

1 THE ALLEN TOWNSHIP ZONING COMMISSION
2 VAN BUREN, OHIO

3 - - -

4 In Re: Allen Township Zoning Commission

5 - - -

6 TRANSCRIPT OF PROCEEDINGS

7 - - -

8 Wednesday, July 24, 2024
5:00 p.m.

9 Allen Township Center
10 12829 State Route 613
11 Van Buren, Ohio 45889

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13 SUSAN L. COOTS, RPR
14 REGISTERED PROFESSIONAL REPORTER

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23 VERITEXT LEGAL SOLUTIONS
24 41 South High Street, Suite 1670
Columbus, Ohio 43215
25 (614) 232-1313

1 APPEARANCES:

2 CINDY LAND, Attorney at Law
3 Hancock County Prosecuting Attorney's Office
4 514 South Main Street
5 Suite B
6 Findlay, Ohio 45840
7 (419) 424-7089
8 lmland@co.hancock.oh.us
9 On behalf of the Allen Township
10 Zoning Commission.

11 BOARD MEMBERS:

12 John Timmerman, Chairperson
13 Deb Stacy, Secretary
14 Dave Evans
15 Clara Pargeon

16

17 ALSO PRESENT:

18 Milford "Joe" Smith, Township Trustee
19 Kevin Flanagan, Township Trustee

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WEDNESDAY EVENING SESSION

July 24, 2024

5:00 p.m.

- - -

P R O C E E D I N G S

- - -

BE IT REMEMBERED THAT, on the 24th day of July, 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:

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CHAIRPERSON TIMMERMAN: It's 5:00. I'll call the meeting to order.

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, here.

SECRETARY STACY: Okay. I am going to read

1 the minutes from July 3rd.

2 Attendance: Dave Evans, Clara Pargeon,
3 Darrin Rehus, Deb Stacy, John Timmerman.

4 Deb Stacy, Allen Township Zoning Commission
5 Secretary, read the June 27th, 2024, minutes.

6 Motion 24-4-53M. John Timmerman moved to
7 approve Allen Township Zoning Commission minutes from
8 the June 27th, 2024, meeting. Dave Evans moved to
9 second the motion. Motion passed.

10 The zoning commission reviewed a few
11 modifications for the Resolution. Some discussion
12 took place regarding the organization of the public
13 hearing scheduled for July 5th. Commission members
14 and guests set up chairs, transported a podium to the
15 main room, and posted the zoning maps on the white
16 board.

17 Motion 24-4-54M. Clara Pargeon moved to
18 adjourn the meeting. Darrin Rehus seconded the
19 motion. Motion passed.

20 And if we want to make a motion.

21 CHAIRPERSON TIMMERMAN: Yep. I'll make a
22 motion to accept the meeting minutes as read.

23 SECRETARY STACY: Okay.

24 MR. EVANS: I'll second that.

25 SECRETARY STACY: David seconded it. Okay.

1 Everyone in agreement say "Yes."

2 (Vote taken.)

3 SECRETARY STACY: Motion passed.

4 Sign that. And, then, I have another set.

5 Allen Township Zoning Commission Emergency

6 Meeting, July 12th, 2024. Attendance: Dave Evans,

7 Deb Stacy, John Timmerman. Clara Pargeon arrived at

8 8:54 a.m. Darrin Rehus was absent.

9 Motion 24-4-55M. John Timmerman moved to
10 enter into Executive Session at 8:37 a.m. for the
11 purpose of discussing pending litigation from
12 One Energy.

13 Mark Schimmoeller, Allen Township Fiscal
14 Officer, and Kevin Flanagan, Allen Township Trustee,
15 were invited to be present during the Executive
16 Session.

17 Cindy Land, Assistant County Prosecutor, was
18 present as legal counsel.

19 Dave Evans moved to second the motion on
20 roll call vote to enter Executive Session to discuss
21 the pending litigation from One Energy.

22 The members voted as follows:

23 Dave Evans, yes.

24 Deb Stacy, yes.

25 John Timmerman, yes.

1 Motion passed.

2 Most 24-4-56M. John Timmerman moved to
3 leave Executive Session at 11:03 a.m. with no action
4 taken. Clara Pargeon seconded the motion. Motion
5 passed.

6 Motion 24-4-57M. John Timmerman moved to
7 adjourn the meeting. Clara Pargeon seconded the
8 motion. The motion passed.

9 CHAIRPERSON TIMMERMAN: I move to accept the
10 meeting minutes as read.

11 MR. EVANS: Go ahead.

12 MS. PARGEON: I'll second it.

13 SECRETARY STACY: I don't want you to fight.
14 And everyone in agreement say "Yes."

15 (Vote taken.)

16 SECRETARY STACY: Motion passed.

17 CHAIRPERSON TIMMERMAN: Well, seeing as how
18 we've had our public hearing, I don't have too much
19 for this meeting. But...

20 MS. LAND: I do have to -- I sent the --
21 after you had your public hearing and you adopted what
22 you were -- with the modifications, I sent that to
23 Regional Planning.

