

BEFORE THE BROWN TOWNSHIP TRUSTEES  
DELAWARE, OHIO

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Public Hearing Regarding

The Henmick Brewery

Planned Commercial and Office District

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Before Trustees: Charles Miley  
Gary Stegner  
Connie Skinner

Date and Time: Monday, July 8, 2024  
6:00 p.m.

Place: Brown Township Hall  
5555 State Route 521  
Delaware, Ohio

Stenographic  
Reporter: Maria DiPaolo Jones, RDR, CRR  
Notary Public - State of Ohio

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1 IN ATTENDANCE:

2 Steve Lisano, Brown Township Zoning Inspector

3 Cory J. Coe, Assistant Prosecuting Attorney  
4 Delaware County, Ohio

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On behalf of Henmick Brewery:

5 Nick Sheets  
6 Garrett T. Gandee

7 Aaron Heydinger  
8 David Shade, Esq.

9 Todd Stanhope

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1 Monday Evening Session

2 July 8, 2024.

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4 TRUSTEE SKINNER: I have 6 p.m., so we  
5 will go ahead and get started. We will call our  
6 hearing to order for tonight, July 8th, 6 p.m., for  
7 the Henmick Brewery Planned Personal and Office  
8 District.

9 Any corrections, additions, changes to the  
10 agenda?

11 TRUSTEE STEGNER: No.

12 TRUSTEE MILEY: I would move the agenda be  
13 approved as presented.

14 TRUSTEE STEGNER: Second.

15 TRUSTEE SKINNER: All in favor.

16 (Ayes heard.)

17 TRUSTEE SKINNER: Please join us in the  
18 Pledge of Allegiance.

19 (Pledge of Allegiance.)

20 TRUSTEE SKINNER: I will go ahead and walk  
21 us through the hearing procedures. So first thing  
22 we'll do is have our court reporter swear in those  
23 who wish to speak, and then we will have an applicant  
24 presentation, and then a public comment period.

25 If you don't have a copy of the agenda, I

1 will read the rules. If you're speaking, you must be  
2 signed in.

3 Please use the podium and speak clearly,  
4 our reporter needs to get everything down that you're  
5 saying correctly for the record. And if you could,  
6 please, get to the podium around this way and not in  
7 front of the applicant's table as there's cords and  
8 stuff over there. So come around this way, it will  
9 be much easier and safer.

10 Everyone will have three minutes, and we  
11 will be timing it. No yielding of time from one  
12 person to another, meaning someone cannot give you  
13 their three minutes.

14 If a topic has already been brought up  
15 repeatedly, we may choose to stop the testimony and  
16 ask you to focus on a different point. We expect  
17 everyone to be courteous and kind.

18 Public comment will close once everyone  
19 has had a chance to speak their three minutes. At  
20 that point we will give the applicant a chance to  
21 discuss the public comments that they've heard, and  
22 then we will get to deliberate with our legal rep,  
23 with the applicants, and make some decisions or  
24 continue the hearing, whatever that may be tonight.

25 So, Court Recorder, I will pass it on to

1 you. How would you like to swear people in?

2 THE STENOGRAPHER: Anybody who is signed  
3 up to give testimony tonight, if you could stand and  
4 raise your right hand.

5 (Oath administered.)

6 TRUSTEE SKINNER: That was easy and quick.

7 All right. Moving on to No. 2, Applicant  
8 Presentation. Nick, you and your team, you're up.

9 NICK SHEETS: Good afternoon. Good  
10 evening. I'll introduce myself. I'm Nick Sheets,  
11 I'm the owner and operator of Henmick Farm and  
12 Brewery. My team up here is Garrett Gandee from GHG;  
13 Aaron Heydinger from GHG; David Shade, my attorney;  
14 and we have Todd Stanhope from Smart Services, he's a  
15 traffic engineer.

16 Introduction. I am Nick Sheets, the owner  
17 and operator of Henmick Farm and Brewery, and I thank  
18 you for the opportunity of being heard tonight.

19 One quick note before we begin, the plan  
20 tonight is to take a slightly different approach than  
21 the zoning commission meeting. While I was pleased  
22 with the zoning commission's recommended approval of  
23 our rezoning application last month, I was extremely  
24 disappointed in the approach my former legal counsel  
25 took running the hearings.

1           This township's been our family home, and  
2 we plan on being here a long time. I want to be  
3 clear and transparent about our plans for Henmick and  
4 how we envision our role in the community, so tonight  
5 you'll be hearing more directly from me, from  
6 Kilbourne-based civil engineering firm and planners,  
7 GHG, and David Shade from Delaware has been hired as  
8 my new legal counsel.

9           And, Trustees, if at any point you have  
10 any questions, feel free to ask them.

11           For those of who don't know, a little  
12 background about my family and our relationship to  
13 the property and the beginning of the Henmick story.  
14 My family's owned the property where Henmick sits  
15 since approximately 1916. We stopped actively  
16 farming our land while I was in high school; it was  
17 not economically feasible, like many small farms that  
18 used to cover this country.

19           Each generation has unselfishly sacrificed  
20 to keep the land in our family to provide for the  
21 next, to not sell. I feel like I'm just a caretaker  
22 of the land that belongs to the next generation. I  
23 also have a very strong emotional tie to our land and  
24 never want to sell it, but the revenue generated from  
25 renting it as farmland isn't enough to prevent future

1 generations from selling it.

2 This is how my generation is trying to  
3 keep it in my family, to preserve as much farmland as  
4 possible, to give something to the next generation in  
5 hopes they do not sell it. If I was thinking with my  
6 head and not with my heart, I'd hold the land as is  
7 for 10 to 20 years and sell it to the highest bidder,  
8 but that's not what I want.

9 There are many farmers or landholders who  
10 are in very similar positions, especially in Delaware  
11 County, one of the fastest growing counties for the  
12 past 20 years in the nation. Either you sell or you  
13 pivot. We pivoted. We truly reinvented our small  
14 family farm and are renewing our commitment to the  
15 land and to the township.

16 The brewery business that we created was  
17 to keep our family involved and attached to the land,  
18 hopefully for generations. Our business plan was  
19 initially conceived as the distribution part first,  
20 farm brewery with a small taproom presence, and  
21 shutting down days for private events. The business  
22 model got completely flipped once we opened.

23 In February/March of 2021 Henmick was  
24 under construction when the COVID-19 pandemic  
25 started, and COVID relief funds were not available

1 for businesses under construction.

2 At the same time, the beer distribution  
3 market, that was supposed to be a key part of our  
4 business, suffered a giant decline due to the  
5 pandemic. It still hasn't fully recovered. It's  
6 still down 25, 30 percent from pre-COVID numbers.

7 When we opened in July of 2021, Governor  
8 DeWine had just lifted the COVID restrictions, people  
9 wanted to get out, and the Henmick grounds provided  
10 much needed space for outdoor food and drink.

11 Patrons looking for safe places to get outside and  
12 socialize quickly discovered the vast outdoor spaces  
13 at Henmick and began to spread the word.

14 When we opened, our hope was to have some  
15 people out beyond our family and friends that would  
16 visit. We didn't have the luxury of hindsight, and  
17 we never thought we would have this type of on-site  
18 business. Never.

19 As the on-site business grew faster, much  
20 faster than expected, more parking was created across  
21 the street to safely accommodate these additional  
22 customers. They were coming regardless of if we had  
23 enough parking or not.

24 Our local customers have been a huge part  
25 of our success, and they also have been very good to



1 us at the ballot box. Henmick ballot measures have  
2 been passed with 75 and 71 percent approval; I feel  
3 this is a good indicator of local support for our  
4 business. So, thanks to this local support and  
5 regional support, we have outgrown our original  
6 variance for use and are here tonight to rezone the  
7 property.

8 Just a quick update on the zoning process.  
9 We submitted our rezoning application to the township  
10 on April 30th. On June 5th and 6th the Brown  
11 Township Zoning Commission held two nights of  
12 hearings where the commissioners carefully considered  
13 the entirety of our rezoning application, input from  
14 local residents, and feedback from Regional Planning.

15 At the conclusion of these hearings, we  
16 received a recommendation to approve our rezoning  
17 application and a recommendation to approve our final  
18 development plan.

19 The only revision requested by the zoning  
20 commission was to reduce our area to be rezoned from  
21 89 acres to approximately 27. And you can see that  
22 on this screen. We went from this in the original  
23 commercial district, that whole green area, which is  
24 all the parcels, down to 27 acres per that request.  
25 And that revision has been made and it is a part of

1 the revised application and plans in front of you  
2 tonight.

3 At this point I want to turn it over to  
4 Garrett Gandee from GHG to talk through some of the  
5 more technical points of our application.

6 GARRETT GANDEE: Thank you, Nick.

7 Thank you. Again, I'm Garrett Gandee with  
8 Gandee Heydinger Group, we are civil engineers and  
9 planners. We're based right here in Kilbourne in the  
10 old Leonard store and we've been working with Nick on  
11 this rezoning project since October of last year.

12 One benefit I think that we got initially,  
13 you know, in the fall when Nick came through, he went  
14 to the BZA to address the parking lot issue, a  
15 stand-alone issue. He went for a variance, was  
16 encouraged by the BZA to pursue a rezoning to a  
17 planned district, and we decided to go that route and  
18 withdraw the variance.

19 I think the big positive of us going with  
20 the rezoning approach over just a simple Band-Aid  
21 variance to fix the problem is that we came up with a  
22 plan for Henmick that's a lot safer and provides more  
23 benefit to the community than would have been  
24 achieved through just a variance solution for just a  
25 parking lot.

1           So tonight we're going to try to touch on  
2 the benefits of this plan and demonstrate that we  
3 think this rezoning and final development plan for  
4 Henmick are fully compliant for the requirements of  
5 the Brown Township zoning resolution and their  
6 comprehensive plan.

7           When we're talking about rezoning, there's  
8 going to be two issues in front of the township  
9 trustees tonight. I'll just give a little  
10 background. The trustees know this, but maybe it  
11 wasn't, you know, clear in former meetings how it  
12 works, but they're going to be considering the  
13 rezoning from farm residential to what we called a  
14 planned commercial district here in Brown Township,  
15 and they will also be considering the final  
16 development plan.

17           So one note that's pretty important to  
18 know is that this rezoning isn't like typically when  
19 you say, oh, we're going to rezone an area in the  
20 City of Delaware commercial. This is a much more  
21 strict and tailored zoning that townships have. It's  
22 only going to apply to the Henmick-owned properties  
23 that we're talking about tonight.

24           So this came out of an Ohio law in 1997  
25 that gave townships the power to create these little

1 micro-zoning districts with special rules just for  
2 that one place. We call them planned-unit  
3 developments in the State of Ohio, and the planned  
4 commercial and office district is one of these types  
5 of planning developments.

6 And you'll hear us talk about Article 14  
7 tonight. That is the section of Brown Township's  
8 zoning resolution that pertains to the planned  
9 commercial and office district.

10 So because rezoning, it's a permanent and  
11 it's a very expensive process to go through -- It's  
12 easy to go get a variance for one little thing. When  
13 you want to rezone, you're talking about hiring an  
14 enormous team of experts. It's taken eight months to  
15 get to this point. You want to think through  
16 everything that you think you might want to do or  
17 future generations might want to do.

18 So when you hear a big list of permitted  
19 uses that are being considered for this project,  
20 we're talking about further rezoning.

21 So, generally speaking, that's what the  
22 master concept of these parcels is going to be, but  
23 there's a catch that lets the township keep a ton of  
24 control over what Henmick is up to, and that's this  
25 final development plan. And you have to have a final

1 development plan to accompany your rezoning.

2 So they're going to go through -- And  
3 you're going to hear these broad concepts tonight,  
4 and then you're going to have a final development  
5 plan which is actually a plan, it looks like a  
6 drawing, and it's going to very specifically identify  
7 the locations of buildings, uses, structures,  
8 landscaping, streets, parking, and paved areas.  
9 You're going to know what you're going to get when  
10 you see the final development plan.

11 And, you know, so generally rezoning is  
12 your broad concept for the site now and in the  
13 future. The final development plan, you'll hear that  
14 tonight, this is exactly what the applicant, in this  
15 case Henmick, is asking for specific permission to do  
16 at this time.

17 And just to show you that the rules do  
18 have teeth, if you see the plan tonight, and the plan  
19 gets approved as it is, and then the applicant, in  
20 this case Nick, tries to go and put an Arby's back  
21 there, you're going to find out that he has to get a  
22 building permit from Delaware County.

23 Delaware County is going to go to our  
24 zoning inspector and say, "Does this comply with the  
25 final development plan that you approved?" He's

1 going to look at these criteria to make a decision as  
2 to whether he should issue, you know, a zoning  
3 certificate.

4 And there's a ton of leeway for your  
5 township here. You can see in just a change in use,  
6 overall lot coverage. So you're going to see the  
7 open space tonight. If he wants to change the open  
8 space, he's going to have to get permission from the  
9 township to say he complied.

10 Increase in traffic beyond what was shown,  
11 and then they have a laundry list catchall down at  
12 the bottom which is, you know, any other departure  
13 that's deemed substantial by the township.

14 So he's really locked into the final  
15 development plan. I think it's something that got  
16 missed at Zoning Commission. That's why they call  
17 these "planned" commercial districts and it's not  
18 just a commercial zoning. So I just wanted to make  
19 that clear.

20 So tonight what we're talking about is  
21 that there are six different findings that the  
22 trustees have to make when they consider changing us  
23 over to a planned commercial district.

24 Tonight we're seeking approval of the  
25 rezoning of approximately 27 acres of property

1 located at 4380 North Old State Road from the farm  
2 residence district to the planned commercial and  
3 office district, as well as the approval of the final  
4 development plan we've been talking about.

5 Section 14.07 lists six criteria that have  
6 to be met for the township to approve the application  
7 to rezone. So, as Nick mentioned, the zoning  
8 commission met earlier this month and determined  
9 these criteria where we're at.

10 Tonight we're going to try to be as  
11 respectful of everyone's time as possible. We're  
12 going to try to get in and out as quickly as we can  
13 of these six concepts, talk about how we think we  
14 would do the plan, we will turn to public comments,  
15 we'll get comments back, and then we will go through  
16 any issues that the trustees want more detail on. We  
17 can talk at length about a lot of these topics.  
18 We're going to try to keep it tight as much as we  
19 can.

20 So the first one is this proposed  
21 development, is it consistent in all aspects of the  
22 purpose, criteria, intent, and standards of the  
23 resolution.

24 The power of the township to zone  
25 unincorporated territory comes from Ohio Revised Code

1 Section 519. Just broadly speaking, it lets them  
2 zone.

3 And then if you want to dive into it more  
4 specifically, the purpose of this planned commercial  
5 and office district is spelled out in Article 5 of  
6 our township zoning resolution, and all the text is  
7 there but, essentially, a PC district is meant to be  
8 an aesthetically pleasing commercial area where the  
9 parcels are often under the control of one ownership  
10 and the establishments are also complimentary of one  
11 another.

12 The resolution also states the principal  
13 tenant and size of the center and its relationship to  
14 the community and economic success are all factors  
15 that should be of concern when they're considering to  
16 rezone a PC district.

17 And then the lion's share of the work of  
18 these last eight months I referenced was making sure  
19 that the submission package comports with everything  
20 that's in Article 14 of our zoning resolution, which  
21 are extremely intensive requirements.

22 To make sure he complies with everything  
23 that's required, he has a civil engineering and land  
24 surveying firm, that would be us; he has David Shade,  
25 a real estate attorney out of Delaware; we have a



1 traffic engineering firm; a registered architect; and  
2 a landscape architect. We need preliminary  
3 compliance from all these folks in order to even come  
4 here tonight and go through the rezoning. So this is  
5 the result of a lot of time and effort, and we think  
6 the plan will comply.

7 Specifically, it addresses these areas:  
8 Article 2, that's the purpose, generally.

9 Article 5 is the districts and boundaries  
10 that are part of this planned commercial district,  
11 talks about what it's supposed to be.

12 Then Article 14 is all the meat and  
13 potatoes of what you need to submit to have a  
14 compliant application for rezoning.

15 Then Article 21 just has the township  
16 general development standards, the parking, those  
17 kinds of things.

18 So the second thing is the proposed  
19 development has to be in conformity with the  
20 comprehensive plan. You'll hear a lot about that  
21 tonight. I'll go into that here in a couple slides  
22 as to what a comprehensive plan is versus zoning,  
23 stuff you probably don't all want to learn about, but  
24 it's important to this application tonight.

25 First, we have a comprehensive plan in

1 Brown Township that lays out the goals that the  
2 township -- the common vision that the zoning  
3 commission and the trustees have decided the township  
4 has.

5 So when they're trying to decide whether  
6 to approve or disapprove, you know, a variance or  
7 rezoning, they're supposed to say, "Well, what does  
8 our comprehensive plan say we're supposed to look at  
9 when we're determining these things so we don't make  
10 arbitrary decisions?"

