

**Wood County Planning Commission**  
**October 4, 2016 @ 5:30pm**

The Wood County Planning Commission met in regular session on Tuesday, October 4, 2016 at the County Office Building in Bowling Green. Planning Commission staff in attendance was David Steiner and Katie Baltz. 7 guests were in attendance

Chairman Black called the meeting to order.

**Roll Call**

John Alexander-Present, Tony Allion-Present, Rob Black-Present, John Brossia-Absent, Doris Herringshaw-Absent, Ray Huber-Present, Joel Kuhlman-Present, Craig Lahote-Present, Donna Schuerman-Present, Leslee Thompson-Present, David Wirt-Present.

Ms. Schuerman made a motion to approve the August 2016 Planning Commission meeting minutes, Mr. Lahote seconded the motion. Commission members responded in full support.

Ms. Herringshaw entered the meeting.

**Unfinished Business**

**New Business**

**Staff Activities Report**

Mr. Steiner reviewed the list of staff activities performed in August and September 2016.

Mr. Steiner stated that the Planning Commission Staff WOULD be meeting with various municipalities about the new land use plan, and that a draft plan should be available to the Planning Commission members in November.

**ZONING – LIBERTY TOWNSHIP**

Mr. Steiner stated that Liberty Township had submitted a series of zoning text updates and one new article to add to their current zoning resolution. Mr. Steiner stated that the updates consisted of standard “housekeeping” items and additional language that regulated the demolition of structures over 200 square feet in size.

Mr. Steiner stated that he would recommend approval of the changes with the notation that the new language would require more time and attention from the township for enforcement. Ms. Sara Wensink, Zoning Inspector agreed with Mr. Steiner’s presentation.

Mr. Alexander made a motion to recommend that Liberty Township approve the zoning text amendments with the addition of language requiring utility shut-off notices to be in hand when an individual was applying for demolition permits. Ms. Thompson seconded the motion, Commission members responded in full support.

## **ZONING – MIDDLETON TOWNSHIP**

CTE, LTD. submitted an application to rezone one parcel of land from an A-1 Agricultural Zoning Classification to an M-1 Light Industrial Zoning Classification.

Katie Baltz stated that the parcel being rezoned consisted of 73.98 acres of land in Section 29 of Middleton Township. Ms. Baltz stated that the reason for the zoning change as stated on the application was to allow for the expansion of CTE's tenant, Principle Business Enterprises, the anticipated need for additional production equipment, and to potentially build a new warehouse/distribution building.

Ms. Baltz stated that the land was located on the north side of Devils Hole Road, approximately 675 feet east of I-75 and approximately 1,375 feet west of Dunbridge Road.

Ms. Baltz noted that the property was currently zoned A-1 Agricultural, lands to the west were currently zoned M-1 Industrial, and lands to the north, east and south of the property were zoned A-1 Agricultural.

Ms. Baltz stated that the Wood County Comprehensive Land Use Plan had designated the area where the parcel was located at as an Employment Center Area and the lands to the north and west were Urban/Small Town Expansion areas.

Ms. Baltz stated that the property did not have floodplains or wetlands and public utilities were not available to this property.

Ms. Baltz listed the permitted uses allowed under an M-1 Light Industrial Use classification.

Ms. Baltz stated that due to the parcel's location, which adjoins another industrially zoned parcel, and the Wood County Land Use Plan's designation of this area as an Employment Center Area, an M-1 Light Industrial land use would be a fitting use of the land.

Ms. Baltz noted that the Planning Commission would make the recommendation to Middleton Township, and it would ultimately be up to the Township whether to approve or deny the request.

Mr. Joseph Matthews of CTE/Principle Business Enterprises stated that he appreciated the review of the rezoning request.

Mr. Huber asked if there was a single family residence located next to the parcel to be rezoned. Ms. Baltz stated that there was a single family residence there, and that Middleton Township's zoning resolution contained buffering requirements.

Mr. Huber asked if the Planning Commission had any concern to any increased traffic on the rural road if there were a warehousing expansion. Ms. Baltz stated that the Planning Commission did not foresee this as an issue, and Mr. Steiner agreed and stated that the Township could consider the concern when they voted on the matter.

Mr. Matthews stated that significant warehouse space was being used at a different location, and that by expanding the storage area on site, truck traffic to the parcel being rezoned would be reduced.

