

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

ZONING COMMISSION MEETING
August 8, 2005, at 6:00 p.m.

The Perrysburg Township Zoning Commission held a meeting on August 8, 2005, at 6:00 p.m. Robert Black, Chairman, called the meeting to order at 6:00 p.m. and welcomed all in attendance. A roll call was taken.

MEMBERS PRESENT: Robert S. Black, Jeff Schaller, Carol Warnimont, John Benavides, and Arthur Rometo.

MEMBERS ABSENT: Stephen J. Stanford and Jeffrey Normand.

APPROVAL OF AGENDA: Mr. Black asked if there was a motion to approve the agenda. Ms. Warnimont moved with a second by Mr. Benavides to approve the agenda. 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.

APPROVAL OF 7/18/05 MINUTES: Mr. Black asked if there was a motion to approve the minutes. Ms. Warnimont moved with a second by Mr. Rometo to approve the minutes. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Rometo, Mr. Schaller, and Mr. Black. Mr. Benavides abstained. Motion carried 4-0-1.

Mr. Black asked if there was anyone in the audience that wished to discuss any non-agenda items with the commission, and there were none.

CONTINUED SITE PLAN REVIEW FOR4 EMERALD LAKES. NUMBER SPR 2005-04. McCarthy Builders, Inc., would like to build a PUD Subdivision on Eckel Junction Road. A copy of their plans was attached to the previous month's agenda and handout. An independent engineering firm is reviewing their plans and checklist for compliance. The Wood County Engineer and the City of Perrysburg are also checking the plans. They have started construction on the ponds. They are still working on the deficiencies with the storm sewer system.

Mr. Black asked Mr. Garn to bring the commission up to date on this site plan. Mr. Garn informed the commission that as of this date he did get a fax from Mr. Kuhn concerning this. He represented from the WC Engineer they had met with the firm that is drawing the plans on this, and the plans have been revised to their specifications to meet the minimal requirement for plat 1. A lot of this had to do with the drainage. Mr. Black asked if it met the City of Perrysburg's, and Mr. Garn said he had no idea.

Brian McCarthy addressed the commission regarding this site plan. He informed the commission that at this point they do meet the requirements of the City of Perrysburg. They have been through their process. That was the basis of the drainage, and why it was changed was to ultimately meet the City of Perrysburg's requirements for the drainage system. Mr. Black asked if there was an issue with the pond also, and Mr. McCarthy said correct, that was the basis, the pond as it related to the drainage system. Mr. Black asked if they had given him a letter. Mr. McCarthy said no, he had spoke to them as early as Friday of last week, and they said they were ready to sign the plans, per se. He has some corresponding E-mails from them that they were ready to sign the plans this week. Mr. Black asked if it was the plans that Mr. Kuhn is talking about, and Mr. McCarthy said that's correct.

Mr. Black asked if there were any other comments from the members or Mr. Garn. Mr. Garn said this is just a partial approval for plat 1 which is the drawing on the right side, and he thinks it just encompasses one pond. If they have driven down Eckel Junction Road, maybe they have seen the mounds of dirt along Eckel Junction. Mr. Black asked Mr. McCarthy if he understands that's a partial approval of the site plan. Mr. McCarthy said partial meaning what. At this point he would assume that they were all approved from the commission at this point. Mr. Black said that's where he's a little confused when it said it was partial. Mr. Garn responded only in that all the drawings and so on have just dealt with the one pond in phase 1 and not the pond in phase 2. Mr. McCarthy said that would be correct, and that would be his assumption that he would come back to them for approvals for plats 2 and 3 either individually or to have at the same time, come back one time and have both at the same time. Mr. Black said this approval would be based on Perrysburg signing off on it. Mr. McCarthy said that would be correct. Technically if they don't, the way it is presented now, if they don't sign the construction plans, then the project can't be built. Their names are on the title sheet and so on and so forth.

Mr. Black asked if there was a motion to approve the site plan. Ms. Warnimont moved with a second by Mr. Rometo to approve plat 1 and the pond contingent upon the City of Perrysburg signing their approval of the plat. Mr. Black asked if there was any further discussion, and there was none. A roll call vote was taken. Yes votes by Ms. Warnimont, Mr. Rometo, Mr. Schaller, Mr. Benavides, and Mr. Black. Motion carried 5-0-0.

SITE PLAN REVIEW OF RETAIL (RESTAURANT?) BUILDING IN PERRYSBURG MARKET CENTER. SPR 2005-05. Warren Terrace of First Commercial is proposing a retail building at the southwest corner of Thompson Road and Market Center Drive. A copy of our reviewing engineer's report is attached. There are a number of issues such as usage, parking, landscaping etc. that need to be addressed.

Warren Terrace addressed the commission regarding this site plan. Mr. Black asked Mr. Garn if they had a letter here from Feller and Finch. Mr. Garn said yes, there was a

three-page letter with approximately 20 items. Mr. Black asked Mr. Terrace if he was familiar with that letter from their engineers. It's dated August 3rd. Mr. Garn said there was a copy sent to him. Mr. Terrace said they were using Thomas *Debois who is local. Mr. Garn said they were aware of that. He thought he had talked to someone there.

Mr. Tennenbaum said he got their notes. Mr. Black asked the new speaker to identify himself. Mr. Tennenbaum addressed the commission and said he could answer any questions. Mr. Black asked him if he had seen the August 3 letter, and Mr. Tennenbaum said he just saw it today. Mr. Black said there are some issues in that letter. Mr. Tennenbaum said they started taking care of them. Mr. Black said he would rip off those pages so he can have that. Mr. Garn said he could make copies if they want.

Mr. Black asked Mr. Garn to go over this with the commission briefly. Mr. Garn said there are some problems noted on there. Some of them have to do with parking. Just part of them have to do with the type of business that may be going in there. Because as it's shown, it says retail center. It shows a drive-up window. So it was sort of hard to determine how many parking places would be required. If it's a retail versus a restaurant, because they have different requirements for restaurants. Mr. Black said apparently there are enough issues here that they will be unable to approve the site plan this evening, and Mr. Garn said right. Mr. Black said that's the short story. He asked if any of the members disagreed with that, and none of the members did. Mr. Black asked if there was a motion to table the issue.

Mr. Garn asked if the commission wanted to talk about the parking issue, because there may not be enough parking spaces on this one small parcel versus parking in the overall. Mr. Terrace commented that the original intent, the original site plan approval for this project encompassed the big box strip and the two out lots. The out lot is for heavy parking, but that parking is all shared amongst all of the users. Once they complete the entire project, there is more than adequate parking for any users for all the building.