11 If you look at Chapter 7, you know, the  
12 plan emphasizes in multiple places that commercial  
13 businesses are something that Brown Township wants to  
14 see.

15 There's a couple reasons that Brown  
16 Township wants to see commercial businesses to keep  
17 up in the future, one is that they generate taxes for  
18 the community at a higher tax rate than residential,  
19 and that's great. The other thing is that they don't  
20 generate students. When you build new houses, like  
21 we seem to have a lot of around here, they comes with  
22 students. Students cost the district money.

23 So a list of goals in the township is  
24 let's try to generate commercial revenue because of  
25 those couple things.

1           Also, they've talked about considering  
2 future local commercial growth for Kilbourne and  
3 capturing it through traffic along State Route 521.

4           So this Kilbourne area is a particular  
5 focus to the township when it comes to where we're  
6 going to generate this commercial revenue.

7           And then, again, we want to avoid rezoning  
8 properties -- This is on page 31 of the plan --  
9 before there's an apparent market need, to avoid  
10 oversupplying.

11           Well, tonight we have a really interesting  
12 one. Normally, when we're going through this  
13 rezoning, we're talking to a developer with a concept  
14 that is foreign to all of us and we don't know what  
15 he's going to build, or what he's going to be like,  
16 or what the business is going to be like, but here we  
17 know it's Nick, and with Henmick we have the luxury  
18 of watching that business for a few years.

19           So we know there's a market need. We know  
20 that this area can sustain a brewery; it's obvious by  
21 the success of Henmick that that's the case.

22           This graphic is going to try to,  
23 hopefully, merge together the concepts of zoning,  
24 which is the legal law by which the township runs,  
25 and the comprehensive plan, which is the guidance

1 document the township has created for making its  
2 decisions. So here we put it into one graphic so  
3 you're not looking between two maps.

4           The actual legal zoning of Kilbourne is up  
5 here. And when we look at Kilbourne the village,  
6 it's a mixture of this residential and this  
7 low-density residential development. It also has  
8 this planned commercial district in Kilbourne, or  
9 "downtown Kilbourne" as we like to call it. And then  
10 it has -- it's surrounded on most sides by FR-1,  
11 which means farm residential 1. You can farm it.  
12 You can build a house there. You can also subdivide  
13 it. You can build a subdivision there.

14           Then we have some government property.

15           And Henmick up here is in the FR-1, so  
16 they're in the farm residential area right now.  
17 We're proposing planned commercial for that purple  
18 area up there.

19           Then when we talk about the comprehensive  
20 plan, tonight's rezoning touches on two areas in the  
21 guidance document that is that comprehensive plan,  
22 and you can even see the definition from the township  
23 zoning resolution is over there, and it says, "This  
24 plan establishes the goals, objectives" -- and I  
25 can't read that from here -- "and policies of the

1 community and serves as the general guideline or  
2 basis for zoning."

3 So, again, it's a guidance document,  
4 generally speaking, for areas of the township and how  
5 it should be considering growth.

6 When we look at this line, you can tell  
7 the township believes that this area with the yellow  
8 and the red is going -- the village is going to grow  
9 outward.

10 So they say when we're thinking about  
11 zoning in this area, let's imagine the village, which  
12 is a mixture of commercial and residential use, let's  
13 imagine it's going to expand out west across the  
14 Dennis farm. Let's imagine it's going to go up here  
15 into the Sheets property, you know, up here.

16 And then when we look at this green dashed  
17 area, it's something they called the critical  
18 resource area, or Subarea 4. They call it village  
19 Subarea 3. They call it critical resource Subarea 4.

20 The critical resource area is basically  
21 this thousand foot perimeter around Alum Creek Lake  
22 where they don't want to see high levels of  
23 residential development. So if you read the  
24 recommendations for Subarea 4, they're focused very  
25 much on residential development, they don't speak to

1 commercial development.

2 The site's also directly adjacent to the  
3 Old Village of Kilbourne. And if you even look here,  
4 the lower part of Henmick's parcel is actually in the  
5 legal description for Subarea 3, which is the Old  
6 Village of Kilbourne.

7 So our plan tonight, we'll be able to talk  
8 more on this later if we need to, is that the plan is  
9 compliant for recommendations for Subarea 3, which is  
10 the Old Village of Kilbourne, it's also compliant for  
11 these recommendations listed for the Subarea 4 part  
12 of the township.

13 The plan also achieves goals set in  
14 Chapter 13 of the comprehensive plan, and one of  
15 those big ones is to link planned developments by  
16 bike paths or walking paths so that neighborhoods are  
17 more pedestrian oriented, and children can move  
18 safely between these areas without the risk of  
19 accidents.

20 Also, the recommendations for the township  
21 talk about considering village-center development  
22 adjacent to existing villages in the township. And  
23 we'll talk a little bit about those later, the  
24 important thing to remember is that they do talk  
25 about linking them, which the plan tonight does.

1           A little more on that. Henmick has  
2 participated a lot since October with some other  
3 stakeholders in the township, so those of us that  
4 have businesses in the township along with Kilbourne  
5 Market, and Sticky Fingers, and the church.

6           And ODOT's been participating, I just came  
7 from a meeting this afternoon, the county engineer  
8 was there too.

9           And we've been putting together plans  
10 separate from the Henmick rezoning, but I think it's  
11 important for tonight's conversation to talk about  
12 how this design is going to -- it's going to comply  
13 with all the recommendations that were in the  
14 Kilbourne walkability plan which gained the support  
15 of the Brown Township trustees just in January.

16           So while we've been going through all of  
17 this, the trustees signed a resolution in support of  
18 this walkability plan.

19           And to give you a quick idea of what it  
20 looks like, you have the Henmick property up there,  
21 you have this magenta line/purple line that comes  
22 this way, and you have a star that's right there.

23           As part of this plan, you also have the  
24 proposed park expansion that's down here with the  
25 reorientation of the park. That's not a project

1 that's started yet, but it's one where they're  
2 pursuing grant funding. They're looking for  
3 opportunities to do that.

4 But they did that with their consultants  
5 at the same time that they undertook this parking  
6 garage project (sic) which, if you've noticed,  
7 they've broken ground on right now, and their  
8 designers at least accounted for how you could add  
9 more walking paths and flexibility to the park behind  
10 the township long term. So they have a master plan  
11 that included the purchase of this additional  
12 property.

13 I don't think you guys committed to this  
14 layout or design yet.

15 But it is one that's been put in front of  
16 them. But this part here, these parking spaces and  
17 this township garage, are already under construction.

18 Delaware County and ODOT, between the two  
19 of them, are looking at putting new sidewalks in  
20 along here, as well as a pedestrian crossing here, a  
21 lit one. And we're talking about like the lit, we  
22 call them RRFBs, which are rectangular rapid flashing  
23 beacon crossings, and that's what ODOT is looking at  
24 putting in here. That's what Nick is committing to  
25 putting in here.



1           It also includes sidewalk improvements  
2 along 521 down to even the kayak launch. And the  
3 county engineers also put together preliminary plans  
4 to either improve the existing bridge on 521 for  
5 equestrian and pedestrian traffic, or to work with  
6 ODNR to construct a new bridge.

7           So those are long-term ideas, those are  
8 not what are being voted on tonight, but I think it's  
9 important to explain that when Nick went through the  
10 rezoning process, he met with everybody that was  
11 working on this project and he offered to build the  
12 purple area there, that connection, the public  
13 connection to Henmick. He also got approval from the  
14 county engineer to let him install that flashing  
15 beacon.

16           That's something that I think they've been  
17 trying to install for -- two years now? Yeah. And  
18 couldn't get approval until it was merged together  
19 with this project. So I think we're going to get a  
20 lot more walkability connectivity.

21           Our goal, as business owners in downtown  
22 Kilbourne, is we just envision long-term it would be  
23 great to have a safe way we know that kids and people  
24 can walk from the south end of Kilbourne all the way  
25 up to Henmick, to the park, township services, to

1 stores, and the other direction as well.

2 And, again, these objectives align  
3 directly with the master plan. If you look at Brown  
4 Township, I mean no disrespect to Leonardsburg, but I  
5 think we really only have one village that they could  
6 be talking about when they say to consider  
7 village-center development, and connecting the  
8 Village of Kilbourne's planned commercial district up  
9 to Henmick's planned commercial district makes a lot  
10 of sense for a lot of reasons.

11 The next criteria, and this is like at the  
12 heart of zoning, is does the proposed development  
13 promote the health, safety, and general public  
14 welfare of the township in the immediate vicinity?

15 So we talked about the revenue side of  
16 things, so I won't go into that again, but, again,  
17 it's not generating students, it is generating more  
18 revenue for the township.

19 Job creation. Ninety percent of Henmick's  
20 work force is area residents. That's only going to  
21 continue to increase and give people an opportunity  
22 to work at a good local company. Especially, I mean,  
23 younger people, high-schoolers, unskilled workers,  
24 and then they need skilled workers too, and those  
25 kind of jobs can be created there.

1           Right now they're limited to seven on-site  
2 employees at one time through their conditional-use  
3 provisions.

4           And then there's lodging revenue. So you  
5 might have seen on the plan that there's this Vermont  
6 kind of country boutique inn that Nick is asking for  
7 approval to build. That would be an expansion of the  
8 Sheets' homestead, of that building. The architects  
9 have actually put together a plan to expand it out  
10 into what would be an 18-room inn.

11           Right now, in addition to this creating  
12 additional revenue, Brown Township doesn't have  
13 anywhere to stay overnight. The township's position,  
14 as we understand it, is if you live in FR-1, you  
15 can't AirBNB your house in Brown Township. So that's  
16 not an option to generate revenue for the township.  
17 We don't have any hotels currently, so we are missing  
18 out on catching that revenue from people who are  
19 coming into the township anyway.

20           And another big thing, and we can thank  
21 our Brown Township State Rep Andrew Brenner for this  
22 partially, we passed a law in 2020 that basically  
23 allows townships to levy a lodging tax of 3 percent  
24 on any lodging that's in the township. So that's in  
25 addition to -- Delaware County's already exercised

1 this option.

2           So Delaware County, for every -- It's a  
3 bed tax, essentially. For every room in this lodge,  
4 not only can the county take 3 percent, the township  
5 just has to decide that they want to take another  
6 3 percent and that will go straight into the  
7 township.

8           That's a rendering of the inn. And just  
9 to give you an idea, if we're talking about is this  
10 going to lead to traffic and those kinds of things, I  
11 think one point to keep in mind is it's going to be a  
12 boutique inn. It's not going to be cheap to stay  
13 there.

14           We don't think that you're going to get  
15 commuters wanting to stay there, transient people  
16 wanting to stay there. It's going to be people that  
17 want to spend money at Henmick and enjoy the  
18 surrounding area at this hotel. So like destination  
19 date nights, people going to Alum Creek, people going  
20 to The Cardinal Center. I think that these are  
21 people that would be coming to Henmick anyway,  
22 staying somewhere else, and leaving at ten o'clock to  
23 go to other lodging. Instead, keeping it on site,  
24 that traffic now leaves in the morning during  
25 off-peak hours.

1           Health and safety. We talked about the  
2 walking trails. We're going to install nearly half a  
3 mile of multipurpose walking trails, and Nick's  
4 paying for that, connecting Henmick to the Brown  
5 Township park.

6           Again, all the benefits of the walkability  
7 and safety plan we're talking about concerning  
8 health, safety, and general welfare. I will not walk  
9 you through those again.

10           The only important one -- I would say one  
11 other feature of this walkability plan is, we did  
12 have a meeting with ODOT today and the results -- it  
13 was very optimistic. It sounds like we're making lot  
14 of headway with the business owner group in Kilbourne  
15 to getting a lowered speed limit on North Old State  
16 Road north and south of 521. So that could be huge.

17           A lot of headway has been made at putting  
18 a four-way stop at North Old State and 521, and a lot  
19 of people locally are working on that issue as well.

20           And so both of those projects are  
21 tracking. We don't know if it will be approved, the  
22 township will still have to weigh in on that kind of  
23 stuff, but we do know that ODOT -- it's extremely  
24 tough to get them to put in a four-way stop or put a  
25 speed-limit reduction anywhere. So we don't know how

1 much they'll reduce it, but it looks like it's a  
2 really good candidate.

3 But all these different projects we're  
4 trying to work in concert. We're trying to have, you  
5 know, people from Kilbourne Market know what  
6 Henmick's up to, to know what Sticky Fingers is up  
7 to. People are trying to get this thing through in a  
8 way that these projects are going to benefit  
9 Kilbourne as a whole.

10 And Nick's been working on this stuff  
11 before that time and before we even --

12 Before you even knew you had to pursue a  
13 rezoning.

14 But Henmick worked with the ODNR and the  
15 Army Corps of Engineers to already start trying to  
16 construct trails, which he's done, to get horses off  
17 the road sooner and to give them trailhead access to  
18 areas behind Henmick and throughout the state  
19 parklands back there.

20 Also, when you're talking about zoning and  
21 health, safety, and welfare, you have to keep in mind  
22 that a lot of establishments like Henmick are  
23 choosing to operate under a new law, it's Ohio's  
24 agritourism law. Maybe you've heard of it.

25 This would allow Henmick, if they wanted

1 to, to operate Henmick as it sits now, they could  
2 structure it to comply with the agritourism law which  
3 lets them bypass almost all township zoning authority  
4 over their operations. Agriculture gets a lot of  
5 exemptions; this is one of them.

6 Nick knows of that option. Nick believes  
7 in the rezoning. He wants to go through the  
8 rezoning.

9 These are examples of places around here  
10 that have gone that route.

11 I think, from the township's standpoint,  
12 for reasons we talked about before, you go through  
13 the rezoning, you're going to know exactly what he's  
14 thinking about doing long term and you get control  
15 over anything he wants to do beyond what's in the  
16 final development plan tonight. So I would encourage  
17 the township to look strongly at rezoning and not  
18 forcing him to another path to get compliance.

19 This is Plan A, the design features  
20 required in the resolution. I will blast through  
21 this one.

22 Again, he has an entire team of design  
23 professionals and a lawyer that has made sure that  
24 the plans comply from a technical standpoint with  
25 what the township trustees are looking at. They've

1 been in possession of the plan for a couple weeks,  
2 and we believe that everything required to be in the  
3 plan is in the plan.

4 And then will the proposed development be  
5 compatible in appearance with surrounding, existing,  
6 or proposed land uses.

7 I think that this is another one that's  
8 pretty easy when it comes to Henmick because, again,  
9 we already know it. We get the benefit of seeing it.  
10 It's existing. We're not talking about a  
11 foreign-concept development coming in here. So we  
12 know what it looks like.

13 If you look at the Ohio Rural Zoning  
14 Handbook, you know, they say they want to see  
15 something that's harmonious with the surrounding land  
16 uses and compatible.

17 Henmick's in a cool position. I mean,  
18 it's on the edge of a village, it's against federal  
19 parkland, it's also across the street from farmlands,  
20 and next to the township.

21 And every aspect of Henmick goes into  
22 every single plan. Every design meeting we've had  
23 with them, the mandate is always: I want it to look  
24 rural, I want it to, you know, pay homage to the  
25 farming community and my family.



1           So if you've been to Henmick, everything  
2 there takes into account that sense of farm and  
3 aesthetics as well as, again, incorporating in the  
4 nature and the trailhead access construction.

5           Lastly, this is kind of a boring one but  
6 there's some important parts in it, does it promote  
7 the efficient use of land and resources, promote  
8 greater efficiency in providing public utility  
9 services, and encourage innovation in the planning  
10 and building in all types of development.

11           This is the boring one. Public utility  
12 services. But conforming FR-1 uses, so if you just  
13 left it FR-1 as it sits now, it could be subject to a  
14 large amount of residential development, putting a  
15 higher strain on public utility infrastructure.

16           The plan already has approval of the  
17 Tri-Township Joint Fire District. They've seen this  
18 plan. They're going to have no issues providing  
19 emergency services to this area.

20           As part of when he has to finalize his  
21 final engineering with Delaware County after this,  
22 hopefully, goes through, he's going to be required to  
23 either dedicate new right-of-way or easements for  
24 utilities along North Old State.

25           And then he has extended -- he continues

1 to extend that natural gas service north when he  
2 constructed the brewery.

3           Efficient use of land and resources. Even  
4 after going through that 90 acres down to this  
5 27 acres, we're still showing 60.9 percent of the  
6 final development plan as open space, and Brown  
7 Township's requirement for the planned commercial and  
8 office district is 30 percent. So we're still  
9 showing, even after that, we reduced it all the way  
10 down to 27, we're still getting 60.9 percent open  
11 space.

12           Talking about a friendlier use of the land  
13 compared with the current trend that we're seeing in  
14 FR-1 residential development, we see it in the work  
15 that we do. We're constantly being approached every  
16 day in Brown Township by clients or the surrounding  
17 townships.

