

1           BEFORE THE ALLEN TOWNSHIP ZONING COMMISSION  
2                           VAN BUREN, OHIO

3                           - - -

4   In Re:   Allen Township Zoning Commission

5                           - - -

6                           TRANSCRIPT OF PROCEEDINGS

7                           - - -

8                           Saturday, June 1, 2024

                          9:00 a.m.

9                           Allen Township Center

                          12829 State Route 613

10                          Van Buren, Ohio 45889

11                           - - -

12                           SUSAN L. COOTS, RPR

13                           REGISTERED PROFESSIONAL REPORTER

14                           - - -

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APPEARANCES:

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lmiland@co.hancock.oh.us  
On behalf of the Allen Township  
Zoning Commission.

BOARD MEMBERS:

John Timmerman, Chairperson  
Deb Stacy, Secretary  
Dave Evans  
Clara Pargeon

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SATURDAY MORNING SESSION

June 1, 2024

9:00 a.m.

- - -

P R O C E E D I N G S

- - -

BE IT REMEMBERED THAT, on the 1st day of June, 2024, this cause came on for hearing before the Allen Township Zoning Commission. And the parties appearing in person and/or by counsel, as hereinafter set forth, the following proceedings were had:

- - -

CHAIRPERSON TIMMERMAN: All right. It's 9:01. The fun begins. All right.

We're going to call the meeting to order.

Start with roll call.

Dave Evans.

MR. EVANS: Here.

CHAIRPERSON TIMMERMAN: Clara Pargeon.

MS. PARGEON: Here.

CHAIRPERSON TIMMERMAN: Darrin Rehus.

(No response.)

CHAIRPERSON TIMMERMAN: Deb Stacy.

SECRETARY STACY: Here.

CHAIRPERSON TIMMERMAN: John Timmerman,

1 here.

2 SECRETARY STACY: Allen Township Zoning  
3 Commission, May 30th, 2024. Attendance: Dave Evans,  
4 Clara Pargeon, Darrin Rehus, Deb Stacy, John  
5 Timmerman.

6 Deb Stacy, Allen Township Zoning Commission  
7 Secretary, read the May 23rd, 2024, minutes. Motion  
8 24-04-37M. John Timmerman moved to approve the Allen  
9 Township Zoning Commission minutes from the May 23rd,  
10 2024, meeting. Dave Evans moved to second the motion.  
11 Motion passed.

12 The Allen Township Zoning Commission  
13 reviewed language for the B-3 General Business  
14 District, Expressway Service District, Light  
15 Industrial District, and General Industrial District  
16 in the proposed 2024 Allen Township Zoning Commission  
17 Zoning Resolution.

18 Matt, from Hancock County Regional Planning,  
19 provided a section on Signs for the Resolution.

20 The commission also discussed Planned Unit  
21 Development, General Provisions, Parking, as well as  
22 clarification on the Schedule of Regulations.

23 John Timmerman, Chairman, welcomed input  
24 from guests.

1           The next zoning meeting will address  
2   Exterior Lighting, Fences, Site Plan Review, and  
3   Administration Enforcement, and Wind and Solar. Any  
4   other pertinent information related to zoning can be  
5   addressed.

6           Additional zoning commission meetings are  
7   scheduled for June 1st at 9:00 a.m., June 4th at  
8   6:15 p.m., and June 5th at 5:00 p.m.

9           The zoning commission reserves the right to  
10   cancel a meeting if it is determined the work on the  
11   Resolution has been completed.

12           Motion 24-04-38M. Clara Pargeon moved to  
13   adjourn the meeting. Dave Evans seconded the motion.  
14   Motion passed.

15           CHAIRPERSON TIMMERMAN: All right.

16           SECRETARY STACY: Okay. So --

17           CHAIRPERSON TIMMERMAN: I move to accept the  
18   meeting minutes as read.

19           SECRETARY STACY: All right. So we've got  
20   John.

21           MS. PARGEON: And I second it.

22           SECRETARY STACY: And Clara's going to  
23   second it.

24           And everyone in agreement, say "Yes."

1 (Vote taken.)

2 SECRETARY STACY: Everyone said "Yes."

3 Motion passed.

4 MS. LAND: I have a packet for each one of  
5 you here -- take one packet and pass them all over --  
6 with just some -- the corrected one that had the bad  
7 table in it. I wasn't sure if you all had the good  
8 one or not.

9 SECRETARY STACY: Okay.

10 MS. LAND: And, then, there's also in that  
11 packet the new section on Uses Not Permitted Anywhere.

12 SECRETARY STACY: Good.

13 MS. LAND: What's that one right there?

14 Signs.

15 SECRETARY STACY: Signs.

16 MS. LAND: And Signs.

17 SECRETARY STACY: Yeah.

18 MS. LAND: And, then, also here's another  
19 set. Pass around those. That's the Conditional Use  
20 section that will get stuck in there.

21 We talked last time about taking out all of  
22 the special conditions in each section, making one  
23 Conditional Use section. That's the Conditional Use  
24 section.

1 I can't tell you where it's going to go in  
2 the book because I haven't organized -- you know,  
3 we've got to get all the parts done, and, then, I'll  
4 put it all together into one.

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: That will, hopefully, God  
7 willing, be Tuesday.

8 SECRETARY STACY: Okay.

9 MS. LAND: I have "sleeping" on my --

10 CHAIRPERSON TIMMERMAN: We'll be putting it  
11 in place on Tuesday? Is that what you said?

12 MS. LAND: Hopefully I will have the whole  
13 thing in order with the right numbers by Tuesday.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: And, then, I made a To-do List; I  
16 put "sleeping" on there. So...

17 MS. PARGEON: Good for you. Good for you.

18 SECRETARY STACY: You have to schedule your  
19 sleeping.

20 MS. LAND: I have been in this building more  
21 than I've been in my home in the last four days.

22 SECRETARY STACY: I believe it. I believe  
23 it.

24 CHAIRPERSON TIMMERMAN: All right. Anything

1 else?

2 MS. LAND: No. That's all I have to hand  
3 out for now.

4 CHAIRPERSON TIMMERMAN: Okay. I think the  
5 Off-Street Parking Section that you just handed out, I  
6 think we already all had that.

7 MS. LAND: It was -- I wasn't sure if it was  
8 in everybody's packet with the correct thing or not.  
9 So I --

10 CHAIRPERSON TIMMERMAN: Reprinted it.

11 MS. LAND: Yeah. And part of what I noticed  
12 was the -- I think it ended up in there with both  
13 because the section before it just had it tagged onto  
14 the end of it --

15 CHAIRPERSON TIMMERMAN: Right.

16 MS. LAND: -- instead of -- so there's one  
17 page that needs to be pulled a little bit scribbled  
18 off the bottom of that one page. I've fixed that now  
19 in the big section that I'll be putting together so it  
20 won't end up with them both in there.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MS. LAND: It was -- I think it was just an  
23 editing move.

24 CHAIRPERSON TIMMERMAN: What you just handed



1 us, though, is a direct copy of --

2 MS. LAND: Yeah.

3 CHAIRPERSON TIMMERMAN: -- this exact  
4 same --

5 MS. LAND: Yeah.

6 CHAIRPERSON TIMMERMAN: Just making sure it  
7 virtually looks the same real quick. Okay.

8 MS. LAND: I don't have the edits made on  
9 the table that we talked about with the --

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MS. LAND: -- table on Page 34.

12 CHAIRPERSON TIMMERMAN: Right.

13 MS. LAND: That table. Because all I have  
14 is a -- I have a copy of it on my computer to put into  
15 the book. It came from my secretary and she sent it  
16 as a photo, so I can't change it. She has to do it  
17 when she gets in.

18 SECRETARY STACY: Yeah.

19 CHAIRPERSON TIMMERMAN: What you just handed  
20 us for Sign Standards, is that a direct copy of --

21 MS. LAND: No, it's a -- it's a copy of what  
22 we -- it's with the edits that we talked about at the  
23 meeting. A few things that we changed.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. LAND: Changed "streets" to  
2 "road/streets." We -- there were -- I formatted it.  
3 Hopefully it's similarly to the rest of the book.

4 I'm finding, as I'm going through these  
5 sections, that the formatting is different in every  
6 section.

7 CHAIRPERSON TIMMERMAN: Yes.

8 MS. LAND: So I'm going to have to -- when  
9 I put into one book, I'm going to hand that off to my  
10 secretary and say, "Format this all consistently all  
11 the way through."

12 CHAIRPERSON TIMMERMAN: I am trying to find  
13 what Matt handed us for Signs.

14 SECRETARY STACY: Yeah.

15 CHAIRPERSON TIMMERMAN: I'm trying to keep  
16 everything in the exact same order. Was his stapled  
17 that he handed us? Does anybody remember that?

18 MS. LAND: Yes, it was stapled.

19 MR. EVANS: Is it this?

20 MS. LAND: Yeah.

21 MR. EVANS: There's only, what, two pages?

22 MS. LAND: Yeah. And it's some five pages  
23 because it's no longer front and back. I mean,  
24 it's --

1 MR. EVANS: Oh, yeah.

2 MS. LAND: -- spread out a little more.

3 Everything in the book -- I'm trying to --  
4 it's going to make the book slightly more pages, but  
5 I'm putting spaces between your subparagraphs. It's  
6 just easier to not get missed than to have some -- you  
7 know, anybody who's glancing at it be able to read it.  
8 The more user friendly you make it, the more likely it  
9 is people will be friendly about using it.

10 SECRETARY STACY: Sure.

11 CHAIRPERSON TIMMERMAN: I'm not finding my  
12 section on Signs.

13 SECRETARY STACY: I remember going through  
14 it.

15 CHAIRPERSON TIMMERMAN: I do, too.

16 SECRETARY STACY: I think these papers are  
17 reproducing like rabbits.

18 MS. LAND: No kidding.

19 MS. PARGEON: You noticed that, too?

20 SECRETARY STACY: Between what we started  
21 with originally and, then, we have the new ones coming  
22 in.

23 MS. LAND: Yeah. I keep finding --

24 SECRETARY STACY: It's just a lot.

1 MS. LAND: -- multiple versions of things  
2 printed out --

3 SECRETARY STACY: Right.

4 MS. LAND: -- and I can't remember where  
5 they came from.

6 SECRETARY STACY: Right. Actually, I can  
7 put my hands on them (unintelligible).

8 CHAIRPERSON TIMMERMAN: I do, too.

9 SECRETARY STACY: I might have attached it  
10 to something else. But we did review it, so we don't  
11 need to review it.

12 CHAIRPERSON TIMMERMAN: Right. That's  
13 what -- I was just trying to --

14 SECRETARY STACY: Wait. Here. What's going  
15 on here? Did I -- I do see it. I think I just picked  
16 up mine.

17 MR. EVANS: If you can get to the copier you  
18 can have a -- make a copy of this.

19 CHAIRPERSON TIMMERMAN: I have up what she  
20 just gave us.

21 MR. EVANS: Okay.

22 SECRETARY STACY: Here. 1509. I  
23 paper-clipped it to the back of something else.

24 CHAIRPERSON TIMMERMAN: Yeah. But that's

1 what she just handed us. That's not what Matt gave  
2 us.

3 SECRETARY STACY: Oh, okay.

4 CHAIRPERSON TIMMERMAN: So that's all  
5 right. I'm going to find --

6 MS. LAND: I've got it back at the office.  
7 I didn't bring it along. I think I saw --

8 CHAIRPERSON TIMMERMAN: Right there it is.

9 SECRETARY STACY: Woo-hoo.

10 CHAIRPERSON TIMMERMAN: Okay.

11 SECRETARY STACY: I knew you'd find it.

12 MS. PARGEON: Let's see. It says Signs on  
13 the top of it?

14 CHAIRPERSON TIMMERMAN: Okay. So that  
15 matches that, which leaves us with just the two  
16 Conditional Use Requirements or required -- yeah.  
17 Condition Use Requirements and Uses Prohibited In All  
18 Districts.

19 Do we want to start with those so that those  
20 are out and we just keep going through the book?

21 MS. LAND: We can do that.

22 CHAIRPERSON TIMMERMAN: You good with that,  
23 Cindy?

24 SECRETARY STACY: Okay. So you're going

1 here, Conditional Use Requirements?

2 CHAIRPERSON TIMMERMAN: And the --

3 MS. LAND: Why don't you do Uses Prohibited  
4 first because it's the shortest.

5 CHAIRPERSON TIMMERMAN: Yeah.

6 MS. LAND: We can have that knocked out and  
7 move on.

8 CHAIRPERSON TIMMERMAN: And do we know  
9 roughly where that use -- do you have an idea where  
10 it's going to get -- the Use Prohibited, probably at  
11 the end of --

12 MS. LAND: Probably in the General  
13 Provisions.

14 CHAIRPERSON TIMMERMAN: General Provision  
15 area.

16 MS. LAND: Uh-huh. I imagine Conditional  
17 Uses will go in there, too.

18 CHAIRPERSON TIMMERMAN: Right.

19 MS. LAND: The section that I'm -- I'm still  
20 working on with the variance, the reasons to ask for a  
21 variance, which are also the guide that is used to see  
22 if they're a variance, I'll put under the BZA section  
23 because they're the ones that grant variances.

24 CHAIRPERSON TIMMERMAN: Okay.

1 MS. LAND: So it will get just put in there.

2 CHAIRPERSON TIMMERMAN: What do you think,  
3 Dave? You up for it again?

4 MR. EVANS: Sure. Uses Prohibited In All  
5 District.

6 MS. PARGEON: I need to find mine.

7 CHAIRPERSON TIMMERMAN: It's the page she  
8 just handed us.

9 MS. PARGEON: Oh. Couple pages back.  
10 There's --

11 MR. EVANS: (Unintelligible) Off-Street  
12 Parking.

13 CHAIRPERSON TIMMERMAN: There's two pages  
14 here.

15 MS. PARGEON: Two pages. Okay.

16 MS. LAND: That's it. Yeah.

17 MS. PARGEON: That's it.

18 MS. LAND: Pull the first part off. You  
19 already have that in your books, so you can just pull  
20 that off and dispose of it.

21 CHAIRPERSON TIMMERMAN: It's one page at the  
22 end.

23 MS. PARGEON: Okay.

24 CHAIRPERSON TIMMERMAN: It's real short.

1 MS. PARGEON: Okay.

2 CHAIRPERSON TIMMERMAN: No. It's -- it's --

3 MS. PARGEON: Nonconforming Signs.

4 That's -- yeah.

5 MR. EVANS: Is there one too many?

6 MS. LAND: No.

7 MR. EVANS: How many pages do you have?

8 Mine was the third one back.

9 CHAIRPERSON TIMMERMAN: Was it the third one  
10 back? Keep going through that. Next page.

11 MS. PARGEON: (Unintelligible) Standards.

12 SECRETARY STACY: (Unintelligible) just have  
13 the time to read it.

14 MR. EVANS: Yeah.

15 SECRETARY STACY: We know we have it.

16 MS. PARGEON: Got it now.

17 SECRETARY STACY: We know we have it, and  
18 it's short and sweet.

19 CHAIRPERSON TIMMERMAN: Right here. We're  
20 going to share one page for a minute.

21 SECRETARY STACY: Okay.

22 MR. EVANS: Uses Prohibited In All  
23 Districts.

24 It is the intent of this section to identify



1 uses which are prohibited by either action of the  
2 Board of Allen Township Trustees or any other  
3 regulation existing in Allen Township.

4 1. Adult Entertainment Establishments.

5 2. Commercial Marijuana.

6 A. Prohibition on the cultivation,  
7 processing, and retail dispensing of miracle --  
8 medijuana -- medical marijuana.

9 SECRETARY STACY: There you go.

10 MS. PARGEON: Medical.

11 SECRETARY STACY: Do you have something to  
12 tell us?

13 MR. EVANS: B. Prohibition on the  
14 cultivation, processing, and retail dispensing of  
15 adult use marijuana.

16 3. Private landfills.

17 CHAIRPERSON TIMMERMAN: Do -- with those  
18 three, did you -- are you going to add to it the --  
19 whatever the township adopted? Is there any kind of  
20 like -- see, I don't know what the terms would be,  
21 Resolution something?

22 SECRETARY STACY: Yeah, I think it would  
23 be --

24 MS. LAND: I asked Mark to get me the Adult

1 Entertainment one so I could put in the date and  
2 Resolution number. And I have the Medical Marijuana  
3 and the Adult Marijuana ones. I could put those in  
4 there --

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. LAND: -- if you want.

7 CHAIRPERSON TIMMERMAN: It just clarifies  
8 where that comes from.

9 SECRETARY STACY: Yeah.

10 MS. LAND: I don't know what I was writing  
11 here when I said, "...or any other regulation from  
12 existing in the township." That doesn't make sense,  
13 does it? Wonder what I was thinking.

14 MR. EVANS: Stop at "trustees." Is that  
15 what you're saying?

16 MS. LAND: Yeah. Other -- yeah. I'll --  
17 I'll reword that. I think it's supposed to -- my  
18 intent was to say, "...any other group that can put  
19 regulations on."

20 CHAIRPERSON TIMMERMAN: I see what you're  
21 saying.

22 MS. LAND: And I will -- I'll fix that.

23 CHAIRPERSON TIMMERMAN: Okay.

24 MS. LAND: Any other things you want to put

1 on that list?

2 CHAIRPERSON TIMMERMAN: I don't know.

3 MR. EVANS: Are we good?

4 CHAIRPERSON TIMMERMAN: We're good with that  
5 for now.

6 Want to go into Conditional Use? That's the  
7 same Sign stuff that -- it is the same? You just  
8 typed it up with any changes.

9 MS. LAND: The changes were mostly cosmetic.

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MR. EVANS: So that's that one, too. One of  
12 the pages.

13 MS. LAND: No.

14 MR. EVANS: Where is Conditional Use?

15 MS. LAND: This one we can just throw away.  
16 The first two, you can toss.

17 CHAIRPERSON TIMMERMAN: You already had  
18 those?

19 MS. LAND: That's the Signs.

20 MR. EVANS: So we're not doing that, right?

21 MS. LAND: Yeah.

22 CHAIRPERSON TIMMERMAN: Right.

23 MR. EVANS: We already went through --

24 MS. PARGEON: So which one -- which one --

1 what Conditional --

2 MS. LAND: And the Conditional Uses were  
3 other stapled I gave you today.

4 CHAIRPERSON TIMMERMAN: We're going to show  
5 the Conditional Uses, stapled together.

6 Are we still looking for yours now?

7 SECRETARY STACY: No, I found -- I found it.  
8 Found, like, what you just read.

9 CHAIRPERSON TIMMERMAN: Okay.

10 SECRETARY STACY: So now we're on this one,  
11 Conditional.

12 CHAIRPERSON TIMMERMAN: Yeah.

13 MR. EVANS: Do you want me to read that one?

14 CHAIRPERSON TIMMERMAN: I think we should.  
15 This is -- this is what came from Matt, right? Or the  
16 basis of what came from Matt?

17 MS. LAND: Kind of. I've changed some of  
18 it. The general ideas are what the City has, but  
19 it -- their structure is so different --

20 CHAIRPERSON TIMMERMAN: Sure.

21 MS. LAND: -- that it was really -- it was  
22 really clunky. So read through it and see if it's --  
23 when reading through it, we may have to do some more  
24 editing.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: Because they have several  
3 different layers of groups that look at things versus  
4 just the zoning commission and they call everything  
5 "planning," and it's -- I think I got it all sorted  
6 out who was supposed to be doing what. But when we're  
7 reading through it, we might go, Oh, wait. That's not  
8 really -- that should work.

9 SECRETARY STACY: Okay. We might as well  
10 read it.

11 CHAIRPERSON TIMMERMAN: I'd say, as you read  
12 through it, give a pause and if anybody wants to  
13 like --

14 MR. EVANS: (Unintelligible) paragraph?

15 CHAIRPERSON TIMMERMAN: Right.

16 MR. EVANS: All right. 1161.15.  
17 Conditional Use Requirements.

18 MS. LAND: Yeah, that will go, the number,  
19 because --

20 MR. EVANS: The City's?

21 MS. LAND: -- that's just what came from the  
22 City.

23 MR. EVANS: The zoning commission shall have  
24 the duty to hear and decide applications for

1 Conditional Use permits. The zoning commission shall  
2 determine that the general standards pertinent to each  
3 Conditional Use identified in the Allen Township  
4 Zoning Comprehensive Zoning Plan, adopted as the Allen  
5 Township Zoning Resolution, shall be satisfied by the  
6 establishment and operation of the proposed  
7 Conditional Use.

8 The zoning commission may also impose such  
9 additional conditions and safeguards as it deems  
10 necessary for the general welfare, for the protection  
11 of individual property rights, and for ensuring that  
12 the intent and objectives of the Allen Township  
13 Comprehensive Zoning Plan will be observed, including  
14 specific limitations as to future expansion.

15 SECRETARY STACY: Do we need the wording,  
16 Allen Township Zoning Comprehensive Zoning Plan? Is  
17 that the same thing as the Zoning Resolution?

18 MS. LAND: Technically this is the  
19 Comprehensive -- Allen Township Comprehensive Zoning  
20 Plan. We always just refer to as the Zoning  
21 Resolution.

22 SECRETARY STACY: Okay.

23 MS. LAND: But, by statute, it's called the  
24 Comprehensive Zoning Plan. So we'll put it in there

1 and, then, once just refer to it as the Zoning  
2 Resolution and then move on because we've  
3 identified --

4 SECRETARY STACY: Okay.

5 MS. LAND: -- the legal status of what  
6 document you're talking about.

7 MR. EVANS: The zoning commission has no  
8 obligation to approve a Conditional Use. The Allen  
9 Township Zoning Resolution assumes that the uses  
10 listed as Conditional Uses are not appropriate unless  
11 an applicant proves that the use will not be  
12 detrimental to the public health, safety, or general  
13 welfare of the township or the neighborhood in which  
14 it is proposed.

15 Applicants shall prove the positive -- or  
16 I'm sorry.

17 Applicants shall prove that potential  
18 negative impacts of elements such as location, size,  
19 and extent of facilities and operations, site design,  
20 traffic generation, site access, and potential impact  
21 upon public facilities will be adequately addressed.

22 CHAIRPERSON TIMMERMAN: I think what that  
23 section -- for me, it sounds negative.

24 MS. LAND: It is negative.

1           CHAIRPERSON TIMMERMAN: Yeah. Is there --  
2 is there a way to spin that? I mean --

3           MS. LAND: Spin it in the positive?

4           CHAIRPERSON TIMMERMAN: I mean, at the end  
5 of the day, we put them in there as Conditional Uses,  
6 like, that's where it belongs. The idea of it being a  
7 Conditional Use is just to make sure that it  
8 doesn't -- the way you're going to do it, it's not --  
9 not offensive to somebody or -- you know, like, I'm  
10 trying to come up with an example of what a  
11 conditional -- we said -- we said that campgrounds are  
12 a Conditional Use in Agricultural. I don't think, in  
13 general, most people are going to complain about a  
14 campground being in Agricultural.

15           SECRETARY STACY: Right.

16           CHAIRPERSON TIMMERMAN: It's more about  
17 making sure that the campground is kept up and it's  
18 not expanding and becoming a junkyard, I guess.

19           So I don't know how you'd change it, but  
20 that's how it comes across as very restrictive, and  
21 I think --

22           MS. LAND: Instead of saying, "...are not  
23 appropriate," what do we want to say there?

24           The Allen Township Zoning Resolution assumes



1 that the uses listed as Conditional Use are  
2 appropriate with --

3 CHAIRPERSON TIMMERMAN: As long as meeting  
4 certain standards, or --

5 MS. LAND: How about -- yeah. When an  
6 applicant proves that the use will not be detrimental  
7 to the public health?

8 CHAIRPERSON TIMMERMAN: Sure.

9 MS. LAND: Does that make sense? I'll read  
10 it out loud then again. Let me do my editing. So it  
11 says -- this is just throwing it out there. You guys  
12 can edit around here.

13 The zoning commission has no obligation to  
14 approve a Conditional Use, which is true.

15 The Allen Township Zoning Resolution assumes  
16 that the uses listed as Conditional Uses are only --  
17 will only be made appropriate after an applicant  
18 proves... How is that?

