

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

ZC MEETING
December 8, 2008

The Perrysburg Township Zoning Commission held a meeting on December 8, 2008. Robert S. Black, Chairman, said good evening to all, welcomed all in attendance to the meeting, and called the meeting to order at 6:00 p.m. 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, John J. Benavides, Arthur Rometo, and Ronald M. Hanna.

MEMBERS ABSENT: Jeffrey Normand.

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

APPROVAL OF THE 11/20/08 MINUTES: Mr. Black asked, is there a motion to approve the meeting minutes of November 10th, 2008. Ms. Warnimont moved with a second by Mr. Benavides to approve the minutes. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Benavides, Mr. Rometo, Mr. Schaller, and Mr. Black. Motion carried 5-0-0.

Mr. Black asked if there was anyone in the audience who has anything to say of interest to the commission that is not on the agenda. He said seeing that there are none, they will move on to the next item on the agenda.

SITE PLAN REVIEW FOR HINKLE MANUFACTURING, SPR 2008-08. CONTINUATION OF THE 11/10/08 REVIEW. Hinkle Manufacturing of 348 Fifth Street in the Ampoint area would like to add on to their building. Greg Feller and Matt Kowalski of Feller Finch have been doing the engineering work. An independent engineering firm has reviewed the plans, checklist, and storm water calculations for compliance. A copy of the reviewer's initial and latest reports are attached. Please review these reports as there are a number of items that need to be addressed. The review of the storm water calculations should be complete by the meeting date. Our township fire inspector is also reviewing these plans for compliance.

Matt Kowalski addressed the commission regarding this site plan. He said he would like to bring to their attention that they have already approved the site plan contingent upon the parking issue, which is what he is here to address this evening. And they had a couple of solutions. The first solution is on the site plan they will see, he thinks on page 4 he believes, and then he said that would be on page 5. Yes, page 5. One of the problems they had before is they did not have enough parking, future parking spaces, so they designated an area south of the southern most building in the Hinkle compound there for future parking spaces, which is about 76 parking spaces.

First of all, before he addresses that, one of the things that they had come up with just here in the last day was how their reviewer originally calculated the parking requirement. And he had kind of designated this as the warehouse and wholesale establishment, which is one space per thousand square feet of manufacturing and warehousing. By definition, that is receiving storage, sale, and distribution of manufacturing products, commodities, and equipment, and that's not really what Hinkle Manufacturing is going to be doing with this building. They primarily will be doing, he guesses it's manufacturing of light industry, light assembly of specialty shipping packages. So he guesses there is no real warehousing of anything except for supplies which would, after they are manufactured or assembled, he should say, they are going to be shipped out. So he guesses by definition it's not really a warehouse and wholesale activity.

Mr. Black asked, so which one of their Article IX uses are they, and what page of their resolution is he on. Mr. Kowalski said page 4. Mr. Black said page 4. Mr. Kowalski said that would be section B, off street parking space requirements, and they are looking at industrial or research facilities as the proper designation, which would be one space for every one employee on the largest working shift. Mr. Black said he is suggesting that Poggemeyer classified them as the wrong land use, and Mr. Kowalski said correct. And Mr. Black said, and that their parking requirements as submitted last month are adequate, and Mr. Kowalski said yes. They have 26 spaces provided on their site. They have 30 maximum employees, so they would need to share four spaces with the parcel to the south. That parcel to the south has 38 spaces on the north side of it, and 65 additional spaces on the south side of it, thus 129 spaces total between the two sites. And they only really need 70. Mr. Black said so they have one space for every one employee in the largest working shift, plus space to accommodate all the trucks and other vehicles used in connection therewith. Mr. Kowalski said correct. Mr. Black asked, how many trucks and other vehicles are there. Mr. Kowalski said there are no other vehicles, although there are loading docks for four trucks, and that's shown on the site plan. And those are not going to be on the site, parked on the site. Mr. Black said, so they have no more than four trucks at any one time, and Mr. Kowalski said correct. Yes. Mr. Black said so he is suggesting how many parking spots. Let's look at the site plan. Mr. Kowalski

