

PERRYSBURG TOWNSHIP ZONING COMMISSION
26609 Lime City Road
Perrysburg, OH 43551

ZONING COMMISSION MEETING
October 10, 2006

The Perrysburg Township Zoning Commission held a meeting on October 10, 2006. Robert S. Black, Chairman, called the meeting to order at 6:04 p.m. and welcomed all in attendance. A roll call was taken. Grant W. Garn, Zoning Inspector, was also present. The meeting was tape-recorded.

MEMBERS PRESENT: Robert S. Black, Jeff Schaller, Carol Warnimont, Arthur Rometo, and Jeffrey Normand.

MEMBERS ABSENT: John J. Benavides.

APPROVAL OF AGENDA: Mr. Black asked if there was a motion to approve the agenda. Ms. Warnimont moved with a second by Mr. Rometo to approve the agenda. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Rometo, Mr. Normand, Mr. Schaller, and Mr. Black. Motion carried 5-0-0.

APPROVAL OF 9/11/06 MINUTES: Mr. Black asked if there was a motion to approve the minutes of September 11, 2006. Ms. Warnimont moved with a second by Mr. Schaller to approve the minutes. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Schaller, and Mr. Black. Mr. Rometo and Mr. Normand abstained. Motion carried 3-0-2.

Mr. Black swore in all persons wishing to address the commission this evening.

ZONING CHANGE APPLICATION NUMBER ZC 2006-04. On September 18, 2006, an associate of Gary A. Yunker of the Timberstone Group, Inc., and George V. Oravec of Oravec Consulting & Engineering brought an application from a June Henry of Ronald Henry Properties, LP, Mark Allen Henry and Kathi Henry and Patricia J. Lesniewski and Benedict Lesniewski, who all wish to have their properties rezoned. They refer to this as the Henry Farm which is located at 9240, 9244, and 9252 Fremont Pike. This property is located in Road Tracks 9 and 12 of Perrysburg Township, and is north of Fremont Pike and west of Lime City Road. It is approximately 163.8325 acres in size. The property is presently zoned I-2 (General Industrial) and A-1 (Agricultural District). They are requesting that the zoning of the 59.9982 acres fronting Fremont Pike be changed to C-3 (Highway Commercial District). They are further requesting that the zoning of the remaining 103.8343 acres be changed to R-4 (Suburban Residential District, Medium Density).

George Oravec addressed the commission regarding this application. He is representing the two parties who are interested in developing the Henry Farm. As was indicated, the land currently is right at the northeast corner of Lime City Road and 20/23. Mr. Black said northwest. Mr. Oravec said northwest. Okay. It's about 163 acres. The majority of it is zoned I-2, heavy industrial, which means that any of the permitted uses in an I-2 district could, in fact, be built there at the present time, and any of the conditional uses, if they were granted by the board, could also be built in that particular district pertaining to I-2 zoning.

What they are asking for is the front of the property to be rezoned C-3, commercial, to eventually develop similar to what Ramco Gershonson has done directly to the west of them, and very similar to what the Bostleman Group had done on the corner of 23 and Thompson Road where the Kohl's, the Lowe's, and the various stores are located in that specific area. They understand the sensitivity of curb cuts and the necessity of controlling those with access management. They understand the necessity of a frontage road. They know that they will have to adhere to the rules and the regulations of the overlay district along 20/23 when that area is developed. They really don't have tenants for this specific site at the present time, and therefore what they are doing is coming in and requesting the zoning so that they can go out and actively seek tenants in a zoned piece of property understanding all the rules and regulations and what they would have to adhere to for this.

The centers, as he indicated, would be very similar to what they have done already in the township with respect to the landscaping, the tree scapes, the service drives and limited curb cuts. All those issues would be incorporated within that development. The rear portion of the property that they are asking R-4 zoning for, they intend to develop that particular area more into a senior development complex of various lifestyles of home sites available in this area. They envision that a portion of the property will be done similar to the Waterside development that is in Monclova Township in Lucas County and now in Sylvania Township in Lucas County, and that is you cluster single-family residential units around open space. So instead of having back yard back up to back yard, you have an open space barrier between the two of them.

They know that on this specific piece of property the probability of wetlands is high. It was identified on the wetlands inventory map that there may be wetlands in this area, and a delineation will have to be done and a determination as to whether or not there are wetlands. And if there are wetlands, what degree they are. If they are either a class 1 or a class 2 wetland, that can be mitigated. By that he means they can replace it with wetlands elsewhere, and then they can then utilize the property for development. If it is a class 3 wetland, then they have no choice. The wetlands must remain, they cannot be mitigated, and they cannot be relocated. That area would have to be kept in preservation.

