

# ***Minutes***

## ***Clark County Board of Zoning Appeals***

Regular Meeting ~ 2:00 pm.  
Thursday, February 23, 2023

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

Mrs. Jerri Taylor, Chairperson of the Clark County Board of Zoning Appeals of Clark County Ohio, called the meeting to order at 2:00 pm. and asked for the Roll Call.

Present For Roll Call: Mrs. Jeri Taylor, Mr. Rick Smith, Mr. Tom Duffee and Mrs. Carol Smith

Absent For Roll Call: Mr. Paul Hazlett

Also in Attendance: Mrs. Jennifer Tuttle and Mrs. Rachel Ricketts of Clark County Community & Economic Development.

Chairperson Taylor explained how the meeting will be conducted.

### **Approval of the December 29, 2022 Minutes**

Motion by Mr. Smith, seconded by Mrs. Smith, to **Approve** the minutes with the corrections.

**VOTE: Yes:** Mr. Smith, Mrs. Smith, Mrs. Taylor and Mr. Duffee

**No:** None.

***Motion carried.***

Chairperson Taylor asked Staff to present the case.

Board Member, Mrs. Carol Smith recused herself from case #BZA-2023-01 and sat in the audience.

### **Case #BZA-2023-01 ~ Property Owners: Donna & Barry Hatfield ~ Applicant: Jake & Stephanie Morris ~ Location: 7524 Milton-Carlisle Rd.; Bethel Twp. ~ Request: Conditional Use approval under Section 728.04 for a major home occupation for a firewood business**

Mrs. Jennifer Tuttle stated that the subject property is located at 7524 Milton-Carlisle Rd and consists of 7.79 acres. The property is zoned A-1 (Agricultural District). The Applicant would like conditional use approval for a major home occupation for a firewood business. She stated a portion of the property is being used to cut, split, bundle and sell firewood. She noted firewood is also hauled from an offsite location.

Mrs. Tuttle explained 701.04 In considering an application for a Conditional Use, the Board of Zoning Appeals must make an affirmative finding that the proposed Conditional Use is to be located in a District wherein such use may be Conditionally Permitted, and that all conditions for approval of Conditional Uses have been met and 701.06 The Board of Zoning Appeals shall make its decision within a reasonable time after the hearing. In the event the Board approves the Conditional Use, it may impose such reasonable conditions as it deems necessary to ensure that the use will be conducted in the best interest of the Zoning District.

Mrs. Tuttle explained Section 728 Home Occupations, Minor and Major and the requirements that need to be met. Mrs. Tuttle explained that a Firewood Business was not listed as a use, in that case we find the next closest use which was a landscaping business under the Major Home Occupation.

She stated Section 728.05.05 there shall be no outside storage of any kind related to the use and no display of products may be visible from the street. The Applicant states that the wood will be neatly stacked next to and behind the barn. Mrs. Tuttle stated this will require a Variance if the Conditional Use is approved.

Mrs. Tuttle explained that Staff received 2 letters from surrounding property owners, they were provided in your Meeting Packet. One was in opposition of the request, and one was for the request.

Mrs. Tuttle showed the Board provided photos of the firewood business. She stated it is currently in operation and this request was started from a complaint. The pictures provided show firewood stacked outside of the barn.

Mrs. Tuttle explained, a Conditional Use is permitted provided that the general and specific criteria relating to such use has been met. The decision is based on review and application of the specific criteria and conditions for the conditional use. Per state law, a conditional use approval becomes effective 30 days after the date approved. A Zoning Certificate is then required before operation can begin. Any outstanding issues identified can be conditions of the Zoning Certificate approval.

Chairperson Taylor stated from the information we received this business has been going on prior to this application. Mrs. Tuttle answered, yes it has. She stated once we sent the letter of violation, we spoke with the occupants of the property, and they stated they were hauling wood from a different parcel onto this parcel. Mrs. Tuttle explained it is more than cutting wood from this parcel. She stated it is being cut from other locations, brought into this location, further cut down and then sold as firewood.

Chairperson Taylor asked how this has been going on. Mrs. Tuttle answered, I do not know but the Applicant is here and can answer.

Hearing no further questions for Staff, Chairperson Taylor opened the portion of the public hearing at 2:07 pm and asked if the Applicant would like to speak.

Applicant, Stephanie Morris, 7524 Milton Carlisle Rd, was sworn in. Mrs. Morris explained that they have lived here for 5 years. She stated the home has electric heat and it is not efficient and very costly. We put in a furnace and supplement our electric heat with wood. She stated any extra wood we use and sell. She stated as you can see from the pictures, we do sell wood. The wood that is there now is stacked behind the barn and next to the barn for both sale and for personal use.

Chairperson Taylor stated in one of the letters from the surrounding property owners there was concern about the traffic, the noise, and the lighting, can you address those issues.

Mrs. Morris explained we currently have no employees, and we have no need for employees, therefore we are not adding any more traffic to the road. She stated any wood that is brought in is from my husband with his truck and trailer. We will be using the same gate that is pictured. We are not asking for a new entrance, we are not asking for new utilities, were not asking to move anything and we are not asking for new water ways. We are just asking that any wood that was not dropped on the property be able to be brought onto the property.

Chairperson Taylor asked about noise and the lighting. Mrs. Morris answered we don't use any outside lights, when it gets dark out, we are done and that's for safety as well. When it comes to noise, he operates the chainsaw maybe 1-2 times a week and doesn't start before 9am. He runs it for a couple hours and shuts it off. The Splitter is run a couple times a day. Other than that, we are

hauling, bundling, and selling. She stated we live in an agricultural area on almost 8 acres. She stated there are other people in the area that do heat with firewood.

Chairperson Taylor asked how long you have been selling firewood. Mrs. Morris answered we became an LLC in June.

Mr. Smith asked how many times a day is your husband in and out with hauls or deliveries. Mrs. Morris stated sometimes none, sometimes once a day. She said it just depends on our orders. She stated realistically you can only cut 2 cords of firewood a day. That's a lot of work for one person even with a dump trailer. He could be in and out twice a day and that's 4 times. We have a daughter I take to and from day care, so I am in and out the same as he is.

Mr. Duffee asked how many cords of wood are burned a year. The Applicant stated it depends on the winter, but about 5-7. Mr. Duffee asked how many bundles you sell a week. Mrs. Morris stated I couldn't give you a total. We also sell to gas stations that sell bundles and those are not measured, and that's based off sales. One week we might sell 400 bundles and the next you could sell nothing.