said they have 30 employees, and there are no new employees added for the expansion, so there are 30 employees for the northern building, which is what the expansion is going to attach to. Mr. Black said that's the 96,000 square foot, and Mr. Kowalski said correct. And there are 26 provided spaces on that parcel, so they need to share four with the building to the south, which they have plenty of. They have 38 and 65. Mr. Black said and what is their use. Mr. Kowalski said their use is the same. He believes it's the same use, light manufacturing. Mr. Black said it is the same. Mr. Kowalski said yes, to his knowledge. Mr. Black said and what kind of trucking space do they need. Mr. Kowalski said they have he thinks, but he is not sure actually how many, but they would also have loading docks. He is not sure of the accurate number of that.

Mr. Schaller asked if he had any business relationship with the folks to the south. Mr. Kowalski asked, do I personally. Mr. Schaller said does Hinkle. Mr. Kowalski said Hinkle, he believes they own both buildings.

Mr. Black asked if he had any other comments, and if that was the only issue. He sees there are a couple others. They have a December 8th memo. He asked how is it they just received that this evening. How is that different from the December 4th memo. Mr. Kowalski said the memo they received today, he said there were still a few questions, which he talked to their reviewer today, and they got those resolved. Mr. Black said so the December 8th letter from Poggemeyer is in response to their December 4th letter, and Mr. Kowalski said right, he believes so. Mr. Black then deferred to Mr. Garn for any comments.

Mr. Garn said well, some of the comments, that they have also a comment in there from Poggemeyer about lighting, that they have a question with that. He still had his question from Poggemeyer about the detention area around the building. There is a problem with their zoning book in that he believes that the ponding as they show it in the zoning book was meant for residential type of ponding. It was not separated out from commercial type and industrial ponding. The other thing on the parking, that may be the use today, but it could have some other uses in the future. Being an industrial type of building, they have different uses come and go, or people that use the buildings. The other thing, he thinks a lot of these things would have been settled with this. Probably today was the first time they have had any real conversations, other than about storm water, with their reviewer to find out and to try and iron out some of these issues. So that's why everything is coming at such a late date.

Mr. Black said to Mr. Garn, the safety service providers. Mr. Garn said, that's the fire inspector. Mr. Black asked if there was a sign-off for him on these plans. Mr. Garn said he has at this point told him that he does not see any problems with anything. Mr. Black asked, but does he sign off on it, and Mr. Garn said generally he does not. Generally he would have had conversations with the

Feller Finch group about this, and then he would issue a letter to them eventually. That's normally what has been done in the past. So there again, it was a lack of communications between the firms.

Mr. Black asked if he could share with them again the issue on the 25 foot setback, because this is a dry pond, correct. Mr. Kowalski said correct. Yes. They requested a variance for that because it was a dry pond, and he thinks that was accepted at the last meeting. Mr. Black asked on that variance, can they do that, or do they just make a recommendation to the BZA. Mr. Garn said he thinks that they have handled things like this for other firms. Mr. Black said okay. So based on the site plan that's being presented on the basis of the use as an industrial facility as their zoning book talks about on page 4.

Mr. Schaller said he was sorry, but that's industrial as opposed to warehousing, and Mr. Kowalski said warehousing and wholesale. Mr. Schaller said well, they indicate on their drawings that expansion to be used for warehousing, so maybe that's where Poggemeyer got that conflict. Mr. Kowalski said yes, he could see that confusion. That's the definition he got from the owner as far as the warehousing goes.

Mr. Black said well, he guesses they will have to have that changed to coincide with his characterization that it's not warehousing, so the site plan would have to be modified before they can approve that to show that. Mr. Schaller said that's not a big deal. It's a note on the drawing. Mr. Black said right, but it needs to be initialed by the people that are representing Hinkle Manufacturing. Otherwise it's hard for them to say that it's not warehousing when it says warehousing on their plans. Mr. Garn said or a problem. Mr. Black said yes.