They also know that they are going to encounter rock in this specific area. There is a small quarry. It's obvious that the area was not farmed where the trees are because of the nearness of the rock shield or the rock ledge. Parts of that area are going to be determined, he would expect where the rock is pretty hard and pretty severe, pretty difficult to develop, that they will find that that area will probably be incorporated more into open space and things of that nature, but their envisionment is that a portion of the property will be developed into a Waterside type community. Another part of it would be developed into the quad unit condominiums that they are familiar with on Thompson Road, projects of that particular nature. Those both seem to be very, very desirable types of living styles for seniors primarily because you either own your condo, or you own your single-family unit. But in both particular cases there is a homeowners' association that maintains all of the grass cutting, the shoveling, all of the things of that nature which gives them the freedom to be able to do what they want to do and not be tied down to those particular responsibilities that they would normally have. All of the streets and the roadways within these types of developments are generally done on a dedicated fashion so that the utilities are, in effect, incorporated within the dedicated road systems. The balance of the land is where the private land, in effect, lies.

The other style of living that they have received some attention on and some interest in doing is the rental units that are currently on Oregon Road and 795, a project in the township. They have expressed some interest in doing a project of this nature, but they would be on the far western side of the development backing up to the commercial development from the crossroads area, or backing up to the commercial development that will exist along Park Avenue that goes through that crossroads area. They feel that these particular three types of lifestyle are residential developments that create a community that would be far more compatible with the existing structures that are in this specific area. There are some very nice homes up and down Lime City Road, and to develop industrial directly up to the front of those particular homes would not be very conducive to the preservation of those home sites. If, in fact, they develop a residential development similar to what they are talking about, it not only is compatible with that development, but it also is an enhancement to the development that is existing there at the present time.

Mr. Black asked Mr. Oravec about the wetlands, are they all in the area that will be proposed for R-4 zoning. His response was yes, they are all in that area. When he walked the property, it would seem to him that they are located more towards the northern end of the property along Lime City Road, north of that little area where the quarry and the stone was fine, in that little quarry area, but it's pretty close to the north property line. Mr. Black asked how many acres does he think that is. Mr. Oravec said it might be two or three acres of it. Mr. Black said of total wetland in this whole area, and Mr. Oravec said of total wetlands in this whole site. The rest of it looked more like scrub trees, things of that nature. There was not a great deal of any wetland plants that he could envision. It was only in this one specific area where he saw more of the typical reeds that you see in a wet area, some cattails that you would see in a wet area.

He is not an expert on that, but that, to him, would seem to be more of a wetland area than it would be a dry one.

Mr. Black thanked Mr. Oravec but asked him to stay there for a moment. He wanted Mr. Garn to read into the record the October 4th letter from the WCPC. Mr. Garn read the letter into the record.

Mr. Black asked of the people in the audience this evening, who attended the WCPC meeting. None of the residents did. He asked if there was anyone present that wished to address the commission this evening. He asked them to raise their hands. Kimberly Besgrove said she just had a couple of questions. Mr. Black said he just wanted to see who was going to speak, so just that one person that wants to speak.

Mr. Black told Mr. Oravec that he had some questions, but he was going to let the members make some comments, and then they will let her speak. It's quite a bit of acreage that's being asked for rezoning. Is there is reason they didn't request a PUD. Mr. Oravec responded saying a PUD may be an overlay on a part of this as it actually does develop on the residential. But until they get a firm commitment from the various segments of the development and exactly how they want to lay their process out, they are basically premature as far as the PUD is concerned. He does not have any building sites. He does not know where the buildings are going to be, so how can he develop a PUD plan. Mr. Black said what he was concerned about is zoning 103 acres to R-4. That's what he has a concern about. As he knows, when there is an application for just straight zoning, they don't know what it's going to be. The applicant can say whatever they want. They don't know what it's going to be. As one member of the commission, he is very concerned about that much acreage.

Mr. Black asked if there were any members that had any comments they would like to make regarding this application. Mr. Schaller said he would agree with Mr. Black's comments. It was mentioned three types of housing, and quite a bit different scenarios of those three types, and to have firmer plans going into this as opposed to just changing it to R-4. Having some limitations or restrictions on this he thinks would be appropriate. For himself, he is not necessarily against the R-4, he just would like to have a better understanding of how it's all going to look, or how it's going to be developed. Ms. Warnimont said she just had her same concerns about the number of acres that they want in that R-4.

Mr. Oravec said unfortunately at this time they don't have a specific plan until they get specific interest committed to the site and they start developing plans on that basis. They have had conversations with those specific groups that do those kind of developments. In fact, the same individual that developed the housing on Thompson Road, the quad units, is the person that is interested in developing here. The same person that developed on Oregon Road has got an interest in that property, and he has spoken to him, but he has not gotten to the point of developing any sort of plan. They

understand that the only common conversation they had between them is he envisioned doing something in the way of coming in off of Lime City Road with a boulevard where the boulevard would go into the property where the rental units would, in fact, be built, and maybe south of it would be the quad units, and north of that boulevard would be the individual single-family detached housing similar to the Waterside development. They would break it into three areas of development. But until he gets specific commitments, it's very, very difficult at this point in time for him to envision and develop the site plan. He would not want to bring something in to them and then say oh, by the way, this is not exactly what the people want, now we have to change everything, and they have to go through the whole hearing process again because the plan has changed dramatically.

