

1 THE ALLEN TOWNSHIP ZONING COMMISSION  
2 VAN BUREN, OHIO

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4 In Re: Allen Township Zoning Commission

5 - - -

6 TRANSCRIPT OF PROCEEDINGS

7 - - -

8 Wednesday, July 3, 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  
(419) 424-7089  
7 lmland@co.hancock.oh.us  
8 On behalf of the Allen Township  
9 Zoning Commission.

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8 BOARD MEMBERS:

9 John Timmerman, Chairperson  
10 Darrin Rehus, Vice Chairperson  
11 Deb Stacy, Secretary  
12 Dave Evans  
13 Clara Pargeon  
14 Roger Clark, Township Trustee

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WEDNESDAY EVENING SESSION

July 3, 2024

5:00 p.m.

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P R O C E E D I N G S

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BE IT REMEMBERED THAT, on the 3rd 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:

- - -

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

Dave Evans.

MR. EVANS: Here.

CHAIRPERSON TIMMERMAN: Clara Pargeon.

MS. PARGEON: Here.

CHAIRPERSON TIMMERMAN: Darrin Rehus.

VICE CHAIRPERSON REHUS: Here.

CHAIRPERSON TIMMERMAN: Deb Stacy.

SECRETARY STACY: Here.

CHAIRPERSON TIMMERMAN: John Timmerman, here.

SECRETARY STACY: Allen Township Zoning Commission, June 27th, 2022. Attendance: Dave Evans,

1 Clara Pargeon, Darrin Rehus, Deb Stacy, John  
2 Timmerman.

3 Deb Stacy, Allen Township Zoning Commission  
4 Secretary, read the June 20, 2024, minutes. Motion  
5 24-4-51-M. John Timmerman moved to approve the Allen  
6 Township Zoning Commission minutes from the June 20th,  
7 2024, meeting. Clara Pargeon moved to second the  
8 motion. Motion passed.

9 Cindy Land, Assistant County Prosecutor,  
10 addressed the slanderous accusations and information  
11 that was either incorrect or twisted from The eAllen  
12 mailing sent to all Allen Township residents. This  
13 95-page document was sent from Jereme Kent of  
14 One Energy.

15 Discussion also took place to correct or  
16 more fully address the many points found in the  
17 One Energy document.

18 The Allen Township Zoning Commission  
19 recognized the importance of allowing people to speak  
20 at the hearing while maintaining a decorum of  
21 civility. Provisions for the organization of the  
22 hearing were also addressed. Commission members were  
23 assigned topics to cover at the hearing.

24 Motion 24-4-52-M. Clara Pargeon moved to  
25 adjourn the meeting. Darrin Rehus seconded the

1 motion. Motion passed.

2 CHAIRPERSON TIMMERMAN: Well, I move to  
3 accept the meeting minutes as read.

4 MR. EVANS: I'll second that.

5 SECRETARY STACY: Everyone in agreement with  
6 that, please say "Yes."

7 (Vote taken.)

8 SECRETARY STACY: Motion passed.

9 CHAIRPERSON TIMMERMAN: Friday you said you  
10 will -- are you going to be there for any of it?

11 VICE CHAIRPERSON REHUS: Probably not  
12 because I've got to be out there.

13 CHAIRPERSON TIMMERMAN: It starts at 6:30.  
14 That's right.

15 VICE CHAIRPERSON REHUS: Yeah.

16 CHAIRPERSON TIMMERMAN: And you've got to be  
17 there -- okay. You'll -- you'll miss everything.  
18 Okay.

19 VICE CHAIRPERSON REHUS: Let me know how it  
20 goes.

21 CHAIRPERSON TIMMERMAN: Sure. Okay.  
22 Anything else? Anybody have questions?  
23 Concerns?

24 MR. EVANS: I got a phone call from Terry  
25 Beall, the gentlemen sitting out here. His questions

1 were a little more complex than what -- I asked him to  
2 come to tonight's meeting.

3 CHAIRPERSON TIMMERMAN: Sure.

4 MR. EVANS: And I didn't know if we could  
5 address them right away and that way he wouldn't have  
6 to stay if they didn't want to. Is that possible?

7 CHAIRPERSON TIMMERMAN: Sure they don't want  
8 to stay for this?

9 (Laughter.)

10 CHAIRPERSON TIMMERMAN: Sure. Yeah.

11 FROM THE FLOOR: My name is Terry Beall.  
12 This is my son Jeff Beall and my brother Bill Beall.  
13 Our family has lived on County Road 99 across from  
14 Siferd's Plumbing since 1932. And since -- we have  
15 different parcels there. Bill doesn't live there; he  
16 owns a property there. Jeff lives there. I live  
17 there. My brother Bob lives there.

18 And I see that you zoned it as business.  
19 Now, I do have a business there. I've had it there  
20 since 1988, but I'm not on a retail level. We are  
21 busy. Jeff works for me.

22 Let me tell you what we do. We're in the  
23 jewelry business. We promote the watch business.  
24 We have watches sent in from all over the eastern part  
25 of the country, plus we pick up and deliver

1 everybody -- all the jewelers in Toledo every week.  
2 We have 75 jewelry store accounts, plus we take  
3 watches in and jewelry repairs through our door.

4 We also sell some things. We sell diamonds.  
5 We just -- we're in the business. Just closed the  
6 jewelry store at Bowling Green. My brother Bob was  
7 running that. Retail sales are tough.

8 Our wholesale watch business is going  
9 strong. I closed that down to get rid of the time and  
10 the effort to keep it going and bring it back, which  
11 he lives here, to help us with the watch business. So  
12 there's -- right now, there's four of us full time  
13 working there every day. And Bill's son has been in  
14 high school; just graduated. He's been working with  
15 us throughout his high school for three years.

16 We fix watches, a lot of high-end Rolex. We  
17 do 20 of these a week, plus everything else. We are  
18 running 200 watches through there a week. We're busy.

19 I've ran it as an in-home business. When  
20 I set it up years ago, I asked my daughter to check  
21 because we had no zoning. I had my daughter check,  
22 she's an attorney. She said there's no State laws.  
23 There's no -- they can't prevent you from doing what  
24 you're doing. So we've done that.

25 Now the zoning here can change that. But

1 right now, it's zoned Business.

2 CHAIRPERSON TIMMERMAN: Right.

3 FROM THE FLOOR: The problem I have with  
4 that is Jeff lives on the -- on our far eastern  
5 parcel, out of that -- out of the parcels there.  
6 Dr. Lai owns the farm. Dan sold it to Dr. Lai. You  
7 guys have got the front part even of Dr. Lai on the  
8 east part zoned for Business. Doesn't matter. That  
9 doesn't matter to me.

10 But in 1989, the County put a TIF on our  
11 road to widen it to four lanes. They only went down  
12 to 142 in the 2000s to four lane. All they need is a  
13 trip somewhere down the road and the TIF goes like  
14 this and this four lane goes right through his living  
15 room.

16 Now, our plan is, if that happens, he would  
17 be bought out and he'd just build on the back of his  
18 2-acre lot. But if it's zoned Business, that isn't  
19 going to happen. That's my problem.

20 CHAIRPERSON TIMMERMAN: Okay.

21 FROM THE FLOOR: We're here to ask for a  
22 solution, not to cause a problem.

23 SECRETARY STACY: Right.

24 FROM THE FLOOR: But this is our living.

25 SECRETARY STACY: Sure.



1 FROM THE FLOOR: We're not giving it up.

2 CHAIRPERSON TIMMERMAN: Right.

3 FROM THE FLOOR: But I can't see this kid  
4 hurt.

5 CHAIRPERSON TIMMERMAN: Sure.

6 FROM THE FLOOR: Because he's got -- we have  
7 a good thing going there. We have a nice parcel  
8 there. It's too bad it's too close to the City. We  
9 got a nice cabin in the woods. We got a trail in the  
10 woods. It's what everybody would dream to have. I've  
11 got a pond. It's awesome. But it's too close to  
12 town, which has always been a convenience growing up  
13 there.

14 My grandfather said that, "When it gets too  
15 close, you guys should sell out and get out of here."  
16 Well, we can't. We've got too much invested there.  
17 So that's where we are.

18 CHAIRPERSON TIMMERMAN: So, for me, your  
19 business is specifically why we made that B-1.

20 FROM THE FLOOR: And I understand. That's  
21 what Dave said. I understand that. But, now, here's  
22 the problem.

23 CHAIRPERSON TIMMERMAN: Right.

24 FROM THE FLOOR: Because with them doing  
25 this diverging diamond, everybody knows what's going

1 to happen. And it's -- we're getting this close to  
2 them saying four lanes. There was talk of them  
3 running four lanes down to 140 and four lanes down to  
4 224 around there. Who knows if that will ever happen.

5 140 is only a 20-foot right-of-way. That's  
6 how it was written. They'd have to buy a lot of  
7 ground to run it down 140 down to 224. Not enough of  
8 them people know that. I do. That's why it's narrow.

9 We were 20 foot, then they took it to  
10 30 foot each side. You know, they were allowed to  
11 when they widened it in 2007. But in the TIF, and  
12 that design to go to four lane, they want 120 feet.  
13 Right now, they got 30 feet a side. They want an  
14 additional 30 feet each side, which runs right through  
15 his living room and runs up to my door within a car  
16 length which just destroys the front of my property.  
17 I mean, I've got concerns there as well.

18 MR. EVANS: Seems to me one of your  
19 questions was, if it widened, could Jeff build on the  
20 back of the -- if it was zoned B-1?

21 FROM THE FLOOR: So that's -- yeah.  
22 That's -- I'm letting -- giving you the groundwork.  
23 So is that possible?

24 CHAIRPERSON TIMMERMAN: I think, to me, this  
25 is similar to a scenario where somebody said, If my

1 house burned down, I already lived there. This is a  
2 similar scenario where it's -- you already live there.

3 MS. LAND: It's a legal nonconforming use.

4 CHAIRPERSON TIMMERMAN: Legal nonconforming  
5 use. You're already there. If you wanted to continue  
6 living there, this would be a scenario where you'd  
7 probably request a variance.

8 MS. LAND: I don't think -- you probably  
9 wouldn't even need to have a variance. If it's a  
10 legal nonconforming use, it can continue.

11 CHAIRPERSON TIMMERMAN: Yeah.

12 MS. LAND: Unless something happens to it  
13 and it's damaged or ruined that has nothing to do with  
14 -- if he just decides he doesn't want to live in that  
15 house and he wants to build another one in the back,  
16 that would be an okay thing because the nonconforming  
17 use still exists.

18 But if it happens, like, something comes  
19 along and goes through his living room and he doesn't  
20 have that house anymore, then that is still a  
21 nonconforming legal use as a building lot there and he  
22 could still build a house. That's what nonconforming  
23 uses do.

24 FROM THE FLOOR: With that, I can move  
25 200 feet away from where the existing structure was.

1 MS. LAND: Not just voluntarily. But if  
2 something happens.

3 FROM THE FLOOR: No, right. Like, if they  
4 come through and they take my house.

5 MS. LAND: Yeah. If you just decide you  
6 want to build a new house at the back of that, you  
7 wouldn't be able to do that. But if something happens  
8 to the house, it gets burned down, God forbid, or, you  
9 know, they come through and they take part of it, or  
10 whatever, then that's still a nonconforming legal use  
11 of that lot is to have a house on it, even though it's  
12 in a district where you wouldn't normally have a  
13 house, you could replace it.

14 FROM THE FLOOR: Okay.

15 FROM THE FLOOR: That's with the B-1?

16 MS. LAND: That's anyplace.

17 FROM THE FLOOR: Anyplace.

18 MS. LAND: That's what nonconforming -- it  
19 applies to all districts. The time that nonconforming  
20 gets to be such a big deal is right now when it gets  
21 started because you can't possibly zone for what's in  
22 every place, you know.

23 FROM THE FLOOR: Right.

24 MS. LAND: You couldn't do your -- business  
25 is business and the house is residential. It just --

1 that's not allowed to do it that way. You end up with  
2 things that are in areas where they shouldn't be.

3 There's a whole section regarding nonconforming.

4 One of the things at the last meeting you  
5 guys discussed was increasing the ability, making it  
6 more generous, more liberal to be able to replace  
7 something that gets damaged. So it can be damaged up  
8 to 100 percent and still can get put back.

9 So the only caveat on that is, if you're  
10 putting it back, you can't do anything that increases  
11 its nonconformity, which was -- just building another  
12 house, that probably wouldn't be it. Part of the  
13 nonconformity is that it's too close to lot lines or  
14 something, when you rebuild it, you'd have to fit  
15 setbacks and stuff from the side lines.

16 FROM THE FLOOR: The offsets and all of that  
17 stuff.

18 MR. EVANS: That's good. Of course, you  
19 know, we can't do anything about the four lanes or  
20 whatever.

21 FROM THE FLOOR: Well, I've been waiting --

22 MR. EVANS: Sure.

23 FROM THE FLOOR: -- since '89. I've been  
24 waiting.

25 SECRETARY STACY: Hasn't happened.

1 FROM THE FLOOR: I think we're going to come  
2 closer with what they are doing right now and what's  
3 happening coming down that road.

4 FROM THE FLOOR: And another question I have  
5 is, like, why would someone like me, with my lot, have  
6 to be brought into this B-1? You know, because, now,  
7 I can't building a building over 2,500 square feet.  
8 And Christy and I, you know, have a plan to build a  
9 building so, I mean, park our camper, park his camper,  
10 you know, and, then, also have extra space for other  
11 things that we want.

12 MS. LAND: Where is that? Is it in the pink  
13 area?

14 CHAIRPERSON TIMMERMAN: It's in the pink.  
15 It's B-1.

16 MS. LAND: It's B-1.

17 CHAIRPERSON TIMMERMAN: But it's being used  
18 as a Residential Use. But the 2,500 is for the B-1  
19 business. Would that apply to --

20 FROM THE FLOOR: I have zero interest in  
21 doing a business on my property.

22 CHAIRPERSON TIMMERMAN: You're saying just  
23 an accessory outbuilding?

24 FROM THE FLOOR: Yes. Yeah. It would be  
25 larger than 2,500 square feet.

1 MS. LAND: That doesn't apply to those kind  
2 of buildings. That only applies to the business  
3 building.

4 FROM THE FLOOR: Just to -- so adding on to  
5 our existing business --

6 CHAIRPERSON TIMMERMAN: Right.

7 FROM THE FLOOR: -- we can't go more than  
8 2,500 square feet?

9 MS. LAND: Yeah.

10 CHAIRPERSON TIMMERMAN: An accessory  
11 building would fall under Accessory Buildings.

12 MS. LAND: Yeah. It just has to be within  
13 the setbacks and distances things.

14 CHAIRPERSON TIMMERMAN: Right.

15 FROM THE FLOOR: So as far as being zoned  
16 B-1 as a residential lot, though, I'm not really  
17 restricted since I don't have a business --

18 CHAIRPERSON TIMMERMAN: Right.

19 FROM THE FLOOR: -- on that lot?

20 MS. LAND: And you're already a legal use of  
21 it being a residential lot before zoning goes into  
22 effect.

23 FROM THE FLOOR: Okay. Thank you.

24 FROM THE FLOOR: My brother Bill, on his  
25 lot, my brother Bob has a mobile home, which he's

1 moved out of and we're going to get rid of it. But  
2 Bill has expressed some interest in possibly building  
3 a home there or maybe not yet. He doesn't live here.  
4 He owns that lot. He has, like the rest of us have,  
5 all of our lives, most of them. Does a B-1 prevent  
6 him from building a residential home on that lot?