19 CHAIRPERSON TIMMERMAN: Will only -- say it  
20 one more time.

21 MS. LAND: Right now I have it written,  
22 Conditional Uses are appropriate after an applicant  
23 proves that the use will be -- not be detrimental to  
24 the public health, safety and welfare.

1           We can -- I want to edit that again.

2           The Zoning Resolution assumes that the uses  
3 listed as Conditional Uses will only be found  
4 appropriate after -- how's that? Does that make  
5 sense?

6           SECRETARY STACY: After. Could you even  
7 say, like, The health, safety, welfare is preserved,  
8 or is that not clear enough? We don't want it to be  
9 detrimental. But -- so the flip side, are we trying  
10 to preserve the health, safety, and welfare? Just  
11 throwing that out.

12           CHAIRPERSON TIMMERMAN: I think -- I think  
13 if you say, "preserve" -- let's pretend for a second  
14 that the standard of health and safety is currently  
15 below par. If they preserve that status, that's  
16 not --

17           SECRETARY STACY: Oh, okay. Okay.

18           MS. LAND: We're presuming it's always at  
19 par, right?

20           CHAIRPERSON TIMMERMAN: Well, yeah. We  
21 don't know what the scenario would be I guess. I  
22 don't know.

23           MS. LAND: True.

24           The Allen Township Zoning Resolution --

1           SECRETARY STACY: The "detrimental" is kind  
2 of subjective as well.

3           CHAIRPERSON TIMMERMAN: Sure.

4           MS. LAND: Could you run into the office and  
5 make a photocopy of that?

6           SECRETARY STACY: Sure.

7           MS. LAND: Because I don't have it in hard  
8 copy, and I need to start scribbling on it.

9           CHAIRPERSON TIMMERMAN: Oh, one of these?  
10 Do you want Darrin's for right now to start?

11          MS. LAND: Oh, yeah.

12          SECRETARY STACY: Yeah.

13          CHAIRPERSON TIMMERMAN: I don't know if you  
14 want to still make a copy so Darrin has one.

15          SECRETARY STACY: I could.

16          CHAIRPERSON TIMMERMAN: (Unintelligible)  
17 keep working.

18          SECRETARY STACY: Yeah.

19          MS. LAND: So we want to take out, "are not  
20 appropriate," correct?

21          CHAIRPERSON TIMMERMAN: Yeah.

22          SECRETARY STACY: Just the whole section  
23 I think would work.

24          CHAIRPERSON TIMMERMAN: I'd make the --

1       however many pages it is.

2               SECRETARY STACY: I'll just make another  
3       set.

4               MS. LAND: Just the whole set. Yeah.

5               So you don't want to say, "...will not  
6       preserve"? Do you still want it negative there?  
7       "...it will not be a detriment to --

8               CHAIRPERSON TIMMERMAN: The "preserve" is  
9       fine. I was just bringing it up. I didn't know if  
10       anybody has any thoughts.

11              MS. LAND: What do you think? Clara?

12              MR. EVANS: I mean, honestly I was okay  
13       originally with it. Because there's going to be  
14       something. You know, we have to know that. It's  
15       Conditional Use. Okay, I'm not fitting there.

16              CHAIRPERSON TIMMERMAN: But it is still  
17       where it kind of belongs, too. You know, it's not  
18       instantly approved. So...

19              MS. PARGEON: Yeah.

20              CHAIRPERSON TIMMERMAN: I think you can  
21       leave it "detrimental," or if you want to go the other  
22       way.

23              MS. LAND: Okay.

24              CHAIRPERSON TIMMERMAN: The "preserve."

1 MS. LAND: You guys decide; tell me what you  
2 want to do. So, then, this would read, "The Allen  
3 Township Zoning Resolution assumes that the uses  
4 listed as Conditional Uses will be considered  
5 appropriate only after an applicant proves that the  
6 use will preserve the public health, safety, and  
7 general welfare of the township or the neighborhood in  
8 which it is proposed."

9 MS. PARGEON: That sounds good.

10 CHAIRPERSON TIMMERMAN: Fine by me.

11 MS. LAND: Like that?

12 MS. PARGEON: Yeah.

13 CHAIRPERSON TIMMERMAN: Yeah.

14 MS. LAND: Okay. Do you want the word  
15 "only" or not? It could say, "...will be considered  
16 appropriate after an applicant proves that the use  
17 will preserve..."

18 MS. PARGEON: Yes.

19 MS. LAND: Or do you want to say "only  
20 after" they approve?

21 CHAIRPERSON TIMMERMAN: My vote would be to  
22 get rid of --

23 MS. PARGEON: Yeah.

24 CHAIRPERSON TIMMERMAN: -- only.

1 MS. LAND: Okay. So it will read, The Allen  
2 Township Zoning Resolution assumes that the uses  
3 listed as Conditional Uses will -- oh, I have no idea  
4 what that's supposed to be. ...uses will be  
5 considered appropriate after an applicant proves that  
6 the use will preserve the public health, blah, blah,  
7 blah.

8 I'll read that again. The Allen Township  
9 Zoning Resolution assumes that the uses listed as  
10 Conditional Uses will be considered appropriate after  
11 an applicant proves that the use will be -- will  
12 preserve the public health, safety, and general  
13 welfare of the township or the neighborhood in which  
14 it's proposed.

15 I'm not sure we're saying the same thing  
16 anymore. Because when we're talking about assuming,  
17 we're assuming that it's not appropriate, or that it's  
18 not something that can just be there. It can only be  
19 there if we are asking them to make alterations or  
20 follow certain specific rules.

21 You know, I think there's this concept the  
22 thought that, with zoning, that when you say it's  
23 permitted, we're saying, yeah, but you still have to  
24 follow all the rules, and zoning isn't letting you

1 have any free rein. Well, other than where you set it  
2 on your property, you do have free rein, if it's  
3 permitted. You can do whatever you want.

4 If it's a Conditional Use, it's going to --  
5 it basically wouldn't be permitted unless you do X, Y  
6 and Z, which are the conditions.

7 So if we're saying Conditional Uses are not  
8 something that is allowed there, they're only allowed  
9 there with the conditions. See what I'm saying?  
10 That's why this regular -- or this line is in there  
11 that we're assuming it's not permitted unless you do  
12 this, this, and this. So it is kind of a negative  
13 thing to begin with, so either we have to eliminate  
14 that concept or -- because I think this line then  
15 makes it very confusing the way we just changed it.  
16 We changed the tenor of the paragraph too much.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: So how do you guys want to handle  
19 that?

20 SECRETARY STACY: And I understand what --  
21 what you're trying to do. And, then, the General  
22 Standards actually spell out more specifically what  
23 we're seeing in that prior paragraph.

24 MS. LAND: Yeah. I think that's almost like

1 a warning, that, you know, when it's a Conditional  
2 Use, it's not just, you know, a free ride; you've got  
3 to follow this list below. So it's more of that  
4 cautionary thing why I think it's written in the  
5 negative.

6 CHAIRPERSON TIMMERMAN: So you recommend to  
7 go back to what it was?

8 MS. LAND: I'm comfortable with it that way.  
9 I'm not as comfortable with it this way. But it's  
10 your book, not mine.

11 SECRETARY STACY: But, again, legally, we  
12 want it to -- I don't know.

13 MS. LAND: I think if we learned anything at  
14 the last meeting is that there are going to be people,  
15 even if they are sort of okay with zoning, they are  
16 going to try to twist it and make it very confusing.  
17 If we don't have some pretty black-letter rules here  
18 that -- then we are always in that fight; so I would  
19 rather see it stand the way it was.

20 CHAIRPERSON TIMMERMAN: Okay.

21 MS. LAND: But it's your choice, not mine,  
22 as I keep saying.

23 CHAIRPERSON TIMMERMAN: I think the purpose  
24 of what that line is, I think it needs to be in, and I



1 think if you're not comfortable with how we currently  
2 have it, I think that speaks volumes.

3 SECRETARY STACY: Yeah.

4 MS. PARGEON: I say go back to the way it  
5 originally was. Yeah.

6 MS. LAND: I'm undoing a heck of a lot.

7 MR. EVANS: Keep going?

8 MS. LAND: Anything else in that paragraph?

9 CHAIRPERSON TIMMERMAN: Are you comfortable  
10 that you undone to the right spot?

11 MS. LAND: Yeah.

12 CHAIRPERSON TIMMERMAN: I didn't know if you  
13 wanted to read through it.

14 MS. LAND: No. I'm done until there's no  
15 un-doning to do.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MR. EVANS: General Standards. The zoning  
18 commission shall review the particular facts and  
19 circumstances of each proposed Conditional Use in  
20 terms of the following standards and shall find  
21 adequate evidence showing that such use of the  
22 proposed location:

23 1. Will be harmonious with and in  
24 accordance with the general objectives or with any

1 specific objective of the Allen Township Comprehensive  
2 Zoning Plan of current adoption.

3 2. Will be designed, constructed, operated,  
4 and maintained so as to be harmonious and appropriate  
5 in appearance with the existing or intended character  
6 of the general vicinity in that such use will not  
7 change the essential character of the same area.

8 MS. LAND: Okay. Before you go on. In  
9 No. 1, I took out the Allen Township Comprehensive  
10 Zoning Plan and changed it to Allen Township Zoning  
11 Resolution because up at the top --

12 SECRETARY STACY: Right.

13 MS. LAND: -- we identified that that's what  
14 it is.

15 SECRETARY STACY: Okay.

16 MR. EVANS: 3. Will not be hazardous or  
17 disturbing to existing or future neighboring uses.

18 4. Will not be detrimental to property in  
19 the immediate vicinity or to the community as a whole.

20 5. Will be served adequately by essential  
21 public facilities and services such as highways,  
22 roads, streets, police and fire protection, drainage  
23 structures, refuse disposal, and school or -- and  
24 school or that the persons or agencies responsible for

1 the establishment of the proposed use shall be able to  
2 provide adequately any such service.

3 MS. LAND: I had a little issue with reading  
4 through here and seeing "schools." I think it should  
5 be plural "schools," not just "school."

6 But then you stop and think about what some  
7 of the uses that might be coming in. If they're  
8 looking at some sort of something that will be an  
9 influx of a lot of people, it may have a major impact  
10 on something other than just the property itself.  
11 That's one thing to consider, and schools could be one  
12 of them. If you guys don't want it in there, we can  
13 take it out.

14 CHAIRPERSON TIMMERMAN: I say leave it.

15 MR. EVANS: Ready to go?

16 MS. LAND: Uh-huh.

17 MR. EVANS: A. Approval, expiration, and  
18 revocation.

19 1. An approved Conditional Use will be for  
20 a period of one year, provided substantial progress  
21 and completion is made unless an extension has been  
22 granted by the zoning inspector of an additional one  
23 year may be allowed if the scope of the approval has  
24 not changed and the proposed use and site plan still

1 satisfy the decision standards. A Conditional Use  
2 Permit shall be valid and run with --

3 MS. LAND: No. 2. It shouldn't be 2. It  
4 should be -- you've got an additional sentence there.

5 MR. EVANS: Okay. ...run with the land,  
6 provided substantial progress and completion is made  
7 only for the specific use and location approved and in  
8 accordance with any conditions approved.

9 MS. LAND: Okay. The -- there should be a  
10 No. 2 there, but it should be at the end of the word  
11 "standards" and before "a Conditional Use Permit."

12 CHAIRPERSON TIMMERMAN: Where are you?

13 MS. LAND: So --

14 MR. EVANS: Third page.

15 MS. LAND: We have -- where we just moved it  
16 up, where it says "with the land", that was the second  
17 half of No. 2. So the -- it will now read, A  
18 Conditional Use Permit shall be valid and run with the  
19 land, provided substantial progress and completion is  
20 made only after a specific use and location approved  
21 and in accordance with the conditions approved.

22 Jeez, that's wordy.

23 MR. EVANS: 3. Is it okay to go?

24 MS. LAND: Uh-huh.

1           MR. EVANS: 3. Failure to complete or make  
2 substantial progress on the approved use shall result  
3 in the expiration of its authorization and require a  
4 new application.

5           4. Zoning permits shall not be issued  
6 unless the plan substantially conform to those  
7 approved by the zoning -- the township zoning  
8 commission, including conditions.

9           5. A Conditional Use Permit shall  
10 automatically expire if the Conditional Use ceases  
11 operations for more than one year.

12           MS. LAND: Do you guys want to make that --  
13 the two years the same as we have with Nonconforming  
14 Uses? Or do you want to leave it as one year?

15           I don't know if the -- I don't know what the  
16 rules are for municipal zoning because I don't deal  
17 with it, and I haven't read any of the -- I haven't  
18 committed the statutes to memory.

19           But under township zoning or rural zoning,  
20 it's two years for Nonconforming Uses. I don't know  
21 if that's statutory. So you do have a statutory guide  
22 if you want to go to two as something. If you want to  
23 leave it at one, we can do that. There's nothing in  
24 the rule or statutes about what you have to do for

1 this.

2 You also have that one-year expiration on  
3 your permits which is what this kind of is. You still  
4 have up in here, too, you have the one year with a  
5 potential for an additional year. So you can pick one  
6 or two years whichever way you want.

7 MS. PARGEON: This is -- this is for  
8 campgrounds?

9 MS. LAND: This is for any Conditional Use.

10 MS. PARGEON: Any conditional use.

11 CHAIRPERSON TIMMERMAN: I think what you  
12 were hinting at a minute ago, the two-year deal is for  
13 anything that's nonconforming?

14 MS. LAND: Correct.

15 CHAIRPERSON TIMMERMAN: So that is something  
16 that currently exists?

17 MS. LAND: Uh-huh.

18 CHAIRPERSON TIMMERMAN: It has two years of  
19 non use before it expires. This would be a scenario  
20 where this would be something that we approved. So  
21 it's something that was in the correct spot. Like, it  
22 was deemed to be in the correct spot, so I think  
23 having a stricter rule doesn't necessarily make sense.

24 MS. LAND: A Conditional Use is somewhat

1 parallel to a Nonconforming Use because it's not  
2 something that's permitted, but it's being allowed  
3 because of circumstances which would be the  
4 conditions.

5 A Nonconforming Use is something that  
6 wouldn't be permitted, but it's allowed because of its  
7 circumstances it existed before. So they are very  
8 similar kind of things. Putting the same kind of  
9 similar rules on them makes some logical sense.

10 CHAIRPERSON TIMMERMAN: Right. I agree with  
11 that.

12 MS. PARGEON: So make it a two-year?

13 CHAIRPERSON TIMMERMAN: I think that makes  
14 sense.

15 SECRETARY STACY: Yeah.

16 MS. LAND: That okay all the way around?

17 MR. EVANS: Yeah.

18 SECRETARY STACY: Uh-huh.

19 MR. EVANS: 6. A Conditional Use Permit may  
20 be revoked by the zoning commission if the existing  
21 Conditional Use Permit fails to meet one of the  
22 following requirements:

23 A. The conditions of approval are not met  
24 or maintained.

1           B. The continuance of the Conditional Use  
2 would pose a substantial risk to the public health,  
3 safety, and welfare. Notification will be provided to  
4 all who are entitled to such notice.

5           CHAIRPERSON TIMMERMAN: Is that -- is that  
6 a -- Conditional Use Permit may be revoked. So that's  
7 after it's been approved?

8           MS. LAND: And built and used. This is  
9 truly a nuclear approach. I mean, this is like  
10 dropping the bomb on somebody. So it has to be  
11 something pretty bad to ever revoke or to invoke this  
12 section.

13           Not having it, though, can tie your hands in  
14 the event that you do end up with some worst-case  
15 scenario. So sometimes it's good to have it as a  
16 deterrent.

17           MS. PARGEON: I think it's good to have it  
18 for a deterrent because if a person decides, Well, I'm  
19 just going to leave it and not do anything with it  
20 ever.

21           MS. LAND: Or if they -- if -- everything's  
22 going to look good on paper. For example, they come  
23 in, you approve the plan, it looks awesome. Once they  
24 get up and running, you realize that this is a



1 completely different thing what it turned into than  
2 what they said it would be, then that Conditional Use  
3 could be revoked. But --

4 CHAIRPERSON TIMMERMAN: Something you never  
5 have to use.

6 MS. LAND: In 32 years, I've only ever had  
7 to go after somebody to revoke maybe twice. That's --

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. LAND: That's a huge deal. It's not  
10 something that's done on a whim. So...

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: But having the authority and  
13 ability to do it --

14 MS. PARGEON: It's a good thing.

15 MS. LAND: -- it's necessary, just in case.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MS. PARGEON: Leave it.

18 MR. EVANS: 7. Modifications to a  
19 Conditional Use.

20 8. Modifications shall be classified as a  
21 minor or major modification based on the following:

22 A. Minor modification.

23 1. Does not change the use or density to a  
24 more intense use or density than permitted by the

1 approved plan.

2 And 2, B does not --

3 MS. LAND: That needs to go.

4 MR. EVANS: B needs to go?

5 CHAIRPERSON TIMMERMAN: Along with all the  
6 letters.

7 SECRETARY STACY: Yeah. Uh-huh.

8 MR. EVANS: 2. Does not change the location  
9 or amount of land designated for a specific land use.

10 3. Are of magnitude that will not  
11 substantially alter the appearance of the use from off  
12 of the site.

13 4. Will not substantially or detrimentally  
14 affect the provision of public services to the site or  
15 general vicinity.

16 5. Will not substantially or detrimentally  
17 increase potential demand on public or private  
18 utilities.

19 6. Are not of a scope, scale, or character  
20 that would cause a negative impact on adjoining  
21 properties in the neighborhood.

22 7. Are not contrary to and in no way  
23 diminish intent of the originally approved permit.

24 MS. LAND: Okay. I think I'm going to take

1 out all of those "ands" --

2 CHAIRPERSON TIMMERMAN: Thank you.

3 MS. LAND: -- because they had all of this  
4 in one great big paragraph --

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: -- and I broke it down into a  
7 list because everything else you have is in lists.

8 The other thing is, we have 7. I'm taking  
9 8 off of Modifications because this is really all part  
10 of 7.

11 SECRETARY STACY: Yeah.

12 MS. LAND: 7 is like a new title. And,  
13 then, 8 shouldn't have been there.

14 SECRETARY STACY: Right. I see that.

15 CHAIRPERSON TIMMERMAN: So you're getting  
16 rid of the number 8?

17 MS. LAND: That will move down.

18 CHAIRPERSON TIMMERMAN: I got ya. I got ya.  
19 So the modification -- the verbiage stays after it?

20 MS. LAND: Yeah.

21 CHAIRPERSON TIMMERMAN: That's just the  
22 title.

23 MS. LAND: Yeah. It's just --

24 CHAIRPERSON TIMMERMAN: I see what you're

1 saying.

2 MS. LAND: -- the numbering in this.

3 I hated outlines when I was in school, and  
4 I've been doing nothing but figuring outlines on this.  
5 And I gave up on the, you can't have an A if you don't  
6 have a B. We're still going to do that sometimes.

7 MR. EVANS: Speaking of which.

8 B. Major modifications.

9 1. An increase in density or intensity or;  
10 B --

11 MS. LAND: Oh, wait.

12 SECRETARY STACY: Whoa. Whoa. Whoa.

13 MS. LAND: Okay. That should be a 2.

14 MR. EVANS: 2 is where it changes it?

15 MS. LAND: Yeah.

16 CHAIRPERSON TIMMERMAN: You're going to get  
17 rid of the "ors" also here?

18 MS. LAND: Yeah.

19 MR. EVANS: An increase in density or  
20 intensity.

21 2. Changes to the property or project  
22 boundaries, or anything not classified as a minor  
23 modification above.

24 MS. LAND: That "or" goes out and that comes

1 down to another number, so that will be 3.

2 MR. EVANS: 3. A major modification  
3 requires an entirely new Conditional Use application,  
4 including the fee, according to the provisions of this  
5 section.

6 MS. LAND: So it's 1, 2, 3, 4.

7 CHAIRPERSON TIMMERMAN: That was 4.

8 MS. LAND: And, for some reason, these  
9 turned into Roman numerals. This is all the stuff  
10 that my secretary will just shake her head and make it  
11 all fit right.

12 MR. EVANS: 9. Review of this --

13 CHAIRPERSON TIMMERMAN: This 8 becomes 9, or  
14 this 9 becomes 8?

15 MS. LAND: Yes.

16 MR. EVANS: 8. Review of Modifications.

17 A. If the applicant proposes to modify an  
18 approved Conditional Use, the applicant shall submit  
19 the proposed modifications to the zoning inspector  
20 supplemented with a written statement describing the  
21 modifications.

22 B. A minor modification may be reviewed  
23 administratively and approved by both the zoning -- by  
24 both the zoning inspector --

1 MS. LAND: I think it should be just the  
2 zoning inspector.

3 MR. EVANS: Okay.

4 SECRETARY STACY: By.

5 MS. LAND: By the zoning inspector. They  
6 had both City Planning and Zoning Inspector.

7 SECRETARY STACY: Okay.

8 MR. EVANS: Administrative approvals shall  
9 be clearly documented and made part of the original  
10 Conditional Use Permit on file and placed on the  
11 township zoning commission's agenda.

12 MS. LAND: I don't think it needs to be  
13 placed on your agenda because you aren't going to have  
14 a meeting about it.

15 The City zoning commission has meetings  
16 every other Tuesday or something, so they review what  
17 happened. You guys won't be doing that. That's --  
18 this is other another one of those things that  
19 probably shouldn't be in there. We'll just say put it  
20 into the file.

21 SECRETARY STACY: Okay.

22 MS. LAND: Practically speaking, in every  
23 township that has zoning, for the Allen Township  
24 Trustees, you guys have all been to their meetings,

1 they have a list of things that they do on their  
2 agenda. One of the things is they ask their  
3 maintenance guy what his report is. They ask fire.  
4 They'll start asking zoning, What's your report? What  
5 are all of the things that you've done? So they'll  
6 put onto the public record what has happened in the --  
7 and they'll give a written report to the trustees, but  
8 it will go into the file, too.

9 CHAIRPERSON TIMMERMAN: The -- with B there,  
10 A minor modification may be reviewed administratively  
11 and approved by the zoning inspector. There's, like,  
12 no checks and balances in that? Before there was the  
13 City, whatever you said, so there was two people  
14 reviewing it. Is this -- is there an issue with that?

15 MS. LAND: It's up to you guys. I don't  
16 really have a good handle on what minor modification  
17 would be. I don't know how we could even define that.

18 CHAIRPERSON TIMMERMAN: I mean, it's kind of  
19 spelled out here with Minor Modifications. So --

20 MS. LAND: Right.

21 CHAIRPERSON TIMMERMAN: -- if you've already  
22 deemed it a minor modification, it seems like -- in  
23 general, it seems like things are getting -- the  
24 density is smaller, so it would be a -- I don't see --

1 I don't necessarily see that you have to have a checks  
2 and balances on that, but I didn't know if this is an  
3 area where --

4 MS. LAND: I don't know. I mean, checks and  
5 balances are always good. It puts a lot of pressure  
6 on the zoning inspector for something like this if  
7 there isn't a check and balance.

8 What do you guys think?

9 CHAIRPERSON TIMMERMAN: I mean, you could  
10 easily add the board to that list. Is that who -- is  
11 that -- would that be our best option is to add the  
12 zoning board, or --

13 MS. LAND: It would be you guys, zoning  
14 commission.

15 CHAIRPERSON TIMMERMAN: Zoning commission.

16 SECRETARY STACY: Yeah.

17 CHAIRPERSON TIMMERMAN: Then it's more than  
18 just one person making the decision.

19 MS. PARGEON: Yeah.

20 CHAIRPERSON TIMMERMAN: I think that's  
21 probably a good thing.

22 MR. EVANS: Need more than one.

23 SECRETARY STACY: Yeah, I agree.

24 CHAIRPERSON TIMMERMAN: At least you have a



1 majority.