Mr. Black said the issue is they are stuck with R-4 on 90 acres or whatever that number is, 103 acres, and he also recognizes the commercial areas in the overlay zone, and Mr. Oravec's response was yes. Mr. Black said he did mention that, but he did mention the access. Mr. Oravec said correct, the access management would have to be maintained throughout that area. The only comment he would have with regards to his concern about the R-4 zoning is the land is currently zoned industrial. If somebody came along and wanted to develop it industrially, it certainly would not be compatible with what's existing on Lime City Road. A development of a residential nature would be far more compatible with what they have there now. They have plenty of land for development completely encompassing this area. And north of this region there are very limited single-family houses that would, in effect, be effected by either commercial or industrial development. But in this location they have quite a few residences on the opposite side of the street that would be far better served with a residential zoning as opposed to a commercial zoning. Mr. Black said but remember, it's been industrial, so the property owners in the area have already been on notice that's industrial and could have been industrial at any point. Mr. Oravec said he agreed. Mr. Black said he thinks that's an important point to make. He makes it sound like it was just noticed today that it was industrial. Mr. Oravec said he did not intend that. Mr. Black said he thinks that's an important thing. When you move into a home, and you look around, and you look at the zoning, and that is industrial, so the people already recognize that.

Mr. Black said there was a hand up. He wants the lady in the back to speak first. He asked her if she would like to come up and state her name and address.

Kimberly Besgrove addressed the commission regarding this application. She said she is right across from the proposed R-4. Mr. Black asked her to point on the map where that is, and he asked Mr. Oravec to help her find on the map where she is at. It's a lot to look at. Mr. Black said it's on the east side of Lime City. She said they are about right here. Mr. Black said okay. And that's the R-4 area that they are proposing, and she said yes. Mr. Black thanked her.

Ms. Besgrove said that's her concern. They live on the corner house. They are the only two-story house out here, and they are putting an addition on as they speak. Her concern is that the houses on Thompson Road and the houses that he spoke about in the Anthony Wayne school district out there on Monclova, she is familiar with both of those sites, and they are very lovely areas. They are very nice looking and attractive. The homes that are on Oregon Road by 795 in her opinion are far different than those kinds of houses. Mr. Black said those are apartments; right, and she said she thought they were modular homes. It was commented that no, those are apartments. Ms. Besgrove continued saying that's a far cry different than the condominium style places where it's very attractive. And they are going to have a large, large increase in traffic right across from where they enter and exit from their home. They are actually on Rock Thorn, so they have to come out off of Rock Thorn on to Lime City. But along with what was said, she would like to know what is going to go in there before something is approved. Her question originally was what does R-4 suburban residential district, medium density, mean. Does it mean that HUD housing can go in there. Does it mean that apartments can go in there.

Mr. Black asked Mr. Garn to share with them what is allowed in R-4. There are conditional uses, but they are talking about what is allowed. For a conditional use they have to go to the BZA.

Ms. Besgrove said so the things that he was saying on Oregon and 795, that would be on the east side of the road. Mr. Oravec said they are looking at the property here, way back here. Ms. Besgrove said so they are large apartment building things. There are like three different ones. Mr. Oravec said complexes, and they are back in this area. What they are talking about doing is bringing a boulevard entry somewhere along Lime City Road into the property which would terminate back here. One portion up here would be more like the area in Monclova Township or the Anthony Wayne school district, the quad units in here, and the apartments back in this area.

Mr. Black asked him what that was zoned now. He asked if that was the industrial area. Mr. Oravec said this whole thing is industrial. There is a small area in here that's agricultural.

Mr. Black asked if there was anyone else that wished to address the commission, and then deferred to Mr. Garn. Mr. Garn read the definition of R-4 suburban residential district, medium density.

Ms. Besgrove said that's another concern that they have. They at the present time have well water. They have an aeration system, sewage tanks. If water and all that is going to put in, they are going to be assessed very large sums of money to have water probably down their street, down their side, and all the stuff is going to become very, very costly to them as residents. She would like to see if they are going to zone it for homes where there are more single-family dwellings with elderly people in mind. To

her it's going to be kept up, it's going to be taken care of. It's a lot different than having a multi family building apartment type complex in that area. So she would like to see more specifics about that.

Mr. Black thanked her and asked the next gentleman if he would like to come up.