24 When I sent it over, they told me they
25 decided they weren't having a meeting in July because

1 they didn't have anything on their agenda. I asked
2 them how they didn't know there was something on their
3 agenda when Matt attended our meetings, but they
4 figured he must have forgotten.

5 CHAIRPERSON TIMMERMAN: Okay.

6 MS. LAND: And it doesn't matter to us. If
7 they don't have a meeting, that's their business. We
8 just have to give it to them; they have 20 days in
9 which to reply. If they don't reply, it's deemed they
10 have no objections.

11 He called me back a couple days later,
12 though, and said that they had been requested by a
13 resident of the township that they have a special
14 meeting to consider it.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MS. LAND: So it's July 31st, 7:00 p.m.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: And I'm going to attend. I've
19 requested that at least one of the township trustees
20 attend. And I would like at least a couple of you
21 guys there because if they have questions about
22 something, it's you guys who can answer it for them.

23 SECRETARY STACY: Do we need to be
24 concerned --

25 MS. LAND: It's not your meeting.

1 SECRETARY STACY: Okay. So even if all of
2 us were to be there, it would be okay?

3 MS. LAND: Yes.

4 SECRETARY STACY: Okay.

5 MS. LAND: Because you're not going to be
6 discussing your stuff.

7 SECRETARY STACY: Right.

8 MS. LAND: You're going to be answering the
9 questions --

10 SECRETARY STACY: Right.

11 MS. LAND: -- of Regional Planning.

12 SECRETARY STACY: Right. Okay.

13 CHAIRPERSON TIMMERMAN: Did you say 7:00?

14 MS. LAND: 7:00, yes. It's in the City
15 building. I believe it's on the third floor in the
16 Regional Planning Office. I don't know where else
17 they would have it, but it might be across the hall
18 from Regional Planning in the mayor's conference room.
19 I don't know where they have their meetings, but it's
20 all there on the third floor.

21 SECRETARY STACY: Okay.

22 CHAIRPERSON TIMMERMAN: What is considered
23 the City building?

24 MS. LAND: The municipal building on
25 Crawford Street. It has a -- it's got a big, bright

1 red and blue sign on it. That one. It's right behind
2 the big courthouse.

3 CHAIRPERSON TIMMERMAN: Okay. Anything
4 else?

5 MS. LAND: That's all I've had going on with
6 this.

7 CHAIRPERSON TIMMERMAN: Okay.

8 MS. LAND: We're still working on the
9 lawsuit, answering things that are coming in, you
10 know, the discovery things.

11 CHAIRPERSON TIMMERMAN: Any need for an
12 Executive Session?

13 MS. LAND: I don't think so.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: There's nothing of substance to
16 tell you, other than we're still working on taking
17 care of discovery.

18 CHAIRPERSON TIMMERMAN: Okay. I guess the
19 next thing is the trustees have their hearing on the
20 6th.

21 SECRETARY STACY: Yeah.

22 CHAIRPERSON TIMMERMAN: Is there anything
23 you guys need from us?

24 TRUSTEE FLANAGAN: I don't think so. You
25 gave me the timer. Somebody gave me the timer.

1 SECRETARY STACY: Is there -- I have not
2 been in the auditorium at the school for a very long
3 time, so do they have, like, a podium or --

4 TRUSTEE SMITH: I tried to get in touch with
5 somebody at the school today, Dan Hartsel, but he's
6 out of the country. He will be back Saturday, Sunday,
7 Monday.

8 SECRETARY STACY: Okay.

9 TRUSTEE SMITH: So I left him an email to
10 get in touch to -- so we can see how we want to set
11 that up. I asked him about that, until I hear back
12 from him.

13 TRUSTEE FLANAGAN: The same gentleman that
14 videoed and sat on this will be there. So...

15 SECRETARY STACY: Okay. That's good.

16 So I'm guessing maybe we will need two
17 separate tables: One for the trustees and one for the
18 zoning commission; is that correct?

19 TRUSTEE FLANAGAN: Well, you guys are
20 certainly welcome to be there, but it's not your
21 hearing; you don't have to be there.

22 MS. LAND: Why don't you just sit in the
23 audience to answer the questions.

24 SECRETARY STACY: Okay. I wasn't sure
25 about --

1 TRUSTEE FLANAGAN: Yeah. We'll probably
2 have some questions that we'll defer to you just
3 because you guys wrote it.

4 CHAIRPERSON TIMMERMAN: Uh-huh.

5 SECRETARY STACY: Okay. I didn't know --

6 TRUSTEE FLANAGAN: If you can be there,
7 that's great, but I don't think they need to be up
8 front.

9 MS. LAND: Yeah. And at this hearing,
10 I don't think you have to go as far into the
11 self-serving question. The one like, I have this and
12 I need to know if I can do this. Those -- that's not
13 appropriate for -- yeah, it's a little more so for you
14 guys because you were still explaining what these
15 separate things were. You know, how the code works.