Mr. Duffee asked if he brings in large trunk wood on a trailer. Mrs. Morris stated it is our personal 6 ft. dump trailer. Mr. Duffee asked how they get the large pieces loaded. Mrs. Morris stated with equipment. The wood is from my parent's 90-acre farm that's a mile away. We cut what's fallen on their property and haul it back.

Mr. Duffee asked if this is you and your husband's full-time job. Mrs. Morris answered, it is his full-time job. Mr. Duffee asked if he runs a chain saw a couple times a week for several hours a day. Mrs. Morris stated 2-3 hours max. Mrs. Morris stated I grew up in this area; we aren't looking to do anything that would jeopardize the integrity of the neighborhood or relationships with our neighbors.

Mr. Duffee asked if they plan to grow the business. Mrs. Morris states we are comfortable with the volume we have.

Mr. Duffee asked if they have an outside wood burner. Mrs. Morris answered it is inside.

Mr. Duffee asked what they do in the summertime for income. Mrs. Morris stated we sell bundles to gas stations or there are still people that buy wood for campfires. Mr. Duffee asked what type of distribution network you have for selling those bundles to gas stations. Mrs. Morris stated we cold call and that's our customer base. Mr. Duffee asked if they sell bundles to Kettering. Mrs. Morris explained we take bundles to Kettering, Centerville, Huber Heights, Mason, Fairborn and Beavercreek.

Chairperson Taylor asked Staff if they were to grow this business does that only allow 2 other employees. Mrs. Tuttle explained yes based on your approval today, and how you word the approval, if any changes are made other than what was submitted, they would have to come back. Mrs. Morris stated and that was very well understood.

With no more questions for the Applicant, Chairperson Taylor asked if anyone would like to speak in favor of the request.

Donna Hatfield, 235 N Hampton Rd, was sworn in. Mrs. Hatfield explained I am the owner of the property. I am in favor of the request. My son in-law hauls the wood in his Chevy Silverado with a trailer on the back. She stated a couple times a year they'll have wood brought in in a bigger truck but

there is no additional traffic or advertisements. There are no employees and from the road you wouldn't know it was going on.

Chairperson Taylor asked if anyone wanted to speak in opposition of the request.

Mr. Pat Gould, 7585 Milton Carlisle Rd, was sworn in. Mr. Gould explained he and his wife are opposed to this application because their house is about 200 yards from their home. We chose this area because it's rural but still residential houses with no businesses. We moved here in 2005. We understand noise that comes from homeownership. Lawnmowers and chain saws and other equipment we use on our yards. A business would generate unregulated noise, meaning if you wanted to run a chainsaw for 12 hours a day you could do so. He has shot off commercial grade fireworks, and runs the chain saw well before 9 am and gone on for hours at a time. These actions show little regard towards neighbors. We enjoy being outside with our windows open. He stated approving this would force our residential neighbors to endure an indeterminate amount of noise. Along with the noise of chainsaws and equipment it is possible to increase the traffic which could include larger vehicles. We are also concerned additional noise could lower property value due to the people reluctant to buy a house next door to a noisy business. Please disapprove this application and keep this residential area a pleasant place to live.

Mr. Smith asked him to point out where he lived on the map to the Board. Mr. Gould pointed out his house on the map.

Mrs. Carol Smith, 712 Free Rd, was sworn in. Mrs. Smith stated that they have lived there since 1992. She stated we moved out here for peace and quiet. When Jake and Stephanie Morris moved in the firewood was personal use and a few friends. This has now turned into an everyday project. We listen to the chainsaw every day all day as well as the splitter, the ATV and the tool they use to wrap the bundles. He takes a load at least two (2) times a day. He brings it in with a big tractor trailer with a crane on it to get the wood out. That is where the pile of wood came from, hauled in from the big truck. We now have to deal with the large black ants that come from the wood. He stated you hear the noise 7 days a week, day in and day out and it gets old.

Chairperson Taylor asked Mrs. Smith to point out where she lives in proximity to the property. Mrs. Smith showed that she is a direct neighbor to the property. We stare directly at the wood piles from our backyard.

Mrs. Debra Gould, 7585 Milton Carlisle Rd, was sworn in. Mrs. Gould explained I want to point out that they made it seem like all the noise is contained behind the house, just today there was wood stacked up in the garage, a large stack of wood. The wood isn't always contained behind the house, there were things going on beside of the house, throwing wood in the truck makes a lot of noise. We hear chain saws more than once or twice a week. The noise carries across the neighborhood. It's unregulated noise with a business, so you're forced to listen to a chainsaw when you're outside.

Mr. Dallas Smith, 712 Free Rd, was sworn in. Chairperson Taylor asked the applicant to point out where he lived on the map. Mr. Smith indicated the same house as Carol Smith. Mr. Smith added it's difficult to enjoy our pool with the sound of chainsaws. Mr. Smith explained the applicant has stated they do not have any employees, but Jake has a guy helping him. The wood is brought in by a tree company. Mr. Smith added he hauls out more than 1 or 2 loads a day to make a living.

Chairperson Taylor asked for a rebuttal from the Applicant.

Applicant, Stephanie Morris, stated this is a residential area as well. She stated to my neighbor's point, it would be hard to lay by the pool and listen to the radio. It is also really hard to run a chain saw for 12 hours a day. We have businesses all around us. All the noise on the street is not just from our business. He is right, Mr. Morris would need to haul more than 1 or 2 loads to make a living, this is a new business, and we want to see if it's sustainable. Electric heat is expensive so we will continue to supplement with wood if this is not approved. Mrs. Morris stated the wood outside of our garage would be getting bundled right now for sale but we are in this meeting. As far as the truck that comes in, it's licensed with FEMA. If there is a big disaster Governor DeWine calls on us, he's on his FEMA list and he's licensed. A lot of the wood has already fallen on my parents' 90-acre farm. This is our residence, and we are not going to run a chain saw for 12 hours a day, they are heavy, and gas is expensive.

Mr. Rick Smith asked if the Board approved this Conditional use and Variance would you be open to shortening your hours of operation with the chain saw and splitter and also keeping the work to behind the barn as a sound barrier. Mrs. Morris answered absolutely. The bundler is in our garage, and it makes no noise. Mrs. Morris stated I work from home, and the garage is right next to my office, if it was loud, it wouldn't be housed in our garage. I would not be able to get my job done and have our daughter nap if the Chainsaw was running all day.