Don Detlef addressed the commission regarding this application. He told the commission that he has walked that woods, so he is probably more familiar than anybody here. It's something he likes to do. He and his dog would walk that. He is really familiar. There is a quarry there. There are several animals. Deer drink water from there. Mostly he is speaking from this viewpoint. There were three deer in his front yard. He wants to see them forever in his front yard if it's possible. The other question, too, will they be widening roads there. Is he going to lose his property. Nobody addressed this. The animals belong there. They are going to turn this into a desert of big boxes if somebody does not care about what's going on with these animals. They have water lines. Somebody is going to have to have a plan. Will this take away from their property values. Somebody has to address this. He lives there. He likes living there. They are residents. They live here. And the commission members live here too. Several questions that have to be addressed. Who is going to determine what the wetlands is, where this is going to be. You can't just have a quarry and say this is the wetland. He has been back there. That water is flowing back there. He has had water up to his knees back there. He is very aware of what is going on there.

Mr. Black told him they said they would have to go through a wetlands study. Mr. Detlef said but who does that. Mr. Black asked Mr. Oravec who does that. Mr. Oravec said a certified professional, probably somebody either out of Mannick and Smith's office who does that, or somebody out of Holland Associates. Mr. Black said there are guidelines for that. It's not just anyone that can do that. Mr. Detlef said but do they know who does do that. Mr. Black said it was just mentioned who they were. Mr. Detlef said do they hire them, or does the commission hire them. Mr. Oravec said they hire them. Mr. Black said no, the property owner, the applicant does. Mr. Detlef said okay.

Mr. Detlef said what about the widening of the roads. Is that going to happen. Mr. Black said as development comes, roads will be widened. Waterlines will be installed. Sewer lines will be installed. Mr. Detlef asked who is going to pay for the waterlines. Mr. Black said to the extent that they have to. Mr. Detlef said are they going to wait until they have to pay for it before they develop, and the response was no. Mr. Black said but as development comes, they will be asked.

Mr. Detlef said as citizens here, they should actually know what's going on. For him and the rest of them to say we are going to develop it maybe, that's not good. Mr. Black said as city services come in, he will be required to access them. That is a correct

statement. Mr. Detlef said he thinks they should have a plan. Maybe they will want to sell their homes and have that opportunity if they don't like what is going on. They have to have a plan. And he knows he is speaking from a selfish viewpoint. He lives there. He pays taxes. He cuts the grass. He is back in that woods. He mows it down the roads. He thinks the residents love it there. That's why they live there. And are they going to lose their property values. Mr. Black said it's industrial property. It could be industry also which would be an impact on their property values and their ability to access to any services. The comment was made, it's not like it's not zoned already. Mr. Black said those are all considerations that he has to keep in mind. Mr. Detlef said they really should pay attention to the ecosystem that's there. That's important. He has been there. He has seen what's going on. He has seen all kinds of deer in his front yard. There are pheasants. There is grouse. Mr. Black said he recognized that. Mr. Detlef said red tailed hawks, and woodpeckers, and owls. All kinds of stuff going on out there. If this stuff gets overly developed, those animals are going to take off. There are at least ten to twelve deer that he sees roaming those fields. That's important. Mr. Black said he understands that and thanked him. Mr. Detlef said they haven't determined what the entrance is going to be from Lime City or anything. Mr. Detlef said thank you.

Gary Yunker addressed the commission regarding this application. He said he would just like to state that he understands the concerns about the large tract of residential, but Mrs. Henry is only interested in selling the entire tract. So they have looked at the long range plans for the township, and they feel that the residential and commercial fit in the long-range plan as did the WCPC. They are certainly prepared to handle the concerns they have for the different developments through the site plan process which he thinks they have the ability to control with the guidelines that are set forth in the zoning code, and they are prepared to do that. However, they need to know that this can be zoned R-4 before they start spending money on wetlands, road design.

Mr. Black said to him that some of the area that they are proposing does not even require R-4 zoning. Not all of this housing they propose would required an R-4 zoning. Mr. Yunker said but the R-4, is he saying it should be a different classification. Mr. Black said all he is saying is unless they want to put apartments on all of that, they don't need R-4 zoning for all of it. They said no to all apartments, and Mr. Yunker said he understood. Mr. Black said that is his concern is that if, in fact, they apply for R-4 zoning for a hundred acres, and they have already represented that they don't want apartments over all of it, then maybe they ought to consider a little more of what part of this property ought to be zoned something different than R-4. He thinks that's a very legitimate question. He thinks they should have an answer for that. Because if, in fact, they are going to keep their apartments into this one area, then he thinks that's the area that they can delineate as R-4. They have already stated they are not going to put R-4 apartments along Lime City Road. Mr. Yunker agreed. Mr. Black said there is no reason that should be zoned R-4. No reason at all. And he thinks that was not well thought out. Mr. Yunker said they don't even know if they are going to have

apartments on the property at all. Obviously they have interest in it. Mr. Black said but they do know there are going to be apartments along Lime City. It's been represented that the apartments are going to be in the west portion. Mr. Yunker said correct, if they are going to exist on the project. Mr. Black said if they exist at all. Mr. Yunker said right.