2 SECRETARY STACY: Sure.

3 MS. PARGEON: Yeah.

4 SECRETARY STACY: Instead of just one person  
5 making --

6 CHAIRPERSON TIMMERMAN: Right.

7 MR. EVANS: Right.

8 MS. PARGEON: That way they can look at it  
9 different ways.

10 MS. LAND: If we leave it with -- you're  
11 going to put a lot of burden on this board to have  
12 meetings, and you're also going to slow down  
13 development of whatever somebody's doing. Because if  
14 they come along and they decide they want to have  
15 something that falls into this category of a minor  
16 change, it's sort of a -- this is the kind of thing  
17 that we can do this afternoon. Is it okay if we  
18 handle it this way instead? Instead, they've got to  
19 shut down for ten days while you guys --

20 MS. PARGEON: That's not good.

21 MS. LAND: -- get your notices in and  
22 convene for a meeting.

23 Since we have a list of what is minor and  
24 you leave it at zoning inspector, anything that gets

1 to the point where the -- maybe just adding it into  
2 the minor, determination of minor modification will be  
3 at the decision of the zoning inspector.

4 So even if they're saying it's just a minor  
5 modification, the zoning inspector says, No, it's a  
6 major modification, then it flips to the next  
7 category.

8 SECRETARY STACY: Okay.

9 MS. PARGEON: Okay. That makes sense.

10 MS. LAND: Then there's no -- because I  
11 think the concept of the minor is just administrative  
12 stuff.

13 CHAIRPERSON TIMMERMAN: Right.

14 MS. LAND: Stuff that you'll look at it and  
15 go request, Why are we looking at this?

16 CHAIRPERSON TIMMERMAN: Right.

17 MS. LAND: So...

18 CHAIRPERSON TIMMERMAN: But it gives the --  
19 it would give the inspector an opportunity to say,  
20 "I'm not --

21 MS. LAND: To kick it --

22 CHAIRPERSON TIMMERMAN: -- comfortable  
23 making this decision."

24 MS. LAND: To kick it over.

1           SECRETARY STACY: Then he could kick it  
2 over. But if he is comfortable, then --

3           MS. PARGEON: Just leave it.

4           SECRETARY STACY: -- let him handle it.

5           MS. PARGEON: Just leave it.

6           SECRETARY STACY: Yeah.

7           MR. EVANS: I think part of the tough thing  
8 is the zoning inspector, a lot of this is like  
9 opinion. When I go into Minor Modifications it says,  
10 Does not substantially or detrimentally affect the  
11 provision of public services. If he says, Well, it's  
12 only going to add 200 people, 200 kids to the school,  
13 that's not too bad. Well, that's kind of his -- you  
14 see what I'm saying?

15           SECRETARY STACY: Yeah.

16           MR. EVANS: There's a number there, and I  
17 don't know what it is.

18           SECRETARY STACY: Yeah.

19           MR. EVANS: And he won't know what it is.  
20 It's to where there's a lot of relative terms where  
21 they say it does not substantially alter the  
22 appearance.

23           SECRETARY STACY: That's subjective really  
24 in the interpretation.

1           CHAIRPERSON TIMMERMAN: Is there a way to  
2 add something that -- add someone or some board that  
3 wouldn't require a 10-day notice or --

4           MS. LAND: No. In order to have a public  
5 board to be able to review it, we have to go through  
6 the regular notice requirements. It doesn't have to  
7 necessarily be ten days, but we always need about five  
8 days to be able to do anything based on that rule --

9           CHAIRPERSON TIMMERMAN: Right.

10          MS. LAND: -- that you guys adopted. And it  
11 has to be; it's not just because you adopted it.

12          CHAIRPERSON TIMMERMAN: Right.

13          MS. LAND: Whenever you're going to have a  
14 board, you have to go through the whole process.

15          CHAIRPERSON TIMMERMAN: I didn't know if  
16 there was, like, one other person that -- that the two  
17 of the, you know, the zoning inspector and the -- I  
18 don't know who, the mayor. You know, like, one other  
19 person that it's not -- you get my point?

20          MS. LAND: Yeah.

21          CHAIRPERSON TIMMERMAN: Some position. If  
22 there was somebody else that at least you had two  
23 people making a decision, and --

24          MS. LAND: Do you want to say the zoning

1 inspector and the chair of the zoning commission?  
2 And, that way, there's one person that could shuffle  
3 around between all of you guys over time, and --

4 MS. PARGEON: Yeah.

5 MR. EVANS: If there was a disagreement  
6 between the two of them, maybe it goes --

7 CHAIRPERSON TIMMERMAN: It doesn't  
8 automatically have to go --

9 MR. EVANS: That's apparently serious enough  
10 to where ten days, I'm sorry, you just have to wait.

11 CHAIRPERSON TIMMERMAN: It's worth it at  
12 that point.

13 MR. EVANS: Right. Because it's so -- it  
14 just seems like it's the opinion of the zoning  
15 inspector that this isn't going to increase --

16 CHAIRPERSON TIMMERMAN: Right.

17 MR. EVANS: -- or have a negative impact.  
18 Well, actually it did. And it's done.

19 SECRETARY STACY: I do like that. Just say  
20 the chair -- if the two of them aren't comfortable,  
21 then it would go to the board. But there's --

22 MS. PARGEON: Makes sense.

23 SECRETARY STACY: -- probably a lot of  
24 things two people could --

1 MS. LAND: Yeah.

2 MS. PARGEON: Decide. Yeah.

3 SECRETARY STACY: -- be able to talk it  
4 through.

5 MR. EVANS: On the spot.

6 SECRETARY STACY: Yeah. Yeah.

7 MR. EVANS: Because the other way, it's the  
8 zoning inspector and the guy selling him on the  
9 theory.

10 SECRETARY STACY: Right. And, again, we  
11 don't want to overly burden the zoning inspector, too.

12 MS. LAND: It's a lot of responsibility.  
13 You've got to decide if you want -- before long, or  
14 after time, the zoning inspector will be doing more  
15 and more stuff because it becomes the standard. This  
16 is what we've already set, so I have really firm rules  
17 on this, because this has happened two other times, we  
18 handled it this way, this is how it's handled. But,  
19 in the beginning, it's all going to be new, so it's  
20 probably a good idea to have a check and balance.

21 Do you want to put that under Minor  
22 Modifications? Just add a section that says, A  
23 modification will be determined -- identified as minor  
24 based on the agreement of the zoning inspector and the

1 chair of the zoning commission? Or do you want to put  
2 something under review that it has to be reviewed by  
3 both? Because once we have it considered to be a  
4 minor one, then they can just go off and do their  
5 thing.

6 MR. EVANS: Uh-huh.

7 MS. LAND: Make sense?

8 The issue of asking is do we have to change  
9 it in determining whether it's a minor modification or  
10 if the modification is minor.

11 MS. PARGEON: Well, if the modification is  
12 minor.

13 CHAIRPERSON TIMMERMAN: What came first?  
14 The chicken or the egg?

15 MR. EVANS: What's minor? What's major?

16 MS. LAND: Yeah. And now you know why so  
17 many attorneys have gray hair.

18 MR. EVANS: Do you still need to do that if  
19 we change B, to where it says, "...may be reviewed  
20 administratively and approved by the zoning inspector  
21 and the zoning..."

22 MS. PARGEON: So it's still checked over.

23 CHAIRPERSON TIMMERMAN: So are you asking  
24 does it go into --

1 MS. LAND: Section 8, or does it go in  
2 Section 7.

3 CHAIRPERSON TIMMERMAN: Right.

4 MS. LAND: I think if you put it in  
5 Section 8, it probably -- probably the place to put  
6 it. So Section 8, paragraph B. A minor modification  
7 may be reviewed administratively and approved by the  
8 zoning inspector and the chair of the zoning  
9 commission.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MR. EVANS: I'm good with that.

12 MS. PARGEON: Yeah.

13 MS. LAND: Yeah. I think that covers us on  
14 both sections.

15 MS. PARGEON: Okay.

16 MS. LAND: I would be less comfortable with  
17 it if we were talking about major modifications  
18 because, then, we have the question of the zoning  
19 inspector could consider everything minor and never  
20 come to you.

21 CHAIRPERSON TIMMERMAN: Right.

22 MR. EVANS: Right.

23 MS. LAND: I think that covers it.

24 MR. EVANS: Ready for C?



1           CHAIRPERSON TIMMERMAN: Yeah.

2           MR. EVANS: Any changes to a Conditional Use  
3 that are not approved by the zoning inspector or  
4 zoning commission shall constitute a violation of the  
5 township zoning resolution.

6           CHAIRPERSON TIMMERMAN: And now we'll be  
7 back at 1510. Is that what everybody's --

8           MS. LAND: Yeah, I believe so.

9           SECRETARY STACY: Exterior Lighting.

10          MR. EVANS: Is this where we're reading or  
11 just going over it?

12          MS. LAND: Just going over it.

13          CHAIRPERSON TIMMERMAN: Go back to see what  
14 your notes said in the past.

15          MR. EVANS: Thank you.

16          MS. LAND: I have a thing in here which is  
17 sort of counterintuitive to what we've been doing  
18 otherwise. We had a Screenings Requirement section,  
19 and now we -- I have a note that says we're going to  
20 add the requirements in each district. Do we want to  
21 just say, Screening is required, and put the  
22 requirements here?

23          CHAIRPERSON TIMMERMAN: I'm okay with that.

24          SECRETARY STACY: Uh-huh.

1 MS. PARGEON: Uh-huh.

2 CHAIRPERSON TIMMERMAN: I think you're  
3 creating a lot of work to --

4 MS. PARGEON: Yeah.

5 CHAIRPERSON TIMMERMAN: -- to divide it up  
6 and move it around. And --

7 MS. LAND: Okay. I would -- I think when we  
8 were talking about this, we had not changed that idea  
9 that we would have a centralized Conditional Use list  
10 and just list of Conditional Uses. We had them all  
11 identified, but we had said screening, and, then, we  
12 had it over here. So, now, I think we flipped this  
13 one back to be the same way we want to do Conditional  
14 Use, we'll have them all in the same form.

15 CHAIRPERSON TIMMERMAN: Yes.

16 MS. LAND: Okay. Yeah. I need to get this  
17 whole section then formatted and fixed. But, yeah,  
18 we'll take care of it.

19 CHAIRPERSON TIMMERMAN: Did you already have  
20 this switched? Is that what you're implying?

21 MS. LAND: It had it lined out.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: And I unlined it, but I haven't  
24 done any of the fixing up of the messy stuff, so -- on

1 my version of it here that's electronic. The table's  
2 and mess and all that.

3 CHAIRPERSON TIMMERMAN: Okay.

4 SECRETARY STACY: So do we want to address,  
5 like, if we have a difference -- something different  
6 than what's -- I mean, obviously, if it's lined out,  
7 then that's going to go away.

8 CHAIRPERSON TIMMERMAN: Not come back.

9 MS. LAND: But the question is, the amount  
10 of screening, the size of fences.

11 SECRETARY STACY: Right.

12 MS. LAND: Take a little break.

13 SECRETARY STACY: Go ahead.

14 (Recess taken.)

15 CHAIRPERSON TIMMERMAN: I just crossed  
16 that -- the adding requirements to each district, I  
17 crossed that out and I said, Remove the line-outs from  
18 the section.

19 SECRETARY STACY: Okay.

20 CHAIRPERSON TIMMERMAN: Put it back to where  
21 we were at.

22 SECRETARY STACY: Where we  
23 are (unintelligible)? I see 60. Didn't we say 8?

24 CHAIRPERSON TIMMERMAN: Right.

1           SECRETARY STACY: I just also wanted to note  
2 to make sure that that's -- we're not on --  
3 (unintelligible) we talked about posts being on the  
4 interior --

5           CHAIRPERSON TIMMERMAN: Right.

6           SECRETARY STACY: -- of the fence.

7           MS. PARGEON: Okay. What number are you on  
8 on that one?

9           CHAIRPERSON TIMMERMAN: Well, we're kind of  
10 at 1514 at this point because we didn't -- we didn't  
11 see any changes on 1510 through 13. I think.

12           SECRETARY STACY: Well, fences was 1513.  
13 Right? Yeah.

14           CHAIRPERSON TIMMERMAN: Okay. On my -- I'm  
15 sorry. On my old sheet, it's 1513.

16           SECRETARY STACY: Oh, okay.

17           CHAIRPERSON TIMMERMAN: So the numbers  
18 changed.

19           SECRETARY STACY: Yeah. So fences. Fences,  
20 right?

21           CHAIRPERSON TIMMERMAN: We're at fences.

22           SECRETARY STACY: Fences.

23           MS. PARGEON: Fences now. That's the next  
24 packet. Okay. Fences. Okay.

1           SECRETARY STACY: Trying to put my original  
2 stuff in a different folder than the updates, but then  
3 taking notes from the old to the new.

4           MR. EVANS: Move to the new.

5           SECRETARY STACY: Yeah.

6           CHAIRPERSON TIMMERMAN: It's a mess.

7           SECRETARY STACY: Yeah. That was just a  
8 long document.

9           CHAIRPERSON TIMMERMAN: Yeah.

10          MS. LAND: You want to hear something funny,  
11 though?

12          SECRETARY STACY: Sure.

13          MS. LAND: The last two days we were in  
14 depositions on the lawsuit, I got back to my office  
15 yesterday afternoon, and there was a new public  
16 records request that came during the time we were  
17 sitting there doing depositions.

18          SECRETARY STACY: (Unintelligible).

19          MS. LAND: For you guys. Yeah.

20          CHAIRPERSON TIMMERMAN: Good.

21          MS. LAND: I guess you can do more when you  
22 have more assistants. I don't know.

23          SECRETARY STACY: I guess so.

24          CHAIRPERSON TIMMERMAN: The good news is

1 once the meetings die down, the public records  
2 requests should die down.

3 SECRETARY STACY: Not necessarily.

4 MS. LAND: No. No, they'll come back fast  
5 and furious.

6 CHAIRPERSON TIMMERMAN: Really?

7 MS. LAND: Because they aren't here seeing  
8 what we're doing.

9 CHAIRPERSON TIMMERMAN: Yeah, but if there's  
10 no records, what are they requesting?

11 MS. LAND: We sent a lot of, "We don't have  
12 any records you're requesting" responses because there  
13 just aren't any. Whatever.

14 SECRETARY STACY: (Unintelligible).

15 MS. LAND: Job security for me.

16 CHAIRPERSON TIMMERMAN: Says the person  
17 looking forward to retiring.

18 MS. PARGEON: Did you plan to retire?

19 MR. EVANS: Who gets no sleep.

20 MS. LAND: Yeah. Next April I'm not going  
21 to be here anymore.

22 Okay. Have you guys -- did you get a chance  
23 to look at those heights?

24 CHAIRPERSON TIMMERMAN: I didn't have

1 anything changed on my notes on the heights. I guess,  
2 going back to the heights, Section 1, and I think I  
3 have it listed with Part C there, I have a note that  
4 says, "hospital utility." I don't know whether --  
5 I have no idea what I was trying to convey there.

6 MS. PARGEON: What did you have?

7 CHAIRPERSON TIMMERMAN: It says "hospital  
8 utility." I don't know if that's something I saw in  
9 another zoning book where they had a note.

10 MS. PARGEON: Well, it's --

11 CHAIRPERSON TIMMERMAN: Calling out things  
12 specifically. It's saying I-1 and I-2 Districts.  
13 It's not calling out specific uses.

14 MS. PARGEON: Okay. So it's not a mental  
15 hospital or something.

16 CHAIRPERSON TIMMERMAN: Although D says Auto  
17 Wash or Drive-in Restaurants, so they do call out  
18 specific uses there.

19 MS. LAND: I think. Yeah.

20 CHAIRPERSON TIMMERMAN: Of course, hospital  
21 and utility would be called out in their district that  
22 they are in, so it's approved in that district.

23 MS. LAND: Right. It's going to be hard to  
24 screen a hospital. I mean, they are multi stories.

1 CHAIRPERSON TIMMERMAN: Right.

2 SECRETARY STACY: Uh-huh.

3 MS. LAND: I don't know what we're thinking  
4 there either.

5 CHAIRPERSON TIMMERMAN: I think if you just  
6 keep it with the district use.

7 MS. LAND: Do you want to leave the Auto  
8 Wash and Drive-in Restaurants? Do we even have  
9 Drive-in Restaurants listed anywhere? They're just  
10 something that would be in the Commercial B-3 area,  
11 right?

12 SECRETARY STACY: I would think so.

13 MS. LAND: Because we had restaurants that  
14 provided or allowed to have a drive-thru in B-3.  
15 Wouldn't that be the same thing as a drive-in? You  
16 know, like, a Sonic or --

17 CHAIRPERSON TIMMERMAN: Yeah. Right.

18 SECRETARY STACY: Yeah.

19 MS. LAND: A&W.

20 SECRETARY STACY: Uh-huh.

21 MS. LAND: Should I take D off?

22 CHAIRPERSON TIMMERMAN: Does D -- D would be  
23 part of B-3.

24 MS. LAND: Uh-huh.



1           CHAIRPERSON TIMMERMAN: And Section B is  
2 B-3, and they say 4-foot-6-inches-high screening. In  
3 Section D, they say 6 foot.

4           MS. LAND: Yeah.

5           CHAIRPERSON TIMMERMAN: So it's --

6           MS. LAND: I think they called those out for  
7 extra height. But...

8           CHAIRPERSON TIMMERMAN: I think it's okay to  
9 just get rid of it. But do you want to change  
10 Section B from 4 foot 6, up to 6 foot, is what I would  
11 look at. Because everything in -- through all of the  
12 business district would be 4 foot 6 or 6 foot at that  
13 point?

14           MS. LAND: Well, I don't think we want  
15 6 foot in all of the Business District because that  
16 would be kind of prohibitive.

17           CHAIRPERSON TIMMERMAN: Yeah.

18           SECRETARY STACY: Right.

19           MS. LAND: 4 foot 6 is still pretty tall.  
20 I mean, probably I won't be able to see over it too  
21 much.

22           MR. EVANS: Are you saying, like, every gas  
23 station? Every hotel? Every -- they have to have --

24           CHAIRPERSON TIMMERMAN: For those use

1 districts in use listed below, there shall be provided  
2 and maintained on those side abutting or adjacent to  
3 Residential Districts. So this is Residential.

4 SECRETARY STACY: That's the --

5 MR. EVANS: I understand that.

6 SECRETARY STACY: Yeah.

7 CHAIRPERSON TIMMERMAN: I think that's  
8 different. It's not around each individual building.

9 SECRETARY STACY: Right. Right.

10 MS. LAND: Like Lego Land.

11 SECRETARY STACY: But when it's up against  
12 homes, that's kind off buffer I think.

13 MR. EVANS: If you had a hotel close to  
14 apartments or something, I guess, it should be 6-foot  
15 high, as opposed to 4 foot -- what was that? 6, did  
16 you say? 4 foot 6, or so.

17 CHAIRPERSON TIMMERMAN: Well, for  
18 businesses -- so the Business Districts, it's 4 foot 6  
19 at this point. But Auto Wash and Drive-in Restaurants  
20 that are specifically called out at 6 foot.

21 MR. EVANS: That's only when they're beside  
22 a Residential District; is that right?

23 CHAIRPERSON TIMMERMAN: That's the way I  
24 read it. Abutting to or adjacent to Residential

1 Districts. So if it's next to a Residential, is  
2 4 foot 6 sufficient for a Business District?

3 SECRETARY STACY: It is something.

4 MR. EVANS: What's the purpose of the fence,  
5 so you can't --

6 CHAIRPERSON TIMMERMAN: Screening wall. So  
7 it's not just a fence, per se.

8 MR. EVANS: Screening?

9 CHAIRPERSON TIMMERMAN: Yeah. It's to block  
10 what's going on there from the Residential.

11 MR. EVANS: Seems like you'd have to have a  
12 6 foot. If it's 4 foot 6, everybody can see over  
13 that.

14 CHAIRPERSON TIMMERMAN: You've just got to  
15 look from Cindy and myself. Not everybody --

16 MS. LAND: It's a bit of a generalization.  
17 (Laughter.)

18 MR. EVANS: I'm sorry.

19 CHAIRPERSON TIMMERMAN: I think at 6 foot  
20 you, for the most part, block the view of everybody.

21 SECRETARY STACY: Yeah. Yeah, that's true.

22 MR. EVANS: I don't know how often is it  
23 going to be that you're going to have a carwash beside  
24 a Residential District. But I mean, it seems like if

1 you do, then, it ought to be 6 foot.

2 MS. LAND: And we say Residential District,  
3 not Residential Use.

4 CHAIRPERSON TIMMERMAN: Use.

5 MS. LAND: If we say Residential Use, you're  
6 really going to open this up because, right now, since  
7 we have not been zoned, we have a lot of residences  
8 around. So I would prefer to keep this as "district,"  
9 just to keep it from getting to be prohibitive.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: So do you want to --

12 CHAIRPERSON TIMMERMAN: The question is: Do  
13 we want to move Auto Wash and Drive-in, get rid of  
14 them and get it encompassed into the Business  
15 Districts?

16 MR. EVANS: I think so.

17 CHAIRPERSON TIMMERMAN: And if we want to  
18 encompass it into the Business Districts, which I'm  
19 okay with doing, do we want to take it from 4 foot 6  
20 up to 6 foot?

21 MR. EVANS: That's my opinion. I think that  
22 should be 6-foot, and I would get rid of Auto Wash and  
23 Drive-in. I don't know why --

24 MS. LAND: So for B-1, 2, and 3, it's 6 feet

1 for all of them.

2 MR. EVANS: When they abut a --

3 CHAIRPERSON TIMMERMAN: To Residential.

4 MS. LAND: Residential District. Yeah.

5 CHAIRPERSON TIMMERMAN: Does that mean that  
6 it would only have to have screening on that side of  
7 the property? I would assume.

8 MS. LAND: On all sides abutting or adjacent  
9 to the Residential District.

10 CHAIRPERSON TIMMERMAN: So it's just on  
11 the -- only on the sides that abut Residential?

12 MS. LAND: Yeah.

13 MR. EVANS: I don't think that's asking too  
14 much.

15 CHAIRPERSON TIMMERMAN: I don't either.

16 MS. LAND: It's kind of like that on Tiffin  
17 Avenue where they have -- over there by Gordon's and  
18 all of that stuff, and there's that access road back  
19 there.

20 SECRETARY STACY: Right.

21 MS. LAND: And, then, there's that big row  
22 of hedges --

23 SECRETARY STACY: Sure.

24 MS. LAND: That that's screening between the

1 Business District and the --

2 SECRETARY STACY: The home.

3 MS. LAND: -- homes.

4 SECRETARY STACY: Makes sense.

5 CHAIRPERSON TIMMERMAN: Okay. So remove D  
6 and change B to 6 foot. That's fine.

7 MS. LAND: Yeah. And the Off-Street Parking  
8 Area, we're all fine with the way it is?

9 CHAIRPERSON TIMMERMAN: I think Off-Street  
10 Parking I'm okay with that, 4 foot 6 inches. I assume  
11 that's what you were asking, the height for Off-Street  
12 Parking?

13 MS. LAND: Yes. And the I-1.

14 CHAIRPERSON TIMMERMAN: They give a range of  
15 4 foot 6 to 8 foot, depending upon the nature of the  
16 "being structured functions."

17 MS. LAND: "Nature of the being screened  
18 functions."

19 CHAIRPERSON TIMMERMAN: That's what it  
20 reads.

21 MS. LAND: Good heavens.

22 CHAIRPERSON TIMMERMAN: But if you read the  
23 one that says, "The nature of the functions being  
24 screened."

1 MS. LAND: Depending upon the nature of  
2 the -- I did not write this -- functions being  
3 screened. Even that's a little bit on the wordy side.  
4 But...

5 MR. EVANS: (Unintelligible). And that's  
6 I-1 and I-2 where it abuts Residential Districts?

7 MS. LAND: Yeah.

8 MR. EVANS: Is there -- that probably  
9 doesn't even happen, does it?

10 MS. LAND: No, it shouldn't happen much.

11 CHAIRPERSON TIMMERMAN: Well --

12 MR. EVANS: Not at all.

13 CHAIRPERSON TIMMERMAN: -- if you currently  
14 have something that's I-1 that does but Residential.

15 MS. LAND: Yeah. But that's grandfathered,  
16 and they won't need to --

17 SECRETARY STACY: That's right.

18 MS. LAND: -- be screened unless they do --

19 CHAIRPERSON TIMMERMAN: Expand.

20 MS. LAND: -- something that expands or does  
21 their not -- nonconforming use expansion.

22 CHAIRPERSON TIMMERMAN: Right.

23 MS. LAND: You don't have any expansion in  
24 Nonconforming Uses, do you? We didn't put any

1 expansion on it?