7 MS. LAND: If it doesn't already exist,  
8 yeah.

9 FROM THE FLOOR: He's limited.

10 FROM THE FLOOR: So if there's a -- right  
11 now, there's a mobile home there, a well and septic  
12 tank and all that stuff. It's just not a -- I don't  
13 know. I wouldn't call it a permanent structure, I  
14 guess. It's a mobile home. Does that constitute as a  
15 residence if you wanted to take that out and build a  
16 home or not?

17 MS. LAND: It's got a foundation, right?

18 FROM THE FLOOR: Well, it sits on pads. You  
19 know what I mean? It's a mobile home. So it's  
20 mobile. Knock it off the blocks and pull it out if  
21 you want to, I guess.

22 MS. LAND: Even if it were considered -- and  
23 I can't give you that kind of advice at this point  
24 because there are a lot of factors that have be to  
25 looked at.



1           If that -- if you didn't build a house on it  
2       within two years of zoning going into effect, it would  
3       lose its nonconformity. It would -- you know, a legal  
4       nonconforming use when it stops being used for two  
5       years, the nonconforming goes away and anything that  
6       goes there has to adhere to the current zoning.  
7       That's State statute. It's not something they put in.

8           FROM THE FLOOR: If it's being used, does  
9       that push that back?

10          MS. LAND: Uh-huh. But if it's abandoned  
11       and you're about to get rid of it, and nobody's living  
12       in it, yeah, the minute zoning goes in, it's still  
13       abandoned. It's not a residence.

14          FROM THE FLOOR: Gotcha.

15          MS. LAND: So you'd -- in two years, it  
16       would no longer be a legal nonconforming use.

17          FROM THE FLOOR: I'm not saying I want to,  
18       but you couldn't live there.

19          MS. LAND: Yeah. Those would be your time  
20       lines.

21          FROM THE FLOOR: Just trying to understand  
22       how everything works. If you're going to build -- and  
23       I'm not ready to do this. So if you were going to  
24       build a commercial building after the zoning goes  
25       through, is there a minimum size restriction to

1 buildings or how does that work?

2 CHAIRPERSON TIMMERMAN: For the B-1

3 District?

4 FROM THE FLOOR: Yeah, the B-1. If you're  
5 just going to build a commercial building, or what are  
6 they --

7 FROM THE FLOOR: 2,500.

8 FROM THE FLOOR: Is that the maximum you can  
9 do is 2,500 square feet?

10 CHAIRPERSON TIMMERMAN: For B-1.

11 MS. LAND: Yes.

12 FROM THE FLOOR: So you can't do any  
13 building larger than that?

14 MS. LAND: Not in B-1.

15 MR. EVANS: Do we have a book we can give  
16 him?

17 CHAIRPERSON TIMMERMAN: Is there any --

18 MR. EVANS: Are they in the box?

19 CHAIRPERSON TIMMERMAN: Yeah. There's some  
20 in the box there.

21 FROM THE FLOOR: Is that ground level? Is  
22 that everything above ground level? It's a two-story  
23 building, is that --

24 CHAIRPERSON TIMMERMAN: You're saying 2,500  
25 and 2,500? Is that what you're asking? It's 2,500,

1 I would say, ground level.

2 MS. LAND: 2,500-square-foot building.

3 Yeah.

4 CHAIRPERSON TIMMERMAN: Total. Yeah.

5 You're looking at it --

6 FROM THE FLOOR: Total?

7 CHAIRPERSON TIMMERMAN: Total. Are you  
8 looking at it for business use?

9 FROM THE FLOOR: Yeah. There's a  
10 possibility something like that might happen in the  
11 near future for me on that property with something  
12 I was looking at to do that with potentially, if I can  
13 ever get out of Corporate America.

14 FROM THE FLOOR: We have another business  
15 we're taking on. If you ruin the watch dial on your  
16 watch it needs to be refinished. I'm in the process  
17 of buying what used to be the largest and oldest dial  
18 refinishing business in the United States. It was  
19 downtown in New York City. It ultimately was moved to  
20 Wilmington, Ohio, and then to Tucson, Arizona. My  
21 daughter is putting the stuff together right now.

22 I've already -- I've got the money.  
23 I've got to finish negotiating. I've been working on  
24 it for a year. I'm finishing negotiations, buying it  
25 from the family that owns it and moved it to Tucson.

1 I'm just buying the parts. The business -- whoever  
2 they sold it to, the guy took it to Tucson and he went  
3 out of business.

4 So I'm going to -- but I need it for my  
5 business because we do a lot of these high-end  
6 watches; a lot of them from Florida with saltwater  
7 damage and we have to be able to redo these faces.  
8 And that's the business we're talking about. We've  
9 talked about him putting a building up on his  
10 property, you know, to do that function in.

11 I'm going to start it on mine just because  
12 I'm going to get the training and everything from the  
13 guy. I've got to get it going. But, ultimately, the  
14 plan was to put a building on his property and, then,  
15 he's going to move -- motivate and stay and run that  
16 part of the business.

17 MR. EVANS: Okay. Is that all the questions  
18 then that you would have?

19 FROM THE FLOOR: I have no more.

20 CHAIRPERSON TIMMERMAN: Any additional  
21 thoughts?

22 MS. LAND: No.

23 FROM THE FLOOR: I mean, I guess one  
24 question I've got: Is there a possibility to just  
25 zone the business, since there is no other businesses

1 in that area? So that I'm not restricted -- so  
2 I can put a shed in my yard if I want? Right now,  
3 I can't even -- you know, if that passes, would that  
4 be one? I can't put a shed in my yard?

5 MS. LAND: That was something that they said  
6 in that eAllen thing. It's not true.

7 FROM THE FLOOR: Okay. And we were taking  
8 that with a grain of salt, too. We knew it was coming  
9 from the opposition. So we weren't --

10 SECRETARY STACY: Thank you.

11 FROM THE FLOOR: -- just taking everything  
12 they were saying by the book.

13 MS. LAND: Every section that says --

14 FROM THE FLOOR: There is a thing.

15 MS. LAND: Every section that you read  
16 through in that book, when it comes down at the end of  
17 each Permitted Use and the end of each Conditional  
18 Use, that last line always says. "...and any  
19 accessories that are incident thereto." That's like  
20 buildings and sheds and other stuff that you need to  
21 be able to continue your use. They misstated that.

22 FROM THE FLOOR: Thank you.

23 FROM THE FLOOR: If mine stays B-1, even  
24 though it's residential, I'm really not restricted  
25 besides following whatever guidelines I have to do to

1 do a building or --

2 MS. LAND: Yeah. As long as it's still a  
3 residential lot. Yeah.

4 FROM THE FLOOR: Okay.

5 MS. LAND: Nonconforming -- legal  
6 nonconforming.

7 FROM THE FLOOR: Thank you.

8 MR. EVANS: Thank you.

9 FROM THE FLOOR: Thanks for your time, guys.

10 CHAIRPERSON TIMMERMAN: No problem.

11 SECRETARY STACY: Thanks for coming to  
12 clarify that.

13 CHAIRPERSON TIMMERMAN: Thank you.

14 How do we want to go about tonight then?

15 MS. LAND: I've got -- I typed up the list  
16 of what would be the proposed changes -- pass those  
17 all the way around -- for the modifications that you  
18 guys were considering and that identifies the pages  
19 they would go to.

20 SECRETARY STACY: Okay.

21 MS. LAND: And the changes, you know, what  
22 they look like.

23 SECRETARY STACY: Oh, okay.

24 CHAIRPERSON TIMMERMAN: Are these in order?

25 MS. LAND: Page order.

1 CHAIRPERSON TIMMERMAN: Yeah.

2 SECRETARY STACY: Okay.

3 CHAIRPERSON TIMMERMAN: Do we want to go --  
4 the thought I had, I guess, is do we want to go from  
5 the start of the book to the back, if anybody's made  
6 any notes to see if they conform to the -- like, align  
7 with this or things that we want to add or change  
8 or --

9 MS. LAND: However you guys want to work.

10 CHAIRPERSON TIMMERMAN: I mean, it's going  
11 front to back. If we're going to do it, I think we've  
12 got to be --

13 MS. LAND: Before we get mired down in the  
14 weeds there, though, on this page that I just gave  
15 you, down where it says Page 43, Section 1507, "Add  
16 new paragraph 4," that's where I put in Junk Vehicles  
17 and Rubbish and added that section to go in there.  
18 It's goes after Outdoor Theaters and stuff that just  
19 is -- they don't fit anywhere else in particular to  
20 have a rule about it.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MS. LAND: I just added one more additional  
23 section which is the -- does that make sense to you  
24 guys to have it put in that spot?

25 SECRETARY STACY: Yes.

1           CHAIRPERSON TIMMERMAN: Rubbish. I can't  
2 come up with a better spot off the top of my head.

3           MS. LAND: I just kind of flipped through  
4 and I kept thinking, well, this is it. This is the  
5 spot to put something like that.

6           VICE CHAIRPERSON REHUS: Is this  
7 preexisting, too? The Page 43, is that preexisting?

8           MS. LAND: You mean Junk Cars and Rubbish?  
9 Yeah. We would -- yeah. But weeds continue to grow.  
10 Just because they have weeds now, once they die off  
11 and they come back, they're -- it's not like they're  
12 grandfathered forever.

13          VICE CHAIRPERSON REHUS: Okay.

14          MS. LAND: And it's been my experience if  
15 they have junk, rubbish, and junk cars, it seems to  
16 grow.

17          MS. PARGEON: Yeah, it does.

18          MS. LAND: I think they just -- we'll  
19 address it if they come up with -- you know, I don't  
20 want somebody to decide because I have junk in my yard  
21 I'm now the junk king and I don't have to follow any  
22 rules. That's not really how that works. So...

23                 We have Outdoor Theaters, Commercial  
24 Television, Radio Tower, Mobile and Manufactured Home  
25 Parks. And then we had this Junk and Rubbish area.



1 Is that all right?

2 SECRETARY STACY: That works for me.

3 MR. EVANS: Yeah.

4 MS. PARGEON: Yeah.

5 SECRETARY STACY: Do you want to start at  
6 the top of this and go down?

7 CHAIRPERSON TIMMERMAN: Yeah. I'm game for  
8 whatever. I just was throwing out an idea. Do we  
9 just want to go through this first?

10 MS. LAND: One of the other things that I  
11 was just sort of mulling over in my head after having  
12 the conversation with the gentlemen that were here.  
13 If the bulk of that area, what they are talking about  
14 there, is actually Residential, there's only one  
15 section that's Business.

16 SECRETARY STACY: Right.

17 MS. LAND: You could always flip it and make  
18 the business the nonconforming use and have the  
19 residential -- make it Residential or Agricultural.

20 CHAIRPERSON TIMMERMAN: Agriculture.

21 MS. LAND: You know, either way, one or the  
22 other of their uses will end up being a nonconforming.  
23 I'm just not sure.

24 CHAIRPERSON TIMMERMAN: They're standing out  
25 in the door. Is there anything --

1 MR. EVANS: Would it be -- when we had the  
2 phone conversation, he said he wanted to add on to his  
3 building. And I thought, well, it would be better if  
4 it was business then, right?

5 MS. LAND: Yeah.

6 MR. EVANS: If it's Residential, and you  
7 want to -- especially if you want to double the size  
8 because the shop --

9 MS. LAND: Because then he gets into some  
10 trouble.

11 MR. EVANS: His shop is very small.

12 MS. LAND: All right. Yeah. Then I  
13 wouldn't ask them because we didn't give anybody else  
14 the opportunity to ask.

15 SECRETARY STACY: Right.

16 MS. LAND: But it's something that you guys  
17 can consider. When somebody talks to you about this  
18 stuff, then it's something to think on: Should we be  
19 doing it this way or should we flip it and do it the  
20 other way.

21 I think -- I still believe that doing it  
22 this way is probably the better way because  
23 Residential -- you know, the other thing is, oh,  
24 they've been living there forever and want to stay  
25 there.

1 SECRETARY STACY: Right.

2 MS. LAND: At some point they may decide  
3 that it is more business and want to expand  
4 businesses. If we do it the other way, they couldn't  
5 put up that other building they're talking about for  
6 the other thing he was just discussing if you did it  
7 the opposite way. This gives them more business  
8 opportunity, and their houses and whatever residences  
9 are there are still legal Nonconforming Uses.

10 SECRETARY STACY: I was just going to say,  
11 if, for some reason, this B-1 went away, would we have  
12 to designate another area for B-1? Are we required to  
13 have B-1?

14 MS. LAND: No, not necessarily. You have to  
15 allow for it. You don't have to put it somewhere.

16 CHAIRPERSON TIMMERMAN: What do you mean by  
17 that?

18 MS. LAND: You have already -- you have it  
19 on your key and you have it in your book that it can  
20 exist.

21 SECRETARY STACY: Okay.

22 MS. LAND: You just don't have a place where  
23 it has --

24 SECRETARY STACY: Okay.

25 MS. LAND: -- manifested itself.

1           SECRETARY STACY: So that could be added at  
2 a later time, if you want --

3           MS. LAND: Yeah.

4           SECRETARY STACY: -- if, for some reason you  
5 had --

6           MS. LAND: Well, somebody could come along  
7 and say, I'm currently zoned I-1, Industrial, and I'd  
8 rather be B-1 because I want to start whatever I want  
9 to do there. Then B-1 exists. We know what the rules  
10 are, and they could request to rezone for that. That  
11 has to be an option for people.

12           SECRETARY STACY: Sure. Okay.

13           CHAIRPERSON TIMMERMAN: They also have a lot  
14 of B-2 very close to where they're at. So, like, if,  
15 you know, they want --

16           MS. LAND: Is the red the B-2?

17           CHAIRPERSON TIMMERMAN: Yeah. So -- and  
18 this is a Future Map, by the way.

19           MS. LAND: This is the Future?

20           CHAIRPERSON TIMMERMAN: That's the Future  
21 Map what you're looking at there, because we didn't  
22 zone this R-1.