Mr. Black said so having said that, he thinks somebody wanted to make a comment. Mr. Normand asked what is the property where the neighbors are, what is it across Lime City. How is that zoned. Is it the same thing. Mr. Yunker said he is sure that heavy industrial goes several hundred feet to the east. Mr. Normand said to the east, and Mr. Yunker said yes. Mr. Normand said he thinks the big issue here is they know they can buy the property, and all of a sudden it's not viable. Now they have a big lump of R-4 out there. Now what do they do. That's a big problem. He knows they will do it on a hand shake, and that's fine. The problem is if they decide not to, economic downturn, they can sell the property. Now it's R-4, and the guy that wants to put a real dense apartment complex over 100 acres, now that's what they are stuck with. If there would be some way that they could provide some assurances that there would be a plan in place that has some control over it. They have a track record. The members know these guys. They know what they are going to do. And it will be nice. Things change. Economics change. He thinks that's what they are struggling with. They would love to grant them this, but they have some issues that they need to be able to nail down. Mr. Yunker said he understands their conflict. You can believe him that he understands that. They thought the R-4 had the most flexibility for a two, three, four product type development, which it's not a mixed use, it's just a multiple residential type of units.

Mr. Black asked him if he knew how many units can go in an R-4 on 103 acres, and he asked if someone would share with them what that total number could be. Mr. Yunker said he understands their concern about it. Mr. Black said he thinks they need to know. Just a ballpark number, how many is that. They need to paint this picture. Mr. Yunker said to Mr. Black that right now he can't tell him how many acres are even developable yet. Mr. Black said let's say it's just half of it. 50 acres. Let's do that math. Do 100 acres divided by two. That's 50 acres. He said to Mr. Yunker that his point is it's a lot. It's significant. It's very significant. And he does not think the township should ever be put in a spot where they are taking 103 acres and zoning it R-4 when, in fact, the record states by their own words, the applicant, that only a portion of it they want R-4. He struggles with this. Mr. Yunker said he is prepared to take another look at it. Mr. Black said he would like an answer because to sit there and tell them that they are just going to take a relatively small portion of this and make it R-4 by their own words, and then want the whole thing R-4, he just does not think that's right. And he is just one person on this commission.

Mr. Black said he would like a feeling, a little comment. How do the rest of the members feel. Ms. Warnimont said she agreed. Mr. Schaller said he is consistent with

that. Mr. Black said so they know where they stand. He asked if anyone of them here that represent the applicants disagree with what the members just shared with them. There was a response of no, but he just had one comment. Mr. Black asked him to stand up and state his name and affiliation.

Brian McMahon addressed the commission regarding this application. He told the commission that he certainly has been to enough of these meetings to understand their concern about the amount and magnitude of what they are asking to rezone. And probably what they are going to hear shortly is that they need to go back to the drawing board and address the level of concerns that are being raised this evening, because he does not think they quite anticipated that, and to come back with maybe some type of blended request. But one of the things, in fairness to everybody in this room, is it would be an entirely different equation if they were coming in and asking for a hundred acres of agricultural land to be rezoned for medium density multi family. But he can tell them that 5 years ago there was a very active interest to develop this property into a Lowe's distribution center. And if he was a resident on Lime City Road, his concerns of how that would impact his property values would be much greater than having the property rezoned residential given and recognizing that the board has the right to implement a number of controls through site plan review as they will in the overlay zoning on the commercial, and as they will with the access plan. They don't walk out of here with a permit to build 100 acres of multi family. There is a whole number of other review sessions that they have to go through. But his point is this, and then he will sit down. That industrial zoning is a much bigger threat to the lifestyle of the people on Lime City than the multi family ever will be. And so he thinks what they will be able to do is go through an exercise where hopefully the end result is they are going to be a lot more comfortable changing the industrial zoning to a residential zoning than he thinks anybody would be if they were sitting here not having the industrial zoning to take out of the equation. Because he thinks that's going to be a very important part of what happens in this area is if they take away the industrial potential, and replace it with residential, and then work through controls.

Mr. Black said to him that the land has been zoned industrial, and there has not been one resident to come to their office and said hey, I am not very happy with it being zoned industrial. That's the second time they have threatened that industrial is bad and want to make it R-4. Mr. McMahon said to Mr. Black that that was not a threat. Mr. Black said it certainly has appeared that way. Mr. McMahon said then he needs to go back and take his words back because that was not a threat. What he was sharing with them was a fact. The fact was that this project 5 years ago was on the short list of where Lowe's was going to build their distribution center. This is not Mr. McMahon threatening them. Mr. Black said there is not one person out here this evening or anyone else that lives there that has said they feel uncomfortable sitting next to an industrial piece of property. He asked if that was true. An audience member said that's true. Very true. Mr. Black said he just wanted to make that point clear. Mr. McMahon said to Mr. Black that it was not a threat. He did not get up here and threaten

