

## RECORD OF PROCEEDINGS

Minutes of

Meeting

## Etna Township Trustees Special Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

August 21,

2018

Held

20

The Etna Township Board of Trustees met on Tuesday, August 21, 2018 in the Etna Township Administration Building for the purpose of conducting a special meeting. The meeting was called to order at 5:00 p.m. by President Carlisle. Jeff Johnson led the invocation and Walter Rogers led the Pledge of Allegiance. Roll call showed Trustees Jeff Johnson, Randy Foor, John Carlisle, and Fiscal Officer Walter Rogers present.

Trustee Carlisle moved to adopt the agenda as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to adopt the August 7, 2018 special and August 7, 2018 regular meeting minutes as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

**New Business -****Reimbursement Agreements with JEDZ1 and JEDZ2 Board of Directors**

John Albers was present and explained the resolutions needed to reimburse for expenditures that the township incurred in the Transportation Improvement Areas and for legal fees. A resolution was provided.

**Resolution 18-08-21-01:** Trustee Carlisle moved "Resolution approving reimbursement agreement with the Etna Corporate Park Joint Economic Development Zoning Board of Directors" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

**Resolution 18-08-21-02:** Trustee Carlisle moved "Resolution approving reimbursement agreement with the Park 70-Etna 2 Joint Economic Development Zone Board of Directors" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

**JEDD1 and JEDD2 Contracts Increasing Tax Rates**

John Albers explained the City of Reynoldsburg approved an increase in the income tax increasing it to two percent.

**Resolution 18-08-21-03:** Trustee Carlisle moved "Resolution approving amendment no.1 to JEDD contract No.1 and amendment No.1 to JEDD Contract No.2, both contracts with the City of Reynoldsburg, increasing the income tax rate to two percent (2%) within both Joint Economic Development Districts" as presented. The motion was seconded by Trustee Johnson. Discussion: JEDD3 is already at 2% and JEDD4 and 5 will be at 2%. The motion passed by unanimous affirmative vote.

**A.D. Farrow Final Development Plan**

Bob Althoff the owner of A.D. Farrow Dealerships explained the Final Development Plan is the same as what was presented for the Preliminary Development Plan. The Environmental Permits have been secured. They want to get some site work and grading done this fall because it is wet in the spring. They want to have the building finished in February of 2020.

Zoning Inspector John Singleton was not able to attend the Trustees meeting this evening. Trustee Carlisle inquired on the feedback from the township Zoning Inspector regarding this plan. Bob Althoff stated the Zoning Inspector was present during the Zoning Commission meeting and everything was favorable and he did not have any suggestions.

Bob Althoff explained they will come back to the township with the building specifications at a later date.

Trustee Carlisle read the letter from the Zoning Commission recommending approval. Trustee Carlisle asked if there were any public comments regarding the Final Development Plan. This development is on the Northwest side of Interstate 70

**Resolution 18-08-21-04:** Trustee Carlisle moved to adopt the resolution as presented for the Final Development Plan for A.D. Farrow Harley Davidson. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

**Public Hearing**

CRG Acquisitions, LLC for property owner Warner Farms Development Limited for land located on S.R. 310 (Hazelton-Etna Road) South of I-70 (Parcel # 010-018132-00.000) approximately 133.99 +/- acres. The applicant is requesting a rezoning from Light Manufacturing District (M1) and Accommodation Business District (AB) to Planned Mixed Use Development District (PMUD).

Trustee Johnson presented a slide presentation showing the Future Land Use Map, Existing Zoning of the property, and requested zoning along with other information.

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Brian Marsh with JLL, Amanda Spencer with Hull and Associates (Civil Engineer), Terry Barnes and Chris McKee with CRG were present representing the applicant.

Brian Marsh explained CRG purchased the land west of this property and are developing the property similar to this request. The PMUD Zoning that they are asking for is less intensive as the current M1 zoning permits. The buffering and setbacks are increased over what the current zoning text requires.