Mr. Duffee asked the Applicant what is her full-time job. Mrs. Morris answered I am a financial analyst, and I have been there for 11 years. Mr. Duffee stated I asked what your source of income is, and you didn't mention it. Mrs. Morris stated the firewood business is my husband's full-time job, mine is not.

Mr. Duffee stated I also asked how those trees got in there and you didn't mention the boom or a lift you said he brought them in on a trailer. Mrs. Morris stated my husband hauls what he can and the rest we hire out. Mr. Duffee asked who is hired out. Mrs. Morris stated he is a licensed truck hauler. Mr. Duffee asked how many times that comes in. Mrs. Morris stated 1 to 2 times a year depending on the weather.

Mr. Duffee asked could you run the operation at your parent's farm. He stated it seems inefficient to me to haul the wood to your place to cut and split it there when you could do that on site where the trees have fallen. Mrs. Morris answered, then I would be hauling a splitter and a chainsaw, when we haul it here we only have to stack it once. Mr. Duffee explained, I feel it would be more efficient to run your operation elsewhere. Your neighbors on Free Road have the most visible view of the operation, and I drove by and looked at your operation, the big trees are not very slightly for your neighbors on Free Rd. Mrs. Morris stated that wood doesn't stay there long before we get it moved behind the barn.

Mr. Smith asked the Applicant your husband is the only one that brings wood into your place besides the FEMA truck once or twice a year. Mrs. Morris answered at this time yes. We were told to stop so we maintain with what we have. She stated we stopped bringing wood in when we were told to stop. We are open to limiting hours of operation to make it work for all.

Mr. Duffee asked do you have an employee that you use. Mrs. Morris stated we had someone helping in the summer who wanted to work to pay for their wood. That contract is up, and he is no longer there.

Hearing no further comments, Chairperson Taylor closed the public portion of the hearing at 2:35 pm and asked for Board discussion.

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Chairperson Taylor stated I live in the County because I like the quiet neighborhood, the scenery, and the peacefulness. I do not like this. It is not appropriate for this neighborhood. I hate to see businesses come into residential areas. I know there are other businesses there, but I am not for a business of this kind in a residential neighborhood.

Mr. Duffee stated as I indicated earlier, I was sympathetic coming in, but from testimony I changed my mind. I also viewed this area from Free Road and that also changed my mind. My original question was not addressed completely and with misleading answers. I think it would be more appropriate to have this operation on a wooded lot rather than subjecting the neighbors to it.

Chairperson Taylor explained, I also visited this area to gather information.

Mr. Smith stated I agree with Mr. Duffee. In this area chainsaws go occasionally but they are short, minded type noises. I've done a lot of tree cutting myself and it takes more than an hour or two to cut that pile of lumber. I was sympathetic in the beginning but not so sure now.

Mr. Smith stated would you consider putting a limit to the amount of hours they could be cutting wood. That would eliminate part of the problem. I seem to feel from the people against this it's mostly due to the noise. The wood behind the barn can be cleaned up, burned off and used appropriately.

Chairperson Taylor stated we supplement our heat with a wood burner, and I know when my husband is out there with a chainsaw cutting up wood that it's a continuous noise. We're talking about a business cutting that many days a week. I just don't think the noise and the distraction is appropriate for the area.

Mr. Duffee added I would be concerned about compliance enforcement. It would be complaint driven.

Hearing no further discussion from the Board, Chairperson Taylor asked for a motion.

**Action on Case #BZA-2023-01 ~ Property Owners: Donna & Barry Hatfield ~ Applicant: Jake & Stephanie Morris ~ Location: 7524 Milton-Carlisle Rd.; Bethel Twp. ~ Request: Conditional Use approval under Section 728.04 for a major home occupation for a firewood business**

Motion by Mr. Duffee, seconded by Mr. Smith to **approve** as presented

**VOTE: Yes:** none

**No:** Mr. Duffee, Mr. Smith and Mrs. Taylor

***Motion defeated.***

Chairperson Taylor asked Staff to present the next case.

**Case #BZA-2023-02 ~ Property Owner/Applicant: Frederick Messaros ~ Location: 1291 Cold Springs Rd.; Mad River Twp. ~ Request: Conditional Use approval under Section 743 for Resource and Mineral Extraction**

Mrs. Jennifer Tuttle stated that the subject property is located at 1291 Cold Springs Rd and consists of 63.77 acres and 87.69 acres. The property is zoned PD-B and A-1 (Agricultural District). The Applicant would like a Conditional Use approval to use a portion of the property for resource and mineral extraction. The Applicant is required to do a lot line adjustment for approximately 85.27 acres for the use. The remaining acres will be used for Commercial Recreation and Agricultural Use which was rezoned in 2022. The PD-B is a mixed use, it is being used for different types of commercial

recreation and outdoor entertainment. She stated that went through the process last year and has already been rezoned it. She stated it has not been reflected on our zoning map, but it will once the lot split happens.

Mrs. Tuttle explained the map submitted by the Applicant. She stated the area in yellow is what the new lot will look like. The purple area has already been rezoned, the yellow will maintain the A-1 zoning, and the areas marked as the mining area and the reclaim area.

Chairperson Taylor asked if the rezoned area is part of their property. Mrs. Tuttle answered yes, it is. She stated one parcel will remain the rezoned PD, and reclaim and mining will be on the A-1 parcel.

Mrs. Tuttle explained the plot plan provided by the Applicant. She stated it is the same map as the map in the ODNR Application. Mrs. Tuttle explained the map shows 10 acres and the yellow area that is proposed to be mining.

Mrs. Tuttle noted in the past, when an application would come in for resource mining, ODNR would want zoning first and zoning would want ODNR approval first. It was a back and forth. Based on conversations since we received this application, all the way up until today. Revised Code states zoning is important, and the applicant must sign off that they are aware and responsible to get zoning in place. She stated ODNR will not enforce zoning. She stated they will permit and allow the application to go through even though zoning is not in place, but the operation cannot start until zoning is in place. If the operation is approved by ODNR and they get the license, they cannot start the actual mining until zoning is in place and they get their zoning certificate.