2 CHAIRPERSON TIMMERMAN: I think we have to  
3 go back and find that. Where is that even called out  
4 anymore? Because you brought that up last time.

5 MS. LAND: Yeah.

6 CHAIRPERSON TIMMERMAN: What section would  
7 that be in? Any idea anyone?

8 MS. LAND: Let me look here.

9 CHAIRPERSON TIMMERMAN: Well, the  
10 nonconforming I think was like the start of --

11 MS. LAND: It's in General Provisions.  
12 It's --

13 CHAIRPERSON TIMMERMAN: Very start of it.

14 MS. LAND: -- 1502. I think we were kind of  
15 tired when we were zipping through that.

16 CHAIRPERSON TIMMERMAN: Yeah.

17 SECRETARY STACY: No.

18 MS. LAND: It would be in that stuff I gave  
19 you the last time. It's marked 1500 to 1502 on the  
20 top in the corner. At least they were all clipped  
21 together.

22 CHAIRPERSON TIMMERMAN: Are we looking at  
23 Section 15 --

24 MS. LAND: 02.



1 CHAIRPERSON TIMMERMAN: 1502. And, then, go  
2 down to Section 3-B, might be the section.

3 MS. LAND: Yeah. This is for a building,  
4 but it doesn't say anything about the use of the land.

5 CHAIRPERSON TIMMERMAN: A is the enlarging  
6 of the building thing.

7 SECRETARY STACY: No. 3 is Nonconforming  
8 Uses and Structural Land. Is that what we're talking  
9 about?

10 CHAIRPERSON TIMMERMAN: Yeah.

11 MS. LAND: Okay. I think --

12 CHAIRPERSON TIMMERMAN: 3-A and B.

13 MS. LAND: 3-A and B. Yeah.

14 CHAIRPERSON TIMMERMAN: That's the section  
15 we're in.

16 MS. LAND: I think when we talked about it  
17 we decided that a Nonconforming Use of a structure can  
18 increase as much as it wants, as long as it stays  
19 within the structure and doesn't increase the  
20 structure. So that's a question to consider.

21 And I think A, what we're saying is no  
22 existing structure devoted to a use not permitted by  
23 this Resolution in a district in which it is located  
24 shall be enlarged, extended, constructed,

1 reconstructed, moved, or structurally altered, except  
2 in changing the use of the structure to a use  
3 permitted in the district in which it is located.

4 So I think that's prohibiting any expansion  
5 on the property, any bigger structure, any additional  
6 structure of what's already there. So if you have a  
7 building or any kind of structure that is  
8 nonconforming, it's static; it can't grow.

9 Is that what you guys want? It's usually  
10 what I recommend because, otherwise, a Nonconforming  
11 Use and continue to grow and turn into something that  
12 is just still not permitted, but developing. You  
13 don't want development that's not controlled by  
14 zoning; that's the point of it.

15 So it's up to you guys. We are permitting  
16 increasing in the building, but not increasing the  
17 building or structure.

18 MR. EVANS: And there's no way they can  
19 increase?

20 MS. LAND: No.

21 CHAIRPERSON TIMMERMAN: Increase the  
22 building.

23 MS. LAND: Not increase the building. But  
24 if they can increase their use of the current

1 building, you don't care if they do that, is what  
2 you're saying. But they can't add on to the building,  
3 build more buildings, construct more structures for  
4 the same use on that -- those parcels.

5 MR. EVANS: I think the tough thing is, if  
6 there's a building that's in use right now, and it's  
7 not zoned the way we're going to zone it, and they  
8 want to add -- I mean, I'm thinking -- there's an  
9 example. I'm just thinking of a body shop down the  
10 road from me. If you wanted to add a bay, he can't  
11 because he's not going to be zoned --

12 MS. LAND: No.

13 MR. EVANS: -- Business, so he can't do  
14 anything. So he's done.

15 MS. LAND: If he can increase the -- if he  
16 has space in that building that he's not currently  
17 utilizing, he can -- you know, if he has room to have  
18 more than one bay, he's only using one, he can go up  
19 to all the additionals that he has, increase his use  
20 in that manner, but not add on to the building.

21 MR. EVANS: So if he wanted to increase the  
22 size of his business to get bigger, he needs to move?

23 MS. LAND: Yeah.

24 MR. EVANS: I mean, it almost seems like

1 that doesn't seem fair. If he's been there for  
2 30 years, it seems like there ought to be some way he  
3 can go before a board and say, I'd like to add  
4 400 square feet on to my existing 2,000-square-foot  
5 building.

6 MS. LAND: That would probably be a use  
7 variance; a variance of some sort to ask to continue  
8 using. Variances are kind of iffy. They are not a  
9 good practice because it's an exception from what is  
10 the written rule. And you want to only give variances  
11 when there are compelling reasons to because, you  
12 know, if he wanted to change it in some manner because  
13 of the shape of his lot, or, you know, the area where  
14 it is, then that's use for a variance. But just a use  
15 that's not otherwise permitted is a use variance, not  
16 an area variance.

17 MR. EVANS: If he's got more business, he  
18 wants to increase the size, you say no. Either go  
19 away --

20 MS. LAND: That's the way it's written down.  
21 He could ask for a use variance, but the questions  
22 that have to be asked are, Why don't you move to a  
23 different building?

24 MR. EVANS: Oh, yeah. Which, to me, that's

1 not fair. I mean, I'm just thinking there's a --

2 SECRETARY STACY: Yeah. You're talking out  
3 loud here.

4 MR. EVANS: I'm just thinking, you know, a  
5 guy down the road from me, if he wanted to increase,  
6 he can't. Sorry, you can't, even though you have the  
7 space to do it, none of your neighbors object to it;  
8 you just can't do it.

9 You want to add a paint booth or something  
10 like that, you're -- sorry. Shut down your place, go  
11 somewhere else. Go somewhere where it'd be something  
12 or -- I don't know. To me, that doesn't seem fair.

13 MS. LAND: It's an issue. It has -- you  
14 know, there are all these dominoes that you need to  
15 consider. And in that kind of situation, you may end  
16 up with a building that's abandoned that nobody is  
17 using, that isn't really -- unless somebody else wants  
18 to put a small body shop back in there, it's going to  
19 be hard for it -- it sits there for two years, it  
20 can't be used for anything anymore.

21 And, then, you could end up with, you know,  
22 derelict stuff or businesses moving away from the  
23 township where you don't want businesses moving away.  
24 You want them here for the tax base and the community

1 and, you know, the convenience of having them in your  
2 neighborhood.

3 CHAIRPERSON TIMMERMAN: I think there is --

4 MS. LAND: There's stuff on both sides you  
5 have to weigh.

6 CHAIRPERSON TIMMERMAN: I think that's a  
7 tough one. I think if it affects a small business,  
8 like you were saying, way different than a larger  
9 business. Like, I mean, it sounds like this is at his  
10 house almost.

11 MR. EVANS: It's nextdoor to it. And he  
12 hasn't said anything. I'm just trying to go through  
13 scenarios --

14 CHAIRPERSON TIMMERMAN: Right.

15 MR. EVANS: -- of different things I see out  
16 in the county that are there that have been there for  
17 a long time, and we're saying, Hey, sorry. You're --

18 CHAIRPERSON TIMMERMAN: Yeah. It's a --

19 MR. EVANS: You're done.

20 CHAIRPERSON TIMMERMAN: It's a tough one.  
21 I don't know. Like, I think -- I think some expansion  
22 could be an okay thing. Do you do up to so many  
23 square feet that they can add on?

24 MR. EVANS: Or a percentage.

1           CHAIRPERSON TIMMERMAN: Obviously or -- and  
2 I think we -- I think you would say it has to stay on  
3 the current parcel. You can't buy more land and keep  
4 expanding your business. But is there a certain  
5 amount of just square feet that --

6           MR. EVANS: It would -- let's say he  
7 expanded on the same parcel, he was still within all  
8 of the setbacks.

9           CHAIRPERSON TIMMERMAN: I think that would  
10 definitely have to be -- you couldn't become more  
11 nonconforming. You wouldn't be allowed to go into the  
12 setbacks.

13          MR. EVANS: Right. So, like let's say he's  
14 on a big lot. He's -- what he wants to add is  
15 20 percent and it's within the setback, seems like --  
16 I don't understand why that wouldn't be doable,  
17 especially something that's been there a while. Now,  
18 somebody wanting to --

19          SECRETARY STACY: Right.

20          MR. EVANS: It just seems like there's a lot  
21 of little businesses. I mean, I'm even thinking of  
22 little businesses on 99, a family-owned business  
23 that's a small place.

24          SECRETARY STACY: Yeah.

1 MR. EVANS: They can't -- seems like there  
2 should be an out.

3 MS. LAND: Well, one of the things you said  
4 about something --

5 FROM THE FLOOR: Sounds like you're creating  
6 a loophole.

7 MS. LAND: What?

8 FROM THE FLOOR: That's the only thing I'm  
9 thinking of is don't create a loophole for somebody  
10 bigger. I understand the small business thing.  
11 I don't want to hurt them either. But people with  
12 money will find it and they're going to use it.

13 CHAIRPERSON TIMMERMAN: If -- is there a way  
14 to make it a square footage you could expand by rather  
15 than a percentage? If you say 50 percent of Whirlpool  
16 versus 50 percent of the body shop, that's two totally  
17 different expansions.

18 But if you say 2,000 square feet,  
19 Whirlpool's like it's not even worth adding 2,000.  
20 I mean, they probably wouldn't. But it would help out  
21 a small business.

22 MS. LAND: One of the other things, you said  
23 something that's been here for a long time. One of  
24 the phenomenons that happens often when you're in the



1 process of zoning, which takes several months once you  
2 have your book ready, people are going to read it and  
3 they'll go and they'll get things started to have them  
4 already established. So, then, they may be a  
5 nonconforming use that hasn't been there for a long  
6 time that also maybe you have no control over. So  
7 it's not -- it can't only be applied to those for a  
8 long time. It's applied to any of them that exist at  
9 the snapshot --

10 CHAIRPERSON TIMMERMAN: Right.

11 SECRETARY STACY: Right.

12 MS. LAND: -- of the point in time when the  
13 Board of Elections certifies that it was a good  
14 election.

15 CHAIRPERSON TIMMERMAN: Right.

16 MS. LAND: So Thanksgiving, basically, of  
17 2024, which is about when they'll do their certifying.  
18 Right around that week.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MS. LAND: They're going to certify, yes,  
21 you got zoning. And, then, that's when it goes into  
22 effect.

23 SECRETARY STACY: Okay.

24 CHAIRPERSON TIMMERMAN: That's when it's

1 actually zoning? It's not the first of the year?  
2 Whenever it's verified or whatever?

3 MS. LAND: Right.

4 CHAIRPERSON TIMMERMAN: Okay.

5 MS. LAND: Unless somebody challenges the  
6 Board of Elections and the counting process, they have  
7 to go through.

8 CHAIRPERSON TIMMERMAN: So -- but it would  
9 still be the effective date if it was approved after  
10 all of the challenging, right? It would retrofit  
11 back?

12 MS. LAND: That gets a little --

13 CHAIRPERSON TIMMERMAN: Okay. Anyways,  
14 I think if you add a square footage that a business  
15 could grow by, or something like that, I think it adds  
16 a lot to a small business.

17 SECRETARY STACY: Well, and our approach  
18 from the beginning is --

19 CHAIRPERSON TIMMERMAN: Less restrictive.

20 SECRETARY STACY: -- let's be less  
21 restrictive because it's, you know -- yeah.

22 CHAIRPERSON TIMMERMAN: Kind of work with  
23 the residents.

24 SECRETARY STACY: Right. Right. So you

1 bring up some good points, and I'm on board with what  
2 you're saying. So maybe a square footage instead of a  
3 percentage makes more sense.

4 CHAIRPERSON TIMMERMAN: And that buys  
5 expansion for the future. Maybe not super long-term  
6 future, but it at least doesn't put them in a pinch in  
7 the next two years.

8 MR. EVANS: And still where they would have  
9 to go before a board and say, Hey, this is what I want  
10 to do. I want to add this here, and here's the  
11 setbacks. Here's the drawings.

12 SECRETARY STACY: Right.

13 CHAIRPERSON TIMMERMAN: Right.

14 SECRETARY STACY: I'm good with that. Now  
15 we have to come up with the wording.

16 MS. LAND: Do you want to do a percentage?  
17 Do you want to do a square footage?

18 SECRETARY STACY: I think we're more  
19 comfortable with doing a square footage, don't you  
20 think?

21 MR. EVANS: Yeah. I understand what you're  
22 saying. The Whirlpool -- I mean, you're kind of both  
23 ends of the spectrum; huge and little.

24 CHAIRPERSON TIMMERMAN: Right.

1           SECRETARY STACY: Right.

2           MR. EVANS: But, like, how -- what do you  
3 tell this guy he can increase 2,000? That's, like,  
4 Wow, that's cool because I was only 1,500 square feet  
5 to begin with.

6           CHAIRPERSON TIMMERMAN: Right. And I think  
7 I would choose a number.

8           MS. LAND: Then he's doubled.

9           MR. EVANS: Right. And to where it -- that  
10 seems like too much.

11          CHAIRPERSON TIMMERMAN: Well, we don't know.  
12 That's one particular instance. What if somebody  
13 already has 5,000 square feet, and you say 2,500.  
14 Well, that's only 50 percent expansion. So I think  
15 I would choose something --

16          MS. LAND: I think the percentage is  
17 probably better than the square footage because your  
18 two examples show that some people could get 100 or  
19 110 percent increase. Others can only get a  
20 50 percent increase, and others may only get a  
21 2 percent increase, then we aren't treating everybody  
22 the same in the amount that they can increase.

23          CHAIRPERSON TIMMERMAN: Does everybody get a  
24 participation award, too?

1 MS. LAND: Yes.

2 CHAIRPERSON TIMMERMAN: I don't know. I --  
3 but if you do 50 percent on Whirlpool, that's a big  
4 expansion. That's what I'm getting at.

5 FROM THE FLOOR: Just one question. Isn't  
6 Whirlpool already in an Industrial and they can expand  
7 anyway?

8 CHAIRPERSON TIMMERMAN: I get it.

9 FROM THE FLOOR: So they're not really  
10 the -- they're not really the --

11 CHAIRPERSON TIMMERMAN: This is -- but --

12 MR. EVANS: If you could pick something in  
13 between those.

14 CHAIRPERSON TIMMERMAN: Yeah. And they're  
15 conforming. But what if you had a Nonconforming Use  
16 in an Industrial? Then that's the expansion that --  
17 the wind turbines have been a big point of interest  
18 for all the residents. The wind turbines that are  
19 currently there in an I-1 District, and those are  
20 considered nonconforming of that use because they're  
21 in an I-1 District and not I-2 District. If you allow  
22 50 percent expansion, does that mean they can go  
23 50 percent taller? I don't know.

24 SECRETARY STACY: Or is it land use?

1 FROM THE FLOOR: Or 50 percent more  
2 quantity?

3 CHAIRPERSON TIMMERMAN: Exactly. Is that  
4 the --

5 FROM THE FLOOR: Cut it off at the knees,  
6 just like (unintelligible). Like I said, "Loophole."

7 CHAIRPERSON TIMMERMAN: I knew what you were  
8 hinting at.

9 FROM THE FLOOR: Yeah.

10 CHAIRPERSON TIMMERMAN: So that's -- as far  
11 as the residents go, that's going to be their problem  
12 with just doing a blanket 50 percent expansion is  
13 where I think they're -- the idea is to protect the  
14 residents, and I don't know if that is a loophole that  
15 could be exploited.

16 MS. LAND: Playing devil's advocate, though.  
17 Something that is -- because we're saying "structures"  
18 not "buildings," so the wind turbine is a structure.

19 CHAIRPERSON TIMMERMAN: Right.

20 MS. LAND: And you say it can be increased  
21 by 2,000 square feet. That can't apply to them so  
22 then how do they -- then we have that argument that  
23 they aren't covered. That's a problem.

24 CHAIRPERSON TIMMERMAN: Okay.

1 FROM THE FLOOR: Wouldn't that be a  
2 nonconforming based on the new regulations based on  
3 the height, that would increase their nonconformance  
4 into that district so that throws out all of that  
5 whole argument.

6 MS. LAND: Not if -- not with -- that's what  
7 they're trying to look at changing to say that they  
8 can increase their nonconformance by X amount and  
9 still be a not -- a legitimate Nonconforming Use.

10 FROM THE FLOOR: Okay. Well, I'm just  
11 speaking of mainly just -- we're talking I-1. It  
12 doesn't -- I don't know. I see a difference. But  
13 anyway.

14 MR. EVANS: But by limiting the height of  
15 things, that doesn't -- you note -- by saying you  
16 could add on a certain amount to your building, that  
17 doesn't change everything, does it? Like heights of  
18 everything over and above what we've stated for  
19 things?

20 MS. LAND: If it's a permitted Nonconforming  
21 Use, if we say it can increase by a percentage, as  
22 long as it stays on the same lot, then any part of it  
23 that's nonconforming can increase by the percentage or  
24 the amount that you're saying it can increase and

1 still be a legitimate nonconforming.

2 The only way to close any kind of, you know,  
3 loophole, if you want to call it that, would be to say  
4 no expansions of nonconforming uses. That's the only  
5 way to make sure.

6 And the Nonconforming Uses, they are,  
7 then -- it gets kind of circular. They are then  
8 permitted because they were already there. They are  
9 permitted under these conditions. And -- but, right  
10 now, your condition says they are permitted and they  
11 can stay there as long as they don't do anything to  
12 increase their nonconformance.

13 If you change it to say they can expand a  
14 percentage, then they can stay there and -- as long as  
15 they only increase their nonconformance by X amount.  
16 If you make that amount something that can't be met by  
17 everybody, then you have a constitutional issue.  
18 Like, if you say square footage or percentage of --  
19 yeah. Percentage is about the only way you can make  
20 sure it can be applied to everybody in a static  
21 manner.

22 FROM THE FLOOR: Wouldn't, on the wind  
23 turbines, though, they're based on setbacks, they're  
24 actually not -- they're more than just increasing



1 their nonconformance. They're creating a new one  
2 potentially because wherever they move them, unless  
3 they can shoehorn them in between the existing ones,  
4 but if they get any closer to a lot line, they're  
5 actually creating a new problem which would then --  
6 wouldn't that come back in under this zoning?

7 MS. LAND: Not if they give them the  
8 opportunity to create that problem with immunity based  
9 on a percentage they can increase. That's what this  
10 would do is give immunity to anybody who is  
11 nonconforming to become more nonconforming up to this  
12 amount and then stop.

13 CHAIRPERSON TIMMERMAN: But, elsewhere, we  
14 said if somebody was going to add on to their house,  
15 or business, or whatever, they were allowed to add on,  
16 but it would not be allowed to be in the setbacks. Is  
17 that --

18 MS. LAND: We have that in there that they  
19 can't do anything -- make any alterations that's going  
20 to increase the nonconformity. But if you have a  
21 house and you have a deck and, you know, all that kind  
22 of -- you know, everything, you can't alter your deck  
23 and have it stick out farther closer to the lot line.  
24 If you're going to change your deck, now you have to

1 move it over and make it fit. So...

2 CHAIRPERSON TIMMERMAN: If you could go  
3 50 percent bigger --

4 MS. LAND: They could go 50 percent bigger  
5 and still be closer to the lot line.

6 CHAIRPERSON TIMMERMAN: They can still be  
7 closer to the lot line.

8 MS. LAND: Right, because, as long as we --  
9 because we've given them immunity to do everything  
10 that they're still nonconforming, up to an extra  
11 percentage amount.

12 CHAIRPERSON TIMMERMAN: Is there a way to  
13 say growth of 50 percent, as long as you do not -- as  
14 long as you maintain the setbacks? You stay on your  
15 same parcel of land and you --

16 MR. EVANS: I thought that's what we always  
17 did it.

18 CHAIRPERSON TIMMERMAN: And you have to meet  
19 the setbacks set forth in this Resolution.

20 MS. LAND: It's not just setbacks that we're  
21 talking about, though. There could be all kinds of  
22 things that are increased with the nonconformity. It  
23 could be the lot coverage. It could be height of the  
24 building or the structure. It could be the use of the

1 structure. It could be the use of things in front and  
2 side yards that wouldn't normally be permitted in the  
3 front and side yards. There's all kinds of other than  
4 just setbacks.

5 CHAIRPERSON TIMMERMAN: Uh-huh.

6 MS. LAND: Setbacks is the easiest one to  
7 give the example on when we're saying you're going to  
8 increase or change your nonconformity. And I think  
9 that what we currently have in there is so that  
10 Nonconforming Uses can continue to be maintained and  
11 kept modern and upgraded. They just can't -- if  
12 they're going to make any upgrade or changes, they  
13 have to come into conformance. We haven't said they  
14 can currently -- now we're saying, if you're going to  
15 make any changes, your changes have to be in  
16 conformance.

17 So if your -- for example, you have a house,  
18 it's too close to the lot lines and it's a  
19 Nonconforming Use shouldn't be like. If you want to  
20 build an addition, you have to set it over and make  
21 sure it does have the right setbacks. If we're saying  
22 if we increase it by 50 percent, you can put an  
23 addition on that's a 50 percent addition to your house  
24 and still have it too close to the lot line.

1 MR. EVANS: You don't have to maintain the  
2 setbacks if you go bigger?

3 MS. LAND: Well, if we say they can increase  
4 their Nonconforming Use. Right now, we're saying no  
5 increase in the Nonconforming Use. So any increases  
6 or anything you do to your property has to be in  
7 conformance, which would be applying to the setbacks.

8 But if we say you can increase your  
9 Nonconforming Use, we're including -- it's just your  
10 nonconforming, you can be 50 percent bigger, even if  
11 it's too close to the lot lines.

12 MR. EVANS: I thought you'd be able to  
13 differentiate the two.

14 MS. LAND: No.

15 MR. EVANS: Setback -- because I thought  
16 setbacks are setbacks.

17 SECRETARY STACY: Uh-huh.

18 MS. LAND: But that's mostly often what the  
19 nonconforming -- what makes something nonconforming.  
20 They are in a place they shouldn't be.

21 Yeah. I think, at this point, you may want  
22 to leave it as is. Like I said, this is a living  
23 document. If you find that it is going to be a big  
24 problem with people, you know, you start to -- you may

1 never have anybody come in and ask about this at all.

2 If you -- then you can look at it,  
3 reevaluate, and see if it's something that needs to be  
4 changed to add some -- at this point we're speculating  
5 that this could happen, that could happen.

6 SECRETARY STACY: Right. Maybe just leave  
7 it closed this part tight. And, then, if somebody --  
8 if you start having people say, Man, I really wanted  
9 to expand but I guess I can't here, then, they can  
10 come in and they can request an amendment to the  
11 zoning to say that they can -- which would open the  
12 door. I mean, it opens it up anybody then can use  
13 that amendment, but then you'll know that somebody  
14 actually does need that.

15 CHAIRPERSON TIMMERMAN: Uh-huh. Is that  
16 something that they would have to ask for an  
17 amendment, or is there a variance?

18 MS. LAND: It would be an amendment. They  
19 could ask for a variance, but it would be a Use  
20 Variance, and it's usually -- unless it has some --  
21 there are times when Use Variances are, you know --  
22 say you've got a little clay knob that nothing will  
23 grow on and there's only trees, but it's not something  
24 that would be normally able to have a house on it;

1 somebody comes in and says, you know, I'd really like  
2 to just build a house here because it's worthless for  
3 anything else, that's a Use Variance that would make  
4 sense. There's no other really use for that property.