18           But it's important to know, and if you  
19 live in FR-1, which most of our township is FR-1,  
20 farm residential, you can split it along the road,  
21 using your road frontage to create lots up and down  
22 the road.

23           You can create what they call the common  
24 access drive subdivisions, those often allow you to  
25 put five houses on an area as small as maybe 11 or

1 12 acres.

2 You can also build conforming traditional  
3 subdivisions that can allow, you know, 2-acre lots  
4 with, you know, cul-de-sacs and things like that.  
5 And we've seen those. If you go down 521, you'll see  
6 it. If you go up to 3Bs and K, you'll see it there  
7 at Oxford Woods.

8 So if you look at his property and how  
9 those parcels lay out, if he wasn't able to keep it a  
10 brewery and preserve it through this PC district, its  
11 destiny is very likely -- Road frontage means  
12 everything in the world for splitting lands into  
13 houses. He's got tons of it.

14 And so when we looked at it, we want to  
15 see a plan that tries to preserve as much of that as  
16 possible, which his plan does call for the  
17 preservation of those 60 acres that he put out, as  
18 well as a lot of it that he's still leaving in is  
19 left to be preserved to open space, 60.9 percent.

20 So when we talked more about innovation,  
21 just finishing these points here, innovation in the  
22 planning and building of all types of development, we  
23 think it's a great example of how this Delaware  
24 County legacy farm can pivot and continue to survive  
25 without having to sell to developers and subdividing

1 housing.

2 I was talking with Aaron the other day and  
3 trying to think of a way to kind of explain this  
4 idea, sort of how single-family housing grows in his  
5 opinion, and it was sort of this housing begets  
6 housing.

7 And he said when we get out to these rural  
8 townships, once one guy sells, you know, he is a  
9 large-tract landowner, once they sell and they've  
10 maximized density, now the guy next to him known as  
11 the legacy farm basically says, "Well, now all the  
12 utilities are going in up here, and that's easier,  
13 but also I wanted to live out in the country and now  
14 I have this neighborhood next to me."

15 That's why they grow and they fill in the  
16 way they do. If you ever look at a map anywhere,  
17 it's housing begets housing.

18 And we looked, like when we came in and  
19 started our project in downtown Kilbourne, we used --  
20 there's a town called Leiper's Fork in Tennessee,  
21 it's outside of Nashville, which is a  
22 massively-growing city, and this little pocket called  
23 Leiper's Fork managed to keep this small, thriving  
24 little town going where it was surrounded by huge,  
25 you know, McMansions and the whole thing.

1           And the way they did it was they used  
2 village-out development. They connected these little  
3 commercial businesses. They got somebody like Nick  
4 that said, "I'm willing to take my big chunk and turn  
5 it into something that, you know, I think I can  
6 sustain and help us financially, I'm going to do  
7 that." And they had a few others like that, and they  
8 connected them together and they, basically, built  
9 all these buffers to protect from that big influx.

10           They also did a lot with zoning, which  
11 Brown Township can do that too, think about how you  
12 can keep Kilbourne cool as it gets just completely  
13 surrounded by the development you see coming in from  
14 a couple different sides right now.

15           Again, the comprehensive plan, it cites a  
16 need for commercial growth within the township, and a  
17 farm-themed commercial business I think is a great  
18 way to achieve goals in our township's plan. To  
19 create revenue, commercial revenue, would do it in a  
20 way that makes sense for us. If we have to see  
21 business, what kind of business do we want to see?

22           And then, again, the village center, we  
23 talked about that plenty.

24           So just a couple closing comments. The  
25 proposed plan represents an existing Brown Township

1 business. We all know it. We're not talking about a  
2 new developer coming in and rezoning. We are talking  
3 about Henmick and the details on that final  
4 development plan.

5 The plan will directly lead, and we hope  
6 to have shown, to increased public safety, health,  
7 general welfare in accordance with the zoning  
8 resolution and the comp plan.

9 The Brown Township Zoning Commission  
10 determined the plan, in two nights of hearing -- and  
11 they are the experts in their zoning plan. So the  
12 experts on the zoning resolution and the experts on  
13 the comprehensive plan, they write them, they  
14 determined that it met that.

15 You'll hear probably tonight Regional  
16 Planning - Delaware County, they had concerns. They  
17 went through, in April, the very original proposal,  
18 they went through and they found some things that  
19 they had concerns about, and they brought them to the  
20 attention of the zoning commission in a letter.

21 One of them was the size. They wanted  
22 that to go down. I think there were some other  
23 points in there that we're happy to go into if the  
24 trustees have questions beyond what the zoning  
25 commission found in their findings.

1           I think they misinterpreted quite a few  
2 parts, or misunderstood Brown Township's  
3 comprehensive plan when they went through and did  
4 that, so I hope we'll be able to address those  
5 concerns when they come up tonight.

6           But, again, there's 186 pages of published  
7 transcripts over two nights, it was exhausting, and  
8 at the end of the night the zoning commission did  
9 vote to recommend approval to the trustees of the  
10 plan.

11           So, with that, I guess we'll turn it over  
12 and back to you if you're going to do public comment,  
13 and then once we hear, we'll be able to answer any  
14 questions that you have. So thank you.

15           TRUSTEE SKINNER: Thank you.

16           Real quick, those standing in the back,  
17 there are seats up here in the front if you wish to  
18 sit down. I'm not sure if there's any more chairs  
19 along the edge, if you want to grab some chairs.

20           And if anyone walked in late that wishes  
21 to speak that did not get sworn in or even sign in on  
22 the sign-in table, if you could raise your hand,  
23 because we'll need to swear you in, anyone who came  
24 in late.

25           Okay. And our court recorder will swear

1 you in now, and just make sure you are signed in at  
2 the table too.

3 (Oath administered.)

4 TRUSTEE SKINNER: Thank you.

5 And we will open it up to public comments,  
6 and however we need to do it. If you want to go row  
7 by row, that's fine, just make sure you come up one  
8 at time. You will be timed to your three minutes.  
9 And we'll take the first speaker.

10 You can start in this row if you want to.  
11 Row No. 1, you're in the hot seat.

12 Thanks, Mark. Someone has to get it  
13 rolling tonight.

14 MARK DENNIS: Hi. I'm Mark Dennis. I  
15 live down Bowtown Road.

16 I'm supporting Henmick's because they've  
17 been in business, the place looks great, it's a nice  
18 addition to the township. And my feelings is Nick is  
19 not -- it's not Nick's fault that the place is as  
20 successful as what it is. Nobody in their mind. You  
21 know, he had no idea when he planned this.

22 And then COVID come along and everybody  
23 found out that the one place you could go and not  
24 have to be shut down or, you know, could go and have  
25 conversation and provide a family atmosphere, you



1 know, for the township.

2 (Applause.)

3 TRUSTEE SKINNER: Anyone else in the first  
4 row?

5 We'll go with the second row. And as a  
6 reminder, just state your name and, like, your house  
7 number and your road.

8 MIKE HUSTON: Mike Huston, 6051 North Old  
9 State Road.

10 I am here to support Henmick and their  
11 efforts. I applaud the presentation tonight. It  
12 seemed like that connected a lot of the dots in terms  
13 of some of the questions and concerns that were  
14 raised in the last meeting. It seems like they've  
15 adhered to all of the requirements.

16 And, you know, there are those that  
17 oppose, I guess, growth. And we all know it's  
18 inevitable. And if you oppose growth here, I would  
19 trust that you maybe have written your state senator  
20 or whatever and complained about Intel coming in too.

21 So growth is inevitable. I think this is  
22 managed growth done in the right way. It seems like  
23 he could have gone different avenues and --

24 Again, Mr. Gandee, thank you for  
25 highlighting there's another avenue for getting this

1 approved.

2 But going through the zoning  
3 reapplication, the planned commercial, he has to  
4 dictate what he wants and what the plan is, and they  
5 need to go back to zoning, and that all appeals to  
6 me.

7 And I'm an North Old State Road resident.  
8 I see the traffic, too. I'm on the north side. I  
9 see it come down, racing down Morrow County. It's  
10 not Henmick, it's just growth. It's the way it is.  
11 So that's it.

12 (Applause.)

13 TRUSTEE SKINNER: Thank you. We'll take  
14 the next.

15 MIKE CARPER: Mike Carper. I live at the  
16 corner of Giehl and Old State, and I don't envy your  
17 decision tonight. Twenty years ago we were worrying  
18 about potholes on Hogback and how much stone we're  
19 getting on Giehl Road.

20 But I support Nick. I think his plan is  
21 the best in the township. You know, growth is  
22 inevitable. It's coming. We're not going to stop  
23 it. If you drive by, it's always well presented,  
24 it's clean, and I just think it's a great place for,  
25 I want to say "city people" to come out and

1 experience some of our agriculture out here. You  
2 know, he's committed to keeping some of it in  
3 agriculture, which I think is great, and I think I  
4 would encourage the trustees to approve it. Thank  
5 you.

6 TRUSTEE SKINNER: Thank you.

7 (Applause.)

8 TRUSTEE SKINNER: Whoever would like to be  
9 next, please. Anyone else in the second row?

10 Perfect.

11 EVELIN WELLS: I'm Evelin Wells. We live  
12 at 5205 U.S. Highway 42 North.

13 I grew up on Leonardsburg Road. My  
14 husband and I both went to Buckeye Valley, graduated  
15 a few short years ago. I lived in town and swore I  
16 would never, ever move to the country, I would never,  
17 ever, ever send my kids to Buckeye Valley, and I did  
18 both. We do both. We did that about four years ago.

19 And, honestly, you know, never say never,  
20 right? We should have done it sooner. It was the  
21 best decision that we've ever made. We bought Bob  
22 Piatt's old house.

23 I can't even tell you the last time I went  
24 to a restaurant or a bar on Polaris, ever. We're  
25 locals. Kilbourne townies. Attend Henmick quite

1 often. My daughter works there - full transparency.

2 One of the best, most beautiful decisions  
3 I think that we have in our community. I think other  
4 townships probably have a little bit of envy, I would  
5 think, that Henmick is in our backyard and we have  
6 such a beautiful place.

7 I think the way it is already happening by  
8 the simple fact that we get to be here, that we get  
9 to have the opportunity to vote on something and have  
10 voices, you know, to be able to speak, so that's why  
11 I'm here tonight. Thank you.

12 (Applause.)

13 TRUSTEE SKINNER: Thank you.

14 Anyone else in the second row? Going  
15 once.

16 All right. We will start with Row No. 3.

17 BOB EBRIGHT: Hi. I'm Bob Ebright. I'm  
18 at 4072 North Old State Road.

19 I'm Nick's neighbor on that side of the  
20 road, and I am opposed to the rezoning for several  
21 reasons, not just the traffic. I know that that's a  
22 part of growing, that's the way it is, but there is a  
23 lot of traffic, and that comes from that.

24 And I can tell you a story about a little  
25 girl who grew up in this town. When she was about

1 six years old or so, she used to play hopscotch with  
2 her Barbie dolls in the middle of Old State Road and  
3 Walnut Street, right in that intersection. Try that  
4 today. It's not going to happen.

5 We decided to move here. Before we did  
6 I -- I moved here, I started hunting and fishing  
7 here. Lauri's dad, my father-in-law, told me about  
8 how great the hunting and fishing was out here, so  
9 that's what really brought us here. Brought me here.  
10 Can't do that today.

11 You throw a line out there in the creek  
12 today, you're going to catch a kayak. Try to go  
13 hunting in the public hunting area across the creek  
14 from Henmick's, there's no game there. There's no  
15 way. There's no turkey. There's no deer there.  
16 They don't like the music, the people. They don't  
17 get that. So can't do that anymore.

18 I just feel like I'm losing ground, going  
19 nowhere. When we first moved here, this was  
20 Kilbourne. The ZIP Code was 43032. I'm back in  
21 Delaware, 43015. I don't like that.

22 (Applause.)

23 TRUSTEE SKINNER: Thank you.

24 We'll have the next person in Row 3,  
25 please.

1                   RONNIE THOMAS: My name is Ronnie Thomas.  
2 I live on 3BS and K Road. Been out there about seven  
3 years now.

4                   I was thinking on the way here about the  
5 traffic, and I hear a lot of talk about traffic, and  
6 I really don't see a difference, whether it's a  
7 Monday or a Wednesday or a Saturday, the traffic's  
8 here.

9                   And I know people don't want growth, but  
10 we have to have some. And, honestly, the thing I  
11 have trouble with the most in this county is not  
12 something new, like Henmick, or not a new  
13 subdivision, not a new house. These guys fixed up  
14 the town. I have a problem with the older stuff that  
15 needs cleaned up. I'd like to see this township  
16 cleaned up and really get it kind of straightened  
17 out.

18                   There is still game here, to answer his  
19 question. I just took a picture of a family of  
20 turkeys next door to my house, so it's out there.

21                   But you can't prevent growth. And we need  
22 new places. We need places to go. I don't want to  
23 go into Delaware and look for a parking spot for an  
24 hour, driving around the block. I don't want to try  
25 going to Sunbury. And I don't want to go down to

1 Polaris. I want to stay here so, obviously, I  
2 support this.

3 (Applause.)

4 TRUSTEE SKINNER: Thank you. Next in Row  
5 3.

6 And if the next person wants to come stand  
7 like next in line, that might make it go a little  
8 faster for everybody.

9 BOB LLOYD: Hello. Robert Lloyd. We  
10 have -- we own property in town here on Old State  
11 Road.

12 Lifelong member of the community. Grew up  
13 here. Played ball here. My kids played ball here.  
14 We had an opportunity to do some investing in the  
15 last few years, and we chose to put our money and our  
16 time into Kilbourne. We've rehabbed a couple of  
17 properties in town, and it just really makes me feel  
18 good because I think, as this gentleman just said,  
19 you know, we want to see this town grow. I mean,  
20 maybe we don't want to see it grow, but it's going to  
21 grow, so we want to see it grow in the right way.

22 And I'm proud of what we're doing here,  
23 and I'm super proud of what the Sheets family is  
24 doing here. And Diane and I are a hundred percent in  
25 support of this sort of development. I think it's

1 going to happen, we have no choice, so having some  
2 control -- having somebody that grew up here and has  
3 been a part of the community since he was a little  
4 boy, I mean, his father and my mother went to high  
5 school together. So I just, I love that they're  
6 keeping it here.

7 And I love what you guys are doing, and  
8 we're behind you guys, so.

9 (Applause.)

10 TRUSTEE SKINNER: Thank you.

11 If the next person wants to get in the  
12 queue, that's good.

13 JOHN BARNEY: Hello. My name is John  
14 Barney. I live at 2815 North Old State, about a mile  
15 and a half south of the brewery.

16 My wife and I moved here about four years  
17 ago to escape the traffic and commercialized life  
18 that we'd grown up with living in the suburbs of  
19 North Columbus our whole life. We came to beautiful  
20 Brown Township for the farming land, Alum Creek, the  
21 small county of Kilbourne and its laid-back rural  
22 feel.

23 Never in my wildest dreams would I have  
24 imagined a megabrewery right up the road from me a  
25 year after we moved in. Maybe shame on me for not



1 doing more research. And you see agricultural  
2 district signs everywhere around the township here.

3 You know, this was built under an expanded  
4 home occupational permit with limitations, as shown  
5 earlier, and now we have a megabrewery. Now,  
6 granted, it's very nice. It's open Thursday through  
7 Sunday with up to four food trucks, bands, concerts,  
8 and other events while creating extensive traffic and  
9 dangerous parking conditions.

10 I don't want to speak for the original  
11 zoning members who approved this, but I don't know if  
12 that's what they were really looking for at the time.

13 So now we have a business here that,  
14 arguably, doesn't fit in the comprehensive plan of  
15 Brown Township, and now we're looking at adding a  
16 two-story inn/restaurant/tavern and even more  
17 parking. This is on top of maybe a future wedding  
18 events center on the other side of Alum Creek which  
19 will have up to 30 cabins and even more traffic.

20 I don't want to be disrespectful, but  
21 we're putting a destination Disneyland in an area of  
22 a rural township that's designed for farming and  
23 residential.

24 Here probably the main concern is a  
25 parking lot that's in violation on the west side of

1 the street. I'm not sure, do you really think that a  
2 crosswalk and possibly reducing the speed limit is  
3 going to make that crossing any safer? You know,  
4 there's room over there, and even their rezoning  
5 application has another parking lot on that east  
6 side; it seems like the more safer option.

7 Another huge concern for me is that once  
8 rezoned, make this zoned commercially, how can any  
9 other request get turned down for commercial property  
10 even in that area? Please don't turn on that faucet.  
11 An approval for this zoning will negatively affect  
12 the direction and character and feel of Brown  
13 Township forever.

