

## THORN TOWNSHIP ZONING COMMISSION

Date: 11/29/2021

Meeting Type: Public Hearing for PRD Application

Public Hearing Location: Thorn Township Building, 13780 Zion Road, Thornville, Ohio

**Board Members Present: Wayne Gniewkowski, Brad Blain, Mark Huggins, Jim Hay, Mark Becker, & Mary Alice Stidham (Alternate)**

**Zoning Department Members Present: Ed Corns, Zoning Inspector and Deborah Morgan, Zoning Secretary**

**Thorn Township Representation Present: Gary Smith, G2 Planning (Planning Consultant for the Township) and Jennifer Huber, Township Legal Counsel**

**Public Hearing Guests Present: Todd Faris, DJ Falcoski, Mark Inks, Mark Antonetz, Connie Godell-Newton, Jennifer McKenna, Greg Miller, Roy & Debbie Dawson, John & Mishalee Ballard, Renee Spring, Rhoda Stevens, Susan Bowersock, Marge Hampton, Dick Bowman, Rodd Brune, Elaine & Bud Roberts, Julie Deck, Rebecca Bell, Chuck Daley, Melissa Warp, Craig Wheeler, Bobbie Hummel, Jeff Zemolong, Shannon Gress, John Rurgon, Jonathan Havens, Kris Naegeli, Karen Kinley, Rosann Franks, Chip McNeer, Bob Coleman, Jason Altemason** *(note: some spelling of names may be incorrect as signatures on sign in sheet were unclear)*

### **The Nest at Buckeye Lake, a Planned Residential Development)**

Chairperson Wayne Gniewkowski called the public hearing to order at 6:30 p.m. Roll call was taken and all members were present. Chairperson Gniewkowski announced that this public hearing was for a PRD (Planned Residential Development) application submitted to the Thorn Township Zoning Commission. Chairman Gniewkowski reviewed the agenda for the public hearing. Chairman Gniewkowski introduced Gary Smith from G2 Planning, who represents the Township for consultation services regarding planning and zoning.

### **Staff Summary of Application**

Mr. Gary Smith gave a power point presentation and reported on his review of the PRD application. Mr. Smith prepared a written report documenting his verbal report for the public hearing. A copy of his report is attached to this document, marked as Attachment A. After Mr. Smith's report was concluded, Township Legal Counsel Jennifer Huber stated that she agrees with Mr. Smith's evaluation and opinions on the PRD Application.

### **Applicant Presentation**

Chairman Gniewkowski introduced DJ Falcoski who is representing the owner of the property and applicant on the PRD application. DJ Falcoski spoke on behalf of the property owner for the PRD application. Mr. Falcoski gave a brief history of when this project originally began and how it came to the current application. Mr. Falcoski thanked Mr. Smith for his report and stated that they will review the report further and respond accordingly to address the concerns mentioned in the report. Mr. Falcoski addressed board members and guests and gave a brief description and overview of the proposed project.

Concerns were raised from the Zoning Inspector on the square footage of the proposed structures and questions on lot size/pad sizes. Mr. Falcoski stated that he will clarify those questions as well. Discussion was held on Thorn Township Zoning Code Article 22 that deals with the floodplain.

Questions concerning setbacks were discussed. Zoning Inspector Corns stated that the setbacks need to be spelled out in text, not just in diagrams.

### **Zoning Commission Members Comments and Questions for Applicant**

Township Legal Counsel Jennifer Huber informed the Board that member Mark Becker would need to remove himself from any votes or asking questions as a board member, as he is a resident living within the neighboring area of this proposed project. Mr. Becker was informed that he could ask questions during the guest portion of the public hearing but not as a Zoning Board member. Board member Becker stated that he understood those requirements and would respectfully abstain from any votes in relation to this PRD Application.

Board member Mark Huggins had questions on the width of the canals and if they would cause some bottlenecks when boats are moving through. The applicant's engineering representative stated that the canals would be 60 feet wide where docks are and 30 feet wide where no docks are located. He stated that this should allow for two boats to pass adequately. Board member Huggins also questioned the existing eagle nests, are all requirements met regarding the eagle nests? Mr. Falcoski stated that they have met all state requirements and permits regarding the eagle nests. Mr. Gary Smith stated that in his review he noted that all documents pertaining to the eagle nests are in order.

Board members voiced concerns over the following issues: discrepancy throughout the application regarding the actual acreage of the property, upkeep of Township Rd. 496, private roads within the development, width of the private roads in relation to buried utilities, concerns with flooding of the neighboring properties on the East side of the proposed project, concerns on the wetlands, concerns with the amount of buildable material coming out of the digging of the new canals, concerns of erosion on Township Road 403, and concerns of flooding neighboring areas by elevating the proposed buildings.

### **Public Participation**

Many guests were concerned that building this development will increase flooding to neighboring residents. Guests also voiced many concerns over the current condition of the trees along Honey Creek that the proposed developments owner has not addressed. Other points of concerns from guests were as follows: Has a traffic study been completed, will Honey Creek be a part of this development, concerns on erosion when digging new canals, concerns over the connection of the new canals to existing, who will maintain the canals after their development, will the owner of the development clean and maintain their side of Honey Creek, and will there be more phases of the development.

Mr. Falcoski stated that in their previous PRD Application Honey Creek was a part of it and at the public hearing for that application there was a lot of comments from neighbors objecting to that. After that hearing they went back to the drawing board for the project and they listened to those complaints, therefore, when preparing this proposed project application, they removed all plans for the East side of the property involving Honey Creek and moved the proposed development West eliminating Honey Creek. Mr. Falcoski stated that there are no plans that include anything being done to Honey Creek.

Mr. Falcoski thanked all guests and the board members for their questions and input and stated that they will go back and address the concerns documented in Mr. Smith's report and encouraged guests who have concerns with trees along Honey Creek to reach out to him so their issues can be resolved. He stated that he would give them his business card so that they have his contact information.

### **Zoning Commission Discussion and Action**

Discussion was held between the Zoning Board and Legal Counsel Jennifer Huber on continuing this public hearing for the opportunity for the applicants to gather more information to answer all issues brought by this public hearing. After this discussion Brad Blain moved to continue this public hearing to February 15, 2021 at 6:30 p.m., at the Thorn Township Building. Jim Hay seconded the motion, by a yes voice vote from members Blain, Hay, Huggins, Gniewkowski, and Alternate Stidham the motion passed. Board member Becker abstained.

Brad Blain moved to call a special meeting for the Thorn Township Zoning Commission for continuing the PRD Application Public Hearing for February 15<sup>th</sup> at 6:30 p.m. Jim Hay seconded the motion, by a yes voice vote from members Blain, Hay, Huggins, Gniewkowski, and Alternate Stidham the motion passed. Board member Becker abstained.

After no further discussion the public hearing was closed by Chairman Gniewkowski at 8:34 p.m.

***Respectfully Submitted By:***

***Deborah Morgan, Thorn Township Zoning Secretary***