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. LAND: So, you know, maybe whoever wants  
7 to come in has a legitimate this falls into the  
8 category of a Use Variance, maybe they can ask for a  
9 variance, instead of a change in the zoning. If they  
10 wouldn't fit any category for a Use Variance to have  
11 that changed, then they can ask to have zoning change.

12 SECRETARY STACY: If there's an amendment  
13 made to the zoning, is that like a public hearing?

14 MS. LAND: Yeah. There are two public  
15 hearings.

16 SECRETARY STACY: Okay.

17 MS. LAND: Your board has a hearing and the  
18 trustees have a hearing.

19 SECRETARY STACY: Yeah. Okay.

20 MS. LAND: The trustees do the actual  
21 changing because they're the legislative body.

22 SECRETARY STACY: Right. But, then, you'd  
23 also have to be mindful. It really gets complicated,  
24 doesn't it?

1 MR. EVANS: Well, yeah. And I'm thinking  
2 I don't know if churches fall into the category. If a  
3 church wanted to expand and they are in Agricultural,  
4 then they're done?

5 MS. LAND: I think they're permitted, aren't  
6 they?

7 CHAIRPERSON TIMMERMAN: They're permitted  
8 almost everywhere, it seems like.

9 SECRETARY STACY: Yeah.

10 MR. EVANS: Or, I mean, I'm just trying to  
11 think of what businesses.

12 SECRETARY STACY: Right. I think we need to  
13 keep it closed for right now and address it later.

14 MR. EVANS: Yeah.

15 SECRETARY STACY: If the need arises.

16 MS. LAND: It may never come up.

17 CHAIRPERSON TIMMERMAN: Right.

18 MS. PARGEON: Can we continue on then?

19 SECRETARY STACY: Uh-huh.

20 CHAIRPERSON TIMMERMAN: I think we're  
21 finally to Fences, where we thought we were a little  
22 while ago.

23 MS. LAND: I made some changes on here but  
24 my notes were very vague. So in, like, paragraph 1,

1 see if it's what you wanted.

2 CHAIRPERSON TIMMERMAN: I'm sorry, Cindy.  
3 Could you say that again?

4 MS. LAND: I'm not sure. Read through this  
5 one because I made changes based on my notes, and I'm  
6 not sure that they were what you guys were looking  
7 for.

8 SECRETARY STACY: On No. 1, under Fences,  
9 I'm reading on here that it's, "...shall not exceed  
10 6 feet," and I think we had discussed that they could  
11 go up to 8 --

12 CHAIRPERSON TIMMERMAN: Yeah.

13 SECRETARY STACY: -- feet for the -- I have  
14 back and side.

15 CHAIRPERSON TIMMERMAN: That's the way I  
16 remember it as well.

17 MS. LAND: I did add in, "No chain-link."  
18 Is that okay? Is that something you guys decided or  
19 no? I had a question beside it on here.

20 MS. PARGEON: Depends on how big a dog  
21 they've got on the other side of it.

22 SECRETARY STACY: Would chain-link be  
23 appropriate in Residential?

24 MS. LAND: This is all Residential.



1 CHAIRPERSON TIMMERMAN: This is Residential.

2 SECRETARY STACY: Yeah.

3 CHAIRPERSON TIMMERMAN: I think, in general,  
4 people don't necessarily want chain-link, but it is  
5 more restrictive than taking it out; so I don't know  
6 the answer.

7 MS. PARGEON: Depends on what's going to be  
8 behind that chain-link fence.

9 SECRETARY STACY: Well, part of it, is it  
10 going to be an old reused chain-link that's all rusty,  
11 or is it going to be a new chain-link fence? Because  
12 I think that --

13 MS. PARGEON: It should be a new chain-link  
14 fence.

15 MS. LAND: Can't -- you can't regulate that.

16 MS. PARGEON: You can't tell it. Yeah.

17 MS. LAND: You can regulate that all fences  
18 must be maintained in a good manner, something like  
19 that.

20 SECRETARY STACY: Uh-huh. I'm inclined to  
21 think that they should be allowed.

22 MS. PARGEON: Yeah.

23 CHAIRPERSON TIMMERMAN: That's the direction  
24 I would go just to make it less restrictive, because,

1 currently, nothing's stopping them from chain-link.  
2 So...

3 MS. LAND: Okay. So how's about if I add  
4 6 on here that says, "All fences must be maintained in  
5 good repair," and take out the "no chain-link"?

6 SECRETARY STACY: Yeah.

7 MS. PARGEON: Uh-huh.

8 MS. LAND: Take it out of the next one, too?

9 SECRETARY STACY: Yeah.

10 CHAIRPERSON TIMMERMAN: Did you change No. 1  
11 to 8 feet?

12 MS. LAND: Yes.

13 CHAIRPERSON TIMMERMAN: Okay.

14 SECRETARY STACY: So No. 2 is talking about  
15 more --

16 CHAIRPERSON TIMMERMAN: Fences in the front  
17 yard.

18 SECRETARY STACY: In the front yard, which  
19 we did say 4 feet because then it becomes -- it could  
20 be a safety hazard for someone driving.

21 MS. LAND: We also indicated they had to  
22 have at least 50 percent open space.

23 MS. PARGEON: Open spaces. Yeah.

24 SECRETARY STACY: Okay. Yeah.

1 MS. LAND: Pickett would be okay, but not  
2 stockade, solid.

3 SECRETARY STACY: Right.

4 I had a note that we said that the posts  
5 would be on the interior of the fence. Anyone else?

6 MS. PARGEON: Yes. Definitely on the  
7 interior. Makes it easy for mowing, too.

8 MS. LAND: Did we have that on there  
9 somewhere? I thought it was in there.

10 SECRETARY STACY: I'm not seeing it.

11 MS. LAND: So what do we call that? The  
12 finished -- the finished face front. Finished fence  
13 face.

14 CHAIRPERSON TIMMERMAN: Tongue twister.

15 SECRETARY STACY: Is there a technical term,  
16 Dave?

17 MR. EVANS: Yeah. I don't know. I remember  
18 we talked about it, though, which side is the finished  
19 side.

20 SECRETARY STACY: I remember saying  
21 structural side.

22 MS. LAND: Oh, yeah.

23 FROM THE FLOOR: Structural side facing in.

24 SECRETARY STACY: There you go.

1 MS. LAND: Structural.

2 FROM THE FLOOR: I actually remembered from  
3 the meeting.

4 SECRETARY STACY: Yay. We knew there was a  
5 reason why we had you there.

6 FROM THE FLOOR: Name of the fences.

7 MS. PARGEON: Keep coming.

8 MS. LAND: Structural side of the fence  
9 shall face in.

10 SECRETARY STACY: Uh-huh.

11 MS. PARGEON: Yes.

12 MS. LAND: So the structural side of the  
13 fence shall face the interior of the yard.

14 CHAIRPERSON TIMMERMAN: Yes.

15 MS. PARGEON: Yes.

16 SECRETARY STACY: I also had a note, Fences  
17 shouldn't be on easement, which, obviously, is a  
18 given. But do we need to spell that out? I mean --  
19 or is that part where we talk about setbacks? Because  
20 obviously the fence should not be on the property  
21 line. It should not be on an easement.

22 CHAIRPERSON TIMMERMAN: We did have a  
23 setback somewhere, and I'm not seeing it.

24 SECRETARY STACY: And we -- I had the

1 setback was 2 feet or half the height of the fence,  
2 whichever is greater.

3 CHAIRPERSON TIMMERMAN: Yeah. That's how  
4 I remember it.

5 MS. LAND: Did we put that in the Fence  
6 section? That was in something else.

7 CHAIRPERSON TIMMERMAN: We had it for  
8 fences.

9 SECRETARY STACY: Because there was a  
10 discussion about --

11 CHAIRPERSON TIMMERMAN: Being able to mow  
12 between them.

13 SECRETARY STACY: To be able to paint and  
14 maintain.

15 MS. PARGEON: Yeah. Right.

16 MS. LAND: We weren't in that section when  
17 we had that conversation, though.

18 SECRETARY STACY: I thought we did.

19 MS. PARGEON: We had a whole thing of it.

20 MS. LAND: Okay. So what do we want to call  
21 it?

22 CHAIRPERSON TIMMERMAN: Setbacks.

23 SECRETARY STACY: Yeah. We're going to talk  
24 about setbacks. It would be 2 feet. The setback

1 would be 2 feet or one half the height of the fence.  
2 Because if you have an 8-foot fence, then that would  
3 mean a 4-foot setback. If I did my math correctly,  
4 whichever is greater.

5 And the point was made by someone in the  
6 audience at the time that you need to maintain that if  
7 you need to repair it, if you need to paint it, you  
8 need to have room to put a ladder. You need to do  
9 your thing --

10 MS. PARGEON: Correct.

11 SECRETARY STACY: -- to maintain it.

12 CHAIRPERSON TIMMERMAN: I don't think --  
13 I don't think that that -- that the setbacks should be  
14 restricted to Residential Districts. I think that  
15 should be any district.

16 SECRETARY STACY: For fencing?

17 CHAIRPERSON TIMMERMAN: For the setbacks.  
18 Yeah.

19 SECRETARY STACY: Yeah.

20 CHAIRPERSON TIMMERMAN: The idea is it can  
21 be on your own property when you're maintaining it.

22 SECRETARY STACY: And, again, I mean, any  
23 district. Obviously you don't want fences on the  
24 easements or directly on the property line. I mean,

1 that's just common sense, but I guess you'd have to  
2 state it.

3 MS. PARGEON: Unless you're maintaining an  
4 old fence that has already been there and you're  
5 repairing it and it is right on the property line.

6 SECRETARY STACY: That's how they used to do  
7 it probably.

8 MS. PARGEON: And they still do. They still  
9 grandfather it in.

10 SECRETARY STACY: Yeah.

11 CHAIRPERSON TIMMERMAN: Yeah. It would be  
12 nonconforming at that point.

13 FROM THE FLOOR: I was going to say, I have  
14 a fence that is on our property line.

15 (Unintelligible) a dual purpose.

16 MS. PARGEON: Uh-huh.

17 CHAIRPERSON TIMMERMAN: Yeah.

18 FROM THE FLOOR: So I don't know.

19 (Unintelligible) residence are butted up against gap  
20 want that gap.

21 SECRETARY STACY: Right. I --

22 MS. PARGEON: But years ago it was by -- it  
23 was an agreement between the property owners that,  
24 yeah, if you got cattle, you've got animals, you, you

1 know, will share the maintenance of the fence.

2 SECRETARY STACY: Right.

3 MS. LAND: People don't do that anymore.

4 MS. PARGEON: No, they don't. So you keep  
5 it 6 inches away from the property line.

6 SECRETARY STACY: But it is also -- if it is  
7 on --

8 CHAIRPERSON TIMMERMAN: But you maintain it  
9 if it's 6 inches, though.

10 MS. PARGEON: I do on mine. Mine is a metal  
11 one.

12 CHAIRPERSON TIMMERMAN: If it's 8 feet tall  
13 how do you get to the top?

14 MS. PARGEON: Well, mine's not 8 feet.

15 CHAIRPERSON TIMMERMAN: That's -- that's why  
16 the -- the -- you have the --

17 MS. PARGEON: Yeah.

18 MR. EVANS: 2 foot or 4 foot.

19 CHAIRPERSON TIMMERMAN: -- the room.

20 MS. LAND: Okay. So we'll add, Structural  
21 side of the fence shall face interior of the yard.

22 7. All fences must be maintained in good  
23 repair.

24 8. Fences shall be set back at least



1 2 feet, or one half the height of the fence from the  
2 property line, whichever is higher, whichever is  
3 greater.

4 SECRETARY STACY: Greater.

5 MS. LAND: And fences should not be placed  
6 in any easement. Anything else?

7 SECRETARY STACY: Do we have to say  
8 "property line," or is that understood? I mean, a new  
9 fence should not be placed on -- directly on the  
10 property line. Do we need to state that or not?

11 MS. LAND: Well, you have the setbacks from  
12 the property line.

13 SECRETARY STACY: Okay.

14 MS. LAND: I think.

15 SECRETARY STACY: All right. So that takes  
16 care of it. All right.

17 I think that squares the fence stuff away,  
18 doesn't it?

19 CHAIRPERSON TIMMERMAN: Uh-huh.

20 SECRETARY STACY: Okay. Then we have the  
21 Site Plan Review. I really didn't have any, unless  
22 you did.

23 CHAIRPERSON TIMMERMAN: I have one note that  
24 isn't much. Section 3-B should say, "Date,

1 Northpoint, and Scale." The single word, "and."

2 SECRETARY STACY: Okay. That's easy.

3 CHAIRPERSON TIMMERMAN: The other thing with  
4 the --

5 MS. LAND: Is "Northpoint" one word?

6 CHAIRPERSON TIMMERMAN: Well, on the  
7 original it is. And on yours, it is not.

8 MS. LAND: I think it's supposed to be one  
9 word. The Northpoint is part of the -- yeah. You  
10 know.

11 CHAIRPERSON TIMMERMAN: Yeah. I have no  
12 idea.

13 MS. LAND: When you look at the thing on the  
14 map, it's called the "Northpoint," and it's one word.

15 SECRETARY STACY: Oh, all right. I wasn't  
16 sure.

17 CHAIRPERSON TIMMERMAN: For Site Plan  
18 Review, last meeting we were discussing what's --  
19 what's require -- who's required to do a Site Plan  
20 Review, right?

21 MS. LAND: Uh-huh.

22 CHAIRPERSON TIMMERMAN: We decided on that  
23 pretty much everything? Every -- like, all districts.  
24 All -- I don't remember what we were necessarily

1 getting at.

2 MS. LAND: The first line in this cut says  
3 that, The site plan shall be submitted to the  
4 commission for approval of any development other than  
5 Agricultural, Single-Family Dwellings. And we don't  
6 need Two-Family Dwellings because we took out R-2.

7 So I think that covers every district will  
8 have to have a Site Plan Review.

9 CHAIRPERSON TIMMERMAN: Other than in  
10 Single-Family?

11 MS. LAND: Other than Agricultural and  
12 Single-Family Dwellings.

13 SECRETARY STACY: Right.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: Yeah. That's -- we're talking  
16 about developments, not districts.

17 CHAIRPERSON TIMMERMAN: So you're saying --

18 MS. LAND: I'm trying to see if it makes any  
19 difference. I'm thinking. I don't think it would  
20 make any different because you can't build a house in  
21 Industrial or in Business areas.

22 Agricultural uses, wherever they are, they  
23 are. They don't have to have -- doesn't matter the  
24 district. So you can't -- it's better to say the

1 development of the uses that are excluded as opposed  
2 to the areas where it's required.

3 CHAIRPERSON TIMMERMAN: Okay.

4 MS. LAND: Make sense? Because agriculture  
5 can trickle into anywhere, and single-family dwellings  
6 are excluded from the areas where we would need other  
7 kinds of developments to have a Site Plan Review.  
8 Yeah, that's fine that way.

9 SECRETARY STACY: Okay.

10 MS. LAND: You'll accomplish your goal.

11 SECRETARY STACY: Okay.

12 CHAIRPERSON TIMMERMAN: That was the only  
13 note I had, Site Plan Review.

14 MS. LAND: I didn't have any real changes  
15 other than that question about Northpoint.

16 SECRETARY STACY: On Section 1515, just --  
17 there's, what, one sentence. Frontage on a public  
18 street. Is that -- does that include flag lots?  
19 I mean, are you okay with a flag lot? I mean, you  
20 would have some frontage on street. It may not be  
21 very wide, but you would have frontage so that --  
22 would that mean it's okay?

23 MS. LAND: Yeah. These could actually even  
24 be landlocked. The way this is written, they don't

1 even need to have frontage on a public street if they  
2 have a recorded easement for access.

3 SECRETARY STACY: Okay.

4 MS. LAND: So if somebody has just a  
5 driveway easement back to a relatively landlocked lot,  
6 there shouldn't be many of those anymore. For the  
7 past 40 years, we have been eliminating them, not  
8 approving them. You know, if one gets landlocked, it  
9 has -- they won't transfer the property around it.

10 SECRETARY STACY: Okay.

11 MS. LAND: So --

12 CHAIRPERSON TIMMERMAN: Are flag lots even  
13 possible if -- for a residential use in Agricultural  
14 because you don't have the 200 feet of road frontage?

15 MS. LAND: Correct. They have to get an  
16 Area Variance to have a flag lot. I mean, Use  
17 Variance. No, Area. They don't have enough frontage.

18 CHAIRPERSON TIMMERMAN: So they could still  
19 apply for a variance to make that happen?

20 MS. LAND: Usually they only have 60. And  
21 I think, under Subdivision Regs, you have to have a  
22 60-foot pole -- flag pole and a 5-acre lot to be able  
23 to have one. So -- and that -- and I get people want  
24 to squeeze in as much as they can everywhere they can.

1 The problem is the house back there catches fire, the  
2 fire trucks can't get to it if they don't have these  
3 set up with at least 60-foot drive, you know. They  
4 don't have to pave 60 feet, but they have to have that  
5 space.

6 CHAIRPERSON TIMMERMAN: Okay.

7 SECRETARY STACY: Okay.

8 MS. LAND: Yeah. They get angry if you tell  
9 them they can't have it. They get angrier when the  
10 house burns down and nobody can get to it. So  
11 sometimes you have to play the adult.

12 SECRETARY STACY: Okay.

13 MS. LAND: Okay. Next section.

14 CHAIRPERSON TIMMERMAN: Ponds.

15 MS. LAND: Ponds. Yep.

16 CHAIRPERSON TIMMERMAN: This is all your new  
17 stuff on ponds and not what's in the old book,  
18 correct?

19 MS. LAND: I'm looking. Hold on.

20 SECRETARY STACY: It appears to be edited  
21 just because I'm looking at B, and I'm seeing two  
22 words that have the line through.

23 CHAIRPERSON TIMMERMAN: Does look like it's  
24 3 acres also.

1 MS. LAND: Yeah. I've tried to clean up  
2 that very confusing section that said "...road  
3 right-of-way or lot line to the road right-of-way or  
4 lot line."

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: To -- and I kept saying it to  
7 myself, trying to see if this made sense, and this  
8 sort of did.

9 So, "For in-ground ponds, or portions  
10 thereof, from the edge of the pond nearest the road  
11 right-of-way or lot line to that road right-of-way or  
12 lot line."

13 That's the closest I could get. The  
14 concept -- if you have your pond here, and you've got  
15 to figure out if it's close, you measure from this  
16 edge that's closest to the road to the road or the lot  
17 line.

18 CHAIRPERSON TIMMERMAN: And it's to the road  
19 right-of-way?

20 MS. LAND: Right-of-way. Not the road  
21 itself; the road right-of-way.

22 SECRETARY STACY: You've always got to keep  
23 in mind what the road right-of-way is, and it varies  
24 from road to road.

1 MS. LAND: Yeah. So some -- yeah. Which,  
2 in itself, has its own problems because if you have,  
3 you know, a 30-foot, 60-foot right-of-way, and you  
4 have the road in there and it's all along this edge,  
5 this guy over here, it's still from the edge of the  
6 right-of-way, his pond is going to look pretty close  
7 to the road, compared to over here where it looks like  
8 they have to set back super far.

9 So if we say -- if we don't do it that way,  
10 this guy over here with the road closer to him, and he  
11 has to measure from here, he has to go much farther  
12 back on his lot than what he would have to do and  
13 that's not fair either. So we have to find a standard  
14 and keep it, and the best one is the road right-of-way  
15 edges. Because in -- you know, I mean, it's always  
16 conceivable but the road can be widened or changed  
17 into any other part of that road right-of-way.

18 SECRETARY STACY: True.

19 MS. LAND: It happens.

20 FROM THE FLOOR: Quick question. How far  
21 away from the lot line does the pond edge have to be?  
22 Just so I can keep it in my mind. Is there a minimum?

23 CHAIRPERSON TIMMERMAN: You would think  
24 there is.



1 MS. LAND: You would think there would be.

2 FROM THE FLOOR: I just don't

3 (unintelligible), yeah, I'm going to get a foot away.

4 CHAIRPERSON TIMMERMAN: Would that just fall  
5 under the General Setbacks?

6 MS. LAND: I think so. It'd probably just  
7 fall to the setbacks for the district.

8 CHAIRPERSON TIMMERMAN: Does that make  
9 sense?

10 FROM THE FLOOR: So I'm just trying to look  
11 for a number I guess. That's what I'm -- more or less  
12 something asking for a number.

13 CHAIRPERSON TIMMERMAN: 20 feet, I think.

14 FROM THE FLOOR: Is it? How much?

15 CHAIRPERSON TIMMERMAN: I think it's 20  
16 feet.

17 MR. EVANS: 20 from the side.

18 MS. LAND: 20 feet. What about from to the  
19 road?

20 CHAIRPERSON TIMMERMAN: You know, this  
21 sheet?

22 FROM THE FLOOR: Okay.

23 CHAIRPERSON TIMMERMAN: It's right on there.

24 MS. LAND: What does it say for roads?

1 CHAIRPERSON TIMMERMAN: From the front, it's  
2 40 feet.

3 MS. LAND: 40 feet from the road.

4 FROM THE FLOOR: Okay. From lot lines.

5 CHAIRPERSON TIMMERMAN: From the side and  
6 rear, it's 20.

7 MS. LAND: Lot line in front is 20 and the  
8 back is 20.

9 FROM THE FLOOR: Perfect. Okay.

10 SECRETARY STACY: Should that -- do we need  
11 to address that here or not?

12 MS. LAND: No. I think because we address  
13 in that chart -- and everything else in all of the  
14 other sections, we talk about the setback, and, then,  
15 we refer to --

16 SECRETARY STACY: Okay.

17 MS. LAND: Maybe we should put that section  
18 in here where we refer to the chart.

19 CHAIRPERSON TIMMERMAN: Exactly.

20 SECRETARY STACY: Yeah. There you go.  
21 Yeah, I like that.

22 CHAIRPERSON TIMMERMAN: That same area  
23 involved section.

24 SECRETARY STACY: That would be a question

1 that comes up, I mean, from time to time.

2 CHAIRPERSON TIMMERMAN: Yeah. I think  
3 having the area involved.

4 SECRETARY STACY: Thank you for your  
5 question.

6 FROM THE FLOOR: Yeah. I just want to build  
7 a pond one day, so I'm, like (unintelligible).

8 SECRETARY STACY: I think that could be a  
9 fairly common question.

10 MS. LAND: It could be. It's better to know  
11 and fix it now than --

12 SECRETARY STACY: Yeah.

13 MS. LAND: -- sit there going (indicating).  
14 I tend to do that too often anyways.

15 I also changed the word, "All" artificial  
16 ponds may not exceed 3 acres, to "No" artificial ponds  
17 may exceed 3 acres.

18 SECRETARY STACY: Right. That makes --  
19 that's better.

20 MS. LAND: Weird double negative.

21 SECRETARY STACY: Yeah. I don't like double  
22 negatives.

23 FROM THE FLOOR: It's a positive, though.

24 MS. LAND: And, then, one pond per parcel.

1 SECRETARY STACY: Yeah.

2 MS. PARGEON: Uh-huh.

3 MS. LAND: The borrow pit stuff, I don't  
4 have in here yet. Sorry.

5 SECRETARY STACY: But we have that  
6 separately.

7 CHAIRPERSON TIMMERMAN: Yeah. It says at  
8 the top, Ponds and Borrow Pits.

9 SECRETARY STACY: Yeah.

10 MS. LAND: Yeah. I'll add in --

11 SECRETARY STACY: Oh, I see.

12 MS. LAND: -- there the stuff about the  
13 borrow pits where they can be and where they -- and  
14 the size. I just --

15 SECRETARY STACY: That's fine.

16 MS. LAND: I will put that in.

17 SECRETARY STACY: Okay.

18 MS. LAND: Frontage On Public Streets, we  
19 have that one.

20 CHAIRPERSON TIMMERMAN: Yeah. Paper-wise,  
21 we're going from 1516 to 1603.

22 SECRETARY STACY: Yeah.

23 MS. LAND: Yeah. There's a reason for that.  
24 I think we eliminated Essential Services, didn't we?

1           CHAIRPERSON TIMMERMAN: I have an X through  
2 Essential Services.

3           MS. LAND: And Height Limits.

4           CHAIRPERSON TIMMERMAN: I didn't have that  
5 eliminated.

6           MS. LAND: I want to see if I have it  
7 somewhere here.

8           SECRETARY STACY: See what I did. Made a  
9 copy of the old one and stapled it.

10          MS. PARGEON: Well, at least you've got it.

11          SECRETARY STACY: Well, I had a question  
12 because I'm, like wait, a minute.

13          MS. LAND: Height Limits I think I missed.

14          SECRETARY STACY: Yeah. Kind of what I  
15 wondered.

16          MS. LAND: Let's look at it on paper then  
17 and decide.

18          Essential Services you want to have gone?

19          SECRETARY STACY: I have it crossed out. Do  
20 you?

21          CHAIRPERSON TIMMERMAN: Yeah.

22          SECRETARY STACY: Okay.

23          CHAIRPERSON TIMMERMAN: The only thing I  
24 have corrected in Height Limits is it says that the

1 Board of Zoning Appeals, and we were going to go to  
2 the --

3 MS. LAND: Commission. Yeah, zoning  
4 commission.

5 SECRETARY STACY: Yeah. That's what I have,  
6 too, John. I like it when our notes agree.

7 CHAIRPERSON TIMMERMAN: Confirmation that  
8 I'm not crazy.

9 SECRETARY STACY: That's what I have.

10 MS. LAND: Don't ask us for that.

11 CHAIRPERSON TIMMERMAN: I've had plenty of  
12 notes where I say what it is and nobody confirms it,  
13 and I'm, like, I have no idea what that means.

