

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP TRUSTEES MEETING

JANUARY 24, 2005

Burger called the meeting to order at 4:00 p.m. at the Jackson Township Hall with all Trustees, Clerk, Lyon, Fitzgerald, Neftzer and Moore present.

Burger moved and Pizzino seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation) – Grievance Hearing. **3-0 yes**

Burger moved and Pizzino seconded a motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation). **3-0 yes**

Upon return from Executive Session at 5:00 p.m., the Trustees began the Work Session.

Rob Kegler and Julia Mussen of McKenna Associates discussed the Comprehensive Plan with regard to future residential land use density, Canal parkland area and high tech corridor.

ATTACHMENT 1/24/05A

Richard LaRocco of ME Companies brought the Trustees up to date regarding the Wales/Fulton right-of-way, the Frank/Strausser/Applegrove Project and the McCoy contract transfer from the T.I.D.

Burger recessed the meeting until 6:00 p.m.

Upon return from recess at 6:00 p.m., Burger called the General Session to order with all department heads present. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – No one came forward.

Administration Department

ATTACHMENT 1/24/05B

Lyon discussed the responsibilities of the Jackson Celebration Advisory Committee drafted by the park program director. The Board requested that a Code of Conduct section be added.

ATTACHMENT 1/24/05C

Meeks moved and Pizzino seconded a motion to re-appoint the following members to the 2005 Jackson Community Celebration Committee:

1. Stacy Malcolm
2. Robert Riemenschneider
3. Steve Studer

4. Scott Thomas
5. Kevin Walsh

3-0 yes

ATTACHMENT 1/24/05D

Lyon discussed the proposed Jackson Township Haunted Hayride Committee's duties prepared by Angela Gmerek. Lyon will solicit members for the committee.

Central Maintenance Department

ATTACHMENT 1/24/05E

Pizzino moved and Meeks seconded a motion to authorize the purchase of a Ford F250 4x4 regular cab pickup from Waikem Ford for \$18,360.00 for the Central Maintenance Department in accordance with approved Budget Module 05-2.

3-0 yes

Highway Department

ATTACHMENT 1/24/05F

The Consent Agreement with ODOT for the I-77 Detour was postponed for further research.

Legal Department

ATTACHMENT 1/24/05G

Meeks moved and Pizzino seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached Extension Agreement with Madden Brothers, Inc. **3-0 yes**

ATTACHMENT 1/24/05H

Meeks moved and Pizzino seconded a motion to approve and authorize the placement of the Board President's signature upon the enclosed closeout documents for WM Pachan Construction Company, Inc. for the Fisher Park project. **3-0 yes**

ATTACHMENT 1/24/05I

Meeks moved and Pizzino seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached Assignment Agreement with McCoy Associates, Inc. and the Board of Trustees of the Stark County Transportation Improvement District. **3-0 yes**

RESOLUTION 05-002, ATTACHED

Burger moved and Meeks seconded a motion to adopt the attached Concealed Weapons Policy. **3-0 yes**

Police Department

RESOLUTION 05-003, ATTACHED

Burger moved and Meeks seconded the following resolution in regard to the Police Levy. **NOW THEREFORE BE IT RESOLVED THAT** the Board of Trustees of Jackson Township, Stark County, Ohio, on behalf of the Jackson Township Police District, Jackson Township, Stark County, Ohio, and as said taxing authority for said District, does hereby determine that it is

necessary to levy an additional tax, outside the ten (10) mill limitation for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, or the payment of salaries of permanent police personnel, including the payment of the police officer employers' contribution required under section 742.33 of the Revised Code or the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection for the Jackson Township Police District, Jackson Township, Stark County, Ohio for the period not to exceed five (5) years, tax years 2005, 2006, 2007, 2008 and 2009, commencing in 2005, first due in calendar year 2006.

BE IT FURTHER RESOLVED THAT the Board of Trustees of Jackson Township, Stark County, Ohio as taxing authority for the Jackson Township Police District, Jackson Township, Stark County, Ohio, pursuant to the requirements of Ohio Revised Code Section 5705.03(B), does hereby certify to the Stark County Auditor this resolution requesting that the Stark County Auditor certify to this taxing authority, the total current tax valuation of the Jackson Township Police District as a subdivision, and the dollar amount of revenue that would be generated by the levying of an additional tax of four and one half (4.5) mills for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, or the payment of salaries of permanent police personnel, including the payment of the police officer employers' contribution required under section 742.33 of the Revised Code, or the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection for the Jackson Township Police District, Jackson Township, Stark County, Ohio for the period not to exceed five (5) years, tax years 2005, 2006, 2007, 2008 and 2009, commencing in 2005, first due in calendar year 2006. Ohio Revised Code Sections 5705.19(J), 5705.191 and 5705.25 authorizes submission of the question of the levying of an additional tax at the May 3, 2005 primary election and as further herein attached. **3-0 yes**

Chief Neftzer updated the Trustees on revisions to the Towing Policy.

Zoning & Planning Department

Phillippi: We have a continuation of the Public Hearing that's not until 7:00 but I don't have anything else until then.

Clerk's Office

ATTACHMENT 1/24/05J

Meeks moved and Pizzino seconded a motion to pay bills in the amount of \$400,432.26. **3-0 yes**

ATTACHMENT 1/24/05K

Pizzino moved and Meeks seconded a motion to approve the minutes of the January 10, 2005 Board of Trustee meeting. **3-0 yes**

RESOLUTION 05-004, ATTACHED

Burger moved and Pizzino seconded a motion to adopt the resolution pursuant to ORC Sections 507.021 and 507.03, that we hereby approve the attached bond and surety for the Assistant Clerks in the amount of \$250,000 for each Assistant and authorize the placement of our signatures thereon. **3-0 yes**

ATTACHMENT 1/24/05L

Burger moved and Pizzino seconded a motion to approve payment of Then & Now Certificate (Purchase Order #RG50006) to the City of Massillon for 4th Quarter Booking Fees. **3-0 yes**

ATTACHMENT 1/24/05M

Meeks moved and Burger seconded a motion to approve the attached appropriation transfer request from code 101.150.5110 to code 101.150.5114 in the amount of \$2,097.60. **3-0 yes**

ATTACHMENT 1/24/05N

Burger moved and Pizzino seconded a motion to create fund #234 Federal Department of Justice (DOJ) Equitable Sharing and related receipt and expense codes. **3-0 yes**

ATTACHMENT 1/24/05O

Burger moved and Pizzino seconded a motion to approve fund transfer of \$14,843.02 from 209 Policy Levy to 234 Federal DOJ Equitable Sharing. **3-0 yes**

ATTACHMENT 1/24/05P

Burger moved and Pizzino seconded a motion to request an additional Amended Certificate for Fund 234 Federal DOJ Equitable Share. **3-0 yes**

ATTACHMENT 1/24/05Q

Burger moved and Pizzino seconded a motion to approve supplemental Appropriations of \$3,120,382.07. **3-0 yes**

ATTACHMENTS 1/24/05R

Burger moved and Meeks seconded a motion to announce the public hearing for lighting districts on February 14, 2005.

