

# RECORD OF PROCEEDINGS

0359

Minutes of

Meeting

Enna Township Zoning Commission

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held December 10, 2024

The Enna Township Zoning Commission met on Tuesday, December 10, 2024, in the Enna Township Hall, 81 Liberty Street, Enna, Ohio 43018 for the purpose of conducting a regular meeting. The meeting was called to order at 6:00 PM by Litchia McIntyre.

**Members Present**

Adam Kelley, Dave Olson, Litchia McIntyre, Shelly Marie Ipacs, and Steven Smith

**Members Absent**

**Others in Attendance**

Lance Schultz, Kevin Scott and Ben Weinstein of CRG

**1. Opening**

- a. Call to Order
- b. Pledge of Allegiance
- c. Roll Call

**2. Adoption of Agenda**

Recommended Action: Motion to adopt the agenda as presented

*Moved by:* Adam Kelley

*Seconded by:* Steven Smith

**Yes** Adam Kelley, Dave Olson, Litchia McIntyre, Shelly Marie Ipacs, and Steven Smith

**Carried 5-0**

**3. Zoning Commission Announcements and Comments**

Chair McIntyre asked for the audience under public comments to please be respectful. The Zoning Commission checks will be ready after the Tuesday meeting.

**4. Adoption of Meeting Minutes**

- a. Motion to table the minutes from the October 22, 2024, meeting.

[ZC-2024-10-22 Draft Minutes.doc](#)

Motion to table the minutes from the October 22, 2024, meeting.

**Yes**

**Abstain** Adam Kelley, Dave Olson, Litchia McIntyre, Shelly Marie Ipacs, and Steven Smith

**Fails 0-0**

There were two corrections noted by Dave Olson. Shelly Marie Ipacs had corrections as well. Corrections were made however the corrected version did not appear in the agenda. The board voted to table the October 22, 2024 minutes.

- b. Motion to table the minutes from the November 12, 2024, meeting.

[ZC-2024-11-12 Draft Minutes.doc](#)

Motion to table the minutes from the November 12, 2024, meeting.

**Yes**

Adam Kelley, Dave Olson, Litchia McIntyre, Shelly Marie Ipacs, and Steven Smith

**Carried 5-0**

Both Dave Olson and Shelly Marie Ipacs had corrections to the minutes.

**5. Old Business**

There was no new business.

There was no new business.

6. **New Business**

a. Report on modification to a PMUD regarding outdoor storage.

[2024-06 CRG Building D Planned Mixed Use Development District Modification 12-5-24.pdf](#)

The applicant is proposing an approximate 4-acre outdoor storage area located west of Building D on a separate parcel but would serve Building D. Lance Schultz read report on PMUD regarding outdoor storage. This was a PMUD that was approved in 2016, and the Building D was constructed in 2023. Lance stated if the Zoning Commission vote is unanimous to approve or deny the request, then the decision is considered final and requires no other action by the Zoning Commission or Township Trustees. However, if the Zoning Commission vote is not unanimous, then the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for official approval or denial. Licking County does require a TRC (Technical Review Committee). The applicant is in that process. The applicant is proposing a single curb cut from Schuster Way but was denied by the Licking County Engineer. The zoning staff recommends the two lots be consolidated based on the prosecutor's opinion. The staff also recommends the applicant to meet the paving requirement. Outdoor storage should be documented and updated if it should change in the future. Any lights used to illuminate outdoor areas on a lot shall be shielded so that the direct glare of the bulb is not visible beyond the property line of the parcel to limit light pollution and shall not be in excess of 0.25-foot candles above background light levels measured at the boundary of any commercial or industrial use per Section 1013 Glare.

The Zoning staff recommends approval of a request by Erna Park 70, LLC to approve a Preliminary Development Plan modification for outdoor storage on Lot 4A of the Erna 70 Business Park West (just west of Lot B and Building D) located at 10300 Schuster Way and zoned PMUD (Planned Mixed Use Development District), with the following conditions:

1. The applicant shall achieve compliance with all TRC requirements per the Licking County Planning Commission.
2. The curb cut on Schuster Way for the outdoor storage area shall be approved by the Licking County Engineer.
3. The subject outdoor storage area on Lot 4A (parcel #010-018264-00.005) shall be combined with Building D Lot 4B (parcel # 010-018264-00.007) to form one parcel.
4. The proposed fence to screen the outdoor storage shall be 100% percent opaque and shall be one foot higher than the outdoor storage material not to exceed 12 feet in height per the Service Structures and Screening requirements in Article 19 Appendix B.
5. The proposed outdoor storage material shall be documented by type and height to ensure proper screening. The zoning inspector shall approve the height, opacity and specifications of any proposed fence to ensure compliance.
6. Any future change in outdoor storage material type, height, etc., shall be reviewed by the zoning inspector to determine if it can be approved administratively by the zoning inspector or shall

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- need Zoning Commission approval per Article 19 Appendix B modification process.
  7. The lighting plan illumination for the outdoor storage area shall not exceed 0.25 footcandles at the property lines per Article 10 of the Etna Township Zoning Resolution.
  8. The light poles and fixtures shall match the height and style of the light poles and fixtures of Building D per the Building Design, Scale & Access per Article 19 Appendix B.
  9. Any outdoor storage materials shall achieve compliance with all local, state and federal regulations.
  10. The outdoor storage area shall be constructed of asphalt or concrete per Section 1103.
  11. The approximately 11-foot-high stockpile of dirt just west of the outdoor storage area shall meet the Licking County Engineer and Soil and Water requirements and shall be seeded per the township requirements.
- Lance stated if the Zoning Commission approves the preliminary development plan the final development plan will have the same eleven conditions. Licking County Engineer did not approve the curb cut.

