

May 10 - 11, 2005

Held _____

OPENING OF MEETING

Mr Fiedeldey called the meeting to order at 5:04 PM with Mr Fiedeldey, Mrs Rielage, and Mrs Harlow in attendance

EXECUTIVE SESSION

Mr Garry requested the Board go into Executive Session for the purpose of discussing matters relating pending litigation involving the Township

At 5:04 PM, Mrs Rielage made such motion and Mr Fiedeldey offered the second No discussion and the roll was called:

Mr Fiedeldey "Aye"

Mrs Rielage "Aye"

At 5:08 PM, Mr Corman arrived and joined the Board in Executive Session

The Board reconvened at 6:01 PM.

PLEDGE - INVOCATION

Mrs Rielage announced that Pastor Larry Bonssard of Pleasant Run Baptist Church would provide the invocation. The Pledge of Allegiance would be lead by Girl Scout Troop 2926

APPROVAL OF PREVIOUS MEETING MINUTES

Mr Fiedeldey asked if there were any corrections to the minutes of the April 26, 2005, regular meeting of the Board. Mr Corman requested that his comments under CITIZEN ADDRESS in Mr Etler's comments are revised to say that is it a good plan to bring in churches and faith-based organizations.

Mrs Rielage motioned to approve the minutes as amended and Mr Corman offered the second. No discussion and the roll was called:

Mr Corman "Aye"

Mr Fiedeldey "Aye"

Mrs Rielage "Aye"

PRESENTATION

On behalf of the Board, Mrs Klosterman presented a certificate of appreciation to the family of Dolores R Schwarz for the memorial donation of a bench in the Center's courtyard. Mrs Schwarz volunteered at the Center for many years. Mrs Rielage said that we miss Dolores at the center

SHERIFF REPORT

Sgt. Scudder with the Hamilton County Sheriff's Department gave the reports to Chief Sarver.

TRUSTEES' REPORT**MRS. RIELAGE**

Mrs Rielage read a note from Rick Marsh in appreciation of the response to parking problem on Erin and Brockton

RECORD OF PROCEEDINGS
REGULAR

Minutes of _____

Meeting _____

HARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

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Mrs Rielage read several thank you notes from residents to the Department of Fire and EMS Shirley Heitzman said that she does not remember much when EMS took her to the hospital, but she knows they arrived about three or four minutes after her husband called The family of Bugsy Brandenburg thanked those who responded the call and said "your courteous and professional service is greatly appreciated "

Mrs Rielage read a letter from Greg Snyder:

"It would be impossible for me to thank each and everyone personally for the overwhelming support you have shown to me and my family with the passing of my father, Corky Snyder The sincere thank yous begin with the Board of Trustees, each individual Township Department, the news media, and the entire community for all the support that has been shown What an honor was bestowed on Dad I can't describe how happy and proud he was when he learned about the naming of the fire station and the recognition through the media he was to receive The comment he made to me hours before his death was, "I was just doing my job, I can't believe they are doing all of this for me " There are not enough words to describe the brotherhood and deep friendships show by the fire department and all those involved in turning a saddening experience into a "celebration of life." From the bottom of my heart, thank and God bless all of you "

Mrs Rielage invited everyone to the dedication of the flag pole at the I-275/Colerain Ave interchange on Saturday, May 21, 2005, at 10:30 AM. The flag pole is in honor of those who serve our county

On behalf of the Board, Mrs Rielage presented a Certificate of Recognition to Jim Reuter for going above and beyond the call of duty with mitigation and clean-up of a flood he discovered in the Administrative offices about midnight Sunday night Mrs Harlow expressed her personal thanks as the Clerk's office was in the direct path of the flood

MR. CORMAN

Mr Corman read a certificate which will be presented to the German American Citizen's League for German Day on June 5

MR. FIEDELDEY

Mr Fiedeldey said that at the last meeting, Tom Reininger spoke about moving farm equipment on Lick Road Mr McClain looked into this with the County and the signs will be erected soon.

