

## RECORD OF PROCEEDINGS

*Minutes of*

**Greenfield Township Trustees**

*Meeting*

---

### *HEARING*

*Held 7:00 PM*

*4-20-16*

The Greenfield Township Trustees held the scheduled hearing on the Rockmill PUD at the firehouse. Dave Cotner called the meeting to order and led those present in the Pledge of Allegiance. Dave Cotner, Lonnie Kosch, and John Reef were present.

### **FROM THE FLOOR**

Scott Zody of Fairfield County Auditor's Office was in attendance to discuss property valuations, millages and taxes. He explained briefly the policies and procedures of the Auditor's Office. There were several questions about mileage, market value, tax valuation and the effects on the sale of property, etc.

Matt Barbee and Judith Jones Elen owners of Rockmill Brewery were represented by Attorney Jeff Brown and Attorney Jack Reynolds. Attorney Brown spoke about the application process for the PUD. Attorney Brown stated that there is one neighbor that is very against this PUD. The Rockmill Brewery owners offered to purchase the property from the neighbor for more than the appraised value, but they could not come to an agreement. The proposed PUD application has been refined and made more restrictive. Mr. Barbee thanked everyone for their consideration. Mr. Barbee discussed the process of building some additional buildings for the brewing process. Mr. Barbee stated that the food and brewing will be contained to a specified area. The hours for the restaurant and tasting room will be from 12:00 Noon to 9:00 PM on Friday and 10:00AM to 9:00PM Saturday and Sunday. No amplified DJ or band shall play outdoors after 10:00PM.

Marceen Wilkins, 5770 Lithopolis Road, lives straight across from the brewery and her main concern is noise and traffic. Ms. Wilkins discussed the Bed and Breakfast right up the road. Ms. Wilkins stated there was no notice for the origination of the Brewery and the Bed and Breakfast.

Karen Phelps, 1246 Mt. Zion Road, was concerned that the neighbors were not being heard in regards to the issues of noise and event size. Ms. Phelps read the current home occupation requirements for R1 Home Business, and the Rockmill Brewery had not complied with these requirements. Ms. Phelps discussed the concerns of signage, noise, lights, and odors. Ms. Phelps distributed a Citizens Property Rights Resolution and asked the trustees to sign it.

Larry Phelps, 1246 Mt. Zion Road, discussed the lengthy time this PUD has been discussed. Mr. Phelps stated that comprehensive plans have been developed in other communities. Mr. Phelps felt this could be construed as spot zoning. Mr. Phelps discussed the additional traffic and stated there were 60 accidents in the area. Dave Cotner presented the report supplied by the State Highway Patrol that stated since 2010 there have been 30 traffic accidents and two deaths in the area.

Michele & Anthony Zarr, 1250 Mt. Zion Road, discussed the PUD and how this might affect their family and property. Ms. Zarr was concerned about traffic, noise, and the various other problems.

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Ms. Zarr feels this is not an advantage for the property owners in this area it is strictly an advantage for Rockmill Brewery.

Lisa Linetran did not receive a letter of notice and the property is on Mt. Zion. Dave Cotner explained that this was an oversight due to the Connelly property that is involved in the PUD.

Ron Lenihan was in attendance to discuss the PUD and the permitted uses included in the PUD. The wording states holding wedding receptions but not limited to this type of activity, so there are no limitations. It also includes dwelling units which sounds like a bed and breakfast. Mr. Lenihan was also concerned that changes to the PUD (should it be approved) may be made by the Zoning Inspector if he feels they are minor. This is a concern. Mr. Lenihan was also concerned that this may affect his property value. Mr. Lenihan did not see any control currently on noise in the area. He is also concerned about the accidents in the area. John Reef explained that the Noise Ordinance has not been enforceable, and they are working an ordinance with some teeth.

Cathy Stock, 1220 Mt. Zion Road, said she is concerned with the water table, septic, noise, and traffic. Ms. Stock stated that the only people at this meeting that are in favor of this is Matt Barbee and his mother Judith Jones Elen. Ms. Stock asked how the trustees would make the decision to approve this PUD.

Justin Derringer, 1074 Mt. Zion, discussed his concern with the noise, and controlling it. Mr. Derringer was also concerned about the consumption of alcohol. Mr. Derringer discussed the traffic and black marks left in front of Rockmill Brewery, and peeling and squealing in the area.

Scott Hall stated that not one of the trustees would have allowed a property like Rockmill Brewery to operate on a parcel within 60 feet of their own property for the last five years. Mr. Hall stated he was concerned that he heard comments from certain township employees that they were offended, and that the white binder he put together is his findings of what's going on next door and he has every right to put the binder together. Mr. Hall discussed his property value and its decline. Mr. Hall has a signed petition with signatures of those that are against the PUD rezone. Mr. Hall stated that there are only three people in support of this PUD and that they stand to benefit from the expansion of the Rockmill Brewery. Mr. Hall asked what the trustees will be voting on tonight the original PUD that was supplied at the time of application, or the revised PUD presented this evening. Mr. Hall stated that the 10:00 PM curfew is ludicrous. Mr. Hall reviewed the explanation of spot zoning, and he feels this is spot zoning. Mr. Hall stated that if there is a positive decision on this rezone, there will be legal action taken. John Reef asked the Chairman to stop the meeting immediately due to the threats of legal action. John asked the Chairman to allow Attorney Brown speak shortly. Mr. Hall asked if Mr. Brosius had called, John stated that Mr. Brosius is not our legal counsel. Mr. Hall

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asked if Attorney Ray Michalski had contacted the townships legal counsel. John and Dave would not respond at this time.

Attorney Brown stated that the Regional Planning Commission has already approved the PUD application. Attorney Brown explained that the PUD application has been revised more restrictively.

John moved to continue the hearing on May 4<sup>th</sup> at 7:00PM here at the fire house. Lonnie seconded, all voted yes.

Business concluded; meeting adjourned.