16 But for these guys, it's more of the, Are
17 you interested in having zoning, or do you not want
18 zoning? That's where you guys are looking at.

19 TRUSTEE FLANAGAN: Okay.

20 MS. LAND: Because your job is to write the
21 book and explain the book, what's in it.

22 Your position is do we want to go forward
23 and have zoning, or don't we.

24 TRUSTEE FLANAGAN: Right.

25 MS. LAND: There's a little subtle

1 difference in what these hearings are for.

2 TRUSTEE SMITH: So we won't be subject to
3 questioning or answering how it is written, or --

4 MS. LAND: Yeah. I'm sure people will
5 still -- that's --

6 TRUSTEE SMITH: Okay.

7 TRUSTEE FLANAGAN: (Unintelligible).

8 CHAIRPERSON TIMMERMAN: They didn't write
9 the book, so they're not --

10 MS. LAND: Yeah. Some of the -- that --
11 that's -- you know, we talked about that at the first
12 hearing. That's always a good answer. Absolutely
13 everything was covered in the first hearing. I can't
14 think of anything somebody could ask that wasn't
15 addressed for how it works.

16 TRUSTEE FLANAGAN: Yeah. But I imagine some
17 of those same things are going to get brought up
18 again. It would not surprise me.

19 MS. LAND: I -- I think because -- I think
20 people are pushing for the, I want to have my
21 personal --

22 TRUSTEE FLANAGAN: Right.

23 MS. LAND: -- thing decided. And you
24 can't --

25 TRUSTEE FLANAGAN: Can't. Right.

1 MS. LAND: -- because you're deciding in a
2 vacuum. You know, it's, like, each person has to,
3 when their time -- if they want to have a permit for
4 something, they're going to have to go through the
5 whole process, answer questions. They have to answer
6 questions, not just us, because we can't figure out
7 what it is, if it fits or not until we got a lot more
8 questions. And I've learned over the years that,
9 generally, when people just want you to tell them, Can
10 I or Can't I, they only tell you the parts they think
11 are going to matter, instead of all of it.

12 TRUSTEE FLANAGAN: Sure.

13 MS. LAND: So you have to get more. Yeah.
14 So it's something you can always tell them, you know,
15 if you have a concern about that, refer them to
16 contact one of the zoning commission for them to talk
17 to them, and they don't have to do that and take the
18 time in a hearing to do it.

19 TRUSTEE FLANAGAN: Okay.

20 MS. LAND: Because I noticed at the last
21 hearing, people were asking, you know, somewhat
22 self-serving questions, and other people jumped on
23 them with other scenarios that are a little bit
24 different -- little bit. And that was just so
25 counterproductive that it got everybody very confused,

1 even the people who were asking the questions were
2 confused about what they were asking after a little
3 while. It was very circular. So that's just --

4 SECRETARY STACY: Do you think we will need
5 sign-in sheets?

6 TRUSTEE SMITH: That was going to be my next
7 question.

8 MS. LAND: I think you should.

9 TRUSTEE SMITH: Which I watched it on video
10 because I was out of town when you had that, and
11 anybody that signed that sheet --

12 SECRETARY STACY: Right.

13 TRUSTEE SMITH: -- you swore them in or --
14 as -- instead of doing that, and then I seen you had
15 to do that, like, three different times because other
16 people. Is it possible just to swear everybody in
17 and, then, you don't have to worry about it?

18 MS. LAND: Well, they did. They swore --

19 TRUSTEE SMITH: I mean all at one time.

20 TRUSTEE FLANAGAN: He means everybody that's
21 there.

22 MS. LAND: Oh. Some people don't want to be
23 sworn in if they don't plan to speak.

24 TRUSTEE SMITH: Okay. I seen he had to do
25 it, like, three times --

1 MS. LAND: Right. People who come in late
2 or --

3 TRUSTEE SMITH: -- because people weren't
4 signed up or whatever.

5 MS. LAND: -- changed their mind. Right.
6 Yeah.

7 TRUSTEE SMITH: I just thought that would
8 save time.

9 MS. LAND: Yeah. It -- it -- we really
10 can't do it like that. Yeah.

11 TRUSTEE SMITH: Okay.

12 TRUSTEE FLANAGAN: Will you have that
13 written out for us what we have to say?

14 MS. LAND: No, we're going to make you wing
15 it.

16 (Laughter.)

17 TRUSTEE FLANAGAN: Okay. That's fine.

18 MS. LAND: Done it before.

19 TRUSTEE FLANAGAN: He's the chairman. So...

20 TRUSTEE SMITH: Nice to see you tonight.
21 Meeting's over.

22 MS. LAND: We'll write it out for you.

23 I did a -- sort of a checklist of things
24 that they needed to follow for their hearing; I'll do
25 the same thing for you, just -- it's not really an

1 agenda because it's not an agenda. You don't need an
2 agenda for a hearing, but it is the list of things
3 that you need to make sure get mentioned and put on
4 the record.