Mrs. Tuttle explained the purpose of a Conditioned Use is to allow a proper integration into the County of uses which may only be suitable or controlled in specific locations within certain Zoning District(s) or only if such uses are designed or laid out in a particular manner on the site. [eff: 3-29-90] She stated based 701.04 In considering an application for a Conditional Use, the Board of Zoning Appeals must make an affirmative finding that the proposed Conditional Use is to be located in a District wherein such use may be Conditionally Permitted, and that all conditions for approval of Conditional Uses have been met and 701.06 The Board of Zoning Appeals shall make its decision within a reasonable time after the hearing. In the event the Board approves the Conditional Use, it may impose such reasonable conditions as it deems necessary to ensure that the use will be conducted in the best interest of the Zoning District.

Mrs. Tuttle explained that in Section 743, Resource and Mineral Extraction, Section 743.01 states Zoning Districts where Conditionally Permitted: A-1, I-1 Districts. She noted this property is zoned A-1.

Mrs. Tuttle explained the letter from ODNR.

Mrs. Tuttle explained the Applicant's narrative and referenced the copy in the Board's meeting packets.

Mrs. Tuttle stated that she received a comment letter from the Clark County Engineer's office stating that they discourage the use of Cold Springs Road. Mrs. Tuttle explained the Applicant has applied for a new drive off Dayton Springfield Rd for the mining. She stated the Engineer's office also stated that the maps lack detail, and they must provide anticipated impacts to railroad or floodplain, they must provide average trips and if ODNR approves the application, County Agencies will have the ability to review before issuing the Zoning Certificate.

Mrs. Tuttle presented the comment letters from the residents. She explained there was a letter from Carol Culbertson, Kathleen Mathews and Karen Deibel in opposition of the request. She referred the Board to copies that had been handed out. She also noted the information provided by Dr. David Zainey. She noted the information was emailed, but she also had a printed copy for review.

Mrs. Tuttle explained that a Conditional Use is permitted provided that the general and specific criteria relating to such use has been met. The decision is based on review and application of the specific criteria and conditions for the conditional use. Per state law, a conditional use approval becomes effective 30 days after the date approved. A Zoning Certificate is then required before operation can begin. Any outstanding issues identified can be conditions before approval of the Zoning Certificate. For example, copy of Floodplain Development Permit, copy of the approved permit from ODNR Division of Reclamation, any concerns raised in the Clark County Engineer's letter. Mrs. Tuttle also noted a Conditional use can be revoked. She explained ODNR will monitor most of the resource and mineral extraction. She noted otherwise it would be complaint based, someone who have to make a complaint that they are not following the rules. She noted per a discussion with the ODNR Inspector, ODNR will also intervene if they start before zoning is issued. Mrs. Tuttle explained she spoke with ODNR this morning and they are about halfway through the permitting process but it could be another month before it is an approved application.

Chairperson Taylor noted reading this case information was a lot. She stated there are a couple of the issues that are up here, is there an issue with the floodplain. Mrs. Tuttle stated that the Applicant has filed a floodplain development application, but it is not yet approved. Chairperson Taylor asked if they would check to see if it will interfere with the floodplain. Mrs. Tuttle answered yes. Mrs. Tuttle stated that anytime the floodplain touches the property it does require an application and a review by the Floodplain Administrator. She noted the map being shown on the screen is from the GIS Map not the Official FEMA Maps. The Floodplain Administrator will check the FEMA Maps for determination.

Mr. Smith asked if the area to be mined is the entire outlined area in yellow. Mrs. Tuttle stated that the Applicant is here and can better explain what exact areas will be used.

Chairperson Taylor asked about the commercial outdoor recreation area and the haunted house. She asked if we know if they plan to do more. Mrs. Tuttle explained the items on the PD plan. She stated based on the rezoning there are different proposed buildings and areas to be developed throughout the years. She stated when you go through a Planned Development rezoning you have to be very specific and plan out 5 to 10 years. Those areas on the map are proposed, they may or may not get built out. If he wants to add anything else, it would require a map amendment.

Chairperson Taylor asked once this is mined, are they are going to reclaim this area that is by the PD District, so that area would be enhanced with landscaping and reclaiming of good soils. Mrs. Tuttle explained they will need to follow everything in place by the ODNR application. She stated we would need to have all of that in writing before we would issue a zoning certificate.

Hearing no further questions for Staff, Chairperson Taylor opened this portion of the public hearing at 2:58 pm and asked if the Applicant would like to speak. She noted each person had a maximum time of 15 minutes to speak.

Applicant, Fred Messaros, 2936 Rebert Pike, was sworn in. Mr. Messaros explained the map he submitted with the area outlined in yellow. He noted the rest of the area will remain agricultural. He showed where the driveway will go. He stated the County (Engineer) said that we can build a berm about 10 feet tall. He explained they just asked that we stay 10 feet back from the road. He stated the County (Engineer) also asked that we rebuild the berm and we agreed. Mr. Messaros explained



where the scale will be located on the property for the trucks to weigh in and showed the area where there is already a 40-foot hole. He explained this was mined previously from approximately 1850 to 1930. Mr. Messaros stated that the area in the floodplain is in the reclaim area and we might not ever get to it. He stated the mining will take place on the other side of the property, it will be 10 acres and you will come in off Dayton Springfield Road. He noted again that there is already a 40 ft. deep hole.

Chairperson Taylor asked where the old dump is located. Mr. Messaros indicated on the map where the old 7-acre landfill is located. He stated we want to remove the landfill at some point in time, but we won't be anywhere near the landfill.

Chairperson Taylor asked what the tip of the property is touching (blue area on map). Mr. Messaros answered it's the floodplain. He stated we are only going down about 90 feet and won't be near the river.

Chairperson Taylor asked if there will be blasting. Mr. Messaros answered yes 90 feet. Chairperson Taylor asked about the blasting process. Mr. Messaros stated he brought someone that can explain that process.

Mr. Smith stated in our Zoning Regulations, Section 743.06.16, one of the requirements is to ensure that contamination of underground water supply is prevented during mining and reclamation. Can you give us a rough idea how you will prevent that. Mr. Messaros stated that he brought someone that can explain that.

Mr. Duffee asked if the driveway will be paved. Mr. Messaros indicated that it will be gravel.

Mr. Duffee asked if he will be mining and digging in the area on the map that is labeled mining. Mr. Messaros answered yes.

Mr. Duffee asked about the reclaim area. Mr. Messaros answered it has already been touched, it's what they did early on, the ground has been disturbed. Mr. Duffee asked what the land is now. Mr. Messaros states that it is gravel.

Mr. Duffee asked if removing the landfill was part of their plan. Mr. Messaros answered yes, we would eventually like to remove it.

