

Hamilton Township Trustee Meeting

June 21, 2023

Trustee Board Chairman, Mark Sousa, called the meeting to order at 6:00 p.m. Mr. Rozzi, Mr. Cordrey and Mr. Sousa were present.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes

The *Pledge of Allegiance* was recited by all.

Motion made by Mr. Sousa with a second by Mr. Rozzi to approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the June 7, 2023, Trustee Meeting.

Roll call as follows:	Mark Sousa	Yes
	Darryl Cordrey	Yes
	Joe Rozzi	Yes

Motion made by Mr. Sousa with a second by Mr. Rozzi to approve the bills as presented to the Board.

Roll call as follows:	Darryl Cordrey	Yes
	Mark Sousa	Yes
	Joe Rozzi	Yes

Public Comments

Mr. Sousa opened the floor to public comments at 6:02pm.

Mr. Sousa closed the floor to public comments at 6:03 pm.

Presentation – Justin Bedocs WC Soil and Water “Leadership Float on the Little Miami River”

Mr. Justin Bedocs came forward to speak. He passed around invitations to the 2023 Leadership Float on the Little Miami River. He explained that this August marks the 50th Anniversary that the Little Miami River was deemed a State and National Scenic River. He explained it was the first river in Ohio to be deemed this. To celebrate they are doing their first inaugural leadership float. They are going to all municipalities that boarder the Little Miami and inviting them to join.

He stated they will have speakers, lunch will be provided and all equipment needed. Local decision makers will have the opportunity to float the river to see improvements that have been made as well as current threats against the river.

Public Hearing – Site Plan Review – 6177 Striker Road – Banquet Facility

Mr. Brodi Conover, Assistant Law Director, explained how the Public Hearing works and swore in all persons who wished to give testimony for the case included within the public hearing.

Mr. Sousa added that this is a site plan review. It is a proposed business that meets the zoning for the property. The purpose for tonight is to hear concerns for what is going in and that we address all the partners that are in the process.

Ms. Cathy Walton began her presentation by introducing the property owner, SGC Properties, LLC, the applicant Kevin Hildebrand, Spokesperson Kevin Hildebrand.

Ms. Walton explained that a legal notice was published in the Sunday, June 4th edition of *The Pulse Journal* in Warren County.

Next, Ms. Walton stated that the request is for a 10,000 square foot commercial building to be used as a banquet facility. It would mainly be used for weddings however could also be used for corporate or community meetings as well.

At that point, she reviewed the zoning and land use of areas surrounding the property in question. M-2 Heavy Industry Zone to the North, South and West and R-1 Single Family Residence to the East. She explained per the Hamilton Township Zoning Code permit use table a banquet facility is a permitted use within an M-2 District. She stated since we do not have the building plans as of yet we do not know if it meets the architectural guidelines however, they will be reviewed before a zoning certificate is issued. She stated that the applicant is proposing 100 total parking spaces. Per HT Zoning Code, 100 spaces is what is required. There are two landscaping requirements one is for trees, this is 3 trees for every thousand square feet. As well as a 20% ground coverage. The proposed landscaping plan does meet the zoning regulation. When the property abuts nonresidential use its requires 1.0 footcandles which does meet the zoning requirement. They did reach out to the Warren County Engineers Office for an access and culvert permit prior to applying with us. The county did look at it and determined there was no traffic impact study needed. Warren County Soil and Water will require the storm water pollution prevention plan.

She then went on to explain the comments from our Warren County Partner Organizations:

- Warren County Soil & Water Conservation District

- Requires facilities with one or more disturbed acres to obtain an Earth Disturbing Permit prior to the start of earthwork and obtain SWPPP (storm water pollution prevention plan) review and approval.
- Warren County Water & Sewer Department Comments
 - The project engineer will need to touch base with the Water and Sewer Department to discuss water and sanitary connections.
- Warren County Health Department.
 - Prior to building the facility, the property owner should contact the Warren County Health District's Plumbing Division to obtain any necessary permits. In addition, since there is a kitchen, the property owners must contact the Warren County Health District's Generalist Division.
- Warren County Engineer's Office
 - Driveway shall be installed at the north property line. The developer will clear all trees and brush out of the road right-of-way. They will also regrade the ditch as needed across the property frontage to properly drain all storm water. Site distance/visibility is adequate, and there is an existing left turn lane present at the proposed driveway location so no traffic impact study is required.