Mr. Garn said he thinks they have the other option of approving them as is, and then designating that those spaces will be set aside for future parking if it is needed. Mr. Black said the extra 50 or whatever, and Mr. Garn said yes, that they have shown. It was commented that it's 76. Mr. Garn said 76, and Mr. Black said okay. Mr. Garn said, and that way if it were used for any other type of warehousing or anything at some point, then they could be called into play. Mr. Black said so he is suggesting that they make the site plan approval on warehousing and those 70 some parking spots. Mr. Garn said yes, but that those parking spots be set aside if they are needed in the future. Mr. Black said okay. Mr. Garn said he thinks they have that ability to approve it that way. Mr. Black said okay. Mr. Garn said it's sort of an either/or.

Mr. Black said he also thinks they should approve it subject to the fire chief signing off on it. In fact, he is not too sure they should not have the fire chief sign off on all of these, so that somewhere down the road they don't say well, he did not. He asked if that made sense to everybody. Ms. Warnimont said the fire

chief or inspector. Mr. Black said well, whoever. He asked if there was a difference. Mr. Garn said fire inspector. Mr. Black said fire inspector then. Ms. Warnimont said yes. Okay. Mr. Black said, because he thinks otherwise somebody says yeah, and then they have a problem and they say well, I never approved it. Ms. Warnimont said right.

Ms. Warnimont said you can't tell how many hydrants are around that building, the proposed. Are there any hydrants around it. Mr. Kowalski said well, they are sprinkled internally. Ms. Warnimont said it is sprinkled, and Mr. Kowalski said uh-huh.

Mr. Black said to Mr. Garn that they actually approved this last time, and he asked if that was correct. Mr. Garn said by the minutes, it was approved other than the parking. It was not fully is where he had the problem with that. Mr. Black said, so they are just approving this for the parking. Mr. Garn said right.

Mr. Black said he is a little confused that their drawing could say warehousing, and now they come before them and tell them that the parking really is industrial. Mr. Kowalski said yeah, he could understand that. Mr. Black said they could have easily said that last time. Mr. Kowalski said right. They did not really realize that until just today, you know, that it probably should not say warehousing. Mr. Black said it puts them in an awkward spot. They have already approved the site plan subject to parking based on a warehousing representation that he and his group have made to them, and now you come in and you say, you know, we don't need that much parking. That puts their commission in a very awkward position. They approve these things based on their representations. And now they are representing that it's an industrial facility and not a warehouse facility, and it's even on your plans to say warehouse.

Mr. Benavides said the minutes say that they approved it last month subject to BZA approving the parking change. Mr. Garn said right, and that's what they thought. That was because they had made a statement that there was no more parking spaces available, or no more room to put any parking. They did find that there was plenty of room to designate some areas for parking. Mr. Black said correct. Mr. Garn said, so that's why the ZC can, instead of going to the BZA, the ZC can approve that. Mr. Black said to Mr. Benavides that technically they have approved the site plan already subject to BZA approval. Mr. Garn said correct. Mr. Black said, that's all they can do then.

Mr. Schaller said to Mr. Black that the last time they questioned that dock area, how it was drained, and there seemed to be some question. Mr. Black said yes. Mr. Schaller said, but now there was scope added. They added drainage out of that truck wall. But has any of that been reviewed, because there are no

comments about it from Poggemeyer. Mr. Kowalski commented that all of that has been sent to Poggemeyer, and it's been reviewed. Mr. Black said they do show a notation they are using a sump for the drainage, and Mr. Kowalski said correct. Mr. Schaller said, has that added work or scope been reviewed or approved by Poggemeyer, or does it need to be. Mr. Black asked if the members want to review this again, or just leave it stand and have it go to the BZA for the parking issues.

Mr. Benavides said okay, so they did not get a response from Poggemeyer that addressed the calculation on the storm water detention, and he asked if that was what he was saying. Mr. Black asked Mr. Garn if that was right, they do not have Poggemeyer addressing that, and Mr. Garn said Poggemeyer told him the time before that the storm water had all passed, and that they were satisfied with it. Mr. Benavides said he was just asking because the minutes from the last meeting that say and approving the storm water detention assuming that Poggemeyer comes back with their approval on the calculation. Mr. Schaller said, and there is nothing that addresses that in this December 8th letter. Mr. Garn said right. Yeah, he does not know if that was addressed in the letter right before that. It was asked, was there a December 4th letter or something. Mr. Black said the December 4th letter was a letter from Feller Finch. Mr. Kowalski said he has a letter from Poggemeyer dated December 1st, 2008, and that's item number 12 where they have review of the storm water detention system has been completed, and it appears the system is acceptably designed. Mr. Benavides said okay. So that's taken care of. Mr. Garn said that's taken care of. Mr. Kowalski said that's taken care of.

