FULTON COUNTY
AREA PLAN COMMISSION
FULTON COUNTY OFFICE BUILDING
COMMISSIONERS/COUNCIL ROOM
NOVEMBER 28, 2022
7:00 P.M.

CALL TO ORDER

AREA PLAN COMMISSION MINUTES FOR:
OCTOBER 24, 2022

PUBLIC COMMENT
(Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS:
Fred McGlothin (#220754 & #220755)

PLAN DIRECTOR REPORT:
Airport Landscaping

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY
AREA PLAN COMMISSION

MONDAY, OCTOBER 24, 2022

7:00 P.M.
COMMISSIONERS/COUNCIL ROOM

CALL TO ORDER

AREA PLAN COMMISSION MINUTES FOR:
AUGUST 22, 2022

PUBLIC COMMENT
(Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS:
Dan Belcher/Belcher Trust (#220667)

PLAN DIRECTOR REPORT:

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY AREA PLAN COMMISSION
OCTOBER 24, 2022

The Fulton County Area Plan Commission met on Monday the 24th of October 2022, at 7:00 P.M. in the Commissioners/Council Room located within the Fulton County Office Building. Chairperson, Randy Sutton called the meeting to order at 7:00 P.M. The following members were present: Phil Miller, Cathy Miller, Rick Ranstead, Mark Kepler, Crystal Weida, Duane Border, Gloria Carvey and Randy Sutton. Also in attendance were: Board Attorney, Andy Perkins, Plan Director, Heather Redinger and Administrative Secretary, Kim Gard

It is duly noted Debbie Barts, Seth White, Ruth Gunter and Adam Strasser were absent.

IN RE: MINUTES August 22, 2022

Randy Sutton asked for any additions, deletions or corrections to be made to the August 22, 2022 minutes. Being no corrections, Randy entertained a motion. Rick Ranstead moved to approve the August 22, 2022 minutes. Phil Miller seconded the motion. Motion carried as follows: Phil Miller, Cathy Miller, Rick Ranstead, Crystal Weida, Duane Border, Gloria Carvey and Randy Sutton being in favor and no one opposing.

IN RE: NEW BUSINESS Dan Belcher/Belcher Trust (#220667)

Requesting to fully vacate Indian Ridge plat and partially vacate Fox Run Addition plat located on west 6th street and Sweetgum Rd. Indian Ridge contains 14 lots to be vacated. Fox Run contains 27 lots to be vacated.

Ted Waggoner was present to represent Dan Belcher/Belcher Trust.

Randy Sutton entertained a motion to open the public hearing. Rick Ranstead moved to open the public hearing. Duane Border seconded the motion. Motion carried as follows: Phil Miller, Cathy Miller, Rick Ranstead, Crystal Weida, Duane Border, Gloria Carvey and Randy Sutton being in favor and no one opposing.

Randy asked if anyone would like to speak in favor or oppose Dan Belcher/Belcher Trust (#220667)

Robert M & Linda L Haworth, 1279 W Ridge Rd, stated they had concerns in regards to what will happen with the easements and access roads that are already established.

Ted Waggoner stated the vacation of these lots will not affect any of the easements or access roads.

Duane Border asked if there was a looped water line or dead end.

Robert Haworth stated it is a dead end water line as the city has to flush it a couple times a year.

Mark Kepler asked why this was never developed.

Ted stated there was never really a push to develop.

Being no further public comment, Randy Sutton entertained a motion to close the public hearing. Duane Border moved to close the public hearing. Rick Ranstead seconded the motion. Motion carried as follows: Phil Miller, Cathy Miller, Rick Ranstead, Crystal Weida, Duane Border, Gloria Carvey and Randy Sutton being in favor and no one opposing.

Randy asked for Board discussion.

Being no further questions or comments, Randy entertained a motion. Duane Border moved to approve Dan Belcher/Belcher Trust (#220667) requesting to fully vacate Indian Ridge plat, Indian Ridge contains 14 lots to be vacated. Phil Miller seconded the motion.

Administrative Secretary Kim Gard conducted roll call vote.

Phil Miller	Yea
Cathy Miller	Yea
Rick Ranstead	Yea
Crystal Weida	Yea
Duane Border	Yea
Gloria Carvey	Yea
Randy Sutton	Yea

Motion to approve Dan Belcher/Belcher Trust (#220667) requesting to fully vacate Indian Ridge plat containing 14 lots, passed with seven votes being in favor and no one opposed.

Randy entertained a motion. Rick Ranstead moved to approve Dan Belcher/Belcher Trust (#220667) requesting to partially vacate Fox Run Addition containing 27 lots. Duane Border seconded the motion.

Administrative Secretary Kim Gard conducted roll call vote.

Phil Miller	Yea
Cathy Miller	Yea
Rick Ranstead	Yea
Crystal Weida	Yea
Duane Border	Yea
Gloria Carvey	Yea
Randy Sutton	Yea

Dan Belcher/Belcher Trust (#220667) requesting to partially vacate Fox Run Addition containing 27 lots, passed with seven votes being in favor and no one opposed.

IN RE: PLAN DIRECTOR REPORT

The pastor from Liberty Baptist Church came into the office and they would like to put up a 140' guide wire radio antenna on the church property. It is zoned suburban residential when I looked in the ordinance there was not radio antenna on the list. I wanted to check with you guys first. They will have to be put on the agenda for a variance and a special exception to be able to have it that tall.

Randy stated what about the airport.

They have the federal communications antenna structure registration as well as talking to the airport. They have got all the other applications then they came into us. Radio tower is not even on the list and it is pretty tall.

Mark Kepler asked if it was lit.

Gloria stated it's not very far from the airport it should be lit.

Heather stated he has contacted the federal communication.

Randy asked what the purpose of the tower is. Is he going to open a radio station?

Kim stated they would like to transmit their church services.

Heather stated before I go through with the variance and special exception what your thoughts were if their even allowed.

Mark stated with it being that tall if it falls it won't fall on anything.

Heather stated we did go through and look at all the setbacks, because he wants to put it pretty close to the church. She then showed the board the drawings that were submitted. Heather also stated with the guide wire it's the height of the tower. All the setbacks were ok.

Duane asked about the zone around the airport.

Heather showed the board on the map the airport overlay. Liberty Baptist church is outside of the overlay.

IN RE: BOARD COMMENTS

IN RE: ADJOURNMENT

With no further business to come before the Board, Randy Sutton entertained a motion to adjourn the October 24, 2022 meeting. Phil Miller moved to adjourn the October 24, 2022 Fulton County Area Plan Commission Board at 8:20 P.M. Rick Ranstead seconded the motion. Motion carried as follows: Phil Miller, Cathy Miller, Rick Ranstead, Crystal Weida, Duane Border, Gloria Carvey and Randy Sutton being in favor and no one opposing.

_____

_____

_____
Kim Gard, Administrative Secretary

Docket #PC 220754 & 220755
Fred McGlothin
Primary and Secondary Plat Approval
Agricultural District

Primary Plat and Secondary Plat Approval Request

Fred McGlothin is requesting the approval of a primary and secondary plat application for the proposed one (1) lot subdivision, the property is located at 3038 N 900 E, Rochester containing approximately 12.40 acres.

