

**Wood County Planning Commission**  
**September 6, 2011 @ 5:30pm**

The Wood County Planning Commission met in regular session on Tuesday, September 6, 2011 at the County Office Building in Bowling Green. Planning Commission members in attendance were: Anthony Allion, Rob Black, Tim Brown, Jim Carter, Patrick Fitzgerald, Raymond Huber, Richard Kohring, Alvin Perkins, and Leslee Thompson. Planning Commission staff in attendance was: David Steiner, Kelly Hemminger and Katie Baltz. 7 guests were also present at the meeting.

Chairman Allion called the meeting to order. Upon calling the meeting to order, Mr. Kohring made a motion to approve the August 9, 2011 Planning Commission meeting minutes. Mr. Black seconded the motion and Commission members responded in full support (Mr. Brown abstained).

**STAFF ACTIVITIES REPORT (JULY – AUGUST 2011)**

Mr. Steiner reported that a meeting was held with Poggemeyer Design Group (PDG) and representatives from the Wood County Engineer's and Auditor's offices to discuss updates to the Wood County Subdivision Rules and Regulations. Mr. Steiner stated that Planning Commission staff met with the Wood County Auditor's GIS department to implement a procedure to update the digital GIS zoning maps. Mr. Steiner stated the FY11 Community Development Block Grant (CDBG) application was completed and reported that the FY10 Villages of Milton Center and North Baltimore projects were bid and awarded. Mr. Steiner stated that an Analysis of Impediments to Fair Housing Study was submitted to the Ohio Department of Development (ODOD) to ensure CDBG funding. Mr. Steiner reported that he reviewed and commented on a newly proposed Enterprise Zone Agreement (EZ) in Perrysburg Township. Mr. Steiner reported that 16 parcel splits totaling approximately 244 acres of land were completed and 11 rural parcel address locations were issued.

**OLD BUSINESS**

Mr. Steiner informed Commission members that several legal opinion requests were submitted to the Wood County Prosecutors Office regarding Freedom Estates Subdivision in Lake Township, which had been discussed at the August 2011 Planning Commission meeting. Mr. Steiner reported that the opinion requests were currently being reviewed by the Wood County Prosecutors Office. Mr. Steiner stated that a meeting was held with the Freedom Estates owner, plat engineer, Wood County Engineer's office, Wood County Prosecutor's office, and Wood County Planning Commission, and it was decided that ownership issues needed to be determined before the development could proceed.

**MIDDLETON TOWNSHIP - ZONING**

The Middleton Township Zoning Commission submitted a series of text amendments to the current Middleton Township Zoning Resolution. The resolution was entirely updated and submitted for review in early 2011. The Planning Commission recommended approval of the new text and Middleton Township ultimately approved the new text. After implementation, a few minor inconsistencies, omissions, and errors were discovered. Errors and omissions specifically being addressed were eve line setback lengths, side and

front yard requirements in B-1 Districts, sign enforcement, setback distances from established public drainage ditches, as well as changes to the pond section.

Mr. Brown made a motion to recommend that Middleton Township approve the proposed Middleton Township Zoning Resolution amendments. Mr. Black seconded the motion and commission members responded in full support.

### **MIDDLETON TOWNSHIP – SUBDIVISION**

George Oravec, of Oravec and Associates, on behalf of the Catholic Dioceses of Toledo submitted a request to rezone approximately 20 acres of land in Section 24 of Middleton Township from an A-1 Agricultural zoning classification to an R-3 Residential zoning classification. The applicant indicated that they would like to sell the property to be developed residentially.

Mr. Steiner began his review and discussion of the item and stated that the property was located on the north side of Five Point Road. Mr. Steiner reported that Fort Meigs Road was located approximately 1,300 feet to the east, Roachton Road was one mile to the north, Brookhaven Development was located to the southeast of the parcel, and the westerly boundary of the City of Perrysburg was located directly to the east of the parcel. Mr. Steiner stated the property was currently zoned A-1 Agricultural and reported that lands to the north, south, and west were zoned A-1 Agricultural and lands to the east were located within the City of Perrysburg. Mr. Steiner reported that the Wood County Comprehensive Land Use Plan designated the property as an Urban-Small Town Expansion area. Mr. Steiner reported no environmental constraints such as wetlands or floodplains were associated with the property and noted that utilities were available from both the City of Perrysburg and the Northwestern Water and Sewer District. Mr. Steiner stated that utilization of utilities, regardless of the source, would likely require annexation into the City of Perrysburg as the area was outside of the 99 year annexation agreement area between the City of Perrysburg and Middleton Township.