23           MS. LAND: Oh, so --

24           SECRETARY STACY: I didn't realize.

25           MS. LAND: So maybe that's the big Futures

1 Map. These are just those maps I said ended up on my  
2 chair, I talked to you the other night.

3 CHAIRPERSON TIMMERMAN: This one's a current  
4 map, I think.

5 MS. LAND: No, it's just like this.

6 CHAIRPERSON TIMMERMAN: That's Future.

7 MS. LAND: What does it say on it? Oh,  
8 Future Land Map. Read the directions.

9 MS. PARGEON: Long day at work. Long day at  
10 work.

11 CHAIRPERSON TIMMERMAN: But at any rate,  
12 this is all still red to the east of them.

13 MS. LAND: Okay.

14 CHAIRPERSON TIMMERMAN: At which point they  
15 could go up to 10,000 square feet. They have a lot --  
16 I mean, they don't already own the land, but...

17 MS. LAND: Well, and even in this area, if  
18 there's some change in -- you know, if something is a  
19 use now that is logically B-1 and that changes, they  
20 can ask to have it rezoned B-2 or B-3, you know,  
21 because whatever is allowed in B-1 is still allowed in  
22 those as well.

23 SECRETARY STACY: Right.

24 MS. LAND: That's why it doesn't hurt so  
25 much if you don't have B-1 because anything that you

1 want to put in B-1, you could put in any of these  
2 others as well.

3 SECRETARY STACY: Yeah. That's correct.

4 MS. LAND: Then we're a little shakier.

5 CHAIRPERSON TIMMERMAN: So they could ask to  
6 have that rezoned to B-2?

7 MS. LAND: Uh-huh.

8 SECRETARY STACY: Yeah.

9 CHAIRPERSON TIMMERMAN: Which it's right  
10 next to other B-2.

11 SECRETARY STACY: I mean, it's right there.

12 CHAIRPERSON TIMMERMAN: It would fit.

13 SECRETARY STACY: It would actually even it  
14 up a little bit.

15 MS. LAND: That's the kind of thing that is  
16 a good example of it. If somebody requests at some  
17 point a zoning change, an amendment, you look at  
18 something like that and, like, you know, really? That  
19 kind of makes sense. Doesn't hurt anybody. It's a --  
20 that's good reason to allow an amendment.

21 But if it's, like, a little spot right out  
22 here and makes no sense to anybody, it may not be  
23 something you want to take lightly. You know, you  
24 have to look at it a lot closer.

25 SECRETARY STACY: Okay.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MS. LAND: You know those commercial where  
3 they say, "It's as easy as..." and it's like picking  
4 Shaq for the first guy on the basketball team. That  
5 would be one of those.

6 SECRETARY STACY: Okay.

7 CHAIRPERSON TIMMERMAN: Let's start by --  
8 let's just go through this page of changes and let's  
9 get through this, I guess.

10 MS. LAND: Okay. The first item on there, I  
11 fixed the -- where we had "Major" twice, and I  
12 switched one of them to "Minor."

13 SECRETARY STACY: Okay. That works.

14 MS. LAND: That was just a weird editing  
15 error.

16 CHAIRPERSON TIMMERMAN: How about where --  
17 so you have "Automobile Repair," and then two  
18 subsections in here, in the book itself.

19 SECRETARY STACY: Yeah. We have just --

20 MS. LAND: What page is this?

21 CHAIRPERSON TIMMERMAN: 3.

22 MS. PARGEON: Yeah.

23 MR. EVANS: Looks like --

24 MS. PARGEON: You already crossed out  
25 "Major" on the second.

1 MR. EVANS: -- a repeat of the paragraph.

2 CHAIRPERSON TIMMERMAN: The same definition  
3 is on there three times. Automobile Repair,  
4 Automobile Repair - Major, Automobile Repair - Minor.  
5 Well, it says "Major."

6 MS. LAND: We should take out "Automobile  
7 Repair"?

8 SECRETARY STACY: Uh-huh.

9 MR. EVANS: First one.

10 MS. LAND: And just leave "Automobile Repair  
11 - Major," "Automobile Repair - Minor."

12 SECRETARY STACY: I think so.

13 MS. PARGEON: Okay.

14 SECRETARY STACY: Yeah. Makes sense.

15 MS. LAND: I will -- instead of saying  
16 replace with put "minor," I'll say, Remove repeated  
17 sections Automobile Repair - Major, and replace with,  
18 and then I'll put "Major" and "Minor," so that's what  
19 those two will look like, instead of just -- because  
20 this is the page that will end up being attached to  
21 your Resolution.

22 SECRETARY STACY: Okay.

23 MS. LAND: So that will make it clearer. Is  
24 that okay?

25 SECRETARY STACY: Yeah.



1 MS. PARGEON: Yeah.

2 SECRETARY STACY: Yeah.

3 CHAIRPERSON TIMMERMAN: Page 13.

4 SECRETARY STACY: Uh-huh.

5 CHAIRPERSON TIMMERMAN: Paragraph 1,  
6 Single-Family Dwellings, just removing "accessory to  
7 farming operations."

8 SECRETARY STACY: Yeah.

9 MS. LAND: And that's how that would appear  
10 on the attachment.

11 SECRETARY STACY: Yeah.

12 MS. LAND: Is that clear enough, do you  
13 think?

14 CHAIRPERSON TIMMERMAN: I think so.

15 SECRETARY STACY: I think so.

16 MS. PARGEON: Yeah.

17 CHAIRPERSON TIMMERMAN: So how does this  
18 work? Do you turn -- at the end, you would accept  
19 this with this (indicating)?

20 MS. LAND: Uh-huh.

21 CHAIRPERSON TIMMERMAN: Right? At which  
22 point -- when does it get merged into one?

23 MS. LAND: After the township trustees have  
24 their hearing, if they accept all of these, too --

25 CHAIRPERSON TIMMERMAN: I got ya.

1 MS. LAND: -- then I merge it before it goes  
2 to the Board of Elections.

3 CHAIRPERSON TIMMERMAN: Okay.

4 SECRETARY STACY: Okay.

5 CHAIRPERSON TIMMERMAN: All right. Let's go  
6 to Page 29 then.

7 SECRETARY STACY: That's the width thing.

8 MS. LAND: It should be 200, not 250.

9 MS. PARGEON: We already changed that.

10 SECRETARY STACY: Yeah.

11 CHAIRPERSON TIMMERMAN: Well, I'm looking at  
12 the first part. So, "Nonconforming lots of record  
13 existing prior to the effective date of this  
14 Resolution, lots having a frontage of 100 feet or  
15 greater shall copy."

16 SECRETARY STACY: Comply.

17 CHAIRPERSON TIMMERMAN: It says "copy" in  
18 your thing.

19 MR. EVANS: In the correction.

20 MS. LAND: Yeah. That's my typing.

21 CHAIRPERSON TIMMERMAN: With yard setback  
22 requirements of the R-1 Family -- R-1 One-Family  
23 Residential District.

24 MS. LAND: That should be a period.

25 CHAIRPERSON TIMMERMAN: Does it matter

1 that -- does the 100 feet matter? What if somebody  
2 had an existing --

3 MS. LAND: That would be a nonconforming  
4 because it would be less than what your standard is.

5 CHAIRPERSON TIMMERMAN: Okay. Okay. That's  
6 the nonconforming lot; a lot that doesn't meet the  
7 requirements of --

8 MS. LAND: Of what your standard is, which  
9 is 100 feet. 100 is relatively narrow. It's not  
10 very --

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. PARGEON: So we cross that out in the  
13 book then.

14 CHAIRPERSON TIMMERMAN: Well, you cross out  
15 the portion that --

16 MS. LAND: After you get to "R-1,  
17 One-Family..." --

18 MS. PARGEON: "...Residential District..."  
19 and then there's a comma.

20 MS. LAND: Period. And then everything else  
21 is gone because we do not have R-2.

22 MS. PARGEON: That's what I was asking.

23 MS. LAND: Yeah. Yeah.

24 MS. PARGEON: Got it.

25 MS. LAND: We're all on the same page now.

1 CHAIRPERSON TIMMERMAN: And then the next  
2 one is where you did the -- changed the 250 to 200.

3 MS. LAND: Uh-huh.

4 CHAIRPERSON TIMMERMAN: That's what we --  
5 consistent --

6 MS. PARGEON: We did that.

7 CHAIRPERSON TIMMERMAN: -- all the way  
8 through.

9 Page 34, we have 2 C.

10 SECRETARY STACY: So instead of the --  
11 you've got an extra "E." That's just a typo.

12 MS. LAND: It's already used to the "B-E."

13 SECRETARY STACY: Tired of typing, right?

14 MS. LAND: No typing. No spelling.

15 SECRETARY STACY: Yeah. So we're going from  
16 75 to 100 percent. We're making it --

17 CHAIRPERSON TIMMERMAN: Well, it's up to 100  
18 percent --

19 SECRETARY STACY: Up to.

20 CHAIRPERSON TIMMERMAN: -- destruction.

21 SECRETARY STACY: Yeah.

22 MS. LAND: Does that sound right? Is it  
23 something you would like to have it reworded?

24 SECRETARY STACY: Structure  
25 (unintelligible).

1 CHAIRPERSON TIMMERMAN: The "...exclusive of  
2 the foundation..." --

3 MS. LAND: We don't --

4 CHAIRPERSON TIMMERMAN: -- does that mean if  
5 the foundation is destroyed --

6 MR. EVANS: Or if it's still standing.

7 MS. LAND: If the foundation is still there.

8 CHAIRPERSON TIMMERMAN: You can re --

9 MS. PARGEON: Exclusive. Yeah.

10 MS. LAND: It doesn't count. Up to 100.

11 It's 100 percent, even if you still have a foundation.

12 CHAIRPERSON TIMMERMAN: If the foundation's  
13 gone?

14 MS. LAND: Well, that's more than  
15 100 percent then.

16 CHAIRPERSON TIMMERMAN: Okay. If the  
17 foundation is gone, you can't --

18 MS. LAND: No, you can still.

19 CHAIRPERSON TIMMERMAN: Okay.

20 MS. LAND: We're just not counting the  
21 foundation in any of this. We're excluding it.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: So foundation there or not,  
24 doesn't matter to us. It's the house, excluding the  
25 foundation status.

1 CHAIRPERSON TIMMERMAN: Okay.

2 MR. EVANS: The way I read this, this is  
3 not -- this doesn't have anything to do with the  
4 appraisal from Hancock County?

5 MS. LAND: No, that's gone.

6 CHAIRPERSON TIMMERMAN: We eliminated that.

7 SECRETARY STACY: Good. Yeah.

8 CHAIRPERSON TIMMERMAN: We're saying you can  
9 rebuild.

10 MR. EVANS: Right. Gotcha.

11 MS. LAND: Which makes it a lot more  
12 generous.

13 MR. EVANS: Yeah.

14 MS. LAND: And more likely to have nobody  
15 have any kind of damage -- damage from the damage.  
16 You know, we aren't -- we aren't going to be piling  
17 on --

18 CHAIRPERSON TIMMERMAN: Right.

19 MS. LAND: -- is what you're doing.

20 CHAIRPERSON TIMMERMAN: Okay. Is  
21 everybody --

22 SECRETARY STACY: Well, it communicates what  
23 we want to say. I don't think --

24 MS. LAND: It's clunky, isn't it?

25 SECRETARY STACY: I don't think it's going

1 to win any prizes for being poetic.

2 MS. LAND: Yeah. It's clunky. That's why  
3 I'm -- isn't there a better way to say this?

4 SECRETARY STACY: There probably is. But I  
5 mean, I'm going to put a little star there.

6 CHAIRPERSON TIMMERMAN: Something to think  
7 about.

8 SECRETARY STACY: I'm just trying to think  
9 if I can come up and make it --

10 MS. LAND: Instead of saying "up to  
11 100 percent," instead of saying anything about  
12 foundation, should -- could we just say, Should such  
13 structure be damaged in any manner to any degree, it  
14 may be reconstructed so long as the reconstruction  
15 does not increase its nonconformity?

16 SECRETARY STACY: I like that better. I  
17 like that better.

18 MS. LAND: We're taking out the 100 percent.  
19 We're taking out worrying about the foundation.

20 SECRETARY STACY: Yeah.

21 MS. LAND: So we're just saying, Should such  
22 structure be damaged in any manner, comma, to any  
23 degree, comma, it may be reconstructed so long as the  
24 reconstruction does not increase its nonconformity.

25 SECRETARY STACY: I think that's better.

1 MS. LAND: It's a little more streamlined.

2 SECRETARY STACY: Yeah. Yeah.

3 MS. LAND: It's one of those things where  
4 you read it over and over --

5 SECRETARY STACY: Uh-huh.

6 MS. LAND: -- and you can't figure out how  
7 to say it different.

8 CHAIRPERSON TIMMERMAN: All right. Page 43  
9 then.

10 SECRETARY STACY: Read.

11 MS. LAND: There's nothing on 43. This is a  
12 whole new thing to get stuck in there.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: I mean, there's nothing that  
15 we're changing.

16 CHAIRPERSON TIMMERMAN: Right.

17 SECRETARY STACY: Right.

18 MS. LAND: Actually I think it would end up  
19 on Page 44.

20 SECRETARY STACY: Okay.

21 MS. LAND: That's a double negative.

22 SECRETARY STACY: It is.

23 MS. LAND: "...shall not be permitted..."  
24 (unintelligible) for more than 30 days."

25 SECRETARY STACY: Yeah. Yeah. No more than



1 30 days. Yes.

2 MS. LAND: Not "know."

3 SECRETARY STACY: Yeah, N-O.

4 You know all those little case -- those two  
5 handouts which I (unintelligible) you gave them to me.  
6 They were, like, two handouts with, like, trial --

7 CHAIRPERSON TIMMERMAN: Are you talking  
8 about --

9 SECRETARY STACY: They were, like, trial,  
10 court things and what have you.

11 MS. LAND: Oh, yeah. The cases.

12 SECRETARY STACY: The cases.

13 MS. LAND: Cases are the most horribly  
14 grammatically written things on the face of the earth.

15 SECRETARY STACY: It's, like, there could be  
16 four or five, like, negatives all in one sentence.  
17 It's, like, okay, we're going here. No, we're going  
18 here. No, we're going here. What did I read?

19 MS. LAND: Most case opinions are not only  
20 written by attorneys; they are written by really young  
21 attorneys who still think it's awesome to make really  
22 big sentences and sound important.

23 SECRETARY STACY: Yeah.

24 MS. LAND: I'm past that.

25 SECRETARY STACY: Okay. Good.

1 MS. PARGEON: That's nice to know. Oh,  
2 gosh.

3 SECRETARY STACY: That's good. All  
4 right. So that's better. Then "should totally  
5 obscure."

6 Do we want to say anything other than  
7 "totally obscured"? I mean, we talked about fencing.  
8 We talked about -- I mean, are we going to need to --  
9 in practicality, are we going to need to be able to  
10 define what "totally obscured" means? That's my  
11 question.