anybody. He was giving them a little history here. Mr. Black said that he characterizes it as industrial is the big bad wolf at the door, and they can solve that big bad wolf by making it R-4 and have how many hundreds of thousands of—and then Mr. Black was interrupted by Mr. McMahon saying to Mr. Black that he does not think he used big bad wolf in his equation. He said he was going to sit down because this is going a different direction than it needs to go. He said he made no threat. He was just trying to give them a little history. Quite frankly, he was trying to take the position of the board here because he thought they offered them something to trade. Not a threat, but something to trade. And he agrees with the residents, they have not been confronted with the industrial because nobody has walked into this commission and said I want to build a hundred thousand square foot distribution center here. Mr. Black said the one thing he has to recognize, it's been industrial. Everyone has moved there knowing it's industrial. And if they lived there before it was industrial and before it was zoned, they still knew when it was zoned industrial. They have had plenty of time to move, and they have not. So they are not addressing that this evening. Mr. McMahon said he agreed with that. There is no threat here this evening.

Kimberly Besgrove addressed the commission again regarding this application. Mr. Black told her they need this on the record, and he asked her to state her name again, and she did. She said they have lived there for almost 22 years, and they have known all that time that it's been industrial. Her concern is as a resident there, if you put a large number of multi family dwellings such as the places over on Oregon Road, the chances of crime and other things going up are far greater than if Lowe's distribution center moves across the street from her. That's her concern. There is going to be different people living in those kinds of facilities than your elderly people who are going to be living in a condominium that they have paid for. Mr. Black thanked her.

George Oravec addressed the commission again regarding this application. He told the commission that he would like to request a continuance of this hearing for 30 days to give them an opportunity to come back to redefine the areas more specifically for them, and to maybe amend the classifications that they are asking for within the residential district. Mr. Black thanked him and asked Mr. Garn when their next meeting is scheduled for. He knows they have a Veteran's Day holiday coming up, and it's Tuesday night now. Mr. Garn said November 13th. Mr. Black said that's their meeting, and Mr. Garn said that's the second Monday. Mr. Black asked if that was Veteran's Day, and Mr. Garn said no. Mr. Black said no, it's not. He does not know why he thought that. Mr. Garn said he has Veteran's Day as Saturday the 11th. Mr. Black said he did not know if they celebrate it on Monday. He asked if the township was opened, and Mr. Garn said as far as he knows, he believes so. Mr. Black asked if that was more than 30 days from now as today is the 9th. So he asked Mr. Oravec to state that for the record that he will go with that date because it is more than 30 days, and he requested 30 days. Mr. Oravec said yes, that's agreeable to them. Mr. Black said even though it's beyond the 30 days, and Mr. Oravec said that's correct. The comment was made to the next scheduled meeting, and Mr. Oravec and Mr. Black said

next scheduled meeting. Mr. Black thanked him and asked if there was a motion. Ms. Warnimont moved with a second by Mr. Normand to continue this until their next scheduled meeting. Mr. Black asked if there was any further comment by the members before they take a vote on this motion, and there were none. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Normand, Mr. Rometo, and Mr. Black. Mr. Schaller abstained. Motion carried 4-0-1. Mr. Black thanked them.

Mr. Black asked if there was anyone in the audience that wished to make any comments to their commission other than the public hearing they just concluded, and there were none. The public hearing was concluded.

SITE PLAN REVIEW FOR WELDED CONSTRUCTION, SPR 2006-09. Welded Construction of 26933 Eckel Road would like to expand their office area into the shop area behind the present office building. The parking for this expansion would be across the street from this building. They would also like to build a new shop building. David B. Wilson of S2F is the construction manager and designer/planner for this project. An independent engineering firm is reviewing the plans and checklist for compliance, and we are awaiting the final review letter on this matter.

David Wilson addressed the commission regarding this site plan review. Mr. Black addressed some people behind the blackboard. He told them they are conducting a meeting, and this microphone picks up everything, so he asked them to whisper very quietly. He told Mr. Wilson to go ahead. Mr. Wilson said he was just here to represent Welded Construction. He is just trying to get a zoning permit for the expansion and renovation of their existing site. Mr. Black asked him if he was aware of an October 9th letter from Feller Finch regarding their application, and Mr. Wilson said yes, sir. Mr. Black asked him if he had reviewed it, and Mr. Wilson said yes, he had. Mr. Black asked him if he had reviewed in particular items 9, 10, and 11. Mr. Wilson said yes, he had. Mr. Black asked him what he has done. He said in speaking to the entire letter, there are a number of issues here. There are 14 different issues. Mr. Wilson agreed. Mr. Black said 9, 10, and 11 appear to be more serious than the others. Mr. Wilson agreed and said he did review that. He did receive it late last night by fax to himself and his office as well. He did go ahead and go over that, reviewed it, made some comments. Based on what he had prepared, he apologized for the number of sheets he has. He included a number of different sheets which have different information and data on the five different sheets that he had there. But by reviewing all 14 items there, obviously he thinks 1 and 2 specifically just seem to be stating what is correct as to what is going on, what he is trying to get done to renovate and add to that existing site. He pretty much identified everything. Most of the comments, like was said, up till 9 and 10 and 11, a lot of the information was on some of the different sheets. Since he received it late last night, he did not have a chance to get in touch with Mr. Kuhn on that just to go over it. Most of the information is pretty much there.