Mr. Black asked how the ownership of this property is divided. Mr. Terrace said the ownership of the project is himself, and actually there are three partners, and then they have a carpenter's pension fund is their equity financing. Mr. Black asked how the property is divided. Mr. Terrace said it's not divided. Mr. Black said none of it, all that Lowe's and everything. Mr. Terrace said everything but Walgreen's is owned by the same group, it's Perrysburg Plaza LLC. Mr. Black asked him to point that area out. Mr. Terrace pointed out Walgreen's, and pointed out all that is owned by the same partnership. This actually is flipped around, and it's this piece right here. It's this building right here. Here is the Walgreen's, and then Route 20 is up here.

Mr. Black said there is some question about the parking requirements because it actually overlaps two issues, and the more stringent parking requirement is what they would require. Mr. Terrace understood. Mr. Black said he knows when they originally talked about the use of that, it's a little different than it was originally. Mr. Terrace said they had talked about a restaurant for that facility, and what they are finding is that the users that are calling them that are interested in that building are very similar to what they have in this building here. It's going to be a wide variety. He has a sub shop that wanted a drive-thru, but he's only 1,500 feet. Not a very large restaurant. But he wanted the drive-thru because it pushes more product through at lunchtime. They have talked to a drycleaners. Just a wide variety of small users like that. Mr. Black said so you are going to use some of the parking there at the south end of the property. Mr. Terrace said the parking for this facility would probably come all the way around. There is adequate parking for the whole project for what they are proposing to build.

Mr. Black asked Mr. Garn if he had any comments. Mr. Garn said he did not know this was going to be like a little strip center, so those are some of the issues that he thinks that their engineer needs to know so they can make determinations. Mr. Terrace said originally it was designed as a restaurant pad, but they haven't had very many restaurant users express interest in that pad. Of all the calls they get for on the corner, the majority of it is small retail. Mr. Black said parking is an issue, and if he will work with the engineer on that. Mr. Terrace said he is pretty sure they can solve that issue even if he has to build parking around the facility from the other dedicated parking for the big box strip, it's all going to work in the end.

Mr. Garn said one concern was the possibility of it being sold off as a separate small parcel. Mr. Terrace said the first day he stepped up there, he said they are not sellers. They typically build and retain. They have 25 shopping centers now in Michigan and Ohio. Ms. Warnimont asked how many units they were anticipating putting in there. Mr. Terrace said anywhere from four to eight. It really depends on how large the users are. It's a relatively small building. It's 9,800 feet. The other one is 8,500 feet in comparison. He has six tenants in the other one. So something very similar. There are lots of big boxes along there. There is very little small tenant space. So they are getting calls from lots of different small users.

Mr. Black asked if there were any other comments. Ms. Warnimont asked if they were going out on to Thompson Road from that back area where that drive-thru is. Is that a road that goes through where the drive-thru is. That's not a road, is it. The response was no. Mr. Terrace said when they are ready to come forward with the strip center, the big boxes, this was an addition that they had that was suggested by one of the retailers that they were talking to for an access to the back versus having to come out into the facility and then use the Thompson Road. He is not prepared to talk about that right now. What they wanted to do was get this building started.

Mr. Black asked if there was a motion to table the review of the site plan. Mr. Rometo moved with a second by Mr. Benavides to table the site plan review. Mr. Black asked if there was any other discussion. It was confirmed that the meeting would be the second Monday in September. Mr. Black asked Mr. Garn if he had a calendar with him, and Mr. Garn said yes, September 12th. A roll call vote was taken. Yes votes by Mr. Rometo, Mr. Benavides, Ms. Warnimont, Mr. Schaller, and Mr. Black. Motion carried 5-0-0.

Mr. Black said he just thinks what Mr. Terrace should be concerned about is the parking issue, because it may impact what he is able to do off the top. Mr. Terrace said the parking requirements as outlined in their ordinance, they have extra parking. It was for the total project. He feels even if he puts restaurants in that building, that he will not have that issue when everything is completed. There will be enough total parking between the three components to meet any requirement that they require. Mr. Black said that's fine. Just so he is positive about that.

INFORMAL REVIEW OF BELMONT PLACE. MDM Ltd. is proposing a PUD-RS for 29301 Simmons Road which is just south of the Belmont Meadows subdivision. It would consist of 7 buildings of 4 units each located on 7 plus acres. They plan to have this zoning change (and final PUD-RS plans) submitted to the WCPC for their September meeting.

Greg Feller addressed the commission regarding this informal review. He informed the commission that basically this is a condominium development they are proposing, 7 building, 4 units per building for a total of 28 units. Their density is going to be 3.8 units per acre. They have their required 25 percent open space. They would like to present this for their comments before they present it to the PC. Mr. Black asked if each one of the numbered blocks is one unit, and Mr. Feller said it's 4 units. Those are 7 buildings, 4 units per building. They are similar to the quad units that are going up in Stone Gate Villas. The roads, utilities are proposed to be private, all maintained by the homeowners association. There is sanitary and water available.

Mr. Schaller asked what was on the lot to the south there, is there anything. There is a little parcel there between that and the turnpike. Mr. Feller said he believes that is just a residence. They have made an attempt to purposely push all the buildings to the south to keep them as far away from Belmont Meadows as possible, and providing all the open space they have they wanted to use as a buffer between them and the existing subdivision.

Mr. Black said you are proposing the roads and streets to be private, do they meet the public dimensions. Mr. Feller said what they are proposing is 24 foot back to back. He thinks they do, but he will have to double-check that. Mr. Black said he was a little concerned about emergency issues. That seems way too tight, particularly number 6 and number 7, but he is not sure that the cul-de-sac is large enough. This will get city

water, but county sewer. Mr. Feller said he believes so. Mr. Black said so they will be subject to the city. He thinks they have to sit down with the city because he is not convinced they are going to allow him to do that because of the emergency issue. That's the first thing that came to his mind.

Mr. Black asked if there were any other comments that Mr. Garn had. Mr. Garn said he thinks the city requires a slightly wider road, and their cul-de-sacs are possibly slightly larger. Mr. Black said the concern is ultimately they will petition the city or the township to take over the roads.

Mr. Black asked if there were any other comments from the members. Mr. Schaller said ultimately in respect to the screening or landscaping, the adjacent properties can be affected there. Mr. Feller said there will obviously be landscaping all the way around. They did have a neighbors' meeting 2 weeks ago, and it seemed like the major issue to the neighbors at Belmont Meadows was there is an existing hedgerow that runs along there that they want maintained, and they informed the neighbors they would have no problem with that. They will add that note to maintain the existing hedgerow along the property line. Mr. Black said that is a concern, and he is sure that he is aware of an issue on Hufford Road that was to be the case, and the developer moved trees out anyway. Mr. Schaller said there was an issue on Ford Road, too. Mr. Black said he does not know how they do that.