Mr. Black said, then according to what they approved last month, they have to go before the BZA for the parking. Mr. Garn said could the commission take and just redo their approval and have it subject to them, the ZC approving it. Mr. Black said well, what he does not know is he does not know what's in their rules, whether once they approve the site plan, what they can do. Mr. Garn said well, because there is going to be something like that coming up further in the agenda to redo the site plan for FedEx, because that was approved for the stop sign. Mr. Black said right. Mr. Garn said, and that they determined that they don't need to do that at this time. And so he talked to Mr. Kuhn, and he said the simplest thing is just to amend the review of the site plan on FedEx. Mr. Black said okay. Mr. Garn said, so he would think that they could amend the site plan review.

Mr. Black said they need a motion to amend the site plan review that they approved last month. Mr. Schaller said, and they want to amend that how. Mr. Black said based on changing the use that was represented last month as a warehouse to that now it is an industrial use based on their Section IX, industrial, research facilities, and related accessory offices. Those are the parking

requirements. Mr. Benavides said, who makes that determination. He asked if that was something that they expect Poggemeyer to do. Mr. Kowalski said like Mr. Garn had said, it's an either/or thing. Or they could approve it based upon the fact that they are setting aside space for future parking spaces, and leave the definition of the use alone, and then approve it based upon, like he said, they are using space for future parking areas. It was commented that that makes more sense to that member. Mr. Garn said yeah. It was commented then if they change their use, you still have those spots. Ms. Warnimont said yeah. Mr. Garn said right. Mr. Black said the site plan that was approved last month be amended to reflect how many spots, and the response was 76. Mr. Black said 76 parking spots that are on the adjacent but commonly owned property, and Mr. Kowalski said correct. Mr. Black said he will make that a motion, and Mr. Rometo was the second on the motion. Mr. Black asked if there was any further discussion, and there was none. A roll call vote was taken. Yes votes by Mr. Black, Mr. Rometo, Ms. Warnimont, Mr. Benavides, and Mr. Schaller. Motion carried 5-0-0.

Mr. Black said the next item on the agenda is an informal site plan, and he questioned that it's not an informal site plan, it's a formal site plan review, or is it informal. Mr. Garn said no, informal. Mr. Black said he was sorry. Last month was an informal, and Mr. Schaller said it was. Mr. Black said he was sorry, and he thought they were coming in for their permanent one.

INFORMAL SITE PLAN REVIEW FOR COMFORT SUITES HOTEL. Vic Surati of Forza Perrysburg, LLC, owns the Comfort Suites Hotel at 27450 Helen Drive. It has 41 guest rooms and 48 parking spaces. They would like to add an indoor swimming pool and ten additional guest rooms. They are redesigning the parking lot layout. It seems that they will not have enough on-site parking spaces, so they are working on a parking licensing agreement with neighboring property owners. Jerry Parker is their attorney, and George Oravec, PE, is working on their site engineering work. They are applying to the BZA for possible parking and setback variances. If granted, they have stated that they realize that the final outcome is contingent upon final site plan approval. Possible thoughts to pass on to the BZA for their 11/18/08 public hearing.