Mr. Steiner then reported that a unique land use issue was associated with the property in question. Mr. Steiner stated that after discussions with Middleton Township and a genealogist, it was believed that a very old cemetery was located on the property. Mr. Steiner reported that Wood County Health Department records indicated that a cemetery was located on the property and a 1920 Atlas of Wood County also referenced a cemetery. Mr. Steiner reported that the Ohio Historical Society may be interested in this cemetery.

Mr. Steiner informed Planning Commission members that the property would need to be annexed into the City of Perrysburg in order to obtain utilities for development. Mr. Steiner stated that the applicants should annex the parcel into the City of Perrysburg and then apply for rezoning under their regulations to ensure that the zoning designation ultimately given to the parcel would be compatible with the City of Perrysburg's Master Plan.

When the item was turned over to Planning Commission members for review and discussion, Mr. Oravec reported that the Catholic Church purchased the property in 1872.

Mr. Oravec reported that they wished to sell the property since they constructed a new church, Blessed John, along State Route 25 (Dixie Highway). Mr. Oravec informed Planning Commission members that adjacent property was zoned R-3 Residential and that water was provided by the Northwestern Water and Sewer District (NWSD). Mr. Oravec reported that sanitary sewer was located along Fort Meigs Road and was provided by the City of Perrysburg. Mr. Oravec reported that he was unsure if he needed to rezone through Middleton Township or the City of Perrysburg. Mr. Oravec confirmed that he would need to annex to the City of Perrysburg in order to receive sewer service. Mr. Oravec reported if it was determined that bodies were buried on the premises, they would be relocated in a proper manner before the property was developed.

Mr. Black questioned who Mr. Oravec represented. Mr. Oravec reported that he was representing the Catholic Church. Mr. Brown questioned if there was a law in place that governed the disposition of a cemetery. Mr. Oravec reported that he did not believe there was. Mr. Huber reported that an archeological survey should be completed and reported that construction should cease immediately if a bone was discovered. Mr. Oravec questioned if the item could be tabled for 2 months until further investigation was done regarding the cemetery. Mr. Brown questioned if the item could be tabled and Mr. Steiner reported that it could.

Ms. Jean Whitson reported that she and her family were decedents of George and Margaret Hass. Ms. Whitson reported that she was new to genealogy and noted that the majority of her information regarding the cemetery was pulled from a report composed by Pat Smith, Wood County Genealogical Society from 1993. Ms. Whitson stated that the report contained information regarding the purchase of the cemetery and names of the individuals that were buried. Ms. Whitson gave a brief narrative regarding the research that she had conducted.

Ms. Whitson reported that in 1847 – 1852 the land was settled by German immigrants who were the first families of Wood County. In 1856, Saint Mary's Mother of Sorrows Church was built and the cemetery was created. Ms. Whitson reported that the church was eventually dismantled and the cemetery was abandoned due to lack of funds. Ms. Whitson reported that approximately 72 graves were located at the cemetery. Ms. Whitson reported that some remains were moved to St. Rose Cemetery. Ms. Whitson stated that she would like to see the portion of the property that the cemetery was located on to remain undeveloped and the gravesites to be properly identified and reported that she believed it was the responsibility of the Catholic Dioceses to address the issue.

Mr. Fitzgerald questioned if Ms. Whitson knew the location of the church on the property. Ms. Whitson reported that she believed the church was located on the front portion of the property and the cemetery was located on the back portion. Ms. Whitson reported that the grave markers had been reportedly strewn about along Eckle Junction Road on property currently owned by Robert Farley. Ms. Whitson reported that a picture of the cemetery was included within the information that she had provided to the Planning Commission members.

Mr. Brown questioned if the headstones were visible on or near the location of the cemetery. Ms. Whitson reported that all headstones had been removed and the property was currently being farmed. Mr. Brown stated that he was curious who could have consciously removed the headstones. Mr. Carter questioned if the item could be tabled or if action needed to be taken. Mr. Steiner stated that the item could be tabled. Mr. Black stated that he believed it was not the position of the Planning Commission to table an item.

When the item was turned over to Planning Commission members for a motion, Mr. Fitzgerald made a motion to recommend to Middleton Township that they deny the request until further information regarding the cemetery is uncovered. Mr. Carter seconded the motion and Planning Commission members responded in full support.

#### **DIRECTORS TIME**

Mr. Steiner reported that he was waiting to hear from Poggemeyer Design Group regarding the updates to the Wood County Subdivision Rules and Regulations.

Mr. Steiner stated he was unsure if there would be an October 4, 2011 Planning Commission meeting. There being no further discussion, the meeting stood adjourned with a motion from Mr. Black. Mrs. Thompson seconded the motion and Commission members responded in full support.