Mr. Garn said the neighbor to the south, it's an older couple, and he just happened to be talking to their daughter that lives just south of them, and he commented about the condo project going in, and she said what condo project. So he is not sure they know. Mr. Feller said the developer invited all the surrounding neighbors, so he is sure they would have invited them, too. Mr. Garn said he presumed they probably were. It's an elderly couple with health issues, so maybe they didn't know or understand. Mr. Feller said he will check with the developer to make sure they said something to them.

Mr. Black said the developer would have to somehow make assurances in the appropriate manner that that hedgerow stays there, because that was a huge issue on Hufford Road. Mr. Feller said what he will do is make a note. Since it's a PUD, whatever shows on the drawing has to be built. So he is going to add a note there so it's on the record. It's similar to Stone Gate Villas where they had to put the fence up, so they put a note on the drawing so it's on there. Mr. Black said the issue is once you take it down, it will take years to get it back.

Mr. Schaller said just as a practicality, the whole road/street issue and that stuff, those units, 6 and particularly 7, as far as getting access back there and stuff, the way the cul-de-sac ends and the pretty extensive driveway, and snow removal and that kind of stuff, that looks like that could be a potential challenge there. Mr. Feller said snow removal will have to be taken care of by the homeowners association.

Mr. Black asked if Mr. Garn had anything else. Mr. Garn said he has not received any information on the zoning change changing this to a PUD, so he is presuming that is coming within the next few days. Mr. Feller said he wanted to come to this meeting first, and anything that needed to be changed, change it before he submitted it. Mr. Garn said from what he understands, they are on the fast tract where before they would try to do a PUD over a longer period of time, and they are going for a fast tract normal zoning change. Mr. Black said so they are expecting to file an application prior to their next meeting, and Mr. Feller said yes. Mr. Black asked when the WCPC meets, and Mr. Garn said their next meeting is September 6th, and then their meeting, which would be a public hearing, would be on the 12th. It would not be for a site plan approval, it would be a public hearing on the zoning change to PUD which would locate all the pads and everything. Mr. Black said it appears to be a significant amount of structure in a small area. This is their concern, 28 units there. Mr. Black asked if there were any other comments, and there were none. He thanked Mr. Feller.

INFORMAL REVIEW FOR A KENSINGTON LANE OFFICE BUILDING. William R. Steele of Spring Valley Architects is proposing a four-suite office building in the Coventry Woods development.

Bill Steele addressed the commission regarding this informal review. He told the commission that he has some color copies with him with his proposal. This is over at Coventry off of 795, and it's an office building with up to four possible tenants. The building size is approximately 8,100 square feet, and they have about 30 parking spaces available. 27 are necessary with 2 extra. They wanted to kind of informally present this project this evening. They are keeping in compliance with the restrictions of the area as far as the aesthetics of the building. Mr. Black asked if there were significant deed restrictions in the area, and Mr. Steele said yes, and they are complying with everything, and that's what he was referring to. The site plan on the third page indicates all the proper setbacks, and there will be mounding in the front for landscaping. It will be heavily landscaped. There is a ditch easement on the right side of the page. It's kind of interesting the design around Grassy Creek. Mr. Black asked if it was city sewer and water, is it township, county. It's Northwest Regional Water and Sewer, so the city has no oversight on this. Mr. Black asked Mr. Garn if he had any comments, and Mr. Garn said no. Mr. Black asked him if he expected to come in next month, and Mr. Steele said that's correct. Mr. Black said they will have more detail at that point. Mr. Steele said right. They are going to meet their August 22nd deadline, so they will be at the September 12 meeting. Mr. Black asked if there were any comments from the members. Mr. Schaller said it's pretty straightforward. Mr. Black thanked him for coming in.

INFORMAL REVIEW OF PROPOSED ZONING CHANGE ON SIMMONS ROAD.

Timothy Burns of Structure Building Company is proposing Creekside which would be a PUD-RS adult living community located on the east side of Simmons Road and north of

Wyandot Place (near SR 795) and west of I75. He and his engineer have modified the plans since the last meeting on this site. He would appreciate your comments.

Timothy Burns addressed the commission regarding this informal review. He started out saying he has been before the commission before, and he is trying to address the issues as far as design goes for the set-up of the development in order to accommodate the issues they are talking about. He did bring a new one, and Mr. Garn said they have copies. Mr. Black said dated August 2nd, and Mr. Burns said yes. Mr. Black said one of their concerns was the access and the fact that they have their use at the back.

Mr. Burns said one of the bigger concerns was the idea of the community center, adult independent living center, and having independent access to the property. What they tried to do, because the commission has issues with gaining independent access to it, what they tried to do was change the entire area to adult independent living so it all falls within the same category so there is not an issue of driving past single independent living. They also changed the interior layout. They basically have set it up with three different stages. The first would be to the east closest to Simmons Road and closest to the entrance. There is a mix of double and triple units. These would be basically the most affordable housing, probably be in a price range of \$150,000.00 to \$175,00.00. Moving further back, this concept is where they are quads. Basically what they looked at, and what he has been looking at is very similar to Stone Gate that's down the street on Thompson Road. The same type of concept except for gearing toward adult independent living, not just open to anybody that would like to move in, and keeping the retirement center again all adult independent living. The facility in the back, they also addressed some of the potential issues. They met informally with the fire chief. Mr. Garn said the fire inspector, and Mr. Burn said yes and continued about some issue that he may have as far as maneuvering around for fire or EMS. What they did is they split the complex up so there are two units which are to the east that are detached units so potentially EMS and fire trucks could get straight through on a turn-around route. They also addressed up in the main body, kind of talking right in here, they put several loops through, a total of three, in order to address a couple of different issues, one being emergency routes out, the second one being the idea that from the complex that not everybody would be driving past the same houses all at the same time. He also has been down to WCPC and talked with Mr. Steiner. He looked at the plan and basically said as far as he could see, he could not give him anything formal, but he didn't see anything that he thought they would have to change as far as what they were asking for. Here is what they are looking at doing, do you see anything that jumps out that's a large issue.

Mr. Black asked Mr. Burns where he will get his water and sewer. Mr. Burns said water and sewer would both come from the City of Perrysburg. From what he understands, they are both up on Simmons Road. Mr. Black said so he will be subject to their review as well, and Mr. Burns said he would be, yes. Mr. Black asked if he had spent any time with them, and Mr. Burns said he has not. He is trying to put his ducks in the

right row, and that would be his next step. Mr. Black said before he even formalizes, because they will have some issues also.

Mr. Burns then talked about some of the things that they are requiring as far as sidewalks, and certain setbacks, and stuff like that. He understands they have to meet any setbacks that are required. Sidewalks actually would be, as far as he is concerned, a necessity for this type of a neighborhood. They are actually looking at going maybe to a wider sidewalk. Mr. Black asked if they were going to require curbs, and Mr. Burns said he would assume so. That's his assumption. He thinks it would be a prettier neighborhood if it didn't have curbs, but he understands the function of them as well.