Current Zoning

Agricultural District

Procedure

1. The petitioner obtains Drain Board approval on the Primary Plat from the Fulton County Drain Board.
2. The petitioner obtains Primary Plat approval with or without conditions from the Fulton County Plan Commission.
3. The petitioner obtains Secondary (final) Plat approval from the Fulton County Plan Commission after meeting all conditions of the Primary Plat approval (if any).

Adjacent Uses

Industrial Park/Manufacturing

In its review of subdivision plats, the Plan Commission shall consider the following criteria:

A. The degree to which the application and plat meets the criteria for plat approval set forth in the Subdivision Control Ordinance and as determined by the reports of the Plan Director, Fulton County Surveyor and the Fulton County Drainage Board.

B. Consistency with the goals and objectives of the Comprehensive Plan.

C. Consistency with the intent of the zoning district in which it is located.

D. The presence or absence of any exceptions to the development standards for the zoning district in which it is located, any general development standards, site design and improvement standards; as evidenced by the listing of any exceptions in the primary plat application.

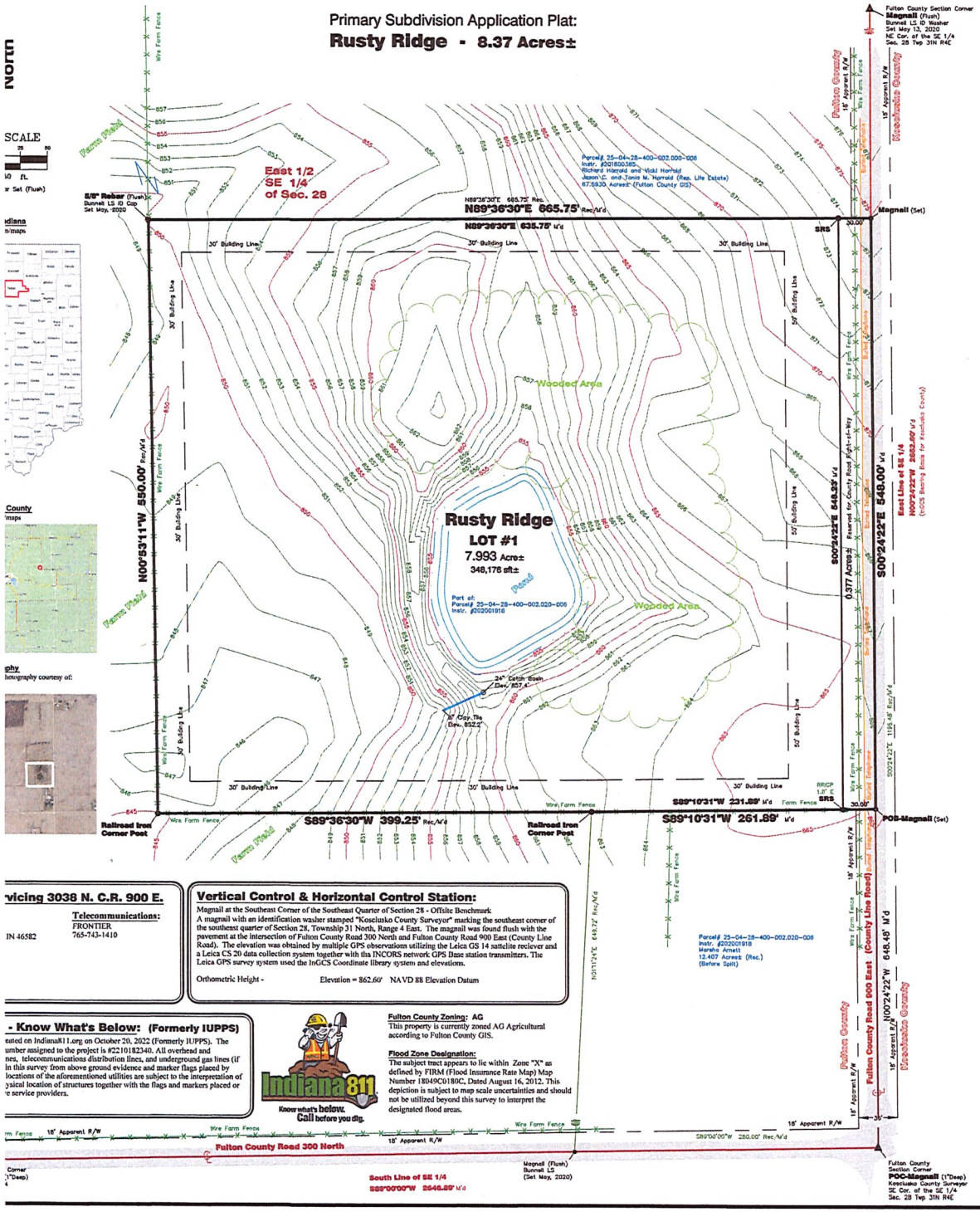
E. The presence or absence of any protective covenant for the subdivision which would alter its impact from what would typically be permitted in the zoning district in which it is located; as evidenced by the inclusion of any covenants in the primary plat application.

Recommendations

Primary Plat and Secondary Plat

The proposed subdivision has 12.40 acres and will be split into two (2) lots, one lot will be approximately 7.993 acres and the second lot being approximately 4.40 acres.

The proposed subdivision complies with all of the Fulton County Zoning Ordinances and Fulton County Subdivision Control Ordinances. I do not, at this time, see a reason to deny this application for a primary plat. Nor do I see a reason to deny the secondary (final) plat, if the primary plat is approved without conditions.



Plat Description: Rusty Ridge

A tract of land being a part of the east half of the southeast quarter of Section Twenty-eight (28), in Township Thirty-one (31) North, Range Four (4) East, of the Second Principal Meridian, in Fulton County, Indiana, and based upon an "Original" survey of said lands performed on October 28, 2022 by Bunnell Land Surveying, and being more particularly described as follows:

COMMENCING at the southeast corner of the southeast quarter of said Section 28, marked by a magnail with an identification washer stamped Kosciusko County Surveyor; thence North 00° 24' 22" West (InGCS Bearing Basis for Kosciusko County), along the east line of said southeast quarter, 648.48 feet to a magnail with an identification washer stamped Bunnell LS and the POINT OF BEGINNING of the herein described tract; thence South 89° 10' 31" West, 261.89 feet to a railroad iron corner post and to a corner of a 12.407 acre tract of land described in Instrument #202000191B and found on file at the Fulton County Recorder's Office; thence South 89° 36' 30" West, along the south line of said 12.407 acre tract, 399.25 feet to a railroad iron corner post; thence North 00° 53' 11" West, along the west line of said 12.407 acre tract, 550.00 feet to a steel rebar stake with a marker stamped Bunnell LS; thence North 89° 36' 30" East, along the north line of said 12.407 acre tract, 665.75 feet to a magnail with an identification washer stamped Bunnell LS on the east line of said southeast quarter; thence South 00° 24' 22" East, along the east line of said southeast quarter, 548.00 feet to the POINT OF BEGINNING, containing 8.37 acres, more or less, and containing 0.377 acres for Fulton County Road right-of-way, being a strip of land 30.00 feet in width off of the east side of the above described tract.