- 7:15 p.m. Scotsbury Hills
- 7:20 p.m. Nobles Pond – Maintenance **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, February 14, 2005, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- LOGIC, February 3, 2005, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, February 7, 2005, 5:45 p.m., Township Hall.

- Board of Zoning Appeals:
January 27, 2005, 7:30 p.m., Township Hall.
February 10, 2005, 7:30 p.m., Township Hall.
March 10, 2005, 7:30 p.m., Township Hall.
- Comprehensive Plan Steering Committee, February 8, 2005, 4:00 p.m., Township Hall.
- Highway/Traffic Citizens Advisory Committee, February 16, 2005, 6:30 p.m., Township Hall.

Old Business

Pizzino asked about the status of the agreement with the County regarding the Dunkeith/Devonshire drainage. Fitzgerald responded that the agreement is in the hands of the County Prosecutor's Office for their approval on behalf of the County Commissioners.

New Business

Burger moved and Pizzino seconded a motion to accept the following sponsorship donations to the Jackson Community Celebration:

1. \$100.00 from Southway Fence Company.
2. \$100.00 from Fedorko Chiropractic Health Center.
3. \$100.00 from Chevalier Chiropractic, Inc.
4. \$500.00 from Canton Regional Chamber of Commerce. **3-0 yes**

At 7:00 p.m., Burger opened the Public Hearing regarding Glenmoor PUD plan revision.

Burger: It's now a few minutes after 7:00. We will continue the Zoning & Planning Department. I will refer it to Mr. John Phillippi. Excuse me. I'd like to continue with the meeting. The recorder is on time and a half now anyhow so – so we'll be back in session officially.

Phillippi: This is a continuation of the Public Hearing that was initiated on January the 10th 2005, with regard to the proposed revision of the Glenmoor Planned Unit Development and this has to do with the last phase of the area requested a change for (inaudible) two cul-de-sacs that will then permit a total of 15 additional lots. At the time that the Public Hearing was held on January the 10th, one of the reasons that things were continued was a question as to the sufficiency of the notification and the application. Which application for the revision which referenced initially 13 lots instead of 19 and then there was a notation on the application of 15 lots. In addition, then it was advertised by our office as the 13 lots and that was one of the issues at the January 10th

meeting and that was referred to the law director as to whether or not that had to actually be re-advertised and, with regard to that particular issue, I believe it was Mr. Fitzgerald's determination that the notification was adequate for proceeding with the continuation; that it would not have to be re-advertised just for that particular purpose. So with that, the Public Hearing would be a continuation and there are unresolved issues with regard to the, I believe, the drainage concerns and some other areas. So with that, I believe I would, I think it would be appropriate to turn it over to the applicant at this time.

Good evening my name is Rob Benjamin I am the Vice President of Heritage Development Company in Moreland Hills, Ohio. We are the owners of Glenmoor Country Club and Estates and I'm the Director of Development and Sales with the company. This is Barb Bennett with Hammontree who is our Engineer on this project. And I just wanted to, before we got started with anything, I wanted to talk about the fact that I want to remind everybody that this is an approved PUD. Glenmoor was approved and has been around since, I believe, 1989. We have an approved plan for this street that's already on record. One way or the other we're going to build this street. But we wanted to come in today what we wanted to come in the last time what we started with in June of 03, of 04, was that we wanted to modify the plan. We felt that the plan was being modified for the betterment of the development, betterment for saleable lots and betterment for the area. We've done wetlands delineation. The Corps of Engineers has agreed that this is an isolated wetland. We have improved the drainage. Hammontree, that has been in Jackson Township in this area for over 30 years, who has done all the work on our property here, feels that the drainage and what we are doing there is bettering the area. The Fire Chief has asked for adequate access to the property. We have agreed to provide that. And we've done soil testing, which the testing has come back that the area certainly is a buildable area. So I think that it's just important to remind everybody that we would like to move forward with this development; it's our last phase of Glenmoor. I think the Wolstein family that has developed the property has done a tremendous job, not just for Glenmoor, but for the entire area. And we would like to have an approval to move forward with that development and our modifications tonight. Thank you.

Burger: Thank you.

Bennett: First of all, I'd just like to commend the Trustees on this wonderful new meeting room and state of the art technologies. So I've been here many, many times and many years so this is quite a treat actually. So, nice job. As Mr. Benjamin noted when we were here last year we tried to flush out the issues that were the hot buttons with the Trustees from the minutes of the meeting and at the last Trustees meeting two weeks ago we did submit evidence or proof that we addressed those issues. There still seems to be some concern or question regarding the drainage. The last meeting we did submit evidence, proof that we are reducing the acreage that is draining to adjoining neighbors by 60% going from 9 some acres to 3 some acres onto the George's property which is located on Lot 10. Since the last meeting I had a couple discussions with Mr. Underwood and asked him to attend this evening and his comment to me was that I really can't request his attendance at a Trustees meeting. The neighbors really can't request his attendance at a Trustees meeting, but the Trustees do have that ability if they are interested in him showing up, he could, he would consider showing up from a request from the Trustees. I know Mr. Underwood has been out to the site the past week or so with some of the residents. He did see

the part of the submittal that we gave him showing that we are reducing the rate of runoff on adjoining neighbors. Just want to remind the Trustees that although this is a private development, although this is a private development, private roads, private infrastructure the developer has bonded all of the phases and that is a question one of the neighbors had what insurance will they have that it will be constructed and designed properly. The bonding in and of itself is the type of insurance that it will be constructed properly and designed properly. And again, I just want to reiterate what Mr. Benjamin offered is that there is an approved plan on file. It's this straight through street, shows 16 lots and splitting up the road making two cul-de-sacs makes more sense. It's preserving the wetlands and I just want to make sure that the Trustees and the residents do recognize this, that denying these two cul-de-sacs just leaves us with the straight through street that's on file that was approved by a maybe a different composition of a Board of Trustees and maybe there were different neighbors at the time. That was approved in 1992. And that's the plan that we would then pursue. And with that I would be happy to answer any questions at this point in time.

Burger: I was thinking while you were talking you said the street study would be straight on through now.

Bennett: No, the requested amendment is to create the two cul-de-sacs.

Burger: Correct.

Bennett: What is on file now according to Mr. Phillippi & Ms. Poindexter is the straight through road that was approved in 1992. We'd rather not pursue that. It's more damaging to the environment, we really don't want to take the road through the wetlands, we're not going to build any houses on the wetlands and we'd really rather not pursue that straight through road, especially since we have the fire chief's concerns addressed.