Mr. Burns said he does not know if the commission is interested, but he brought Dan Sudit along, and he's the fellow that owns the facility that he has kind of modeled his after. He brought a book, and he can pass it down, and you can see kind of the concept of the facility, how nice it is. He also brought with him, and this is due to an understanding that Ohio has an adult independent living status as far as how they zone it or what their requirements are for parking and that kind of stuff, but he brought the Michigan State Housing Development Authority, and it's item number .13, and it talks about the parking spaces that are required in complexes like this. And they will see that it is much less than what you would see certainly in a normal rental facility due to the fact that a large percentage of the people residing in a unit like this do not actually drive. He passed them out to the members and stated that it's item number 13 that addresses the parking.

Mr. Burns said he also has with him, and this was certainly not any type of a formal thing, but this was based on Moongate which is the same type of facility that's up in Michigan. Their exact criteria, the percentage of people that live there that drive, what time they leave in and out, and there are a couple of points, and he will pass those out. Again, trying to address the concern of having the traffic come through the neighborhood, and trying to explain that the traffic may be somewhat less than what would be expected. He pointed out that he has two facilities that are basically across the street from each other. The first one, Moongate North, there are 50 units, 28 units which are two bedrooms and 28 units which are one bedroom. In the Moongate South there are 54 units, 38 two bedroom, and 26 one bedroom. In the Moongate North as of right now there are 30 tenants that drive, which is about 60 percent of the people that have vehicles and drive. In Moongate South there are 22 drivers, and that's 49 percent of the tenants there that are able to drive. He would assume he is going to see the same type of demographics in his facility. The average age of the occupant is 79 years old, so they are kind of getting to the point where they aren't out on the road, but they are still able to get around certainly, and fully functional.

Mr. Burns said that really the idea of what they are trying to do here is within a neighborhood have this community center feel like it's part of the neighborhood and not secluded. It's one of the reasons he was pretty particular on the pieces of land that he

was looking for when he wanted to build this facility. He could have found a lot of six or seven acre parcels that he could have slapped this thing on a road somewhere. The idea is if they are secluded, they aren't part of a community, they feel like they are offended. He is trying to address that by bringing them back into the community and giving them the real feel that they are important. So that kind of addresses the reason that he would really like to keep it within the community and not necessarily have a separate drive.

Coincidentally they did talk with the fire inspector about access to Wyandot Place, and he did not seem like it was an issue. In fact, he kind of got the impression, and again this was an informal review, that he wasn't too concerned with it, although they kind of talked some potential game plans with it as far maybe making it a compacted soil with pavers, and some density so it could be a lock gate so there is access there if ever needed for emergency purposes where the police and fire departments would have keys to that. The ground would be compacted so they could drive large vehicles, fire trucks, whatever is necessary over it in order to gain access. Mr. Black said but there is no drive back there as far as the back of these buildings, is there. There is no place for them to go. Mr. Burns said as far as through kind of where the driveway exists right here, and Mr. Black said right. Mr. Burns said yeah, if that's something that they would request, they would basically spread these buildings out in order to gain an access through there. And it would become, he would assume, an easement of some sort, emergency easement. Again, what he understood of it is that it would be something where they would bury pavers that have holes in them that basically allow the soil to drain off. They can have grass that goes over top of it. In the case of an emergency, a truck is not going to come in and sink in the mud. Mr. Black asked what the density was there per acre. Mr. Burns said that he does not know. He does not think his engineer has that noted. He had to be out of town, unfortunately.

Mr. Black asked Mr. Garn if he had any comments. Mr. Garn said no. He was sort of pushing a little bit for that gated access if it were ever needed similar to what they do at Penta County where only the emergency vehicles could use it. Mr. Burns said the one he said was gated off, and Mr. Garn said yes, they have one where they potentially have that off of Lime City Road. And also found that they did things like around the building there were certain areas that were for putting those pavers in so that it would be a grass area, but they could actually drive their heavy equipment over it for access. So that was just an idea. His fear on that was that just having the one road in there and having the majority of the population back in there further, if the road were blocked due to some calamity up at the front part, and then somebody needed an ambulance in the back part, how were they going to get to them if they are fighting a fire in the front. So that was his only concern there. Also so that Wyandot Place was not used as a thoroughfare.

Mr. Schaller said right now he is looking at R-4 zoning in there. Mr. Burns said it would be a PUD. Mr. Schaller said okay. And everything else around there is generally what,

R-2. Mr. Garn said R-2 is the general. Where that is is all agricultural right now. With the subdivisions that are in the area are mainly R-2 subdivisions. He thinks that's what it is. Mr. Black said the density number would be nice to know. Mr. Burns said if there is a maximum number that's a requirement, he is willing to meet the requirements of the commission. He is not sure, did he ask a minimum density, and Mr. Garn said no, there is something that was put in the PUD section, but for the density is normally, without looking it up, is six per acre, but it can be increased to around 14. Mr. Black said that would be if there were any unique characteristics. Mr. Garn said characteristics and so on. Mr. Black said they don't have unnatural characteristics here. Mr. Garn said right. Mr. Black said this is incredibly more dense than what he proposed from the last time.

Mr. Black asked if anyone else had any comments. Ms. Warnimont had a question. You don't know if you are going to have the community center in with this back half, phase 3. There is no community part. You are going to have kitchens in each one of these units now instead, the back half, the phase 3. Mr. Burns said each unit has its own kitchen, living room. They have both internal and external access. So these people can either choose to travel out to the parking lot to their car straight out their door, or they can move within an internal hallway that connects each unit. Also within the unit itself, which is partly why these people are not driving so much, there is a beauty salon that is part of the project so they can get their hair done right on site, which is important to the ladies. There is a living room, library, game room, exercise room, TV room, and these are common to all of the units separate from the apartments. Ms. Warnimont said so each section of these apartments are going to have that type of thing, and Mr. Burns said will have access to that, correct.

Mr. Burns said one thing that they haven't addressed yet that probably will help on the density somewhat is more than likely this quad right here will become a community center for this part of the development. One of the things that he's been trying to address is now that he has taken this toward the direction of the whole thing being developed into independent living is providing a community center for them as well and have a game room, TV area, which is a pretty popular area as far as the community goes when you get to the adult independent living.

Ms. Warnimont asked also about his relocating Grassy Creek. Mr. Burns said that is questionable. That would be only if so permitted. Ms. Warnimont asked if he had talked to Wood County about that at all, and Mr. Burns said no. And that building may have to be altered accordingly if relocating Grassy Creek is not permitted, and may also be too much of an expense that doesn't outweigh what he is getting from it.