Plat Dedication:

I, the undersigned, Marsha Arnett, owner of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate.

This subdivision shall be known and designated as Rusty Ridge. All streets and public areas shown and not heretofore dedicated are hereby dedicated to the public.

Front building setback lines are hereby established as shown on this plat between which lines and the right-of-way line of the street there shall be erected or maintained no structure.

Certification of Ownership:

I, Marsha Arnett, hereby certify that I am the sole owner of the property described in the above caption and have caused the above described property to be surveyed and subdivided as shown on said plat as my own voluntary act and deed.

Signed by:
Marsha Arnett _____ Printed: _____

Prepared For:
Fred McGlothin Jr. _____ Printed: _____

Notary Public:

Before me, A Notary Public in and for Fulton County, State of Indiana, personally appeared Marsha Arnett and Fred McGlothin Jr. and acknowledged that they signed the above certification as their own free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and Notorial Seal this _____ Day of _____, 2022

NOTARY PUBLIC:
Signed: _____ Printed: _____

Resident of _____ County, Indiana

My Commission expires: _____

Plan Commission Approval:

Approval by the Fulton County Plan Commission in accordance with the Subdivision Control Ordinance.

Fulton County Plan Commission Officer: _____ (Written Name) _____ (Signature) November 28, 2022

Fulton County Plan Commission Officer: _____ (Written Name) _____ (Signature) November 28, 2022

Theory of Location: Surveyor's Reports and Opinions

This is an "Original" survey of a 7.993 acre tract of land located in Section Twenty-eight, Township Thirty-one North, Range Four East. The 7.993 acre tract is being partitioned from a 12.407 acre "parent" tract of land currently owned by Marsha Arnett, described in Instrument #202001918, found on file in the Fulton County Recorder's Office, and also shown as Parcel #25-04-28-400-002.020-006 on the Fulton County Elevate GIS website. A survey of the 7.993 acre tract was requested by Fred McGlothin Jr. on October 11, 2022. This survey was prepared to delineate the proposed title lines of a 7.993 acre tract on the ground for the transfer of real estate. The land was split under the wishes and direction of Fred McGlothin Jr. in accordance with the guidelines set forth by the Fulton County Area Planning Department for partitioning land in Fulton County.

A 1" steel pin was found at the NE corner of the NE 1/4 of Section 28 agreeing with the Kosciusko County section corner reference sheets within 0.08 feet in the north/south direction and 0.05' in the east/west direction. A magnail with a marker stamped Kosciusko County Surveyor was found marking the SE corner of the SE 1/4 of Section 28 agreeing with the Kosciusko and the Fulton County reference sheets within 0.05' in the north/south direction and 0.05' in the east/west direction. A 5/8" steel rebar was found at the Southwest corner of the Southeast 1/4 of Section 28. The rebar appears to be 20 to 30 years old and agrees with the east edge of a 100+ year old large "L" shaped concrete post at the north right-of-way. A 100+ year old large "L" shaped concrete post was also found at the mid split distance between the 5/8" rebar at the SW corner of the SE 1/4 and the magnail found at the SE corner of the SE 1/4 validating the not yet referenced location of the south quarter corner. It is recommended that the Fulton County Surveyor excavate under the found rebar at the south quarter corner to find a stone and or accept the rebar as the perpetuation of the original stone set. A steel rail post was found at the center of Section 28. The rail post was set in a 4 foot diameter concrete pad and no stone was found near the post or set within the concrete pad at this time. The steel rail post appeared to be 80 to 100± years old and had a long standing farm fence running east, west, and south therefrom. A downed farm fence was found running north. Nothing was found at the NE corner of the SE 1/4 of Section 28 at this time. The north line of the southeast quarter was established by extending the 100+ year old farm fence line running between the steel rail post at the Center of Section through a 3" steel post attached to the west end of a 100± year old "L" shaped concrete post found at the west right of way of County Road 900 East. The east line of the Southeast quarter was established by running a straight line between the 1" pin at the NE corner of the NE 1/4 and the Magnail at the SE corner of the SE 1/4. The north line of the SE quarter was then extended east to its intersection with the east line of Section 28, and a magnail was set. The set magnail being approximately 1.0 feet east of the pavement centerline. The northwest corner of the east half of the southeast quarter (mid split location) was measured at 0.6 feet west of the west face of the 100+ Year Old, large "L" shaped concrete post, verifying the Center of Section and the east quarter corner locations. It is also recommended that the Fulton County Surveyor or the Kosciusko County Surveyor excavate the location established at the east quarter corner for a stone. Establishment of the common quarter section corner between Fulton County and Kosciusko County would be beneficial for future development in both counties.

The east line of the east half of the southeast quarter was established at N00°24'22"W for all bearings utilized within this survey as being calibrated from the InGCS coordinate plane. Multiple GPS observations with a Leica GS14 GPS receiver calibrated to an INCORS base station signals together with the InGCS coordinate grid specifically created for Kosciusko County, were utilized within this survey.

A) Variances and Availability in Reference Monuments:
Section corner monumentation found on this survey are shown on the plat of survey and discussed within the theory of location. All secondary interior monumentation is shown and referenced on the plat of survey to the title lines and corners established.

B) Discrepancies in record descriptions:
No title overlaps or gaps were found with adjoining deeds of record.

C) Inconsistencies with active lines of occupation:
Possession to the north is not apparent at the time of this survey. Possession to the east is to the pavement improvements of Fulton County Road 900 East. Possession to the south and possession to the west is generally along an existing wire farm fence.

D) Relative Positional Accuracy and Classification of Survey: **SUBURBAN**
The survey performed meets the requirements of a Suburban survey according to Rule 865 Indiana Administrative Code (IAC) 1-12-7, "Measurements for retracement surveys, original surveys, and route surveys." (Authority: IC 25-21.5-5-2-14. Affected: IC 25-21.5) "The degree of precision and accuracy for a survey shall be based upon the intended use of the real estate. If the client does not provide information regarding the intended use, the classification of the survey shall be based upon the current use of the real estate." Suburban surveys are performed on residential subdivisions lots. Surveys of single family residential lots shall be suburban surveys even if the lot is located in an urban or a rural area.

The acceptable relative positional accuracies for each classification of survey are as follows:
1. Urban Surveys: 0.07 feet (21 millimeters) plus 50 parts per million.
2. **Suburban Surveys: 0.13 feet (40 millimeters) plus 100 parts per million.**
3. Rural Surveys: 0.26 feet (80 millimeters) plus 200 parts per million.

Surveyor's Notes:
Original Survey of 12.407 Acre± "Parent" Tract Bunnell Land Surveying Survey #2020-056 Dated: May 15, 2020

There were no significant trees within the woods surrounding the pond that could be considered isolated or preservable.