14 MS. LAND: Okay. Anybody have any Post-Its?

15 SECRETARY STACY: I do.

16 MS. LAND: Can I have a Post-It?

17 CHAIRPERSON TIMMERMAN: Did anybody buy  
18 stock in Post-Its?

19 SECRETARY STACY: Help yourself. I do.  
20 Sticky notes are my friends.

21 MS. LAND: So then we're -- we're changing  
22 it from BZA to zoning commission.

23 SECRETARY STACY: Uh-huh.

24 MS. LAND: That's the only thing on that.

1 CHAIRPERSON TIMMERMAN: Oh, is it?

2 MS. LAND: Okay. Essential Services, we're  
3 sure about that going?

4 SECRETARY STACY: Do we cross out "the board  
5 of" and just -- oh, I guess we're technically the  
6 Board of Zoning --

7 MS. LAND: Well, you are the zoning  
8 commission.

9 SECRETARY STACY: Okay.

10 MS. LAND: So, then, there's the Board of  
11 Zoning Appeals.

12 SECRETARY STACY: So cross out "Board of"  
13 and just have "zoning commission"?

14 MS. LAND: Yeah. Now we're at 1603.

15 SECRETARY STACY: Only.

16 MS. LAND: I had no changes in any of those.

17 SECRETARY STACY: I didn't.

18 CHAIRPERSON TIMMERMAN: That's what I see.  
19 1603 and 1604, no changes.

20 SECRETARY STACY: Right.

21 MS. LAND: Okay.

22 SECRETARY STACY: So that takes us to 1700,  
23 the Administration and Enforcement, right?

24 CHAIRPERSON TIMMERMAN: Correct.

1 SECRETARY STACY: Okay.

2 MS. LAND: There's very little change in any  
3 of that either.

4 CHAIRPERSON TIMMERMAN: The only thing I  
5 had, and I think you ruled it out last time, it -- in  
6 here, it says "his department," and I'm, like, is  
7 there any sexist anything that needs to be factored  
8 in? Should be his/her? Should it be --

9 MS. PARGEON: Theirs.

10 CHAIRPERSON TIMMERMAN: Does it matter?

11 MS. LAND: I can fix it.

12 CHAIRPERSON TIMMERMAN: I have no idea if  
13 that shows up anywhere else in the whole book.

14 MS. LAND: What section is that?

15 MR. EVANS: 1700.

16 CHAIRPERSON TIMMERMAN: 1700. It's the end  
17 of the second line, I think.

18 SECRETARY STACY: "...or by such duties of  
19 his department."

20 CHAIRPERSON TIMMERMAN: I'm sorry.

21 MS. LAND: "...or deputies of the..." how  
22 about we say, "...zoning inspector department"?

23 SECRETARY STACY: There you go.

24 MS. LAND: Which I'm not -- I doubt you'll



1 have a department ever.

2 CHAIRPERSON TIMMERMAN: Right.

3 MS. LAND: But it's possible.

4 SECRETARY STACY: Do we want to remove  
5 "department" to make it simpler? "The zoning  
6 inspector may delegate..." I don't know. Can part of  
7 that be removed?

8 MS. LAND: You know, somebody put this in  
9 there at one point. But zoning inspector and taking  
10 out all of the stuff about delegating is really --  
11 it's not necessary.

12 CHAIRPERSON TIMMERMAN: Okay.

13 MS. LAND: Like, prosecutors, they don't say  
14 that everywhere where "the prosecutor shall" or "the  
15 assistant that has been delegated," they don't put  
16 that in there because it's just a given that, if  
17 you're appointed as the assistant prosecutor, you have  
18 all the powers of the prosecutor, so that's the same  
19 kind of thing here.

20 SECRETARY STACY: So we could say --

21 MS. LAND: We don't have to be this wordy.

22 SECRETARY STACY: Okay. Enforced by the  
23 zoning inspector to enforce.

24 MS. LAND: Right. Take that out.

1 SECRETARY STACY: Simplify.

2 MS. LAND: Certificates are permits,  
3 correct?

4 SECRETARY STACY: Yeah. We've been using --  
5 so you had "compliance" crossed out. So zoning  
6 permits, and, then, is it Occupancy Certificates?  
7 Does that stand?

8 MS. LAND: We do have to have them, I'm  
9 pretty sure.

10 CHAIRPERSON TIMMERMAN: Is it an occupancy  
11 certificate or is it permit?

12 MS. LAND: It's a certificate.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: And it's -- yeah. Occupancy  
15 permit gets too much into that category of, like, a  
16 building code. That's where it starts getting more  
17 confusing. The certificate is just having the proof  
18 that the use is still a Permitted Use in the area.

19 SECRETARY STACY: Okay.

20 MS. LAND: I have a note here under "Plot  
21 Plan"; it says, "Unless some -- unless more specific  
22 rules are required." I don't know what that means or  
23 why that's in there. I had it written in my notes and  
24 I don't remember what you guys were --

1           CHAIRPERSON TIMMERMAN: Is that kind of  
2 where the health department says things, has their  
3 rules?

4           MS. LAND: See --

5           CHAIRPERSON TIMMERMAN: I don't know where  
6 we were at in here where you --

7           MS. LAND: We probably reasoned wouldn't  
8 have put that in there if it had to do with any other  
9 agencies, bureaucratic needs because there are all  
10 level of bureaucracy that have to be met, and we  
11 don't -- I mean, I don't want to put something in the  
12 flies in the face of one of the others because that  
13 causes confusion, because we say yes, and then they go  
14 to the next one and they say no, that's not good. We  
15 want to try to comply, but I don't think that's where  
16 we were going on this.

17           CHAIRPERSON TIMMERMAN: I just know, in the  
18 subdividing of land in the Agricultural District, we  
19 made a note like that that said that you had to meet  
20 the criteria of other agencies.

21           MS. LAND: Just the heads up.

22           CHAIRPERSON TIMMERMAN: Right.

23           SECRETARY STACY: Yeah.

24           CHAIRPERSON TIMMERMAN: But I was pretty

1 sure that's what we were kind of hinting at here with  
2 your note.

3 MS. LAND: I don't know.

4 CHAIRPERSON TIMMERMAN: I honestly don't  
5 have that note in mine. I don't know. Did you look  
6 if you had any notes?

7 SECRETARY STACY: I don't think.

8 MS. LAND: I don't have any problem with it  
9 either way.

10 I have a note here in my notes about ponds,  
11 going back to that. Something about platted  
12 subdivisions up to 6 acres. Remember that  
13 conversation?

14 SECRETARY STACY: Oh, yeah.

15 CHAIRPERSON TIMMERMAN: Yes.

16 MS. LAND: Do you want to still leave that  
17 in there? Add it?

18 CHAIRPERSON TIMMERMAN: Sure.

19 SECRETARY STACY: Yeah.

20 CHAIRPERSON TIMMERMAN: Put it back in.

21 SECRETARY STACY: Yeah.

22 MS. LAND: Do you see the changes when I get  
23 down to Zoning Permits? I took out all of the  
24 "heretofores," "hereafters."

1 CHAIRPERSON TIMMERMAN: Thank you.

2 MS. LAND: Anyone have a problem with those  
3 going?

4 MS. PARGEON: No.

5 SECRETARY STACY: Bye-bye.

6 MS. LAND: So they had some very odd verb  
7 tenses here. "Shall have before been" whatever. I  
8 mean "has been." It seems grammatically clunky.

9 Under -- when you get down to No. 6, Farm  
10 Buildings Excepted.

11 CHAIRPERSON TIMMERMAN: You had added grain  
12 bins.

13 MS. LAND: I added grain bins and setbacks  
14 are two things I added in.

15 MS. PARGEON: Okay.

16 SECRETARY STACY: Yeah, I see that.

17 CHAIRPERSON TIMMERMAN: 1704. You have  
18 Compliance Certificate, and mine I have it crossed out  
19 and says Permits.

20 MS. LAND: Just Permits, instead of  
21 Compliance Certificate?

22 SECRETARY STACY: Yeah, that's what -- I do.  
23 I have that. Permit crossed out -- or I mean to use  
24 Permit.

1 Right here, under where we changed it to  
2 Permit, we have the word Compliance Certificate, which  
3 that probably should agree.

4 MS. LAND: Yeah. I'm going to go through  
5 and finding them all and changing them.

6 SECRETARY STACY: Okay.

7 MS. LAND: What's the --

8 SECRETARY STACY: Oh, I saw another  
9 Compliance Certificate up there under the Farm  
10 Buildings.

11 MS. LAND: Yeah. We have a problem changing  
12 all of that to Permits because we do need Compliance  
13 Certificates, not Permits there.

14 Hold on a second here. Because, under  
15 Agricultural, they don't have to have a permit, but  
16 they do have to show that they've complied with  
17 setbacks and you don't get charged for a Compliance  
18 Certificate. So I think we do need to keep Compliance  
19 Certificates.

20 CHAIRPERSON TIMMERMAN: Okay.

21 SECRETARY STACY: Okay.

22 MS. LAND: And Footers Location Inspection.

23 CHAIRPERSON TIMMERMAN: Saw that.

24 MS. LAND: That kind of --

1 SECRETARY STACY: Yeah. Yeah.

2 MS. LAND: -- clears up that problem.

3 I think everywhere we had Zoning Certificate  
4 we're changing it to Permit. And Certificates of  
5 Occupancy are changing to Change of Use Permits.

6 CHAIRPERSON TIMMERMAN: Okay.

7 MS. LAND: A Certificate of Occupancy we had  
8 somewhere else up here, didn't we? We talked about  
9 it.

10 MS. PARGEON: Uh-huh.

11 MS. LAND: Change of Use Permit.

12 MR. EVANS: You need to change the language  
13 under that Footer Location Inspection. It says you  
14 have to notify the inspector at least 24 hours prior.  
15 So if on Monday at 8:00 he's going to pour, that means  
16 Sunday, is that a big deal?

17 MS. LAND: At least 24.

18 MR. EVANS: Is that a business day?

19 MS. LAND: Call on Friday.

20 MR. EVANS: Right.

21 MS. LAND: Zoning inspectors work 24/7.

22 MR. EVANS: Oh, so that's not a big deal?

23 MS. LAND: They don't have offices; they  
24 have cell phones in their pockets. And if you want to

1 say at least one business day prior instead of  
2 24 hours, you can do that.

3 SECRETARY STACY: Okay.

4 CHAIRPERSON TIMMERMAN: I'm okay with  
5 changing to that.

6 SECRETARY STACY: Yeah.

7 MR. EVANS: I mean, maybe it's not a big  
8 deal. I just want to be fair to the inspector.

9 SECRETARY STACY: Right.

10 MR. EVANS: He's got to be there on Sunday.

11 SECRETARY STACY: Someone's doing it at  
12 8:00 on Monday morning, it's, like, Okay.

13 FROM THE FLOOR: Just because we use a lot  
14 of inspectors for plumbing and stuff, they do usually  
15 call the day before to schedule something. It's  
16 whenever they have time. Can't just say 24 hours, you  
17 know, a business day. They've got four different  
18 projects to go to.

19 MS. LAND: They just have to respond to you  
20 within a certain amount of time.

21 FROM THE FLOOR: Yeah. And they've got to  
22 tell you they can maybe do it a week from now because  
23 I'm booked, or whatever it is.

24 SECRETARY STACY: Right.



1 FROM THE FLOOR: I just want to give you at  
2 least that much.

3 SECRETARY STACY: Yeah.

4 MS. LAND: So if we change this to, The  
5 property owner -- it's the responsibility of the  
6 property owner to notice -- notify the zoning  
7 inspector at least one working day prior to pouring  
8 concrete and to provide appropriate evidence of the  
9 location of lot lines. If an inspection has not been  
10 made within 24 hours of the zoning inspector's notice  
11 to the property owner, the inspection shall be  
12 considered approved.

13 That's the part I think puts too much  
14 pressure on the zoning inspector.

15 CHAIRPERSON TIMMERMAN: Yeah.

16 MS. LAND: I would say within two business  
17 days. Two working days.

18 CHAIRPERSON TIMMERMAN: For -- instead of  
19 the second 24? Is that what you're looking at?

20 MS. LAND: Uh-huh. Yeah. Give the zoning  
21 inspector a couple days to get there.

22 SECRETARY STACY: Yeah.

23 CHAIRPERSON TIMMERMAN: I think the two  
24 numbers should match up.

1 MS. LAND: No. I don't think they really  
2 need to match up. I think we need to give your zoning  
3 inspector a little bit more --

4 MS. PARGEON: Give him a leeway to get  
5 there.

6 CHAIRPERSON TIMMERMAN: Well, but  
7 you're saying that--

8 MS. LAND: I see what you're saying. Yeah.

9 CHAIRPERSON TIMMERMAN: It shouldn't be more  
10 on the second number.

11 MS. LAND: Well --

12 CHAIRPERSON TIMMERMAN: It should be equal  
13 or less.

14 MS. LAND: -- the first one is their plan.  
15 When they plan to pour.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MS. LAND: They have to give you at least  
18 24 or a business day ahead. But like Zoie said,  
19 they're busy, and some of them may say I can't get  
20 there until Wednesday, you know. So they have to --  
21 How about we say, If the inspector has not scheduled  
22 an inspection within a particular -- within one  
23 working day?

24 MS. PARGEON: That makes sense.

1 MS. LAND: Then it can go on without  
2 approval. Because they may have to call and say, I  
3 can't get their until Friday, you know.

4 CHAIRPERSON TIMMERMAN: Right.

5 MS. LAND: Depends on what all's going on.

6 CHAIRPERSON TIMMERMAN: That's fine.

7 MS. LAND: But then -- so now -- then, we  
8 run into this problem, though, with if it's one  
9 working day ahead and they call them on Friday, and we  
10 say that they have to respond within 24 hours, if they  
11 didn't get back to him on Saturday, on Monday they can  
12 pour and say, We didn't -- You didn't get back to me.  
13 We don't want that.

14 Do we want to say one working day there,  
15 too?

16 What if they're pouring on Saturday? It's  
17 not a working day. That's why the 24.

18 FROM THE FLOOR: If you allow inspections  
19 with plumbing inspectors, it's literally up to them.  
20 It's up to their schedule. We have to figure  
21 something else out if we can't get inspection in a  
22 week. That's -- it is what it is.

23 MS. LAND: That's the way it is with all  
24 the -- we have this written that, if the zoning

1 inspector doesn't hop on it instantly, they don't need  
2 to have inspection and --

3 SECRETARY STACY: I don't like the  
4 pressure --

5 FROM THE FLOOR: It's a lot of pressure.

6 SECRETARY STACY: -- that much pressure put  
7 on the building -- or the zoning inspector. I mean, I  
8 think that the homeowner or property owner there  
9 should --

10 MS. LAND: The responsibility should lie  
11 with the property owner.

12 SECRETARY STACY: Yeah.

13 FROM THE FLOOR: Should call, schedule, and  
14 (unintelligible) not having plans made.

15 SECRETARY STACY: Yeah. Yeah.

16 MS. PARGEON: Right.

17 SECRETARY STACY: That's right. I agree.  
18 That should be in place before they call the concrete  
19 place.

20 FROM THE FLOOR: Absolutely. Because we  
21 can't get approval, let's just say, through our  
22 plumbing inspector to just bury it. We have to keep  
23 it unburied until they inspect it, and then we bury  
24 it. If we buried it, and they didn't approve it, we

1 have to dig it all back up.

2 MS. LAND: Same way with drywall.

3 FROM THE FLOOR: Right. So...

4 CHAIRPERSON TIMMERMAN: Here's my thing with  
5 this is that it's the -- you're inspecting the  
6 location of the footer, which is essentially where  
7 you're digging the hole. You could schedule this  
8 before you start excavating dirt.

9 FROM THE FLOOR: Yes.

10 MR. EVANS: Except that --

11 CHAIRPERSON TIMMERMAN: I mean, there's a --

12 MS. LAND: They don't always excavate where  
13 you told them to. You want to see once the hole is  
14 dug.

15 MR. EVANS: But the point is --

16 CHAIRPERSON TIMMERMAN: But you could  
17 schedule it when they start digging dirt.

18 MS. LAND: Okay.

19 CHAIRPERSON TIMMERMAN: By the time you get  
20 there a week later, the hole is dug; you know where  
21 it's going.

22 MS. LAND: True.

23 FROM THE FLOOR: It's up to them to schedule  
24 ahead.

1 FROM THE FLOOR: But usually they don't want  
2 the dirt to sit there for a long time so it doesn't  
3 cave in.

4 CHAIRPERSON TIMMERMAN: Sure.

5 FROM THE FLOOR: Rain and just the type of  
6 soil it is.

7 CHAIRPERSON TIMMERMAN: Scheduling earlier  
8 would help that and would give the inspector time.

9 FROM THE FLOOR: Right.

10 MR. EVANS: Depending on what's going on  
11 around the county, normally you're calling the  
12 concrete company at least 24 hours before you're  
13 pouring. It doesn't make sense to call the concrete  
14 company and the zoning inspector --

15 CHAIRPERSON TIMMERMAN: At the same time.

16 MR. EVANS: -- at the same time. It's,  
17 like, Okay. I should have called them at least a day  
18 before that.

19 SECRETARY STACY: Right. Right. Right.

20 CHAIRPERSON TIMMERMAN: That's kind of my  
21 point. Like, once you start digging, you have a  
22 pretty good idea of where it's going. So...

23 SECRETARY STACY: No one is going to want to  
24 be our zoning inspector.

1 MS. LAND: How about if we change it like  
2 this. It shall be the responsibility of the property  
3 owner to notify the zoning inspector to schedule an  
4 inspection before pouring concrete.

5 SECRETARY STACY: There you go.

6 CHAIRPERSON TIMMERMAN: Done.

7 MS. PARGEON: That's good.

8 MS. LAND: To provide appropriate evidence  
9 of location of lot lines.

10 I'm going to take out the whole part about  
11 if they don't get back to them fast enough they don't  
12 have to have an inspection.

13 SECRETARY STACY: Yeah.

14 FROM THE FLOOR: Bad juju right there.

15 SECRETARY STACY: It should be on the  
16 property owner. I mean, really. It's their  
17 responsibility.

18 MS. PARGEON: If they want to build it,  
19 they --

20 MS. LAND: So now it will read, So that  
21 property owners may be protected from potential errors  
22 in location of buildings, the zoning inspector, or his  
23 representative -- I'm going to take that out -- shall  
24 inspect the excavation for structural footers before

1 any concrete is installed. It shall be the  
2 responsibility of the property owner to notify the  
3 zoning inspector to schedule an inspection before  
4 pouring concrete and to provide appropriate evidence  
5 of the location of lot lines.

6 SECRETARY STACY: I like it.

7 MS. PARGEON: Yeah.

8 MS. LAND: I like that better, too.

9 I have a section marked out here that I  
10 don't know where you guys stand on that. It's  
11 Certificate for Dwelling Accessory Buildings.

12 CHAIRPERSON TIMMERMAN: I had marked out as  
13 well.

14 SECRETARY STACY: I have it marked out.

15 MS. PARGEON: Yeah. It's gone.

16 SECRETARY STACY: I also have marked out  
17 Application for Certificates, and, then, where it  
18 says, Record of Certificates, above that.

19 MS. LAND: I took out the part about them  
20 being available.

21 MR. EVANS: Yeah.

22 MS. LAND: That's just a public record  
23 issue.

24 SECRETARY STACY: Just on file with the



1 zoning inspector, period.

2 MS. LAND: Right. And if they're on file,  
3 they're public record and they are accessible.

4 CHAIRPERSON TIMMERMAN: What was your  
5 thought with the Dwelling Accessory Buildings?

6 MS. LAND: I don't remember.

7 MS. PARGEON: That's out of there.

8 CHAIRPERSON TIMMERMAN: Right. I understand  
9 it was out of there, but she had a question about it  
10 and whether it being out of there.

11 MS. LAND: I think we didn't want to have  
12 them be allowed without having to get a permit for  
13 somebody to live in them, so we took that out.

14 CHAIRPERSON TIMMERMAN: It's however you  
15 want to do that.

16 MS. LAND: And I think that's a good thing.

17 CHAIRPERSON TIMMERMAN: Yeah.

18 SECRETARY STACY: And for above that, where  
19 it says Certificates for Existing Buildings, I crossed  
20 out Certificates of Occupancy and put Change of Use  
21 Permits.

22 MS. LAND: Yeah.

23 CHAIRPERSON TIMMERMAN: Is that --

24 MS. LAND: I made that change.

1           SECRETARY STACY: You know, this whole  
2 section, it probably would be good just to go through  
3 and make sure we have the proper language as to  
4 certificate.

5           MS. LAND: Permits. Yeah.

6           SECRETARY STACY: All that. And you have a  
7 better understanding of what is where and --

8           MS. LAND: That's one of the things I'll --  
9 when I'm doing my numbering, I'll look at those kind  
10 of things.

11          SECRETARY STACY: Good.

12          MS. LAND: Yeah.

13          CHAIRPERSON TIMMERMAN: That was all of the  
14 changes I had up to through 1700.

15          MS. LAND: Me, too.

16          MS. PARGEON: Uh-huh.

17          SECRETARY STACY: Were you up to Fees? Is  
18 that where we --

19          MS. PARGEON: Yeah. 1708.

20          CHAIRPERSON TIMMERMAN: Even in Fees I don't  
21 have anything.

22          SECRETARY STACY: Well, and under Fees, I  
23 put the Issuance of Certificates was crossed out and I  
24 put Permits.

1           CHAIRPERSON TIMMERMAN: And that's what she  
2 has.

3           SECRETARY STACY: Oh, okay. I have -- I'm  
4 looking at the old one. Okay.

5           CHAIRPERSON TIMMERMAN: You've got to look  
6 at the old for the notes.

7           SECRETARY STACY: I know. I've got to jump  
8 over here. Yeah, you're right. Okay. Perfect.

9           MS. PARGEON: We're done with that.

10          SECRETARY STACY: I did have -- do we have  
11 on here about the trustees can set up the fee  
12 structure?

13          CHAIRPERSON TIMMERMAN: Township trustees.

14          SECRETARY STACY: There we go. We're good.  
15 All right. I think we are up to BZA, aren't we?

16          CHAIRPERSON TIMMERMAN: What is our -- we  
17 are at 11:30 right now time-wise.

18          MS. LAND: This is the last section to go  
19 through.

20          SECRETARY STACY: Yeah. We're going to  
21 finish it.

22          CHAIRPERSON TIMMERMAN: Okay. I just know  
23 that these two had --

24          MS. LAND: They finish it, then that

1 gives --

2 CHAIRPERSON TIMMERMAN: -- had something  
3 that they were -- like, noon was a --

4 MS. PARGEON: Birthday party.

5 CHAIRPERSON TIMMERMAN: Yeah. So let's  
6 work.

7 SECRETARY STACY: We need three people here.

8 CHAIRPERSON TIMMERMAN: Right. Let's get --  
9 get where we can go for now and we'll figure it out in  
10 a few.

11 MS. PARGEON: Okay. Which section are you  
12 going now?

13 CHAIRPERSON TIMMERMAN: 18.

14 SECRETARY STACY: Board of Zoning Appeals.  
15 Again, I don't think this --

16 MS. LAND: There aren't many changes because  
17 most of this is statutory. I went through and I  
18 changed Fiscal -- or Clerk to Fiscal Officer.