12 MS. PARGEON: A green wall.

13 SECRETARY STACY: Well, I -- I think when we  
14 talked, we talked about fencing could do it. But,  
15 then, obviously, depending on how high the stuff is,  
16 obviously, I would -- you don't want to have this  
17 little fence and the stuff's like this much higher  
18 (indicating).

19 But then a greenbelt, you know, that would  
20 conceal it. I mean, that's fine. But, then, you've  
21 got the issue, depending on what the greenbelt is,  
22 maybe in the wintertime -- you know what I'm saying?  
23 Oh, whoa. There it is. I'm just raising that as a  
24 question. What --

25 MS. LAND: Well, if -- I think we say it has

1 to be totally obscured.

2 SECRETARY STACY: Okay.

3 MS. LAND: I think that's more encompassing  
4 maybe.

5 SECRETARY STACY: Okay.

6 MS. LAND: Because then --

7 SECRETARY STACY: Okay.

8 MS. LAND: -- if they have something that  
9 goes -- loses its leaves in the winter, they're no  
10 longer obscured.

11 SECRETARY STACY: Okay. So we'll say  
12 "totally obscured," and then we --

13 MS. LAND: They have to have something that  
14 will say obscured.

15 SECRETARY STACY: We'll know what options  
16 might be available for that so that we give the  
17 homeowner more latitude on --

18 MS. LAND: They have options.

19 SECRETARY STACY: They have options. Okay.  
20 That works. Okay.

21 MS. LAND: So you want to leave it as is?

22 SECRETARY STACY: Yeah. Crossed out the  
23 "now" out of that first.

24 MS. LAND: Yeah.

25 SECRETARY STACY: Okay.

1 CHAIRPERSON TIMMERMAN: Moving on to  
2 Page 52 then.

3 MR. EVANS: If we're on 44, I've got a quick  
4 question.

5 SECRETARY STACY: Sure.

6 MR. EVANS: I've been trying to study the  
7 sign thing getting ready for Friday. I had a couple  
8 of questions.

9 On Page 44, 2, "Exempt signage also in  
10 District B." It says, "Residential nameplate and  
11 nameplate or wall sign, which shall not exceed  
12 2 square feet on any dwelling."

13 These are the exempt. Now, the next thing  
14 down is C, Wall Signs. I was just trying to  
15 remember what --

16 MS. LAND: The City of Findlay exempts all  
17 of their wall signs. And those are the billboards  
18 that are painted on the sides of buildings, they don't  
19 have to get permits; they are allowed to do them  
20 anywhere. And you wrote this very much using the  
21 City's standards for signs. So...

22 MR. EVANS: Like, where B says -- so that's  
23 just residential, "A nameplate or wall sign shall not  
24 exceed 2 square feet"?

25 MS. LAND: Uh-huh.

1 MR. EVANS: Does that go for C also where it  
2 says Wall Signs?

3 MS. LAND: No, they can be as big as they  
4 want.

5 MR. EVANS: Oh, okay.

6 MS. LAND: Do you want to leave that there?

7 MR. EVANS: I just thought it was confusing.

8 B says a wall sign that doesn't exceed 2  
9 square feet. C is an unlimited wall sign.

10 SECRETARY STACY: Oh, I see what you're --  
11 I'm seeing where it says, "A nameplate or wall  
12 sign..."

13 MS. LAND: And it says "A Residential  
14 nameplate."

15 SECRETARY STACY: Okay.

16 MS. PARGEON: Yeah.

17 MS. LAND: I think they are distinguishing  
18 this.

19 SECRETARY STACY: Residential from --

20 MS. LAND: That's the -- you know, the  
21 cornerstones that have the house numbers.

22 SECRETARY STACY: Oh, yeah. Okay.

23 MS. LAND: You ought to see how angry people  
24 get when they renumber houses when they have those  
25 already etched in their walls.

1 MS. PARGEON: Quite angry.

2 Going to Page 52.

3 SECRETARY STACY: So Borrow Pits.

4 MS. LAND: I think I changed that slightly  
5 from what it is we discussed. We were talking about  
6 that I had greater and less mixed up and it got  
7 confusing.

8 I hope I've got it a little bit more, you  
9 know, "Borrow Pits under 1 acre in surface area with a  
10 depth of no greater than 20 feet, but no less than  
11 10 feet from bedrock."

12 Does that make sense?

13 SECRETARY STACY: I think it should be,  
14 "...but no less than 20 feet from bedrock."

15 MR. EVANS: Yeah, that's what that is.

16 MS. PARGEON: That's what it was changed  
17 to --

18 SECRETARY STACY: Oh, okay.

19 MS. PARGEON: -- was no less than 10 feet  
20 from bedrock.

21 CHAIRPERSON TIMMERMAN: What page?

22 SECRETARY STACY: Oh, I'm sorry.

23 MS. PARGEON: 52.

24 SECRETARY STACY: Yeah. There we go.

25 I don't think you need the "up to."

1 I think, "Borrow Pits under 1 acre in surface area  
2 with a depth -- with a depth no greater than 20 feet,  
3 but no less than 10 feet from bedrock."

4 MS. LAND: Okay.

5 CHAIRPERSON TIMMERMAN: Yeah.

6 SECRETARY STACY: I think it flows better.

7 MS. PARGEON: Yeah.

8 CHAIRPERSON TIMMERMAN: I'm okay with that.

9 MS. LAND: But we're saying now -- it's  
10 saying now what we need.

11 SECRETARY STACY: Right. Correct.

12 CHAIRPERSON TIMMERMAN: I was looking  
13 through this for Section 1 there on the Borrow Pits,  
14 all zoning districts except for I-2.

15 MS. LAND: Right.

16 CHAIRPERSON TIMMERMAN: It says, "Borrow  
17 Pits under 1 acre."

18 MS. LAND: Yeah.

19 CHAIRPERSON TIMMERMAN: It doesn't say that  
20 you can't have a borrow pit bigger than 1 acre.

21 MS. LAND: But -- no. That's defining the  
22 borrow pits there. The borrow pits are under 1 acre  
23 in surface area with a depth no greater than 20 feet.

24 SECRETARY STACY: Did we talk about --

25 CHAIRPERSON TIMMERMAN: But it's telling me

1 the requirements for a borrow pit under 1 acre. Is  
2 that a true statement?

3 MS. LAND: No. It's telling you that borrow  
4 pits have to be under 1 acre.

5 CHAIRPERSON TIMMERMAN: You get my point,  
6 though?

7 MS. LAND: I see. So how do you want to fix  
8 it?

9 CHAIRPERSON TIMMERMAN: Okay.

10 MS. PARGEON: Have to be 1 acre.

11 CHAIRPERSON TIMMERMAN: I would say --

12 MR. EVANS: Borrow pits must be under  
13 1 acre.

14 CHAIRPERSON TIMMERMAN: Must be no more --  
15 no more than 1 acre.

16 MS. LAND: Say "shall be."

17 SECRETARY STACY: Yeah.

18 CHAIRPERSON TIMMERMAN: Same thing, right?

19 MS. LAND: Nope. Not in legal construction.

20 "Borrow pits shall be no greater than 1 acre  
21 in surface area with a depth no greater than 20 feet,  
22 but no less than 10 feet from bedrock."

23 CHAIRPERSON TIMMERMAN: Yeah. And then I'm  
24 going to point out the same -- exact same thing for  
25 the I-2 District. It says, "Borrow Pits of any size



1 less than 10 acres," but it doesn't say they can't be  
2 greater than 10 acres.

3 SECRETARY STACY: Did we say 10? Why -- why  
4 is the number 3 sticking in my head?

5 CHAIRPERSON TIMMERMAN: That's for ponds.

6 MS. LAND: "Borrow Pits of any size, but not  
7 greater than 10 acres"?

8 "Borrow Pits may be..." --

9 MR. EVANS: Shall be less than 10 acres.

10 MS. LAND: "... may be of any size, but  
11 shall be no greater than 10 acres in depth"? No, no,  
12 no. It should be width.

13 CHAIRPERSON TIMMERMAN: You got the width  
14 added in?

15 MS. LAND: Yeah.

16 CHAIRPERSON TIMMERMAN: Okay.

17 MS. LAND: "...with a depth no greater than  
18 20 feet, but less than 10 feet from bedrock."

19 I'm not sure that that's -- "Borrow Pits may  
20 be of any size up to 10 acres."

21 MR. EVANS: Borrow Pits shall be less than  
22 10 acres.

23 SECRETARY STACY: There you go.

24 Borrow Pits shall be less than 10 acres.

25 Get rid of the "at least" size. That's what -- less

1 than 10 acres with a depth up to 20 feet, but no less  
2 than -- no less than 10 feet from the bedrock.

3 MS. LAND: Borrow Pits shall be --

4 SECRETARY STACY: Yeah.

5 MS. LAND: Shall be what?

6 MR. EVANS: Less than 10 acres. Then the  
7 rest of it is the same as the correction, right?

8 SECRETARY STACY: Yeah.

9 MS. LAND: Okay. So then it would read,  
10 "Borrow pits shall be less than 10 acres with a depth  
11 no greater than 20 feet, but less than 10 feet from  
12 bedrock."

13 MS. PARGEON: Okay.

14 MS. LAND: "But no less than 10 feet from  
15 bedrock," does that sound right? But, no -- that's  
16 not -- not no less. Should be "not," not "no."

17 MS. PARGEON: Yeah. Not less.

18 SECRETARY STACY: Not less. Yeah. But not  
19 less than 10 feet, yeah. The "not" does it.

20 MS. LAND: Changes it a little bit.

21 SECRETARY STACY: I think --

22 MR. EVANS: Yeah. Makes sense.

23 SECRETARY STACY: Does that make sense to  
24 you?

25 MS. LAND: Not "not"; no. Not, no, not.

1           CHAIRPERSON TIMMERMAN: So you're going to  
2 change the "no" to "not" in both of those?

3           MS. LAND: Yes.

4           SECRETARY STACY: Say that ten times quick.

5           CHAIRPERSON TIMMERMAN: No.

6           SECRETARY STACY: I actually wanted to  
7 revisit something that we kind of hashed on back and  
8 forth. If you go to Page 15, and this actually came  
9 up in a conversation last evening in regards to  
10 fencing around pools.

11           So if you look on Page 15, if you look at G.  
12 And if you remember, we discussed it and, then, I  
13 think it was one of the several things that we came  
14 back to revisit. And what we were trying to  
15 accomplish was that we -- it was a -- we felt it was a  
16 matter of safety.

17           I actually have reworded that, and I'm going  
18 to read it and you guys tell me what your thoughts are  
19 on this. So this is how I have it worded:

20           "For the protection of the general public,  
21 it is recommended that swimming pools be completely  
22 enclosed by a fence not less than 4 feet in height.  
23 It is recommended that the gates be of self-closing  
24 and latching type with the latch on the inside of the  
25 gate not readily available for children to open. It

1 is recommended that -- that gates be capable of being  
2 securely locked when the pool is not in use for  
3 extended periods."

4 So I think what it -- this -- what this is  
5 trying to say is that we're strongly encouraging  
6 people to do this as a safety measure, but it's not  
7 like we're going to use it as an enforcement kind of  
8 thing.

9 So you guys can put your two cents in on  
10 that. We had someone that was concerned, and I  
11 understand that, when you have a subdivision where the  
12 houses were very close together, I mean, it seems to  
13 be a no-brainer that for -- you really need to have  
14 that.

15 And, then -- but we have such a gradual  
16 change in lot size with homes that are still together,  
17 but you may have lot sizes of 2 acres and the houses  
18 are side by side. You may have houses that are  
19 5 acres, side by side by side. The spacing of that  
20 out seems to kind of alter possibly what our  
21 intentions are.

22 So thoughts?

23 CHAIRPERSON TIMMERMAN: I mean, we put it in  
24 there as a safety -- you know, for the safety of  
25 people. But I understand that the location probably

1 has a little bit to do with the necessity of that.

2 SECRETARY STACY: I think also it's being  
3 spelled out what -- actually I -- and I could see this  
4 as a benefit for the homeowner. And we're spelling  
5 out some specific safety things that really is in  
6 their best interest to do.

7 I guess the difference is do we want it as  
8 an enforceable thing? You know, we do have pools in  
9 the area that are not fenced, which would be  
10 grandfathered in. And then, of course, ponds. I  
11 think we decided it could be a hardship situation to  
12 require fencing around a pond.

13 I just feel that this clears -- levels the  
14 playing field a little bit but I wanted your thoughts.

15 CHAIRPERSON TIMMERMAN: I'm going to ask  
16 legal counsel here. If we tell you -- if you put a  
17 pool in, and I tell you what kind of pool or what kind  
18 of fence you need to put around it and, then,  
19 something tragic happens, are we liable --

20 MS. LAND: No.

21 CHAIRPERSON TIMMERMAN: -- because we told  
22 you what to do?

23 MS. LAND: No. Now, the flip side of that  
24 is we might be making people liable a little bit  
25 because, then, every -- say I'm the one suing somebody

1 because something happened in their pool. Somebody  
2 snuck in. You know, a kid got in there and something  
3 tragic happened. Me, as the attorney, I'm going to  
4 say, You were recommended to put up a fence, and you  
5 opted not to do it. You knew it was a safety hazard  
6 and you didn't. So, you know, I'm suing you because  
7 you left it that way.

8 So we could be exposing people who choose  
9 not to. But they know it and they are making that  
10 choice. And a lot of insurance companies I think are  
11 going to force people to put up fences.

12 SECRETARY STACY: Right.

13 MS. LAND: And that's outside our control.

14 SECRETARY STACY: I would rather have an  
15 outside agency.

16 MS. LAND: And let them make their own  
17 choice.

18 SECRETARY STACY: Let them dictate --

19 MS. LAND: And you can.

20 SECRETARY STACY: -- rather than us.

21 CHAIRPERSON TIMMERMAN: So are you proposing  
22 we eliminate the whole thing?

23 SECRETARY STACY: I just -- I rewrote G.

24 CHAIRPERSON TIMMERMAN: Would you put in  
25 this what you rewrote, or would you put in -- or would

1 you just eliminate all of G?

2 SECRETARY STACY: No. I would -- I want  
3 this in because I think this helps to communicate to  
4 people what guidelines really would be recommended.  
5 So if they wanted to be prudent and be looking out for  
6 their own personal welfare for liability -- possible  
7 liability, I think we have given some recommendations  
8 that makes sense for them for this to be a more secure  
9 thing to have on their property.

10 MS. LAND: I think the recommendation you  
11 have there, I think Matt was here at one meeting and  
12 he told you --

13 SECRETARY STACY: Yes.

14 MS. LAND: -- that's, like, an industry  
15 standard for what's normal.

16 SECRETARY STACY: Yes.

17 MS. LAND: It's not like that you're -- that  
18 you're asking or recommending something that is not  
19 normally considered.

20 CHAIRPERSON TIMMERMAN: Right.

21 MS. LAND: Again, that goes towards my  
22 thought process that you wouldn't have liability for  
23 what you're recommending, even if they do do it and  
24 have this problem.