14 I also ask that you vote No on this to  
15 allow the residents that live on the feeder roads to  
16 the brewery, the residents of Kilbourne, at least  
17 three days of peace and minimal traffic per week,  
18 just to help keep beautiful Brown Township beautiful.  
19 Thank you.

20 TRUSTEE SKINNER: Thank you.

21 (Applause.)

22 MICAH SPARKS: Hi. My name is Micah  
23 Sparks.

24 I own, with my buddy, the Kilbourne  
25 Market, and so Henmick could affect me financially,

1 possibly. And maybe I'm the only one here that can  
2 really say that. But as I look at the plan, it's  
3 well thought out, it's well constructed, it's  
4 impressive, and as a business owner, somebody that  
5 owns multiple businesses throughout this county, I  
6 think -- I am -- I am for this plan. I totally agree  
7 with it. I think it's a great idea.

8 I do understand, Bob, as a hunter myself,  
9 I totally understand. I'm a rural guy. I'm a  
10 country guy, that's why I like Kilbourne. Love it up  
11 here.

12 Currently I live in Berlin Township and I  
13 have 5 acres there, and I'm about the last person  
14 there with 5 acres it feels like. I can see the high  
15 school from my front door. I have lived there for 21  
16 years. It was totally rural when I moved there. Now  
17 it's just development world. Just come down there -  
18 it's horrible. My kids have two years left, I can't  
19 wait to get them out of school, and I hate to see  
20 that happen here. So that's for future plans.

21 But what Henmick's doing, I think it's a  
22 good draw, and I think it will really enhance the  
23 community, in my opinion. Thank you.

24 (Applause.)

25 TRUSTEE SKINNER: Anyone else in Row 3?

1 All right. We will start on Row 4.

2 Whoever wants to go first.

3 And the next person can come on up and get  
4 in the queue.

5 TAHSHA HARMON: Hi. I'm a little  
6 overdressed, but we are country folk, right? Tahsha  
7 Harmon, 3830 North Old State. I've been here, well,  
8 more than 11 years now, maybe 13.

9 The point is, we moved in because we did  
10 want rural life. We came right out of Dublin. And  
11 it was a quiet small town. No, not every house was  
12 taken care of, but back then we sat on the street and  
13 we watched parades go by, and we didn't have the  
14 noise.

15 And so my frustration is simply, I feel  
16 it's a two-way street, pun intended, but the issue is  
17 yes, that's great, let's park, let's let them walk  
18 there, oh, it's much safer. But there's total  
19 disregard for us that live right on the road. I am a  
20 porch sitter every day, all day, and what I've noted  
21 is, and discussed it with my husband, you'd see a  
22 car, wait, wait, wait, wait, wait, wait, wait, maybe  
23 another. Now it's back-to-back. Sometimes I just  
24 want to stand up and scream. I am close to the road.

25 My neighbor across the street, down the

1 road, everyone has small children and pets. It does  
2 happen. It's a tragedy, but that's totally true  
3 about the six-year-old that was hit and killed, and I  
4 don't want that to happen once, so I don't feel it's  
5 safe.

6 Secondly, we already deal with -- and I'm  
7 not saying this is bad and, yes, I've been to both  
8 locations, and they're wonderful, but it has been an  
9 impact on most folks around. Yes, I can hear all the  
10 bands playing at the Kilbourne Market, but I can also  
11 hear them from Henmick. I've seen the crowds there,  
12 they are full, full, full, so I'm not sure how  
13 they're going to accommodate that many more people.

14 A good example, a great event was  
15 happening, the solar eclipse. It was, I mean,  
16 crowded. People were turned away. It was out of  
17 control. I can't imagine what will happen -- and I  
18 think there's a little advantage being taken. Don't  
19 take it personally, I'm just giving you my opinion.

20 But if they're doing so well and  
21 profitable, then why do we need to add almost a small  
22 town, another city right within our city? It's  
23 almost ironic because that has changed what we  
24 thought was a rural town now to commercial. There's  
25 no stopping that. We don't know what additional

1 businesses are going to be added.

2 And I'm glad for your fortune, but I do  
3 believe it's a slippery slope. I do believe it will  
4 set a precedence. I know farming is not a good gain  
5 of income, but what if we set that slippery slope  
6 now, and then tell me that's not going to affect us  
7 financially when we've got that many more commercial  
8 properties and our popularity goes up, not the school  
9 district, but just levies and things to accomplish --

10 TRUSTEE SKINNER: I'm sorry. Can I cut  
11 you off? That's your three minutes. Sorry.

12 TAHSHA HARMON: Thank you. And I talk too  
13 much.

14 (Applause.)

15 TRUSTEE SKINNER: Next, please. Anyone in  
16 Row 4?

17 STAN BEAN: My name is Stan Bean, and I  
18 live at 6042 State Route 521. And I will stick to  
19 the areas of my expertise.

20 I moved here in 2010. I got driven out of  
21 New Albany. I had a house that I thought was in the  
22 country east of New Albany in Licking County, and The  
23 New Albany Company started buying farms and zoning it  
24 commercial and building warehouses and bought out the  
25 guy next door to me who used to bring me asparagus,

1 and they drove him out, and pretty soon I was  
2 encircled with nothing but warehouses.

3 So I moved out here in 2010. I tried to  
4 do my civic duty. I was on the election board for 12  
5 years. I was on the zoning appeals board for ten  
6 years. And I had the good fortune, I didn't know  
7 much about the zoning in Brown Township, but the  
8 chairman was Darin Skinner and I observed him, he's a  
9 thoughtful man, and I learned a little bit about  
10 zoning. And I was appointed to the trustees as an  
11 alternate to the zoning commission.

12 And so I understand there are zoning laws,  
13 and I just hate to see farmland, F-1, turn to  
14 commercial because I saw what it did in Licking  
15 County.

16 Now, I'm not for or against what Nick's  
17 proposing. I was chairman of the zoning appeals  
18 board when we approved Nick's brewery. Nick's an  
19 honest guy. He's done everything he said he would do  
20 every time.

21 I'm also a civil engineer, and I managed  
22 highway construction for 40 years, and I saw a  
23 multitude of fatalities. I've seen car fatalities.  
24 I've seen motorcycle fatalities, truck fatalities. I  
25 saw one pedestrian fatality.

1           Poor woman was walking her dog. It ran  
2 across the freeway. She tried to get across the  
3 freeway into the median to get her dog. She was in a  
4 three-lane stretch of the freeway and was standing in  
5 the right lane, and a car was coming down the middle  
6 lane, it slowed down, and the guy behind her pulled  
7 out to pass and didn't see her at all, hit her going  
8 65 miles an hour.

9           The only thing I could do was put on my  
10 safety vest, get a flag, and go try to stop traffic  
11 till the cops got there, and called 9-1-1.

12           I saw, in 1985, a -- I was managing a job  
13 widening 270 south of Columbus. Foreman gets on and  
14 calls me and says, "You need to come to the east end  
15 of the job, the on-ramp. There's been a bad  
16 accident." I drive down there, and a drunk has been  
17 driving east -

18           TRUSTEE SKINNER: Stan --

19           STAN BEAN: -- in the westbound lane --

20           TRUSTEE SKINNER: I'm sorry. It's been  
21 three minutes. I'm sorry. I hate to --

22           STAN BEAN: It was a good story.

23           (Applause.)

24           TRUSTEE SKINNER: It was a good story.

25           Someday I'll hear that story.



1                   And if the person after Chris wants to  
2                   come up and get in the queue, that's fine. That's  
3                   good.

4                   CHRIS RINEHART: Chris Rinehart, 4018  
5                   North Old State Road.

6                   A majority of this board has personally  
7                   expressed to me that they want Brown Township  
8                   Comprehensive Plan --

9                   THE STENOGRAPHER: Excuse me. If you're  
10                  reading, could you please slow down.

11                  CHRIS RINEHART: Don't cut off my time  
12                  because of that.

13                  -- and the Brown Township Zoning  
14                  Resolution followed. On that basis alone, this  
15                  rezoning application, in its current form, should be  
16                  denied.

17                  I have provided you with a 28-page  
18                  analysis outlining why the current form of this  
19                  rezoning proposal does not satisfy the approval  
20                  criteria set forth in Section 14.07 of the Brown  
21                  Township zoning resolution.

22                  It does not comply with comprehensive  
23                  plan. It does not comply with the zoning resolution.  
24                  It does not promote the health, safety, and general  
25                  public welfare of the township and the immediate

1 vicinity. It does not meet all of the design  
2 features required in the zoning resolution. It is  
3 not compatible in appearance with the surrounding  
4 existing or proposed land uses. And it does not  
5 promote the efficient use of land and resources.

6 As I have repeatedly said, I do not have  
7 opposition to the brewery operation so long as it  
8 conforms to the comprehensive plan and zoning  
9 resolution and addresses issues such as noise,  
10 traffic, pedestrian safety, and maintaining the rural  
11 aesthetic of the township, and Kilbourne  
12 specifically, through use of extensive landscaping.

13 There may be a way of moving forward with  
14 the brewery operation without a rezoning even being  
15 required; however, the applicant has not proposed  
16 such an operation, and that is not the application  
17 before you this evening.

18 Where, as here, an applicant has a  
19 documented history of non-compliance with current  
20 zoning approvals and the zoning resolution itself,  
21 that applicant should not be rewarded for his  
22 noncompliance by granting it additional vague  
23 approvals for expanded uses, including for Walmarts  
24 and Costcos, that do not comply with the  
25 comprehensive plan and zoning resolution.

1           Rather, the trustees should protect the  
2 interests of the township, its residents, and  
3 specifically those residents most impacted by the  
4 proposed development by ensuring that the applicant  
5 complies with all the township's plans, rules, and  
6 regulations.

7           Because this application does not comply  
8 with the comprehensive plan or the zoning resolution,  
9 approving the same would further undermine the legal  
10 integrity of those plans and regulations.

11           Such an approval would immediately open up  
12 the entirety of the village of Kilbourne to future  
13 rezoning requests for commercial and industrial uses.  
14 This proposal would fundamentally change the village  
15 of Kilbourne and undermine the rural, farm aesthetic  
16 the applicant claims it wants to preserve and promote  
17 as part of its business.

18           If the trustees are to consider approving  
19 this project in some form, then you should take your  
20 time in considering the same and require the  
21 applicant to provide all of the information required  
22 by the zoning resolution and to comply with all of  
23 its requirements unless the applicant cannot  
24 physically comply with the same.

25           There is no legal requirement that you

1 make a decision this evening, and you can continue  
2 this hearing as long as needed to request and receive  
3 information from the applicant and the public before  
4 closing this hearing and making a decision.

5 I have outlined in my correspondence where  
6 I believe there are significant revisions necessary  
7 to the application and where I believe significant  
8 additional information is needed from the applicant.  
9 I am happy to answer any questions you may have  
10 regarding the same.

11 In addition, I've provided you with  
12 additional comment regarding comments received from  
13 the Delaware County Regional Planning Commission  
14 staff. Those comments are inappropriate for the  
15 reasons I set forth in my correspondence as they are  
16 from staff and not the commission.

17 TRUSTEE SKINNER: Chris, I'm sorry.

18 CHRIS RINEHART: I'm almost done.

19 TRUSTEE SKINNER: That's your three  
20 minutes and five seconds.

21 (Applause.)

22 TRUSTEE SKINNER: Thank you.

23 Can we have the next person, please.

24 We're still on Row 4.

25 CHRIS RINEHART: Just so everyone knows,

1 here's the analysis (indicating).

2 I'm going to give this to you because  
3 you're the record keeper.

4 TRUSTEE SKINNER: Let's start in Row 5,  
5 please. And the next person can come up and get in  
6 the queue, this will go faster.

7 BOB COPELAND: Hi. My name's Bob  
8 Copeland, and I live at 3284 North Old State Road.

9 I guess I'm on the fence with this  
10 proposal. I guess partly one way I'm leaning towards  
11 yes. I'm concerned about the water and sewer utility  
12 use of the inn and -- it's directly behind the creek.  
13 But I hunt and fish as well down in this area. But I  
14 guess I would rather have what's being planned and  
15 proposed versus a housing development of, like, you  
16 know, 2- or 300 homes. So thank you.

17 (Applause.)

18 TRUSTEE SKINNER: Thank you.

19 DOUG DAWSON: I'm Doug Dawson. I live at  
20 2831 Bowtown Road. Been resident in this county for  
21 65 years. Went five years to school right on this  
22 site.

23 Thirty years ago there was 40 cars a day  
24 that went down Bowtown Road. Today it's 400. I've  
25 got 400 homes a mile and a half from our 3,000-head

1 hog facility. I can see all the lights from Kroger's  
2 distribution. Did I ask for any of it? No.

3 I've known the Sheets family now for three  
4 generations. Yes, I do farm their property. We need  
5 commercial business in this township and county.  
6 Houses do not pay for all of the infrastructure, the  
7 roads, the sewers. We need commercial business, and  
8 we need smart commercial planning and home-grown  
9 businesses like this. Thank you.

10 (Applause.)

11 TRUSTEE SKINNER: Thank you.

12 BRAD EBERSOLE: My name is Brad Ebersole.  
13 I live at 4865 Beard Road.

14 I'm approximately 3,000 feet away from the  
15 Henmick Brewery. I'm actually one of the closest  
16 neighbors as the crow flies, so things such as noise  
17 discussions certainly are an issue for me, but they  
18 aren't an issue, as I would say, simply because Nick  
19 is very respectful of the time that he uses --  
20 utilizes his services and patrons, and I think that's  
21 an important aspect to consider. Not only is the  
22 design aesthetic pleasing, but their business is  
23 respectful of Brown Township.

24 In addition to that, it's an agritourism  
25 business. This does bring people in. And it is

1 something that the farm bureaus of Delaware County  
2 are representing and wanting to promote. It supports  
3 this type of business.

4 It's also a business in which it is like  
5 our township versus the warehouses and other things.  
6 We are going to have commercial growth in Delaware  
7 County. We're the fastest growing county for over a  
8 decade, almost 20 years now. The growth is going to  
9 continue to come. It's going to come to Brown  
10 Township.

11 Our trustees have the opportunity to make  
12 a choice today in regards to what type of businesses  
13 we want to have and what type of image does Brown  
14 Township want to have.

15 You have to remember, our township plot  
16 also is almost adjacent to 36/37 where commercial  
17 growth is going to happen. We want to be a township  
18 that actually encourages those things and does not  
19 encourage annexation from Delaware County where we  
20 have no say -- or Delaware City where we might not  
21 have any say in regards to these things.

22 Lastly, Mr. Rinehart had spoke at a zoning  
23 appeals meeting, which I attended, and actually  
24 called out for this planned commercial development in  
25 his statements. It's in the record -- stated. And I

1 think it's important to understand that, at this  
2 site, Nick did what he was asking to do -- have done  
3 as a neighbor, and then he changed the goalpost, as  
4 one would say, and now is opposed to it. Thank you.

5 (Applause.)

6 TRUSTEE SKINNER: Thank you.

7 I want to check in with our reporter. Are  
8 you okay?

9 THE STENOGRAPHER: Yes.

10 TRUSTEE SKINNER: You don't need a break?

11 THE STENOGRAPHER: No. Keep going.

12 TRUSTEE SKINNER: That's a lot of typing.

13 THE STENOGRAPHER: We've got a lot of  
14 people to get through.

15 CANDACE CAULKINS: Good evening. My name  
16 is Candace Caulkins. I live at 3720 North Old State.  
17 It's the first house in Kilbourne.

18 We moved here about ten years ago. I will  
19 tell you traffic has been an issue since we moved in.  
20 We're at the top of a blind hill and people always  
21 speed. So we are always very cautious pulling out of  
22 our drive.

23 We remember when they came and asked for  
24 us to sign for Henmick to get put in, and we did sign  
25 it. I literally prayed circles around Kilbourne when



1 we moved in ten years ago because it was run down  
2 with feral cats, and trash, and boats that were not  
3 being taken care of, and I wanted to see this town  
4 revitalized. And so I did, I prayed circles around  
5 it, so you can blame me. I'm sorry.

6 But we did, we voted for Henmick. They  
7 came, and it has been such a blessing to our family.  
8 We have met neighbors in town. We have met people  
9 that live two doors down from us that we didn't  
10 really know -- I believe she's here -- that does  
11 pop-ups at Henmick, shares her art. There's a hobby  
12 farm that got sold up the road that I was in love  
13 with, I met the girl that owned it, we've become very  
14 close friends.

15 We have noticed when we do go, yes, there  
16 is music, but I will tell you that Nick is always  
17 outside listening to it and checking it and making  
18 adjustments. There have been some big events and  
19 they have made adjustments from that and made them  
20 ticketed. So they're definitely paying attention to  
21 how it's affecting our town and what it's been doing.

22 And, honestly, we're excited for it. I  
23 can't wait for my son to be of age to be able to work  
24 there. It's done nothing but help us, I think, from  
25 a financial standpoint. I'm also in real estate, and

1 our property values have gone up because this town  
2 has been revitalized.

