

# NEWTON COUNTY PLAN COMMISSION

Tuesday, April 27, 2021

8:00 pm

Newton County Government Center

## Agenda

- I. CALL TO ORDER;
- II. APPROVAL OF THE JANUARY 26, 2021 MINUTES;
- III. JEFFREY MCKERNAN, JM INDUSTRIAL SERVICES, INC., PC 1-21, CHANGE OF LAND USE FROM B-1 TO B-2;
- IV. OTHER MATTERS;

**NEWTON COUNTY PLAN COMMISSION**

April 27, 2021

8:00 p.m.

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**Members Present:**

Mr. David (Dave) Miller - President  
Mr. Russell (Russ) Collins, Jr.  
Ms. Kathryn Weiss  
Mr. David Atkinson  
Mrs. Terri Pasierb  
Mrs. Daisy Cicero – Secretary  
Mrs. Rebecca (Becky) Goddard - Attorney

**Not present:**

Mr. Timothy Drenth *→ Russell Rigby*  
Mr. Harry Hanford  
Mr. Steve Snell

**8:00 PM**

*I. CALL TO ORDER*

**PLEDGE OF ALLEGIANCE**

*II. APPROVAL OF THE JANUARY 26, 2021 MINUTES*

**Russ Collins** moved to approve

**Kathryn Weiss** seconded

Motion carried.

*III. JEFFREY MCKERNAN, JM INDUSTRIAL SERVICES, INC., PC 1-21, CHANGE OF LAND USE FROM B-1 TO B-2;*

**Mr. McKernan:** I'm relocating and building a building for a demolition business. I'm being pushed out of North Hammond and relocating close to home.

**Daisy Cicero** pointed out the location of the potential business, as well as True Value, a church, and a subdivision on a projected map.

**Dave Miller:** What are you going to do with this property?

**Mr. McKernan:** It will be a lay-down site for all equipment and trucks and everything to do with the business.

**Dave Miller:** What else are you going to store there? Aggregate? Piles of dirt?

**Mr. McKernan:** No.

**Dave Miller:** Just equipment only?

**Mr. McKernan:** Yes.

**Dave Miller:** How large is the property?

**Daisy:** 9.27 acres.

**David Atkinson:** Do you have a wide enough turn to get large equipment in?

**Mr. McKernan:** We'll have to install a driveway.

**David Atkinson:** I didn't know if the state had any requirements.

**Dave Miller:** What's the difference between B-1 and B-2?

**Daisy:** The reason we put it under B-2 is for the transportation use since he's parking vehicles, constructing a pole barn, and it's a demolition business.

**Dave Miller:** Are you going to pile your demolition stuff in there?

**Mr. McKernan:** No.

**Dave Miller:** I just don't want it to turn into an eyesore.

**Mr. McKernan:** No, it won't.

**Russ Collins:** Nothing sold commercially there? Just a parking area?

**Mr. McKernan:** It's everything to do with our business. I don't want to say no just in case we want to sell one of our trucks.

**David Atkinson:** What kind of equipment?

**Mr. McKernan:** Excavators, cranes, bulldozers.

**Dave Miller:** So the heavy equipment is what makes it from a B-1 to a B-2. If there's nothing else, I'll open to the audience.

**Matt Anderson, member of the public:** I am totally opposed to this. It's going to be a complete eyesore to State Road 10. The county master plan states no Industrial on State Road 10, only on county roads. Look up 201 Marble Street in North Hammond. Take a look.

**Mike Parrish:** If it's found that the iron is being piled, some type of action should be taken.

**Mr. McKernan:** I'm not asking to run a scrap yard. I'm eliminating the scrap process down here. I'm not asking to store or do any sort of scrap iron. There are other businesses on 10 that are a bigger eyesore.

**Mr. Anderson:** What eyesores are on 10?

**Dave Miller** stated that **Mr. McKernan** does not have to answer that, and that the questions and concerns from the audience should be directed at the board, and not **Mr. McKernan**.

**Mike Parrish:** My only concern is the debris, but you can see there are piles and piles. I'm not sure what it is, but other than that, that's my only concern.

**David Atkinson:** Does B-2 restrict material storage?

**Daisy:** He has to apply for Industrial, which does not fit into the master plan. It's only for parking equipment. He would have to apply for a salvage yard, which is only by Special Exception.

**Dave Miller:** That would include aggregate, trees, and beams?

**Daisy:** Right.

**Mr. Anderson:** I own commercial property behind there that this is going to dramatically affect.

**Dave Miller** closed to the audience and re-opened to the board.

**David Atkinson:** Is part of the [equipment] housing inside and part outside?

**Mr. McKernan:** Yes.

**David Atkinson:** Are you going to have a gate or anything?

**Mr. McKernan:** Eventually, yes.

**Daisy** (referring to the projected Zoning Ordinance): Please keep in mind that all of the items listed are allowed in this zoning. These are all items that it could be if it's changed to B-2.

**Dave Miller:** So it could have sales?

**Daisy:** Yes, everything here on B-2.

**Terri Pasierb:** Right now it's just B-1?

**Daisy:** Yes.

**Mike Parrish:** Does "lumber and building materials sales yards" mean he can store materials

**Daisy:** If that's what kind of business he has.

**Mike:** If he's tearing down building material, it could make it an iffy situation.

**Mr. McKernan:** State law says that you cannot bring demolition material to any site without a scrap yard license.

**David Atkinson:** I move to approve the petitioner request to change from B-1 to B-2, with stipulations that it's not a junk yard, not material storage, it's well-maintained, and nothing unsightly, piles of aggregate, or turned into a salvage yard. Keep it respectable.

**Russ seconded.**

Motion passes.

**Daisy:** I will take the favorable recommendation to the Commissioners and they will have the final say if you would like to attend the meeting.

*IV. OTHER MATTERS*

**Dave Miller:** No other matters.

**Russ** moved to adjourn.

**Meeting Closed at 8:35 pm**

  
Secretary

  
Chairman