Staff is not aware of any additional comments from Partner Organizations

Ms. Walton stated that staff recommends to approve the site plan for 6177 Striker Road, Maineville, OH 45039 with the following conditions:

- 1.) Compliance with all regulations in the Hamilton Township Zoning Code.
- 2.) Meet the requirements of all Warren County partner organizations.
- 3.) Working with our Fire Department to ensure apparatus accessibility to the site.

Mr. Sousa invited the applicant Mr. Kevin Hildebrand to come forward to speak.

Mr. Kevin Hildebrand came forward. He explained that he knew the owners of the property before. He stated he originally wanted to put condos on the property. However, the Trustee Board at the time said absolutely not, that the County would never let M-2 go to residential. He mentioned that the property came back on the market 6 months ago. He had a gentleman call him who wanted to put a truck repair business on the property. He stated that he did not want a truck repair business there because he does live down that lane. He mentioned they are going to be empty nesters soon and his wife said that they should open a wedding venue and she would run it.

Mr. Cordrey mentioned that he would recommend keeping as much foliage and things like that in the front of the property. He would like it to blend in well with the rest of the neighborhood.

Mr. Sousa asked for any one in support of the banquet facility to come forward.

No one came forward.

Mr. Sousa then asked for any one opposed to the Banquet facility to come forward.

Mr. Winston Cochrane came forward to speak. He asked when the property was zoned M-2.

Mr. Rozzi stated more than 10-20 years ago.

Mr. Cochrane asked if a traffic study has been done.

Mr. Weber mentioned that he also works for the Warren County Engineer's Office and that they looked at this property. They have had a lot of wedding venues that have come in the last 5 years or so in Warren County. He mentioned they have a pretty good handle on it. He said looking at it from an accessibility stand point since it is on the dead end section of Striker Road it functions as if you have your own parking lot. He said the traffic impacts are accommodated with the existing lanes that are already out there on Grandin and Striker Road.

Mr. Cochrane stated that he thinks we need to take in to consideration the uniqueness of the location with the new bridge being installed on Grandin.

Mr. Weber mentioned they have taken a look at that. He said they will keep an eye on the intersection for sure. They have not had an accident issue at this location.

Mr. Cochrane mentioned that his house backs right up to this property. His concern is noise and industrial lighting. He mentioned that it is going to impact the tranquility of their backyards. He stated he is totally against it.

Mr. Michael Fulton came forward to speak. He mentioned he lives right across the street from where this is going. He stated when you drive down Striker you think that it is all residential. He said HMB which is Heritage of Miami Bluffs was built as a 55 and older community for people in their golden years to find peace and quiet and safety. He mentioned they have been blindsided by this. He mentioned they love living in Warren County and Hamilton Township. He said the most noise that they have is a garbage truck coming on garbage day. They don't have people coming and going for work or school buses coming in. He stated quiet and peace are very important to them. He stated that he is here on behalf of himself not the community. He said that this community doesn't want something that attracts alcoholic behavior. He stated he understands it's been zoned that way but hopes we have the authority to put conditions on it. He then stated his proposals: to prohibit all outdoor activities other than picture taking, a fence be erected on their property line that faces HMB to provide them safety as well as a sound barrier. He also asked that a time limit be imposed of 10:00pm. He gave a handout to the Trustees that outline his requests. He then explained the law of nuisance.

Mr. Van Mierseh came forward to speak. Asked if we know the seating capacity and days and hours of operation. He mentioned that he would like to go back to the traffic issue. He mentioned he has lived there for 20 years and have seen a lot of near misses. He said once that bridge opens its going to get worse with 18 wheelers coming to the truck spot down the street. He thinks more should be looked at with this traffic. He asked them to reconsider and look at doing a study.