3 Yes, I get it's different from what it  
4 used to be, but this was not a pretty town a few  
5 years ago. Yes, it was quiet, but it was not  
6 something where people wanted to go and be here.

7 And so, again, I'm very excited to be a  
8 part of this town and Henmick and, again, our family  
9 is in full support of it. Thank you.

10 (Applause.)

11 TRUSTEE SKINNER: Thank you.

12 JIM ANDRES: Hi. I'm Jim Andres. I live  
13 at 4738 Cackler Road.

14 I've been involved with the township for  
15 about 40 years now, both as a zoning commissioner and  
16 as a trustee at one point. I've really got to thank  
17 Nick for what he has done. I think he's done a great  
18 job with the business.

19 However, there are a few concerns that  
20 come out and that is, as he said himself, he never  
21 imagined the business to take off the way it did.  
22 He's not been able to stop people. Even though they  
23 ran out of parking, people still come, and that's  
24 where my concern starts to come in is how do we  
25 limit, how do we keep this from just blowing up

1 beyond what even his present dreams are?

2 He will sit here and say, yeah, we're only  
3 open Thursday through Sunday, we shut down at ten,  
4 but is that listed in this zoning proposal or is that  
5 just Nick's current view on how he wants to do it?  
6 If things take off a little bit more, maybe it's a  
7 Wednesday. Maybe it's an eclipse event. Maybe it's  
8 the 4th is on Thursday, so let's open on Wednesday  
9 before. So, you know, it's not really limited to  
10 where it can go.

11 You're hearing his intentions. Intentions  
12 are fantastic, and he might be great character-wise,  
13 but you're still opening up -- you're changing the  
14 zoning, you're opening it up for more than that.

15 Heaven forbid Nick, I hope it doesn't  
16 happen, but if it were to occur, his family could  
17 sell off this ground. Where does it go from there?  
18 It's a concern.

19 Beyond that, I don't know how much time I  
20 got left, but the procedures that are going forward  
21 tonight to get here seem a little bit of a concern  
22 too. Are we opening a door to what could happen  
23 both, not only from Nick, choosing an idea from him,  
24 but also from others who have ground and are waiting  
25 to see how this plays out to say, all right, he did

1 this, we're going to do something very similar, they  
2 can't deny it because they approved him.

3 And that's a concern, too, that the  
4 trustees have to face, whether or not they can open  
5 that door and let that -- let that happen. Thank  
6 you.

7 (Applause.)

8 TRUSTEE SKINNER: Thank you.

9 If the next person in line can come on up  
10 and get in the queue, please.

11 JARRETT HIGHTOWER: I'm Jarrett Hightower.  
12 I live at 4648 Beard Road just the other side of Alum  
13 Creek.

14 I do hear the noise, only when I'm outside  
15 my house, and it's usually shut down by nine o'clock.  
16 I'm in support of what Nick's trying to do here. I  
17 think it's a great thing for our community. And I  
18 think he's -- Maybe what some people don't realize  
19 is, and it's been said, but he's locked in with this  
20 plan and he can't make any changes to it without  
21 going through this process again.

22 So I just want to make sure everybody  
23 understands we're not really opening a valve here.  
24 It's something that's controlled, and it's important  
25 for the township to have those controls.

1                   So I'm voting for you, Nick.

2                   NICK SHEETS:   Appreciate it.

3                   (Applause.)

4                   TIM SHEEHAN:   My name's Tim Sheehan.  I  
5   live 4550 Beard Road, next to Jarrett.

6                   And I've been there 25 years.  And in  
7   those 25 years it's pretty obvious the three most  
8   important things that have happened in this township  
9   in Kilbourne, and number one is tearing down the  
10  school and building this wonderful facility.

11                  Thank you, by the way.

12                  And I think the Sheets family was  
13  instrumental in doing that.  Maybe not.

14                  NICK SHEETS:   Another Sheets.

15                  TIM SHEEHAN:   Another Sheets.  I'm sorry.  
16  But still, it's beautiful.  The school was awful.

17                  Number two, the Gandee family company,  
18  getting rid of those awful, disgusting, dilapidated  
19  buildings that were in town there.  I was looking  
20  into buying them myself and thought, they're going to  
21  tear those down.

22                  And you probably wish we had.  I can't  
23  imagine the --

24                  (Laughter.)

25                  TIM SHEEHAN:   It's going to be forever

1 before you get your money back on that. But thank  
2 you, it looks much better, and it's much appreciated.

3 Number three -- these are in no particular  
4 order -- is Henmick, and Nick and his family and  
5 business advisors have made a beautiful facility.  
6 And I also thought, too, why would they build that  
7 out here? Nobody's going to come out here. I might.

8 But they built this wonderful building,  
9 above the board, high-end, does exactly what he says  
10 it does. I've never seen any trouble there, in spite  
11 of Jarrett and I trying to get in trouble out there.  
12 Nothing gets out of hand. I've never seen a brewery  
13 that is so family oriented.

14 People I know from Bellepoint never came  
15 over here before. Now they're coming to see this  
16 wonderful facility with their family. And I don't  
17 know anything better than this to bring all those  
18 things together and make Kilbourne just a beautiful  
19 town again.

20 So, again, I've only been here 25 years,  
21 not a hundred and whatever, so I'm a rookie, but it  
22 seems like a no-brainer to me, and my wife and I  
23 would love this to go through just as planned and  
24 with the changes. So thank you.

25 (Applause.)

1 TRUSTEE SKINNER: Thank you.

2 Next, please.

3 CHRIS THOMPSON: Hello. My name is Chris  
4 Thompson. I live at 3401 North Old State Road, and  
5 I'm on the BZA board.

6 I work down at the ball field with the  
7 youth ball association. I was in attendance the  
8 night that we heard the first meeting for the Henmick  
9 Brewery and, from my perspective, what we see  
10 happening is not necessarily what I thought was  
11 proposed. There was a lot of open ends as to what  
12 would be done after the approval. And then the  
13 question of where is the enforcement at?

14 So I guess with this plan, you know, you  
15 have to wonder, by approving that, it's a precedent  
16 for a lot of people that's going to want to have a  
17 commercial zone just for a financial gain. And for  
18 people like me that's lived in the community my whole  
19 life, and the traffic on our side of town sees -- we  
20 get all the traffic by our house. The people coming  
21 to Henmick is not necessarily the people coming from  
22 Morrow County, but they're coming from Franklin  
23 County and Southern Delaware County.

24 So I oppose this. Thank you.

25 (Applause.)

1 TRUSTEE SKINNER: Thank you.

2 Next, please.

3 DANIELLE WOLF: Hi, Danielle Wolf. 3452  
4 North Old State Road.

5 I've been here about -- a little over 18  
6 years, and I've known Nick for a very long time. I  
7 had an opportunity to see what goes on here, and I  
8 really feel that we have this, or we have  
9 development. We could have 250 houses. We could  
10 have traffic all day from those four-people family  
11 homes.

12 We're going to have traffic. We're going  
13 to see development. It's inevitable. It's going to  
14 happen. It's been encroaching for years. In the 18  
15 years we've been here, we've seen so much  
16 development. But we have a choice of what kind of  
17 development we see, I feel. And I'm in support of  
18 that. I'm in support of his plan, and I'm happy for  
19 its success.

20 He supports local. He's been here. He  
21 has an investment in our community and the people of  
22 this community. He invests in, you know, he hires  
23 people from our community to work there, and he's in  
24 support of our community trying to better it, making  
25 walkability plans and keeping in line with



1 aesthetics. So I'm all for it. Thank you.

2 (Applause.)

3 TRUSTEE SKINNER: Thank you. If we can  
4 have the next few people come up, please.

5 BRITTANY SINGER: Hello, I'm Brittany  
6 Singer. I'm at 4820 Beard Road, and I've been told I  
7 talk fast, so I will take less than three minutes.

8 I grew up here. I am the same age as Tim  
9 Sheehan's kids. I TP'd their house. I ran up and  
10 down the road. My dad moved here in 2003, and my  
11 siblings and I adored the Bono Pizza lounge and  
12 C Dee's and McCarty's Market, and whatever else it  
13 was called changed, although we really like the  
14 improvements to it.

15 I remember running across the road from  
16 Beard Road to the market to get hot dog buns, and  
17 that was a very unsafe trek. Our dog died on our  
18 road. The traffic has always been there. People  
19 have always flown. Our big dog did total their car,  
20 though. So, karma.

21 So much has changed since then, but we  
22 have moved back here all the way from Colorado,  
23 because we want our kids to live the life that I grew  
24 up with. We all have lived here for the peace and  
25 serenity of this area and our emotional ties to what

1 we have called "home" for so long.

2 We live across from Brad. We're super  
3 close. We hear the music that ends at nine. And the  
4 wildlife is still there. The foxes are still  
5 ravaging my chicken coup.

6 So future beliefs and benefits that I see  
7 by opening this door is that we have increased  
8 commerce, which will continue to grow our area. We  
9 all know it's growing anyway. The storefronts in  
10 Kilbourne are still empty. There's potential for  
11 more business tomorrow.

12 We could have the Hoof Hearted and Groovy  
13 Plants Ranch symbiotic relationship as an example of  
14 how the community can grow together. And if it's not  
15 you, it could be your kids, or even your grandkids,  
16 that have a bright idea, and they can thrive in this  
17 environment with the growth that Henmick's has  
18 provided.

19 I personally can't wait to see what  
20 creative and vibrant ideas this community has, and I  
21 personally think that it's great for people to share  
22 this peace and passion that we have for our area with  
23 those who don't live here but wish they did.

24 It may be scary, because change is scary,  
25 but I think that change and growth can be great with

1 the support of the community, which I think we all  
2 can see. Thank you.

3 (Applause.)

4 TRUSTEE SKINNER: Thank you.

5 Anyone else? Do we have more speakers?  
6 We have some shy ones in the back.

7 NICOLE MARRONI: I know. I've been  
8 standing in the back for a while. Hi, I'm Nicole  
9 Marroni. 4179 North Old State Road.

10 I was here at one of the other meetings,  
11 and I gave my support for Nick and the Sheets family.  
12 I fully support the development and the way that he  
13 approaches everything that he's doing. I don't feel  
14 like I need to say all the things that everybody has  
15 said as well, but as a newer member to the community,  
16 this is something that is very exciting for me.

17 So I support you.

18 (Applause.)

19 TRUSTEE SKINNER: Thank you.

20 All right. More speakers? Who's next?  
21 Anyone?

22 (No response.)

23 TRUSTEE SKINNER: All right. Are you  
24 sure? No shy ones? Last -- Oh, here she comes.

25 UNIDENTIFIED FEMALE SPEAKER: No.

1 TRUSTEE SKINNER: Oh, All right. Seeing  
2 no more public comment speakers tonight, I would  
3 entertain a motion to close public comment.

4 TRUSTEE MILEY: I would so move to close  
5 public comment.

6 TRUSTEE SKINNER: There's been a motion.  
7 Is there a second?

8 TRUSTEE STEGNER: Second.

9 TRUSTEE SKINNER: And a second.  
10 Any further discussion on that?

11 (No response.)

12 TRUSTEE SKINNER: All in favor?

13 (Ayes heard.)

14 TRUSTEE SKINNER: The answer was "aye"  
15 times three.

16 Okay. We have reached the point where the  
17 applicant can now respond. And, just to be clear,  
18 there's no banter back and forth between the public  
19 and the applicant. We can banter with them at some  
20 point, but public comment has ended. And I  
21 appreciate all of you coming out tonight on Monday  
22 night and speaking, it means a lot that so many  
23 township residents have shown up.

24 So, without further ado, we will throw  
25 this back to the applicants.

1                   No pressure, Garrett.

2                   GARRETT GANDEE: All right. Well, thank  
3 you, everybody, for the feedback. We appreciate all  
4 the support. It's a little surreal doing one of  
5 these in our own backyard, because I think I  
6 recognize most of the people that came up and talked,  
7 whether they were supporters, who I thought we might  
8 see here tonight, or even detractors, or people just  
9 that had concerns.

10                  I saw a lot of people that I like in this  
11 town that I think have really good comments and  
12 feedback and concerns that are reasonable given, you  
13 know, we are trying to balance this rural town with  
14 development. This is a form of development. We  
15 think it's a lot less impactful than the current  
16 trends. So a lot of things, when we're talking about  
17 this, we're talking about, you know, balancing these  
18 things.

19                  I heard from, I mean, people with township  
20 experience, a real estate lawyer, you know, people  
21 that I respect their opinion, I think that they have  
22 a lot to bring to the table. So I guess in just  
23 addressing some of these comments, we'll do the best  
24 we can. I mean, no plan is going to be exactly what  
25 everybody wants all the time, but we will do

1 everything we can to address some of the things that  
2 came up. I'll hit a few.

3 I think when we get to Mr. Rinehart's  
4 list, I mean, I didn't hear any specific examples of  
5 where there were issues with compliance. We might  
6 want to talk about those.

7 So I might leave that to you guys, whether  
8 you want to ask questions if you've seen, you know,  
9 the list to ask specifically about it, and we'll try  
10 to respond to those, you know, later perhaps.

11 One thing would be the  
12 Henmick-getting-bigger idea. Yeah, the inn and the  
13 parking lot associated with the inn are something  
14 that you haven't seen yet that aren't there. The  
15 farmhouse is there. We've prepared some little  
16 graphics just to explain a point that might get lost.

17 When you see all these parking spaces on  
18 the plan and you go, whoa, like, this thing just got  
19 way bigger. This is the current -- the overflow  
20 parking lot that Nick's been maintaining and using  
21 for all this time. It's the same area as what's  
22 shown on the final development plan. The area of the  
23 parking lot hasn't changed.

24 What he did do was he's changing the ratio  
25 of gravel and grass, so he's improving more of it so

1 that we can get a proper number of parking counts in  
2 the same spot to meet what we put in the zoning text.

3 So you're not going to see the parking lot  
4 get bigger than what's in that area as part of what's  
5 on the final development plan. So that was just one  
6 point we wanted to kind of address right off the bat.

7 We heard comments about noise, and we can  
8 certainly understand those comments. Let me get  
9 through a couple things here.

10 You know, prior to the rezoning that  
11 started at the end of last year, we only know of one  
12 noise complaint that was received over the  
13 hundred-plus live music events hosted by Henmick  
14 prior to the zoning efforts. Henmick -- I think we  
15 can attribute that to excellent self-policing  
16 practices. If you've been there, it is a tight ship.  
17 I know people that don't go there because it's not  
18 enough of a party scene. You know, it's much more  
19 geared to families.

20 The best way, when you're dealing with  
21 rural levels of noise, noise travels in weird ways in  
22 rural areas. I mean, Bob might know this, but bass  
23 travels different than just pure decibels travel.  
24 And the number one way to reduce noise complaints is  
25 to try to not make loud noise when people are

1 sleeping, and that's been something that's been  
2 important to Henmick since the day those guys opened.  
3 Their operating hours, they're closed at ten. Most  
4 of their live music events stop at nine.

5           They always have a manager with authority  
6 to limit or stop music on site at all times; that's  
7 one of Nick's rules at the place. So they have  
8 somebody that's tracking that.

9           The bass thing I talked about, something  
10 that they realized recently was that they had a new  
11 band that had never been there, they played reggae  
12 music, and the decibel level, the on-site manager  
13 that was there said it was the same, you know,  
14 settings as what they've had before. The bass was  
15 traveling further. And they did some research and  
16 found out that that's a common thing. Bass can go  
17 through walls. Bass can go way further than you can  
18 hear the rest of the music that's audible.

19           Henmick recently contracted a third-party  
20 acoustics expert. They want to assess house rules  
21 that goes to the sound man at every event that says  
22 here's our decibel requirements, here's our bass  
23 requirements. They want to continue to evolve best  
24 practices to make it a place that can manage, I mean,  
25 being a place that wants to draw people, but also



1 trying to be respectful of rural noise.

2 When we talk about the initial  
3 conditional-use variant -- well, actually, if you go  
4 back to the original one to operate the home-based  
5 business, you know, at the time you said that you  
6 wanted to the ability to brew 5,000 barrels a day,  
7 and I think even now at your peak, what are you at?

8 Sorry, 5,000 barrels in a year. But even  
9 now at your peak where are you at on --

10 NICK SHEETS: 800.

11 GARRETT GANDEE: -- on barrels?

12 So 800 a year. They're brewing most of it  
13 for consumption on site. And so they fall so far  
14 under what a, I think it was referred to as a  
15 megabrewery, they are well onto the low side of the  
16 microbrewery. I don't know what the threshold is for  
17 that, but I know it's 15,000 barrels a year or  
18 something like that, but they are on a very small,  
19 almost the nano size of the amount of alcohol that  
20 they brew on an annual basis.