Ms. Warnimont said the other question she had is she's not sure, but some of the units look like they are into the setback or whatever that is, if that is a brick wall, and she wanted to know what it was. They look like they are going over the setback. Mr. Burns said he believed that is a sidewalk which he believes is allowed to be crossed in the

setback. Ms. Warnimont said she could not tell what that was. Mr. Burns said any of that stuff that is a requirement he will make sure that it falls within whatever required setbacks would govern it. More of what he is really looking for is kind of the concept, can he do this, because he is at the point now where moving forward is going to get certainly more involved from the engineering standpoint, and from his end it is going to get quite a bit more expensive, so he does not want to break out the pocket book.

Mr. Black said he is not convinced that this is the best location for this project, to be honest with him. He wanted to know how the other members felt about that. Because Mr. Burns is right that if they give him a pretty good nod here, he is going to have quite an investment sunk into it. Mr. Burns said he is trying to, from a development standpoint, put something together here that is he thinks classy, something that's needed in the community, and that architecturally fits in and deals well with the community.

Mr. Burns said to address some of the issues, like one of the big things, especially in Perrysburg with the amount of growth they have, is taxes on the school district, and what stress it puts on by building this type of a density. And understanding that the required age is 55 or older, there will be no children school age living in this neighborhood. That hopefully offsets some of the density. The other issue as far as the neighborhood, the value is going to be here as far as the neighbors go. What they are building, as he said they will be in the 150 to 175, and the back section will be 250, to 275. That would be pretty equal to the value of the houses that surround it. And at a smaller square footage at that point, too, he expects this stuff to be very nice as far interiorly and exteriorly, nicer than what a lot of the houses are around there, and it would be scaled up as far as amenities go in order to help offset the idea of that.

Mr. Schaller said he would agree with Mr. Black that his densities are somewhat inconsistent with what some of the other areas are and the properties in the immediate area. Particularly the retirement center in the back is somewhat unique to that area and inconsistent with the residential that you have out there otherwise. Mr. Burns said the problem he is facing is to know where to put something with this density along with other densities, he is basically slapping in with other apartments for commercial areas that aren't looking at this as far as a retirement community, more as apartment life. And it certainly is a significant issue for him as far as building it, and would be for him if he were living there. He puts himself in the eyes of the tenant. These people, the tenants that would be moving into here have had independent lives all their life, and they don't want to go to a place where they feel like they are just a number and not part of the community. And it's an important issue to making this thing successful, which is why it's tied into a residential type situation.

Mr. Black said just the access for the emergency vehicles and more or less the maze that they would have to go through from Simmons Road to get back in there. Also, as Mr. Schaller mentioned, the density, he thinks he was suggesting it would be the

equivalence of an R-4 density, and Mr. Burns said he believes so. Mr. Black said what probably is an R-2 surrounding, or no, it's agricultural a lot of this, but it would be the equivalent of an R-2. Mr. Garn said he would flip the map around so they could see. Mr. Black said there is no question based on the letter from Moongate that there are probably going to be a lot of emergency vehicles that run back in this area with the average age of 79. Mr. Garn said it's R-2 all the way back to Wyandot. Mr. Schaller said all the yellow there. Mr. Black said the yellow is R-2, and the green is agricultural. Mr. Garn said the green is agricultural. Mr. Garn asked if that was a pond out in the corner, and Mr. Burns said it's on state property. Mr. Garn said it's on state property. That's just sort of the triangle piece out in front where the two expressways cross.

Mr. Black asked if there were any other comments. Mr. Black said he guessed the short story is they are not giving him really a warm feeling. Mr. Burns said he understands that, and he guesses he would want an opinion or suggestions on what he can do to fit this type of facility there. That's the only reason he got into this process was to build a facility like this. He has looked all over Perrysburg, he has looked at Waterville, Whitehouse, Monclova, and certainly Perrysburg shows a need for a facility like this. And he is from Perrysburg which makes it a lot easier for him to manage because he is close. Some of the other areas that have facilities, there is a facility kind of similar to this complex that's up in Mayberry that's also within a residential community, and it has not had any signs of the neighborhood not accepting it or any issues.

Mr. Black asked him if he had met with any of the neighbors, and Mr. Burns said he has not, but he certainly would be willing to do that. He met with a couple, he should say. More than he had to meet with to necessarily set up any type of a meeting. The other thing, as far as looking for this type of community, is that churches are very important. That's one of the things that's up in front, but there is also another one down Simmons Road about a quarter mile, and there is a Lutheran church up in front. They need to have short distance access to shopping, which puts them basically over the overpass and into Crossroads of America. He does not know what the road is that cuts down in that direction, but it basically takes them right to grocery stores and easy shopping, which again makes him think it's the perfect location for it. He is open to suggestions of doing what he can do to make the thing work. He can cut down the density. If he did that, he would probably prefer to put in some more water, whereas ponds, as far as developments, become issues if you have youngsters. As you get more elderly, ponds become less of an issue. They aren't out there jumping in it and swimming. It's more of beauty thing.

Mr. Black asked if he had tried to get access to the north of Parliament Place. Mr. Burns said he addressed that in a couple of different ways. The lot there is an in fill lot, and basically the amount of work that comes into developing it is astronomical. Basically have to dig everything else out of there in order to put anything on it. It's been in-filled. It's got cement, he is sure refrigerators and washers and dryers. And it becomes such a cost is why that piece of land honestly has been sitting there for as

long as it has, because it's a better location, and the frontage is better. He actually looked at that parcel before this, and then did a little bit of research and found out what was on it, and it just makes an astronomical expense to develop it. The other issue that he looked at with it is the length of drive to get back there becomes so cost prohibitive to do this without having again branches off of the driveway that could be filled in. He did address the 70 foot right-of-way that's the main road that goes back to the facility is equal to that of Simmons Road as far as the road width. They tried to put in generous turning radiuses when they addressed this issue. Mr. Black said that just goes as far as the creek or thereabouts, correct, the 70 feet. Mr. Burns said the 70 foot would continue all the way back through. What they did was change the private drive. That he is willing to work with that.

Ms. Warnimont said the fire inspector didn't have any problem with that 20 foot drive, and Mr. Burns said where you see where it says 24 foot private drive, that is each individual driveway to the quads. They were originally talking 18, and he requested 24 feet to each quad so they could get a truck in and be able to get around each facility. He asked if that answered her question. Ms. Warnimont said it's like a thoroughfare all the way back to the phase 3, so is 20 foot going to be sufficient enough to get there, because that goes all the way back into phase 3, that road. A bunch of those roads go back into that phase 3. Mr. Burns said he thought that was sufficient for the big fire trucks and everything else to get back in there. Mr. Burns said informally, but that's what he understood. Mr. Garn said he had increased the sizes to that 24, and he thinks what she is saying is this is narrower back in here, or seems to be. Mr. Black said he thinks what she was saying is they shouldn't have the same wide road going all the way back in. Mr. Garn said okay, 20. Yes. Mr. Black continued and not the 24 foot drive. Mr. Garn said right. Ms. Warnimont said if you are not going to give it to the township, you are not going to turn the roads over to the township, getting a snowplow through there. Mr. Burns said again, that's why he is here. That if that's the request to make it larger, he is certainly willing to.