Also at the last meeting, the topic of public access television was addressed He said 30 some communities do this They charge the full 5% franchise fee and 3% goes to this Thinks we should take a public poll to see if people want this Mrs. Rielage said there was a survey done a few years ago with this and other issues. At that time, there was not support for this expense

CITIZEN ADDRESS

No citizens wished to address the Board

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UNFINISHED BUSINESS**PUBLIC WORKS****Yellow Stone No Parking Zone**

Mr. McClain recommended the following changes on Yellowstone Drive:

- Extend the existing double yellow centerline from 30' to 100' and
- Establish a No Parking Anytime zone from Colerain Ave to 15' west of the east property line of 3619 Yellowstone Drive

Mr. Corman made such motion and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

LEGAL**Fire Demolition Fund**

Mr. Reuter requested the Board wait on this topic.

NEW BUSINESS**POLICE DEPARTMENT****In Car Camera Purchase**

Chief Sarver requested the Board's approval to purchase six new in-car camera systems from Mobile Vision at a price of \$19,170 or \$3,195/unit.

Mr. Fiedeldey made such motion and Mr. Corman offered the second. Without discussion, the roll was called:

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

Request Pay Rate Increase

Chief Sarver reported that Lieutenants Dan Meloy and Mark Unger will complete their probationary period on May 23, 2005. Effective that date, they are scheduled to receive a 6.5% pay increase to \$67,222.21/year. Chief Sarver requested the Board's approval.

Mrs. Rielage made such motion and Mr. Corman offered the second. Without discussion, the roll was called:

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

DUI Checkpoint

Chief Sarver reported that the Department will conduct a DUI check point on Friday, May 20, 2005, on Galbraith Road in front of St. Ann's church.

ZONING**Nuisance Abatement Resolution**

Mr. Spriggs read Resolution #18-05 for the abatement of nuisances at the properties listed.

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Mrs Rielage made such motion and Mr. Fiedeldey offered the second. Without discussion, the roll was called:

- Mr Corman "Aye"
- Mr. Fiedeldey "Aye"
- Mrs. Rielage "Aye"

Sidewalk Variance Requests

Mr Spriggs presented a request for a variance from the sidewalk requirements on the Meadows Lake and Pebble View subdivisions

The Board first considered the Meadow Lake development, which is along the right-of-way on Day Road

Mr Fiedeldey motioned to approve the request for the sidewalk variance at Meadows Lake and Mrs Rielage offered the second. Without discussion, the roll was called:

- Mr. Corman "Aye"
- Mr Fiedeldey "Aye"
- Mrs Rielage "Aye"

The Board considered the Pebble View subdivision, which is west of Prechtel Road, prior to entrance of Pebble Creek County Club

Mr Fiedeldey said that if we keep waiving these, we will not get the circulation that we desire. Mrs Rielage would like to look at this. Mr Spriggs suggested the Board table this one

Request to Set Public Hearing for Circle Storage

Mr Spriggs requested the Board set a public hearing the for the Circle Storage zone change request along Struble Road. He suggested the next meeting, May 24, 2005, at 8:30 PM.

Mrs Rielage made such motion and Mr Corman offered the second. Without discussion, the roll was called:

- Mr Corman "Aye"
- Mr Fiedeldey "Aye"
- Mrs Rielage "Aye"

Color Printer Purchase

Mr Spriggs requested the Board approve the purchase of a Xerox color printer at a cost of \$8,000 with a maintenance agreement. He said this would allow staff to provide the Board with detailed color documents

Mrs. Rielage made such motion and Mr Corman offered the second. Without discussion, the roll was called:

- Mr. Corman "Aye"
- Mr Fiedeldey "Aye"
- Mrs Rielage "Aye"

Updates

Mr Spriggs said the Open Space text amendment was passed by the Hamilton County Regional Planning