Meeks: So Ms. Bennett if you may could you please address the wetland issues that we presently have and what your project will do to help so that the people understand what you'll do to help the situation that we presently see today.

Bennett: As we submitted at the last Trustees meeting there was a wetland delineation completed on this property here. The U.S. Corps of Engineers came out to the site and they concluded, they have called it an isolated wetland and that documentation was submitted at the last Trustees meeting. An isolated wetland means that the Corps of Engineers has no jurisdiction over the wetland. An isolated wetland means that the Ohio EPA has a permitting authority over the wetland. There's different levels of permits to disturb wetlands, just because you have a wetland on your property doesn't mean that you have to avoid them and stay out of them completely. It just means you have to meet different criteria, checklists, mitigation to disturb the wetlands. With the plan that we're proposing here with the two cul-de-sacs we're proposing to disturb one half of an acre of wetland. There's 1.3 acres total and a half acre is – is permitted on what's called I think a level 3 OEPA Permit. It's an automatic approval once a complete application is submitted to the EPA it's about a 30 day review period. And some of the criteria with the Level I half acre permit is mitigation or recreating a wetlands either on site or off site or

buying into a mitigation bank off site. Those are the critical issues of the wetlands for what we are talking about right here on this phase 19.

Meeks: So tell us also how this new and improved plan with the two cul-de-sacs is better for the surrounding area the existing wetlands that these residents are seeing in their backyards, how that benefits them with this plan instead of your alternative that you've already stated, both of you have stated, that quite frankly whatever this Board of Trustees does, if we turn you down, you're going forward with the straight through road so you know the way I take it is not very well. I'll tell you that right now. Cause what you're telling me is, doesn't really matter what you think Board of Trustees, I'm going to build this whether you like it or not. And I don't care for that at all.

Bennett: We'd rather not build the straight through road obviously. Breaking up the road does preserve .8 acres of wetlands. Using the cul-de-sac configuration we do have a grading plan, I believe it was submitted to the Trustees at the last meeting. Joe Underwood has it in his file which shows the proposed houses on the furthest west edge of the lots staying out of the wetlands. This allows the wetlands to continue to function, this allows us to minimize impacts to the wetlands. So the two cul-de-sacs just makes better sense, environmentally, in regards to the wetland issue than the straight through road. The straight through road we would basically rip out every tree, and go through there and we don't want to do that.

Meeks: And you've got approval based on the 1992 Board of Trustees to do that?

Bennett: That's correct. And Mr. Phillippi, please correct me if I'm mistaken.

Phillippi: It's the approved overall development plan for the PUD.

Bennett: It actually has 16 lots. So we're reducing road length, and reducing number of lots by one on this cul-de-sac configuration.

Pizzino: You know, I guess I have a concern even for the residents who are going to be purchasing that property. I keep looking at that, I can't see how we're going to get to those four lots. Are you going to use some type of driveway? I mean I'm looking at that I can see maybe getting one. The two center ones are going to have a terrible time getting to and it sounds to me they're going to be driving right through that water. That's what I see.

Bennett: Right, this lot 399 there is room beside the wetland to get the driveway to 399 to the high land and stay out of the wetlands. Lot 401 there is a little bit of room on the far north lot line where a driveway can be constructed, stay mostly in the high land, to accommodate a house site there. Lot 400, you are correct, we have a sanitary sewer that's coming through this corridor through here. We're planning on putting the driveway over the sanitary sewer corridor so we're not impacting more than what we have to.

Pizzino: Thank you. So you're also saying if this Board turns it down this evening, that the road you're putting through there, you're not going to, you're still going to have the drainage problem that you have right now, that exists today?

Bennett: Right. I don't know drainage problem, drainage situation where... Yeah.

Pizzino: Well we're still going to have the backup of water in that field.

Bennett: Right, my rule as the design engineer is to make sure that we don't aggravate an existing problem. If we have the opportunity to improve a drainage situation for the neighbors, we most certainly will grab that opportunity and get as much run-off to the lakes as possible. In the same vein, we do have one point of discharge with the drain property onto the George's tract and as I submitted before, I think the predevelopment area is somewhere in here and post development areas are a lot smaller – 60% smaller. And that's by virtue of the different road grades, the back of the lots tying into the golf course, or downspout drains and running the majority of the runoff down into this area and down into the system effective on number 14.

Burger: I'm sure you remember when I mention you'd showed me where the sites of the test borings were.

Bennett: Correct.

Burger: And I did get the information and I did look at it. Not that I understood all of the terminology of it, but it did answer part of my question. I understand the individual that built the large home just on the other side of down there where the fairway is there when they were digging the basement for their home they went down and the water table was so high that they ended up putting a couple feet of large aggregate in before they could even pour the footers and basement. I don't know if you were aware of that or...

Bennett: Right, we are aware that there's a high water table and the soil borings, the conclusion from the geotechnical engineers that we can build the road there, we can get the utilities in and when the lots are marketed I'm assuming that you guys probably have builders that go out there and dig test pits before they actually sell the lots and begin construction.

Burger: You invited me down and we walked the whole project there a few months ago when the weather was nice and about a week ago after we had all the snow and rain I did go down and talk to a couple of the neighbors there and I was kind, it all together different perspective when I saw when we walked it. But there's two ponds there behind the Scheetz property was up to their banks, actually over their banks, and the area to the north of them was obviously standing water and that concerned me. Just what the developer would do to correct the problems there.

Bennett: Where the Scheetz ponds already drain through Glenmoor there's an existing pipe that we picked up, I think it's a 36 inch pipe actually, which runs through there and this property back here you can just tell by the contours that it is flat, that's fine, again eventually it gets to the Scheetz ponds and we do pick it up through Glenmoor.

Burger: When you say it develops or runs to the Glenmoor property, that would be to the South.

Bennett: The Scheetz ponds drain to the south.

Burger: I walked up on that bank and looked at that retention pond there and I couldn't see any water running into it to be honest with you.

Bennett: On the Scheetz...

Burger: No, the one would be if you're facing Glenmoor and your access road is on the left of the Scheetz property. There's a wash out in the field there right next to the road, the access road that goes back through there, and Mr. Scheetz told me that they had fixed that a couple times but they still had a hole that was probably that deep.

Bennett: Yeah, I'm not quite familiar with that particular situation. That might have been something they did with the maintenance I'm not real sure.

Pizzino: Have you seen these pictures? I'm being fair with you.

Bennett: Nope.

Pizzino: Okay. I'm going to show you the color one you can see. If you address some of those drainage concerns overrun comparing to water. That was dropped off by, I believe, by one of the Scheetz and, yeah, Carol, and again this picture really doesn't do justice, as the color. And if anybody wants to look at that. You might be able to set that on. Did that pick it up, Randy?