Mr. Duffee asked if there was a slope near the mining area. Mr. Messaros stated that there is an actual cliff there. He stated we will dynamite the walls down so the trucks can drive down into the mine. Mr. Duffee stated, so you will drop area down 40 feet. Mr. Messaros stated yes.

Mr. Duffee asked about the area indicated on the map for mining. He asked if that's where the blasting will be happening. Mr. Messaros answered yes.

Mr. Duffee asked if they will have a crusher down there. Mr. Messaros answered yes.

Mr. Duffee asked where the closest house is located. Mr. Messaros stated 1,100 feet to the houses on Lower Valley Pike.

Mr. Duffee asked if the equipment is his on the south side of the river. Mr. Messaros answered yes.

Mr. Duffee asked if he anticipates going below the water table. Mr. Messaros no, we do not plan on going to the river. Mr. Duffee stated the only water will be surface water. Mr. Messaros answered

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yes. He explained the water table is the level of the river about 120 to 130 feet. He stated we are only going down 90 feet. Mr. Duffee asked if the crushing operation requires water. Mr. Messaros answered no. Mr. Duffee asked if he would need a water resource for any of the operations. Mr. Messaros answered potentially down the road.

Mr. Smith asked about dust control. Mr. Messaros replied they will get a state approved dust control permit.

Mr. Duffee asked where the railroad is located. Mr. Messaros pointed out on the map where the railroad is located. Mr. Duffee clarified that applicant stated that blasting would be 1000 feet from a house. He asked the applicant if they will be within the 300 feet from the property lines. Mr. Messaros answered yes.

Mr. Duffee asked if he will have seismograph there and who does it. Mr. Messaros stated they will hire that out. Mr. Duffee asked how many times there will be blasting. Mr. Messaros stated twice a month.

Mr. Duffee stated that there are approximately 40 items within the County Zoning Regulations, and you signed and indicated that you would comply with all them. Mr. Messaros answered yes. Mr. Duffee stated from now until you start operations do you anticipate mastering all of these. Mr. Messaros answered yes.

Mr. Duffee asked how many trucks will go down the lane per day. Mr. Messaros answered about 25-30 trucks a day. Mr. Duffee asked where will the trucks go. Mr. Messaros answered whoever is buying it.

Mr. Duffee stated by your submission you plan to be in operation about 28 years, all within those 10 acres and blast twice per month for those 28 years. Mr. Messaros answered correct.

Mr. Duffee asked the operation will impact the Edgewood mobile home park residents. Mr. Messaros answered we are over 1000 feet from them, they won't even feel it. Mr. Duffee stated but they will hear it. Mr. Duffee asked about the 25-30 trucks a day and the potential impact the dust will have on them. Mr. Messaros stated that they use a dust control company that will come out and spray it.

Mr. Duffee asked for clarification on the water retention issue. He clarified the applicant stated they would not hit the water table, but surface water will fill. Mr. Messaros stated we will have some surface water but whatever ODNR tells us to do we will do. He stated I'm sure it will be a sediment pond. Mr. Duffee asked if he anticipated pumping water out of there. Mr. Messaros answered no. Mr. Duffee asked how deep do you expect the water to be in the mine. Mr. Messaros stated it's an open mine right now, and there's 5 acres with 40 foot deep and there is not a drop of water. Mr. Duffee asked if he expects any retention of water in that area. Mr. Messaros stated no, it's a quarry it's a little different.

Mrs. Tuttle passed out the larger map and noted it may help answer some questions.

Chairperson Taylor asked if anyone wished to speak in favor of the request.

Shawn Ray, 1822 Trout Road, Albany, Ohio, was sworn in. Mr. Ray explained that blasting is the biggest concern. He stated the blasting is completely subbed out to the professional blasting companies. He stated we provide the drilling; they have the liability. He stated the blasting is based on ground vibrations and how much explosives you use. He stated an area like this won't go bigger

than a 4-inch hole. He stated there is modern technology used for blasting and they can control the vibrations quite well. He stated they will put the seismograph to the closest dwelling and they will measure the ground vibration and air blast.

Chairperson Taylor asked what happens if the vibration exceeds the limit. Mr. Ray stated that ODNR will give us violations. Chairperson Taylor asked if they have methods that allow adjustments those blasts. Mr. Ray answered yes, we change before we get even halfway close to being illegal.

Chairperson Taylor stated there is concern for damage to the aquifers, water levels and floodplain. Mr. Ray answered the aquifer is the river elevation, and we will be at least 30 feet above it. He stated surface water is what we will encounter. He stated usually we put a perimeter diversion around the pit so no water can run into the pit, which will eliminate almost all your pumping. He stated it goes to a certified drainage system which we will have a permit from the Ohio EPA. Chairperson Taylor asked if this will be in place before operation. Mr. Ray answered yes, it is being done now.

Chairperson Taylor stated with 2 blasts per month for 28 years with 25-30 trucks a day, I'm concerned about the effects of the neighborhood. She stated the mobile home park and the commercial recreation place and homes on the other side. She asked what impact do you see it having. Mr. Ray stated they have already applied for the dust control plan, the speed limit will be strictly enforced, hours of operation will be normal working hours, and your traffic will be on Dayton Springfield Road. He stated we are looking at about 3 trucks an hour. Chairperson Taylor stated I am concerned about all the truck traffic. Mr. Ray stated you will get the traffic anyway because you have other quarries feeding it. He stated if there is a need for stone, chances are it's already going that way and that is a major thoroughfare.

Mr. Smith asked what effect this blasting can have on existing sink holes that already proven to be in the area. He asked if it has affected other locations. Mr. Ray stated he did not know of any limestone quarries in the state Ohio to contaminate anything, he stated its limestone.

Mr. Smith asked if you do this mining again now, what would it do to the water. Mr. Ray stated it would have to be really close (to the water table). He stated the blasting is highly controlled. The State of Ohio has more respected blasting experts who study the effects of blasting. Mr. Smith asked if he was confident any blasting would not affect any other existing sink holes. Mr. Ray stated yes I am confident.

Mr. Duffee stated I mentioned the water supply to the surrounding residential areas, you have the marijuana plant right there and I'm sure they use a lot of water. Mr. Ray stated that they are on the public water supply. Mr. Duffee asked if the homes are public too. Mr. Ray stated I believe they are. He stated the state hydrologist will determine whether or not we will have adverse impacts, if so, they will not issue a permit.

Mr. Duffee asked if Mr. Ray is involved in other mining operations. Mr. Ray answered yes.