21 He did talk about how the business model  
22 changed going from distribution to on-site.

23 When we talked about, I mean, traffic,  
24 that's a subject where I have a couple slides I can  
25 pull up on traffic.

1           The crosswalk that's going in, some people  
2 wondered if that would be adequate. This crosswalk  
3 has been -- it will be built to Delaware County  
4 engineering standards. It's going to have multiple  
5 engineering controls in place that are above and  
6 beyond what they asked for on a road with the traffic  
7 counts North Old State has, that annualized daily  
8 traffic number.

9           It's going to have the hand signage. It's  
10 going to have the RRFB, which is that rectangular  
11 flashing beacon. It's going to have a signage well  
12 in advance of when you're, you know, entering that  
13 slow-down area.

14           Again, the design was done in compliance  
15 with Federal Highway Administration rules. That red  
16 box is the type of road that we are. We get a little  
17 over, you know, a thousand cars a day on North Old  
18 State when you annualize that number to a daily  
19 amount, and these guidelines are good for up to 9,000  
20 cars. And, again, we meet or exceed the  
21 recommendations for the engineering controls to go  
22 in.

23           Let's talk a little bit about things we're  
24 doing outside of the Henmick project to work on  
25 traffic on North Old State. I totally understand

1 people on North Old State, you're seeing traffic from  
2 a multitude, you know, of places coming, and the  
3 growth in Morrow County has been, you know, crazy,  
4 and a lot of these people are coming down North Old  
5 State to get to Central Ohio. That's a big -- that's  
6 a big driver of traffic.

7 If you look back historically, you'll even  
8 see that they were a little higher before COVID than  
9 they are after. So people leaving the work force and  
10 retiring, and remote work, those types of things,  
11 we've seen those numbers come down.

12 Again, these are examples of the things  
13 that are being considered right now for the area to  
14 address traffic. Again, this is outside of Henmick.

15 In our opinion, any speed studies that  
16 have been done were for a speed zone that's in the  
17 middle of Kilbourne, that 35 miles per hour.

18 We don't see signs of a speeding problem  
19 in front of Henmick, but we're trying to convince  
20 ODOT to get more strict. They don't have to reduce  
21 the speed limit in front of Henmick at all, and they  
22 said the fact that nobody's crashing and they're  
23 speeding through there means the road's probably  
24 safe. It seems like a backwards way of thinking, but  
25 that's how ODOT thinks when they're trying to think

1 about moving people across the state as efficiently  
2 as possible.

3 We're trying to show them that linking  
4 these commercial districts is a good pathway. We  
5 gained a lot of ground on that argument today at  
6 ODOT. It was just a coincidence that meeting  
7 happened to be the same day as this one.

8 But they say that there's a good  
9 likelihood it's going to move the needle, the fact  
10 that the commercial area of Kilbourne is extending a  
11 little bit more now along North Old State. So we  
12 might get a benefit there, too.

13 Let's see what else came up.

14 I think as far as precedent goes, I mean,  
15 if you approve the -- the argument of if you approve  
16 this planned commercial district, well, it's just  
17 going to open the door for the next one. I think if  
18 that was the township's approach to this, then they  
19 wouldn't have the detailed procedures that they need  
20 to follow. They're supposed to consider every  
21 project on its own unique, individual merits, and  
22 they and the zoning commission have been, you know,  
23 put there to do that.

24 So I think that it's speaking a lot that  
25 we -- to this project that, again, we have a known

1 entity. There aren't a lot of unknown answers. We  
2 know what we're going to get.

3 So as far as precedent goes, I think we  
4 have a good case study for the first one. I doubt  
5 the next applicant that comes along is going to be  
6 the exact same as this one, it's going to be judged  
7 on its, you know, its own merits too.

8 Closing up the loopholes. Chris, you  
9 know, he's on BZA, he talked about issues with the  
10 conditional use. Originally, Henmick's original  
11 conditional-use variance to operate as a home-based  
12 occupied business, it allowed it -- it created a  
13 variance, limited him to seven employees. He  
14 followed the terms.

15 We don't have any evidence on the  
16 record -- He didn't even have to go to the BZA for  
17 anything related to his conditional-use permit. It  
18 was related to a parking lot that was deemed not to  
19 be in compliance with the zoning code, that overflow  
20 lot that was created to accommodate those patrons  
21 that were coming.

22 He is not a habitual offender. I would  
23 say that's completely laughable, if you know Nick and  
24 how strict he is with every single rule that we've  
25 had to deal with in our last eight months. So I do

1 think the BZA is doing a good thing by encouraging  
2 him to pursue rezoning. That was the right choice.

3 In this instance, Nick has outgrown the  
4 BZA. It's totally clear. This rezoning, this  
5 process with the final development plan that  
6 accompanies it, it is the closing up of the loophole.  
7 There's no more -- no more wiggle room. What he can  
8 and can't do is spelled out. If he wants to do  
9 something that's substantially different from that,  
10 he has to go through zoning commission for approval  
11 for any substantial changes. It's going to come to  
12 the floor all over again. Again, he's locked in at  
13 this point.

14 So those were the kind of quick hitters to  
15 what I thought I heard tonight.

16 Do you have anything to add?

17 Yeah, when it comes to traffic, the number  
18 one thing that we want to make really, really clear  
19 is that right now everything's in what we call the  
20 preliminary design phase, and that's typical of when  
21 a project is at this point asking for zoning  
22 approval. When zoning approval is done, you go  
23 through final engineering. We're pretty far through  
24 that process already. We have very developed plans  
25 and specifications just in the preliminary phase.

1                   But at the end of final engineering Nick  
2                   is going to completely comply with the Delaware  
3                   County engineering recommendations. And they are  
4                   going to look at everything. They're going to look  
5                   at traffic patterns. They're going to look at  
6                   capacity on North Old State Road, the ability to  
7                   handle people entering and exiting the brewery and to  
8                   safely cross that pedestrian crossing, and those  
9                   details. He is going to comply fully with whatever  
10                  they require.

11                  And, again, he's already committed to  
12                  build the crosswalk and the public connector trail in  
13                  addition to any requirements they might put on him on  
14                  top of that.

15                  Do you have anything else for us?

16                  TRUSTEE SKINNER: Any further comments  
17                  from Nick or Mr. Shade or the rest of the team at  
18                  this point? We will have questions, but anything at  
19                  this point?

20                  (No response.)

21                  TRUSTEE SKINNER: Okay. Does anyone on  
22                  this side of the room need a break?

23                  (No response.)

24                  TRUSTEE SKINNER: The court recorder is  
25                  good?

1 THE STENOGRAPHER: I'm good.

2 TRUSTEE SKINNER: Okay. Seeing that, we  
3 will continue.

4 I'm sure that the four of us up here have  
5 questions, so I've got the mic, I'll just start with  
6 me if that's all right.

7 First, I definitely appreciate the  
8 reduction in the zoning acres from 89 to under  
9 27 acres. That's a big help. And seeing that the  
10 rest of it will be FR-1, that's a big help.

11 Let's see. And whoever on the team can  
12 answer these questions, that's fine. So Buildings D  
13 and C, what exactly are the plans for those  
14 buildings?

15 NICK SHEETS: Those are -- right now  
16 they're just storage for a bunch of -- four  
17 generations of stuff. So my goal is to utilize those  
18 somehow.

19 So Building C, it should be listed in the  
20 uses, that could be used as, like, a barrel  
21 fermentation room, it could be used for additional  
22 space where people could rent out. So C, that's  
23 existing, like a toolshed. So we just want to  
24 utilize it. It's currently not part of our premise  
25 use, so we plan on using that as maybe a gathering



1 space or a barrel storage room or something that  
2 people can use on site.

3 And then D, is that your other question?

4 TRUSTEE SKINNER: Yes.

5 NICK SHEETS: So D is currently a horse  
6 barn, again, not utilized on site. So the goal would  
7 be to -- we talked about food trucks being out front,  
8 what we'd like to do long-term is create a space,  
9 we'd expand it out the back, and a multiuse space.  
10 So a place where people can get out of the rain if it  
11 does rain, if we are outside, we can open it up.

12 If you've ever been to, like, North Market  
13 where they have food vendor courts, where they have  
14 areas inside where people can go, so we give them a  
15 brick-and-mortar, so instead of having a bunch of  
16 food trucks outside, we can move some of those to  
17 inside that building. It would be run by them. So  
18 that's one.

19 The other thing is we have -- a lot of our  
20 fabric of what we do are our markets. Local vendor  
21 markets. We'd like to expand to farmers markets.  
22 Again, that's an area of overflow, kind of flex space  
23 that we can use to, if it rains, put them inside.

24 And we've also put -- we currently have,  
25 like, a small kegerator out there for overflow to

1 help serve. We would also put in bathroom facilities  
2 out there, additional bathroom facilities, and that's  
3 why we need the on-site treatment area across the  
4 street.

5 And, also, it's just a, it's going to be a  
6 good flex space for us where we have food, additional  
7 serving areas, used for vendors, markets, and  
8 additional indoor seating. And that seating is  
9 included in our parking counts too.

10 TRUSTEE SKINNER: Okay. Next question,  
11 and this refers to Signs F and G, which are murals on  
12 the Buildings B and C.

13 NICK SHEETS: Yes.

14 TRUSTEE SKINNER: You're just expecting  
15 that to be approved without us seeing what the murals  
16 are?

17 NICK SHEETS: No. Not at all. I mean, so  
18 C -- I wish I had it. So we had a company come in  
19 and do a master plan for our facility with visuals.  
20 They did all the interior work. C, the plan would  
21 be, if we chose to, would be like a big barn-type  
22 quilt that would be fitting into the area. And B, on  
23 the front of that big white building there is a  
24 planned, which I don't have a rendering of it, which  
25 would be like a mural, a farm mural on the front of

1 that building.

2 So, again, if that's a sticking point, we  
3 can definitely pull those out or I can submit some  
4 kind of a rendering, but yeah, those -- that's what  
5 the plan would be for C and B.

6 TRUSTEE SKINNER: I only question it  
7 because a mural of that size, I think one is 60-by-8  
8 I believe, the other two, two letter Gs are 10-by-10,  
9 that would be a variance application.

10 NICK SHEETS: Okay.

11 TRUSTEE SKINNER: One variance  
12 application, which would be \$750 that the township  
13 could potentially lose out on if we just blatantly  
14 approve that tonight.

15 NICK SHEETS: And I could remove those  
16 from the application here.

17 TRUSTEE SKINNER: I just want our BZA to  
18 be able to see the mural, the proposed mural, instead  
19 of just --

20 NICK SHEETS: Absolutely.

21 TRUSTEE SKINNER: -- paint it on.

22 NICK SHEETS: Absolutely. Understood. I  
23 can do that. We can remove it from these  
24 proceedings --

25 TRUSTEE SKINNER: Okay.

1           NICK SHEETS:  -- and then we can address  
2   it in another format in the future.  It's not  
3   critical.  If they were critical, they would be done  
4   by now.  We were asked to put in as much --

5           TRUSTEE SKINNER:  That will help.

6           NICK SHEETS:  Okay.

7           TRUSTEE SKINNER:  And, let's see, some of  
8   the codes that are in the zoning text, I don't know  
9   how vague they are, but some of them could  
10  potentially include things such as, we heard it  
11  tonight, Costcos and Walmarts.

12          NICK SHEETS:  Yes.

13          TRUSTEE SKINNER:  Can you be more specific  
14  on the codes somehow, and definitely on the intended  
15  uses for everything, the buildings.

16          NICK SHEETS:  So I think the intended uses  
17  for all those buildings are there.  So these are the  
18  permitted uses, right?  So I tried to put in here --  
19  so that Line 2, it's all the miscellaneous retail  
20  stuff, right?

21                 So one of our goals, too, for one of the  
22  buildings you didn't ask about, it's the one up by  
23  the road that's currently a toolshed.  What we would  
24  like to do in the future, is we have some of these  
25  local vendors and markets that sometimes -- I mean,

1 Danielle, you've been to some -- it's probably one of  
2 the most successful markets these people have when  
3 they come out. We're supporting local.

4 So the thought was, is we're selling that  
5 stuff on site, so we want to include those type of  
6 items in as a "use" so it's covered. Plus, the goal  
7 possibly would be to create almost like a retail  
8 store for them on-site at Henmick, since we have so  
9 many people come out, so we give them a space  
10 somewhere where they can sell their goods on site  
11 with a bio on who they are and what they do. So it's  
12 just not a market. So it's like a permanent site.  
13 And so these could be any of these things.

14 And a lot of the market stuff, like fruit  
15 and vegetable markets, we would like to expand to a  
16 farmers market every weekend on Sundays. We would  
17 like to. And so all these other things is just  
18 things that, you know, we sell. Merchandise. We  
19 sell merch. That's our own merch that we wanted  
20 included.

21 Pottery and souvenirs. We sell souvenirs.  
22 Pottery and art. I have a brother who's a professor  
23 out of Northern Vermont, so I want to give him maybe  
24 a space in one of these buildings to do his artwork  
25 and sell his art.

1           GARRETT GANDEE: Yeah, and one point, just  
2 to piggyback on what Nick is saying, is when we're  
3 talking about these uses up here, unfortunately, our  
4 zoning text uses -- and we can get into this later if  
5 we need to -- it uses the NAICS to classify  
6 businesses, and it's the best solution the township  
7 has to try to name all these different businesses.  
8 The census bureau uses it, but it's not concerned  
9 with the scale of the operation.

10           So you see something, you know, in it that  
11 says, you know, I don't know where retail is, you  
12 know, store retail, or retail stores. Yeah,  
13 according to the NAICS, that is Costco or that is,  
14 you know, the smallest little market you can imagine.  
15 I think that's known to people in the room that are  
16 saying Costco and Walmart.

17           Also, if you look at the area that we're  
18 proposing for the BZ district and you look at how  
19 many acres a Costco requires to be built, it's not  
20 even, I mean, Henmick doesn't have enough land in  
21 Brown Township to build Costcos and Walmarts, and  
22 it's not even anything that would fit in the scope  
23 we're doing.

24           Also, these uses, the final development  
25 plan ties these uses to buildings. So if it's not on

1 the final development plan, this is sort of that  
2 catchall for the future, it's in the zoning text.  
3 Not that he's saying he's doing all of these things  
4 right now, he's only asking for a few of them.

5 NICK SHEETS: And some of them, maybe they  
6 would be better defined -- like No. 8, Personal and  
7 Laundry Services, hair, nail, skin. We're not  
8 putting a nail salon in.

9 So if we have this inn and there's a  
10 private event there, or if there's an inn -- Every  
11 Vermont small country inn which I got inspiration  
12 from has a room where they have a spa, right? They  
13 offer spa treatment to their customers. That's  
14 supporting that. It's a personal-care service. It's  
15 a massage, it's getting their nails done, getting  
16 their hair done, whatever that is, that would support  
17 the business.

18 We're not going to put in a nail salon. I  
19 don't want that, you know. It's kind of -- It goes  
20 back to the inn, some of those uses.

21 Most everything else are agricultural  
22 uses, but I wanted to include them to be clear that  
23 there is a possibility that we get back into farming,  
24 but on a smaller scale, in specialty-crops size, to  
25 support some of the, maybe the restaurant at the inn,

1 et cetera. Or maybe cider apples and things like  
2 that. So we're just trying to formalize that and put  
3 that in the, use too, knowing that most of these are  
4 all active uses anyway.

5 And then accessory uses, you know, it's  
6 just kind of a catchall. We have a playground on  
7 site, you know.

8 Auto repair, wash and detailing, that's  
9 for our vehicles that we would use for the property  
10 and allowing us to maintain them on site. We're not  
11 going to put a Jiffy Lube there or anything like  
12 that.

13 So did I answer your question on uses?

14 TRUSTEE SKINNER: Yes.

15 NICK SHEETS: Is there any particular one  
16 you want me to, like, talk about?

17 TRUSTEE SKINNER: What we see there is  
18 what we could potentially get and nothing else,  
19 correct?

20 NICK SHEETS: Yeah. I mean, we -- Yes.  
21 Or we'd have to go through this again, and I don't  
22 want to.

23 TRUSTEE SKINNER: I wanted to point that  
24 out. I mean, there's a lot there. There's a lot to  
25 go through, especially if you start reading all the



1 codes. It can get frightening if you read all the  
2 codes.

3 NICK SHEETS: Everything is there  
4 supporting current and our future business on site.

5 TRUSTEE SKINNER: Okay. Have you noticed  
6 excessive dust from gravel parking lots? Have you  
7 thought about implementing some kind of dust control?

8 NICK SHEETS: I'm used to dusty gravel  
9 roads so, I mean, it's, I don't know if I -- Now,  
10 that was brought up in Regional Planning and they  
11 felt like the distance between neighbors, too, dust  
12 wasn't an issue. But if it is an issue, I can  
13 definitely maintain it. I mean, they do it at the  
14 fairgrounds and stuff. That's something I can do.