25 CHAIRPERSON TIMMERMAN: I think if insurance

1 is going to somewhat dictate that anyways, I think  
2 just having it as a recommendation --

3 MS. LAND: They even get ouchy about  
4 trampolines.

5 CHAIRPERSON TIMMERMAN: So...

6 MS. PARGEON: You see more fences. I  
7 haven't seen a trampoline without a fence recently.

8 CHAIRPERSON TIMMERMAN: I'm okay with  
9 what -- how you rewrote it.

10 MR. EVANS: Me, too.

11 CHAIRPERSON TIMMERMAN: I think it's the  
12 same -- the same information. It's just a  
13 recommendation rather than a requirement now.

14 SECRETARY STACY: And it fits with our  
15 general theme that we've had from the very beginning  
16 to attempt --

17 CHAIRPERSON TIMMERMAN: It does, yeah.

18 SECRETARY STACY: -- to be less restrictive  
19 on something.

20 CHAIRPERSON TIMMERMAN: It's looking out for  
21 the welfare of the residents and it's less restrictive  
22 to make it a recommendation.

23 MS. LAND: Okay.

24 CHAIRPERSON TIMMERMAN: I think that  
25 definitely follows what our strategy's been.



1 MS. LAND: Do you want to leave in the part  
2 about that the entire premises is enclosed? Or take  
3 that out?

4 SECRETARY STACY: I would. I'd take it out.  
5 I'd go with what I have, unless you see a legal  
6 problem with that.

7 MS. LAND: No. I think that was just an out  
8 so you didn't have to have a fence within a fence. If  
9 they had a big backyard --

10 SECRETARY STACY: Yeah.

11 MS. LAND: -- totally fenced in, they  
12 wouldn't have to have another one around the pool.

13 SECRETARY STACY: Yeah. Okay.

14 CHAIRPERSON TIMMERMAN: Okay. What time we  
15 got? It's 6:00 already.

16 Does anybody have any recommendations on  
17 what makes the most sense? I know we want to at some  
18 point, I'll call it, rearrange the room. I don't know  
19 how much time that's going to eat up. It will eat up  
20 more than you think. They always do. So...

21 SECRETARY STACY: I actually have a couple  
22 of housekeeping things that I would like to get  
23 clarification on.

24 I actually wrote something up that possibly  
25 could be used, and I'll pass it out so you can all

1 look. Kind of, if we -- if we choose to do this, as  
2 people come in for the hearing, it's basically some  
3 basic information.

4 CHAIRPERSON TIMMERMAN: A few extras?

5 SECRETARY STACY: Yeah.

6 MS. LAND: I think this sentence, "A  
7 Residential Development can take place in this  
8 district but is incidental to the main use of the  
9 district," I think we just took that out, that  
10 residences are incidental to a farming district.

11 SECRETARY STACY: That's just residential  
12 can take place.

13 MS. LAND: Yeah.

14 SECRETARY STACY: Yeah. I'll cross that  
15 out.

16 CHAIRPERSON TIMMERMAN: Just because you're  
17 at that Agricultural District, somebody pointed out to  
18 me on the map, the A-1 District isn't labeled A.  
19 Like, white isn't labeled A-1.

20 MS. LAND: This is Agricultural?

21 CHAIRPERSON TIMMERMAN: Does it say -- does  
22 it say --

23 MS. LAND: It says Agricultural.

24 CHAIRPERSON TIMMERMAN: So maybe it was --

25 MS. LAND: It doesn't say A-1.

1           CHAIRPERSON TIMMERMAN: Okay. So they were  
2 -- I don't know whether those -- I didn't look at the  
3 map since it was pointed out to me.

4           SECRETARY STACY: So that would read,  
5 "Residential development can take place in this  
6 district"?

7           MS. LAND: Uh-huh. Because we -- this --  
8 these changes that we're --

9           SECRETARY STACY: Yeah. Yeah.

10          MS. LAND: -- proposing here --

11          SECRETARY STACY: Yeah.

12          MS. LAND: -- 2 acres you can build.

13          SECRETARY STACY: Yeah. Yeah.

14          CHAIRPERSON TIMMERMAN: So on the Allen  
15 Township Zoning Map draft, it doesn't list  
16 Agricultural or A-1?

17          MR. EVANS: It says Agricultural, it just  
18 doesn't say A-1, right?

19          MS. LAND: What's our big map look like,  
20 because that's the one that counts?

21          MR. EVANS: Do you have a different one than  
22 I have? Because mine, the very top thing is  
23 Agricultural.

24          CHAIRPERSON TIMMERMAN: It might be. You  
25 know what? What's this map here?

1 MR. EVANS: This says "Draft" on it.

2 CHAIRPERSON TIMMERMAN: Mine said "Draft"  
3 also. The two I have do call it A-1.

4 MR. EVANS: It should say A-1, but it says  
5 Agricultural.

6 CHAIRPERSON TIMMERMAN: Mine doesn't say  
7 Agricultural.

8 MS. LAND: What does the one at the back of  
9 the book say?

10 CHAIRPERSON TIMMERMAN: The one with the  
11 book, that's the one I think I'm looking at. Right  
12 there at the bottom, is that where you're at?

13 MS. LAND: It says Agricultural on your big  
14 one.

15 CHAIRPERSON TIMMERMAN: Okay. As long as  
16 we're good.

17 MS. LAND: I think that's good. In the  
18 book -- doesn't it say --

19 SECRETARY STACY: Well, I'm not --

20 MR. EVANS: The book doesn't have it.

21 SECRETARY STACY: No.

22 MR. EVANS: Right.

23 MS. LAND: They had one job.

24 MR. EVANS: It's bad because this is -- the  
25 tough thing is --

1 SECRETARY STACY: They had one job.

2 MR. EVANS: I -- I-1 almost always looks  
3 white. I-1 is actually light gray, isn't it?

4 MS. LAND: Yeah. I think you have the old  
5 map.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 SECRETARY STACY: Yeah, we do.

8 MS. LAND: That new one --

9 SECRETARY STACY: Because it has that  
10 artifact thing there. That was the original thing  
11 that they printed.

12 CHAIRPERSON TIMMERMAN: So...

13 SECRETARY STACY: Which is they took -- they  
14 did, too.

15 MR. EVANS: So the map's been updated from  
16 what we have?

17 SECRETARY STACY: Yeah.

18 CHAIRPERSON TIMMERMAN: We just need to make  
19 sure of it whenever -- is this the updated map, what  
20 you just had out?

21 MS. LAND: Yes. Right.

22 SECRETARY STACY: Okay. There it is.

23 MS. LAND: Here's what the updated map looks  
24 like (indicating). Nice and bright. Easy to tell the  
25 difference. And it does say --

1 MR. EVANS: Agricultural.

2 MS. LAND: This says Allen -- oh, yeah. It  
3 does say Agriculture.

4 MR. EVANS: That looks like the one I have  
5 that says "Draft." This says "Draft," so I must --  
6 that's the one that's been accepted.

7 MS. LAND: Yeah.

8 MR. EVANS: Okay.

9 MS. LAND: Well, it's all Draft. Everything  
10 here is still Draft.

11 MR. EVANS: Oh, yeah. That's true.

12 MS. LAND: Proposed.

13 MR. EVANS: But it does have --

14 CHAIRPERSON TIMMERMAN: But the most updated  
15 map you have does say Agricultural.

16 MS. LAND: And this large one, which is your  
17 actual map, the one that you will be signing which  
18 will go with your document to the Board of Elections,  
19 it says it, so you're good. But if it doesn't, we'll  
20 write it on.

21 CHAIRPERSON TIMMERMAN: Does it say  
22 Agricultural instead of A-1?

23 MR. EVANS: Yeah. It just says  
24 Agricultural.

25 CHAIRPERSON TIMMERMAN: Okay. Perfect.

1           Where you have R-1 says, "Predominantly low  
2 density," what is that by definition?

3           MS. LAND: Fewer residences. Low density or  
4 fewer people.

5           CHAIRPERSON TIMMERMAN: Fewer than what?

6           MS. LAND: Don't know.

7           CHAIRPERSON TIMMERMAN: Okay.

8           MR. EVANS: RM-1.

9           MS. LAND: It's relative.

10          SECRETARY STACY: It's relative. Compared  
11 to the multi-family.

12          MR. EVANS: Right.

13          SECRETARY STACY: It's --

14          CHAIRPERSON TIMMERMAN: Okay.

15          SECRETARY STACY: -- relatively low.

16          MS. LAND: The Expressway Service, I don't  
17 think we should probably say "heavy highway traffic,"  
18 just "highway traffic."

19          SECRETARY STACY: Okay. I'll cross that  
20 out.

21          MR. EVANS: Do we need to include anything  
22 about the landfill where it says the I-2 General  
23 Industrial District? It talks about manufacturing,  
24 but --

25          SECRETARY STACY: Uh-huh.

1 MR. EVANS: -- I don't know if it doesn't  
2 make a difference if we put anything. This is also  
3 the location where the landfill is.

4 MS. LAND: I hate to define something with  
5 its word, but it is Industrial or Manufacturing, which  
6 could be things other than manufacturing. It could  
7 be.

8 SECRETARY STACY: Okay.

9 CHAIRPERSON TIMMERMAN: For I-1, it could be  
10 warehousing.

11 MS. LAND: And I-2, it could be --

12 MR. EVANS: Business, or --

13 SECRETARY STACY: So for I-1, do you want me  
14 to put warehousing?

15 MS. LAND: Well, not necessarily.

16 SECRETARY STACY: Okay.

17 MS. LAND: Look at something here.

18 SECRETARY STACY: I was just trying to tweak  
19 it down a little bit so people --

20 MR. EVANS: Can understand?

21 SECRETARY STACY: But I don't want to change  
22 the meaning by -- sometimes you have to be careful  
23 when you try to condense.

24 MS. LAND: The Intent that we have at the  
25 beginning of each section --



1 SECRETARY STACY: Uh-huh.

2 MS. LAND: -- it might be that could be  
3 helpful. "I-1 Light Industrial Districts are designed  
4 so as to accommodate wholesale activities, warehouses,  
5 and industrial operations whose physical effects are  
6 restricted to the area of the district and in no  
7 manner affect in a detrimental way any of the  
8 surrounding districts."

9 So I think I would friendly that up a little  
10 bit.

11 But, you know, Wholesale activities,  
12 warehouses, and industrial operations, that takes care  
13 of manufacturing or whatever.

14 SECRETARY STACY: Okay. Can you say that  
15 one more time? We're in I-1. Say it again.

16 MS. LAND: To accommodate wholesale  
17 activities, warehouses, and industrial operations.

18 SECRETARY STACY: Warehousing? Should it be  
19 warehousing?

20 MS. LAND: They say warehouses here.

21 SECRETARY STACY: Okay. Wholesale  
22 activities, warehousing, and --

23 MS. LAND: Industrial operations.

24 SECRETARY STACY: Industrial operations.  
25 Okay. That one.

1           How about I-2?

2           MS. LAND: "...designed primarily for  
3 manufacturing, assembling, and fabrication activities  
4 on large-scale operations." And, then, that part  
5 about the external effects is a good thing.

6           SECRETARY STACY: I'll just pull it out of  
7 there.

8           MS. LAND: Yeah. You say large-scale  
9 manufacturing, and you could add in there assembling  
10 and fabrication activities.

11          SECRETARY STACY: Okay.

12          MS. LAND: The statement you have here,  
13 "This is a living document that can be amended," we've  
14 already been accused in some of that eAllen stuff that  
15 we threw it together; we intend to change it right  
16 away as soon as it's done, which is absolutely not the  
17 case. So when we say, this is a living document that  
18 can be amended, if over time it's determined that --

19          SECRETARY STACY: Do you want me to add to  
20 -- like clarification?

21          MS. LAND: Yeah.

22          SECRETARY STACY: So if, over time --

23          MS. LAND: The needs of the township change.

24          SECRETARY STACY: If, over time, the needs  
25 of the township change." Okay. I'll do that.

1           CHAIRPERSON TIMMERMAN: Is your plan to have  
2 this available for pretty much anybody that walks  
3 through the door and pick one up as you come in?

4           SECRETARY STACY: I just --

5           CHAIRPERSON TIMMERMAN: Just a quick summary  
6 idea.

7           SECRETARY STACY: I thought maybe it might  
8 be helpful. I mean, I -- I think our approach, our  
9 starting point, how -- I mean, I think that really  
10 influenced what we have here and I think it goes a  
11 long way to communicate to people what our intent was  
12 when we did this.

13           MR. EVANS: But it's brief. I like that.

14           MS. LAND: I do, too.

15           SECRETARY STACY: I'll make those changes.  
16 I don't know -- What do you think? Do I need 100?

17           CHAIRPERSON TIMMERMAN: Anybody want to  
18 count the chairs?

19           SECRETARY STACY: Well, I think we have  
20 actually 92 chairs. But...

21           MR. EVANS: Does that include back there?  
22 Because I think we figure there was only about 70  
23 here.

24           SECRETARY STACY: I thought I counted --  
25 unless I don't have --

1           CHAIRPERSON TIMMERMAN: Did you just count  
2 the chairs -- did you --

3           SECRETARY STACY: They were -- when I came  
4 over --

5           CHAIRPERSON TIMMERMAN: When they were  
6 stacked up.

7           SECRETARY STACY: -- they were stacked.

8           CHAIRPERSON TIMMERMAN: And there are still  
9 chairs back there.

10          MR. EVANS: Right.

11          SECRETARY STACY: Okay. But we're going to  
12 need chairs back here, too. So...

13          CHAIRPERSON TIMMERMAN: Print 100 of them  
14 up.

15          SECRETARY STACY: Okay. That's fine. All  
16 right. I can do that.

17                My other housekeeping thing is so the  
18 hearing, it's almost like we're going -- we are going  
19 to be having a meeting within the hearing, correct?

20          MS. LAND: No, it's a hearing.

21          SECRETARY STACY: It's a hearing. The whole  
22 thing is a hearing?

23          MS. LAND: Yeah.

24          SECRETARY STACY: Do I need to have an  
25 agenda because it's a hearing?

1 MS. LAND: Not this kind of agenda, no. You  
2 should have a checklist that everybody has in front of  
3 them. I can bring that for you.

4 SECRETARY STACY: Okay.

5 MS. LAND: Because there are certain things  
6 that you must do at a hearing to make sure that you  
7 can't be challenged that you didn't properly  
8 deliberate on what's going -- what is in front of you.

9 Now, one of the things that you have to have  
10 is confirmation that everybody in the group has read  
11 the document. Clearly you have, but you still have to  
12 say it on that record.

13 SECRETARY STACY: Okay.

14 MS. LAND: And it's just the whole order of  
15 things to make it orderly. You know, introduce  
16 yourselves. Introduce anybody -- like, if there are  
17 township trustees here. You know, if anybody from the  
18 County comes, I don't know that they would, but if  
19 they might. Who knows who could come.