Ms. Thompson made a motion to recommend that Middleton Township approve the request to rezone the parcel of land from an A-1 Agricultural Zoning Classification to an M-1 Light Industrial Zoning Classification. Mr. Alexander seconded the motion, Commission members responded in full support.

#### **SUBDIVISION – MIDDLETON TOWNSHIP**

ESA Engineers submitted a final plat entitled “Saddlebrook Plat 18” for review and final approval.

Mr. Steiner stated that this was the eighteenth (18<sup>th</sup>) phase of the overall Saddlebrook Subdivision and consisted of a total of twenty (20) single family residential lots covering approximately 7.11 acres of land.

Mr. Steiner stated that the plat was located within the existing Saddlebrook Subdivision and was bordered to the north by Saddlebrook Plat 17, to the south by Hull Prairie Meadows Plat Two and The Village at Hull Prairie Meadows Plat 1, to the west by unplatted lands, and to the east by Saddlebrook Plat 11.

Mr. Steiner noted that the underlying plat was zoned R-3 Residential, and lands to the east, north and west were zoned R-3 Residential as well. Mr. Steiner stated that lands to the south in the Hull Prairie development were zoned R3-PUD. Mr. Steiner stated that land use in the area was primarily residential, and the Comprehensive Land Use Plan had designated this area as being in an urban – small town expansion area. Mr. Steiner noted that there were no floodplains or wetlands located on the plat and all utilities were available to the plat.

Mr. Steiner stated that access to the plat would be through a new street entitled Reddington Court and through the extension of Saddle Horn Drive. Mr. Steiner stated that plat improvements included streets with 60 feet of right of way, curbs, gutters, storm and sanitary sewers, and all necessary utilities.

Mr. Steiner stated that the Wood County Engineer’s office had located errors on the plat and they could elaborate on those. Mr. Steiner stated that the Planning Commission Staff would recommend approval of Saddlebrook Plat 18 with the understanding that the plat would not be released for recording until the Wood County Engineer’s Office was satisfied that all errors and deficiencies had been corrected.

Jeff Ford, Middleton Township Zoning Inspector, stated that the Township would like the roads to be connected together for safety reasons since the infrastructure is already in place and the roads were only separated by eight (8) lots.

Greg Boudouris, ESA Engineers, stated that it was the intention of the developer to build that connection in the next year, along with the intersection that hadn’t been built yet.

Mr. Black asked if there were turn-arounds in place and Mr. Boudouris stated that there were turn-arounds.

Mr. Musteric stated that in addition to the items mentioned in the letter, that the plat was submitted without a signature.

Mr. Allion asked if the lots in the southeast end of the preliminary plat that were not being connected were in the original preliminary plat. Mr. Steiner stated that they were in the original preliminary plat.

Mr. Black made a motion to approve Saddlebrook Plat 18, Ms. Thompson seconded the motion, Commission members responded with a vote of 8 in favor, Mr. Allion opposed, motion carried.

### **SUBDIVISION – PERRYSBURG TOWNSHIP**

ESA Engineers had submitted a final plat entitled “Eckel Trace Plat 4” for review and final approval.

Mr. Steiner stated that this plat was the fourth phase of the existing Eckel Trace Subdivision, and contained 14 single family lots and covered approximately 5.38 acres of land.

Mr. Steiner stated that the plat was located in Section 17 of Perrysburg Township within the existing plat of Eckel Trace approximately 370 feet south of Eckel Junction Road, and 1200 feet east of State Route 199. Mr. Steiner stated that Eckel Trace Plat 2 was located to the west and south of the plat, Eckel Trace Plat 3 bordered the plat to the north, and Emerald Lakes Plat 2 was located to the east of the plat

Mr. Steiner stated that lands to the west, south and north of the plat were zoned R-3 Suburban Residential. Mr. Steiner noted that lands to the east in the Emerald Lakes development were zoned PUD-R (Planned Unit Development Residential).

Mr. Steiner stated that the land use in the area was medium density residential, and the Wood County Land Use Plan had designated the area where the subject plat was located as being in an urban infill area. Mr. Steiner noted that all utilities were available to this plat and there were no natural hazards such as floodplains or wetlands associated with the property.

Mr. Steiner stated that the lots would be accessed by an extension of Summer Trace and Spring Trace Drives. Mr. Steiner stated that the streets have 60 feet of right of way with curbs and gutters.