Gonzalez: Yeah.

Pizzino: Set that on the. . . Well, no, it will probably . . .

Gonzalez: No I can pick it up.

Bennett: I don't know when the photos were taken.

Meeks: In fairness to Barb, maybe we ought to let her have some time to take a look and come up with a response and open. . .

Pizzino: Well, that's what I'm saying I don't know if she even got this. It says, it was addressed to the Trustees and Hammontree. So I don't know if you received it or not. So that's why I'm showing them to you.

Bennett: This is the first time I've seen these. Again I don't know when these photos were taken. Dates are very critical. I think we some hellshuss rains in 2003 and 2004 some extraordinary events. I'm not aware of any maintenance problems with the ponds or flooding fairways or whatnot in Glenmoor.

Meeks: You want to show all these pictures Randy?

Gonzalez: Yeah, try to get into(voice trails off)

Pizzino: That's the original pond. That's with no sloping problem. Can everybody see that OK?

Bennett: Yeah.

Pizzino: Can you see the sloping all around the pond? Then this is the second picture you just looked at, and third picture you can see(voice trails off)

Gonzalez: That's a big arrow.

Bennett: I'm assuming those are all the Scheetz pond, in certain...

Burger: Yes, that's the Scheetz

Unidentified: The way mine are on the Glenmoor line the people sit back here – move the lake if you move back to that other picture. I'll come a hair of losing that tree after that road goes through there and we got a lot of water running off of that you see it's coming through down the fairway here into my mother's property. It's a lot of hurt there's a lot of water comes off there.

Benjamin: Do you know when those pictures were taken?

Unidentified: Within the past three weeks I can't actually tell you the date but it was after the last meeting.

Benjamin: Okay.

George: That (inaudible) passes from my pond down to yours.

Unidentified: Well, yeah except when it backs up I mean I actually don't come down through (muffled) In fact, if you probably have more water than you were standing like this.

Bennett: On the South end on the Scheetz, toward the Scheetz, the runoff and water from Lismore Ave. will be collected in a storm sewer and tied into to Glenmoor I'm not exactly sure where would this water enter into the Scheetz property but this will serve as a barrier. The water won't be able to run off onto the Scheetz property, it'll be collected in Lismore and tied into the creek system.

Unidentified: Okay where does the water go when it gets up against your road. How I mean your going to bring the road up high enough that it's not going down in that water table.

Gonzalez: Excuse me sir, I don't mean to be rude but we are taping this and we're not going to pick up a word you're saying from back there so we need to either have you come up in front cause this could end up who knows where but we have to have it on the record.

Meeks: Barbara you, are you, do you have anything else to say.

Bennett: Well, the last thing is that in regards to drainage details residents met Joe Underwood, you know Joe Underwood, he takes a very conservative approach and particular of protecting neighbors and whatever Joe wants, we'll make sure we meet that criteria. He might have us go over and above what the normal design standards are because he knows there are issues out here and we've done that before on other developments. To ask us to put a detail design together and nail it down right now is almost unprecedented at a preliminary plat stage. We have never done that in the 38 years we've been in the business. Joe Underwood has never reviewed a detailed drainage design at this phase of the project. We have submitted some evidence to show that there's a good chance or that the drainage design is going to work. We don't have it nailed down to every detail and, again, if Joe wants us to go over and above certain standards and criteria we don't have a problem with that running different calculations - 100 year storm, whatever it is. That's all I wanted to add.

Burger: Thanks, Barb.

Meeks: Mr. President why don't you ask if anybody else is. . .

Burger: I was going to ask if anybody from the Glenmoor area would like to speak come up and

Meeks: Why don't you ask if anybody else would like to speak in favor.

Burger: Well, I assume from what they're saying from one side of the aisle and the other. . . I'm sorry, is there anybody else who would like to speak in favor. If not, whoever would like to speak come up and give us your name and address and give us your comments. Don't all come up at once but. . .

Meeks: Mr. President, also any concerns that they have will give . . .

Burger: Give them a chance to reply after they are done talking

Meeks: Can I recap something, Mr. President. First, residents, please understand this, what was presented to us tonight is a little different than what had been presented to us at the last meeting. Okay. What was before us at the last meeting was what we see here with the two cul-de-sacs alright. What we've asked of Hammontree and the developer was to go back and try and get with you and try and look at a possible solution to your drainage issue so that you both can live somewhat, you know, together back there. We did not want to create a project that would enhance your problems. But what the developer is telling me, which I don't appreciate at all, is that irregardless, if we vote this down, he's going forward with a straight through road, alright, which will definitely enhance your problems. What they're saying is and I'm just putting this in your minds right now, look at what they're presenting tonight. Look, listen to what they're saying. They have committed to you, to us, that and Barb Bennett is a lady of her word that if Joe Underwood which I have the utmost respect for if he makes them design to the hundred year flood storm water management there, believe me we've seen an awful lot of that here lately. Then they will do that. But by us saying no to their plan, I think your alternative case what you're going to see in your backyards, you don't want to see. If we say no tonight, they're going forward. That's what I'm trying to get you to understand.

Lady from audience: They don't have any responsibility to us if they make the problem worse?

Unidentified man: It was approved in 1992.

Meeks: That's what I was saying earlier. The Board of Trustees in 1992 gave them approval to go ahead with their first plan. And what they've done is actually being sensitive to your needs. You may not see that right now. But with the two cul-de-sac approach and the storm water management commitment that they're saying, it will help your problem. I don't think it will make it go away. But all I'm telling you is I don't think you'd want to see that straight through road back there. I really don't. So with that now I'm sure you'll have questions and

Unidentified man: (Inaudible) you are for the one lot, Barb.

Bennett: Yes

Unidentified man: (too faint)

Bennett: We'll have 15 total compared to the approved plan 16 total.

Unidentified man: So in 1992 they approved 16 lots?

Bennett: For this phase that's correct. Well, yes.

Cathy Kimar: 4965 Fleetwood Ave. I believe that's lot number 7, 6? It's lot number 6. With the looking at the plan with the street going all the way through I do have a question as far to Barb if I may direct a question to her. As to the number of acres of wetland then that would be impacted that they would have to get a permit for. With the two cul-de-sacs we're talking about .5 or half an acre which she's said she would be allowed to get a permit for if she's putting the road all the way through. Is that going to be feasible or is she going to be impacting more than what's going to be allowed to by the Army Corps of Engineers so is the threat to use the street all the way through something that she can actually do. I just thought I would bring that question to the forefront here.

Bennett: Do you want me to answer?

(Voices too faint)

Bennett: How do you want it?

(Voices too faint)

Burger: As long as it don't develop into fisticuffs. . .

Kimar: Oh, no. No. Peace.