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CLERK'S REPORT

Mrs Harlow asked for approval of payroll, purchase orders, and receipts Mrs. Rielage made such motion and Mr. Fiedeldey offered the second No discussion and the roll was called:

Mr. Corman "Aye"
 Mr Fiedeldey "Aye"
 Mrs Rielage "Aye"

The Clerk has received the following receipts:

REC	VENDOR	FOR	AMOUNT
245-05	Sr. & Community Center	Fees, don, lunch	115.25
246-05	Time Warner Cable	1 st Qtr 2005 fran fees	79,469.88
247-05	Sears Commercial	Refund for credit bal.	223.60
248-05	Sr. & Community Center	Jury duty pay	266.00
249-05	Parks & Services	Home Depot rebate	15.00
250-05	Rumpke	Solid waste disposal fee	40,996.89
251-05	Public Works Department	Snow removal	182.16
252-05	Parks & Services	Amphitheater, shelter	410.00
253-05	Fire & EMS Department	Plan review & permit fee	100.00
254-05	Administration	2004 941 Refund	41.55
255-05	Greg Snyder	Cell calls	7.00
256-05	Police Department	Court reimb, Imm. Fee	298.00
257-05	Revenue Reallocation	Dusty Rhodes	411.36
258-05	Betty Montgomery	Liquor permit fees	213.50
259-05	Dusty Rhodes	Adv. 1 st half real estate	295,000.00
260-05	Dusty Rhodes	2 nd Qtr. 2004 RRI award	18,954.90
261-05	Dusty Rhodes	Highway - April	2,454.86
262-05	Dusty Rhodes	SIF - April, Rev Assist.	73,727.90
263-05	Wayne Kreidenweis	Cobra Payment for April	279.37
264-05	Fire & EMS Department	Plan review fee	75.00
265-05	Sr. & Community Center	Fees, don, lunch	42.75
266-05	Zoning Department	Certificate, amend, other	3,059.00
267-05	Police Department	Class fees, voice, court	2,731.00
268-05	Fire & EMS Department	CTTC, sign, reimb, inspect, cell, reports, etc.	7,909.63
269-05	Fire & EMS Department	EMS billing	26,920.50
270-05	Police Department	Juvenile traffic fines April	198.50
271-05	Parks & Services	Shelter reservation	175.00
272-05	Fire & EMS Department	Plan reviews	425.00
273-05	Police Department	Cell calls	338.84
274-05	Zoning Department	Certificates	665.00
275-05	Police Department	Court reimbursement	150.00
276-05	Sr & Community Center	Crafts, fees, rent, don, refresh, misc.	1,128.61

Mrs Harlow reported that she has received notice from the Ohio Division of Liquor Control of a new application for Bigg Straw Corporation DBA Beaches at 3210 Springdale Road The Board requested no public hearing

Mrs Harlow requested the Board approve fund transfers:
 From 1000-910-910-0000 (General fund transfers out),

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To 3101-931-0000 (transfers in – General bond retirement) -- \$112,500
 To 3102-931-0000 (transfers in – Park bond) -- \$300,000
 To 3103-931-0000 (transfers in – Public Works building) -- \$224,000

From 2111-910-910-0000 (Fire District transfers out)
 To 3301-931-0000 (special assessment fire bonds) -- \$248,000

Mrs Rielage made such motion and Mr Corman offered the second No discussion and the roll was called:

Mr. Corman "Aye"
 Mr Fiedeldey "Aye"
 Mrs Rielage "Aye"

Mr Fiedeldey asked Chief Sarver about the bar on Harrison Ave. He said Ofc Sharp has spoken to the owner.

Mrs Rielage motioned for a recess until 7:00 PM Mr. Corman offered the second No discussion and the roll was called:

Mr Corman "Aye"
 Mr Fiedeldey "Aye"
 Mrs Rielage "Aye"

PUBLIC HEARINGS

Flattop Lighting District

Mr Foglesong said the Board of Trustees has received an application for a lighting district on Flattop, Sagebrush, Yellowstone, and Suzanna drives. There is 54% of the front footage in favor of the district. This would be 21 new lights and a cost to the property owners of \$1.38/month. There is no formal opposition.