Mr. Steiner noted that there was an error regarding the zoning listed on the lands to the east of the plat in the Emerald Lakes Subdivision. The plat drawing had these lands listed as being zoned R-3 Suburban Residential, but further research indicated that these lands were zoned PUD-R (Planned Unit Residential).

Mr. Steiner stated that a letter had been passed out from the township. Mr. Steiner stated that there was an open ditch that abutted the east side of the plat and that Perrysburg Township required a 40 foot setback from the center of the ditch to any structures. Mr. Steiner stated that his concern was that the ditch setbacks could alter the building envelope on lots 86 and 87. Mr. Steiner stated that the Wood County Engineer's Office also identified errors which were listed in a letter from their Office.

Mr. Black asked Mr. Boudouris if the applicant would be going to the board of zoning appeals to be able to build on the two lots in question. Mr. Boudouris stated that yes, he thought that would happen. Mr. Black stated that a different individual who also represented the applicant had stated the night prior that he would not be requesting approval from the board of zoning appeals at this time. Mr. Boudouris stated that he thought approval would be requested at a later time when the lot was sold. Mr. Black stated that his concern was the misrepresentation to an owner that a lot was buildable and stated that the owners should be made aware of the ditch issue before the sale of those lots.

Mr. Musteric stated that he thought that the 40 foot ditch setback should be shown on the plat. Mr. Allion stated that the Planning Commission's approval says to the general public that those lots are buildable and stated that he also thought that the 40 foot easement should be shown for Planning Commission approval so that it is also clear to potential buyers.

Mr. Brian McCarthy stated that he was a partner with Mr. Mitchell on this development and noted that there was only one builder that would be building within this subdivision, and lots were sold with a building contract. Mr. McCarthy stated that it was their intent to go to the Board of Zoning Appeals (BZA) at the Township level. Mr. Black stated that the setback issue could be considered a self-inflicted hardship and he wasn't sure if the BZA would approve it or not.

Mr. Allion made a motion to approve Eckel Trace Plat 4 with the stipulation that the 40 foot ditch setback be shown on the plat. Ms. Herringshaw seconded the motion.

Mr. Huber asked if Mr. Allion was talking about the construction drawings or on the record plat. Mr. Allion stated that he was talking about the record plat. Mr. Huber stated that setbacks needed to be defined definitively and information needs to be readily available and shared throughout all agencies and interested parties.

Following a brief discussion, Mr. Allion made a motion to amend his motion, the amended motion was to approve Eckel Trace Plat 4 with the stipulation that the 40 foot ditch easement be shown from the south end of the plat to the north end to include lots 86 through 91. Ms. Herringshaw seconded the motion. Mr. Black called for a vote and Commission members responded in full support.

## **SUBDIVISION – MIDDLETON TOWNSHIP**

Mr. Steiner stated that Feller Finch and Brian McCarthy had submitted a preliminary plat entitled “River Bend Lakes Plats 3” for preliminary approval and for final approval as well.

Mr. Steiner stated that Riverbend Lakes Plat Three was granted preliminary approval at the July 2014 Planning Commission meeting. In July of 2015 Feller Finch & Associates, engineers for the plat, requested a one year extension on the preliminary approval. Mr. Steiner stated that this extension had been granted and had expired, resulting in a new preliminary plat being needed.

Mr. Steiner stated that the residential subdivision consisted of twenty two (22) single family lots and covered approximately 11.95 acres of land in River Tracts 53 and 54 of Middleton Township and would be accessed by the extension of John F. McCarthy Way.

Mr. Steiner stated that the underlying plat was zoned R-3 Residential and that lands to the east, south, north and west were zoned R-3 Residential as well. Mr. Steiner stated that land use in the area was primarily residential, and the Comprehensive Land Use Plan had designated this area as being in an urban – small town expansion area. Mr. Steiner stated that there were no floodplains or wetlands located on the plat and that all utilities were available to the plat.

Mr. Steiner stated that a sixty (60) foot wide landscape easement was shown along lot lines of Lots 151 through 161 and the easement was also the location of a pipeline easement. Mr. Steiner stated that he was told that the pipeline easement holder had no issues with landscaping on the easement site, as long as no trees were being planted in the easement area.

Mr. Steiner stated that the County Engineer’s office stated a concern with the length of John F. McCarthy Way, and that the detention basin needed to be shown on the plat drawing.

Mr. Greg Feller, Feller Finch and Associates gave a brief history of the plat and stated that this was the same plat that had previously been given preliminary approval.