Burger: While it's fresh in her mind, if you don't mind I think I would prefer that she answer your question now.

Bennett: That's a good question. Again, just because we have wetlands doesn't mean we that we can't use the wetlands. There's always a means to permit to disturb wetlands. This would just put us into a different level of their checklist that we have to abide by. And we'd have to mitigate there's we have to show certain economic and social impacts and we would probably be disturbing I think there's 1.8 total acres there it probably be disturbing close to 1.8 acres. So we're at a level 3 with a half acre and maybe a level 2 permit with 1.8 acres. And again this goes through the EPA because it's an isolated wetland not the Corps of Engineers. And you probably aren't going to like hearing this but because we do have on record that we asked several occasions for the two cul-de-sacs to avoid impacting the wetlands that just makes our case stronger with EPA. If we have to impact more wetlands. Because our hands are tied. We've asked to minimize impacts to wetlands and EPA might say well we want you to ask the Trustees to do two cul-de-sacs. Well we did – we asked them twice, we can't get it. So that just strengthens our position to impact more wetlands.

Kimar: Thank you. The reason I asked that question was cause I just want to make the Trustees aware that Glenmoor is already been found, back in the early 80's, I mentioned this before, they filled 16 acres of unauthorized wetlands, they did not have a permit at that time, were fined 45,000 dollars and were asked to mitigate. They also filled in an additional 10 acres that they got a permit for, they mitigated elsewhere for that. And when you look at all the flooding that you're talking about in our township and surrounding counties and you realize that by filling wetlands no matter what the size of them you do create more flooding problems eventually for somebody. And so that's my concern right now is the developers trying to let us know that they are going to go ahead with this project one way or another that I think they need to be responsible to our community when they're looking at their development. That's what I have to say. Thank you.
Trustee ? : Thank you.

Burger: Next

I'm Jeff Miller, 4903 Fleetwood. I would speak for the people who are going to be buying these three lots. At least 401 (Gonzalez: Slide that over there. Just turn it sideways) Well anyway you can see maybe you can't see up there (Just turn the whole thing sideways. There you go. Turn it the other way and you may be able to get it on there) Oh. So. Definitely 390 and 400 would be driveways that they're putting and 401. That is wet. I would think that barring everything else they're saying they want to give maybe up to 600,000 dollars, 200,000 a lot which I'm sure is they're going to be asking for those crummy lots. And stop them driveways and do something to help the neighbors Because those are one they got a hell of a time selling them heck of a time selling those lots anybody with half a brain who puts \$200,000 to put a house on something that's going to sink on them with pylons and everything else is got to have their head examined. I mean it's their own fault for moving in there these people but I know that property and if we can't stop it let's help. Help those people who are not smart enough or who have that much money to put those lots there. That's a terrible, terrible idea and I think of the driveways is really insane. I almost say and I don't believe this but let them put the road through, it will cost them so much money in repairs and everything else as it sinks over and over and digging that

out. I mean it's kind of a nasty thing to throw that threat. I understand where they're coming from. But those three lots whoever buys them beware. It obviously doesn't sound like you can stop this.

Unidentified lady: It's unfortunately just like you say that that road is going through no matter.

(Too many speaking at once.)

I'm Deborah Miller (your address) 4903 Fleetwood and unfortunately just the way you're treating us as a community once you make that road I'm sure it's the way that you'll be treating the people who are buying those lots. And I'm sure you won't communicate to them just what that property is about. I know. Because you're pompous and it's about you and Glenmoor.

Benjamin: Ma'am, I don't appreciate that.

Miller: Well I don't appreciate

Benjamin: I would put that on the record that I don't appreciate the comments. (Miller: I'm sorry). I mean, I've asked for a modified plan. They'll better this sit – that's what I've asked for.

Burger: Let's finish this, let's stick to the subject facts.

Dick George 4757 Fleetwood, Lot 10, the properties they were just speaking about are basically behind my property. It's very swampy back there I think there's... I think you all saw the pictures last week or two weeks ago. I think a few of you might know that I've had water issues with Glenmoor in the past. And it seems that I couldn't get any water from them to flow when I was trying to get my pond built up after I dug it. And I do have a natural flow but I just wonder you know and basically they said that they didn't have to give me water. Now the drain over there is got built up and overrun with debris and soil. And it's just running riot right now. Now I understand what they're saying I don't know how you go from nine acres and I just don't know (coughing) I don't know how you go from nine acres to six acres when your putting property on a road and you have drainage from houses and all that other drainage problem. But my question is, okay you're talking about the escape over onto my property and my pond which goes back down to that flooded area and that pond of Scheetz's. What are you going to do to direct that flow and how are you going to correct the drainage to my pond which has been destroyed because I haven't had the free flow of water and I mean when I talked to Ralph Boger and I say I need a ditch dug he can't come on private property. Now you guys are private people and I'm private people are you going to come down on that private property and are you going to re-dig that ditch to have proper drainage there. And are you going to allow constant flow not a you know not a release when we need at your will and whim. I need that if your going to do that to me I have to have a constant so we don't have that problem with that ditch. Otherwise, we're going to, if you turn it on and turn it on, whether it's game time for Glenmoor's Country Club or not I need the flow so it doesn't build up in the brick. Otherwise, it's not going to work. I don't see it because it's filled up to this point and it's just basically gone and I just wonder what you guys are going to do for that particular issue. Or is that part of the drainage correction problem.

Bennett: Can I address that Mr. Chairman?

Burger: Sure.

Bennett: I guess I'm a little confused Mr. George are you talking about there's an existing ditch that goes through the . . .

George: Right

Bennett: allotment and that we will continue to utilize and continue to use there's a little bit of runoff on the end of this north cul-de-sac that will be directed to that ditch and will continue to get to your property through that ditch and that culvert.

George: But that's not a ditch anymore because it's been. Actually the pond where the valve was that I showed you on the one pond where you guys. . .

Bennett: Over here, by the golf course.

George: Right. You guys can control that. Now when I talked to Rob a long time ago he said that that might happen. Crushed weather hit it I don't know. But there's a valve there and it has under Scheetz that, we're both aware of it, that you can turn on and off just like you can in front of your house. That has been shut off more than it's been on and I don't have a drainage ditch anymore so if you give me more water.

Bennett: Yeah, there is a drainage ditch which leaves the property which goes onto your property.

George: There's no ditch. It's, it was a ditch. It's built up now. Any rate. You answered my question by not answering my question.

Bennett: Well if you want an artesian well to fill your pond.

George: Well, that's what I had.

Bennett: There's a well or something I'm not exactly sure of the details over in this area and I don't know what agreement you have with Glenmoor as far as water.

George: I didn't have the property when it was originally (inaudible) But the situation I as I understand it when it was Zahler's property and when this before Glenmoor this is artesian well that fed down through and it was no problem (inaudible) pond. Okay I had to redig the pond which is a little bit of an expense.