Chairperson Taylor asked if anyone else in the audience is in favor of the request and would like to speak.

George Hukill, 3975 Lower Valley Pike, was sworn in along with Kesalon Harris, 5787 New Carlisle Pike. Mr. Hukill stated I'm here to help on the blasting. He stated I blasted for years in strip mines. He stated a blast can go in the stratus of a half a mile. He said it will ruin wells within several feet close to a quarter of a mile. It will also vibrate the dishes off your shelf. I'm not here in opposition or in favor. He stated the railroad tracks are right next to this property and they already had a wreck there

because the rocks are not stable. He stated they are right up against the river and a blast will make them more unstable.

Chairperson Taylor asked if he had any knowledge of the blasting that took place in that area previously. Mr. Hukill answered no. He stated I did my blasting in Steubenville, Ohio where I stripped coal.

Chairperson Taylor asked if anyone wished to speak in opposition of the request.

David A Zainey, MD, 4534 Fairfield Pike, was sworn in. Dr. Zainey stated that he is a long-time medical practitioner in Springfield and Clark County and wanted to talk about Mad River Township water quality. Dr. Zainey brought a presentation on drinking water quality and the importance of it. Dr. Zainey stated that drinking water quality is an important medical concern. He added that in Mad River Township we have a problem with recurrent well water contamination. He stated because of that the Ohio EPA has done 3 studies in Mad River Township to tell us what is going on. In 2002 the Fowler Road Church of God, 2006 The Echo Hills Subdivision area which was requested by the Mad River Township Trustees and 2007 the Clark County Karst Investigation which was carried out in this exact proposed location. In 2007 there was a review of sensitive aquifers in Ohio. He stated our aquifer is part of the Greater Miami Valley Aquifer, it's a large aquifer but it is a single source aquifer, and it is shallow which causes it to have increased risk of contamination. He stated in this area of Mad River Township there is hardly any soil, the glaciers came through and took most of it off. This puts the limestone bedrock right near the surface. There are disrupted barriers between the surface water and the ground water that currently exists. The evolution of this old quarry is one of the reasons people in this particular area are having so much trouble. Dr. Zainey explained the Mad River Township aquifer has a matrix called the Dissected Niagara Escarpment. He stated this is an unusual feature, its miles wide it starts in mid Clark County and runs to the Ohio River. It's further dissected into two pieces which makes the available water less. Dr. Zainey explained pictures one of a creek on Fairfield Pike where it eroded through the soil and through the limestone. The creek is sitting on top of the Lockport portion of the aquifer. He showed another picture with horizontal bedding plains, vertical cracks, disappearing creeks and sink holes. He stated the factors involved in causing this aquifer to be so susceptible is reduced filtration and increase ease in which contaminants can pass through the thin soil and hinder the aquifer. Inadequate soil to retain and allow degradation of the surface water contaminations and free flow of water within the aquifer. Dr. Zainey stated the presence of Karst is a hazard to human health. Dr. Zainey explained the 2007 Clark County Karst Investigation carried out by the Ohio EPA to further define what is wrong with our land in Mad River Township. Dr. Zainey showed a map of the study location. In the study they put dye down one of the sink holes to see where it would come out. They also checked for signs of Agricultural run-off, things like coliform, E-coli and nitrate. The dye was detected in multiple springs, private wells and public wells. Demonstrating they are all interconnected. He stated they looked in the well at Boone Station School and saw insect larva, salamander larva, showing it's contaminated with the surface water already. They found elevated nitrate levels in almost half of the public well systems. Some were so contaminated with bacterial pathogens they had to abandon the use of well water and link up the Enon Water System which is very limited. They measured the flow in this aquifer and found almost 29,000 feet per day, the fastest flow of water in a Karst aquifer ever studied in Ohio. Anything over 500 feet indicates there is a hazard of karst under this property. These water quality tests prove that this is a karst aquifer, and it is susceptible to surface water contamination. He stated this is zoned A-1 and an active agricultural area. There are hundreds of types of agricultural chemicals and toxins, fuels and heavy metals that are used that you do not want in your body. Agricultural run-off forms from precipitation. As the water runs down the water shed it picks up all the toxins that are present. Dr. Zainey explained a map that shows the sensitive aquifers in Ohio and Mad River Township is number 4. He showed the map submitted for the proposed quarry site and compared it to the map of the 2007

Karst study Investigation. Dr. Zainey stated that the overlay shows that this proposed location of the quarry is right where the Karstic features are, proving that this is a Karst Aquifer. Dr. Zainey further explained the difference between Hazard and Risk. He stated our Clark County Combined Health District Commissioner Patterson has written letters in the past with grave reservations about problems with degradation of the quality of water in public and private well systems that any mine in this area could cause. He stated this pit has been poisoning this aquifer since the 1930's. The barrier to the aquifer is the only impact soil we have. To think that a big hole has been dug into Karst. Only up to 1999 did they start paying attention to the science of ground water. Before that time, it was unknown. There is no plan about how to pump out contaminated surface water. The reason they do not see any water is because the pit is full of Karst which is very porous. Any water that goes down goes into the aquifer and the proof is in the contaminated wells. He stated by exposing a large number of Mad River Township residents to these hazards the risk of disease is greatly increased. Dr. Zainey explained we have to reduce the water going down into the already compromised layer between the surface and ground water. Dr. Zainey showed a map made by the Ohio EPA regarding a proposed quarry in Mad River Township where they predicted it would adversely affect over 50 public well systems if allowed to go to fruition. Dr. Zainey stated this proposed quarry brings new hazards to this area. The chosen area for this quarry is not suitable. He stated it's a fragile sensitive aquifer. Dr. Zainey stated I find it hard to believe his Engineer didn't know of any quarry's poisoning things. He stated in April 2010 an Ohio EPA published a study of well contaminations in Gibsonburg. There was not a lot of outward manifestations of the presence of Karst. But all the public wells were contaminated with agricultural run-off. They suspected an abandoned quarry outside of town. They did the dye test and it showed up in all the well systems. When you have Karst there is interconnectedness between all the ground water in these wells and now they have this big open pit which is gathering surface water and distributing to everyone else. Dr. Zainey explained the chemicals cost a lot of money to take them out of your water systems. He stated in 2006 the Ohio EPA published this policy statement that stated based upon court cases (Cline vs American Aggregates) along with the Ohio Court of Appeals (Tremont City landfill), the concept of fractured flow underneath a proposed land use must be taken into account. And protection must be given to the 5 Ohio sole source aquifers which includes our Greater Miami Valley Aquifer. They also talk about the importance that local policy makers for land-use up-to-date science when making these decisions. Dr. Zainey said studies support the closer you live to a quarry the higher their risk of COPD and cancer from dust plumes similar to Quarrymen's Lung Disease. Dr. Zainey concludes by stating that to protect the health of our community the quarry should not be allowed to commence, and we should not be granting any condition use permit to any limestone or strip mine in Mad River Township.