Mr. Black asked if he submitted this October 5th for review by Feller Finch, and Mr. Wilson said he resubmitted it. He had submitted it back the week after he came to the informal hearing. He submitted the site plan first, and then he received it back. And then he just resubmitted it once he had some comments by Mr. Kuhn. Mr. Black asked how many of these 14 comments were in the letter that he needed to address when he resubmitted it October 5th. Mr. Wilson said pretty much whatever Mr. Kuhn has said here he attempted to and had written a lot of the data and information on the different plans that they now have in their packet. That's why it's must a matter of just going back over it with Mr. Kuhn, because he had a lot of the data and the information on those five sheets.

Mr. Black said one of the issues is of the parking, and the right-of-way, and the request for parking on the right-of-way. He does not understand why that's needed. Mr. Wilson said the parking on the right-of-way, the only thing that he did there was the existing parking that's there now, he was just adding more parking spaces, 7 parking spaces, (end of side one), just on the right-of-way right now. Mr. Black said he does not think their resolution allows that, and he asked Mr. Garn, does it. Mr. Garn said today actually allow the right-of-way parking, he is re-reviewing it. Mr. Black said okay. Mr. Wilson said so that additional parking on the right-of-way then, off street but right-of-way, that would not be allowed to expand that parking, but he has more site that he can still develop behind. He has the 15 extra parking spaces that he noted as future on the back there when they would renovate the back of the existing building. So he knew he still had parking spaces that he could still gain, and he would still end up cleaning up and fixing to make the drainage better on the existing parking that now exists on the front in the right-of-way. So he wanted to improve that drainage anyhow.

Mr. Black asked Mr. Garn if he had any comments on this. Mr. Garn said on 9 and 10, which is not the parking, or did he want him to just comment on the parking. Mr. Black said no, that's fine. Whatever he would like to comment on. Mr. Garn said some of the comments, there were a lot of things that when Mr. Kuhn says indicate, they are usually smaller issues that can be normally taken care of. The elevation part of it, he needed additional drawings to be made. That's not quite as quick a fix probably on number 9, the proposed elevations on all the improvement areas. He knows there were some elevations that were shown on the drawings, but evidently not enough, or they weren't enough together to give him a good feel.

Mr. Wilson said he thinks that would be either based on a narrative or a comment back to Mr. Kuhn. He could show him, because they are not really changing the existing grades that are on there. Everything is still grading and falling to the work that they did back in 2001 when they fixed the storm site drainage back then in 2001. And then at that same time they added five grease and water interceptors to protect everything, just to keep it on site and control the site. So at that time he knew that they had done that in 2001. And the elevations and grades that are on site now, they weren't going to

change anything because what they have is going to work with slabs and elevations of the buildings and things like that. So he was not going to take it up or down.

Mr. Black asked if there were any comments from the members. Ms. Warnimont said she thought he had talked last month that all of the parking was going to be across the street. She asked if that was correct what he said last month. Mr. Wilson said no, he thinks on his site plan, maybe he was not specific and pointed out all the parking, but he was noted to add parking behind the building when they expand the corporate office, and he definitely did show the parking that they were going to go ahead and put across the street. But what he had shown back then, he did show the actual 24 extra parking spaces across the street. Then he did show how it was going to expand the parking on the right-of-way. But he showed parking on three different locations.

Ms. Warnimont said she had a question for Mr. Garn. The parking that he has for future parking faces Eckel Road. Is that permissible then because it would be the front part facing Eckel. Mr. Garn said he does not know if that is all dedicated. This is Eckel here, and this is Eckel here. This is a private. Ms. Warnimont asked if that was private past that. Mr. Wilson said the future that he knows is future, that is in the back part of their lot behind their fence and screening. So the parking is behind. Ms. Warnimont said so Eckel Road does not extend past that to get to it. That's not part of Eckel Road. Mr. Wilson said Eckel Road runs up to their fence that goes to the Columbia Gas. There is just a small section of road, the pavement that runs back to their fence. Ms. Warnimont said and that's what he is going to use to get to that parking. Mr. Wilson said no, that parking, they can come through their other parking lot between their existing shop building and their corporate office. They have parking and paving areas. They can access it from what would be their south entrance into their whole property. Mr. Garn said he thinks that parking just needs to be at least 10 feet away from the property line. He did not know that was still Eckel Road back in there. Mr. Wilson said he does not know if that was ever vacated, or that pavement has just remained, that little section that runs back to the fence.

Mr. Black asked if it was the general feeling of the members that they should run this through Feller Finch again and address this next month.

