

**MINUTES**  
**CASS COUNTY BOARD OF ZONING APPEALS**  
**MONDAY, March 26, 2018**

Fred Seehase called the regular meeting of the Cass County Board of Zoning Appeals to order at 6:00PM in the Commissioners Hearing Room on the 2<sup>nd</sup> floor of the Cass County Government Building.

Members present: Fred Seehase, Stacy Odom, and Bob Barrett

Members absent: Larry Phipps, Robert Heckard and Jim Donato, Alternate

Staff present: Austin Brass, Arin Shaver, Peggy Dillon and Jeff Stanton, Attorney

Public in attendance: See sign in sheet

**ACTION ON MINUTES:**

Minutes of January 22, 2018 were presented. Mr. Barrett made a motion to approve the minutes, Mr. Odom seconded the motion and all were in favor.

Mr. Seehase asked if any Board members have been in contact with the petitioners, advocates or opponents in regard to today's case, all said they had not.

Staff informed the Board that proof of notification has been met for this case.

Mr. Seehase swore in all wishing to speak.

**PUBLIC HEARING:**

CCBZA #18-05: A petition of Cameron & Leah Miller requesting a Special Exception to allow for a compost facility. The property is located at 4474 W. 400 S. Logansport, IN and is zoned AG, Agricultural.

Mr. Brass located the site, near the Hoosier Heartland Corridor in the Clymers area, presented pictures and explained the following information:

- The petitioner proposes 23 compost piles
- Will be 6 flood lights, 12' height, located at the existing barn
- Hours of operations to be: 8am – 4pm Monday – Friday & Saturday by appointment
- 16.33 acres: operations to be on northeast section of parcel
- A 12x12 sign (144 sq. ft.) be mounted on the barn

Mr. Brass stated that staff is concerned with rodents getting in the pile; smells being generated; what type of truck traffic will be generated. An email from Jeff Smith, Highway superintendent, stated concern of the truck traffic on the road and the tracking of mud and debris on the road.

Mr. Brass asked the Board for questions, there were none.

Leah Miller, petitioner, 4474 W. 400 S. stated she is starting a compost company called Eco Dirt and gave the following information:

- Using the back 7 acres of their property
- Setting piles of compost around the perimeter; spacing them out.

Mrs. Miller asked for questions from the Board.

Mr. Barrett questioned the plan for drainage.

Mrs. Miller stated:

- They will dig down 8 inches before the piles are started
- Berms – Casings with mulch – will collect materials coming off the piles
- Berms will keep piles spaced out and contained
- Layering of: green – collected material and brown materials – coffee grounds; leaves; mulch; newspaper
- Tarps are used over the piles during rainy and windy seasons
- Finished products will be sold to local stores; farmers

- Wishes to donate a portion of the property for an educational area
- “Green” material will be collected from restaurants, stores; schools cafeterias; etc.

Mr. Seehase questioned the location of the piles.

Mrs. Miller located the piles along the outside property lines and explained that piles are a short term situation and gave the following information:

- Wishes to purchase an in vessel composter:
  - This is a large machine that the green material will go into and the by-product will come out
  - This will eliminate the piles: no rodents, flies, tarping or smell

Discussion of the piles followed and Mrs. Miller stated:

- New piles will go toward the Hoosier Heartland
- Collected materials will be put directly onto the compost piles, not moved from one area to another
- Gravel or mulch will be put down on the drive off 400 south for the collector trucks going in and out of the fields
- Cans of waste from customers that are collected will be swapped out with clean cans
- Piles will be open piles: dug 8 inches down

Mr. Barrett asked how the product will be sold. Mrs. Miller stated they will bag it to be sold or someone can have product put into their truck.

Mr. Seehase asked how many piles there will be. Mrs. Miller stated they would start with 23 piles and possibly have 50 – 75 piles maximum.

Donnie Bain, 555 W. Washington, Camden, partner of the operation, explained the following:

- Amount of intake material will be much greater then output material
- 1 ton of material can be put in vessel composter per day

Mrs. Shaver asked the following questions (Q.) and Mrs. Miller and Mr. Bain gave the answers (A.):

Q. How many in vessel composters will be purchased for this site?

A. 2

Q. Will there still be piles after in vessels are being used?

A. No

Q. How much traffic will be generated?

A. 4 employees will be generating the traffic

Q. Will public be coming to the site?

A. Public traffic will be minimal

Q. Will the cans be cleaned?

A. There will be a cleaning operation on site

Q. If odors and rodents do become a problem, will you be willing to come back to this Board to address the issues?

A. Yes

Mr. Barrett questioned how far from property lines the piles will be located. Mrs. Shaver explained the building setback is 20 feet from property lines. Mrs. Miller stated they will be willing to agree to a 20 foot setback for all piles.

Mr. Odom questioned whether a soil test has been done and stated a concern of the soil having a higher clay content that will cause potential problems of mud in the multiple traffic areas in the rainy seasons.

Mr. Miller stated they have discussed this issue and may need to put gravel and mulch along the driveway.

Mr. Seehase questioned where the in vessel composter will be located. Mr. Miller located the area near the barns.

Mr. Barrett asked where the containers for the customers will be located. Mr. Miller stated the containers will have lids and be located on the customer sites.

Mr. Odom questioned the signage. Mrs. Shaver stated a variance is needed for the signage due to the size of the sign, 144 sq. ft. so the sign will be able to be seen from the Hoosier Heartland. Mrs. Miller agreed and stated the sign will be on the side of the barn facing the Hoosier Heartland.

Mr. Seehase asked for further questions from the Board, there were none.

Mr. Seehase asked for questions from the public, there were none.

Mr. Seehase asked for written correspondence, there was none.

The following conditions of approval were read:

1. That all proposals be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.

The following commitments were read:

1. That if odors, traffic, lighting or rodent infestations become a concern that the Board of Zoning Appeals may review and make changes to the approval if necessary.
2. That if there is a change in property ownership the new owners must come forward before the Board of Zoning Appeals for approval.
3. That all State required IDEM specifications are met.
4. There be a 20 foot setback for the piles along all property lines.

The petitioner agreed to these conditions and commitments.

Mr. Seehase asked for any questions or comments, there were none.

Discussion was closed by Mr. Seehase. The findings of fact were completed.

Motion was made by Mr. Barrett to bring this case to a vote. Mr. Odom seconded the motion and roll call vote was unanimous to approve CCBZA Case #18-05.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None

**PUBLIC IN ATTENDANCE:**

No one spoke to the Board.

There being no further business to be brought before the Board, the meeting was adjourned at 6:54 PM, March 26, 2018.

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CCBZA Officer

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Peggy Dillon, Recording Secretary