George Oravec addressed the commission regarding this informal site plan review. He said the reason that the site plan is informal again is they have not had their final determination by the BZA. When they met in front of them, the discussion centered around the way they read the code. The code does not say that you must provide a parking space for each room plus every employee on shift, it says you must provide a parking space for each room plus every employee. Mr. Black said plus any space, one space for every 400 square feet of either restaurant or meeting area. Mr. Oravec said correct. And so consequently when you take those into account, what they really needed was,

he believes it was 62 parking spaces. And what they had suggested to them, because the Frickers restaurant and the Cracker Barrel had indicated that they would join them with a license agreement and provide spaces that they would allocate to the hotel, they elected to use the generosity of Frickers because they are on the same side of the street as the hotel. And you can see the parking spaces that are being allocated, those 11 spaces are actually closer to the front door than their own parking lot. Those were the surplus spaces that were put in when prior to Frickers, this was a Dutch Pantry restaurant, and they had a pretty expansive parking lot. Frickers never uses these spots, and they are signing a license agreement. So they wanted them aware of this particular thing. And they are appearing before the BZA on the 16th of this month, so they assume that within the month of January, they will be before them for their formal site plan hearing.

Mr. Black said so what's new on this site plan is this shaded area in the box that shows the license agreement, 11 parking spots. Mr. Oravec said 11 parking spots. Mr. Garn said, and he does not think that they had the other parking area drawn in there at all at that time, did they. Mr. Oravec said no, they revised the original parking lot, have not changed the blacktop in any way, shape, or form, but they revised the spaces, and they can see that in the original parking area they have 52 spaces. In effect what they did is you can see the two corners on the far northern side of the parcel will be striped out in order to accommodate 9 parking spaces on the north side by restriping it, then provide the 25 foot drive lane, and then having 10 parking spaces in each of those two rows in a line. It, in effect, increased that parking area by, was it 4 parking spaces, and he asked Mr. Garn if that was it, and Mr. Garn said yes. Mr. Oravec said by doing it in that fashion, not changing the blacktop, just restriping it in a different manner accommodated 4 parking spaces.

Mr. Garn said and the dumpster. Mr. Oravec said the dumpster is exactly where it was before. That has not moved or changed. Ms. Warnimont said she thought they were moving that. Mr. Oravec said no, they do not have to move it. Ms. Warnimont said they don't have to move it now. Mr. Oravec said when they measured it and figured out the number of parking spaces, the dumpster does not have to move.

It was asked if there will be a walk. Mr. Oravec said there will be a walk extension from where their walk is in the front of their parcel. They will extend it into the Frickers parcel so that the employees that will park in those eleven places will have a sidewalk to walk from the parking lot to walk down to their front entrance. Mr. Black said so that will be on their site plan next time, and Mr. Oravec said, it is on the site plan. Mr. Black said it is not, and Mr. Oravec said that they have added it. Mr. Black said oh, he sees. It's right there. Mr. Oravec said it's just a very small amount in the corner. Mr. Black said okay.

Mr. Schaller said is there something that demonstrates that the Frickers parking lot has an excess of 11 parking spaces per their current requirements. Mr. Oravec said he thinks per their current requirements. They have the overall virtual photograph showing their parking spaces, and the number of parking spaces. And the calculation that he did, they had something like 22 parking spaces in excess of what's required, and they are allocating eleven of those to them.

Mr. Black asked if anyone had any comments. Mr. Schaller said other than he thinks it would be appropriate to demonstrate that somehow or other, and Mr. Oravec said they will bring in a virtual photo when they come before them.

Mr. Black asked how many parking spots is Frickers required to have, and Mr. Oravec said he does not remember what the exact calculation is. Mr. Black said they are a restaurant he is assuming, and Mr. Oravec said yes. Mr. Black said one space for each 150 square feet. Mr. Oravec said his recollection is when the Dutch Pantry was in there, the Dutch Pantry had a smaller kitchen area, and they had more seating capacity. That's the reason they had more parking spaces. Now, the Frickers restaurant, the kitchen took up more space. And then they have a bar in there besides, which Dutch Pantry did not have, so the seating capacity went down.

Mr. Black asked if there were any questions, and there were none. He asked Mr. Garn if he had any, and Mr. Garn said no, not at this time. Mr. Black said okay, and Mr. Oravec said see you next month, and Merry Christmas. They wished Mr. Oravec a Merry Christmas.

AMENDMENT TO THE FED-EX SITE PLAN REVIEW, SPR 2007-03. It was initially recommended in the traffic impact study and approved that the 3rd Street and J Street intersection in Ampoint be improved to a four-way stop at the completion of the project. It is now recommended that the intersection be left as is, which is a two-way stop, until the above-mentioned change is necessary or warranted. The reason is that the last time this was made into a four-way stop, the traffic in the morning was backed up all the way to I-75.

