to the bottom. In that case they have a backup system that will bring it down by winch. The winch can be managed off site or on site. In the beginning the intention is to have someone onsite to run the winch to bring the aerostat down. The winch will have three different settings; raising, leaving as is or for lowering the unit.

Mr. Ruelmer asked if the electricity running to the site will be on telephone poles or buried. Pat Corey stated the electric will be ran underground.

There was a brief question and answer session with Board members.

With no additional questions from the Board or Audience, Attorney Martin passed out ballots.

The Board voted unanimously to approve the request.

President Anderson announced the results, as follows:
8 votes cast - 8 Approve; 0 Deny; 0 Undecided

SUBDIVISIONS: NONE

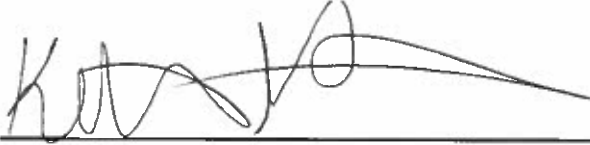
AMENDMENTS: NONE

BUSINESS: APC Meeting Schedule – Approve the 2021 APC Meeting Date Schedule

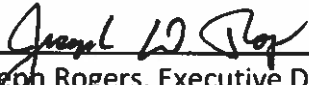
Mr. Rogers stated that there will not be a meeting in February or December. Mr. Anderson stated that the one date on the BZA says 2020 instead of 2021. The Board voted unanimously to approve the meeting date schedule.

There being no further business, Commission Member Gross made a motion to adjourn the meeting, with a second from Commission Member Ward. The meeting adjourned at 7:13 p.m.

Respectfully submitted,



Katie Galbreath, APC Secretary
White County Area Plan Commission



Joseph Rogers, Executive Director
White County Area Plan Commission

Document Prepared By: White County Area Plan Board Secretary, Katie Galbreath "I AFFIRM, UNDER THE PENALTIES FOR PERJURY THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW."



White County Building & Planning

110 N Main St. PO Box 851 Monticello, IN 47960

Phone: (574)583-7355 Fax: (574)583-4624

www.whitecountyindiana.us

FINDINGS OF FACT

FILE #	#21223, Wireless Telecommunication Facility
APPLICANT	Wabash Heartland Innovation Network
IDENTIFICATION	Parcel ID: #91-74-29-000-001.500-005; (Tax ID: #004-43590-00)
LOCATION	1254 W. 50 N, Reynolds, IN 47980
REQUEST(S)	ILP approval
PURPOSE	A new wireless telecommunications facility
HEARING DATE	November 09, 2020

- 1) **The Subject site was identified by Parcel ID # 91-74-29-000-001.500-005, Tax ID # 004-43590-00;**
- 2) **Legal Description for subject site: Out NE SE; 29-27-4; Honey Creek Township, White County, Indiana;**
- 3) **The Staff presented the new wireless communication facility to the Area Plan Commission for consideration after determining the application to be complete.**
- 4) **The property is identified as General Agriculture (A-1), this is a Legal Use as provided for in Appendix A Official Schedule of Uses, White County Indiana Zoning Control Ordinance;**
- 5) **Pat Corey gave a presentation that detailed information about the project; see file for hardcopy;**
- 6) **The following people were present to provide supplemental information to Pat Corey's presentation; Steve Hubbard, CEO for RTO Wireless and Dave Duploissis, RTO Wireless operations manager;**

- 7) The following audience members from the community presented questions and concerns they had with the new aerostat project; these audience members were Mike Lewitz, Mike Ruelmer and Don Lay. Their questions and concerns were as follows:**
- A) How security lighting at the site and lighting attached to the tether would reflect on surrounding properties;**
 - B) How far the tether would be able to extend from the base and how close that would be to abutting properties;**
 - C) How much noise the generator for the structure would produce;**
 - D) What the planned duration for the structure at this site would be;**
 - E) The exact location of the compound and the proximity to abutting property lines;**
 - F) Would the aerostat cause interference with the GPS signal for farm equipment that is currently used;**
 - G) The height of the compound fence;**
 - H) What safety measures will be implemented;**
 - I) How power will be supplied to the site.**
- 8) The board and applicant responded to the questions and concerns voiced by the citizens (see minutes for details); after a general discussion between the audience, the applicant's representatives and the Commission, the citizen's indicated their questions and concerns had been satisfactorily addressed;**
- 9) The discussion satisfied the citizens questions and concerns;**
- 10) There were no remonstrators in attendance;**