**Public Comments -**

Crystal Kirk of 10776 Smoke Road presented a packet to the board titled "Proposed Distribution Center Environmental Impact" and turned to page four addressing the impact to the wildlife. The property has two natural creeks.

Gary Cooper of 10544 Smoke Road has the adjacent property on the south side that goes to S.R. 310. He has concerns with drainage and discussed the areas the creeks feed into the property. He also has concerns with light pollution and is hoping the buildings are set back from the property line. Trustee Carlisle explained the Trustees can require the lights be reflected onto their property. The Trustees can negotiate setback from the neighboring properties.

Amanda Spencer explained the drainage and how it is calculated so the water does not infringe onto the neighboring properties. The stream is located in a Stream Corridor Protection Zone and it is basically an easement over that area held by the US Army Corp of Engineers and they can't impact that stream. It cannot be filled, altered or moved. They are not allowed to block pass through drainage which is regulated by Licking County and the township. Their development will construct a storm water pond to control and release slowly into the natural streams and ditches.

Patti Hayes of 10910 Smoke Road discussed page six of the packet provided by Crystal Kirk. She discussed the cyclist that use Smoke Road and discussed the Pelatonia event. She discussed the residents using the road for walking and has concerns with the additional traffic.

Nancy Kirkbride of 10616 Smoke Road agrees with Pattie Hayes one hundred percent.

Kim Wolfel of 10838 Smoke Road stated they moved to this area because it was rural. She has concerns with the new school being located on Smoke Road. This is page seven of the packet. She has concerns with the traffic and the busing. Smoke Road is a two lane small road.

Barbara Forcier of 10786 Smoke Road discussed the current zoning and inquired about what is permitted in light commercial. Trustee Carlisle explained that there are over two hundred businesses permitted consisting of uses like warehousing and distribution centers along with gas stations and convenience stores. She also has the same concerns that were already discussed. She has concerns with the employees hired for warehousing and her property regarding theft and has concerns with fire and rescue.

Trustee Carlisle explained the rezoning of the property is a Planned Unit Development which allows for negotiations with the Trustees. The current zoning today will permit manufacturing without a rezoning. The Licking County Sheriff's Office is willing to discuss with the Trustees a satellite office in Etna Township.

Mr. Cooper of 10544 Smoke Road discussed sewer and water being run on Smoke Road. He lives about a thousand feet off Smoke Road and will need a lift station to get to his property.

Connie Heim of 10293 Smoke Road discussed page two of the packet concerning emissions and the trucks polluting the air. She has concerns with the noise from the development. Trustee Carlisle discussed the regulations which will require the vehicles to have the better emissions. The developer is not planning on connecting a road from S.R.310 to Smoke Road. Connie Heim asked about access to the property from the stream east to Smoke Road. Trustee Carlisle stated it is already zoned for access to Smoke Road.

Peggy Schoffner of 9741 Palmer Road inquired about the land east of the drainage to Smoke Road. The developer has no plans to develop this portion of the land at this time.

Kathee Tomlinson of 10880 Smoke Road discussed retention ponds and drainage. Her property tends to flood. She had concerns with increased noise pollution and played a recording of the noise from Interstate 70.

Mark Heim of 10355 Smoke Road discussed the wetlands that are affected. He inquired if an area that he pointed out is protected as a wetland.

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Mark Heim of 10355 Smoke Road discussed the wetlands that are affected. He inquired if an area that he pointed out is protected as a wetland.

Amanda Spencer explained the areas that are protected on this property. The trees can be removed and wetlands outside of the protection zone can be permitted and they can create other wetlands.

Randy Heim of 10343 Smoke Road discussed the litter and leaching. The fuel oil leaches into the ground from the semi trucks.

Nancy Kirkbride of 10616 Smoke Road stated a semi truck come flying down Smoke Road and she has concerns with safety.

Kelly Harvey of 10318 Smoke Road discussed pollution to the water. She has concerns with pollution going into the water and sewer and the cost of this to the residents. She is concerned with the development impacting the quality of the well water.

Trustee Carlisle is aware of the water and sewer being extended through this property but there is no proposal for this on the Smoke Road side at this time.