Ms. Warnimont then said the entrances that go into those condos go down to 20 foot drive. Now, she knows the fire trucks probably wouldn't have to go into it if they stayed on the main road. Mr. Burns said that actually was a request. He misstated earlier. He thought that those driveways were 24 feet. They are 20 feet, and that was the size requested from Mr. Steiner as far as what he thought was necessary for potential fire truck use. But the way the units are designed, he felt that as if he pulled into one driveway, he could reach with hoses around the units to the other side and then come at it from two different directions. They also addressed, for fire and safety purposes, this unit here, originally these two wings were connected to the building, and he suggested that they basically make an access straight through. So for purposes of turning around, they would not have to turn around down at this point, which was the original design, but they could come straight through. As well they put pull-offs in three different locations so they could back trucks up with an agreement, and he wants

to say it was 300 feet, that there be a mandatory fire hydrant so they could access all points of the building, which again he is certainly willing to comply with.

Mr. Black said to Mr. Burns that he thinks he needs a road 29 feet or whatever the normal city street is all the way back to this phase 3. He does not think it is feasible to do that. Mr. Burns said he was willing to do all of the roads 29 feet. Mr. Black said yeah, whatever the city requires. Because he thinks he needs to have a pretty good way to get back to phase 3 under an emergency issue. If you have one parked car there, you have a problem. Mr. Burns said he is thinking that the main drive back until, and Mr. Black added all the way back until you get to phase 3, and Mr. Burns said okay. So the entrance is at phase 3, and then going to a 24 foot private drive maybe is acceptable. Mr. Black said go all the way into this, wherever this main entrance goes.

Mr. Schaller said he thinks when you say you go to a private drive, it gives the notion that that is kind of substandard as far as the requirements of county roads with respect to widths, and the cross sections, and the pavement sections, and those type of things. Mr. Burns said as far as how deep they compact and that type of stuff, and how they are constructed, not only the width. Mr. Schaller said and the accessibility of the whole curb issues and those sort of things, when you say private drive, it seems like you are doing something so you don't have to meet the standards otherwise. Mr. Burns said it wasn't the direction they were trying to take. He thinks the idea was to offer public right-of-way to where basically it branches off. And he thinks the internal unit being maintained within the community was more the idea of making it a private drive than necessarily trying to lower the requirements. Mr. Black said that was his suggestion, to make it a standard city street all the way back to the entrance to phase 3.

Mr. Burns asked if there was a particular density. Obviously he is trying to address all of their concerns. Is there a particular density. Mr. Black asked Mr. Garn if he had any comments on that or anyone else. Mr. Burns said his engineer may have some questions for them because he is the one doing the work. Mr. Garn said right, where he is not provided against your requirements, so they are sort of in the dark. Mr. Black said he would sit down with someone at the city as early as he can to talk about those issues, but he would have trouble voting for this without having that city street all the way back. Mr. Garn said he thinks the city requirements are 27 feet maybe plus curbs. Mr. Burns said 27 feet wide. Mr. Garn said that was just a guess. Mr. Burns understood that the 30 foot street included curbs. 30 feet across, the curbs would be a foot and a half, which is what he understood in a 70 foot right-of-way was designed to do was the 30 foot wide street with curbs in. Mr. Garn said there should be enough room to do that. Mr. Black said he will have to comply with everything they want anyway. Mr. Burns said certainly.

Ms. Warnimont said he may want to check. He may be with the City of Toledo. She has City of Toledo water and sewer, and he is east of them. She is on Georgia, so he may have City of Toledo water over there. Mr. Schaller said right, and Perrysburg

sewer. Ms. Warnimont said they get billed only from the City of Toledo. Mr. Schaller said they get billed for everything. Mr. Black said to visit with them, and he will know right away. Mr. Burns said even if he has City of Toledo water, if he is correct, he still has to go through Perrysburg sewer system. Mr. Black said it won't matter. All you need is one of the utilities that are required by the city and you have to comply with all their regulations. Mr. Garn said right.

Mr. Burns said he is changing now, but he has an understanding that the commission is having a meeting with them as far as what they require. Mr. Black said that is down the road. They just started that ball rolling. They have the administrators from all the jurisdictions have agreed they are going to get together and work on it, so that is once maybe a year down the road. But they have started that process.

Ms. Warnimont asked if he had ever thought about putting all these kind of units all over the place, all over that whole area instead of this big phase 3. Had he thought about doing something like that. Mr. Burns said the problem with that is it doesn't have the internal center, and that's something that is needed for this type of facility. When you get to that age, and like he said, the average age is 87, and they don't want to go outside to go down and get their hair done, they don't want to go outside to go play games with their friends. That's why. The idea, the concept of this is that families, husbands, wives, maybe singles would live independently in more of an independent unit than to potentially move to a retirement center. So again, when they leave their house, it may be on phase 1, and they could move to phase 3 and be right there with all the friends they have made for the last 20 years. And it kind of becomes a rollover, if you will, of tenants. A lot of people if they could move within their same neighborhood, they would prefer to do that, especially if they have good friends that they would like to stay around.

Mr. Black said phase 3, is he suggesting that that will be the last of this whole plan as far as construction. Mr. Burns said he would be open to suggestions, but it would probably go in probably phase 2 and 3 at the same time. Phase 1 would be up to the creek line, the idea that he would try to sell 80 percent of those prior to starting construction in the back. Once they got through that point, he thinks there would be enough momentum. This is a costly facility. Going to the bank to try to get the money, he has to show some type of success rate to develop on and get the financing for it. Mr. Black asked if there were any other comments. Mr. Burns asked if there was a preference on that, because he is certainly willing to try to address that. Mr. Black said he was just curious. He had assumed that he was anxious to get to phase 3. Mr. Burns said he certainly is. Mr. Black said that's a good point, he has to get phase 1 off the ground, get the infrastructure, put in the rest. Mr. Burns said absolutely. And he guesses that is something, too, if he can get at least some comments on phase 1, it may allow him to start momentum moving on phase 1, and continue to work on phase 2 and 3. Mr. Black said this would all be approved as a one-unit development and

developed as one. That would be the quicker way. Mr. Burns said that was his understanding.