19 SECRETARY STACY: Yeah.

20 MS. LAND: The other things in here, like,  
21 everywhere it said Ordinance, I changed to Resolution.  
22 The Variance section is statutory.

23 There is an addition on paragraph 4 under  
24 Variances, so it's Section 2, and then down to

1 paragraph 4 in parens. It's about the expiration of  
2 the Variance being able to be allowed. I took out the  
3 word "the aforesaid for one year." And, then, I  
4 added, "However, at the end of one year from the date  
5 of issuance where construction is being diligently  
6 carried on, the zoning inspector may issue one  
7 12-month extension of the expiration date," which is a  
8 standard that you had developed for regular permits,  
9 too. Is that okay to have that there?

10 MS. PARGEON: Yeah.

11 SECRETARY STACY: Uh-huh.

12 MS. LAND: I changed Temporary Certificate  
13 to Temporary Permit. I took out the word "aforesaid"  
14 after "map." I changed Zoning Certificate everywhere  
15 to Zoning Permit.

16 SECRETARY STACY: Okay.

17 MS. LAND: Changes and Amendments is purely  
18 statutory.

19 Interpretation is boilerplate.

20 And, then, we'll also have the approval  
21 lines that will have -- it will have dates to be put  
22 into the original document as it goes along. One of  
23 them says when your hearing was held. The next line  
24 will say when the trustees' hearing was held.

1           There will be a line to say when it was  
2 certified by the Board of Elections and when it  
3 became -- or when it was voted on, when it was  
4 certified, and that's its effective date. You have to  
5 have an effective date in it for the whole snapshot  
6 issue. Then it will have signatures by the trustees.

7           SECRETARY STACY: Okay.

8           CHAIRPERSON TIMMERMAN: That's where?

9           MS. LAND: I don't have it printed out.  
10 That's just --

11          CHAIRPERSON TIMMERMAN: Is that this?

12          MS. LAND: Yeah.

13          CHAIRPERSON TIMMERMAN: Okay.

14          MS. LAND: Oh, you did -- I did print it.

15          CHAIRPERSON TIMMERMAN: Just the very last  
16 page.

17          MS. LAND: It's just boilerplate. Yeah.

18          Now, back at the very beginning, we talked  
19 about taking the construction language and putting it  
20 in the back instead of in the front. Do we still want  
21 to do that? In most statutes, we have the  
22 construction information in the front, sort of the --  
23 if, you know -- this is -- if it says "shall," it's  
24 something you must do. That language.

1 CHAIRPERSON TIMMERMAN: I'm okay with  
2 leaving it in the front. It's with Definitions. It  
3 kind of is an area that clarifies.

4 MS. LAND: It will get -- realistically, it  
5 gets skimmed over by everybody. Nobody reads it,  
6 unless attorneys because they want to challenge  
7 something because it's just boilerplate. Stuff that  
8 you have to have.

9 CHAIRPERSON TIMMERMAN: Yeah. I'm okay with  
10 leaving it. Unless somebody says the --

11 MS. LAND: Okay. All right. I think I can  
12 make all of these changes maybe today and, then, email  
13 them out to you each with the -- have you been getting  
14 things I email to you?

15 MS. PARGEON: No, I haven't.

16 MS. LAND: They're not coming to you?

17 MS. PARGEON: I haven't got them.

18 CHAIRPERSON TIMMERMAN: Is it easier for us  
19 to swing by and pick stuff up, or if you're going  
20 to -- you were going to email it maybe today.

21 MS. LAND: Maybe today so you have it to  
22 read by Tuesday. I'll try to email it. If it doesn't  
23 come, I'll bring a copy for you.

24 MS. PARGEON: Okay. Just go ahead and bring

1 a copy.

2 MS. LAND: And I'll bring copies for  
3 everybody of the entire final book put together.

4 MS. PARGEON: That will be great.

5 MS. LAND: Because what I'll be sending to  
6 you is what I consider is going to be your final to  
7 look at on Tuesday.

8 CHAIRPERSON TIMMERMAN: Okay.

9 MS. PARGEON: That's great.

10 CHAIRPERSON TIMMERMAN: What will Tuesday be  
11 at that point then? Are we going to --

12 MS. LAND: I think, on Tuesday --

13 CHAIRPERSON TIMMERMAN: -- handing out the  
14 books and that's it?

15 MS. LAND: One last look through to make  
16 sure you're all happy with it. We need to set the  
17 date for your hearing so that we can get the  
18 appropriate notice in at the right time.

19 SECRETARY STACY: So I'm guessing on Tuesday  
20 that we would want to make a motion to -- do we need  
21 to make motion to accept the final copy?

22 MS. LAND: I think --

23 SECRETARY STACY: Do we need to have a  
24 motion to do that, is my question?



1 MS. LAND: Probably.

2 SECRETARY STACY: To be on the safe side.

3 MS. LAND: Yeah.

4 SECRETARY STACY: And I've even thought,  
5 when we do that, I want to do a roll call vote so we  
6 have it recorded for each individual here.

7 MS. LAND: Once we talk through now about  
8 deciding when you want to have your hearing, you'll  
9 probably have somebody move that you have notice set  
10 for the hearing at this particular time.

11 You have a -- who -- where do you want to  
12 have your hearing?

13 SECRETARY STACY: I, personally, have had  
14 some discussion about possibly using the auditorium at  
15 the school simply because I'm concerned that this area  
16 is not going to be large enough. I think it makes  
17 sense that we have technology in order to do a  
18 PowerPoint so we can do some reviews to help address  
19 questions. I think we do that up front. That, you  
20 know, may answer a number of questions.

21 As far as dates, I need a little better idea  
22 as to where we're going to be at. As of right now,  
23 I think I have a fairly good idea if it's in agreement  
24 with you as to what we -- what that date needs to be.

1           CHAIRPERSON TIMMERMAN: How much time do you  
2 set aside for this?

3           SECRETARY STACY: The hearing?

4           CHAIRPERSON TIMMERMAN: Yeah.

5           SECRETARY STACY: Itself? I'm going to say  
6 maybe two hours to be on the safe side. I don't know.

7           MS. LAND: Depends on how many people want  
8 to speak.

9           CHAIRPERSON TIMMERMAN: Right.

10          MS. LAND: You can set standards that you  
11 want to have for speakers. You can have anybody who  
12 would like to speak sign in. Everybody signs in and  
13 if they want to speak they mark "Yes" beside their  
14 name. If they don't want to speak they mark "No."  
15 And you call on them instead of them volunteering, you  
16 know, for when they want to speak.

17          SECRETARY STACY: Sure. Gotcha.

18          MS. LAND: And set a time limit of, you  
19 know, the amount of time somebody can talk. They  
20 can -- you know, usually people can make their point  
21 in three minutes, you know, for what they want. And  
22 then, once it's all -- everybody has had a chance to  
23 speak, if somebody wants to say something else, you  
24 can offer, you know, Does anybody have -- would like

1 another three minutes?

2 And -- but if everybody keeps saying the  
3 same thing, they don't need to keep saying it again  
4 and again and again because that just takes a lot of  
5 time when you've heard them, you know.

6 CHAIRPERSON TIMMERMAN: Uh-huh.

7 MS. LAND: I don't know what kind of crowd  
8 you'll have. Is it something that you will need to  
9 have -- talk to the sheriff's office about having  
10 somebody --

11 SECRETARY STACY: I think we need --

12 MS. LAND: There are a few people who are  
13 very volatile, anti- --

14 SECRETARY STACY: We need to have someone  
15 there. I want -- you know, we need to keep focused on  
16 our purpose of what we're doing.

17 You know, it's a public meeting. There  
18 should be an expectation of a standard of respect that  
19 takes place in a public meeting, whether it's  
20 specifically ours or any other public meeting; so I  
21 definitely think we need to have the deputy there.

22 MS. LAND: Okay. I think that's a statement  
23 that you will probably want to make as the Chair at  
24 the beginning of the meeting, that it's a public

1 meeting. It's expected that everybody will respect  
2 the wishes and the statements of the others; that you  
3 don't speak over each other; you're limited to three  
4 minutes. You know, whatever the rules are that are  
5 all laid out, you'll have to explain them at the  
6 beginning of the hearing.

7 MR. EVANS: Seems like nobody should speak  
8 unless they're called on.

9 SECRETARY STACY: Correct.

10 MS. LAND: No shouting out.

11 SECRETARY STACY: And that's what you're  
12 saying. They sign in, and, then, we would call on  
13 them to speak.

14 MR. EVANS: But even if there's more people  
15 want to say after that, they -- I can see it getting  
16 out of hand, you know.

17 MS. LAND: Well, no. Then they have to be  
18 recognized to speak.

19 MR. EVANS: Right. That's what I'm saying.

20 MS. LAND: If it's a large area, you can --  
21 in order to make sure -- I think you should record  
22 this meeting.

23 SECRETARY STACY: Okay.

24 MS. LAND: That can usually be done on a

1 laptop, and then have the digital recording.

2 SECRETARY STACY: Uh-huh.

3 MS. LAND: In order to keep it orderly and  
4 be able to understand that record, and it's -- if it's  
5 a larger area, like an auditorium, that they have to  
6 come out and stand at a podium to speak.

7 And if somebody has to stand in front of  
8 everyone and speak, they have better decorum. If  
9 they're going to be nasty, I mean, chances are good  
10 there's nobody going to stand at the podium and accuse  
11 you guys of criminal crap, where they will if they're  
12 in the comfort of their own seat back there around all  
13 their friends.

14 That's still --

15 MS. PARGEON: What day will this be?

16 MS. LAND: Well, we're going to have to  
17 figure that out.

18 SECRETARY STACY: I'll tell you the date I  
19 figured out.

20 MS. LAND: Okay. What did you figure out?

21 MS. PARGEON: Yeah.

22 SECRETARY STACY: I'll qualify this by  
23 saying our timing is such that we're going to be  
24 hitting right close the 4th of July. And, you know,

1 it is what it is.

2 I'm personally seeing that our hearing would  
3 be July 5th and I'm also seeing that the trustees'  
4 hearing would be, then, August 5th.

5 Now, if someone wants to check my math on  
6 the calendars, and what have you, that's what I'm  
7 coming up with. Now, I'm sure someone's going to say,  
8 Well, July 4th is a holiday. The 5th is still kind of  
9 the holiday weekend. At this point, it is what it is.

10 Is July 5th a --

11 CHAIRPERSON TIMMERMAN: Friday.

12 SECRETARY STACY: -- Friday?

13 So yeah. Check -- I mean, check -- help.  
14 I was, like, counting days. That's what I came up  
15 with. But don't -- I need the assurance that I  
16 counted correctly. Don't put it on all me. That's  
17 what I came up with.

18 MR. EVANS: Deb said.

19 SECRETARY STACY: Don't you dare.

20 MS. PARGEON: Don't say that.

21 SECRETARY STACY: Don't put it all on you.

22 MS. PARGEON: This little birdie said, "Make  
23 it July 5th."

24 MR. EVANS: Don't want to do it sooner? I

1 mean if you --

2 SECRETARY STACY: I don't think -- well,  
3 because we're going to meet on Tuesday and, in my  
4 opinion, you know, we're going to look at the final  
5 thing, and we're going to make the motion on Tuesday  
6 to accept that. That's how I see it. If I'm flawed  
7 in my thinking, let me know.

8 CHAIRPERSON TIMMERMAN: So real quickly, if  
9 we go July 5th for our hearing, the trustees could be  
10 August 5th?

11 SECRETARY STACY: That's what I put down.

12 CHAIRPERSON TIMMERMAN: What day is their  
13 meeting? The first Tuesday?

14 MR. EVANS: Which would be the 6th.

15 CHAIRPERSON TIMMERMAN: The 6th.

16 MS. LAND: They really -- you really don't  
17 want to have a hearing during a meeting.

18 CHAIRPERSON TIMMERMAN: Right.

19 SECRETARY STACY: Correct.

20 CHAIRPERSON TIMMERMAN: I was just making  
21 sure it didn't line up.

22 SECRETARY STACY: Right. But their  
23 meeting --

24 CHAIRPERSON TIMMERMAN: On the 6th. They

1 meet on Tuesday?

2 SECRETARY STACY: Yeah. They're the first  
3 Tuesday of the month, typically, unless they  
4 reschedule.

5 Now, I need -- I heard a comment made that  
6 they might be doing some adjustment on one of the  
7 summer meetings because of who is available, so we  
8 would need to verify with them when they're going to  
9 actual -- if they're going to change their regular  
10 meeting date.

11 CHAIRPERSON TIMMERMAN: Are they required to  
12 have all three of their members at their hearing?

13 MS. LAND: No. Two will do.

14 CHAIRPERSON TIMMERMAN: Two will do. But if  
15 they were going to reschedule a meeting, is that  
16 because two couldn't make their meeting, is where my  
17 mind is going?

18 SECRETARY STACY: Right. I would have to  
19 verify which month they were thinking of, whether they  
20 were looking at July or August as possibly adjusting  
21 their --

22 MS. LAND: I think if they are -- if  
23 somebody's going to be gone, there's not enough of  
24 them to have a meeting. If we can't get that on the



1 day there's going to be a lot of people banging their  
2 heads against tables, so I can't imagine that that's  
3 going on. I sure hope that's not the month they mean.  
4 They don't have to be at your hearing.

5 CHAIRPERSON TIMMERMAN: They don't have to  
6 be at ours, but they have to be at theirs.

7 MS. LAND: They have to be at theirs.

8 CHAIRPERSON TIMMERMAN: Right. So if we set  
9 ours up on the 5th of July --

10 MS. LAND: That is not a national holiday.  
11 There's no reason you can't have it on that day.

12 CHAIRPERSON TIMMERMAN: Right.

13 SECRETARY STACY: Right.

14 CHAIRPERSON TIMMERMAN: Then they could have  
15 theirs on the 5th of August, which is the day before  
16 their meeting.

17 MS. LAND: Correct.

18 CHAIRPERSON TIMMERMAN: We have to be to the  
19 Board of Elections by the 7th.

20 MS. LAND: At 4:00 p.m.

21 SECRETARY STACY: Correct.

22 MS. LAND: And notices would have to go in  
23 30 days in advance. So for the July 5th, June 5th  
24 would be the date it has to appear. And the

1 August 5th, July 5th is the day it would have to  
2 appear. You have to have the book --

3 CHAIRPERSON TIMMERMAN: Is it or at least  
4 30 days?

5 MS. LAND: Uh-huh.

6 CHAIRPERSON TIMMERMAN: So -- okay.

7 SECRETARY STACY: Wait. So for the --

8 CHAIRPERSON TIMMERMAN: So they could put  
9 theirs in now, too, and be, like, 60 days?

10 MS. LAND: If it's too long, then you get a  
11 problem. So they probably need to --

12 CHAIRPERSON TIMMERMAN: But they can put it  
13 in at any point?

14 MS. LAND: They can set their hearing, put  
15 in their date, and it doesn't have to be after you  
16 have your hearing to do that. You overlap a bit.

17 SECRETARY STACY: So our notice would have  
18 to be June 5th?

19 MS. LAND: Yeah.

20 SECRETARY STACY: Which is -- our last  
21 scheduled meeting is the 4th.

22 CHAIRPERSON TIMMERMAN: Oh.

23 MS. LAND: That's fine.

24 CHAIRPERSON TIMMERMAN: Do we have a

1 meeting? I thought we had a meeting scheduled for the  
2 4th and 5th.

3 SECRETARY STACY: We do.

4 MS. LAND: And that's fine.

5 SECRETARY STACY: That's fine because we can  
6 -- we reserved the right to cancel.

7 CHAIRPERSON TIMMERMAN: Right.

8 MS. LAND: And even if you do have your  
9 meeting on the 5th, and you are giving it its blessing  
10 that it's available that day, you still are going to  
11 be okay. But let's give the blessing on the 4th and  
12 be good.

13 CHAIRPERSON TIMMERMAN: Are we allowed to  
14 meet after that in between?

15 MS. LAND: Yes.

16 CHAIRPERSON TIMMERMAN: In that 30 days,  
17 we're allowed to continue to meet?

18 MS. LAND: Yes. You can't make any changes  
19 on the book.

20 SECRETARY STACY: Right.

21 CHAIRPERSON TIMMERMAN: But we can discuss  
22 the book so we all have a better understanding?

23 MS. LAND: Yeah. I would suggest that you  
24 do meet a week or so before the hearing --

1 SECRETARY STACY: Yeah.

2 MS. LAND: -- to be able to go through just  
3 your procedure. And, you know, I will run through  
4 some of the agenda, we'll write an agenda for the --  
5 it's not so much an agenda as a script so you know all  
6 the things you have to say to make sure that they make  
7 the record kind of thing.

8 CHAIRPERSON TIMMERMAN: Yeah. Okay.

9 MS. LAND: I will write up the notices.

10 MR. EVANS: July 5th.

11 CHAIRPERSON TIMMERMAN: July 5th, what time?

12 MR. EVANS: You have to check with the  
13 school.

14 SECRETARY STACY: I do.

15 CHAIRPERSON TIMMERMAN: Do we have to all --  
16 for July 5th, for the notice, we have to say the  
17 location?

18 MS. LAND: Yes.

19 CHAIRPERSON TIMMERMAN: So we have --

20 MS. LAND: Location, date, and time.

21 SECRETARY STACY: Okay.

22 CHAIRPERSON TIMMERMAN: So we have to figure  
23 out that.

24 MS. LAND: I think the very latest it can go

1 into The Courier and appear on June 5th would be the  
2 1st. No, no, no. Monday. Monday. First day of the  
3 week. So -- because they take more days than they  
4 used to to be able to publish something.

5 CHAIRPERSON TIMMERMAN: So we've got to --  
6 we've got to submit it on Monday?

7 MS. LAND: Uh-huh.

8 SECRETARY STACY: This coming Monday?

9 MS. LAND: Yeah. Before 10:00 a.m.

10 CHAIRPERSON TIMMERMAN: So you're not going  
11 to talk to the school before then?

12 MS. LAND: Do you want to just go ahead and  
13 schedule it for in here?

14 CHAIRPERSON TIMMERMAN: Let's do it right  
15 here and be done.

16 MS. LAND: Then we know for sure you're  
17 solid.

18 CHAIRPERSON TIMMERMAN: We know we can get  
19 in here. I understand your concern, but --

20 MS. LAND: And I can get this printed up and  
21 send it to Mark, and he can get it to The Courier  
22 today or tomorrow. Then we definitely make it  
23 published on time.

24 SECRETARY STACY: I'm guessing we -- we --

1 once we say --

2 MS. LAND: Can't change.

3 SECRETARY STACY: We can't change the  
4 location?

5 MS. LAND: Huh-uh.

6 CHAIRPERSON TIMMERMAN: Is there any -- out  
7 of curiosity, any of the buildings right here that are  
8 bigger than this room?

9 MS. LAND: The bays with the trucks in them.

10 CHAIRPERSON TIMMERMAN: Could we clear those  
11 out of the --

12 MS. LAND: That's what Washington Township's  
13 been doing for that stuff for (unintelligible).

14 SECRETARY STACY: Would we have access to  
15 technology out there?

16 CHAIRPERSON TIMMERMAN: What --

17 MR. EVANS: The same internet in here.

18 SECRETARY STACY: Well, would we be able to  
19 do some kind of a PowerPoint or something?

20 MS. LAND: I don't know.

21 CHAIRPERSON TIMMERMAN: You'd have to get it  
22 set up.

23 SECRETARY STACY: And the other thing is --

24 CHAIRPERSON TIMMERMAN: I mean, as long as

1 you've got power.

2 SECRETARY STACY: -- it could be stinking  
3 hot out there, too.

4 MS. LAND: I think just set chairs up in  
5 here and make the room. I mean, that's --

6 CHAIRPERSON TIMMERMAN: We can -- we'll  
7 reposition this table --

8 MS. LAND: This table can get repositioned  
9 back into the corner --

10 CHAIRPERSON TIMMERMAN: -- into the corner  
11 and we'll angle everybody.

12 MS. LAND: -- then you'll have a lot more  
13 room. I think you can make it work and, then, we know  
14 for sure that we've got the place and the time set.

15 SECRETARY STACY: Okay.

16 MS. LAND: And there's no question that we  
17 held a hearing differently than where we're having all  
18 our meetings so nobody knows what we're doing. Same  
19 place. Same place. Same place.

20 SECRETARY STACY: Okay.

21 MS. LAND: What time?

22 CHAIRPERSON TIMMERMAN: 11:00 p.m.

23 SECRETARY STACY: What? What?

24 CHAIRPERSON TIMMERMAN: Maybe a bad idea.

1 MS. LAND: 6:30. It is a Friday.

2 SECRETARY STACY: Yeah.

3 CHAIRPERSON TIMMERMAN: I think 6:30 is  
4 okay.

5 MS. LAND: Anybody out there have any  
6 opinions on time for a Friday date? We want it before  
7 people are drunk.

8 FROM THE FLOOR: This is July 5th, right?

9 MS. LAND: July 5th.

10 FROM THE FLOOR: 6:30 is fine.

11 CHAIRPERSON TIMMERMAN: Yeah. I think  
12 6:30 is fine.

13 MS. LAND: And we'll let the trustees work  
14 out their time and place. And if it turns out that it  
15 was way too crowded in here on yours, the trustees can  
16 make some adjustment for where they go for a second  
17 hearing.

18 CHAIRPERSON TIMMERMAN: Okay.

19 MS. LAND: So I think you probably need a  
20 motion from somebody to have the notice -- have me  
21 prepare the notice and have it sent to Mark to publish  
22 the notice for July 5th meeting at the Allen Township  
23 House at 6:30 p.m.

24 CHAIRPERSON TIMMERMAN: I motion --



1           SECRETARY STACY: So we're typically make --  
2 we're making that motion here and now?

3           MS. LAND: Yeah. Uh-huh. That's your  
4 official action setting the date and time for your  
5 hearing.

6           CHAIRPERSON TIMMERMAN: Can we go? Are you  
7 ready?

8           SECRETARY STACY: Well, I want to write it  
9 down. You're making a motion to set July 5th at  
10 6:30 for here for our public hearing.

11          MS. LAND: The zoning commission public  
12 hearing. And directing Mark Schimmoeller, Fiscal  
13 Officer for the township, to have it published.

14          SECRETARY STACY: As a public notice.

15          MS. LAND: As a public notice. Yeah.

16          CHAIRPERSON TIMMERMAN: There's a lot  
17 pressure on this motion here. There's a lot of  
18 information to remember to say.

19          MS. LAND: Just say what she just wrote.

20          SECRETARY STACY: And I basically want to  
21 read it back before you actually make the motion.  
22 And, then, I also want to do a roll call vote so  
23 there's no question.

24          CHAIRPERSON TIMMERMAN: Sure.

1           SECRETARY STACY: Okay. So this is the  
2 motion that I propose for you to make. You're going  
3 to make a motion to set July 5th at 6:30 here at the  
4 Allen Township Center for the zoning commission public  
5 hearing. And we are also directing Mark Schimmoeller  
6 to publish this information as a public notice.

7           FROM THE FLOOR: Better put 6:30 p.m.

8           SECRETARY STACY: Yeah. I said 6:30 p.m.  
9 Yeah.

10          FROM THE FLOOR: Do we need to put an  
11 address here?

12          MS. LAND: I'll be able to write it up.  
13 I'll do the whole works.

14          SECRETARY STACY: Okay. You're going to be  
15 writing up public --

16          MS. LAND: Yeah.

17          CHAIRPERSON TIMMERMAN: I make a motion to  
18 set July 5th at 6:30 p.m. here at the Allen Township  
19 building for the zoning commission public hearing and  
20 directing Mark Schimmoeller to make the public notice  
21 in the newspaper.