5 TRUSTEE SMITH: Gotcha.

6 MS. LAND: I'll make sure you have that.

7 TRUSTEE FLANAGAN: Okay.

8 SECRETARY STACY: Do you think we need to
9 post the -- the map?

10 MS. LAND: The map will need to be posted.

11 SECRETARY STACY: Posted. Okay.

12 MS. LAND: I think there -- she said, what,
13 there are seven or eight books back there.

14 SECRETARY STACY: Yeah. Do you want more?

15 CHAIRPERSON TIMMERMAN: I don't know.

16 MS. LAND: Do you think you'll need more?

17 SECRETARY STACY: I would -- you know what?
18 I -- I think we should have maybe --

19 CHAIRPERSON TIMMERMAN: At the end of our
20 hearing a handful of people took what was there.

21 MS. LAND: Right.

22 CHAIRPERSON TIMMERMAN: So...

23 MS. LAND: And then I made 15 more and
24 brought them, too.

25 CHAIRPERSON TIMMERMAN: Right.

1 MS. LAND: Actually, I -- I never actually
2 brought them to Mark, he had to go get them
3 eventually. I came twice and forgot them. And she
4 said there are, like, seven left. So...

5 SECRETARY STACY: Do you think 10 or
6 15 would do it?

7 TRUSTEE FLANAGAN: I'd say --

8 TRUSTEE SMITH: I would. And if you run
9 out, take names --

10 SECRETARY STACY: Right.

11 TRUSTEE SMITH: -- and say, We'll get you
12 one.

13 SECRETARY STACY: Right.

14 CHAIRPERSON TIMMERMAN: Yeah.

15 SECRETARY STACY: So okay.

16 CHAIRPERSON TIMMERMAN: How many people do
17 you expect at a -- at the -- this hearing?

18 MS. LAND: I have no idea.

19 CHAIRPERSON TIMMERMAN: No idea. Is it
20 typically similar size to what shows up to the first
21 hearing or no way to really guess?

22 MS. LAND: There's no way to really tell.

23 CHAIRPERSON TIMMERMAN: What time is your
24 guys' hearing?

25 TRUSTEE FLANAGAN: 7:00.

1 SECRETARY STACY: 7:00.

2 CHAIRPERSON TIMMERMAN: Theirs is at 7:00.

3 Okay.

4 MS. PARGEON: That's p.m., right?

5 TRUSTEE FLANAGAN: 7:00 p.m. Yes.

6 SECRETARY STACY: Okay.

7 MS. LAND: Has anybody had any contact?

8 Anybody called them and asked questions after the
9 hearing or wanted any clarification?

10 CHAIRPERSON TIMMERMAN: No, I don't think
11 I've had anybody.

12 MS. PARGEON: No.

13 CHAIRPERSON TIMMERMAN: Okay. Does anybody
14 at the table have anything they want to discuss?

15 (No response.)

16 CHAIRPERSON TIMMERMAN: Okay. Does anybody
17 in the audience have anything they would like to
18 discuss?

19 TRUSTEE FLANAGAN: I don't.

20 TRUSTEE SMITH: I had my questions answered.

21 FROM THE FLOOR: Were you introduced in the
22 earlier minutes? Are you with the County?

23 MS. LAND: Yeah. I'm the assistant
24 prosecutor. I give them legal advice for the process.

25 FROM THE FLOOR: Gotcha. All right. Very

1 good.

2 TRUSTEE FLANAGAN: Cindy Land.

3 FROM THE FLOOR: Hi, Cindy. Mark Greer.

4 Is the video still available from those
5 first hearings?

6 MS. LAND: Yes. Yes.

7 FROM THE FLOOR: Just on the township
8 website?

9 MS. LAND: I don't know if it's on the
10 township website.

11 TRUSTEE SMITH: I went on The E Allen.

12 MS. LAND: Oh, The E Allen one?

13 TRUSTEE SMITH: And that's where I seen it.

14 TRUSTEE FLANAGAN: Jereme Kent's got it on
15 his website. We also had it recorded officially.

16 MS. LAND: Mark has that on a thumb drive.
17 I had it emailed to me so I would have it as well, but
18 I can't open it, so I think I don't have the platform
19 that --

20 TRUSTEE FLANAGAN: Give Mark Schimmoeller a
21 call. He can give you a copy of it.

22 MS. LAND: So when he comes on the 6th I'm
23 going to ask him what the platform is to make sure you
24 can play --

25 SECRETARY STACY: I would because it should

1 be posted on the township website.

2 CHAIRPERSON TIMMERMAN: It would be nice to
3 have it up on the township site.

4 TRUSTEE FLANAGAN: That's a good idea. It's
5 not currently, at least the last I was on.

6 SECRETARY STACY: Okay.

7 TRUSTEE FLANAGAN: I'll get ahold of them.

8 SECRETARY STACY: Someone who's more tech
9 savvy than me.

10 TRUSTEE FLANAGAN: Well, then we
11 (unintelligible).

12 SECRETARY STACY: Okay. All right.

13 CHAIRPERSON TIMMERMAN: Does anybody want to
14 take the lead on getting ahold of Mark to --

15 TRUSTEE FLANAGAN: I'll get ahold of him.

16 CHAIRPERSON TIMMERMAN: Okay. Thank you.

17 FROM THE FLOOR: On the -- the map itself,
18 everything that is colored, except the property lines,
19 City, Township, did you put that color in there
20 because we have no zoning currently?