Mr. Normand had a question on the storm drainage. And he apologized. He was not at the last meeting. He asked Mr. Wilson if he was an engineer, and Mr. Wilson said no, he was not an engineer. Mr. Normand asked who actually prepared the drawings. Did Poggemeyer do this. Mr. Wilson said in 2001 Poggemeyer did do the site drainage, and they identified all the existing storm drainage that was there at the time. That's when they had prepared, and it would probably be on one of the SP2 sheets, and he can see where they had noted the oil and water interceptors. At that time Poggemeyer helped to go ahead and engineer and locate those oil and water interceptors. That's why they fixed the site at that time. Mr. Black said so there has been no storm engineer do anything more recently than 2000. Mr. Wilson said no, this is what was done at that

time, yes. And at the time when he talked to Mr. Kuhn before he went to submit this, he was not trying to just run something through. Mr. Kuhn said well, where there is an existing site. Mr. Wilson said he was not trying to quote him, but Mr. Kuhn said where there is an existing site. And what they were doing was just adding another building just to work and get things in out of the weather so they could work. Mr. Kuhn seemed to think that it seemed pretty straight forward for the existing site what they were doing to improve or develop the site, and help Welded to conduct business is all. Mr. Kuhn seemed to feel that it was acceptable as to what they were doing. Mr. Kuhn had mentioned that normally you have an engineer do it, but where it was an existing site, and grades were already established, he seemed to feel that it was not that critical that elevations and other real calculations had to be done.

Mr. Black said although item 9 addresses that issue, he couldn't properly evaluate it because there was not enough information. Mr. Black asked if that was correct. Mr. Wilson said right. And when he noticed that comment, that's the first time that comment had ever been made. Even when Mr. Kuhn had given him the previous preliminary comments that he made, that never came up before from when he first talked to him. Mr. Black said that's all they have in front of them. Mr. Wilson said he understands.

Mr. Black said he would make a motion to defer this site plan review until next month when Mr. Kuhn and Welded Construction have had a chance to caucus again and make sure that everything is in order. He asked if there was a second for that motion. Mr. Rometo was the second. Mr. Black asked if there was any further discussion on that motion amongst the members, and there was not. A roll call vote was taken. Yes votes by Mr. Black, Mr. Rometo, Mr. Normand, Ms. Warnimont, and Mr. Schaller. Motion carried 5-0-0. Mr. Black told Mr. Wilson that he needs to get back with Mr. Kuhn. Mr. Wilson said he will tomorrow. Now it impacts them for going into the regular months here. Mr. Black said he recognized that, but all they can do is take the information that they are given by their engineer. Mr. Wilson said he understands that. Mr. Black said but he says here he does not have enough information to make that determination. Mr. Wilson said right, and he has to discuss it with him just based on as soon as he turned it in, he would have had to wait for him to get back. Otherwise he would have responded before this evening if he had the chance. They should have had it corrected before this meeting. Mr. Black said they will put him on the agenda next month, November 13th, and he thanked him.

Mr. Black said the next item on the agenda is under other items. Mr. Black said he received an E-mail that was authorized by the mayor of Perrysburg, and he asked if the township would be represented on the comprehensive plan review this time. And he asked Mr. Black if he would do that, and he did say he would. So he wanted to make all the members aware that he will be representing the township on the comprehensive plan. He also was involved in the last one. It was quite a fiasco. They fired the consultants out of Cincinnati, and it was a real mess. It took years to get accomplished

last time. But he wanted to share that with all the members. He then asked Mr. Garn if he had any comments.

Mr. Garn said he has been having some conversations with the people from Atwell Hicks about Wal-Mart, and if he has this correctly, they are thinking of applying to the city about downsizing the size of their store. Now, if they did that, and for the township that would be a minor change to the site plan and something that he would approve administratively if that's all they were changing. But no one is sure what the city is thinking of doing, so they are actually not, as far as the township is concerned, doing anything, and they just want to see if the city would consider downsizing without doing a complete site plan review again starting from scratch. Mr. Schaller said how much percentage of floor area. Mr. Garn said just percentage of floor area. Mr. Schaller said but are they downsizing by 10 or 15 percent, and Mr. Garn said no, about 5 percent, 10,000 square feet, or something like that. He is really not sure. Evidently if they remember Lowe's when they came in, he thinks it was the third try before they finally got the store they wanted, where they kept coming in for amended reviews. So evidently they must have new gurus in there deciding what will be the better store for them possibly.

Mr. Black said as they know, Mr. Stanford resigned as an alternate, and they were looking for new alternates. Ron Hanna is here this evening, and he has put his application in. He handed it to Mr. Garn earlier to take that open position as an alternate of the zoning commission. He thanked him for coming. Mr. Hanna said it was interesting.

Mr. Black asked if there were any other issues the members would like to discuss this evening, and there were none. He asked if there was a motion to adjourn. Mr. Rometo moved with a second by Mr. Schaller to adjourn. All members were in favor. None were opposed. The motion passed. The meeting was adjourned at 7:02 p.m.

Respectfully submitted,

Grant W. Garn,
Recording Secretary