Setback Requirements:
Front Setbacks- 50.00 feet from the Road R/W
Side & Rear Yard Setbacks- 30.00 feet from the Lot Line (Primary Structure)
Side & Rear Yard Setbacks- 10.00 feet from the Lot Line (Accessory Structure)

Surveyor's Certificate:

I Barrie L. Bunnell, a Professional Land Surveyor of the State of Indiana do hereby certify that the attached plat and above legal description were prepared by me, and to the best of my knowledge and belief was executed in accordance with the requirements of the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code and LSA Document #05-82(F).

I further certify that have surveyed the property described and that I have subdivided Lot #1 of Rusty Ridge as shown. This plat correctly represents said survey and subdivision in every detail. Monuments shown on the within plat will be installed as located in accordance with the platting ordinance. All Lot corners will be marked with monumentation as shown. Dimensions are in feet and decimal parts thereof.

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.

CERTIFIED BY: Barrie L. Bunnell, P.L.S. #9500018 Oct. 28, 2022

Barrie L. Bunnell, Oct. 28, 2022

BARRIE L. BUNNELL
REGISTERED
No.
LS-9500018
STATE OF
INDIANA
LAND SURVEYOR

Vertical Control & Horizontal Control Station:
Magnail at the Southeast Corner of the Southeast Quarter of Section 28 - Offsite Benchmark
A magnail with an identification washer stamped "Kosciusko County Surveyor" marking the southeast corner of the southeast quarter of Section 28, Township 31 North, Range 4 East. The magnail was found flush with the pavement at the intersection of Fulton County Road 300 North and Fulton County Road 900 East (County Line Road). The elevation was obtained by multiple GPS observations utilizing the Leica GS 14 satellite reciever and a Leica CS 20 data collection system together with the INCORS network GPS base station transmitters. The Leica GPS survey system used the InGCS Coordinate library system and elevations.

Orthometric Height - Elevation = 862.60' NAVD 88 Elevation Datum

Fulton County Zoning: AG
This property is currently zoned AG Agricultural according to Fulton County GIS.

Flood Zone Designation:
The subject tract appears to lie within Zone "X" as defined by FIRM (Flood Insurance Rate Map) Map Number 18049C0180C, Dated August 16, 2012. This depiction is subject to map scale uncertainties and should not be utilized beyond this survey to interpret the designated flood areas.

vicing 3038 N. C.R. 900 E.

Telecommunications:
FRONTIER
765-743-1410

IN 46582

- Know What's Below: (Formerly IUPPS)
uested on Indiana811.org on October 20, 2022 (Formerly IUPPS). The umber assigned to the project is #2210182340. All overhead and nes, telecommunications distribution lines, and underground gas lines (if in this survey from above ground evidence and marker flags placed by locations of the aforementioned utilities are subject to the interpretation of ysical location of structures together with the flags and markers placed or e service providers.

Indiana 811
Know what's below. Call before you dig.

Heather Redinger

From: Heather Redinger
Sent: Thursday, November 17, 2022 11:11 AM
To: Kim Gard
Subject: FW: Fulton Co. Airport Hangar Development Project
Attachments: AC 150-5200-33C.pdf; Wildlife Hazard Management.pdf

From: Matt Woods <matt@fultoncountyairport.net>
Sent: Wednesday, November 16, 2022 11:08 AM
To: Heather Redinger <hredinger@co.fulton.in.us>
Cc: John Feister <JFeister@bfsengr.com>; Katie England <kengland@bfsengr.com>; danfunk1998@gmail.com
Subject: Re: Fulton Co. Airport Hangar Development Project

Heather,

Thank you for sending me the documents related to landscaping around a newly constructed hangar building. The airport is not in favor of any additional landscaping on the airport property. Landscaping is a wildlife attractant, and the FAA recommends not having landscaping in aircraft movement areas such as taxiways, runways, ramps, and hangar areas. Attached to this email is FAA Advisory Circular #150/5200-33C which covers hazardous wildlife attractants on or near airports. Section 2.8.2 covers landscaping guidance. Also attached is a "Wildlife Hazard Management at Airports" document that the FAA and USDA published. Chapter 5.8 covers landscaping guidance that is very similar to the FAA advisory circular. With all that, the airport would like to begin the process of applying for a variance on the landscaping requirements. I would also like to have some conversations about amending the ordinance to exempt the airport from landscaping requirements in the future. Do I need to stop by the office to file for the variance?

Thanks.

Matt Woods
KRCR Manager

Fulton County Airport
545 N State Road 25
Rochester, IN 46975

574-223-5384 office
574-223-5204 fax

From: Heather Redinger <hredinger@co.fulton.in.us>
Sent: Tuesday, November 15, 2022 12:43 PM

CHAPTER 5:
RECOGNIZING HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AIRPORTS

A Eurasian crane penetrated the windshield of this Israeli helicopter in March 2003. In the USA, vultures and waterfowl have been responsible for the most losses of military aircraft to bird strikes.

5.1 INTRODUCTION

Land-use practices and habitat are the key factors determining the wildlife species and the size of wildlife populations that are attracted to airport environments. The recognition and control of those land-use practices and habitats on or near airports that attract hazardous wildlife are fundamental to effective Wildlife Hazard Management Plans.

The FAA (through Advisory Circular 150/5200-33A, Hazardous Wildlife Attractants on or Near Airports, Appendix C) provides guidance on locating certain land uses that have the potential to attract hazardous wildlife on or near public-use airports. It also discusses airport development projects (including airport construction, expansion, and renovation) affecting aircraft movement near hazardous wildlife attractants.

5.2 SEPARATION CRITERIA FOR HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AIRPORTS

The minimum separation criteria outlined below are recommended for land-use practices that attract hazardous wildlife to the vicinity of airports. Please note that these criteria include land uses that cause movement of hazardous wildlife onto, into, or across the approach or departure airspace, air operation area (AOA), loading ramps, or aircraft parking area of airports.

Piston engines are not as susceptible to bird-strike damage as turbine engines. However, other parts of piston-powered aircraft can be severely damaged. This Rockwell Commander, flying at 1,500 feet AGL and 130 knots, struck a large bird. This was the second damaging bird strike this aircraft had suffered in less than 10 years (photo courtesy B. McKinnon, Transport Canada).

The basis for the separation criteria contained in this section can be found in existing FAA regulations. The separation distances are based on (1) flight patterns of piston-powered aircraft and turbine-powered aircraft, (2) the altitude at which most strikes happen (81 percent occur under 1,000 feet and 92 percent occur under 3,000 feet above ground level), and (3) National Transportation Safety Board (NTSB) recommendations. The recommended separation distances are diagramed in Figure-5-1.

5.2.A AIRPORTS SERVING PISTON-POWERED AIRCRAFT

Airports that do not sell Jet-A fuel normally serve piston-powered aircraft. Notwithstanding more stringent requirements for specific land uses, a minimum separation distance of 5,000 feet is recommended at these airports for known hazardous wildlife attractants or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA, loading ramps, and aircraft parking areas and the hazardous wildlife attractant. Figure 5-1 depicts this separation distance measured from the nearest AOA.