Mr. Black asked if there was anyone present representing this amendment, and Mr. Garn said no. He said actually the request came from their administrator and their maintenance department, because they said that when they had put a four-way stop in at that intersection a few years ago, that by before noon time they had to take down the stop signs because traffic was already backed up to the overpass at I-75. And Fed-Ex had an attorney that had written quite a convoluted amendment, and Mr. Kuhn and he just decided it was much easier just to amend. Mr. Black asked if there was a motion to amend the site plan as

requested. Ms. Warnimont said she had a question before he does that, and Mr. Black said okay.

Ms. Warnimont said what if Fed-Ex wants it there. She understands about their maintenance. Mr. Garn said oh, Fed-Ex, and Ms. Warnimont said, do they want a two-way stop only. And Mr. Garn said at this point, and he left it over in the office, and he can't think of the attorney's name for Fed-Ex, but he and Mr. Donahue wrote quite a lengthy thing to change it at this time. And all this does is if a four-way stop is needed, then it should be amended that way so that they can then implement the traffic study as it was originally issued. Mr. Kuhn just had them go to a four-way stop before it was mandatory. He said eventually they were going to need it anyway. Mr. Black said Fed-Ex is okay with this, and they are, and Mr. Garn said, as far as they know. If they want to, he will go get the documentation if they want to go on to the next item. Mr. Black asked why would he go get the documentation, and why do they need the documentation, and Mr. Garn said then he can show them that, and make sure that he is correct on this that Fed-Ex is part of this thing. He just forgot to bring that over here. Mr. Black said if he is comfortable that that is the case, that's fine. Is he saying that he is not sure. Mr. Garn said he just wants to make sure, so he will be back. Mr. Black said okay. He asked if he wanted them to go on to this next one.

MAJOR/MINOR AMENDMENT TO TUFFY RETAIL BUILDING, SPR 2003-17. Edinborough Investment of 27096 Oakmead Drive would like to place an off-premises freestanding monument style sign on the Perry Retail Investment (Tuffy) property at 27140 Oakmead. They would also need to go to the BZA because of its location.

Jack Sculfort addressed the commission regarding this major/minor amendment. He said they have actually worked with the trustees on this issue. The visual sight lines from Route 20 to their building have been impacted by the Tuffy building which sits very close to its property line on a southern edge of his property. So they have worked with the trustees, and they have actually worked with their neighbors, the Perry Retail Associates, who own the Tuffy center, and they have very graciously and accommodatingly suggested that they could put a sign next to their sign on their property inside the setback located on the blacktop. No change in any of their traffic flows. No change in their green space. Inside the setbacks. And they have executed the document entitled supplemental sign application for zoning certificate. It's his understanding that as an off premises sign, it ultimately has to go to the BZA, but it was his understanding that Mr. Garn thought it would be wise to appear before this commission to make sure that they understood what they were doing, and what they were proposing, and that there weren't any other issues that they had identified.

Mr. Black said as he understands it, this sign would be further away from the road than Tuffy's, and closest to the road than you. Mr. Sculfort said right. No, it's on the back of there. Mr. Black said he did not see that. Mr. Schaller said he did not realize that at first either. That helps explain it. Mr. Black said yeah, that helps. He did not actually know there was anything on the other side.

Mr. Black asked if there were any comments by the members, and there were none. He then asked if there was a motion to make that a minor amendment. Mr. Schaller so moved with a second by Mr. Benavides. Mr. Black asked if Mr. Garn was here, and Ms. Tretter said he just went to make a copy, and wanted to know if they wanted her to do the roll call. Ms. Warnimont said to go ahead. She is writing it down here. Mr. Black said okay. They have a motion and a second. A roll call vote was taken. Yes votes by Mr. Schaller, Mr. Benavides, Mr. Rometo, Ms. Warnimont, and Mr. Black. Motion carried 5-0-0. Mr. Black said thank you very much. Mr. Sculfort said thank you, and Mr. Black said he was welcome, and he thanked him for coming in. Ms. Tretter asked Mr. Sculfort to spell his name, and he did.