Bennett: Right. Did that (inaudible) existing over there, anyways.

George: Well whether it was or not it was a swamp land until I dug back down to the (inaudible) 10 ft. of it. Okay so what I'm saying is that is not really a ditch. What's happening now is and I think you guys whoever walked there

Bennett: Well It's a little confusing because you want a flow of water during dry periods but you don't want it. . .

George: No, no, no, no.

Bennett: during rain so I'm a little confused on how to address that.

George: That's not what I'm saying. I'm saying what I'm saying is that ditch that you guys have not kept the water flowing like we originally talked about a long time ago, not you and I but Rob and I, it's okay down to level. Okay since we didn't have a constant flow the ditch has diminished and the ground has gotten flat. Okay so it's just running off and that's were it's staying more wet on the solid ground.

Bennett: Right.

George: To make a long story short.

Bennett: With a culvert under here. Right? You have a culvert under here that's filled up and it's seeking crossover.

George: It's still on my property, yes.

Bennett: Right. There's a culvert there.

George: Yes. That was put there by Zahler. But what I'm saying is before that culvert was a large you know, a ditch that could hold water. That is so flat now that it spreads both ways

Bennett: We have took a (inaudible) elevation that show that this ditch is here and when we were out there with Joe we walked across the ditch and went down the one side of

George: At one point but not what I'm saying is you saw the flat water. Well I guess I

Bennett: And that's where the equipment is, unfortunately.

George: What I'm really saying is they haven't given me the water when I did need it and how can I count on them taking care of the drainage situation if they didn't take care of the water situation in the other area. I mean when I want water they wouldn't give it to me and if I don't want water are they going to correct the problem. Or how are they going to address it? That's just my question.

Burger: I understand that they did make provisions with the Scheetz for a valve to turn the water on if his pond (inaudible) dry

George: Well that may be with Scheetz but it still cuts through my property.

Burger: Right.

George: Unless they took him directly which I don't know. But ours still flows down and down through another creek and down to his supposedly down across Glenmoor and over to Shady Hollow. So it's not just my pond but it's what. . .

Burger: Thank you. Next please. Yes.

I'm Barbara Barnhart and my husband Paul who was unable to be here with me this evening, reside at 4927 Fleetwood Ave NW and we're lot number 7 in the Lake Cable Farmlets. We do border on Glenmoor and I'm having quite a difficult time with two theories here and I hope you can help me. We're looking if I'm understanding this correctly a plan that dates back to 1992 is that correct. 1992. That doesn't even address the realities of 2003 how can it how can you say then we have this data we're going to present it and use it in 2003. I said earlier in my speech regarding certain of us homeowners who are directly affected to this and I want to make it perfectly clear. I didn't come into this world with a silver spoon in my mouth I come from very humble beginnings. As do all of the three neighbors that are involved or four neighbors directly with this problem. When we put our life savings on the line and made Jackson Township our home for good it was we wanted to do whatever we could to be good citizens for the township, pay our taxes, my first tax bill I just received my husband flipped I said never mind, honey it's going to the schools it's going for roads and maintenance and I'm very proud of that. The real estate that I'm talking about and this could be proved new homes that have been built in those two or three lots total just the homes over 2 million dollars and there was a market value that increased drastically on our home the moment we moved in and it's been upward by 11 – 12 percent since the current appraisal. So let's be realistic here we're not talking about someone who's just going to come in and run roughshod over the neighborhood but what I'm trying to get out to you and this is only one example if this was done in 1992 the number of homes in Glenmoor were quite a few less than they are now. The needs that they had then for their sewage for their roads and so forth and all the facilities to go with it. And for the homeowners were much less than now. Now we have additional lots that they want to use which they feel is right and I'm sure it is correct but the thing that troubles me is what about the people who are in the new picture in 2003 and 2004 and 5. They're going to be impacted by decisions that were made long before Glenmoor burst into a flowering community. And we know it's one of the best developments in the northeastern part of Ohio if not the state. A real estate magazine that people who are in the know with real estate is on one of their top lists. But what I'm trying to say to you is this for instance what about the test borings that they took in 1992. How many test borings were taken to prove that their sample in this instance is a fair sample. Did they take one boring with one sample two, three, four, six or eight to get an accurate picture of the lay of the land. Did they do this? And let's not forget that the usage of all those sewers and the drains in Glenmoor have increased therefore increasing the flow of water and the flow and this is directly affecting our neighbors down the street who've been there for years. They've seen it increase year after year. It's not a new thing with them. They've lived with it. We just have come into a situation where we're now directly affected. And I would ask if the Jackson Township at that

time when Glenmoor was in development was given the authority to look over their plans and make an honest estimate and say yes we can do this or no we can't do this. I think that you have not just a legal but a moral and ethical obligation to the citizens of Jackson Township and to be fair and impartial as I feel you have been and take into consideration the future generations not just us. But the future generations with respect to the drainage problem and how can you say I'm going to do something and yes we know we're people of credibility. We want to do what's right but you know we need something an architect has to have a plan to present to a builder before he builds a home. I mean you just can't go out and strike a nail in a board and or lay a foundation without a plan. And I think it's a very important thing to have something in writing and in all due respect I do believe my position remains as it was before. And I thank you very much for you listening to me this evening.

From distance: Thank you very much.

Burger: Ms. Bennett (inaudible)

Bennett: In regards to the soil samples we had five borings taken in 2004 last year after the last trustees meeting. I have submitted a map that showed you the boring locations. So we do have current information on the soils and water table in regards to getting something in writing in effect you do have something in writing I did submit a preliminary drainage calculations with my name on it. The preliminary plat will have my name my signature my seal on it. I take my engineers seal very seriously. I take the engineers creed very seriously which means that I must protect the safety and welfare of the general public comes first. And other things are secondary to that and so that's I do have it in writing I do have my seal on the plan and that seal stays on there forever.

Burger: Thank you. Does anybody else. If nobody else has anything to say why we'll close the hearing here and

Meeks: Mr. President, I have something to ask of Ms. Bennett and her guest. I don't think tonight or at any of these hearings Barb you've ever heard any of the existing residents complain about your proposed development, your expansion. Their issues were very simple. Simple to you and your client to identify and to come up with some sort of solution. But major to them. And that it's been from the beginning and it still is today and that's the water issue. The drainage issues. We all know Glenmoor is very successful and it represents a very high standard. For the life of me I just cannot figure why you or your client would not put the effort into listening to their needs. They're not asking for the world they're just asking because they're concerned. They do have investments such as yourselves and they have water issues now. And they're worried about the water issues once your development is complete. But at no time did you ever really take it serious enough to get in there and to see how you could help them with their problem. And by being a good neighbor and wanting this support I mean Mr. George, he's not asking for very much. He's asking for a ditch to be cleaned out. You ask him about the water issues and if you're going to fix the Scheetz's problem, he's telling you you have to come through his property or make other arrangements. I mean these things could have been worked out a long time ago and not wasted this man's time which you know he's aggravated to be here this evening. We go round and round and the majority of our issues in the township, in the county, in the state are downstream effects from water.