15 But I haven't seen -- Maybe an extremely  
16 dry year we've had some dust, but most of that  
17 settles before it hits the neighboring property due  
18 to the space. So I haven't seen, personally, any  
19 issues with this.

20 TRUSTEE SKINNER: So maybe conceptually,  
21 in your mind here, you could potentially do something  
22 to help control that.

23 NICK SHEETS: I'm sure there are companies  
24 that come out and oil or do something like that.

25 TRUSTEE SKINNER: Even just spray it with

1 water.

2 NICK SHEETS: Yes.

3 TRUSTEE SKINNER: And then it would  
4 benefit your attendees as well --

5 NICK SHEETS: Yes.

6 TRUSTEE SKINNER: -- walking through the  
7 dust.

8 GARRETT GANDEE: Are there best practices  
9 for maintaining that?

10 MR. HEYDINGER: We work at some other  
11 large industrial facilities, and dust is a major  
12 issue with equipment and other stuff. So if it  
13 becomes an issue when it's been extremely dry, there  
14 are treatments and stuff we can put down to kind of  
15 either lock in the parking lot or -- or you could  
16 water, it's just that's a very, very short-term  
17 solution. If it's really dry, within a couple hours  
18 it won't impact what it was.

19 So there are other measures that can, if  
20 needed, if it becomes a nuisance, other measures that  
21 can be applied.

22 TRUSTEE SKINNER: Okay. Thank you.

23 TRUSTEE MILEY: Isn't the dust control one  
24 of the things that Regional Planning wanted to put  
25 foliage along the edges, and that's where you wanted

1 a divergence on those?

2 NICK SHEETS: Yeah. So the parking lot in  
3 particular with the trees and the shade. I feel  
4 like, aesthetically, we want to keep that open as a  
5 farm field, and having trees and islands would make  
6 it look more like a parking lot. And so, and I  
7 don't -- I can't remember exactly, but I felt that  
8 even though gravel, the dust from the gravel, due to  
9 the distances they didn't see an issue with that, if  
10 I read that right.

11 GARRETT GANDEE: Charlie's point is  
12 Regional Planning had a comment about whether some  
13 perimeter on the north and south edges, if you could  
14 put in some type of plants that would capture the  
15 dust. I know it's something we talked about at one  
16 point internally, and you said if it was -- your  
17 landscape architect, Edge --

18 NICK SHEETS: Yes.

19 GARRETT GANDEE: -- had said if we needed  
20 to, there were some different grasses and shrubs that  
21 can keep dust down that they could put along just the  
22 north and south edge of the lot if it became, you  
23 know, something like the township wanted to see.

24 NICK SHEETS: Yes. So we have, on the  
25 very south end of our parcel, not part of -- outside

1 the neighbor to the south, Nicole's property, 4179  
2 North Old State Road, we have a full landscaping plan  
3 to buffer her property. I mean, a lot of that is,  
4 obviously, for people who walk across that path.

5 And if that's something where we feel it's  
6 a need to put some kind of planting on the north and  
7 south end to control the dust, I mean, that's  
8 something that I can look at.

9 But I would want to extend that to the  
10 northern part of our properties, of our parcels, if  
11 that's the case. I would want to not put it right  
12 there at the parking lot, I would want to put it all  
13 the way up to the north on the north end of our  
14 parcel, if that's something to consider.

15 But, I mean, I don't know if I answered  
16 your question.

17 TRUSTEE SKINNER: It did. It was also  
18 more than just the dust. It might help the noise  
19 from traveling that far, because we know it travels  
20 across the road, and on the north and south  
21 boundaries of your parking area on the west side, if  
22 you have some kind of screenings/plantings there,  
23 screening-type landscaping, grasses, whatever, it  
24 might help to catch some of that noise and dust.

25 NICK SHEETS: And the big reason why we

1 really shied away from having plants over there was  
2 because we wanted to keep that open-field look and  
3 maintain that, and -- from aesthetics. And if we put  
4 border plants around that, then it really will look  
5 like a parking lot. But understood.

6 TRUSTEE SKINNER: I'm sure the farmer  
7 would like that to remain open.

8 NICK SHEETS: I'm sure Doug doesn't want  
9 to go around arborvitae.

10 (Laughter.)

11 NICK SHEETS: Where is he?

12 TRUSTEE SKINNER: But some small screening  
13 may help.

14 And then trees. I don't see a problem,  
15 you know, you're required to have a certain amount of  
16 trees in islands in parking lots. So the west side,  
17 you've got islands with landscaping there.

18 NICK SHEETS: Yes.

19 TRUSTEE SKINNER: So I'm okay with the  
20 trees not being there. But trees along the frontage  
21 of North Old State, you're requesting zero trees, and  
22 I believe our plan -- I don't think I wrote it  
23 down -- was you were required to put in 40?

24 TRUSTEE MILEY: 35 or 40.

25 TRUSTEE SKINNER: 35 or 40 trees. I think

1 maybe I would at least like 20 trees instead of the  
2 40.

3 NICK SHEETS: So you're talking on the  
4 east -- west side of North Old State?

5 TRUSTEE SKINNER: I think both sides of  
6 North Old State are supposed to have landscaping.

7 NICK SHEETS: Because I know we have  
8 existing ones that are in between -- we have some.  
9 And the plan for the inn --

10 Do we have the landscape plans?

11 Can we pull up the landscape plan real  
12 quick?

13 TRUSTEE SKINNER: Yes.

14 And I know it's required to have, like, a  
15 10-foot mound, and a fence, and landscaping, and  
16 trees, and I don't feel like we need all of that, but  
17 I do feel like we need a few trees along the road  
18 frontage.

19 NICK SHEETS: And I am not against adding  
20 trees. If you just want to -- if there's some line  
21 of sight --

22 GARRETT GANDEE: Aaron will be the one to  
23 talk about this.

24 TRUSTEE SKINNER: Okay.

25 GARRETT GANDEE: We went back and forth on

1 this quite a bit internally.

2 TRUSTEE SKINNER: Okay.

3 GARRETT GANDEE: Not because we hate  
4 trees.

5 TRUSTEE SKINNER: And while you're finding  
6 that, what's your timeline on the three stages?

7 NICK SHEETS: Three stages. So, to be  
8 honest, the inn will be the absolute last thing I do.  
9 I think it's got probably, you know, what I'd like to  
10 do is extend the horse barn, D, first, because that's  
11 just going to have a better experience for our  
12 customers. It's going to get -- That would be the  
13 first thing, D.

14 And then the inn would be the absolute  
15 last thing I do. I mean, sitting here talking to you  
16 now, it depends on some future projects, but the inn  
17 is the last thing, because when we're asked to come  
18 up with this plan and submit a zoning application, we  
19 have to pull out all these ideas of what possible  
20 future uses we want, and this is one of the ones that  
21 was in my head, but we had to somehow put it on  
22 paper.

23 And so, in terms of timing, the horse barn  
24 expansion or the one building where we have the food  
25 court would be the first thing I would do, but the

1 inn would be the absolute last thing.

2 TRUSTEE SKINNER: Are you thinking six  
3 months? One year? Two years? Five years?

4 NICK SHEETS: Okay. That's a tough  
5 question.

6 TRUSTEE SKINNER: I know. I know. I just  
7 want kind of a timeline.

8 NICK SHEETS: I would say, as everybody  
9 knows, we have some other projects that we'd like to  
10 do that's not related to this project right now, so I  
11 don't want to talk about them too much, those have  
12 more of a precedent over these.

13 But I would imagine, depending on those  
14 outcomes, we would probably do Building D expansion  
15 within a year, because it's going to take a while,  
16 because it's going to have to go through the building  
17 department since it's a commercial building. So I  
18 would consider that probably a next year type  
19 project, if I had to tell you.

20 And then the inn/hotel, again, it really  
21 depends on other projects we have planned, which  
22 isn't part of this meeting. That one could be five  
23 years. It could be three. I don't know. I can't  
24 answer that question in terms of the timeline.

25 TRUSTEE SKINNER: And hours of the inn.



1                   NICK SHEETS: Yeah. So hours of the inn,  
2 I don't know either what those will be, because you  
3 think about if we only open -- we're only open  
4 Thursday through Sunday for a reason, because we will  
5 not have any business Monday through Wednesday. So I  
6 feel like the inn for our guests would have those  
7 same type hours, but I can't answer that question for  
8 sure because we don't know. We haven't vetted the  
9 entire business process out yet.

10                   And then if the inn is open earlier in the  
11 week, maybe it's for businesses or corporations to  
12 have retreats and stuff, but I can't answer that  
13 question right now.

14                   TRUSTEE SKINNER: Okay. Just my last  
15 thing before you get to the trees, I checked with the  
16 health department, Dustin Kent in the health  
17 department, and he says this plan is right in line  
18 with the typical planned commercial district rezoning  
19 building timeline. He knows they haven't seen this,  
20 you have areas marked out, but -- there's not been  
21 any review, but this is very typical. So I'll let  
22 you talk about the trees, and I'm going to pass the  
23 mic.

24                   NICK SHEETS: Trees. So --

25                   GARRETT GANDEE: From the engineering

1 side.

2 NICK SHEETS: Yeah, from engineering, do  
3 you want to talk about those?

4 GARRETT GANDEE: The internal debate we  
5 had at the office when we were talking about the  
6 trees on the west side of North Old State, and maybe  
7 the trustees can weigh in on how they feel about  
8 this, but one concern was, you know, trees on the  
9 west side of that road, you know, the 55-mile-an-hour  
10 road, unless we can get it lowered, one concern was  
11 we have people driving into, then, like what we said  
12 happened on Kilbourne Road, but the one that really  
13 kind of made us a little leery was we were afraid  
14 that trees were going to further obscure pedestrian  
15 sightlines with the crossing.

16 So we like trees. They look good. They  
17 might not be exactly what that farm has always had  
18 there and it might, you know, contribute to that.

19 That was the thing that really led us to  
20 ask for the divergence where if we have, you know,  
21 trees lining this side of the road and people trying  
22 to cross. Right now drivers can see up that  
23 intersection everything coming for a long, long way,  
24 and the more things that we plant in that  
25 right-of-way, the riskier we think it becomes. And

1 maybe it's unnecessary given that it's always been a  
2 farm.

3 We've changed the character of it more by  
4 adding trees, I think, in this case on this  
5 particular spot, than we would by not doing it.

6 NICK SHEETS: Again, I'm not against  
7 trees. If you would like to see trees on either side  
8 where the proposed inn is, or on the west side of the  
9 road, I'm open to putting trees, but we didn't do  
10 that for what Garrett discussed.

11 TRUSTEE SKINNER: And I definitely would  
12 want trees up near Henmick. It's just there's too  
13 much there right now, too cluttered, too crowded for  
14 pedestrians and drivers. But definitely want to see  
15 them more towards the south.

16 NICK SHEETS: So going that way?

17 TRUSTEE SKINNER: Yes.

18 NICK SHEETS: On both sides of the street?

19 TRUSTEE SKINNER: I think so. In my  
20 opinion, it could slow traffic a little bit. I see  
21 your point. I see your point, it could hinder the  
22 view for drivers and pedestrians, but it could also  
23 pinpoint and slow traffic. It's something we can  
24 discuss.

25 NICK SHEETS: Yeah. I'm for trees, we

1 just wanted to make sure it didn't provide a -- or  
2 didn't -- there wasn't a bigger safety concern with  
3 having them on the west side.

4 TRUSTEE SKINNER: Okay.

5 TRUSTEE MILEY: Don't trees kind of  
6 provide a traffic-calming device a little bit?  
7 People tend to drive a little slower when you've got  
8 trees on both sides of the road?

9 NICK SHEETS: I have no idea, but --

10 GARRETT GANDEE: I guess this topic was a  
11 lot of debate. I mean, Aaron, the engineer, had this  
12 visceral reaction to it going: We're trying to  
13 enhance pedestrian safety, and then you say there are  
14 hiding places. But, again, just understand there's a  
15 lot of -- that's why I said maybe you guys can help  
16 us think that one through, but that's our position.

17 NICK SHEETS: I am not against trees, and  
18 if that's what you want to see, all for it.

19 GARRETT GANDEE: And just going back to  
20 the dust, I found the Regional Planning note, they're  
21 saying -- it looks like their comments are really as  
22 long as the dust from the gravel is managed and  
23 doesn't negatively impact people, they're probably  
24 okay with it as is.

25 We don't know, maybe -- Do you know of any

1 dust tolerance complaints from the parking lot?

2 NICK SHEETS: No.

3 GARRETT GANDEE: So to date it's been  
4 good.

5 NICK SHEETS: So any complaint would  
6 probably come from us, the adjacent parcel owners, so  
7 we're -- I've seen it. It usually stays within our  
8 property.

9 TRUSTEE SKINNER: Okay.

10 NICK SHEETS: And if there is some  
11 complaints, then we'll definitely address them.

12 TRUSTEE SKINNER: I'll pass the mic. Do  
13 you want to go next?

14 TRUSTEE STEGNER: Gary Stegner.

15 Getting to your inn, you're talking about  
16 putting in a restaurant, do you know, are you  
17 thinking about hours on that? Is there going to be a  
18 bar in there also?

19 NICK SHEETS: Yeah, to service the  
20 restaurant there would be. We're allowed, per our  
21 liquor license, to have two on-site bars, maybe even  
22 more if it's remote. But, yes, it would.

23 And hour-wise, I can't answer that  
24 question what I think those hours will be at this  
25 point.

1 TRUSTEE STEGNER: Is there plans to have  
2 music and bands there also?

3 NICK SHEETS: No. Only at the brewery.  
4 The inn concept in my head is this quaint Vermont,  
5 country inn with rooms, and every one I've been to  
6 have, like, these little tavern/restaurants in the  
7 basement to service their guests and others. And so  
8 it's going to be different concept. It's not going  
9 to be as much entertainment, it's going to be a  
10 little more formal. It's going to be a little less  
11 family friendly.

12 So inside that inn, no, we have no plans  
13 on having additional music in there. I can't say  
14 somebody playing inside won't happen, but all the  
15 music entertainment for Henmick will stay at the  
16 brewery.

17 TRUSTEE STEGNER: Okay. Another question,  
18 you know, the parking lot you have on the west side,  
19 we've never been in favor of it, and it was never in  
20 the plan to start with. How much occupancy permit  
21 are you allowed to have there now?

22 NICK SHEETS: Inside, I forget the total,  
23 240-some.

24 TRUSTEE STEGNER: And for the whole  
25 property?

1                   NICK SHEETS: For the whole property,  
2 there's no occupancy permit for outside areas.

3                   TRUSTEE STEGNER: So it doesn't matter how  
4 many on it, but no more than 240.

5                   NICK SHEETS: Inside.

6                   TRUSTEE STEGNER: Inside.

7                   NICK SHEETS: Yeah. And our seating  
8 itself inside -- So let's take the winter when  
9 everybody's inside, we have tables and chairs that  
10 accommodate, I would say, in our main barn 80, and  
11 that's 140 occupancy. And then in the taproom we  
12 have about, I'd say 60, and that is, don't quote me  
13 on this, I forget, maybe like 80. So by the tables  
14 we limit the occupancy.

15                   But in the outside areas in the summertime  
16 there's no occupancy, and so our parking counts are  
17 dictated by all of the picnic tables we have outside  
18 and things like that.

19                   Is that correct?

20                   Yeah, it is.

21                   TRUSTEE STEGNER: So how many parking  
22 spots is available right now?

23                   NICK SHEETS: If you just look at --

24                   TRUSTEE STEGNER: The gravel.

25                   NICK SHEETS: -- the grass -- Just gravel?

1 TRUSTEE STEGNER: The gravel and grass, I  
2 guess.

3 NICK SHEETS: And grass.

4 TRUSTEE STEGNER: Because grass is for  
5 overflow.

6 NICK SHEETS: Aaron, do you know?

7 AARON HEYDINGER: Proposed?

8 NICK SHEETS: No. Current.

9 Gary, you're talking current, correct?

10 TRUSTEE STEGNER: Correct.

11 NICK SHEETS: I think there's a  
12 distinction, too, with the gravel and the grass as to  
13 how efficient people park.

14 (Laughter.)

15 NICK SHEETS: If we have 400 spots on  
16 paper, there's only 200 cars able to park in there  
17 because people tend to -- and that's just the nature  
18 of not having lines on the ground.

19 TRUSTEE STEGNER: Correct.

20 NICK SHEETS: And so we're going to tell  
21 you that number, but unless we have parking  
22 attendants out there, which we typically don't, it's  
23 probably like half of that because people take 5  
24 feet, 10 feet between their cars.

25 TRUSTEE STEGNER: Because I was just



1 wondering if the -- the proposed new parking, from  
2 what I'm reading here, you're proposing another 160  
3 spaces. Would that be adequate enough as of right  
4 now to handle what you have on the east side of the  
5 road if you added that east parking lot now?