11) Proper notice of the proposed request was given by mail to interested parties as defined by APC Rules and Procedures;

The Applicant Provided The Following Information:

- 1) A construction plan that included the proposed wireless support structure and all equipment and network components; see file;**
- 2) A copy of the FAA Temporary Permit Application; see file;**
- 3) A Public Safety Non-Interference Statement that shows the steps the applicant will take to avoid interference with established public safety telecommunications; see file;**
- 4) An RTO Public Safety Statement that gives details about the mooring platform, tether and aerostat (envelope plus avionics and equipment); see file;**
- 5) A Manufacturing Statement that gave the specifications, operational limitations and electrical information; see file;**
- 6) An Option to Lease agreement for Wabash Heartland Innovation Network to access the wireless support structure; see file;**
- 7) A Copy of the Certificate of Waiver or Authorization; see file;**
- 8) A Statement from Wabash Heartland Innovation Network that gives details about the purpose for the project, alignment with the White County Comprehensive Plan, need for the project and why in White County, FCC Permitting, FAA Compliance and Permitting, Local, State and Federal Regulation Compliance, Visual Impact of the Project, Good Faith Certification, Collocation Plan and Decommission Plan; see file; and,**

- 9) **A Property Record Card, Flood Plain Location and Notice of Agricultural Operations; see file.**

Ordinance Approval Requirements and Standards

- 1) **Application requirements, general approval standards and general performance standards are delineated in the White County Indiana Zoning Control Ordinance, Chapter 3, Section 3.10, Subsections 3.10.2.1, 3.10.2.2 and 3.10.2.3;**
- 2) **The Area Plan Commission reviewed each applicable regulation and standard and considered all supplemental information shared at the meeting, including Community Input;**
- 3) **The Area Plan Commission voted to approve the application; 8 in-favor, 0 against.**

For all the foregoing reasons, the Board gave APPROVAL of the wireless communication facility, and it was so ordered, November 09, 2020.

Submitted By:



**Joseph W Rogers, Executive Director
White County Area Plan**



**Katie Galbreath, APC Secretary
White County Area Plan**

WHITE COUNTY BUILDING & PLANNING DEPT.

2020 APC MEETING SIGN IN/OUT

Date: 11/09/20 - 6:00 p.m. Meeting Time

Scheduled Security Officer: Ryan

Printed Name	Purpose	Time In	Time Out	Signature
Charles Anderson	APC	5:44	7:13	<i>[Signature]</i>
James Annis	APC	5:50	7:20	<i>[Signature]</i>
Abbey Gross	APC	5:43	7:14	<i>[Signature]</i>
Ralph Hasser	APC	5:55	7:15	<i>[Signature]</i>
Sid Holderly	APC			
Makenzie Martin	APC	5:52		
Doug Pepple	APC	5:53	7:14	<i>[Signature]</i>
Joseph Rogers	APC			
Stacy Selagy	APC	5:36	7:15	<i>[Signature]</i>
Dennis Sterrett	APC	5:42	7:16	<i>[Signature]</i>
Katie Galbreath	APC			
Brad Ward	APC	5:45	7:19	<i>[Signature]</i>
Pat Corey	WHN/APC	5:37		<i>[Signature]</i>
Mike Brumber	APC	5:38	7:12	<i>[Signature]</i>
Jack Stucky	WHN/APC	5:38	7:20	<i>[Signature]</i>
Randy Strawn	APC	5:41	6:07	<i>[Signature]</i>
Chad Strawn	APC	5:41	6:07	<i>[Signature]</i>
Handy Mitchell	WUCED	5:40	7:15	<i>[Signature]</i>
Mark Norvill	APC	5:45	7:00	<i>[Signature]</i>
Dave O'Hara	APC	5:40	7:15	<i>[Signature]</i>
Johnny Park	APC	5:50	7:18	<i>[Signature]</i>
Steve Chapman	APC	5:50	7:18	<i>[Signature]</i>
Steve Hubbard	APC	5:56	7:18	<i>[Signature]</i>
Tom Bennett	APC	5:52	7:11	<i>[Signature]</i>
Chris Jones	APC	5:55	7:11	<i>[Signature]</i>