RESIGNATION OF ARTHUR ROMETO FROM THE ZC.

Mr. Black said he does not know, do they have to do that. If they don't act on this, then he's here. Mr. Black asked Mr. Rometo if he was being annexed. Mr. Rometo said no. He said his position at ODOT, their chief legal said he could not work on any projects within the township limit. Mr. Black said okay. Mr. Rometo said up until now what he has been doing is just having other engineers do anything within the township. Well, now he has two people underneath him, and as the project manager, they can't work on anything in the township either because he would be overseeing the project. Mr. Black said oh, okay. Mr. Rometo said plus they have a couple consultant jobs, plus a 75 job which goes through the township, and they wanted him to be the project manager on those.

Mr. Black said okay. Well, they are going to hold off on this until the very end just before they adjourn, how would that be. They have really enjoyed having him on the commission, and they are going to miss him. He hopes he enjoyed it. Mr. Rometo said oh, yeah, he did. Mr. Black asked him how many years has it been, and does he know. Mr. Rometo said he thinks he has been here 6 years, he thinks. Mr. Schaller said time flies when you are having fun. Mr. Black said he knows they have had their group together for probably 6 years, because he may have been the last to come on to this group. Mr. Rometo said he thinks it's been almost 6 years. Mr. Black said he got on since '93, and that's the longest time they have had the same five people, so that's quite an accomplishment. Because as they know, things come back to them, and it's nice to have an institutional memory of what goes on. Of course here, they could not even remember what they did last month. They needed Mr. Benavides to review the minutes for them.

AMENDMENT TO FEDEX SITE PLAN REVIEW.

Mr. Black said to Mr. Garn that what he is saying is there is no reason to actually go through this entire thing. Mr. Garn said that he sent Mr. Kuhn a copy. He said he had never seen anything like this before. He said all that you need to do is just simply amend the present site plan review to say that. It was commented that it's actually 15 B. Mr. Black said what's that. Mr. Black said 16 B of their resolution. Mr. Garn said 15 B of their resolution said that they recommend that the 3rd Street, J Street intersection be improved to a four-way stop at the completion of the project, and they could just amend that to say that you would leave the stop remain the same until it is needed. Mr. Black said, but that's really what this proposed resolution does, doesn't it. Ms. Warnimont said this one here. Mr. Black said yes. Ms. Warnimont said yes, this one does, too. Mr. Garn said oh, yeah. Ms. Warnimont said is to be removed and a site plan approved for Fed-Ex hub site project. Mr. Black said it's just a little more detail. Ms. Warnimont said this was in November of 2008. This thing is from August 27th of 2007. Mr. Garn said right, that's when they passed it. Ms. Warnimont said yes, but they have another one since that time. Mr. Garn said no, this is what the attorneys sent over. Ms. Warnimont said oh, she was sorry. Mr. Garn said this is what they sent over.

Mr. Black said they are suggesting that this would be the document that they would use. Mr. Garn said this is the first he knew about this, when somebody just handed it to him. Their administrator handed this to him. Mr. Black said well, the wonderful part of this is it gives all the history to it. In case there is any question as to why they made that change. He asked Mr. Benavides how he felt about that. Mr. Benavides said oh, this is very well drafted. He would not second-guess John. Mr. Black said this gives the history. Mr. Benavides said right. Mr. Schaller said, and there is a requirement if somebody installed this warning beacon; right, or not. If the four-way stop is removed from the site plan, Fed-Ex shall cause warning beacons to be installed on J and 3rd Streets, and this is one of the recommendations of Mannick and Smith. So they still need to do that. Mr. Black said that's true. He said he actually likes this. He would like to approve this resolution as presented to them. Mr. Garn said okay. He asked if there was a motion to approve the resolution modifying the requirements in the site plan approval, application SPR 2007-03. Mr. Benavides moved with a second by Ms. Warnimont to amend the site plan. Mr. Black asked if there was any further discussion, and there was none. A roll call vote was taken. Mr. Garn asked who recommended that, and he was told Mr. Benavides. Mr. Garn said, and the second was Ms. Warnimont. Yes votes by Mr. Benavides, Ms. Warnimont, Mr. Rometo, Mr. Schaller, and Mr. Black. Motion carried 5-0-0.