5.2.B AIRPORTS SERVING TURBAN-POWERED AIRCRAFT

Airports selling Jet-A fuel normally serve turbine-powered aircraft. Notwithstanding more stringent requirements for specific land uses, a minimum separation distance of 10,000 feet is recommended at these airports for known hazardous wildlife attractants or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA, loading ramps, and aircraft parking areas and the hazardous wildlife attractant. Figure 5-1 depicts this separation distance measured from the nearest AOA.

5.2.C PROTECTION OF APPROACH OR DEPARTURE AIRSPACE

For all airports, a minimum separation distance of 5 statute miles is recommended between the farthest edge of the airport's AOA and known hazardous wildlife attractant if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace. Figure 5-1 depicts this separation distance measured from the nearest AOA.

5.3 LAND-USE PRACTICES THAT POTENTIALLY ATTRACT HAZARDOUS WILDLIFE

Because most agricultural crops attract birds at some point during their production cycle, the FAA recommends against allowing farming on airport property (photo by R. DeFusco, BASH, Inc.).

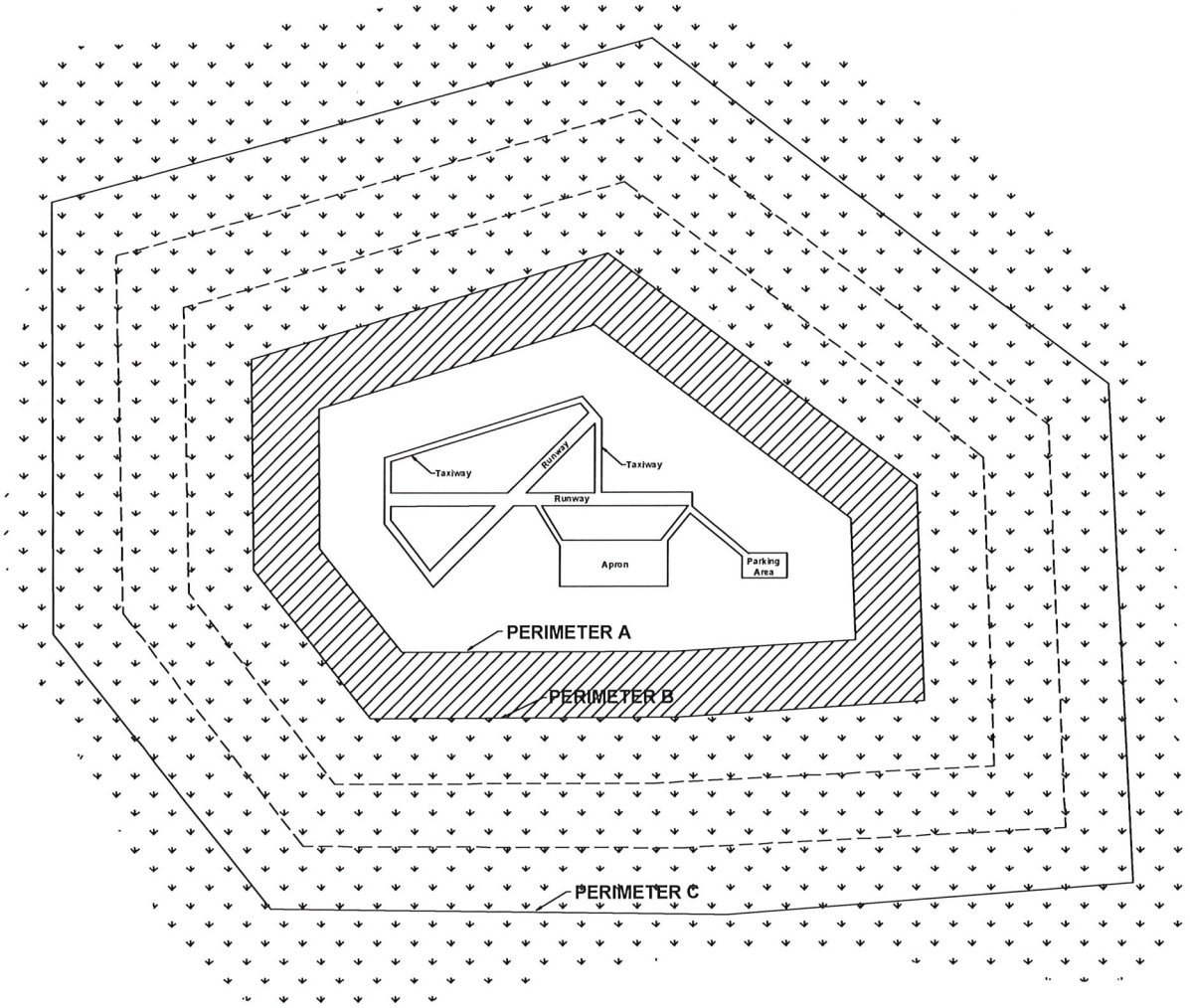
The wildlife species and the size of the populations attracted to the airport environment vary considerably, depending on several factors, including land-use practices on or near the airport. This section discusses land-use practices having the potential to attract hazardous wildlife and threaten aviation safety.

5.3.A WASTE DISPOSAL OPERATIONS

Municipal solid waste landfills (MSWLF) are known to attract large numbers of hazardous wildlife, particularly birds. Because of this, these operations, when located within the separations identified in the siting criteria in AC 150/5200-33A (see above and Appendix C), are considered incompatible with safe airport operations.

5.3.A.I SITING NEW MUNICIPAL SOLID WASTE LANDFILLS SUBJECT TO AIR 21

Section 503 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106–181) (AIR 21) prohibits the construction or establishment of a new MSWLF within 6 statute miles of certain public-use airports. Before these prohibitions apply, both the airport and the landfill must meet the very specific conditions described below. These restrictions do not apply to airports or landfills located within Alaska.



Perimeter A:

For airports serving piston-powered aircraft, hazardous wildlife attractants must be 5,000 feet from the nearest air operations area.

Perimeter B:

For airports serving turbine-powered aircraft, hazardous wildlife attractants must be 10,000 feet from the nearest air operations area.

Perimeter C:

5-mile range to protect approach, departure, and circling airspace.

Figure 5-1. Separation distances within which hazardous wildlife attractants should be avoided, eliminated, or mitigated.

The airport must (1) have received a federal grant(s) under 49 U.S.C. § 47101, et. seq.; (2) be under control of a public agency; (3) serve some scheduled air carrier operations conducted in aircraft with less than 60 seats; and (4) have total annual enplanements consisting of at least 51 percent of scheduled air carrier enplanements conducted in aircraft with less than 60 passenger seats.