Mr. Black suggested he should sit down with the City of Perrysburg and get their ideas, but at a minimum he needs to bring that road all the way in to phase 3. Mr. Burns asked, and again he is open, and Mr. Garn and he have talked, and he thinks they were both a little bit surprised that the inspector didn't seem to make an issue that they were not connecting to Wyandot. Mr. Black said who, the fire inspector. Mr. Burns said he seemed to not have too much of a concern. Again, it was very informal and was more, you know, 10 minutes of him kind of going through it. But they certainly asked and made suggestions of things that they were willing to do. He has the ability to make it a connection. Mr. Black said he thinks that is a good idea, because someone made the point earlier this evening, what if there is a fire going on up front and you have a medical emergency way in the back. They may not be able to get through, at least not in a timely manner. Mr. Burns said right. Mr. Black said, and that would then require some emergency access.

Mr. Burns said what he is trying to get a feel for is is it an emergency access, or would they prefer to see it as true access. Mr. Black said that's a good point, because one of these places has a traffic light already, and he is not sure which Wyandot entrance. Mr. Burns said out in front of Wyandot. Mr. Black said this one right here. Mr. Burns said where Wyandot comes out on to 795 is directly across from the route which is the entrance to 75 south, or the exit from 75 south.

Mr. Schaller said if you can provide the access and it isn't that significantly difficult or expensive, that sort of thing, he does not see what the down side would be to do that. Mr. Burns said his only concern is Wyandot Place tenants, residents, again getting traffic through there. His question is if they provide emergency access so they have addressed the emergency, EMS, fire, police situation, then is that enough compliance. Mr. Black said there is no question on the safety if you make a regular entrance on to Wyandot, people will come out there, particularly if they want to turn left. If you turn right, it is not a big deal. Because he does not know if you could put a light at Simmons. Aren't there distance requirements. Mr. Burns said there are distance requirements, and he is not sure. Mr. Black said that may be too close. Mr. Schaller said that's a nasty intersection. Mr. Black said that's a nasty intersection. That's another thing he is really concerned about, too, is all these people coming into that intersection, and you know where that is. It's a nightmare during peak times.

Mr. Burns said some of that is definitely all valid, and he thinks one of the things that they looked at as far as somewhat of an indirect traffic study is the times that these people would be coming and going. The idea that they are 55 and older, they aren't, for the large majority, getting up in the morning and going to work. It's more retirement type facility. So the times that they are getting out, in the Moongate letter it says average time is like 9:00 in the morning, and being in by he thinks three. So the

traffic coming and going for a lot of this is going to be during the dull hours of the day as far as peak traffic times. That hopefully, again, with the number of people, that offsets that. Mr. Black said but you have all these people up front in phase 2 that are out all the time. Mr. Burns said certainly. Mr. Black said they are working. Mr. Burns said he would expect that the phase 1, all of these are single car garages. He would say that these will be one to two people living per unit with one vehicle. As you get back in further, they become two-car garages in phase 2. That is certainly a mobile demographic as far as traveling to and from, more than would be expected in phase 3 based on again two units of similar concept that are already built and up and going.

Mr. Garn said he does not know if they did do a preliminary traffic study or anything like that, but it sounds to him that this project is one that at some point is going to need a traffic study to make a determination of how viable the entire project is, and whether they would need a separate road. And then if they did, whether Wyandot Place would have to be improved some because that's a curb less small street. It looks like on the drawing that they have enough room to put something wider in. Mr. Black said he thinks that is a good point. Your engineer really needs to look into some type of traffic study. Because Simmons Road, he does not know if you can put in a traffic light as they talked about earlier. Because you know the one has to stay there because it's an exit off the interstate. All those types of things, because those are going to be issues, and they will be issues that will be brought up by the public. He thinks the only thing that he has to understand, it's not just your interest in this, but it's the neighbors and the community interests, as he knows by talking to the fire inspector and things like that. So just giving you more thoughts to continue to work on, but he does not feel comfortable to say that he thinks it's right.

Mr. Garn said something else that he suggested on some previous ones that he thinks started here was having a neighborhood meeting at some point to see what kind of input you are going to have one way or the other. Mr. Black said that might be best, because he is going to have to address that issue on the night of the hearing at a minimum, so he might just as well get some free input. And that's something they have looked at is have you talked to the neighbors before they get in here and find out this is the first they have heard about it is when Mr. Garn sent the notice out. Mr. Burns said there are two families that he has talked to that know the concept, and at least one of the families knows several people within the neighborhood. And they have asked, and from what he understands, and again he has not talked to them to address it directly, but the idea of it being adult independent living, that it's a quiet neighborhood. He thinks their concern was more, you know, they didn't want apartments back there.

Mr. Black said there are probably three issues. One, talk to the city, two, have his engineers take care of the traffic issues, and three, talk with the neighbors. Mr. Black said he thinks if he works those three things through and comes back to them, he

would be in a better position to share some thoughts before he takes that step and invests a lot of money. Mr. Burns said okay, and Mr. Black thanked him.

Mr. Black asked some members in the audience what they were here for, and they said they wanted to know what was happening with Mr. Beefy's. Mr. Black said they are going to talk a little bit about that if they want to listen and share some thoughts. Mr. Black said they have just two other issues, and one of them is Mr. Beefy's. One of the audience members said she had to say one thing. She thinks the members are great. There were some comments from the audience members concerning something not on the agenda about parking lots and old people driving. Mr. Black thanked them for their comments.

The letter concerning the weeds at the Walgreen's Distribution Center. Mr. Black said if you remember, we did allow them the wild flower issue, but Mr. Garn has not had time yet to go back and look at those minutes in particular. Mr. Schaller said it was sort of an experimental basis, wasn't it. Mr. Black said right. And the letter that they received from Walgreen's, it says something about natural state. That was never it. Mr. Schaller said it's prairie grass. Mr. Black said it looked like milkweed. Mr. Black asked Mr. Garn that since they mowed it, are they all set. Mr. Garn said they have done the mowing. Mr. Black asked him to when he has a chance, will he find the minutes. Mr. Garn said what he would do, he would invite their landscape architect back to say here's what's happened in the last 3 or 4 years. Because there were complaints last year about the weeds on the property, and most of their acreage he doesn't want to say is in weeds, but there is a lot of vacant land around there. They have not expanded yet. Mr. Black said to Mr. Garn why doesn't he suggest they come, but let's find the minutes from that because he does remember if they put a specific this isn't a permanent situation. If it did not work out, they were going to have to do something else, and they agreed to that. Mr. Black asked Mr. Garn if that was all on that issue, and that was.

Mr. Beefy's. Should the ZC rescind the temporary fence permit (for the patio area) that they never took out. Mr. Black said now on to Mr. Beefy's. He asked Mr. Garn if he had anything he would like to share or add on that. Mr. Garn said a few months ago the commission gave them the opportunity where they could obtain a temporary permit for their fence. Mr. Black said correct. Mr. Garn said maybe he was a little lax in there, because he told him he did not have to take it out that night or whatever. But not only has he never come back to get the temporary permit, but then they were going to come in for a site plan for a more permanent patio area with the possibility that that could be expanded into a permanent building, and they never came in. The architect drew the plans, and they are in his office, but they never completed their site plan review checklist or anything else. And it's just that nothing has happened there.