Kelly Harvey discussed the Indian mounds in this area. Trustee Carlisle is aware of one on Etna Parkway by Refugee Road but does not know where the second one is located. Amanda Spencer confirmed the study that was conducted on this property did not show anything on this property.

The residents are concerned with the ground water contaminating their well water. Amanda Spencer explained there are requirements by the Ohio EPA on storm water quality which protects the water. Etna Township is also in the MS4 Maintenance Plan area.

The property values were discussed and the developer has not done research on this topic. The property values in the township have gone up.

The tax abatements on this property are approved by the Licking County Commissioners office.

The Zoning goes with the property and does not change when the property sells.

Trustee Carlisle explained that the Trustees can negotiate with the developer during the rezoning process with a Planned Unit Development.

Brian Marsh explained the proposed site plan shows a cul-de-sac that stops with no connection to Smoke Road. The access would come off of S.R. 310 to the development.

Trustee Carlisle moved to recess the Public Hearing until Tuesday September 4, 2018 at 7:15 p.m. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

The board took a five minute recess.

**Old Business -****Garage****Fuel Tank Enclosure**

Trustee Carlisle discussed the need to enclose the fuel tank and provided a quote from Butch Brown at \$6,000 dollars for a thirty-two foot roofed enclosure.

Trustee Carlisle moved to enter into an agreement with Butch Brown Construction for \$6,000 to build a fuel tank enclosure. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

**Township Logo**

Trustee Foor discussed doing a logo on the fire proof wall at the garage. Branham Sign recommended 16 x18 vinyl mat for \$1250.00. This would be for the logo and installation.

Trustee Carlisle moved to approve Trustee Foor to enter into an agreement with Branham Signs for up to \$1250.00 for the township logo over at the garage. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

**New Business continued****Removal of insecure or unsafe building/structure at 11620 Tollgate Road**

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The Trustees discussed the buildings located on Tollgate Road. The inspections have been completed on this property. The Trustees discussed whether this was for one building or multiple buildings. The township has a written report from West Licking Fire District.

**Resolution 18-08-21-05:** Trustee Foor moved "Resolution to remove insecure or unsafe building/structure Ohio Revised Code Section 505.86" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle discussed the request to the Licking County Engineer's office for estimates for Brandy Mill Subdivision to apply for OPWC funds.

Trustee Carlisle moved to request the county engineer for updated estimates for the Brandy Mill Subdivision. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Trustee Carlisle discussed with Mr. Singleton the Trustees authority to prohibit Medical Marijuana per the O.R.C. 519.21.

Trustee Carlisle moved to send this to the Zoning Commission for them to make a recommendation to address this as part of our Zoning. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

The Eagle Scout is building a structure at the cemetery for his Eagle Scout badge. The Licking County Building Code have waived their fee.

Trustee Carlisle moved to waive the Zoning Fee for the Eagle Scout structure at the Holy Cross Cemetery. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

#### Announcements & Trustee Comments

Freddie Latella provided an update on Mr. Jackson's property on Taylor Road. Mr. Jackson has been working hard the past two weeks with a twenty foot setback cleared. This will be addressed on September 4, 2018. The noxious weeds will need to be addressed on the entire property. As long as he shows progress the township will work with him. If the honeysuckle has to be removed to get to the noxious weeds then he will need to remove the honeysuckle.

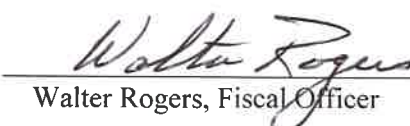
Trustee Johnson moved to pay the bills as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Trustee Carlisle moved to go into executive session at 7:08 p.m. per O.R.C. 121.22. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Carlisle moved to come out of executive session at 8:03 p.m. The motion was seconded by Trustee Johnson and passed by unanimous vote.

Trustee Johnson moved to adjourn at 8:03 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

  
John Carlisle, President

  
Walter Rogers, Fiscal Officer

The resolutions as presented are on file with the Fiscal Officer.