21 MS. LAND: Yes.

22 CHAIRPERSON TIMMERMAN: Yeah.

23 FROM THE FLOOR: Okay. So everything that's
24 colored, ID'd is part of the proposal?

25 CHAIRPERSON TIMMERMAN: Yeah. And

1 everything that's white is Agricultural on there.

2 FROM THE FLOOR: Okay. What about existing
3 companies, businesses that aren't highlighted within
4 General Industry Sector 1 -- or what was it? 1-L,
5 2-L.

6 CHAIRPERSON TIMMERMAN: In the Industrial or
7 the Business?

8 FROM THE FLOOR: Business.

9 CHAIRPERSON TIMMERMAN: Business. Okay.
10 You're look -- a personal business? I'm not sure what
11 we're talking about.

12 FROM THE FLOOR: No, a company that is --

13 CHAIRPERSON TIMMERMAN: You're saying it's
14 already -- it's already there?

15 TRUSTEE FLANAGAN: Not in the color that was
16 corresponding.

17 FROM THE FLOOR: Right.

18 CHAIRPERSON TIMMERMAN: Yeah. It -- it
19 would be grandfathered in then. It would be allowed
20 to continue existing just as it is.

21 FROM THE FLOOR: Okay. And there's
22 provisions for if they sell that business and
23 something else wants to start processing something
24 else? And, again, I'm coming in a little bit late
25 here.

1 CHAIRPERSON TIMMERMAN: Yeah. You're right.

2 FROM THE FLOOR: Hypothetically, there's two
3 businesses right here.

4 CHAIRPERSON TIMMERMAN: Right.

5 FROM THE FLOOR: Okay. That's not a gray
6 area, light gray or dark gray.

7 CHAIRPERSON TIMMERMAN: Right.

8 FROM THE FLOOR: Okay. You know.

9 CHAIRPERSON TIMMERMAN: Yeah.

10 FROM THE FLOOR: That was the scenario
11 that's easiest to describe.

12 CHAIRPERSON TIMMERMAN: Right. There --
13 there is provisions for them. They're allowed to
14 change what they do. Correct. Yes.

15 MS. LAND: As long as it doesn't make it
16 more nonconforming.

17 CHAIRPERSON TIMMERMAN: Right.

18 MS. LAND: So if it's a -- like it's an auto
19 shop now --

20 FROM THE FLOOR: Yeah.

21 MS. LAND: -- and it just, you know, does
22 repairs, or whatever, they can't change it into
23 something that will be louder and noisier, bigger,
24 more outside.

25 It's not just always a business, it's just a

1 big business that is no more offensive -- "offensive,"
2 that's not my word; that's a statutory word -- than
3 the one that's currently there to the non-zoning -- or
4 the nonconforming use.

5 FROM THE FLOOR: Right. And as far as if
6 it's sold to another company --

7 CHAIRPERSON TIMMERMAN: Yeah.

8 FROM THE FLOOR: -- and they want to change
9 it completely, do they have to go to the zoning board,
10 or are they grandfathered in?

11 CHAIRPERSON TIMMERMAN: They're still
12 grand --

13 MS. LAND: They're only grandfathered if
14 it's a similar kind of business.

15 SECRETARY STACY: Right.

16 MS. LAND: Like, if it's a retail store --

17 CHAIRPERSON TIMMERMAN: Right.

18 MS. LAND: -- and, you know, you're selling
19 yarn, but you want to sell -- or somebody wants to
20 take it over and sell auto parts, it's still a retail
21 store, it's just selling stuff. But if they want to
22 take it over and turn it into an auto body shop, they
23 can't do that because that is more -- it's a more
24 intense use.

25 TRUSTEE FLANAGAN: They have to come and

1 talk to zoning.

2 FROM THE FLOOR: Right.

3 CHAIRPERSON TIMMERMAN: What is the --

4 FROM THE FLOOR: Right. At that point
5 they'd have to --

6 CHAIRPERSON TIMMERMAN: What's the --
7 there's a term. They have to file for a Change of Use
8 or --

9 MS. LAND: Yes.

10 CHAIRPERSON TIMMERMAN: So they do have to
11 -- they do have to submit for a Change of Use.

12 FROM THE FLOOR: Okay.

13 CHAIRPERSON TIMMERMAN: Anything else with
14 that?

15 FROM THE FLOOR: Well --

16 CHAIRPERSON TIMMERMAN: Or anything else?

17 FROM THE FLOOR: -- again, just diving into
18 this a little bit. I think it's page maybe 20 or 22
19 in your book, or 23, when it helps identify some of
20 the categories within the zoning. And it goes on, you
21 know, again, protecting the properties and everything
22 around it, line items, you know, not creating any
23 greater fire hazard and some other things.

