

Zoning Commission

1 **Rezoning Application #ZON-19-02**

May 19, 2020

2
3
4 **Rezoning Application #ZON-19-02, TH Midwest Inc.** Requesting amendment of one property from the
5 currently effective signage plan approved under Application #17986 applicable to Green Meadows Plaza
6 Planned Commercial and Office District (PCD). The property is owned by 401 East Powell Road LLC
7 and located at 8940 Green Meadows Road, being lot 7511 of Green Meadows Industrial Park Phase 1,
8 having parcel number 318-313-04- 013-002.

9
10 Roll: Mark Duell, Adam Pychewicz, Dennis McNulty, Dustin Doherty

11
12 Township Officials Present: Michael McCarthy – Township Counsel
13 Jeff Beard - Zoning Enforcement Officer
14

15 **MOTION TO RETURN FROM RECESS FOR REZONING APPLICATION #ZON-19-02**

16
17 Mr. McNulty made a motion to return from recess for Rezoning Application #ZON-19-02, TH Midwest,
18 Inc.; seconded by Mr. Pychewicz.

19
20 Vote on Motion: Mr. Duell-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-yes
21 Motion carried
22

23 **APPLICANT PRESENTATION/COMMISSION QUESTIONS & COMMENTS**

24
25 Chris Rinehart, Rinehart Legal Services, here on behalf of TH Midwest, Inc. and EG America, who is the
26 owner of TH Midwest. To give an update from last meeting, a couple of things have happened. Obviously
27 the COVID-19 pandemic has occurred, kind of thrown a wrench in the works but I've also established
28 direct communication with the gentleman in Boston, MA who has the authority to approve this project or
29 end it, so we are making progress. I was not able to get finalized plans the week prior to today's meeting
30 as staff requested so staff and counsel could review it in time to report to the Board, but I have received
31 the updated and completed plans, and I'll be working to get him and Michele updated and revised
32 application materials either late this week or early next. When I talked to Michele about tabling this to a
33 later date, she mentioned you have a meeting June 16 and possibly June 9. I'm amendable to either one of
34 those, can certainly do two in one night if that's acceptable to the Board or if you want to wait until June
35 16, that would be fine as well.

36
37 Mr. Duell: Michele's email said June 9, right?

38
39 Mr. Beard: Yes. We have something scheduled for June 16 now.

40
41 Mr. Duell: If you're positive we can make all the deadlines for June 9, June 9 is fine.

42
43 Mr. Rinehart: I've got all the materials I need to put the application together, and I'm working on that
44 right now.

45
46 Mr. Duell: If June 9 is okay, we can go with that date. Is everybody else okay with that?

47
48 Rest of Commission is good.

49
50 Mr. Duell: Is there anything else we need to discuss before we recess to June 9?
51

Zoning Commission

52 Mr. Rinehart: The only thing I wanted to make a matter of record as well, I communicated with Jeff that I
53 sent a check over to the Township for the tabling fees that have accrued to this point, so hopefully the
54 Township receives that. If not, I'll coordinate with Michele and Jeff that that gets processed.

55

MOTION TO RECESS REZONING APPLICATION #ZON-19-02

57

58 Mr. McNulty made a motion to recess Rezoning Application #ZON-19-02, TH Midwest, Inc., until
59 Tuesday, June 9, 2020 at 7:00 p.m. at Orange Township Hall or via Zoom if circumstances continue to
60 dictate; seconded by Mr. Doherty.

61

62 Vote on Motion: Mr. Duell-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-yes

63 Motion carried

64

APPROVAL OF MEETING MINUTES

66

67 Mr. McNulty made a motion to approve the March 3, 2020 minutes of the Orange Township Zoning
68 Commission for Rezoning Application #ZON-19-02, TH Midwest, Inc. as written; seconded by Mr.
69 McNulty.

70

71 Vote on Motion: Mr. Duell-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-yes

72 Motion carried

73

74 Mr. Pychewicz made a motion to approve the March 24, 2020 minutes of the Orange Township Zoning
75 Commission for Zoning Application #ZON-19-07, Nova Lands, LLC as written; seconded by Mr.
76 McNulty

77

78 Vote on Motion: Mr. Duell-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-yes

79 Motion carried

80

81 Mr. Doherty made a motion to approve the April 14, 2020 minutes of the Orange Township Zoning
82 Commission for Zoning Application #ZON-19-07, Nova Lands, LLC, with the following corrections:

83

- 84 • Line 34 should read: "While there was no one living in the house at the time...."
- 85 • Line 61: "approvals" should read "approval"
- 86 • Line 107 should read: "I drafted it both ways....."
- 87 • Line 127 should read: "...would read shed, barns, or other solid structures...."
- 88 • Line 128 should read: "Sheds and barns are alright because they are not to be within the US
89 setback...."
- 90 • Line 129 should read: "...play sets over 15' were also be out...."
- 91 • Line 130 should read: "The comma after "barns"...."
- 92 • Line 134 should read: "If the 40% area is not used for outdoor display purposes, it...."
- 93 • Line 180: "residing" should read "re-siding"
- 94 • Line 239 should read: "The reason for that stipulation is that people would agree in good
95 faith at this level to preserve the trees then crews would come in and then there were
96 phone calls that the trees were gone".
- 97 • Line 254 should read: "...dead or dying or tops blown out...."
- 98 • Line 275: "downlight" should read "non-downlight"
- 99 • Line 354 should read: "...the only problem with sending it on, there is still language..."

100

Zoning Commission

101 Seconded by Mr. McNulty

102

103 Vote on Motion: Mr. Duell-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-yes

104 Motion carried

105

106

107 Meeting adjourned at 7:20 p.m.

108

109 Minutes prepared by Cindy Davis, Zoning Secretary

110

111 On June 2, 2020, Mr. McNulty made a motion to approve the May 19, 2020 meeting minutes of the

112 Orange Township Zoning Commission for Rezoning Application #ZON-19-02, TH Midwest, Inc., as

113 written; seconded by Mr. Pychewicz.

114

115 Vote on Motion: Mr. Duell-yes, Mr. Pychewicz-yes, Mr. Dove-abstain, Mr. McNulty-yes, Mr. Doherty-

116 yes

117 Motion carried

118

119

120