Mr. Mike Schaltz came forward to speak. He asked what the difference is between heavy industrial than commercial.

Mr. Rozzi stated that heavy industrial can be like manufacturing whereas commercial is more along the lines of general business.

Mr. Schaltz asked why lots would be considered for heavy industrial with all the residential around. He would like to know how this banquet facility fits in.

Mr. Cordrey said decades ago when they did the original zoning the thought was to make that the industrial corridor of the Township. He stated 6 years ago there was a property that was annexed to South Lebanon that was also zoned industrial. He mentioned the reason it got annexed was because the Township at the time would not approve the zoning change. Once it is zoned a certain way the only person who can request that change is the landowner, the Township can't come in and say because it doesn't fit now we are changing it.

Mr. Sousa added that it probably would be a better fit on Grandin or 48. However, there is a cost factor to this.

Mr. Schaltz asked why it is not the position of the Board of Trustees that it isn't a good fit.

Mr. Sousa stated what they are saying as nicely as they can is it's the law. It's an approved use as it is zoned. The only person that can apply for a zoning change is the property owner and that is not unique to Hamilton Township it's the same anywhere. He mentioned that this happens frequently when a lot that has been vacant for a long time and then it is going to be developed. He mentioned you could get a lot worse than a banquet facility as your neighbor.

Mr. Rozzi stated they cannot say no. If the gentleman asks for it to be zoned to something else then we become a part of the decision. Unless that happens it's his property.

Mr. Schaltz stated that what you are saying that the justification for approving this property is the definition of M-2 heavy industrial.

Mr. Sousa stated yes.

Mr. Cordrey stated that we legally cannot restrict use. He stated that with him hearing your concerns he may tweak things on his own. As we get through the processes they're things they need to do. From a legal standpoint if it fits the definition of that use then legally we cannot deny that.

Mr. Sousa mentioned we have the Marmalade Lily that is a banquet facility in a residential area. This is not the first time that this will happen. We know that it is an impact. The concerns that people have more often than not to not come to fruition.

Mr. Schaltz stated let me change my challenge as the Board of Trustees what restrictions are you able to place. What limitations can you put on lighting, noise pollution, requirement for police, clean up, hours of operation?

Mr. Sousa stated the zoning code is very thorough. It speaks in foot-candles. Hours of operation is a lot outlined in the code as well. He asked Captain Short to speak to the crime concern.

Captain Short stated that Mr. Sousa mentioned the other wedding venue we have in the Township we see very little crime from that. We have seen maybe one or two calls from there.

Mr. Schaltz said thank you for letting me speak. I want to compliment the Police and Fire Department for the wonderful job they do. He mentioned this proposed facility will be a nuisance to their community.

Mr. Robert Glover came forward to speak. He stated he was a land developer and developed land on Striker Road. He thanked the Board for having this meeting. He asked who established this as Heavy Industrial.

Mr. Rozzi stated it was a Township Board decades ago.

Mr. Glover stated that the Board then changed the zoning.

Mr. Rozzi said yes but the property owner would have had to request the change.

Mr. Glover stated that his understanding is the Board came up with a master plan for use of Township property.

Mr. Rozzi said yes, that is referred to as a future land use plan. He said that this is what we would like to see it developed as. That property owner still needs to agree to it.

Mr. Sousa stated he can apply to put a 5 story apartment building however that requires a zoning change.

Mr. Schaltz asked what the occupancy of the building is.

Ms. Mary Sells came forward to speak. She mentioned she is a board member at HMB. She said she is here as a resident not a board member. She said she is glad there is this forum where we can tell you what we are thinking and feeling. For the record if he decided he wanted to change the zoning how long would that take.

Mr. Cordrey said it is a long process and it would be up to the board.

Ms. Sells stated they have the illusion that they are a gated community. However, there is not gate that goes all the way around the community which is a concern. She mentioned maybe Mr. Hildebrand will put a fence around it with no charge to them. She stated she appreciates what you do for us and the quality of life we have here.

Mr. Hildebrand came forward to speak. He said less than 200 people and that is a max. He said it's not his dream in life to own a wedding facility. He said it just seemed like a good use for the property. His first choice is to have condos on the lot. He mentioned he may revisit that.