20 And if they come to you and let you know  
21 that they're here, you introduce them. If they don't,  
22 then maybe they don't want to be noticed. So...

23 SECRETARY STACY: Okay.

24 MS. LAND: And, then, you know, the whole  
25 process of what needs to be done.

1           Now, anybody who wants to speak at the  
2 hearing, they get sworn in. So as they -- you have  
3 to -- because this is testimony on the record at a  
4 legal hearing. So these people that are standing up  
5 telling lies ought to really contemplate what they're  
6 saying once they put their hand in the air and swear  
7 they're telling the truth. It makes a difference.

8           CHAIRPERSON TIMMERMAN: Do you do that  
9 individually?

10          SECRETARY STACY: Who's -- yeah. Who's  
11 going to be -- and we -- and the verbiage used.

12          MS. LAND: It's very simple. Do you swear  
13 the statements you make are the truth?

14          SECRETARY STACY: Okay.

15          MS. LAND: You don't have to say -- swear or  
16 affirm because some people don't swear; they'll  
17 affirm.

18          SECRETARY STACY: Okay.

19          MS. LAND: You don't have to say, "...so  
20 help me, God." People do, but you don't have to.

21          SECRETARY STACY: Okay.

22          CHAIRPERSON TIMMERMAN: Do we do that to  
23 each individual person as they come up?

24          MS. LAND: If you want to be less formal,  
25 you can say, "Anybody who wants to speak, raise your

1 hand," and swear them all in. I, state your name, do  
2 solemnly swear. Do them all at once.

3 MR. EVANS: You're allowed to do that?

4 MS. LAND: Yeah. Everybody that's on that  
5 list that says they want to speak. If somebody wasn't  
6 on the list and wants to speak, you have to swear them  
7 individually.

8 CHAIRPERSON TIMMERMAN: Okay.

9 SECRETARY STACY: That never crossed my  
10 mind.

11 CHAIRPERSON TIMMERMAN: That will be written  
12 down, like, what to say?

13 MS. LAND: Uh-huh.

14 CHAIRPERSON TIMMERMAN: Okay.

15 SECRETARY STACY: So I don't need to post an  
16 agenda for the hearing?

17 MS. LAND: No. No.

18 SECRETARY STACY: Okay. That's --

19 MS. LAND: The notice has been posted that  
20 it's going to happen and all that. It's the hearing.  
21 That is the agenda that it's a hearing.

22 SECRETARY STACY: Okay.

23 MS. LAND: It's not -- we call it an agenda,  
24 but it's really just an order of operations, an order  
25 of procedure. It's not an agenda. The agenda is the

1 hearing and that's what's been posted.

2 SECRETARY STACY: Do I take minutes during  
3 the hearing?

4 MS. LAND: Yes. It's going to be recorded.  
5 I wouldn't distract myself taking minutes. I would  
6 take notes for minutes. I would just listen to the  
7 recording and do it later.

8 SECRETARY STACY: And we did talk about  
9 setting July 24th as a meeting, and I did pass that  
10 information on to Mark to get that posted. So...

11 MS. LAND: Did he do that?

12 SECRETARY STACY: I can double check.  
13 I mean, it has to be a week. We need that week. Or  
14 I can check with him to see if -- I asked him to do  
15 it, but I'll check.

16 VICE CHAIRPERSON REHUS: July 24th?

17 MR. EVANS: At 5:00.

18 SECRETARY STACY: Yeah. We just thought,  
19 you know -- and that's a little time before the  
20 next -- the second hearing, so if something needs to  
21 be done, that's in place.

22 MS. LAND: No changes can be made after your  
23 hearing, though.

24 SECRETARY STACY: Right. I know.

25 MS. LAND: We're not going to be looking at



1 the book again, but there could be -- making sure that  
2 the trustees have what they need to be able to do  
3 their hearing well. And...

4 SECRETARY STACY: Okay. All right. I think  
5 that's addressed what I needed to know.

6 CHAIRPERSON TIMMERMAN: These changes that  
7 you have typed up, if something comes up in the moment  
8 of the meeting, you'll have the ability to add to  
9 this?

10 MS. LAND: Won't have a printer. I think we  
11 can. I'll bring my computer; we'll add to it. I  
12 wonder if Mark has a printer here that maybe he could  
13 be here to print -- I'll have it on a flash drive and  
14 he can print what we need, if something changes.

15 CHAIRPERSON TIMMERMAN: They have a printer  
16 over there. So...

17 MS. LAND: Yeah. I think he can plug his  
18 computer. I can plug mine into it, I guess. I don't  
19 know. Not that tech savvy.

20 CHAIRPERSON TIMMERMAN: Just in case  
21 somebody brings something up that somebody --

22 MS. LAND: Right. Yeah. As long as there's  
23 a printer, I can -- I'll bring my computer and we can  
24 make those changes.

25 CHAIRPERSON TIMMERMAN: Okay.

1 Anything else, Deb?

2 SECRETARY STACY: I think I'm good.

3 CHAIRPERSON TIMMERMAN: One note I had, in  
4 the Definitions, we don't really have a definition of  
5 "on site." I know it was brought up at one point in  
6 time. "...the on-site use of turbines and solar." In  
7 those sections, it does -- it says things like, "...on  
8 the same parcel as the principal use..." or whatever.

9 MS. LAND: Uh-huh.

10 CHAIRPERSON TIMMERMAN: No need for "on  
11 site" at that point?

12 MS. LAND: I don't think so. Because when  
13 you -- we put it in two different places, we start  
14 running the risk of them fighting with each other,  
15 too, and maybe contradicting, or somebody reading them  
16 as contradictory.

17 CHAIRPERSON TIMMERMAN: Okay.

18 MS. LAND: It's -- I think in the Wind and  
19 Solar, you identified what was considered accessory  
20 and what was non-accessory pretty well, so I don't  
21 think I would mess with that.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: Now, that being said, if, over  
24 time, we find it starts to be a real issue, that's  
25 something that you can revisit some day and maybe have

1 to clarify. But it's not something I think you'll be  
2 needing to do right now.

3 CHAIRPERSON TIMMERMAN: Okay.

4 SECRETARY STACY: Was there another word  
5 that we had talked about adding to the definitions?  
6 Exist --

7 MS. LAND: We talked about adding --

8 SECRETARY STACY: Was it existing?

9 MS. LAND: -- existing. But it's already in  
10 the nonconforming stuff about being --

11 SECRETARY STACY: Okay.

12 MS. LAND: -- permanently affixed with  
13 construction materials --

14 CHAIRPERSON TIMMERMAN: Okay.

15 SECRETARY STACY: Okay.

16 MS. LAND: -- permanently affixed to the  
17 ground, so we decided to take that out.

18 SECRETARY STACY: All right. That's fine.

19 CHAIRPERSON TIMMERMAN: Does anybody have  
20 anything else they want to touch base on?

21 (No response.)

22 CHAIRPERSON TIMMERMAN: Do you want to go  
23 through -- leaf through the book very quickly and  
24 point things out or any little things or --

25 MS. LAND: Up to you guys.

1           CHAIRPERSON TIMMERMAN:  There's dumb things.  
2  We have a definition for an exit ramp, but not an  
3  entrance ramp.  I don't think either one is addressed  
4  anywhere in the book.  Do you take it out?

5           MS. LAND:  Just leave it.

6           CHAIRPERSON TIMMERMAN:  Leave it.

7           Under Energy Storage Facility, it says,  
8  "...Energy Storage Facility if it supplies electrical  
9  power solely for off-site uses."

10          What if it's not solely for off site?

11          MS. LAND:  Didn't we talk about this a whole  
12  lot, though, about this -- those things?  I don't  
13  remember what the whole -- I mean, you guys discussed  
14  it.  I don't know how you want -- What do you want to  
15  do with it?

16          CHAIRPERSON TIMMERMAN:  I don't know.  So...

17          MS. LAND:  Do you want to take the word  
18  "solely" out?  I'm --

19          CHAIRPERSON TIMMERMAN:  I'm just thinking.  
20  It's Page 5 is what I have.

21          SECRETARY STACY:  That might --

22          CHAIRPERSON TIMMERMAN:  Although that says  
23  non-accessory.  But if they use any part of it for  
24  on-site, then it would be different, I guess is what  
25  I'm looking at.  Is it a loophole by saying solely for

1 off-site uses?

2 MS. LAND: I think we're using this solely  
3 on site and off site for the difference between  
4 accessory and non-accessory.

5 CHAIRPERSON TIMMERMAN: Right.

6 MS. LAND: Because the one above it says  
7 "...solely for on-site uses."

8 CHAIRPERSON TIMMERMAN: Okay.

9 SECRETARY STACY: Yeah.

10 CHAIRPERSON TIMMERMAN: Okay.

11 MS. LAND: Don't let you guys -- don't let  
12 yourselves start overthinking everything and start  
13 getting worried.

14 CHAIRPERSON TIMMERMAN: I get it.

15 MS. LAND: You guys went through all of this  
16 and made a lot of decisions. Don't start  
17 second-guessing yourself now.

18 CHAIRPERSON TIMMERMAN: Yeah. On Page 2, at  
19 the top, it says "Article II, Definitions."

20 MS. LAND: I know. It should say,  
21 "Definitions and..." --

22 CHAIRPERSON TIMMERMAN: Construction  
23 Language.

24 MS. LAND: Yeah. But it says Construction  
25 Language in the next section down. See, they're both

1 in there.

2 CHAIRPERSON TIMMERMAN: But in the Table of  
3 Contents, it says --

4 MS. LAND: Construction Language. Well,  
5 that's because we had that out for a while. Remember?  
6 Took it out.

7 CHAIRPERSON TIMMERMAN: I know.

8 MS. LAND: I put it back.

9 CHAIRPERSON TIMMERMAN: So...

10 MS. LAND: Another standard interpretation  
11 of law or reading of law is the titles are not part of  
12 a statute.

13 CHAIRPERSON TIMMERMAN: Okay.

14 MS. LAND: So we can change that later  
15 without having any difficulty because titles and,  
16 like, Table of Contents, they are directory things.  
17 They don't -- they could say something completely  
18 squirrely, it's what's in the section that counts.

19 CHAIRPERSON TIMMERMAN: Okay.

20 SECRETARY STACY: I think we voted on that.

21 MS. LAND: What's on there? I can't see it.

22 SECRETARY STACY: No. 7.

23 MS. LAND: Yeah.

24 SECRETARY STACY: The first Tuesday is --

25 MS. LAND: It's the 5th because we have to

1 have it in by August 7th.

2 SECRETARY STACY: Right.

3 MS. LAND: I'll check that.

4 SECRETARY STACY: Okay.

5 CHAIRPERSON TIMMERMAN: On Page 13, there's  
6 a -- towards the bottom it says stuff about  
7 manufactured homes. At one point in time we said  
8 something about 5 years or less.

9 SECRETARY STACY: Uh-huh.

10 CHAIRPERSON TIMMERMAN: That's not in there  
11 at that spot. It might be somewhere else.

12 Section 402, line 3, is the mobile home.

13 MS. LAND: What page are you on? Page 13.

14 I was on 15.

15 CHAIRPERSON TIMMERMAN: What did I say?

16 Where are you at?

17 MS. LAND: I was on 15.

18 SECRETARY STACY: I was, too.

19 MS. PARGEON: Section 402.

20 CHAIRPERSON TIMMERMAN: Maybe I'd said the  
21 wrong thing.

22 SECRETARY STACY: I don't know.

23 MS. PARGEON: Conditional Uses.

24 SECRETARY STACY: Either that or we are on  
25 the same wavelength.

1           CHAIRPERSON TIMMERMAN: I probably said the  
2 wrong thing.

3           SECRETARY STACY: I don't know. All right.  
4 Okay. Now say it again where you're looking.

5           CHAIRPERSON TIMMERMAN: 402, Section 3  
6 there.

7           MS. PARGEON: Mobile Homes and Manufactured  
8 Homes Used To Replace Existing Mobile Homes.

9           MS. LAND: Didn't we have discussion about  
10 that, though?

11          SECRETARY STACY: We did. And I'm --

12          MS. LAND: And that's why we took that time  
13 out.

14          SECRETARY STACY: Is it -- is it discussed  
15 somewhere else or is it not in there?

16          MR. EVANS: What do you think it should say,  
17 John?

18          CHAIRPERSON TIMMERMAN: We just don't have  
19 any -- at one point in time we mentioned the 5 years  
20 or less -- 5 years old or less. So...

21          MS. LAND: I think we had discussion,  
22 though, that there was concern that if somebody had  
23 one that was older than 5 years that they could  
24 replace it with, they wouldn't bother replacing it if  
25 they couldn't use the older one, even though --



1 CHAIRPERSON TIMMERMAN: Oh.

2 MS. LAND: -- it might be completely nice.

3 MS. PARGEON: Yeah.

4 SECRETARY STACY: Okay.

5 MS. PARGEON: Yes. You could not stick it  
6 in if it was 5 years old. You have to get new.

7 MS. LAND: That's why that got taken out.

8 SECRETARY STACY: And, actually, I mean,  
9 I understand what we were trying to accomplish. But  
10 it's possible something could be older than 5 years  
11 and actually be quite --

12 CHAIRPERSON TIMMERMAN: Nice.

13 SECRETARY STACY: Yeah.

14 CHAIRPERSON TIMMERMAN: Yeah. And I  
15 remember people saying stuff like that, too.

16 SECRETARY STACY: Again, we want to err on  
17 being a little less restrictive.

18 CHAIRPERSON TIMMERMAN: Yeah.

19 MS. LAND: I think, after tonight, we're  
20 going to take everybody's book away and you can't look  
21 at them again.

22 MS. PARGEON: No. No.

23 CHAIRPERSON TIMMERMAN: Listen, I haven't  
24 said that many things yet.

25 VICE CHAIRPERSON REHUS: Yet.

1           CHAIRPERSON TIMMERMAN: Section No. -- do  
2 you care about those? Like, in the -- Page 23, you  
3 have Section 1102, but 1102 is on Page 22.