Mr Fiedeldey called for citizen address.

Carl Schraml of 3719 Sagebrush addressed the Board to learn when the requirements changed from property owner to front footage. On Sagebrush, he did not vote for lighting. Mr. Foglesong said Sagebrush is one street in the district. Mr. Schraml wants statistics on the crime rate on this street. He feels they do not need these lights.

Mr Reuter said the district is reasonably constituted. We have enough front footage to go along as approved.

Mr. Foglesong said Yellowstone and Susanna are the larger signatories. He read the lead-in to the petition. Mr. Schraml said he did not receive this.

Kevin Reiman of 3770 Sagebrush said he would like to withdraw the request if we can get Sagebrush eliminated.

Sunny Schraml of 3710 Sagebrush is also opposed to the streetlights.

Mike Collins of 3790 Sagebrush said he would like to see Sagebrush removed from lighting district.

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Mrs Rielage moved to close the citizen address portion of the hearing and Mr. Corman offered the second. No discussion and the roll was called:

Mr Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs Rielage "Aye"

Mr Reuter said he would like to see if we can remove Sagebrush without re-doing all of the documents.

Mrs Rielage moved table this matter until the May 24th regular meeting of the Board and Mr Corman offered the second. No discussion and the roll was called:

Mr Corman "Aye"
Mr Fiedeldey "Aye"
Mrs. Rielage "Aye"

Stone Creek Development

Mr Spriggs presented the staff report for Case ZA2005-03, which is a zone change request from A2 Residence and EE Planned Retail to EE Planned Retail District.

The applicant is Trinity Development. Tom Abercrombie of 3377 Compton Road is the civil engineer for the project.

Mr. Bill Zanonie from Trinity Development introduced other members of the development team. He said this is a 66-acre open-air life style center, similar to Rookwood or Deerfield Crossing.

Mr Zanonie said this development has five unique elements: lifestyle center with a main street feel, encouraging pedestrian traffic; 5-6 unique to Colerain junior anchor tenants, like Bed Bath & Beyond and JoAnn's Etc, Best Buy, Pier One, Office Depot; Guardian Savings three story building, also one of the land owners; cross over the bridge to 5 restaurants, with a paved, lighted walking trail; bike trail which will connect to Colerain Government Complex, (this eight acres will be given to the Township) and the Meijer.

He said the lighting plan allows for no light bleed onto adjoining property.

Greg Heath with Meijer, Inc. is excited to open another store and this is a great development. The store is 207,000 square feet. He said they are sensitive about the barrier with the store and loading/unloading. They have an extended wall to cover the truck dock, further shielding this area. He said this is a 24-hour operation and no other Meijer stores have the time limitations. He explained that the truck cabs leave and the trailers are sealed to the building. There is a decorative fence along the garden center.

Mr Corman spoke about the delivery and asked about the usual turn-around time. Heath said they try to get them in and back out.

Mr. Spriggs said the time limit is for the junior anchors. Mr Heath said the bulk of the deliveries will be during the day. He said there will be buffers and walls.

Mrs Rielage asked about how close is this to the nearest house. Mr. Zanonie said it is 100 feet to the property line. Mrs. Rielage said that if you can hear it

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80' away, it is a violation of the noise ordinance. Mr. Zanonie said the 12' wall will provide a buffer. He said they will make noise, but does not think they will project more than 80'. Mr. Fiedeldey said this will be set as a condition.

Mr. Fiedeldey spoke about the seasonal storage area. Mr. Heath said the area will only be used from March to July. Mr. Fiedeldey said we allow this at most of the other stores and have problems with it. Mr. Fiedeldey said he wants to be sure there will be no variance to this for the future.