Mr. Sousa asked for thoughts on hours of operation.

Mr. Hildebrand stated somewhere between 10pm and 11pm.

Mr. Cordrey mentioned it's important to highlight you live in the township more specifically right down the road.

Mr. Hildebrand stated yes, that was part of my reasoning to protect what goes there. I didn't want a truck facility, auto repair shop, hotel or landscaping company. I sold 30-35 properties at HMB. It is an amazing place, that's usually the first and last place we take people. My email is easy to find if you would like to email me what you would like on there.

Mr. Cordrey stated I appreciate everyone for coming out and sharing their concerns. It's how the developers learn and how we learn. We also understand your frustration with the trucks on the old Sumco property that was by no means our dream for that property. However, it was zoned for that area and that is how we ended up with that.

Mr. Rozzi we appreciate you coming out and giving us your feedback.

Mr. Sousa I want to add I know a couple of your residents. You have an amazing community. The number of clubs and groups you have are great. We hear your concerns and they are very natural. We do not want to impact the quality of your community however, the law is the law.

Mr. Sousa made a motion with a second from Mr. Rozzi to approve the site plan review for 6177 Striker Road as presented moving forward with any conditions by partner organizations.

Roll call as follows: Joe Rozzi Yes
Mark Sousa Yes
Darryl Cordrey Yes

New Business

- Resolution 23-0621A – Lighting District Special Assessment

Mr. Pegram explained that it is the update for the Lighting District for 2024

Mr. Sousa made a motion with a second from Mr. Rozzi to approve Resolution 23-0621A.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Human Resources

- Motion – Amend the roster of Hamilton Township as presented.

Mr. Sousa made a motion with a second from Mr. Rozzi to amend the roster of Hamilton Township as presented.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Fiscal Officer's Report

Mr. Weber explained that this report is through May of 2023. He stated we received the Homestead Settlement this month \$519,289.38 this is up \$11,000 from last year for the first half. We are 42% thru the year. Expenditures are at 36% of the budget. We have received 60% of our anticipated revenue.

Administrator's Report

Mr. Pegram wanted to let the Board know we planted the sunflowers at Mounts Park. He mentioned as the Board knows the ORC requires us to do a July Tax Budget. This is an estimate

forecasting what 2024 will be. We have to advertise for a public hearing and hold a public hearing before July 15th. We have advertised for it to be held during our regular July 5th meeting. We will present it at that time. We have completed putting it together and have put it into UAN. If anyone has any questions or comments I am happy to discuss those. We will have the actual hearing and presentation on July 5th. The July tax budget is a difficult one because we always assume that 100% of our expenses will be spent but we don't always spend it all. We won't have a big capital expenditures in 2024 since a lot of that has been addressed due to supply chain issues.

Trustee Comments

Mr. Rozzi it was nice to see a group of people here tonight and get feedback from the community.

Mr. Cordrey thanked the staff for Touch-A-Truck you guys did great. It was a great event. Thank you Steve, you have a cool Fire Truck. A quick shout out to Joe Smith he has done an outstanding job. We hate to lose him but congratulations to him. July 4th the Freedom Parade at Testerman Park.

Mr. Sousa Touch-A-Truck was great. There was a couple new folks that attended this year. Congratulations to Joe like Darryl said. Shout-out to the Public Works crew for the catch basins they put out at Overbrook. We received a nice compliments for the job that they did.

Mr. Cordrey asked Chief Jewett to explain their Cadet Training Program a little further.

Chief Jewett stated that whenever they hire a group of new people we put them through a week long recruit class. We teach them the Hamilton Township way on how we do things and do their paper work with Cheryl. We were very fortunate this year to have a number of employees come in without being compensated to help out with the class. They spent many hours down at the training tower.

Adjournment

With no further business to discuss, Mr. Sousa made a motion with a second from Mr. Rozzi to adjourn at 7:34 pm.

Roll call as follows:	Joe Rozzi	Yes
	Mark Sousa	Yes
	Darryl Cordrey	Yes