24 And, then, when it defines what can be in
25 that area, it references petroleum, natural gas

1 facilities, some things like that. So, again, that's
2 kind of contradicting itself.

3 SECRETARY STACY: I think he's in the
4 Industrial.

5 MS. LAND: I think you're in the -- yeah,
6 the General Industrial District.

7 CHAIRPERSON TIMMERMAN: I-1.

8 MS. LAND: I-2.

9 FROM THE FLOOR: I-1, I-2, to be getting,
10 you know, if the I --

11 MS. LAND: I-2. You're talking about I-2.

12 FROM THE FLOOR: -- I-1, and it kind of
13 says, you know, what's happening, and that's where the
14 line item is as far as nothing has to do with natural
15 gas and so on. But, in turn, you can actually have
16 something like that.

17 MS. LAND: That's in General. That's in I-2
18 you can have those things.

19 CHAIRPERSON TIMMERMAN: In I-2.

20 MS. LAND: It's the next section which is
21 the more intense. That's where you can have the
22 most --

23 FROM THE FLOOR: All right. Maybe --

24 MS. LAND: Yeah. There's -- it's a section
25 between it.

1 FROM THE FLOOR: I don't know. I'll have to
2 double check what --

3 MS. LAND: Yeah.

4 FROM THE FLOOR: -- I'm referring to.

5 TRUSTEE FLANAGAN: We can grab you a book
6 right now if you want to look.

7 FROM THE FLOOR: If you have time, because,
8 like I say --

9 SECRETARY STACY: There's one on the window
10 ledge.

11 CHAIRPERSON TIMMERMAN: Is there one up
12 there?

13 SECRETARY STACY: No, not that one. The
14 window ledge to the office.

15 FROM THE FLOOR: Over here?

16 TRUSTEE FLANAGAN: Yeah.

17 SECRETARY STACY: Go through there.

18 TRUSTEE FLANAGAN: Straight across there's a
19 ledge.

20 FROM THE FLOOR: I got it.

21 CHAIRPERSON TIMMERMAN: I should have
22 grabbed one of those. I ran out of the house so
23 quick.

24 MS. PARGEON: You, too, huh?

25 CHAIRPERSON TIMMERMAN: I just grabbed the

1 notebook.

2 TRUSTEE FLANAGAN: It's easier to look while
3 you're here.

4 FROM THE FLOOR: Page count is a little
5 different when you're printing.

6 TRUSTEE FLANAGAN: Well, sure. Take your
7 time.

8 SECRETARY STACY: So this is where I was.
9 I'm not sure --

10 CHAIRPERSON TIMMERMAN: Right in that realm.
11 Yeah.

12 FROM THE FLOOR: Okay. Page 21.

13 CHAIRPERSON TIMMERMAN: I-1.

14 SECRETARY STACY: I-1.

15 FROM THE FLOOR: Item 3, under Article 11-1
16 or 11-L or 11-I-1, Item 3, Section 11.

17 To promote manufacturing which is free of
18 dangerous fire, explosions, toxics, and so on. All
19 right. Which is good. Everybody's interest. We like
20 that. Okay.

21 And, then, Section 1101, Permitted Uses,
22 line item 8. Retail store, storage of compressed gas,
23 natural gas, chemicals, and crude. What are you
24 saying? Gas station?

25 MR. EVANS: Gas station.

1 FROM THE FLOOR: Under retail sales is
2 different than having it in a process. Is that what
3 we're meaning?

4 CHAIRPERSON TIMMERMAN: So No. 3 is the
5 manufacturing development which is free of --

6 FROM THE FLOOR: No, I'm referring to line
7 item 8.

8 CHAIRPERSON TIMMERMAN: Right.

9 MS. LAND: That would be like -- like a
10 propane storage.

11 CHAIRPERSON TIMMERMAN: Propane, yeah. Like
12 Cherry's Gas.

13 MS. LAND: That kind of thing.

14 CHAIRPERSON TIMMERMAN: Or air gas
15 selling -- selling compressed gas is what 8 would be.

16 FROM THE FLOOR: And you don't think that's
17 a conflict from 1100 and 10 on 3, line item 3 to
18 promote manufacturing development which is free of
19 dangerous fire, explosion, toxics?

20 CHAIRPERSON TIMMERMAN: Right. That's what
21 I was getting at.

22 MS. LAND: This is not the manufacturing
23 that can be there, it's just the storage.

24 SECRETARY STACY: This is storage. They're
25 two different things; manufacturing versus storage.

1 MS. LAND: If you want to manufacture it,
2 you need to go into the I-2 General, Heavy Industry.
3 But what they're allowing in the Light Industry is not
4 to manufacture it, but to store it.