Mrs. Rielage spoke about the front face the building and would like to see some landscaping. Mr. Heath said there is landscaping in the islands between the store and parking lot. He said there are issues with those plant materials living

Mr. Fiedeldey said dumpsters must be screened and should only be serviced from 7AM to 7PM. Mr. Corman said this screening should be the same as the docks.

Mr. Fiedeldey asked about the back of the store. Mr. Heath said this is a vacant drive area, meant for emergency vehicle access. Mr. Fiedeldey also talked about lighting in this area, being sure that the light will be diffused down and not "wash-up" on the hill.

Mr. Fiedeldey suggested a "knee-wall" around the garden center, to hide all of the pallets. Mr. Heath said they have a decorative fence, but could place a wall along the front.

Mr. Fiedeldey asked Mr. Heath to compare Wal-mart, etc., to Meijer. Mr. Heath feels they are a top-operator and want to work with the community long-term.

Mr. Fiedeldey said he would like to see some gables or something to make the store look like individual shops. He does not feel that the front plan looks like it fits with the rest of the development. Mr. Heath said this is two-steps up from the prototype. An added price comes with the bells and whistles. He feels it will be nice with whole development. Mrs. Rielage said she thinks that it would be the developer that would want it to fit in with the whole development. Mr. Zanonie said the color scheme has changed. Mr. Corman said his main concern is that the design fits in with the area and stands the test of time. Mr. Fiedeldey suggested he try again on the façade.

Cleet Benken is the landscape architect and is still working on the project. He said they are already stretching what the local market place is willing to do. He feels this plan accommodates the community and pedestrians better than others in the market. No other community has this type of development, including the parks and connection to the government complex. He understands that many have reservations about the quality of the Colerain Corridor. With this plan, we have the opportunity to remove billboards, etc. and there will be fewer curb cuts. This development needs to be an expression of Colerain Township. The restaurant cluster has tremendous attraction. The buffer shown along the highway in plans and the design greenway connector are also amenities to the restaurants. They are working to make storm water a positive feature. As for the buffer, they dropped the elevation of the buildings relative to the home, carefully considering the sight lines. They will maintain as much of existing wooden canopy along the property line as possible.

Mr. Corman asked about improving water quality as it runs off. Mr. Benken said it is best to pool the water, which allows contaminants to settle out.

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Mr. Fiedeldey spoke about his concerns about the buffer. It is 75' from the property line to the curb, not 60'.

The lighting is a 27' pole, with full-cut off. It is a metal-halite, white light. No lights to go across any property line. It is meant to stay on blacktop and side walks. There are lights on the back at fire exits, as required. The service drive is minimally lit.

Mr. Abercrombie discussed the storm water detention ponds. He said this is in preliminary stages. There is no detention to main tributary stream. Mr. Fiedeldey wants this to be for a 75 year rain event. Mr. Zanonie said the Furrow and homes do not have water detention now and this will improve the storm water for this area.

Mrs. Rielage motioned for a seven minute recess. Mr. Corman offered the second.

Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

The Board reconvened at 9:10 PM.

Mr. Fiedeldey said he asked the public works director if there is a problem with cut-through traffic. He said we can not cut off the street, due to Ohio law. We could post a sign near Wal-greens that says "no through traffic." Or, we could make Yellowstone only one-way traffic. He said we should put out traffic counters this year to see what actually goes down Yellowstone now and repeat the process after development is completed.

Mr. Fiedeldey opened the public comment.

Kevin Rieman of 3770 Sagebrush Lane is a member of Colerain Neighbors United. This group is comprised with those who have issues with the development, including the impact of the zone change, lack of privacy and lowering of property values, environmental impact, and storm water run-off. If this was a proposed residential development, the trees would stay. He would like an increased buffer with natural vegetation, sound mitigation, and security with physical barrier.

