

Village of Goodfield  
Board of Appeals Meeting  
June 27, 2022 @ 8:26pm at

Board of Appeals Meeting was called to order by Board of Appeals Chairman Jack Kuntz, Jr. at 8:26p.m.

Board of Appeals members present were: Jack Kuntz, Jr., Greg Wagner, Ross Hohulin and Harv Petty, Andy Bauman and Ross Herrmann.

Also present were President Jim Edwards, Attorney Mike Gifford, Clerk Sheri Martin and approximately 35 visitors.

The purpose of the meeting is to discuss and consider testimony that was heard last week at the Public Hearing for rezoning of lots for Tazwood Industrial Park.

Kuntz asked attorney what options the Board has – we can say yes, no, can we say yes with requests . Attorney said the question before this Board was the rezoning the strip along Deer Lakes Drive. The remainder of the issues have to do with pre-annexation agreement that is the purview of the planning commission. It is up to the chair of how to proceed, if you want to solicit questions from the members about the rezoning question. Chairman Kuntz said he would like to proceed by hearing questions/comments from each of the Board of Appeals Members.

Harv Petty's greatest concern is the flow of water towards the first lot (Paz) that particular lot catches drainage from the drainage ditch for about half the way up and goes down in front of that property and goes to a collection area south of his house. Then the way the land slopes toward the left he gets it from the back from the NW part of the property. That is going to take some major excavation to try to redo that , to retain it and take it somewhere else. The buffer, even a 40' buffer is better than 20' but still not enough. At the end of the cul-de-sac to the south he would like to see some guarantee or at least some movement that that water is not going to increase coming onto that lot. A wide grass buffer would be better.

Ross Hohulin said his only question toward the rezoning is he (Ross) spent 16 years in Jim's position as Village President working and putting efforts and thoughts into developing zoning so we wouldn't have these problems. Taking R1 out to Commercial takes that away. It was a buffer to R1, at this time I am not compelled to change zoning. Put it on heavier roads and buffer that area with residential.

Andy Bauman's said 2 concerns are bad things they could not see – in reference to Chip Energy and the water flow to lot 2. Suggests doing a 40' buffer and a double row of trees. Water could be taken care of by Engineer Yockey. Noise concern – trees will not stop noise, this has not been addressed. Andy would like to see a much bigger buffer than what is recorded.

Greg Wagner agrees with Andy Bauman. The buffer is his biggest concern. Greg thinks it is a worthwhile project and that there are areas of compromise and working together this could be accomplished. He feels the water issue has been addressed by Engineer Yockey. Greg asked if it would be possible to have restrictions such as no noise after certain hours.

Ross Herrmann agrees with everyone. Ross works at Otto Baum and goes to work at 4:30am – they are respectful but do run machines. They have had no complaints. Ross said this is a hard decision and hopefully can come together with both sides working together.

Chairman Kuntz said the BOA can vote to approve or disapprove rezoning of the lots, table it and ask Mr. Dietrich to bring a different plan. Planning Commission will consider the Pre-Annexation Agreement.

Jack Kuntz addressed someone saying the BOA is doing things willy nilly all the time, This is only the 2<sup>nd</sup> or 3<sup>rd</sup> meeting in the last 8 years. Jack believes Mr. Dietrich saying is inevitable is correct. You can't pick who your neighbors are. Mr. Dietrich is doing this to make money. Suggestions have been made about moving it – it has to be financially feasible. Not to be vindictive but Deer Lakes does not know Mr. Dietrich. Mr. Dietrich has lived here his whole life and has put his heart in this community. Jack believes Mr. Dietrich will do right for the community. What about when Mr. Dietrich is no longer here, who will replant trees, will they sell in 5 years? Can't guarantee it will stay the same. What about covenants? Mechanical Engineer said storm water can be controlled and will be better, holding ponds will slow water down. As far as fire they have good reach. 5 buildings is better than farmland, Someone questioned Chip Energy site and Kuntz agreed it is an eyesore. Kuntz acknowledged the outcry from citizens on 2-3 lots backing up to Industrial. Residential area next to Industrial Park working backwards, it is hard to buy into. Paz family residence is a big concern. Commercial business zoning seems more appropriate there. Business works when most people work, Industrial works around the clock.

Chairman Kuntz recommended to put this away for tonight and go back to Mr. Dietrich and ask if he would make this a Business Park and not Industrial.

Bauman said if Legacy would be on those 2 lots it would be a huge buffer.

Petty said buffer is designated as 20' – Did Mr. Dietrich say anything to that?

Chairman Kuntz read from the Village Code what is allowed in Business District. Attorney Gifford clarified that the petition is to rezone strip along Deer Lakes Drive.

Motion was made by Kuntz, seconded by Herrmann to table and have Attorney Gasters take concerns/options to confer with client then speak to Mike or Justin. Bill and John Dietrich both said they are willing to discuss. Motion passed with the following roll call vote: Petty – yes, Hohulin – yes, Bauman – yes, Kuntz – yes, Wagner – yes and Herrmann – yes. President Edwards allowed Attorney Gifford to facilitate this.

Motion was made by Bauman, seconded by Wagner to adjourn. Motion to retract motion to adjourn was made by Kuntz, seconded by Hohulin.

Chairman Kuntz asked if the BOA wanted to discuss Legacy tonight or think about the Public Comments and get together to discuss in a week. They will consider Dietrich and Legacy again in a week.

Motion was made by Bauman, seconded by Herrmann to adjourn. Approved by all in voice vote. Meeting adjourned at 9:04pm.

Respectfully Submitted,

Board of Appeals Chairman, Jack Kuntz