5 FROM THE FLOOR: Just strictly retail?

6 MS. LAND: Yes. Storage.

7 FROM THE FLOOR: Like gas -- like a gas
8 station would be permitted? That's retail.

9 MS. LAND: Gas stations are allowed in
10 Business Districts. But this is more like --

11 CHAIRPERSON TIMMERMAN: Air gas.

12 MS. LAND: -- air gas.

13 TRUSTEE SMITH: Sausser's Steel.

14 FROM THE FLOOR: Like Cherry's, that kind of
15 thing.

16 CHAIRPERSON TIMMERMAN: Right.

17 MS. LAND: Yeah.

18 SECRETARY STACY: Propane.

19 CHAIRPERSON TIMMERMAN: Yeah. I like that
20 you're actually reading it, though. A lot of people
21 just sit there, they have the book --

22 FROM THE FLOOR: Like I say, I was just
23 looking at those two sections initially here.

24 CHAIRPERSON TIMMERMAN: Sure.

25 FROM THE FLOOR: I'm sure you'll clarify

1 some things for me August 6th. So --

2 CHAIRPERSON TIMMERMAN: Okay.

3 FROM THE FLOOR: -- that'll be a good thing.
4 It will help me understand.

5 TRUSTEE FLANAGAN: It is us, the trustees,
6 August 6th. They're going to be there.

7 FROM THE FLOOR: Okay.

8 TRUSTEE FLANAGAN: They can answer some
9 questions, but it's -- it's us --

10 FROM THE FLOOR: Right.

11 TRUSTEE FLANAGAN: -- on the 6th because
12 they already had theirs. So...

13 FROM THE FLOOR: All right.

14 CHAIRPERSON TIMMERMAN: Anything else from
15 the audience?

16 TRUSTEE FLANAGAN: No.

17 FROM THE FLOOR: Are the executive
18 communications public -- public domain?

19 MS. LAND: The Executive Session?

20 FROM THE FLOOR: Yes.

21 MS. LAND: No, that's private.

22 FROM THE FLOOR: That isn't, is it?

23 MS. LAND: No.

24 SECRETARY STACY: No.

25 FROM THE FLOOR: Okay. Gotcha.

1 MS. LAND: There are only about six or seven
2 reasons they can go into Executive Session, and they
3 have to identify what the reason is, which they did,
4 which one of them is for pending litigation, but
5 anything in that then is a closed meeting.

6 FROM THE FLOOR: Gotcha.

7 CHAIRPERSON TIMMERMAN: Okay. Anything
8 else?

9 (No response.)

10 CHAIRPERSON TIMMERMAN: Deb, are you good?

11 SECRETARY STACY: I think.

12 CHAIRPERSON TIMMERMAN: Okay. Well, this
13 will be --

14 MS. LAND: The record short meeting.

15 CHAIRPERSON TIMMERMAN: The record shortest
16 meeting, at least for us.

17 FROM THE FLOOR: Well, we could add to it.

18 CHAIRPERSON TIMMERMAN: Stop it. Stop it.

19 (Laughter.)

20 FROM THE FLOOR: Since you're here. I'm
21 sure --

22 MS. PARGEON: It was nice of you to come.

23 SECRETARY STACY: We had a meeting more
24 than --

25 FROM THE FLOOR: Again, I don't want --

1 necessarily want a line item. I understand it, how
2 does that affect me. Okay. I got that point earlier.
3 All right. But when we're talking about an
4 industry -- industrial area on the north end of Allen
5 Township on one corner versus another, how was this
6 determined?

7 CHAIRPERSON TIMMERMAN: The -- the -- the
8 north over here on the --

9 FROM THE FLOOR: Northeast --

10 CHAIRPERSON TIMMERMAN: -- east side --

11 FROM THE FLOOR: -- that was shown on your
12 map.

13 CHAIRPERSON TIMMERMAN: We looked at --
14 basically our strategy with the book was to protect
15 the residents. You know, the safety of the residents
16 was pretty much the -- the leading decision for most
17 decisions.

18 There are very few houses in that area. If
19 you try to find an area where you could put industrial
20 to keep it away from residents, that is the largest
21 area with the smallest amount, the fewest number of
22 houses. That was really the -- the first thing.

23 With -- up there at 18, you have an access
24 to the Interstate so they're not that far from the
25 Interstate with that location.

1 SECRETARY STACY: You have a state route.
2 You have two rail systems very close. And you can --
3 the amount of development that is already currently
4 there -- right there, you know, McDonald's, and you've
5 got a couple Expressway Service facilities. And it's
6 actually -- even in the last six months, there's been
7 a lot of development right through there. And
8 I believe the water line goes right up to the railroad
9 track that runs north and south there by McDonald's.
10 I believe it goes up to the tracks, so there's water
11 available, too. So those things all claim to -- are
12 in place for infrastructure for future development.

13 TRUSTEE FLANAGAN: And just because they
14 paint something a certain color, if the people that
15 own it currently don't ever want to sell it, or don't
16 want it to be that, it doesn't have to ever become
17 that. They can say Industrial, Heavy Industrial, and
18 if the people that own it never sell the ground, well,
19 it's going to stay what it is or whatever they want it
20 to be.