The proposed MSWLF must (1) be within 6 miles of the airport, as measured from airport property line to MSWLF property line, and (2) have started construction or establishment on or after April 5, 2001. Public Law 106–181 only limits the construction or establishment of some new MSWLF. It does not limit the expansion, either vertical or horizontal, of existing landfills. Consult the most recent version of AC 150/5200-34, *Construction or Establishment of Landfills Near Public Airports* (Appendix C), for a more detailed discussion of these restrictions.

It is widely recognized that open-faced, putrescible waste landfills attract gulls. However, these landfills also attract other birds hazardous to aviation. Over 5,000 starlings were counted at this Midwestern USA landfill (photo by E. Cleary, FAA).

5.3.A.II SITING NEW MUNICIPAL SOLID WASTE LANDFILLS NOT SUBJECT TO AIR 21

If an airport and MSWLF do not meet the restrictions of Public Law 106–181, do not locate new MSWLF within the separation distances identified in AC 150/5200-33A (see above and Appendix C). Measure the separation distances from the closest point of the airport's AOA to the closest planned MSWLF cell.

5.3.A.III CONSIDERATIONS FOR EXISTING WASTE DISPOSAL FACILITIES WITHIN THE LIMITS OF SEPARATION CRITERIA

Do not locate airport development projects that would increase the number of aircraft operations or accommodate larger or faster aircraft near MSWLF operations within the separations identified in AC 150/5200-33A (see above and Appendix C). In addition, in accordance with 40 CFR 258.10, owners or operators of existing MSWLF units that are located within the separations listed in AC 150/5200-33A (see above and Appendix C) must demonstrate that the unit is designed and operated so it does not pose a bird hazard to aircraft.

To claim successfully that a waste-handling facility sited within the separations identified in AC 150/5200-33A (see above and Appendix C) does not attract hazardous wildlife and does not threaten aviation, the developer must establish convincingly that the facility will not handle putrescible material other than in fully enclosed transfer stations (see 5.4.b, below).

In their effort to satisfy the EPA requirement, some putrescible-waste facility proponents

might offer to undertake experimental measures to demonstrate that their proposed facility will not be a hazard to aircraft. To date, no such facility has been able to demonstrate an ability to reduce and sustain hazardous wildlife to levels that existed before the putrescible-waste landfill began operating. For this reason, the FAA does not consider the demonstration of experimental wildlife control at putrescible-waste landfills within the separation distances specified in AC 150/5200-33A to be an acceptable alternative to locating the landfill beyond the separation distances.

5.3.B TRASH TRANSFER STATIONS

Enclosed waste-handling facilities that receive garbage behind closed doors; process it via compaction, incineration, or similar manner; and remove all residue by enclosed vehicles generally are compatible with safe airport operations, provided they are not located on airport property or within the Runway Protection Zone (RPZ). Do not handle or store putrescible waste outside or in a partially enclosed structure accessible to hazardous wildlife at these facilities. Trash transfer facilities that leave the main doors open during normal operations, are open on one or more sides, that temporarily store uncovered quantities of municipal solid waste outside, that use semi-trailers that leak or have trash clinging to the outside, or that do not control odors by ventilation and filtration systems (odor masking is not acceptable) do not meet the FAA's definition of fully enclosed trash transfer stations. The FAA considers these facilities incompatible with safe airport operations if they are located closer than the separation distances specified in AC 150/5200-33A (see above and Appendix C).

Open-sided trash transfer stations attract gulls, starlings, and other birds that can pose a hazard to aviation safety. Any waste-management facility that has exposed putrescible waste must not be located closer to an airport than the separation distance specified in AC 150/5200-33A (Appendix C) (photo by L. Henze, USDA).

5.3.C COMPOSTING OPERATIONS ON OR NEAR AIRPORT PROPERTY

Composting operations that accept only yard waste (e.g., leaves, lawn clippings, or branches) generally do not attract hazardous wildlife. Sewage sludge, woodchips, and similar material are not municipal solid wastes and may be used as compost bulking agents. The compost, however, must never include food or other municipal solid waste. Do not locate composting operations on airport property. Do not locate off-airport property composting operations closer than the greater of the following distances: 1,200 feet from any AOA, loading ramp, or aircraft parking space or the distance called for by airport design requirements (see AC 150/5300-13, Airport Design). This spacing is meant to prevent material, personnel, or equipment from penetrating any Object Free Area (OFA), Obstacle Free Zone (OFZ), Threshold Siting Surface (TSS), or Clearway. Monitor composting operations located in proximity to the airport to ensure that steam or

thermal rise does not adversely affect air traffic. On-airport disposal of compost by-products is not recommended.

5.3.D UNDERWATER WASTE DISCHARGES

The underwater discharge of any food waste (e.g., fish processing offal) within the separations identified in AC 150/15200-33A (see above and Appendix C) is not recommended because it could attract scavenging hazardous wildlife.

5.3.E RECYCLING CENTERS

Recycling centers that accept previously sorted non-food items, such as glass, newspaper, cardboard, or aluminum, are, in most cases, not attractive to hazardous wildlife and are acceptable.

Small recycling bins and compactor stations, properly maintained so that putrescible waste is covered at all times, are generally not attractive to birds (photos by E. Cleary, FAA).

5.3.F CONSTRUCTION AND DEMOLITION DEBRIS FACILITIES

Construction and demolition debris (C&D) landfills do not generally attract hazardous wildlife and are acceptable if maintained in an orderly manner, admit no putrescible waste, and are not co-located with other putrescible waste disposal operations. C&D landfills have similar visual and operational characteristics to putrescible waste disposal sites. When co-located with putrescible waste disposal operations, C&D landfills are more likely to attract hazardous wildlife because of the similarities between these disposal facilities. Site C&D landfills co-located with other putrescible waste disposal operations outside of the separations identified in AC 150/5200-33A (see above and Appendix C).

5.3.G FLY ASH DISPOSAL

The incinerated residue from resource recovery power/heat-generating facilities that are fired by municipal solid waste, coal, or wood is generally not a wildlife attractant because it no longer contains putrescible matter. Landfills accepting only fly ash are generally not considered to be wildlife attractants and are acceptable as long as they are maintained in an orderly manner, admit no putrescible waste of any kind, and are not co-located with other disposal operations that attract hazardous wildlife.

Since varying degrees of waste consumption are associated with general incineration (not resource recovery power/heat-generating facilities), the FAA considers the ash from general incinerators a regular waste disposal by-product and, therefore, a hazardous wildlife attractant if disposed of within the separation criteria outlined in AC 150/5200-33A (see above and Appendix C).

Water detention basins at airports, such as this French-drain system at an eastern USA airport, should be designed to completely drain within 48 hours after the design storm event (photo by R. A. Dolbeer, USDA).

5.4 WATER MANAGEMENT FACILITIES

Drinking water intake and treatment facilities, storm water and wastewater treatment facilities, associated retention and settling ponds, ponds built for recreational use, and ponds that result from mining activities often attract large numbers of potentially hazardous wildlife. To prevent wildlife hazards, land-use developers and airport operators might need to develop management plans, in compliance with local and state regulations, to support the operation of storm water management facilities on or near public-use airports to ensure a safe airport environment.