Mr. Black asked if they had built anything, and Mr. Garn said no, they have not built anything beyond what was there a few months ago putting up that temporary fence they have there. Since then he has had, as you probably know, some noise complaints

where he probably will have to hire some independent firm to come in to measure decibels. Mr. Black asked if that was the only way that he can enforce that, and Mr. Garn said yes, enforce the noise ordinance against that part of it. Also they have never obtained their temporary permit. He does not know whether they want to rescind their temporary permit and just say sorry, you need to come back in formally with something. Mr. Black said so if they rescind, and Mr. Garn said they have not even taken anything out to even rescind it. Mr. Schaller said so they are just in violation. Mr. Garn said they are just plain in violation.

Mr. Black asked what is his enforcement, and Mr. Garn said he would enforce that they would have to take down that fence. They never got a fence permit. They have never come in here for doing anything with a site plan review for expansion of that area for additional parking. Mr. Black said so you need to put them on notice. Mr. Garn said he believes that patio is a violation. Mr. Black said so what is the township's next step. How do they enforce it after that. Mr. Garn said he would have to take legal action of some type or they would refuse to do anything there. Mr. Black said but that's your job as the zoning inspector, not the zoning commission's job; correct. Mr. Garn said it's not their job, it's just he wants to have some idea what their feelings are like about the patio area. Mr. Black said his suggestion is that he go ahead and follow that ground. They have shown a propensity not to comply with zoning regulations, even after they came in and said now we will. Mr. Garn said from the start. Mr. Black asked if that was the way it was understood when he was here that one night. Mr. Schaller said they have tried to work with them, and they have taken advantage of the situation. He would say yeah. Mr. Black said they have basically ignored them.

Ms. Warnimont said if he sends a letter by certified mail to them, and you tell him he has to take the fence down, that means they can't use the patio at all. Mr. Garn said right, just stop using the patio. He does not know what else to say. Mr. Black said yes, he thinks that's fair. Mr. Garn said they will either have to come back with something formal. Mr. Black said the question is what happens when you send them the letter, they are on notice that they can't do it, and they continue to use the patio. Mr. Garn said then civil action. Mr. Schaller asked if this was the business or the land. Is he the tenant in the building or the landlord. Or do you think that is different. Mr. Black asked if the landlord and the tenant are different, and Mr. Garn said yes, definitely different. The landlord is, he believes, Jack Skofield. And that group, he was here at the last meeting. Mr. Black said you mean he was at the BZA, he wasn't here, and Mr. Garn said okay. Right, BZA. It was their meeting. But that's a separate issue. Mr. Black said so it's a civil action and not a criminal action, and Mr. Garn said he believes so. Mr. Black said because the zoning code is a civil issue and not a criminal issue. Anyway, their suggestion as a group is send the letter out. That's the first step. And then what you do from there, you talk with the prosecutor, solicitor and see what they want to do from there. Mr. Garn said depending on, you know, whether they will comply. And knowing them, they will want to continue doing what they are doing until it gets cold outside. Mr. Black asked if he would have to send that by certified mail, or do you just

give it to one of the police officers and they deliver it. Mr. Garn said they don't have that agreement here, so he has to send it certified. Mr. Black asked what agreement that would be, and Mr. Garn said certain places have police departments. Mr. Black said and we don't do that. Mr. Garn said we don't do that here. Mr. Black said that's a trustee issue. Mr. Garn said they would have to have them do that. They do that in the City of Perrysburg. Mr. Black said he thought they did.

Mr. Black asked if there was anything else. Ms. Warnimont asked if the people in attendance had anything more to say. Mr. Garn asked them to come up and give their name and address.

Jack Huffman addressed the commission regarding the Mr. Beefy's matter. They had four people here at this meeting a couple weeks ago about the sound issue. And Wednesday night they were having a band over there. He found out it is a band. And the following week it was Wednesday and Thursday night until 1:30, 2:00 in the morning. They start around 9:30. Mr. Black said outside. Mr. Huffman said on the patio they were talking about. But everybody else, the people that own their condos, there are six of them. They have one that they rent out. And his renter, she goes to bed at 9:30 because she gets up early. He knows they can't stop it at 9:30 or 10:00. But she has resorted to earplugs. Now, one lady called him, and he says call me, I don't care if it's midnight, I want to come over and hear everything. Well, last week, nothing all week. And he called this gentleman here, and he told him to come in tonight. And that's about where they stand on it, is there anything they can do about the noise. Mr. Black told Mr. Garn that he should bring it to the attention of the trustees and see what they say. Mr. Garn said he did. Mr. Huffman said it was a live band he found out. They were not sure the last time. Mr. Garn said he talked to the trustees today about that issue.

Ms. Warnimont asked if any of the people have called the police on a continuous basis for noise. Mr. Huffman said nobody has called yet, but he is sure it is going to come to that if it does not stop. Ms. Warnimont said she thought that was probably a good way to start. Mr. Black said they should at least have one call on record so the police can verify it. Because a police report is an official document that they can use. Mr. Huffman said they are more or less right across from the place, the union hall is there, and there are six garages. It don't look like anything is there besides six garages. Mr. Black said he would suggest that the next time that became an issue would be the appropriate hour for someone to call the police. Mr. Huffman said, and why not on a weekend. It's always during the week when people are sleeping and have to get up for work. It's always every Wednesday, and then Wednesday/Thursday. Last week nothing. He does not know if it's a situation for a retirement party or what, or what the deal is. Mr. Black said he would make that suggestion for whoever is living there to go ahead and do that. Mr. Huffman said he told them if they are afraid, that he will call from Perrysburg. Mr. Black said okay.

Mr. Huffman asked about the log cabin, anything on that. Mr. Garn said he has not even been by there. He understands there is something there. Mr. Huffman said there is a sign on the side, you can win it. How we win it we don't know. Or how long it is going to take. Mr. Garn said right. He understands it is for a charity for somebody else. It's just being displayed there as something people can win, or buy your tickets there. Mr. Huffman said okay, because it is sitting out in front of the building. Mr. Garn said he has not had a chance to check it out. Mr. Huffman said the way it was explained, it's like a shed. They said this can be your shed with a bar in front. Of course, there is no place there for a bar. The kind of business they run, that's got a bar attached. Okay. That was about it. They thanked the commission members and again said they do a good job. There was other miscellaneous conversation on other topics as the audience members were leaving. There was some other conversation about the noise, and the ordinance, and the range.

Mr. Benavides moved with a second by Mr. Schaller to adjourn. All the members were in favor. None were opposed. The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Grant W. Garn,
Recording Secretary