William Rosenbaum, 4758 Hagan Rd, was sworn in. Mr. Rosenbaum explained he is a retired professional civil environmental engineer and has 46 years of experience in site engineering and design, wastewater/water supply system design and also hazardous waste site evaluations and remediation. He stated he also served for the BZA board for many years in Middlesex County Virginia. He stated he reviewed the information that was available on this project and trusts there is much more information that has not been seen that will be used as a basis for decisions the Board will make for the proposed quarry. He stated the information he has seen is insufficient to have a well-informed opinion about the potential risk to the human health and environment that may be associated with the subject project and projects of its type. He stated he has questions regarding the specifics of this project. He explained the level of scrutiny that is required and executed and the thoroughness with which the regulations pertaining to conditional uses that are enforced. He stated from my experience, the typical BZA cases are less consequential than the occasional case that has the potential to impact the environment, health and welfare of the county and possibly the region. He stated occasionally a conditional use is proposed that is of such a magnitude that multiple technical disciplines are involved, changes the air soils and water media are proposed. He stated the topography of the county and day to day activity of the population are impacted, things like large developments, industrial facilities,

quarries and mines are in these categories. He stated to make sure the regulations are met it is necessary to require evidence of the feasibility of compliance to these regulations based on site specific information obtained recently from actual data gathered by standard methods. He stated samples include borings at site locations to characterize geology and ground water conditions. Here-say data is not sufficient on which to base an analysis. He stated for example, a depth to ground water to be reported below the Mad River level would be suspect when the nearest residential water supply well show levels of ground water 5 feet below the surface. There is actual data obtained by independent objective sources. The quarry is a good example of a Conditional Use that has the potential to make a major impact on the wellbeing of the County, as such I would request that you evaluate the following; the effects of the proposed activity on ground water discharges to the Mad River, in some areas this type of activity could propose a threat to local ground water supplies. In this case prior uses of the property may present a significant risk of contamination of ground water supplies which discharges to Mad River. ODNR reviews much of this information but do not evaluate the effects of prior existing features like landfills. It's important to have hard data that confirms major exuviation does not influence the migration and discharge of contaminates already in the ground water. Evaluate the effects the blasting will have on the railroad. Obtain approval from the railroad now for the future blasting activity. Show the required setbacks from the railroads on the plans. With the East Palestine disaster, it's important to understand what the effect of a proposed quarry operation will have on a stability and operation of a railroad line. This is true since the railroad is located in the floodplain and the geology under the tracks is not understood. Blasting activities can create shocks that can liquefy silty and sandy soils beneath a structure, but we do not know what is there. Proposing a quarry will result in an increased rate of runoff from the effect areas. Surface water flows to the Mad River crosses the railroad. What's the capacity of the existing culvert that is owned by the railroad, and what is the existing peak flow and what is the anticipated new flow. Is the new flow acceptable to the railroad? NPDES permits are required for storm water and any ground water discharge that leaves the working area of the quarry. It's my understanding that the water discharge from the working area of the quarry is classified as an industrial discharge and requires an industrial discharge permit. Many other factors that require analysis is increased heavy truck traffic onto local and state highways are a concern. Standards exist which typically the states adopt, the durable of the roadways, things like turn lanes, signs and signals and hours of operations should be determined before approvals are finalized. Other agencies focus on addressing specific elements like ground water discharge permits, traffic etc. based on their areas of responsibility. The BZA conditional use requirements addresses the combined project and all its elements and therefore the conditional use permit should only be considered after all other agencies have issued their permits and their requirements are satisfied or determined no permit is required. This would eliminate the redundant research and deliberation and also eliminate confusion if a BZA permit is issued before another agency makes its determination. Mr. Rosenbaum stated above all I request you enforce all the requirements of the County Conditional Use regulations for quarries and mining as well as additional zoning requirements relating to the zoning category.

Mr. Smith asked Mr. Rosenbaum if he felt the investigations and licensing that is put out by ODNR and OEPA is insufficient. He stated they have an extensive licensing process. Mr. Rosenbaum stated he is new to Ohio but the one shortcoming he saw is that they tend to except data that comes from a book instead of going out and doing the necessary sampling.

Mr. Smith stated it was done in 2007 with people in the field and that is where their report comes from. Mr. Rosenbaum stated the issue about the ground water, Karst is everything we've been saying it is. It's a major risk and a difficult material to work on. The worst ground water contamination incident was in Puerto Ricco at a GE plant and they lost thousands of gallons of chemicals. It's easy for it to happen because the water can flow through cracks and goes very far very fast. You need to have good data, It's critical.

Mr. Smith stated according to experts and the owner, this will be above the floodplain. He asked if that satisfied his fears at all. Mr. Rosenbaum answered, not really. He stated I have seen analysis done on different sites that will show the water at 100 feet deep and at about 30 feet it's up. It all depends on the nature of the material you are in. You don't really know unless you have test holes in my opinion.

Mr. Duffee asked Mr. Rosenbaum if he thought that multiple drill holes with blasting impact would be better or larger fewer holes. He asked if that gave him any confidence that would have less impact on the rock bed. Mr. Rosenbaum stated that would be a question for the railroad.

Mr. Smith asked if there were comments from the railroad. Mrs. Tuttle stated that it does not appear they were contacted by ODNR. She stated initially we did not send communication to them either, once it was discovered communication was sent to Atlanta, Georgia office, but we have not heard anything.

Mr. Duffee asked if we have had any input from the Mad River Township Trustees. Mrs. Tuttle stated that we have not. Mr. Tuttle added that there are no comments from the Clark County Combined Health District on this specific case.

Mike Verbillion, 5256 Hagen Rd, was sworn in. Mr. Verbillion stated he lives in Mad River Township and as a resident he is concerned about the effect on the community and the environment. The proposed area is adjacent to a closed dump that was in use for years. He stated who knows what is underground there, who knows what will be disturbed by digging, blasting or the runoff. He stated all of which could contaminate the ground water supply and potentially make its way into Mad River. He stated at the very least for the community's sake an environmental impact study should be done by an independent source to gather facts about the site's environmental impact for now and in the future should be looked at. He stated the community deserves facts not speculation.