Bennett: May I say something?

Meeks: Absolutely.

Bennett: I submitted the plans to the subdivision engineer, I've submitted the plans to the trustees which showed pre-development drainage areas which show post development drainage areas which give preliminary drainage calculations which show what the runoff is going to be. I've done that. I've done that. I've talked to some of the residents briefly after a few of the meetings I know that they're concerned it's somewhat unusual because usually people are concerned about developments increasing runoff on their property. These residents are concerned about being able to continue to perpetuate natural drainage flows. I've told them that. I've told them that we would will do that. We have to identify where the low areas are we have to perpetuate the existing drainage patterns. I don't know what else to do. We have preliminary road grades. I've submitted those, I've submitted preliminary storm sewer sizing to Joe Underwood. I've done that. We show where the lows are along that common property line. We show we're picking up storm sewers and additional catch basins along that common property line. I've shown that we're not increasing the rate of runoff onto Mr. George's property. I've shown that we have a large pipe that's going to pick up the Scheetz's, the Scheetz pond. I've shown that we're not going to drain onto the Scheetz property with our development. I don't know what else there is to do, Mr. Meeks.

Meeks: There's one more thing that you can do and this is what I wanted you to do. I wanted you to recap everything that you've committed to thus far. You're forgetting one thing. Repeat what you said whatever Joe Underwood

Bennett: I will gladly repeat that. Whatever Joe Underwood's criteria is we will meet. He's very conservative and his view of drainage design and particular and not impacting and not hurting the adjoining neighbors. If he wants a 100 year design storm, we'll do a 100 year design storm. If he wants a 500 year design storm, we'll accommodate that. We've done that on other developments, we'll do it on this development. We'll make sure that we pick up the runoff that's coming from Fleetwood Ave. We have to accept that runoff we want to get it off the property, we'll make sure the low on the common property line's identified and if we have to put one storm sewer in or two storm sewers, whatever it takes, we'll do that.

Meeks: That all I wanted you to say.

Bennett: Absolutely. We have to abide by the criteria. If Joe Underwood wants to bump up the criteria for this particular case, we will meet that. The security is that it will be bonded. It will be approved by another agency. It's not just my design, it's Joe Underwood's final approval, inspections, and the bonding. That's the insurance that things will be designed and constructed properly.

Meeks: So with all these safeguards in place and everything that you're committing to on record tonight, is it your professional opinion that what we're seeing today there in their backyards will be greatly improved by the project that you've just stated?

Bennett: It's my opinion that we're not going to aggravate the problem. I'm hoping that we'll be able to improve it. But I can assure that we will not aggravate it. We will not make it any worse than it is. They have some flat backyards and we're not going to go on to their property and do some grading on their yards. We're going to pick up the natural drainage pattern and make sure that they continue and perpetuate through Glenmoor's property.

Meeks: And if you do by chance enhance their problems, you will be responsible and willing to take care of those?

Bennett: If there is opportunities to do that, it will be definitely be considered if it's within reason.

Meeks: Thank you.

Bennett: Thank you.

Burger: I think Mr. Meeks pretty much said what I was thinking too. We've been bitten here in the last few years with Emerald Estates and things of this nature and I guess we just want to be assured that whatever we decide upon or whatever, neighbors and Glenmoor, that is carried out the full extent that everybody is happy because once it's done you know it's hard to come back and correct it.

Bennett: Well I still have to show my face around here so I have a lot personally vested.

Burger: Well I understand. I can run and hide myself. It's just a (inaudible). Want to make sure that people from that area feel comfortable to what you committed to and so forth. I see Mr. George had his hand up, did you want to. . .

George: Yes, we may just one more thing. My only problem is it's well and good to say this but in the same breath when I needed the water and I'm not looking for the Grand Canyon or the Colorado River to flow through there. Because it will elevate too much and right now you can look down my well at three foot down you can see water from the surface. My problem is the trust element that's just my personal thing but they would not give me water when I most dearly wanted it. They're stating that they'll alleviate about 3 acres of water runoff to me. They won't increase my problem but they won't help my problem by putting a track hoe down there and just dragging that ditch out basically. A constant flow is not you know like the river running through it or anything like that but when you ask will she add to the problems or are they going to take care of the problems. Well when she was talking to me she said well it is a wetland. So is this going to be considered a wetland because I you know I mean it is a wetland. But is that going to be what I'm going to hear after it's put back up and the road's elevated and I do still have the water situation there in the ditch. Still, you know, overrun. You know, that's just my question.

Burger: That personally, being involved with something like this myself, is there some type of agreement that could be drawn up or is that something that they don't usually get into.

Bennett: Well, my response to that is thankfully Mr. and Mrs. George did meet Joe Underwood, they did explain their problems to Mr. Underwood. And that's one of the things that would be reviewed under the detailed design whether a well or valve or you know on one hand he wants runoff during dry period but he doesn't want runoff during wet period. So that poses a little

George: That's not what I said. I said I want a constant flow. I don't want more or less I want something

Bennett: Right. Right. I haven't quite figured out how to adjust that yet. And talking to Joe Underwood I don't think he has either. But we do understand what the problem is.

George: This is only the last thing I'll say. Joe also made a comment to me that he can approve it but he wouldn't build a house on it.

Bennett: Right and I think there's some misconception there that we're not proposing to put houses in the wet part where there's swamp and wetlands and trees falling down right now and standing water or proposing to put houses on the higher ground closer to the golf course. Those are the only viable building pads that are out there.

Burger: Do you have anything to say Mr. Pizzino?