Kevin Scott and Ben Weinstein of CRG stated their customer Omega Morgan is a company that supports construction with mechanical and electrical equipment. The reason for the request is Omega Morgan has equipment that is too heavy and too large to store indoors. Mr. Weinstein provided a document of the types of equipment that will be stored outdoors. Mr. Scott agreed with the staff report. Mr. Scott focused in on three issues: the Schuster Way access, screening with a seven-foot fence, and requirement of the paved surface.

Mr. Olson sought clarity on the two parcels having different owners. Mr. Scott stated they are two different entities controlled by one owner. The plan is to replat the parcel. Mr. Scott will get with the tenant for clarification. Mr. Schultz will contact soil and water for confirmation. Mr. Weinstein stated they have passed soil and water through the TRC, but not as a finished project.

Mr. Smith is concerned with fluid runoff if the equipment is fluid based.

Mr. Scott is unsure of the timeframe for how long materials will be stored.

Mr. Olson stated number 10 could seem like a variance. Mr. Schultz stated with it being a planned district you can vary; he also considered an asphalt driveway similar to outdoor storage. Technically it would not need approval from the BZA, but from the Zoning Commission if unanimous.

Mr. Schultz stated both plans do not have to be approved at the same time. The commission can approve the preliminary development plan and allow time to research the final development plan.

Ms. McIntyre recommends a preliminary plan approval, not to hold the project up. She does not see the fencing as an issue. There are other

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issues that will still need approval from the county. The storage time will be an issue, and the commission does have questions on this issue. The curb cut out per Mr. Schultz should remain one of the recommendations. Mr. Schultz also believes Licking County should have the final word.

Mr. Weinstein has addressed all issues with the TRC. Mr. Kelley would like more information before approving the final development plan. Ms. McIntyre listed the concerns of the board which are: paved surface, storage time, will eight feet of fencing be enough, and the curb cut recommendation.

Mr. Kelley questioned where the crane would be stored. Mr. Scott will need to verify with Omega Morgan but believes the crane will be stored outdoors.

The commission is waiting to hear back from Licking County before final approval.

Motion to approve the preliminary development plan. Information for modification for outdoor storage on Lot 4A of the Etna 70 Business Park West located at 10300 Schuster Way zoned PMUD. With the following conditions, 1-11 listed in the staff report and questions mentioned and asked from the Zoning Commission.

*Moved by:* Litichia McIntyre

*Seconded by:* Shelly Marie Ipacs

**Yes** Adam Kelley, Dave Olson, Litichia McIntyre, Shelly Marie Ipacs, and Steven Smith

**Carried 5-0**

Mr. Schultz stated that because the vote was unanimous, this does not have to go to the Board of Trustees. If the next approval is not unanimous it would have to go to the Board of Trustees for the ultimate approval.

**7. Public Comments**

Phylliss Bundy - 10254 Tollgate Road SW - Mrs. Bundy voiced her concern of the paving issue as for it not to flow over to other properties. Mr. Schultz stated soil and water are in the process of reviewing the site plan.

Ryan Davis - 8807 Watkins Road - Mr. Davis stated if the concrete was done correctly the pavement should not be an issue, that the picking up and setting down is a gentle process. It would be an easier process for the township to monitor if it was a solid foundation.

Mark Evans - Mr. Evans believes it is a cost measure because concrete can be manufactured to handle the weight. Mr. Evans is also questioning the exact materials being stored.

Mark Evans - 910 North Church Road - Mr. Evans requested a little leeway with the three minutes. Mr. Evans has stated he has requested to speak formally but was denied or there were conditions. He has encouraged any members to speak at the board meetings without time limits or conditions. Mr. Evans has requested to meet with Ms. McIntyre numerous times this year to discuss issues but has been ignored or denied.



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Mr. Evans stated one main issue is the ORC timeline not being followed and there have been repeated violations. Mr. Evans stated proper procedures are not being followed by the most recent definition change. The change should have been sent to the LCPC within 5 days.

Phylliss Bundy - 10254 Tollgate Road - Mrs. Bundy inquired about a vacant house on Palmer Road. Her concern is that it may be a gang house. Ted Walker, the zoning inspector, will look into this issue.

Kathy Johnston - 254 Trail East - Ms. Johnston thanked the zoning commission for their hard work. It takes a lot of knowledge to run the board.

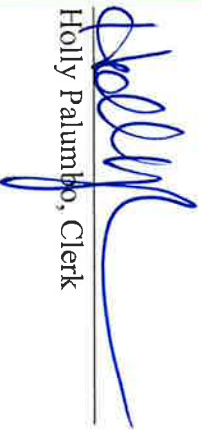
Mark Evans - Mr. Evans is shocked that important items are limited. I would like to know what will be done about complying with ORC guidelines. Mr. Evans has tried to hold vendors accountable. Mr. Evans has tried to address these issues privately. Mr. Evans stated issues are continuing and need to stop. The politics need to stop.

Nita Hanson - 51 Ridgewood Drive - Mrs. Hanson echoed the support of the community for the zoning commission. Mrs. Hanson also stated that if a meeting is declined it does not mean it is a refusal to meet.

## 8. Adjournment

Recommended Action: To adjourn at 7:20 p.m.

*Moved by:* Shelly Marie Ipaas  
*Seconded by:* Adam Kelley

  
Shelly Palumbo, Clerk

  
Litichia McIntyre, Chair