Vic Piper of 3698 Yellowstone Drive is also a member of the CNU group. He showed a slide of a concept for the buffer they find acceptable. The 50' current buffer could remain, a wall, which is not needed all the way, as fence could suffice in some areas. He still wants large pine trees and employee parking shifted to the back. Mr. Fiedeldey asked if the increased buffer helps them. Mr. Piper said it's only 15 more feet and this will probably kill some trees on the property line. Mr. Fiedeldey said the developer indicated they would endeavor not to destroy mature, viable trees. Mr. Zanonie said in most cases they work with the staff and this is one of the reasons they increased the buffer. This is more buffer than he has ever given in any development, because of the uniqueness of the development. Mr. Piper said he would like the developer to walk with them and understand their concerns. He thinks this will go a long way to help. Mr. Corman said this could give the developer a first-person opportunity to show this. Mr. Zanonie said he would walk the property. He said that the negative advertising against the development must stop and that we must work together as a team.

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Mr. Birkenhauer said he spoke to Mr Piper and Mr Rieman as well as the developer. Some of the requests from the residents are what the developer is doing.

Melanie Schmitt of 3695 Yellowstone addressed the traffic issue and something will need to be done with Colerain Ave. She is worried about people using this as a cut-through and the safety of the neighborhood. She said it would be to the advantage of the developer to keep some of the 100+ year old giant trees.

Ed Lostroh of 3738 Yellowstone is also a member of CNU and said many things have been already covered. He thanked Mr Fiedeldey and Mr. Corman for taking time and concern. The neighborhood wants to preserve as much of the wooded atmosphere as possible, which is why they wish the buffer. This is a good opportunity for a greenbelt.

Dave Sandusky of 3684 Yellowstone said he moved there eight years ago because of the quite, peaceful, area, which was close to retail. He said they feel isolated. He suggested they revisit closing off Yellowstone and find a plan which would be amiable to Walgreens, JD Byider, and the residents. Mr. Fiedeldey said this is not an option under the ORC and the opinion of the Attorney General. Mr. Sandusky suggested the Board not approve the zoning change and the developer only use the existing space.

Mason SeEVERS of 3751 Haverkos has walked the woods and enjoys them, but feels that there are some environmental problems with E coli in the streams. He said that new nice homes require nice shopping areas. This development presents a situation for the township to improve itself.

Corrinne Meyer of 9839 Haverkos said opponents to the development are concerned with property that is not their own.

George Welch of 3670 Haverkos said he went through this in 1983 when they built Furrow. This is a case of NIMBY. The development is good for the township. He wants to shop at Meijer.

Cindy Farthing of 3766 Haverkos said that with the loss of levy, this will provide school tax revenue. Trinity has taken into account the lay of the land. She fears those tall trees will fall during a thunderstorm. She said the current gateway to the township is an eyesore and much less desirable plans for this area have been proposed.

Mike King of 9955 Voyager Way thanked CNU for coming to the table as team players. He said this project will energize the community.

Mike Collins of 3790 Sagebrush is encouraged by what he hears. He bought his home because of the trees and wants to be sure they save them at the drip line.

Mike Nash of 9808 Haverkos said change is inevitable. The issue is fiscal responsibly to the whole township, not just Yellowstone or Haverkos. We need this development as too much of our money is going to Butler County. The traffic is because of everyone leaving to spend money. The project is excellent and he does not want to nit-pick it to death.

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Amy Cardosi Ariosa of 3692 Yellowstone enjoys the trees and the wildlife. She suggested the Board consider what they are changing so drastically. She is concerned about the buffer and fears it too small and too abrupt. She also cited loss of privacy and property value.

Tom Bauer of 3718 Yellowstone thanked board for being concerned about the buffer and quietness. He said he is most affected by the loading dock.

Andrew Moeller 3640 Yellowstone asked about the procedures for the vote. He also presented a list of resident complaints. He said no renderings are taken from the back of the buildings and showed the Board photos from other developments in the Township and a Meijer in Forest Park. He said Trinity said this development is different and special, keeping residents to keep them from going to Rookwood or Kenwood. However, he sees nothing to keep people in Colerain. He wondered if the bike paths donated to the Township will be maintained. He is frustrated about the buffer. Their backyard is most of the buffer and they're providing the trees. He said the truck docks will allow noise in the middle of the night. He said the Township made a proactive decision with the comprehensive plan to take control of the growth.