Mr. Black said the next item on the agenda is to appoint members to the Comprehensive Plan and zoning book selection committee for interviewing

prospective consultants. He deferred to Mr. Garn. Mr. Garn said for appointing, he asked Mr. Black if he would like to be on the committee, and Mr. Black said he would like to be on the committee. Mr. Black said to Mr. Schaller that he wanted to be on it, and Mr. Schaller said yeah, that's fine. Mr. Garn said anybody else. Ms. Warnimont said she would not mind being on that. Mr. Black said okay. Mr. Garn said okay. She said she did not know how many they wanted on there. Mr. Garn said he thinks there are going to be a couple from the BZA, as far as he knows. Mr. Black said there is no limit as to who can join, is there, and Mr. Garn said no, no, no. Mr. Black asked if there was anyone else. He asked Mr. Hanna if he wanted to be on, and Mr. Hanna said sure. Mr. Black said to Mr. Garn that he does not know how big he wants it. Mr. Garn said yeah. He does not know. He will have to get more copies. Mr. Black asked how many copies are there. Mr. Garn said he only has five copies right now. Mr. Black said they will pass their copies on to the BZA, and Mr. Garn said no, because they are going to meet with everyone. It's going to be a joint meeting of some ZC members and some BZA members just to listen to what they have, but the more the merrier. He does not have a problem making the copies and doing that. Mr. Black said he did not either. Mr. Garn said that's fine. Mr. Black said he guesses the only question is if they have three or more. Mr. Schaller said he wants an odd number probably. Mr. Black said they will just have to post it as a meeting if you see what he means, if he has three or more people. Mr. Garn said that should not be a problem. Mr. Black said that's not an issue. Mr. Garn said they used to do that all the time. Mr. Black said okay. That's fine. Mr. Garn said yes. Mr. Schaller said they are going to need at least three, he thinks. Three or more. Mr. Black said to Mr. Rometo that he guesses he will be gone, and Mr. Rometo said yes. He asked Mr. Garn if he had what he needs, and he said he has what he needs. He said they will meet with the BZA, and then they will try and set up a date hopefully before the end of the year or the first part of next year. They will see how that works date wise to get everyone together.

Mr. Black said well, he will reluctantly make a motion to accept Mr. Rometo's resignation from the ZC. Ms. Warnimont said she will second that reluctantly. Mr. Black said he has enjoyed working with him. Mr. Rometo said thanks, and he enjoyed being on the board. Mr. Black said he had no idea it was 6 years already. A roll call vote was taken. Yes votes by Mr. Black, Ms. Warnimont, Mr. Benavides, Mr. Schaller, and Mr. Rometo. Motion carried 5-0-0. It was commented that he really wants to get out of here. He wanted that five-o vote.

Mr. Schaller said to Mr. Garn that he asked him about re-upping, and Mr. Garn said yes. Mr. Schaller asked is that a done deal or not. Mr. Garn said he has to go to the trustees. Mr. Schaller said oh, okay. He thought he was doing that this morning. Mr. Garn said he was hoping to, but he did not. Mr. Schaller said that's fine. But they are set. A member said he got his message, and Mr. Garn said he got his message. And the thing is to think about a further replacement,

and he does not know. Mr. Black said because Mr. Hanna has agreed to come in on a full time basis. Mr. Garn said full time. Mr. Black said he has been here full time anyway, so it works perfect; right. What's the difference. Mr. Schaller asked is Jeff Normand still another alternate then, and Mr. Garn said he is still another alternate. If an engineer like Mr. Rometo has worked out very well. If they had a landscape architect. Whatever they think. Because they know what they are reviewing all the time, and it's good to have people that understand the different areas.

Mr. Black asked Mr. Garn if there was anything else, and he said no, that's all he has. Mr. Black said he would make a motion to adjourn. Mr. Benavides was the second on the motion. All members were in favor, and none were opposed. The motion carried, and the meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Grant W. Garn,
Recording Secretary