5.4.A EXISTING STORM WATER MANAGEMENT FACILITIES

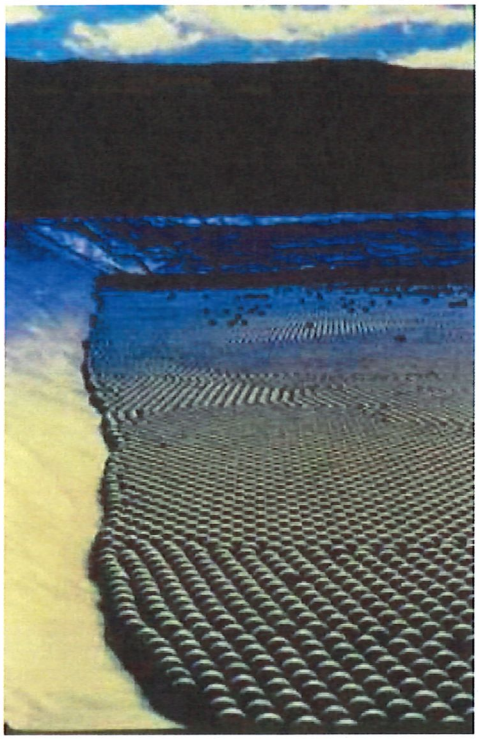
On-airport storm water management facilities allow the quick removal of surface water, including discharges related to aircraft deicing, from impervious surfaces, such as pavement and terminal/hangar building roofs. Existing on-airport detention ponds collect storm water, protect water quality, and control runoff. Because they slowly release water after storms, they create standing bodies of water that can attract hazardous wildlife. Using appropriate wildlife hazard mitigation techniques, airport management should take immediate corrective actions to address any wildlife hazards arising from existing storm water or other such facilities located on or near an airport (14 CFR 139.337 (a)). Develop measures to minimize hazardous wildlife attraction in consultation with a wildlife damage management biologist.

This storm water basin was designed to drain within 48 hours following a major storm event (the design storm). The rip-rap lining helps prevent vegetation growth and bird use of the pond (photo courtesy FAA).

Where possible, modify storm water detention ponds to allow a maximum 48-hour detention period for the design storm. Avoid or remove retention ponds and detention ponds featuring long-term storage to eliminate standing water. Design or modify

detention basins to remain totally dry between rainfalls. Where constant flow of water is anticipated through the basin, or where any portion of the basin bottom may remain wet, include a concrete or paved pad and/or ditch/swale in the bottom to prevent vegetation that may provide cover and food for wildlife.

When it is not possible to drain a large detention pond completely, use physical barriers, such as bird balls, wires grids, pillows, or netting, to deter birds and other hazardous wildlife. When physical barriers are used, carefully evaluate their use and ensure they will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, get approval from the appropriate FAA Regional Airports Division Office.



Floating plastic balls can be used to cover ponds and prevent birds from using the site. FAA approval is required before physical barriers may be used over ponds at certificated airports (photo courtesy Wildlife Materials, Inc.).

Encourage off-airport storm water treatment facility operators to incorporate appropriate wildlife hazard mitigation techniques into storm water treatment facility operating practices when their facility is located within the separation criteria specified in AC 150/5200-33A (see above and Appendix C).

5.4.B NEW STORM WATER MANAGEMENT FACILITIES

Design and operate off-airport storm water management systems located within the separations identified in AC 150/5200-33A (see above and Appendix C) so as not to create above-ground standing water. Design, engineer, construct, and maintain on-airport storm water detention ponds for a maximum 48–hour detention period for the design storm and so the ponds remain completely dry between storms. Use steep-sided, narrow, linearly shaped water detention basins to facilitate the control of hazardous wildlife. When it is not possible to place these ponds away from the AOA, use physical barriers, such as bird balls, wires grids, pillows, or netting, to prevent access of hazardous wildlife to open water and minimize aircraft-wildlife interactions. When physical barriers are used, carefully evaluate their use and ensure they will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, get approval from the appropriate FAA Regional Airports Division Office. Eliminate all vegetation in or around detention basins that provides food or cover for hazardous wildlife. If soil conditions and other requirements allow, use underground storm water infiltration systems, such as French drains or buried rock fields, because they are less attractive to wildlife.

5.4.C EXISTING WASTEWATER TREATMENT FACILITIES

Immediately correct any wildlife hazards arising from existing wastewater treatment or similar facilities located on or near the airport (14 CFR 139.337). Encourage wastewater treatment facility operators to incorporate measures, developed in consultation with a wildlife damage management biologist, to minimize hazardous wildlife attractants. Encourage wastewater treatment facility operators to incorporate these mitigation techniques into their standard operating practices. In addition, consider the existence of wastewater treatment facilities when evaluating proposed sites for new airport development projects and avoid such sites when practicable.

In tropical regions, cattle egrets appear to fill the ecological niche occupied by gulls at waste management facilities in North America. Over 13,000 cattle egrets were seen at this sewage treatment and landfill complex near Mexico City (photo by E. Cleary, FAA).

5.4.D NEW WASTEWATER TREATMENT FACILITIES

Do not construct new wastewater treatment facilities or associated settling ponds within the separations identified in AC 150/15200-33A (see above and Appendix C). Wastewater treatment facilities are "any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes." The definition includes any pretreatment involving the reduction of the amount of pollutants or the elimination of pollutants prior to introducing such pollutants into a publicly owned treatment works (wastewater treatment facility). Consider the potential to attract hazardous wildlife during the site-location analysis for wastewater treatment facilities if an airport is in the vicinity of the proposed site. Oppose such facilities if they are within the separations identified in AC 150/5200-33A (see above and Appendix C).

5.4.E ARTIFICIAL MARSHES

In warmer climates, wastewater treatment facilities sometimes employ artificial marshes and use submergent and emergent aquatic vegetation as natural filters. These artificial marshes may be used by various species of birds, such as blackbirds and waterfowl, for nesting, feeding, or roosting. Do not establish artificial marshes within the separations identified in AC 150/5200-33A (see above and Appendix C).

5.4.F WASTEWATER DISCHARGE AND SLUDGE DISPOSAL

Do not discharge of wastewater or sludge on airport property because it may improve soil moisture and quality on unpaved areas and lead to improved turf growth that can be an attractive food source for many species of animals. Also, the turf requires more frequent mowing, which in turn might mutilate or flush insects or small animals and produce thatch, both of which can attract hazardous wildlife. In addition, the improved turf might attract grazing wildlife, such as deer and geese. Problems might also occur when discharges saturate unpaved airport areas. The resultant soft, muddy conditions can severely restrict or prevent emergency vehicles from reaching accident sites in a timely manner.

5.5 WETLANDS

Wetlands provide a variety of functions and can be regulated by local, state, and federal laws. Wetlands typically attract diverse species of wildlife, including many that rank high on the list of hazardous wildlife species (Table 7-1).