21 FROM THE FLOOR: And, obviously, within
22 Wood County on State Route 18, the infrastructure is
23 there.

24 CHAIRPERSON TIMMERMAN: Uh-huh.

25 FROM THE FLOOR: But is it truly here in

1 Allen Township when we talk about accessing via 229,
2 232, which are much later or, you know, as far as road
3 width versus North Main Street out of Van Buren, 220.
4 That would -- that I feel should be part of the whole
5 package also.

6 CHAIRPERSON TIMMERMAN: I mean, Sheetz is
7 going in down near 99 there, and they are --

8 FROM THE FLOOR: I'm still referring to the
9 northeast.

10 CHAIRPERSON TIMMERMAN: I agree. I agree.
11 Let me make my point.

12 They're going in down there. They're
13 redoing all the roads because of that. If the
14 infrastructure --

15 TRUSTEE SMITH: And Sheetz is paying for
16 that, I believe.

17 CHAIRPERSON TIMMERMAN: Sure.

18 TRUSTEE FLANAGAN: The State's on the hook,
19 but...

20 CHAIRPERSON TIMMERMAN: But -- but my point
21 is if the industry wants to come in --

22 TRUSTEE SMITH: They will build the roads.

23 CHAIRPERSON TIMMERMAN: -- they're going to
24 find a way to make it happen. So if they need new
25 roads, the -- the roads will show up somehow.

1 FROM THE FLOOR: Right. Within the given
2 right-of-way that exists currently.

3 CHAIRPERSON TIMMERMAN: Sure.

4 FROM THE FLOOR: Okay. So just to clarify
5 and help me understand. That decision was based on
6 infrastructure from Wood County currently and the lack
7 of residential. That's more so than, say, if you put
8 it out on the northwest side.

9 CHAIRPERSON TIMMERMAN: There's a lot more
10 houses over there. Yeah.

11 SECRETARY STACY: I will also add, the City
12 of Findlay has been quite active in annexing property
13 away from Allen Township as we abut against the City
14 of Findlay. So I think we can expect more of that --
15 to see more of that from the City of Findlay. So the
16 thought was where can we put industry that is not as
17 likely to get annexed into the City of Findlay. So,
18 obviously, if you're right up against their
19 boundaries, that lends itself to that happening.

20 FROM THE FLOOR: Sure.

21 TRUSTEE FLANAGAN: One of the requirements
22 to be able to annex something, it's got to be
23 contiguous. So if they're jumping that far out, they
24 wouldn't be contiguous for quite a few years.

25 SECRETARY STACY: If they are, we will cease

1 to exist.

2 MS. PARGEON: Yeah. Yeah.

3 SECRETARY STACY: We will no longer be Allen
4 Township.

5 TRUSTEE FLANAGAN: Because, like, Sheetz is
6 a prime example that we just brought up, you know. As
7 soon as Sheetz wanted to come, guess what? They're
8 annexed into the City.

9 I mean, yes, they did it -- they did it
10 all -- everything that you can look up in public
11 record is the owner -- the one owner requested to be
12 annexed. Well, I'm sure there were behind-the-scene
13 things happening saying, You will get that property
14 annexed to the City of Findlay or we're not coming.

15 FROM THE FLOOR: That is --

16 TRUSTEE FLANAGAN: I can't prove that.

17 FROM THE FLOOR: That's their retail or
18 their warehousing?

19 TRUSTEE FLANAGAN: No, that's where they're
20 going to make all their food. Harry Walters' farm up
21 there, if you're familiar with it. Right east of
22 Lowe's Warehouse.

23 FROM THE FLOOR: Yeah.

24 MS. PARGEON: Where it used to have the
25 squiggle in the road.

1 TRUSTEE FLANAGAN: Right.

2 FROM THE FLOOR: Okay.

3 TRUSTEE FLANAGAN: Yeah. A lot of people
4 don't remember that. But yes.

5 MS. PARGEON: I do.

6 SECRETARY STACY: I do.

7 TRUSTEE FLANAGAN: That was just my
8 editorial.

9 FROM THE FLOOR: No. I -- I -- like I said,
10 I'm just trying to figure out where -- you know, some
11 of the logic behind this.

12 TRUSTEE FLANAGAN: They're not the only city
13 that likes to pick off things. But, you know, if it's
14 new residences, they're not going to take those.
15 Industrial, good business, you know, they like to pick
16 those up.

17 CHAIRPERSON TIMMERMAN: Anything else?

18 (No response.)

19 CHAIRPERSON TIMMERMAN: Okay. I move to
20 adjourn our meeting then.

21 MS. PARGEON: I second it.

22 SECRETARY STACY: Thank you, Clara.

23 MS. PARGEON: You're welcome.

24 SECRETARY STACY: And everyone in favor of
25 adjourning say "Yes."

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(Vote taken.)

SECRETARY STACY: Motion passed.

We're adjourned.

- - -

And, thereupon, the proceedings were
concluded at 5:33 p.m.

- - -

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