Annette Murray of 3689 Yellowstone said Guardian Savings is planning to put in helipad and asked how often it would be used. Mr. Zanonie says for private use and not certain of frequency. She also asked about the TIF financing and the funds the schools will get. She asked about the terms of Meijer's lease. Mr. Zanonie said they are property owners. In response to another question, Mr. Zanonie said there are no signed leases for the junior anchors. She asked about the odor from Rumpke in light of the restaurants' outdoor dining. Mr. Zanonie said work will begin this fall.

Elliot Holsing of 9891 Colerain Ave., Lazy Boy Furniture, said he has been working with developers for the past 4-5 years. Other plans are not the best use, but this is a good plan. There is no fast food, gas stations or car dealers in this.

Mrs. Rielage motioned for a five minute recess. Mr. Corman offered the second.
Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

The Board reconvened at 11:18 PM

Linda Klineshmidt of 9151 Yellowwood Drive is concerned about the development. She said there needs to be more concern about the buffer, store placement, Northgate Mall, congestion on Colerain Ave, etc. She is concerned about tax abatements which run too long and give benefit to businesses and taxes the residents.

Richard Neimer of 3796 Sagebrush is afraid the walking trail will allow juveniles a place to drink and party.

Mrs. Rielage motioned to close the public hearing. Mr. Corman offered the second.
Mr. Corman "Aye"
Mr. Fiedeldey "Aye"
Mrs. Rielage "Aye"

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Mr. Corman said there are both sides to any issue. The Comprehensive Plan is not a zoning text; it sets criteria which may alter what is in existence. Anything like this creates controversy. He feels with certain conditions this would be a very good plan for the whole community. We are concerned about the neighborhoods and be sure they do not go down. But, we need a viable business community.

Mrs. Rielage said these decisions are not easy because we can't make everyone happy. It is a good idea to have the residents to walk the property with the developer.

Mr. Fiedeldey thanked everyone for attending tonight. This is the toughest case he has had on the Board. He understands what they have back there. He represents them and the other 60,000 people in the township. Need to also look at tax base and employment in the Township. Something needs to go there as it is an eyesore now.

Mr. Fiedeldey asked for additional conditions from the Board. Mr. Spriggs recorded these for the resolution.

Mrs. Rielage motioned for a five minute recess. Mr. Corman offered the second.

- Mr. Corman "Aye"
- Mr. Fiedeldey "Aye"
- Mrs. Rielage "Aye"

The Board reconvened at 12:16 AM

Mr. Fiedeldey said the noise resolution will not cover the truck deliveries. Mr. Zanonie reported that Meijer said that 24-hour deliveries are very important and this will be a deal-breaker for them.

Tom Westfall of 3186 Palmyra is on the zoning commission and confirmed Meijer said this was a deal-breaker.

Mr. Reuter suggested language for this item, which Mr. Spriggs recorded on the resolution.

Mr. Spriggs discussed the signage, including a highway monument. All of these will meet the height requirements.

The applicant agreed to all of the conditions in the resolution.

Mr. Spriggs read resolution 19-05, Case No. ZA-2005-03, Stone Creek Towne Center.

Mr. Fiedeldey motioned to approve Case No. ZA-2005-03 in accordance with the resolution just read, with the conditions noted. Mr. Corman offered the second.

- Mr. Corman "Aye"
- Mrs. Rielage "Aye"
- Mr. Fiedeldey "Aye"

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ADJOURNMENT

With no further business to come before the Board, at 1:41 AM, Mrs. Rielage motioned for adjournment. Mr. Corman offered a second.


Mr. Corman "Aye"

Mr. Fiedeldej "Aye"

Mrs. Rielage "Aye"



Clerk



President