If questions exist as to whether an area qualifies as a wetland, contact the local division of the U.S. Army Corps of Engineers, the Natural Resources Conservation Service, or a wetland consultant qualified to delineate wetlands. A MOA among six federal agencies was signed in 2003 (Appendix H) to facilitate, among other things, resolution of wetland management issues at airports without compromising aviation safety related to wildlife hazards.

This photo is from a National Wildlife Refuge located adjacent to a major USA airport (note air traffic control tower in background). These incompatible land uses were established years ago, before the FAA had set minimum separation distances. In this type of situation, both the airport manager and the refuge manager must be extra vigilant and ready to respond to rapidly developing wildlife hazard conditions (photo by E. Cleary, FAA).

5.5.A EXISTING WETLANDS ON OR NEAR AIRPORT PROPERTY

If wetlands are located on or near airport property, be alert to any wildlife use or habitat changes in these areas that could affect safe aircraft operations. At public-use airports, immediately correct, in cooperation with local, state, and federal regulatory agencies, any wildlife hazards arising from existing wetlands located on or near airports. Where required, a Wildlife Hazard Management Plan (WHMP) will outline appropriate wildlife hazard mitigation techniques. Develop measures to minimize hazardous wildlife attraction in consultation with a wildlife damage management biologist.

5.5.B NEW AIRPORT DEVELOPMENT

Whenever possible, locate new airports using the separations from wetlands identified in AC 150/5200-33A (see above and Appendix C). Where alternative sites are not practicable, or when expanding an existing airport into or near wetlands, in consultation with a wildlife damage management biologist, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the state wildlife management agency, evaluate the wildlife hazards and prepare a WHMP that indicates methods of minimizing the hazards.

5.5.C MITIGATION FOR WETLAND IMPACTS FROM AIRPORT PROJECTS

This water body at a major west coast USA airport should be removed because it provides ideal habitat for waterfowl and wading birds hazardous to aircraft. However, the water has also been designated as critical habitat for the endangered Riverside fairy shrimp. Airports must work closely with multiple federal and state agencies to resolve such conflicts (Photo by T. Pitlik, USDA)

Wetland mitigation might be necessary when wetland disturbances result from new airport development projects or projects required to correct wildlife hazards from wetlands. Wetland mitigation must be designed so it does not create a wildlife hazard. Locate wetland mitigation projects that may attract hazardous wildlife outside of the separations identified in AC 150/5200-33A (see above and Appendix C).

5.5.C.I ON-SITE MITIGATION OF WETLAND FUNCTIONS

The FAA may consider exceptions to locating mitigation activities outside the separations identified in AC 150/5200-33A (see above and Appendix C) if the affected wetlands provide unique ecological functions, such as critical habitat for threatened or endangered species or ground water recharge, which cannot be replicated when moved to a different location. Using existing airport property is sometimes the only feasible way to achieve the mitigation ratios mandated in regulatory orders and settlement agreements with the resource agencies. Conservation easements are an additional means of providing mitigation for project impacts. Typically the airport operator continues to own the property, and an easement is created stipulating that the property will be maintained as habitat for state or federally listed species.

Mitigation must not inhibit the airport operator's ability to effectively control hazardous wildlife on or near the mitigation site or effectively maintain other aspects of safe airport operations. Avoid enhancing such mitigation areas to attract hazardous wildlife. The FAA may review any onsite mitigation proposals to determine compatibility with safe airport operations. In cooperation with a wildlife damage management biologist, evaluate any wetland mitigation projects that are needed to protect unique wetland functions and that must be located in the separation criteria in AC 150/5200-33A (see

above and Appendix C) before the mitigation is implemented. Develop a WHMP to reduce any identified wildlife hazards.

5.5.C.II OFF-SITE MITIGATION OF WETLAND FUNCTIONS

Site wetland mitigation projects that might attract hazardous wildlife outside of the separations identified in AC 150/5200-33A (see above and Appendix C) unless they provide unique functions that must remain onsite (see 2-4c(1)). Agencies that regulate impacts to or around wetlands recognize that it might be necessary to split wetland functions in mitigation schemes. Therefore, regulatory agencies may, under certain circumstances, allow portions of mitigation to take place in different locations.

5.5.C.III MITIGATION BANKING

Wetland mitigation banking is the creation or restoration of wetlands in order to provide mitigation credits that can be used to offset permitted wetland losses. Mitigation banking benefits wetland resources by providing advance replacement for permitted wetland losses; consolidating small projects into larger, better-designed and managed units; and encouraging integration of wetland mitigation projects with watershed planning. This last benefit is most helpful for airport projects, as wetland impacts mitigated outside of the separations identified in AC 150/5200-33A (see above and Appendix C) can still be located within the same watershed. Wetland mitigation banks meeting the separation criteria offer an ecologically sound approach to mitigation in these situations. Working with local watershed management agencies or organizations, develop mitigation banking for wetland impacts on airport property. See Appendix M for a more detailed discussion of this issue.

During the first winter following its completion, over 20,000 Bonaparte's gulls used this dredge spoil containment area (far right of photo) constructed next to an airport on Lake Erie's shoreline. The airport's main runway can be seen to the left (photo by E. Cleary, FAA).

5.6 DREDGE SPOIL CONTAINMENT AREAS

Do not locate dredge spoil containment areas (also known as Confined Disposal Facilities) within the separations identified in AC 150/5200-33A (see above and Appendix C) if the containment area has standing water or the spoils contain material that would attract hazardous wildlife.

5.7 AGRICULTURAL ACTIVITY

5.7.A CROP PRODUCTION

Because most, if not all, agricultural crops can attract hazardous wildlife during some phase of production, do not use airport property for crop production, including hay

FULTON COUNTY Indiana

Fee Summary Paid Totals

10/01/2022 - 10/31/2022

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
Group: 1001.20301.000.0036				
A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	$1,120.00	12
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	$195.00	12
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	$160.00	4
			$1,475.00	28
			Group Total: 3	
Group: 1001.20303.000.0036				
ADMIN - Comprehensive Plan		1001.20303.000.0036	$6.80	1
ADMIN- Copies	enter number of copies	1001.20303.000.0036	$2.70	1
BZA. Development Standard Variance		1001.20303.000.0036	$175.00	1
BZA. Special Exception		1001.20303.000.0036	$175.00	1
PC. Residential Primary Plat: One & Two lot subdivisions allowed by ordinance - All Jurisdictions		1001.20303.000.0036	$50.00	1
PC. Residential Secondary Plat - All Jurisdictions		1001.20303.000.0036	$100.00	1
ZO. LIP		1001.20303.000.0036	$950.00	19

			$1,459.50	25

Group Total: 7

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	$672.50	9
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	$440.00	9
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.20302.000.0036	$40.00	2
B-3. City of Rochester COMMERCIAL Permit Fee		1001.20302.000.0036	$37.50	1
B-4. City of Rochester COMMERCIAL-Inspection Fee		1001.20302.000.0036	$60.00	1
			$1,250.00	22

Group Total: 5

			$4,184.50	75

Total Records: 15

11/14/2022

Page: 1 of 1