Mr. Feller stated that his office had communicated with the company that held the pipeline easement and that they had stated that mounding was acceptable as long as trees were not planted. Mr. Black asked if there was any written communication to support that statement. Mr. Feller stated that he wasn’t aware of anything in writing and would follow up with Mr. Steiner.

Mr. Alexander asked why there were still errors present on the plat if this was the same preliminary plat. Mr. Feller stated that a different Engineer submitted the original preliminary plat. Mr. Musteric stated that the original preliminary plat may have been approved before the new subdivision regulations went into effect and wouldn’t have had to follow the checklist that new plats were required to follow.

Mr. Ford asked if the drawing showed any landscape mounding. Mr. Black stated that the plat didn't show that. Mr. Musteric stated a landscape easement and pipeline were shown on the plat drawing. Mr. Musteric stated that it would be shown on the construction drawings. Mr. Ford stated that he had not seen the construction drawings and had not been able to see if it would meet zoning requirements. Mr. Feller stated that he could provide Mr. Ford with construction drawings.

Mr. Fred Vetter stated that the Townships needed to be provided with construction drawings so that things were not falling through the cracks.

Mr. Black stated that going forward the Planning Commission should forward construction plans to the townships.

Mr. Ford asked if the Eyebrow on the plat would be all asphalt. Mr. Feller stated that he didn't have the construction plans with him and couldn't remember.

Mr. Huber stated that connectivity was an issue, and should be consistent. Mr. Huber stated that if the developer had developed plat two at the Village first, and the connections were made, then the connectivity conversation wouldn't need to occur.

Mr. Steiner stated that in this plat there is an eyebrow, not a cul de sac. Mr. Feller stated that cul de sacs are not extended and that this road will eventually be extended and connected.

Following a discussion about connections and future plats to be developed, Mr. Ford asked why the connection was not required in the previously reviewed plat, Saddlebrook Plat 18, when it was only 300 feet away. Mr. Musteric noted that there were many connection points in Saddlebrook, and there was only one way into River Bend Lakes.

Mr. Kuhlman asked if the Planning Commission needed to make the condition of the connection being made on the next plat or could they just deny the next plat if a connection was not being made. Mr. Black stated that in the past it was just noted that the next plat would not be approved if a connection wasn't made.

Mr. Kuhlman made a motion to approve the preliminary plat of River Bend Lakes Plat 3 with the condition that the Engineer's comments and concerns were to be corrected. Mr. Alexander seconded the motion, Commission members responded in full support.

#### **SUBDIVISION – MIDDLETON TOWNSHIP**

Mr. Black stated that Feller Finch and Brian McCarthy had submitted a final plat entitled "River Bend Lakes Plats 3" for preliminary approval and then for final approval as well.

Mr. Vetter asked if by the Roberts Rules of Order, the minutes from the preliminary approval had to be approved before the final plat could be approved. Mr. Black stated that he didn't believe the minutes had to be approved before the final plat could be approved.

Mr. Alexander made a motion to approve the final plat of River Bend Lakes Plat 3. Ms. Schuerman seconded the motion, Commission members responded in full support.

Mr. Steiner asked for clarification on the connectivity issue. Mr. Black stated that connectivity would be addresses at the review of the next plat.

#### **CHAIRMAN'S TIME**

Mr. Steiner stated that Ms. Schuerman and Ms. Herringshaw had agreed to be on the nominating committee for officers of the Planning Commission in 2017.

#### **DIRECTOR'S TIME**

Mr. Steiner stated that the Planning Commission staff had requested to create a part time position in their 2017 budget. Mr. Kuhlman asked if it would be helpful to have somebody spend time in the Planning Commission office to help in addition to the help already being received. Mr. Steiner stated that he would be open to that.

Mr. Wirt asked if there was a connection between the implementation of a fee schedule and the potential part time person. Mr. Steiner stated that there was not a connection at this point. Mr. Wirt stated that he would like to keep them separate. Mr. Black stated that the fee was like a user fee and that the users of services should absorb some of the cost.

Mr. Steiner stated that a memo would be mailed out to developers informing them of the 20 working day deadline for plat submittals rather than 20 calendar days. Mr. Kuhlman stated that the term working day may cause confusion.

There being no further items of business, Ms. Schuerman made a motion to adjourn the October 4, 2016 Planning Commission Meeting. Ms. Thompson seconded the motion, Commission members responded in full support, meeting adjourned.