4           MS. LAND: It has --

5           CHAIRPERSON TIMMERMAN: So it should be  
6 1103. I had too much time on my hands.

7           MS. LAND: Yes, you do.

8           CHAIRPERSON TIMMERMAN: Do those type of  
9 things matter?

10          MS. LAND: Yes and no.

11          CHAIRPERSON TIMMERMAN: Okay.

12          MS. LAND: I mean, we don't want them messy,  
13 so we can get those fixed up. From the standpoint of  
14 it -- the legality of it, it's not going to hurt  
15 anything, but I would --

16          CHAIRPERSON TIMMERMAN: Okay.

17          MS. LAND: -- rather they get fixed.

18          CHAIRPERSON TIMMERMAN: All right. Page 30  
19 and Page 28, as you get there, those two go together.

20          MS. LAND: Okay.

21          CHAIRPERSON TIMMERMAN: Letter L does not  
22 show up on Page 28.

23          MS. LAND: Did it ever?

24          CHAIRPERSON TIMMERMAN: I think on the  
25 original it did. Like the 2002 version it did.

1 MS. LAND: I think it --

2 CHAIRPERSON TIMMERMAN: And it kind of  
3 mimics what you put in Q, I think.

4 MS. LAND: Yeah. But I don't -- was it on  
5 any of these things as --

6 CHAIRPERSON TIMMERMAN: I honestly don't  
7 remember.

8 SECRETARY STACY: I don't either.

9 CHAIRPERSON TIMMERMAN: I don't have that in  
10 front of me.

11 MS. LAND: I think a lot of them are  
12 actually on here anywhere.

13 CHAIRPERSON TIMMERMAN: What's that?

14 MS. LAND: Are all of them on here except L?

15 CHAIRPERSON TIMMERMAN: Yeah.

16 MS. LAND: I think L would have to go in  
17 everything then because it's a General.

18 SECRETARY STACY: Uh-huh.

19 CHAIRPERSON TIMMERMAN: Okay. That's --

20 MS. LAND: I think I'll just leave it out  
21 because --

22 CHAIRPERSON TIMMERMAN: Leave it out, like,  
23 leave it in the book or --

24 MS. LAND: Leave it in the book. Leave it  
25 off the chart.

1 CHAIRPERSON TIMMERMAN: That's fine.

2 MS. LAND: Because it still exists here, but  
3 it would just be cluttering it up putting it  
4 everywhere.

5 SECRETARY STACY: Right. Right. Right.

6 MS. PARGEON: All I had marked is, "The  
7 zoning commission may permit structures higher than a  
8 minimum height standard provided all yard setbacks are  
9 increased to equal the height of the proposed  
10 structure."

11 That's one that you had made L.

12 MS. LAND: Yeah.

13 CHAIRPERSON TIMMERMAN: But at this time --

14 MS. LAND: Since it applies everywhere --

15 MS. PARGEON: Yeah. Right.

16 MS. LAND: -- it doesn't really have to be  
17 attached to anything.

18 MS. PARGEON: Okay.

19 SECRETARY STACY: Yeah.

20 CHAIRPERSON TIMMERMAN: Okay. Page 33,  
21 Section 1502.

22 SECRETARY STACY: We were going to insert in  
23 between --

24 MS. LAND: We decided not to do that.

25 That's the one we took out.

1 SECRETARY STACY: Oh, okay.

2 MS. PARGEON: Yeah.

3 MS. LAND: Because it exists elsewhere.  
4 That's what we were saying.

5 SECRETARY STACY: Okay.

6 CHAIRPERSON TIMMERMAN: Yeah.

7 SECRETARY STACY: All right.

8 CHAIRPERSON TIMMERMAN: It's right here, if  
9 I remember right maybe (indicating). Maybe not.

10 MS. LAND: It's --

11 CHAIRPERSON TIMMERMAN: Right here.

12 MS. LAND: It's in Intent, isn't it?

13 CHAIRPERSON TIMMERMAN: So go to Page 34,  
14 the paragraph right before 2.

15 SECRETARY STACY: Okay.

16 CHAIRPERSON TIMMERMAN: About halfway  
17 through, it says, "Actual construction is hereby  
18 defined as including the placement of construction  
19 materials in permanent position and fastened in a  
20 permanent manner, except that where demolition or  
21 removal of existing building has been substantially  
22 begun."

23 MS. PARGEON: Preparatory.

24 MS. LAND: Yeah.

25 CHAIRPERSON TIMMERMAN: So that's where it's

1 kind of a -- had those begun.

2 SECRETARY STACY: Okay. All right.

3 MS. PARGEON: What were you going to do with  
4 that?

5 CHAIRPERSON TIMMERMAN: It says -- at the  
6 end of that title, it says, Nonconforming Uses of  
7 Structure and Premises, but we say Structures and  
8 Land, I think.

9 SECRETARY STACY: Oh.

10 MS. LAND: Where does it say "premises"?  
11 Oh.

12 SECRETARY STACY: Kind of in the title  
13 that --

14 MS. LAND: Uh-huh.

15 SECRETARY STACY: Yeah.

16 MS. PARGEON: You want to take that out or  
17 what were you going to do with that?

18 CHAIRPERSON TIMMERMAN: I just think it  
19 should be changed from "premises" to "land."

20 MS. PARGEON: Oh, okay.

21 SECRETARY STACY: Yeah, to be consistent.

22 MS. LAND: In the title.

23 SECRETARY STACY: In the title.

24 CHAIRPERSON TIMMERMAN: In the title.

25 MS. LAND: Okay. Where to now?

1 CHAIRPERSON TIMMERMAN: Why you got to be  
2 like that? I'm trying to be fast.

3 MS. LAND: Try harder.

4 (Laughter.)

5 MS. LAND: All my kids are home. I want to  
6 get back there and see them. Two of the three of  
7 them.

8 CHAIRPERSON TIMMERMAN: Let's go to Page 36.  
9 It's Accessory Buildings, No. 5 A.

10 Well, let's do all of 5. "No detached  
11 accessory building in an R-1 or RM-1 District shall  
12 exceed one story or 14 feet of height."

13 MS. PARGEON: Of.

14 CHAIRPERSON TIMMERMAN: "... of 14 feet of  
15 height, nor exceed the height of the main building on  
16 the premises." I'm okay with that.

17 The next one says, "Accessory buildings in  
18 all other districts may be constructed to equal the  
19 permitted maximum height of structures in said  
20 districts subject to zoning commission review and  
21 approval if the building exceeds one story or 14 feet  
22 in height."

23 I just kind of like -- the second half of  
24 that, "subject to zoning commission review" kind of  
25 makes it seem like it's almost the same as the R-1 and

1 RM-1, versus just getting rid of that second half and  
2 saying they're allowed to be whatever is the accepted  
3 height of that district.

4 MS. LAND: Yeah. I think the concept is  
5 that one story, and 14 feet in height is fine  
6 anywhere. But if they want to go to the maximum  
7 height of what they have, they have to talk to you  
8 guys about it. It can happen, but they need to talk  
9 to you. Because what if you have -- in the district  
10 where they can have stories, do you want somebody  
11 putting up a tower without asking you?

12 CHAIRPERSON TIMMERMAN: Okay.

13 MS. LAND: I mean, it's up to you. I mean,  
14 I can see the scenario where it could be an issue, and  
15 I can see where it really doesn't matter that much.  
16 It can happen. But will it happen?

17 CHAIRPERSON TIMMERMAN: I guess -- I don't  
18 know.

19 SECRETARY STACY: If you have it in there,  
20 if it comes up, then it's addressed, I guess. It's  
21 kind of like the parking. You know, are we -- you  
22 know, we have the parking diagrams and things. And  
23 I remember that I said, Do we really need all these  
24 parking diagrams? And, actually, someone, after the  
25 trustee meeting last night, wanted to slam the fact



1 that we had parking diagrams in the Resolution.  
2 And I remember you said, Well, we may not need them,  
3 but we have them if we need them.

4 Well, here's the thing. With the growth  
5 going on in this township, someone like Portage  
6 Township, I'd say, no, they don't need parking  
7 diagrams. But five years from now, we may need them  
8 and then we have them.

9 MS. LAND: There are also people, and  
10 probably whoever was slamming this is somebody who can  
11 look at a description and know what shape something  
12 is. There are a lot of people who cannot. They need  
13 to see the picture to know what you're talking about.  
14 When you're talking angles and stuff like that --

15 MS. PARGEON: Yeah.

16 MS. LAND: -- it causes a lot of confusion  
17 and that's why there's pictures. It's like, good for  
18 them, they can do it. I know I can't. I was the kid  
19 who could never figure out which picture makes a box,  
20 you know, on the standardized tests.

21 CHAIRPERSON TIMMERMAN: Yeah.

22 MS. LAND: Not my thing. That's why I fold  
23 maps.

24 (Laughter.)

25 MS. PARGEON: That's a good one.

1 CHAIRPERSON TIMMERMAN: She's never going to  
2 let that go.

3 MS. LAND: I'm not an engineer. My family  
4 is full of engineers. (Unintelligible).

5 CHAIRPERSON TIMMERMAN: I understand where  
6 you're coming from on the four-story thing. It's -- I  
7 can see someone saying, Oh, we've got to ask for  
8 permission for that. But it's not a matter of wanting  
9 to prevent it. It's a matter of preventing the --

10 MS. LAND: The odd thing.

11 CHAIRPERSON TIMMERMAN: -- the oddity.  
12 Yeah.

13 Page 43.

14 MS. LAND: The other thing that, you know,  
15 we're looking at a lot of little things that, you  
16 know, I think we run the risk of sending this to  
17 Regional Planning or someplace with lots of little  
18 changes and having them have issues with something  
19 that we have pointed out and a change that could  
20 trigger them wanting to send it back through. So we  
21 don't really want to --

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: -- if it's not necessary.

24 SECRETARY STACY: Uh-huh.

25 MS. LAND: If it could go either way,

1 there's a reason we put it that way to begin with.  
2 Let's stay there. Let's not second-guess ourselves.

3 CHAIRPERSON TIMMERMAN: In 43, I was curious  
4 if we wanted to -- at Page 43, Section 3, at the  
5 bottom, Mobile Homes -- Mobile/Manufactured Homes, is  
6 there -- should we define the process of making a  
7 mobile home a structure?

8 MS. LAND: No because that's not something  
9 that we do. We can't control it. It's done by State  
10 statute --

11 CHAIRPERSON TIMMERMAN: Okay.

12 MS. LAND: -- in a completely different  
13 venue. Not ours.

14 CHAIRPERSON TIMMERMAN: Page 50, Fences.

15 No. 3. "Recorded lots having a lot area in  
16 excess of 2 acres and a frontage of at least 200 feet,  
17 and acreage or parcel not included within the  
18 boundaries of a recorded plot in all Residential  
19 Districts are exempt from these regulations."

20 "These regulations," is it all the  
21 regulations? Because there -- my point is is that's  
22 in the middle of the List of Regulations.

23 MS. LAND: Uh-huh.

24 MS. PARGEON: It says "...excluded from  
25 these regulations."

1 MS. LAND: From the fencing in Residential,  
2 yeah. I think all resident -- all fencing is --  
3 they're excluded from regulations for fencing if they  
4 are larger than a 2-acre lot and a frontage of at  
5 least 200 feet, and they aren't included in a recorded  
6 plat.

7 CHAIRPERSON TIMMERMAN: Okay. So it's all  
8 1 through 8 they are excluded from?

9 MS. LAND: Uh-huh.

10 CHAIRPERSON TIMMERMAN: Okay. I just --

11 MS. LAND: I mean --

12 CHAIRPERSON TIMMERMAN: Being in the middle  
13 is fine.

14 MS. LAND: They're not going to want to put  
15 fences in an easement. Good luck with that.

16 CHAIRPERSON TIMMERMAN: Yeah.

17 MS. LAND: I mean, there are things that are  
18 beyond our control that they shouldn't be doing  
19 anyways, but we can't regulate all of those things.

20 CHAIRPERSON TIMMERMAN: Right.

21 In the Solar section, Page 54, No. 6, letter  
22 C, it says, "The surface area of a ground-mounted  
23 system." I'm curious if that should say, "The surface  
24 area of the panels of a ground-mounted system."

25 Because it later goes on to say, "...regardless of the

1 mounted angle." So the area of the panels determine  
2 the --

3 SECRETARY STACY: Angle.

4 CHAIRPERSON TIMMERMAN: -- lot coverage, or  
5 does the -- that they are able to change angle.

6 MS. LAND: It says, "...regardless of the  
7 amount of angle," so it would be whatever the panel  
8 is.

9 MS. PARGEON: If it lays flat, yeah.

10 MS. LAND: If it's flat, that's what it is.  
11 If they put it up this way (indicating), it's still  
12 what it would be if it's flat.

13 MS. PARGEON: Right.

14 CHAIRPERSON TIMMERMAN: Okay.

15 MS. LAND: So it's saying regardless of the  
16 angle.

17 CHAIRPERSON TIMMERMAN: So the surface area  
18 of -- of a ground-mounted system, that is --

19 MS. PARGEON: Yeah.

20 CHAIRPERSON TIMMERMAN: -- encompassing?

21 MS. LAND: Uh-huh.

22 CHAIRPERSON TIMMERMAN: Okay.

23 MS. LAND: I think so.

24 CHAIRPERSON TIMMERMAN: And No. 3, at the  
25 top of that page, at the end of the first line it

1 says, "...but excess power generated from time to time  
2 could be sold to a local utility company."

3 Then No. 4 says the same thing.

4 MS. PARGEON: Well, that says, in the first  
5 one, "excessive power generated." The other one said.  
6 "...shall not use generated power for the sale of  
7 energy to other users."

8 Then it says, "...although provisions..." --

9 MS. LAND: I think Clara's right. The first  
10 one is the size. But if you have excess, you can sell  
11 it, but you can't have it just to sell, if it's an  
12 accessory use.

13 CHAIRPERSON TIMMERMAN: Okay. But they both  
14 say "excess power generated from time to time."

15 MS. LAND: Right. But we don't want to say  
16 in the first --

17 CHAIRPERSON TIMMERMAN: I'm okay with it.

18 MS. LAND: We have to say it that way  
19 because, in the first one, we're saying, occasionally,  
20 if you have extra, you can sell it off.

21 CHAIRPERSON TIMMERMAN: Yeah.

22 MS. LAND: The second one, we're saying you  
23 can't have it just to sell it off.

24 MS. PARGEON: Yeah.

25 MS. LAND: But if you have extra, you can

1 still sell it off. Because, otherwise, I think we're  
2 contradicting the two. You have to still have that  
3 caveat.

4 CHAIRPERSON TIMMERMAN: Okay. I feel like  
5 there's one more change, but that's it. Then there  
6 might not be one more.

7 Never mind. That's everything I had.

8 SECRETARY STACY: I have one final thing.  
9 Actually, just going to get it here. On Page 35, E,  
10 we're talking about nonconformity. So that reads -- I  
11 guess I was wondering if you could give an example.

12 So "Any structure, or structure and land in  
13 combination in or on which a nonconforming use is  
14 superseded by a permitted use shall thereafter conform  
15 to the regulations in the district..."

16 So a permitted use --

17 MS. LAND: Say, for example, you have a  
18 house that somebody's operating a flower shop out of.

19 SECRETARY STACY: Okay.

20 MS. LAND: But they, instead of operating  
21 the flower shop, just turn it back into a house, it  
22 can never be a flower shop again because, now, the  
23 permitted use has superseded what the nonconforming  
24 use was.

25 SECRETARY STACY: Okay. If you have a

1 non --

2 MS. LAND: You have a nonconforming use, and  
3 you're still using everything on your property, but  
4 you decided to change the way you're using it to  
5 something that would be a conforming use, you can't go  
6 back to that nonconforming use. You've lost that.