Dr. Zainey stated he was concerned about the flooding currently going on and what will happen. He asked if Mad River does flood what happens to that surface water especially with no plan to pump it out. He stated it will further contaminate the aquifer in the area.

Mr. Duffee asked if he had access to the letters he was referring to from the Ohio EPA and the one from Commissioner Patterson. Dr. Zainey stated yes and he will provide the letters to the Board.

Kathleen Mathews, 4741 Echo Hills Ave, was sworn in. Ms. Mathews stated she was confused as to what comes first, the ODNR permit or the Conditional Use permit. Ms. Mathews explained, in Section 701.05.01 in the Clark County Zoning Regulations it states that no application shall be considered unless the same is fully completed and accompanied by all required information as specified in Chapter 7. In Section 743.05 it states, The Applicant shall provide the zoning inspector with a copy of the approved permit from the Ohio Department of Natural Resources. Ms. Mathews stated it does not specify when. She stated that leads me to believe that the review and the subsequent approval or disapproval shouldn't even begin to be decided until you get the information from ODNR.

Mrs. Tuttle stated there has been a lot of discussion on what comes first. In the past ODNR would not approve until Zoning was in place. She stated she spoke with 3 people at ODNR and got an answer from the inspector. She stated they will issue the permit to mine before zoning is in place. She explained they have the applicant sign a document that states they will adhere to the zoning. Mrs. Tuttle noted that zoning regulations were updated in 2020. In 2019 the zoning regulations stated that they needed to secure the application. She stated back then ODNR was not allowing it to go through until zoning was in place, so someone had to give. The Conditional Use is required, that is having the

zoning in place. A zoning certificate is then needed to start. The operation can't start without the zoning certificate. That process is still in place now. They cannot start any mining operation until the zoning certificate is issued. And as mentioned, that would mean all the conditions are met that this Board would put in place on them. She stated she asked ODNR if they would intervene, and they said yes. She stated it would be a violation (from ODNR) for them to start without zoning in place. In the past it was handled differently, but per the conversation today they will issue the permit first without the zoning. Per the inspector, they would not be able to operate without zoning.

Mr. Duffee stated the wording says "approved permit" he asked if that means done and ready to go. Mrs. Tuttle explained when we did the amendments that was the intent. It was not thoroughly thought out knowing what we know today with ODNR. She stated another amendment should happen to mirror ODNR. If they are going to allow an operation to happen without zoning in place, it should go back to needing to have ODNR's approval before you come in for a Conditional Use.

Mr. Duffee stated in 743.05 it states the applicant will provide that to you, but it doesn't say when. Mrs. Tuttle stated it was changed to reflect what ODNR was doing, and they were saying zoning was a hold up and that's why it was changed. She stated knowing what we know today, it would be better to have it secured before moving forward with the Conditional Use request. She stated either way, both ODNR and Clark County Zoning work together to make sure the operation doesn't start until all conditions are met.

Chairperson Taylor asked for a rebuttal from the Applicant.

Fred Messaros, 2936 Rebert Pike, stated that he spoke with Citizens Against Mining, and they were invited out. He stated they never came. I also invited the school board to come out and they did visit the property and stated that there wouldn't be any issues. He stated the water, according to ODNR I'm at the end of the aquifer. He stated I have 3 springs on my property, and they all run to the road. He noted the Health Department was out on Wednesday to run some water tests and according to them the trailer park tested great. He stated they have to check that once a year. (Mr. Pettit, Mad River Twp. Trustee clarified, its once a month.) Mr. Messaros stated the trailer park septic runs across my property and dumps into Mad River. He stated that would not interfere with my mining. Mr. Messaros added that he owns property that backs up to the ash pit of Ohio Edison. Mr. Messaros added that with the wastewater treatment plant right there, they have signs up for no swimming. People are not even allowed in the water right there because the water is so bad. He stated there is nothing in the limestone that could make that river any worse if something were to happen.

Mr. Smith stated in my opinion the pit is not the main issue. He stated my main thing is the blasting. He stated to no fault of yours all the other sink holes that might not even be on your property, but the blasting could shake loose and get into the river. Mr. Smith stated with that blasting, it only takes one mistake or one wrong explosion to set off a crack and the ground water could then enter the aquifer, and that's basically what I'm looking at and I need reassurance that will not happen.

Tom Pettit, Mad River Township Trustee, was sworn in. Mr. Pettit clarified the water testing of the trailer park is once a month.

Hearing no further comments, Chairperson Taylor closed the public portion of the hearing at 4:20 pm.

Chairperson Taylor explained, based on the information we received today there are people we would like to receive comments from. She noted she would like comments from The Clark County Combined Health District Commissioner Paterson, The Mad River Township Trustees, the railroad and the School Board.



Mr. Smith stated he would like to hear from an expert on blasting and some reassurance that it will not contaminate the water. Mrs. Tuttle explained the burden will be on the applicant to bring someone who can prove that.

Chairperson Taylor explained based on those items we will continue this case for further testimony at next month's meeting, March 23, 2023. Chairperson Taylor asked for a motion.

**Action on Case #BZA-2023-02 ~ Property Owner/Applicant: Frederick Messaros ~ Location: 1291 Cold Springs Rd.; Mad River Twp. ~ Request: Conditional Use approval under Section 743 for Resource and Mineral Extraction**

Motion by Mr. Smith, seconded by Mr. Duffee to ***continue*** until next month's meeting (March 23) to allow more testimony including any comments from Clark County Health Commissioner Charles Paterson, Mad River Township Trustees, the railroad (Norfolk Southern) and the school board.

**VOTE: Yes:** Mr. Smith, Mr. Duffee and Mrs. Smith

**No:** None.

***Motion carried.***

Mrs. Tuttle announced to the audience that the hearing will continue next month, March 23, 2023, at 2 p.m. She explained that new notifications will not be required to be sent based on the announcement during today's public hearing.

**Staff Comments**

Next scheduled meetings: March 23 and April 27, 2023.

**Adjournment**

Motion by Mr. Smith, seconded by Mrs. Smith, to Adjourn.

**VOTE: Motion carried unanimously.**

The meeting was adjourned at 4:23 pm.

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Mrs. Jerri Taylor, Chairperson