22          MS. PARGEON: I, Clara Pargeon, second it.

23          SECRETARY STACY: Okay. We're going to do a  
24 roll call vote. So if you want to do roll call, I'll

1 make sure I have each name with a "Yes" or "No."

2 CHAIRPERSON TIMMERMAN: Okay. John  
3 Timmerman. Yes.

4 SECRETARY STACY: Okay.

5 CHAIRPERSON TIMMERMAN: Clara Pargeon.

6 MS. PARGEON: Yes.

7 CHAIRPERSON TIMMERMAN: Dave Evans.

8 MR. EVANS: Yes.

9 CHAIRPERSON TIMMERMAN: And Deb Stacy.

10 SECRETARY STACY: Yes.

11 CHAIRPERSON TIMMERMAN: Do we call Darrin's  
12 name?

13 Darrin Rehus?

14 Absent.

15 SECRETARY STACY: Absent.

16 Okay. Motion passed.

17 CHAIRPERSON TIMMERMAN: Wonderful.

18 MS. LAND: Well, you guys got the light at  
19 the end of the tunnel now.

20 (Applause.)

21 CHAIRPERSON TIMMERMAN: Thank you guys for  
22 everybody that's been here. It's been a lot for  
23 everybody.

24 One more thing on the book. Violations.

1 I have the \$100 highlighted and you changed it to  
2 \$500.

3 MS. LAND: Because the statute changed.

4 CHAIRPERSON TIMMERMAN: That's fine. I just  
5 -- I saw the number different --

6 MS. LAND: You can still go with \$100 if you  
7 want, but...

8 CHAIRPERSON TIMMERMAN: No, I -- it is what  
9 it is.

10 MS. LAND: I just decided if you can get  
11 five, ask for five. More of a deterrent.

12 CHAIRPERSON TIMMERMAN: That's fine.  
13 There's a -- there's a reason behind it, is all  
14 I was -- it wasn't an error.

15 SECRETARY STACY: We're going to have to  
16 adjourn as well. So...

17 MS. PARGEON: I make a motion we adjourn.

18 CHAIRPERSON TIMMERMAN: Are we done?

19 SECRETARY STACY: Yeah. Let's make sure  
20 we're done.

21 CHAIRPERSON TIMMERMAN: Cindy, is there  
22 any --

23 SECRETARY STACY: The next meeting will be  
24 Tuesday at 6:15, correct?

1 MS. LAND: Correct.

2 CHAIRPERSON TIMMERMAN: You know we didn't  
3 open it up for any public questions.

4 SECRETARY STACY: Yeah. You need to do  
5 that.

6 CHAIRPERSON TIMMERMAN: Anybody have any  
7 questions? I know there was some stuff last time and  
8 there's been comments since.

9 The -- why everything was zoned the way it  
10 was, it's always been for public safety. There was an  
11 area in the top right corner of the map that was zoned  
12 Industrial and that was done because that's for future  
13 growth. It's not because there's any industrial  
14 there. There are currently only, like, two houses up  
15 there. It was done so that -- protecting the  
16 residents in the future.

17 They -- that area, if we don't zone it  
18 Industrial right now and we leave it Agricultural,  
19 that area could be split into more residence, at which  
20 point we don't have a safe place for Industrial for  
21 the residents, you know -- to keep the residents safe  
22 in the future. That is why that area was chosen.

23 There was also some questions as to rezoning  
24 specific properties. 20 years ago, those specific

1 properties were zoned Expressway Services just as we  
2 have done them this time. It was -- it's intentional.  
3 There's housing around there, keeping Industrial away.  
4 It's all for good reason.

5 There was allocations (sic) that we took  
6 money under the table.

7 SECRETARY STACY: Accusations.

8 CHAIRPERSON TIMMERMAN: Accusations of  
9 taking money under the table, trying to pad certain  
10 people's pockets.

11 The only other place in the township that  
12 really looks like there's not many residential  
13 places -- Residential Uses to put the Industrial.  
14 It's only, like, two families own that whole area.  
15 You know, they said we chose this area because it  
16 gives all the money to specific people. The area we  
17 chose would spread the money out amongst more people,  
18 if that's the case.

19 SECRETARY STACY: I think the more important  
20 thing is you have I-75. Now, obviously, Wood County  
21 comes into where County Road 18 is. So the northern  
22 part of Allen Township comes right up to Wood County.  
23 But we're still -- that Industrial area that you have  
24 designated, it is close to County Road 18. We're very

1 close to I-75. It makes sense from a transportation  
2 standpoint that that makes sense for Industrial. You  
3 have railroad track actually running north and south.  
4 And, then, just into Wood County, you have another  
5 rail system running east and west. So those -- all  
6 that infrastructure already in place in addition to  
7 what's currently there makes sense to put that I-1.

8 CHAIRPERSON TIMMERMAN: Yeah. There's been  
9 a lot of thought that went into all of these spots.  
10 It's very intentional. And it's for the -- it's for  
11 the good of the residents.

12 SECRETARY STACY: Whoever happens to own a  
13 parcel of property, wherever it may be in the  
14 township, did not come into play. We looked at the  
15 map and chose areas that made sense with what was  
16 already there and with, you know, the interstate, the  
17 rail system. Everything. Those private landowners,  
18 that was not a part of it. We looked to see what we  
19 had and where we had to go.

20 CHAIRPERSON TIMMERMAN: Is that enough for  
21 that?

22 MS. PARGEON: Very good.

23 CHAIRPERSON TIMMERMAN: Does anybody else  
24 have any questions?

1 (No response.)

2 CHAIRPERSON TIMMERMAN: Did we want to look  
3 at the map real quick?

4 MS. LAND: Why don't we do that on Tuesday.  
5 We'll finalize the map and then --

6 CHAIRPERSON TIMMERMAN: As long as we're  
7 good on time.

8 MS. LAND: Yeah. And you can get your  
9 Future Use Map sorted out. Maybe you can do that on  
10 the Wednesday night. Come in and do that the next  
11 meeting.

12 SECRETARY STACY: Yeah.

13 MS. LAND: Do that Future Use --

14 SECRETARY STACY: Because since we've  
15 already --

16 CHAIRPERSON TIMMERMAN: Because that's not  
17 part of --

18 SECRETARY STACY: -- since we've already  
19 made this motion and this was the time-sensitive  
20 thing. We've already squared that away.

21 MS. LAND: Right. And as long as the day  
22 that it is published, the book is available, you're  
23 good. So you can still work on it on Tuesday because  
24 it's going to be published on Wednesday. Then the



1 working on it, I hope, is just, Yep, it's good.

2 But -- and, then, the map itself also has to  
3 be squared away and available on Wednesday. That  
4 Future Use Map, though, just has to be available by  
5 the time you go to your hearing. Since you have a  
6 meeting already scheduled and on the books for  
7 Wednesday, why don't we do that Future Use Map that  
8 night.

9 CHAIRPERSON TIMMERMAN: I like that  
10 strategy.

11 MS. PARGEON: What time is the meeting on  
12 Tuesday?

13 MS. LAND: Tuesday is 6:15.

14 MS. PARGEON: 6:15. Okay.

15 SECRETARY STACY: And we may need to meet in  
16 the back portion because the township trustees meet  
17 Tuesday.

18 MS. LAND: At 7:00 --

19 SECRETARY STACY: At 7:00.

20 MS. LAND: -- or 7:30?

21 MS. PARGEON: That's why the difference in  
22 time. Okay.

23 SECRETARY STACY: 7:00. So if we're going  
24 to go more than 30 minutes --

1 MS. LAND: We'll just put a sign on that  
2 door that says "Zoning Commission Enter Here."

3 SECRETARY STACY: Okay.

4 MS. LAND: Got questions.

5 FROM THE FLOOR: The one question I had was  
6 the availability of the book. I know there's been a  
7 lot of murmurings as to where people are going to find  
8 these copies of this book and several requests to have  
9 it available online. Is that a thing, or --

10 MS. LAND: That's one of the things I want  
11 to talk to Mark about and see if they can have a link  
12 to it online. If not, it's going to have to be in  
13 hard copy somewhere where people can get to it. I  
14 don't know where that would be.

15 Would they let you leave it at the post  
16 office for people to go in and look?

17 CHAIRPERSON TIMMERMAN: Deb's asked at the  
18 post office.

19 SECRETARY STACY: I've already inquired, and  
20 what they have is a glassed-in area with a key and you  
21 can only see one page.

22 MS. LAND: Yeah, that won't work.

23 SECRETARY STACY: So that won't work. I  
24 already checked that out.

1 MS. LAND: A lot of times they'll let you  
2 leave it at the public library, but that's down in  
3 Findlay. So, I mean, you can still have it available  
4 there if somebody wants to go there to look at it.

5 The best way is to get a link to it online.  
6 But --

7 CHAIRPERSON TIMMERMAN: Yeah.

8 SECRETARY STACY: Could we -- would we want  
9 someone here, whether -- and I don't want to --

10 CHAIRPERSON TIMMERMAN: Just say it.

11 SECRETARY STACY: -- for Mark, I mean, or  
12 even one of us as the zoning commission to physically  
13 be here at the Township Center and -- and -- and let  
14 it be known dates and times that there are -- that  
15 that's available if people want to come here and  
16 physically pick up a hard copy?

17 MS. LAND: Yeah.

18 MS. PARGEON: I'd be willing to do it.

19 CHAIRPERSON TIMMERMAN: Yeah.

20 SECRETARY STACY: Thank you, Clara.

21 CHAIRPERSON TIMMERMAN: I'd take a turn as  
22 well, do multiple times.

23 MS. LAND: What time would you like those --  
24 I can put it in the notice that --

1           SECRETARY STACY: Sure. Let's -- let's  
2 figure it out now.

3           MS. LAND: How about weeknights between  
4 Monday through Friday? What time? Like, Monday  
5 through Thursday, 6:30 to 8:00.

6           MS. PARGEON: Yeah, that makes sense.

7           MS. LAND: Does that make sense? That's  
8 when people are, you know, able to be there. Or by  
9 appointment with the fiscal officer. That way they  
10 can call Mark and make a time to be able to come, if  
11 they can't come during that time, so nobody can say  
12 that they are not -- don't have access. They just  
13 have to make arrangements.

14          MS. PARGEON: Right. Okay. What day and  
15 what time?

16          MS. LAND: Then you guys can split up among  
17 yourselves which days you want to come.

18          MS. PARGEON: Okay.

19          SECRETARY STACY: Does that have to be -- do  
20 we need to pick that out right now?

21          MS. LAND: No, not who is going to,  
22 just that it's going to --

23          CHAIRPERSON TIMMERMAN: Are you going to be  
24 there -- which -- which days, though?

1 SECRETARY STACY: Yeah. Do we --

2 CHAIRPERSON TIMMERMAN: We need to pick a  
3 couple of days --

4 SECRETARY STACY: -- need to set the day and  
5 time?

6 CHAIRPERSON TIMMERMAN: -- because we're not  
7 going to be there for all 30 days.

8 SECRETARY STACY: You're not?

9 MS. LAND: How about just like two days a  
10 week? Like, Tuesdays and Thursdays for the next  
11 30 days, and then it's not every day of the week.

12 SECRETARY STACY: And we could rotate --

13 MS. PARGEON: Sure. Sure.

14 SECRETARY STACY: -- as to -- as long as it  
15 was a commission member or the fiscal officer that  
16 someone would be -- we could make a schedule. So you  
17 want to do Tuesdays and Thursdays from -- what makes  
18 sense?

19 MR. EVANS: So when does it start?

20 CHAIRPERSON TIMMERMAN: Do we need to be  
21 here hour and a half, if we're going to make -- I  
22 mean, in all seriousness, if you make it Tuesdays and  
23 Thursdays each week for 30 days, that's a lot of  
24 different times people can get here. Do you need to

1 be here for a full hour and a half?

2 MS. LAND: Well, people need to know how  
3 late they can come.

4 MS. PARGEON: Yeah, because it depends when  
5 they get off work, and...

6 CHAIRPERSON TIMMERMAN: Right.

7 MS. LAND: We have to -- you probably have  
8 to have somebody be here during the entire window so  
9 somebody can come.

10 CHAIRPERSON TIMMERMAN: I agree. But does  
11 it --

12 MS. LAND: You don't have to make it as  
13 long.

14 CHAIRPERSON TIMMERMAN: Exactly. If they  
15 have eight different days they can come, surely they  
16 can find a half hour --

17 SECRETARY STACY: How about if you make it  
18 6:00 to 7:00 in the evening? Does that make sense?

19 MS. PARGEON: That -- that makes sense.

20 CHAIRPERSON TIMMERMAN: Sure.

21 FROM THE FLOOR: Couldn't someone request,  
22 Hey, can you email -- can you email me a copy? Like,  
23 isn't there -- couldn't they email in and then  
24 somebody email them back, if it's not posted online?

1 MS. LAND: Probably. Yeah.

2 SECRETARY STACY: But I would think that  
3 they should be able -- the township --

4 CHAIRPERSON TIMMERMAN: Should be able to  
5 post this.

6 SECRETARY STACY: -- trustee website, that  
7 there should be a link to go to that. And, again, we  
8 would have to somehow communicate that. I don't know.  
9 Does that all roll in the public notice or what?

10 MS. LAND: Uh-huh. Yeah.

11 FROM THE FLOOR: Can you put a copy, like  
12 you said, at the library or a library also?

13 SECRETARY STACY: I mean, we could. So if  
14 we're going to do Tuesdays and Thursdays here from  
15 6:00 to 7:00, when does that need to start?

16 CHAIRPERSON TIMMERMAN: Probably right  
17 whenever --

18 MS. PARGEON: We get the books.

19 CHAIRPERSON TIMMERMAN: -- the -- we're  
20 going to make our --

21 SECRETARY STACY: We're going to meet -- so  
22 maybe Thursday of next week? Would that be the first  
23 day?

24 MS. LAND: Yeah.

1 CHAIRPERSON TIMMERMAN: Yeah.

2 MS. PARGEON: Uh-huh.

3 SECRETARY STACY: So that's --

4 CHAIRPERSON TIMMERMAN: Starting the 6th.

5 SECRETARY STACY: Where's your -- June 6th  
6 starting --

7 CHAIRPERSON TIMMERMAN: June 6th is 30.

8 SECRETARY STACY: Okay. So starting June  
9 6th --

10 CHAIRPERSON TIMMERMAN: Do you want all the  
11 days or is it just Tuesday and Thursday?

12 MS. LAND: Just Tuesday and Thursday.

13 SECRETARY STACY: I'll just put Tuesday and  
14 Thursday. Do you have everything you need that --  
15 that you need to have in the notice? So we're  
16 going --

17 MS. LAND: Yeah.

18 SECRETARY STACY: We're going to have  
19 July 5th and 6th.

20 MS. LAND: I think I'm just going to put in  
21 here in the notice that it's available for review by  
22 appointment with the fiscal officer, or on Tuesdays  
23 and Thursdays from 6:00 to 7:00 at the township house.  
24 I'm not going to put down that it's going to



1 be a link on the thing because what if he can't get  
2 that done in time? So we can always put that out on  
3 the website that it's available, and I'm sure somebody  
4 will put it on that neighbor thing that's available,  
5 if you want.

6 SECRETARY STACY: Yeah. I don't know how  
7 quickly --

8 MS. LAND: I don't know how quickly they get  
9 stuff.

10 SECRETARY STACY: Do they have an  
11 administrator who --

12 MS. LAND: It's not Mark that does it.

13 SECRETARY STACY: It's not Mark himself.  
14 They have an administrator that does things like that.  
15 So obviously I don't know what --

16 CHAIRPERSON TIMMERMAN: Is there a way that  
17 the Facebook group could post it there?

18 MS. LAND: Yeah, they can do that. I can  
19 give them a link.

20 FROM THE FLOOR: Whatever is public  
21 knowledge.

22 MS. LAND: It's public knowledge.

23 CHAIRPERSON TIMMERMAN: So if they can just  
24 attach that -- attach that, and, then, anybody can

1 access it through that, too.

2 MS. LAND: Yes. Uh-huh.

3 CHAIRPERSON TIMMERMAN: But we'll have an  
4 official something wrote up.

5 MS. LAND: Yeah.

6 CHAIRPERSON TIMMERMAN: And we'll --  
7 whatever happens after that is additional.

8 MS. LAND: Right.

9 SECRETARY STACY: But we can talk about this  
10 on Tuesday or Wednesday, but I also had someone  
11 recommend that they felt it would be very important if  
12 we did a mailing -- an actual snail mail mailing to  
13 everybody in the township that -- that would require,  
14 like, writing up --

15 MS. LAND: But what would be in it?

16 MR. EVANS: Yeah. That's what -- be  
17 careful.

18 SECRETARY STACY: It would basically be  
19 there is a public hearing on July 5th. Here's the  
20 location to discuss Zoning Resolution so that they are  
21 notified. I don't want anyone to have any grounds to  
22 say, "I didn't know anything about this." I want to  
23 hit every possible way for people to be informed.

24 MR. EVANS: Not as many people get The

1 Courier anymore.

2 SECRETARY STACY: They don't.

3 CHAIRPERSON TIMMERMAN: Is that something  
4 that the township is allowed to send out?

5 MS. LAND: If it's only notice of a hearing,  
6 yes. They can't send out any supporting or --

7 SECRETARY STACY: Right.

8 MS. LAND: -- you know, support zoning;  
9 don't support zoning. They can't use public money for  
10 something like that. They can send notice of a  
11 hearing.

12 SECRETARY STACY: It could even be a  
13 postcard maybe.

14 CHAIRPERSON TIMMERMAN: So...

15 MS. LAND: That's something that the  
16 trustees will have to decide if they want to do.

17 CHAIRPERSON TIMMERMAN: They'll have to take  
18 that up at their meeting.

19 MS. LAND: Oh, we might even be here.

20 SECRETARY STACY: You're right.

21 MS. LAND: It's this Tuesday. We're going  
22 to be here. Ask them then.

23 MR. EVANS: In that case, that makes sense  
24 if it was a postcard and it had all the information on

1 one side, stick it on the fridge.

2 MS. LAND: Yeah. The date and time.

3 MR. EVANS: As opposed to something you have  
4 to open. You think, oh, this is junk mail.

5 SECRETARY STACY: I think a postcard would  
6 be good.

7 MS. LAND: Okay. Have we addressed  
8 everything?

9 CHAIRPERSON TIMMERMAN: We have not gone  
10 through the Wind and Solar stuff yet the final time.  
11 We'll do that Tuesday?

12 MS. LAND: Read through them and see if  
13 there's anything that you have a headache about.

14 Can I see what you have for Wind and Solar?

15 SECRETARY STACY: Yeah.

16 CHAIRPERSON TIMMERMAN: Like that you  
17 printed out?

18 MS. LAND: The stuff I gave you. Yeah.  
19 Because I lost track of the ones that I sent you.

20 MR. EVANS: So it'll be Tuesdays and  
21 Thursdays basically the whole month of July, right?  
22 Or June?

23 SECRETARY STACY: June.

24 MR. EVANS: June. Gotcha.

1           SECRETARY STACY: I know you're going to not  
2 be available.

3           MR. EVANS: Just next week.

4           SECRETARY STACY: Just next week.

5           MS. PARGEON: I'll be here.

6           MR. EVANS: The memo will be in print -- it  
7 will be in print by Thursday of next week; is that  
8 right?

9           FROM THE FLOOR: Quick clarification.  
10 You're setting up Tuesdays and Thursdays between the  
11 date of the notice and the trustee meeting. Does that  
12 then have to be continued for until the trustees'  
13 hearing?

14          CHAIRPERSON TIMMERMAN: I don't think so at  
15 that point.

16          MS. LAND: Then the trustees will have to  
17 decide how they want people to be --

18          CHAIRPERSON TIMMERMAN: That's on them.

19          FROM THE FLOOR: That's their problem. All  
20 right. Fair enough.

21          CHAIRPERSON TIMMERMAN: Okay. So Tuesday we  
22 will go over this.

23          MS. LAND: Yeah. The thing is it's up to  
24 the trustees for how to have or -- and you guys for

1 how to man those Tuesday and Thursday hours. But if  
2 you have any volunteers, you know, people who want to  
3 be the person that's in here letting people see it.

4 SECRETARY STACY: Right. It wouldn't be a  
5 --

6 MS. LAND: It doesn't have to be one of you  
7 guys. It can be anybody who wants to do it.

8 MR. EVANS: Somebody probably just has to  
9 come unlock the door. That kind of thing.

10 SECRETARY STACY: Yeah.

11 CHAIRPERSON TIMMERMAN: Don't even have to  
12 unlock.

13 MS. PARGEON: You can just sit outside.

14 CHAIRPERSON TIMMERMAN: Any reason you can't  
15 sit outside in the lawn chair?

16 MR. EVANS: As long as it's not pouring down  
17 rain.

18 CHAIRPERSON TIMMERMAN: I'm just -- I'm just  
19 saying that you wouldn't have to be inside the  
20 building, I don't think. It might be nicer, but...

21 MS. LAND: In which case, you know, it's  
22 always -- you know, if it's somebody other than you  
23 guys, it's always a chance to chat about it, too. Or  
24 you guys have a little more issues with, you know,

1 chatting.

2 CHAIRPERSON TIMMERMAN: Okay.

3 SECRETARY STACY: Okay. So it sounds like  
4 we're going to address Wind and Solar on Tuesday.

5 MS. LAND: Yeah.

6 CHAIRPERSON TIMMERMAN: Along with the map.

7 SECRETARY STACY: And the map.

8 MS. LAND: And that should not take long,  
9 really, because I think the Wind and Solar is pretty  
10 solidly in place, the stuff.

11 I had -- when I went to print out the final  
12 copies of the Wind and Solar, you guys have four sets;  
13 I had nine. I couldn't remember which ones were the  
14 versions I sent, and now that I have them, I can go  
15 back and compare them and I can get those.

16 SECRETARY STACY: Okay. I just -- we are  
17 okay with the fact that we have set our time and date  
18 for our hearing, but we're going to finish up this  
19 section on Tuesday?

20 MS. LAND: Yes. Yes. That -- we can work  
21 on anything and make any changes up until the date it  
22 appears in the paper because that's when it is final.  
23 That's -- that's the date. That's the snapshot date  
24 for when you have it ready for review. So if we make

1 any changes up through Tuesday, as long as, by  
2 Wednesday morning, we have it in solid form with the  
3 final, we're good.

4 SECRETARY STACY: Okay. And if that's all  
5 we're doing, that should be --

6 MS. LAND: Yeah. I'm -- I'm just going to  
7 take what we currently have and slip it into the book.

8 SECRETARY STACY: Right.

9 CHAIRPERSON TIMMERMAN: And we've already  
10 been through it.

11 MS. LAND: Right. And if there are any  
12 changes -- they're minor changes --

13 SECRETARY STACY: Gotcha.

14 MS. LAND: -- I could change them by  
15 Wednesday morning for the final print up.

16 SECRETARY STACY: Okay. I just wanted to  
17 make sure. Okay.

18 CHAIRPERSON TIMMERMAN: Everybody good now?

19 MS. PARGEON: They can have a doughnut.

20 CHAIRPERSON TIMMERMAN: There's doughnuts up  
21 here and snacks back there. But that's -- we can  
22 discuss that afterwards.

23 SECRETARY STACY: Okay. So if there's no  
24 other business to take care of, I would entertain



1 someone to make a motion to adjourn.

2 MS. PARGEON: I make a motion for us to  
3 adjourn.

4 MR. EVANS: I'll second that.

5 SECRETARY STACY: Dave's going to second it.  
6 and everyone who agrees, say "Yes."

7 (Vote taken.)

8 SECRETARY STACY: Any opposing?

9 (No response.)

10 SECRETARY STACY: I don't hear anything.  
11 Motion passed.

12 CHAIRPERSON TIMMERMAN: Thank you, everyone.

13 - - -

14 And, thereupon, the proceedings were  
15 concluded at 12:11 p.m.

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