7 SECRETARY STACY: Okay.

8 MS. LAND: You don't have to wait the two  
9 years. You immediately lose it there.

10 SECRETARY STACY: Okay. Okay. I think  
11 I'm good.

12 CHAIRPERSON TIMMERMAN: Time to redecorate?

13 SECRETARY STACY: Uh-huh.

14 CHAIRPERSON TIMMERMAN: I mean, unless  
15 anybody has anything left in the book they want --

16 SECRETARY STACY: Anyone in the -- has  
17 comments.

18 CHAIRPERSON TIMMERMAN: I guess that's true.  
19 Anybody here, public, have any questions?  
20 Comments?

21 (No response.)

22 CHAIRPERSON TIMMERMAN: Okay. I think  
23 they've heard enough.

24 VICE CHAIRPERSON REHUS: Cindy's going to  
25 run.



1 MS. LAND: No, I'll help redecorate.

2 MR. EVANS: You don't need to do that.

3 SECRETARY STACY: You don't have to do that.

4 MS. PARGEON: Maybe she's got some  
5 suggestions for us.

6 CHAIRPERSON TIMMERMAN: Is there anything  
7 that you -- anything else you want to address for  
8 Friday? The hearing starts at 6:30.

9 MS. LAND: Right.

10 CHAIRPERSON TIMMERMAN: If we're here at  
11 6:00, is there any -- I mean, that's having a meeting  
12 before the meeting?

13 MS. LAND: That's not -- you're not going to  
14 be having a meeting. I mean, you can't wait until  
15 6:30 to walk in. You're not judges where you can stay  
16 back in chambers. You know, just go about getting  
17 everything set up and ready to go, making sure your  
18 microphones are working, your recording is working  
19 properly, and that's part of what you guys need to be  
20 doing.

21 And that's not -- that's not having a  
22 special meeting. That's not doing anything illegal.  
23 It's getting ready for your hearing, and it's right  
24 here in front of everybody. It's not going to be  
25 going on behind closed doors. And I imagine somebody

1 could make a point of it, but it's not -- it's not a  
2 problem to do that.

3 SECRETARY STACY: So once we adjourn here --

4 MS. LAND: I wouldn't adjourn until you get  
5 done redecorating.

6 SECRETARY STACY: Oh.

7 CHAIRPERSON TIMMERMAN: Yeah.

8 MS. PARGEON: Uh-huh.

9 SECRETARY STACY: Okay. I hear you.

10 CHAIRPERSON TIMMERMAN: At the trustee  
11 meeting last night they did say they were hiring some  
12 -- somebody to record.

13 MS. LAND: Oh, okay.

14 CHAIRPERSON TIMMERMAN: So we'll have to --  
15 somebody will have to be here to let them in, and I  
16 don't have a clue.

17 SECRETARY STACY: Yeah. We'll have to --

18 CHAIRPERSON TIMMERMAN: Nothing's been said.  
19 Maybe --

20 SECRETARY STACY: 5:00. They're going to be  
21 here at 5:00? Okay. I was going to ask you that.

22 CHAIRPERSON TIMMERMAN: Do we know who is  
23 going to be here to open the building at 5:00?

24 SECRETARY STACY: I -- I can.

25 FROM THE FLOOR: My understanding was that

1 one of the trustees contacted the sound guy today --

2 SECRETARY STACY: Okay.

3 FROM THE FLOOR: -- and told him that he  
4 would be able to have access at 5:00.

5 CHAIRPERSON TIMMERMAN: So that's implying  
6 that he's -- that the trustee can --

7 FROM THE FLOOR: Mr. Flanagan.

8 SECRETARY STACY: Okay. So Mr. Flanagan is  
9 going to unlock.

10 FROM THE FLOOR: Yeah.

11 SECRETARY STACY: Okay.

12 CHAIRPERSON TIMMERMAN: Okay. Okay.

13 MS. LAND: Have you figured out where you  
14 want to set your table? Where you want to --

15 CHAIRPERSON TIMMERMAN: I think, for getting  
16 as many people in this room as possible, like we said,  
17 if we really -- or do you like --

18 SECRETARY STACY: I want to -- I want to use  
19 one of those long white tables. They're not as wide.  
20 And I know you -- you want to have -- and we do need  
21 to have some space --

22 CHAIRPERSON TIMMERMAN: Right.

23 SECRETARY STACY: -- to put stuff. But I  
24 would like to see all of us facing outward. I don't  
25 want anyone with their back --

1 MS. LAND: I think you could all get around  
2 this table by -- you know --

3 SECRETARY STACY: You think so?

4 MS. LAND: And now there's only going to be  
5 four of you, so it will be --

6 CHAIRPERSON TIMMERMAN: Are you sitting with  
7 us?

8 MS. LAND: I will sit close enough for you  
9 to ask me questions, but I can't answer questions and  
10 address the public like I did today in helping to --

11 CHAIRPERSON TIMMERMAN: Right.

12 MS. LAND: -- formulate that answer.

13 I won't do that because that's -- in a  
14 hearing, it's like I'm giving legal advice, and I  
15 won't -- I can't do that. It's not allowed. So --  
16 but, you guys, if you don't know, can ask me, and I  
17 can talk to you.

18 SECRETARY STACY: Gotcha.

19 MS. LAND: I'm most likely going to say,  
20 That's something that will have to be addressed  
21 individually. It's not a universal question. Which  
22 mostly, those kind of questions you aren't going to be  
23 able to answer will be something that somebody wants  
24 to know for their own personal issue, you know. Can I  
25 build on here? Well, who knows.

1 I mean, the general rule is: This is how it  
2 works. But over the years, I've come to understand  
3 that people only tell you the part they think you need  
4 to know to get what they want, versus all the  
5 information that you might eventually find out and go,  
6 Hum, that changes the story completely. So you've got  
7 to be really careful telling somebody, "Absolutely,  
8 this work would."

9 CHAIRPERSON TIMMERMAN: Right.

10 MS. LAND: You don't -- so...

11 CHAIRPERSON TIMMERMAN: Okay. So you'll be  
12 close by, but not --

13 MS. LAND: Yeah.

14 CHAIRPERSON TIMMERMAN: Okay. So if it's  
15 just four of us --

16 SECRETARY STACY: Well, then we could  
17 have --

18 CHAIRPERSON TIMMERMAN: I feel like --

19 MS. PARGEON: Uh-huh.

20 SECRETARY STACY: I mean, even a side view  
21 is okay.

22 CHAIRPERSON TIMMERMAN: Right.

23 SECRETARY STACY: I just didn't want anyone  
24 to have their back.

25 MS. PARGEON: Yeah.

1           CHAIRPERSON TIMMERMAN:  If we stay centered,  
2   is there anything wrong with having people sitting  
3   over here looking in this way?

4           MS. PARGEON:  But you're going to have the  
5   mic over -- going to have -- where are you going to  
6   put that?

7           SECRETARY STACY:  Well, and maybe we want  
8   the mic -- if we stay here, then, the mic could be in  
9   the corner there.

10          MS. PARGEON:  And the podium.  Yeah.

11          SECRETARY STACY:  What's your thoughts?

12          CHAIRPERSON TIMMERMAN:  I'm just thinking if  
13   you -- if we slide this over there --

14          SECRETARY STACY:  Right.

15          CHAIRPERSON TIMMERMAN:  -- then people  
16   sitting where this gentleman is at is going to be  
17   turned even further, versus --

18          SECRETARY STACY:  Gotcha.

19          CHAIRPERSON TIMMERMAN:  -- kind of centered  
20   in the room.

21          SECRETARY STACY:  Okay.  Okay.

22          CHAIRPERSON TIMMERMAN:  At which point, do  
23   we turn all the chairs to go diagonal in the room to  
24   make it fit --

25          MS. PARGEON:  No.

1 SECRETARY STACY: No. Okay.

2 CHAIRPERSON TIMMERMAN: You know what I  
3 mean? Like, how far do you take this? If you stay  
4 there, for the most part, you're straight on to the  
5 room.

6 SECRETARY STACY: I would think we could  
7 come back a little bit more this way.

8 CHAIRPERSON TIMMERMAN: Maybe get another  
9 row in front.

10 SECRETARY STACY: Yeah.

11 CHAIRPERSON TIMMERMAN: Is that what you're  
12 thinking?

13 SECRETARY STACY: Yeah.

14 MR. EVANS: Might be able to get two rows.

15 SECRETARY STACY: Yeah.

16 MR. EVANS: I mean, nobody's going to be on  
17 this side.

18 SECRETARY STACY: I mean, you know, as long  
19 as we're not trapped.

20 MS. PARGEON: Can't get --

21 MS. LAND: You don't want to get trapped.

22 SECRETARY STACY: Especially if someone  
23 needs to use the restroom, you don't want to be  
24 trapped.

25 MR. EVANS: Is there going to be a map put

1 up here?

2 CHAIRPERSON TIMMERMAN: I think we should --

3 SECRETARY STACY: Yeah.

4 CHAIRPERSON TIMMERMAN: -- attach the map up  
5 there. Did you ask about --

6 MS. LAND: I left a message --

7 CHAIRPERSON TIMMERMAN: Okay.

8 MS. LAND: -- for Jacob. I probably won't  
9 know till Friday.

10 CHAIRPERSON TIMMERMAN: That's fine.

11 MS. LAND: But you'll need to put up this  
12 map and that map, both. This is the --

13 CHAIRPERSON TIMMERMAN: Yeah.

14 MS. LAND: -- the real one. That's the  
15 Future Use. This is the folded-up one.

16 SECRETARY STACY: Both of those need to be  
17 up.

18 Do we know if Matt from Regional Planning  
19 will be here? Do we know?

20 MS. LAND: We told him to be here so I don't  
21 know.

22 SECRETARY STACY: But he doesn't have --  
23 I mean, he could sit --

24 MS. LAND: He has -- he doesn't --

25 SECRETARY STACY: Right.



1 MS. LAND: He's like me; he can't really say  
2 anything.

3 SECRETARY STACY: Right.

4 MS. LAND: So if he doesn't come, it's not  
5 going to hurt anything.

6 SECRETARY STACY: No, it's not --

7 CHAIRPERSON TIMMERMAN: Okay. Well, then,  
8 I vote we just leave the table here.

9 SECRETARY STACY: Okay. Okay.

10 CHAIRPERSON TIMMERMAN: We'll attach the  
11 maps up here.

12 MS. LAND: You might want to move the table  
13 that way just a little bit so you can see the maps so  
14 you guys aren't sitting in front of them.

15 CHAIRPERSON TIMMERMAN: Okay.

16 MS. LAND: I mean, that would be the only  
17 thing I would think.

18 CHAIRPERSON TIMMERMAN: Center ourselves a  
19 little bit here.

20 MS. LAND: Yeah. That way a little bit.

21 CHAIRPERSON TIMMERMAN: Okay.

22 MS. LAND: I don't know where you want to  
23 put the podium.

24 CHAIRPERSON TIMMERMAN: I --

25 MS. LAND: You don't want to put the podium

1 too close to rows of chairs because it's uncomfortable  
2 to stand up at a podium when somebody's sitting right  
3 behind you.

4 MS. PARGEON: Yeah.

5 MS. LAND: It's weird.

6 SECRETARY STACY: Well, and if we were to  
7 put the podium in the corner --

8 FROM THE FLOOR: Why couldn't you just  
9 put it right there?

10 SECRETARY STACY: Do we need to be concerned  
11 about distance of microphones from each other for  
12 feedback?

13 CHAIRPERSON TIMMERMAN: I say we're not the  
14 audio guy. That's his problem to figure out.

15 SECRETARY STACY: Okay.

16 FROM THE FLOOR: From -- from what he  
17 told -- the sound guy told me is he would balance  
18 everything so there would not be feedback. And,  
19 included in this, and you haven't even brought this  
20 yet, but there will be something so you can hear  
21 yourselves, I guess.

22 SECRETARY STACY: Really?

23 FROM THE FLOOR: Because in a loud room, you  
24 may not be able to hear yourself, I guess. I don't  
25 know.

1 MS. LAND: Cool.

2 FROM THE FLOOR: I'm not a sound --

3 CHAIRPERSON TIMMERMAN: This is getting too  
4 high tech for us.

5 FROM THE FLOOR: Whatever.

6 MS. LAND: You're all going to be sitting up  
7 here with these big Beats on your head.

8 MR. EVANS: Yelling "What?"

9 VICE CHAIRPERSON REHUS: Big Beats.  
10 (Laughter.)

11 MS. LAND: I have a pair of pink ones if  
12 anybody wants them.

13 CHAIRPERSON TIMMERMAN: No, thanks. I say  
14 we --

15 MR. EVANS: Start setting up?

16 CHAIRPERSON TIMMERMAN: Yeah. I say we  
17 should bring in the rest of the chairs, set up there.  
18 Maybe slide this over a little bit.

19 SECRETARY STACY: All right. Maybe get that  
20 podium (unintelligible) how it fits.

21 FROM THE FLOOR: Hey, John. The question  
22 I'd asked on your podium placement is they are  
23 bringing -- the sound guy is bringing a single camera  
24 to memorialize it on film also. Do you want the  
25 podium in that shot?

1 CHAIRPERSON TIMMERMAN: I think so.

2 MS. LAND: Yes.

3 CHAIRPERSON TIMMERMAN: I would have it  
4 close enough to us that one shot captures everybody.

5 FROM THE FLOOR: So then I think you're  
6 talking maybe where -- almost where you're sitting  
7 there.

8 MS. PARGEON: Yeah. That's okay. I can  
9 move.

10 FROM THE FLOOR: That's how they do it at  
11 the Commissioner meeting. You have to walk just off  
12 the edge of their table.

13 CHAIRPERSON TIMMERMAN: Does it -- do you  
14 see it being better having the podium closer to the  
15 doorway as far as his electronics to get stuff -- a  
16 speaker to the other side? Or he'll figure it out.

17 FROM THE FLOOR: He seems -- he seems pretty  
18 confident he's going to be able to figure out whatever  
19 you need.

20 CHAIRPERSON TIMMERMAN: Okay.

21 FROM THE FLOOR: He's a TV guy, I guess,  
22 like, from --

23 CHAIRPERSON TIMMERMAN: Way back.

24 FROM THE FLOOR: -- somewhere up in Toledo.

25 - - -

1           And, thereupon, a recess was taken while the  
2 zoning commission members finished setting up the  
3 room.

4                           - - -

5           MS. PARGEON: I make a motion we adjourn.

6           VICE CHAIRPERSON REHUS: I second it.

7           SECRETARY STACY: Okay. Clara. Hold on.

8           Darrin.

9           Everyone in agreement, say "Yes."

10          (Vote taken.)

11          SECRETARY STACY: Motion passed. Okay.

12                           - - -

13          And, thereupon, the proceedings were  
14 concluded at 7:13 p.m.

15                           - - -

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