Pizzino: Well, I'll be brief. I put a project together in Columbus I have a number of mobile home parks in Columbus and I'm kind of smiling here because I was in the same situation – wetlands, water backing up, hired an engineer, they designed a road, going to take care of the water drainage, we're going to take care of the water run-off. Next thing I know I'm building a lake. I have an acre and a half lake 40 ft down because when I built this road I backed up the water. Now this wasn't supposed to happen. Then after that, my pond or lake or whatever you want to call it, over-flowed so I had to run 2000 ft. of pipe to the spillway to go down to the Licking River. Which was 2000 ft. of pipe – was very, very costly. And you know I'm picturing in my mind, I'm listening to both sides and this is almost identical to what happened to me. I mean same type of land, same type of situation, water backed up, and after I put these number of roads in, I compounded the problem. Now I see which way you guys are leaning because and I have no reason to doubt Barb or Hammontree, but I'm just not comfortable with the situation here. Only because of what personally happened to me. And I'm not talking about \$10,000, I'm talking serious money, over six figures to correct this problem that I had to pay myself. And it's almost identical. I don't want to tell you guys. I mean it's a tough decision. They're going to build it with us, or they're going to build without us. And I wouldn't want to be one of those three or four lots. I agree with Mr. Miller, but if you build up that road, I don't care what anybody says, it's going to make it worse – there's just nowhere that water's going to go. And Barb said it, she never said that she's going to take care of the water problem it's going to be less. She said she's not going to, they're going to hope it's not going to be any worse. And that's the best thing that's only thing she could promise you. So, I have a tough time with this decision. I mean cause I feel for you because it happened to me and I didn't have an easy way out but I mean I got my situation taken care of but it was a sizeable amount of money to take care of it and lucky I was close enough to a spillway to run to the Licking River to run piping all

the way to the spillway. And I owned all the property up to the spillway so that helped. That's all I have to say. I'm ready.

Meeks: Mr. President. Mr. Phillippi one more time I'm going to ask you. 1992 plan that was approved they are permitted to move forward with that?

Phillippi: Yes, they are.

Meeks: So then what's before us as I say again, we have what is the lesser of two evils here, cause it's going to happen. And I do appreciate Barb Bennett being here because everything that she says tonight she will hold true. She's very reputable, Hammontree is very reputable, she will go out of her way to make sure that she designs a quality drainage system. And with Joe Underwood you won't find a person that's any better than that to make sure that she does that. The unfortunate thing is that if we say no like I said they are going ahead with a road. I wish I could say what do you want. But I've got to tell you what they've committed to with the two cul-de-sac system I think will be better in the long run than with the road cause that road I think will just trap the water even more so.

George: Who do I come to see when I get the water?

Meeks: You'll have to see Joe Underwood.

George: What's Joe going say?

Burger: See the Trustees.

George: That's right

Meeks: No, he can't say that.

Bennett: He's going to say fix it.

(Indistinguishable): No, it's a backyard problem. Absolutely not, can't see the Trustees.

Meeks: But Mr. George you understand here if we say no it's gone. If we say yes to the other one you may have a slim to none chance but it's better than

George: I understand but I also heard a solution.

Meeks: Okay

George: Mr. Pizzino indicated that if you took a pipe and took it to the river it corrected the problem. Now if they take a pipe, direct it down through then put it back in the creek. Now is that something that would be feasible for them to do and get it back down (indistinguishable) on a graduated (inaudible). It's got to if it comes in it's got to go back out.

Pizzino: Mr. Meeks, I agree with you 100 percent I means it's probably the best of the worst. But I just see disaster down in the near future. They could pipe that water or they have to get that water moving and the way I see it those wetlands is just going to lay there. It's going to back up and you seen the pictures of the (inaudible) Right now. And when you put that road in there or those cul-de-sacs

Meeks: I understand but all that information Joe Underwood has to take into consideration. He's got to look at that. He's got to look at their downstream effect, the problems that they have existing today. And he cannot and he will not let Barb design a system that will compound their problems.

Pizzino: Well, let me remind you of the Emerald Estates which I know Joe wasn't involved in
Meeks: Yeah, but exactly. . .

Pizzino: . . .but the County approved that. . .

Meeks: . . .reminds us of the Emerald Estates because Barb fixed the situation.

Pizzino: I understand that

Meeks: She redesigned everything.

Pizzino: What I'm saying is that the County approved that drainage Phase I, Phase II, Phase III. That was Franklin Thomas. But the County approved it.

Meeks: I understand.

Pizzino: What happened it cost Jackson Township over a hundred thousand dollars to take care of and probably the County over a hundred thousand.

Meeks: Downstream effect. Once the developer fixed it (inaudible). You're absolutely right. Absolutely right. And that's what I say at every time we have something like this it's not just about the development that's being proposed. You've got to look at your downstream effect on any project. Here we're a little different we got a problem even before they start anything but it's not I wish we had downstream we don't, but you put 16 homes in there or 15 homes and run downspouts out to the road or wherever you're going to run it. You're going to have more water.

Pizzino: You're going to have but do you not have a storm sewer through that project as well?

Bennett: Well, we're going to run as much runoff to the golf course as possible and the lake on 14 and the south end runs to the ditch on Glenmoor it doesn't run to the Scheetz.

Pizzino: We're just thinking out loud here.

Meeks: They better pray that they have a dry summer cause that pond's not going to hold any more and I mean I'm very familiar with that pond. So I mean, I'm just speaking out loud. I – it's not going away. Mr. President, I'll call for a vote.

Gonzalez: We have a motion for a vote.

Meeks: You have three choices. Mr. Phillippi is there anything you'd like to add, or Chief Heck, or the press, or anybody.

Unidentified: The press.

Gonzalez: The press would be (inaudible)

Burger: Mrs. Bennett, that doesn't have anything to do with the agreement you made with the township concerning access to the fire department to come in off of Hilldale there. Or I mean, not Hilldale, but the lane coming in from the maintenance buildings and as far as moving parts of those garages so fire apparatus can get through there.

Meeks: Need a motion to approve, Bill.

Burger: Right

Meeks: Again, understand that something's going to happen. We could say no and this still and still taking place.

Pizzino: Well, let's get it out for a vote.

Burger: I'll move that the Board of Jackson Township Trustees adopt the approval of the request from Glenmoor

Meeks: I think it's for the modification

Burger: It was a revision, okay I'm sorry, it was presented modified. Do we have a second?

Gonzalez: Second and get it on the floor, John.

Pizzino: Second

Meeks: Now we're in the discussion period.

Pizzino: I think we've said enough. Call for a vote, Mr. President

Gonzalez: The motion is to adopt the revision. Mr. Pizzino.

Pizzino: No

Gonzalez: Mr. Burger.

Burger: Yes

Meeks: Let's see if I abstain then it goes back to the 92. If I say no it goes to 92.

Pizzino: I don't want it at all. If anything happened

Meeks: Yes.

Burger: Motion is approved.

Meeks: Ms. Bennett, you know what you have to do?

Bennett: Yes, sir.

Meeks: And I'll tell you I'll be on the phone with John Underwood, or Joe Underwood, in the morning as well.

Bennett: Yes, sir.

Meeks: Because he and I know he will he'll take these resident's concerns to heart. And make you do what you have to do.

Bennett: Very good, sir.

Meeks: Thank you.

Attachment 1/24/05T

Burger moved and Meeks seconded a motion to approve the Glenmoor Site Development Plan Revision.

	2-1 yes
Pizzino	No
Burger	Yes
Meeks	Yes

Public Speaks – Open Forum

Pizzino moved and Meeks seconded a motion to adjourn.

3-0 yes

William Burger, President

Randy Gonzalez, Clerk