6 NICK SHEETS: If I had it now?

7 TRUSTEE STEGNER: Yeah.

8 NICK SHEETS: No, it would not be enough  
9 space. In order to give us enough parking space,  
10 we'd have to take out the farmhouse and all the green  
11 areas, a lot more green areas, because that parking  
12 lot --

13 What's the east? How many spots are in  
14 the east?

15 GARRETT GANDEE: He's cranking the numbers  
16 for you.

17 AARON HEYDINGER: Currently, so between  
18 what is on site today with all the overflow, I can't  
19 find it exactly, but it's approximately 540 spaces,  
20 and the full build-out of this plan -- this is  
21 parking across the full build-out of formalized  
22 spaces, and then you add 110 to that upon adding the  
23 southeast part.

24 TRUSTEE STEGNER: So the southeast part  
25 would be another 110 parking?

1           AARON HEYDINGER: That's correct.

2           NICK SHEETS: And that's going to cover  
3 the inn.

4           TRUSTEE STEGNER: Just the inn itself.

5           NICK SHEETS: Yeah. So those people going  
6 in there --

7           TRUSTEE STEGNER: In the restaurant.

8           NICK SHEETS: -- are going to have the  
9 parking there. And it's, I know if we're looking at  
10 that area as a possible way right now, there's just  
11 not enough spots. We would still need more across  
12 the street.

13          TRUSTEE STEGNER: Okay.

14          TRUSTEE MILEY: How can you justify 110  
15 parking spots for an 18-room inn?

16          NICK SHEETS: Because of the restaurant.

17          TRUSTEE STEGNER: The restaurant.

18          NICK SHEETS: It's the restaurant. It's  
19 based on the seats inside the restaurant. It's based  
20 on the -- There are meeting rooms too. So if people  
21 want to have, like, a meeting or a reception there,  
22 there's areas for that. That all leads us to the  
23 counts for that parking lot.

24                 So it's just not the rooms. It's the  
25 tavern, it's the restaurant, it assumes so many

1 people per car, and that's where we came up with that  
2 parking lot.

3 GARRETT GANDEE: It's all the workers,  
4 too.

5 NICK SHEETS: It's workers.

6 TRUSTEE MILEY: But that could be open all  
7 week long.

8 NICK SHEETS: It could.

9 TRUSTEE MILEY: The inn and everything.

10 NICK SHEETS: It could. I'm not denying  
11 that.

12 TRUSTEE MILEY: I just see that's a huge  
13 number of cars possibly being there. I mean, I've  
14 got a picture of when the eclipse happened, and it  
15 was --

16 NICK SHEETS: I think that we need to,  
17 like, that was a one-time event. We learned from  
18 that. And that was an extreme.

19 TRUSTEE MILEY: It was, but it's something  
20 that could happen again. I mean, some event like  
21 that could happen. If you're going to add another  
22 110 spaces south of that, you know, just, I see it as  
23 too much additional traffic on North Old State.

24 TRUSTEE STEGNER: How much additional  
25 lighting is going to be needed?

1                   NICK SHEETS: I think we have --  
2 Additional lighting?

3                   TRUSTEE STEGNER: Well, I'm sure you're  
4 going have to light the parking lot. Correct?

5                   NICK SHEETS: Correct. Yes. In the  
6 islands we have plans for lights in those lots, yes.

7                   TRUSTEE STEGNER: And is it downward  
8 lighting?

9                   NICK SHEETS: Yes. I think by code it has  
10 to be.

11                  TRUSTEE MILEY: I did read that someplace.

12                  AARON HEYDINGER: So the south parking lot  
13 has lights in each interior island, and the other  
14 lighting is the islands adjacent -- the first row  
15 adjacent to North Old State, and the other ones are  
16 along North Old State specifically to provide safety  
17 for the crossing area. You need to provide the  
18 opposite, so that it shines on the people, not over  
19 top, because then they just turn into a shadow and  
20 can't be seen.

21                         So it would be adjacent to the crossing so  
22 that's properly lit, adjacent over here.

23                         What we've heard in our meetings is people  
24 don't want that parking lot on the west side turned  
25 into a giant lit parking lot. It will all be downlit

1 per code, but we're going with it to what is its  
2 core, it's just those first few rows is kind of what  
3 is gravel today, that will get lighting. And then  
4 the south parking lot would get lighting. That's the  
5 extent of the proposed lighting, exterior, for  
6 parking lots.

7 TRUSTEE STEGNER: And there will only be  
8 one crossover from that parking lot to the brewery.

9 NICK SHEETS: Yes. One pedestrian  
10 crossing because if the inn goes in, all the parking  
11 needed is on that side of the road.

12 TRUSTEE STEGNER: And then, yeah, they can  
13 just walk over to the brewery.

14 NICK SHEETS: They can cross over to the  
15 brewery, or vice versa. And we've already started  
16 some of the safety things too, all the fencing to  
17 funnel people, even in front of the food court, those  
18 gates are mostly up to get people funneling to that  
19 crosswalk.

20 GARRETT GANDEE: You can see here what  
21 he's just put in on his own to date. And then the  
22 whole goal is, you know, people are going to take the  
23 shortest path across the road, and we all have known  
24 that from day one. And so getting them to that, what  
25 will become that approved crossing point, is one

1 goal.

2           And then even those areas, like if you  
3 have a yard and you try to park a car inside of it,  
4 and you know how hard it is to move vehicles in and  
5 out, I mean, he's put in the rolling gates to keep  
6 that area secure. And then those have all recently  
7 been finished.

8           NICK SHEETS: Yeah.

9           GARRETT GANDEE: So food trucks can get  
10 in, then you can complete the fence behind them,  
11 because that's another one of those little points  
12 that people were probing.

13           NICK SHEETS: It's where people  
14 congregate, the food trucks, and we tried to address  
15 that.

16           So you asked if the eclipse will ever  
17 happen. How many years?

18           TRUSTEE SKINNER: A hundred.

19           TRUSTEE MILEY: We're not talking about  
20 another eclipse necessarily, but there could be some  
21 kind of event.

22           NICK SHEETS: So, if you noticed, some of  
23 our larger concerts we had ticketed in the past, and  
24 that's purely for crowd control and parking control.  
25 We missed the eclipse, that's all I'm going to say.

1 We should have had it ticketed. We didn't. And we  
2 missed.

3 TRUSTEE SKINNER: I lied. I have another  
4 question. The buildings behind the courtyard of the  
5 inn, what are those?

6 NICK SHEETS: They're like little  
7 shelters, outdoor shelters. So places where people  
8 can just hang out.

9 TRUSTEE SKINNER: Okay.

10 NICK SHEETS: Like open sided.

11 TRUSTEE SKINNER: Open sided?

12 NICK SHEETS: Yeah. Part of the  
13 courtyard.

14 TRUSTEE SKINNER: A roof -- Okay.

15 NICK SHEETS: Yeah.

16 TRUSTEE STEGNER: Plans are to run your  
17 sewage under Old State Road?

18 NICK SHEETS: Yes. The goal is to have  
19 the septic fields across the street, which would put  
20 them further away from the creek too, but we want to  
21 have -- So Building D and the inn would feed to a new  
22 septic system across the street under the road in  
23 that proposed on-site treatment area. Which we did  
24 have some soil studies done too, and they would be  
25 approved for treatment in that area.

1           And then the proposed secondary on-site  
2 treatment, that's for the brewery if we ever wanted  
3 to have -- we need a secondary site, we would put it  
4 over there. And that area has also been soil sampled  
5 and it is approved for leach fields.

6           TRUSTEE STEGNER: Okay.

7           NICK SHEETS: Yes. I want to bring the  
8 waste this way. If 50 years from now there is  
9 sanitary sewer, they can connect to it then.

10          GARRETT GANDEE: Gary, in answer to your  
11 question from a while back, Aaron got the official  
12 numbers. The current fully parked is 542, with the  
13 inn's 110 spaces it comes to 652.

14          TRUSTEE SKINNER: Adding 110 spaces.

15          TRUSTEE STEGNER: Okay. Thank you.

16          NICK SHEETS: Until then, it's grass and  
17 gravel.

18          TRUSTEE STEGNER: That parking lot will  
19 also be gravel?

20          NICK SHEETS: No. That would be paved.

21          TRUSTEE STEGNER: That would be paved.

22          NICK SHEETS: That will be blacktopped.

23          TRUSTEE STEGNER: Okay.

24          Charlie, do you have anything?

25          TRUSTEE MILEY: It would be more parking



1 spaces than anyplace else in the township and most of  
2 the resident -- or, most of the businesses in  
3 Delaware, except maybe Meijer.

4 GARRETT GANDEE: We were getting ready for  
5 this meeting, I don't know, maybe a week ago, and we  
6 were talking with you, and you said that you know  
7 what you liked and how big you'd like the crowd to  
8 get --

9 NICK SHEETS: Yes.

10 GARRETT GANDEE: -- and you mentioned the  
11 eclipse to us, and you said, you know, "I can't  
12 imagine it again," and then you immediately said "It  
13 happened."

14 NICK SHEETS: Yes.

15 GARRETT GANDEE: He wanted to make sure  
16 with us that we designed a parking lot that can  
17 accommodate the crowds that he believes Henmick can  
18 handle, and that's this lot.

19 And you also said to us that you wouldn't  
20 have any event, you know, you were going to use  
21 ticketing as a control measure, but also, you just  
22 aren't simply, as a business owner, going to permit  
23 people to create their own parking spaces, to go  
24 outside of your designated parking area and park  
25 along North Old State Road. At that point you would

1 limit access to the facility, when all of your proper  
2 parking spaces were utilized.

3 NICK SHEETS: Uh-huh.

4 GARRETT GANDEE: Is that -- Did I get that  
5 right?

6 NICK SHEETS: I think.

7 So I know what number of people, like a  
8 large concert, and so that number, I know we can  
9 safely put everybody in that lot with attendees,  
10 which we do for those.

11 I think the, like a North to Nashville  
12 concert, that's probably, it was probably like 1100  
13 people, per tickets, and we could safely park all  
14 those cars in that lot for that event. And so if  
15 there's enough -- And, plus, we have to service those  
16 guests. That would be probably about that sweet spot  
17 where we would want to maintain. Again, the eclipse  
18 was an anomaly, and we wish we would have ticketed  
19 that.

20 TRUSTEE SKINNER: I want to hear -- Is  
21 that on? Ooh. That's on.

22 I want to hear from someone whose opinion  
23 I respect highly, our zoning inspector. It's all on  
24 you. Questions? Concerns?

25 MR. LISANO: Sure. Maybe just to dig in a

1 little bit deeper into some of the initial concerns  
2 that we've heard, most of them started with the  
3 parking lot and things like that, and we talked about  
4 those, I don't think we have to talk about that  
5 anymore; we touched on downlighting in the parking  
6 lot, that was a concern by some of the residents; and  
7 we talked about murals and signage, and I think we  
8 can handle that separately.

9 In the past we've had the big-ticketed  
10 events, the big-tent events I think you referred to  
11 them as, do you see those starting again now or --

12 NICK SHEETS: My intent would be to have  
13 those tented festivals. That's part of the fabric of  
14 who we are. And even, like, we have the Ohio Craft  
15 Distillery who has an annual event, because we have  
16 the space for it with a large tent, it's a larger  
17 crowd, and they leave, and another group comes in.

18 But part of what we want to do is have, we  
19 talked farmer markets and things like that. We do  
20 want to have the ability to have tented events in  
21 that area, and so, yes, we would like to continue  
22 those.

23 MR. LISANO: Okay. And I do want to  
24 commend you for the efforts that you've done so far  
25 with the cross-walking, the crossing guards, your

1 hours of operations, and vast improvements. Again,  
2 can you talk about that a little bit as far as what  
3 you see during the big-ticketed events from, I'll  
4 say, a safety and security standpoint?

5 NICK SHEETS: So the hope is that we get  
6 that pedestrian crossing in, and that would help. I  
7 know at large events, too, that we've had a -- the  
8 crossing guard out there currently, it depends on the  
9 guy you get, you know? And he's there, and he  
10 can't -- And I've told him, you know, you cannot stop  
11 traffic. You tell our guests to watch out for  
12 traffic.

13 And so the hope is that that pedestrian  
14 crossing with the blinking lights will help  
15 facilitate that safe crossing in addition to that  
16 possible speed-limit reduction.

17 Does that answer your question?

18 MR. LISANO: I think so.

19 NICK SHEETS: All right. If not, please.

20 MR. LISANO: Then just a little more  
21 detail on the parking lot. As it exists today, we  
22 know it's gravel. Do you ever see that being  
23 blacktopped?

24 NICK SHEETS: I would not like to, just  
25 from the aesthetics. I mean, I don't see there's any

1 reason we would ever need to blacktop that. We can  
2 control snow with a snow pusher. You know, people  
3 can just drive on snow. And we don't need that big a  
4 space in the winter. We use it -- It's a flex space.  
5 We use it when it gets nice out and more people come  
6 out.

7 So I would not ever want to blacktop it  
8 unless there's a reason why I should.

9 MR. LISANO: That's what I was hoping  
10 you'd say. I just wanted to hear you say it.

11 NICK SHEETS: I want to keep it gravel. I  
12 don't want blacktop out there.

13 MR. LISANO: I think that covers all my  
14 concerns.

15 TRUSTEE SKINNER: Are you sure?

16 MR. LISANO: Yeah.

17 TRUSTEE SKINNER: Okay. Cory, anything to  
18 add?

19 How's it going? How we doing?

20 MR. GOE: Just wonderful.

21 Probably not my position to ask questions,  
22 so I don't really have anything unless there's a  
23 question of me. But I don't think it would probably  
24 be proper for me to give any input in terms of the  
25 specifics of this, but if there are any more legal

1 questions or anything along those lines, I would be  
2 happy to help.

3 TRUSTEE SKINNER: I know one question that  
4 some of the members of the crowd would like answered,  
5 can we turn this down, or do we have to approve it?  
6 What are we legally abided to do?

7 CORY GOE: In terms of the whole plan?

8 TRUSTEE SKINNER: The whole plan, yes.

9 CORY GOE: Well, you're not going to like  
10 this answer, but the statute that really takes effect  
11 here is 519.12, and the guidance it gives is that you  
12 can approve the plan, or adopt the recommendation  
13 that was given to you by the commission prior, you  
14 can deny the plan, or you can approve with  
15 modification.

16 So really what that boils down to is that  
17 the trustees have the ability to pretty much do  
18 whatever you want when it comes to this. You can  
19 approve the whole thing that was recommended to you  
20 by the commission, you can deny the whole thing and  
21 it's just denied, or you can approve what was  
22 recommended to you with certain modifications based  
23 on the discussion today, the plans that were  
24 presented, whatever the trustees want to see in terms  
25 of changes to that, you know, the plan that's been

1 provided.

2 So it gives the trustees, it gives all of  
3 you, the opportunity to, I don't want to say do  
4 whatever you want, but make any changes, approve the  
5 whole thing, deny the whole thing, make certain  
6 changes. It gives you the leeway to do those things.

7 TRUSTEE SKINNER: And what would happen if  
8 we deny the whole thing?

9 CORY GOE: Well, I don't want to talk  
10 about -- If you want to deny the whole thing, I can't  
11 speak in terms of any legal ramifications that the  
12 petitioner or the person that -- Mr. Sheets or the  
13 company might want to be able to look at or do.  
14 Certainly there are legal means that they may be  
15 willing to take, I can't really speak specifically  
16 about those.

17 What I can say is that the statute does  
18 provide that if it is approved, either completely as  
19 it's been recommended or approved with modifications,  
20 there is the ability for the members of the township  
21 to seek what's called a referendum, it's in the  
22 statute, 519.12, which involves the people that live  
23 in the township, a certain number collecting  
24 signatures, ultimately it would go on the ballot and  
25 would allow people to vote on whether the plan would

1 proceed.

2 So that's sort of another option in terms  
3 of if the plan is recommended in any capacity, the  
4 statute provides for that referendum opportunity.  
5 Anyone in the township would be able to go and get  
6 signatures, there would be a certain amount of  
7 signatures depending on how many people voted in the  
8 last governor election that they would need to meet.

9 That would then go to the trustees for  
10 certification which, basically, you would look at  
11 there are signatures, there's a map accompanying the  
12 petition, that would then get certified to the board  
13 of elections, and then there's kind of other avenues  
14 that it could take at that point, which I can  
15 certainly give you those specifics if you want those,  
16 but just a general sense, that's kind of the path it  
17 would take. If there's an approval in any capacity,  
18 there is a ability for members of the township to  
19 seek what's called referendum.

20 TRUSTEE SKINNER: Who pays for the  
21 referendum, residents or township?

22 CORY GOE: I think it would be the  
23 township. So, obviously, going and getting the  
24 signatures, that would be the time of getting  
25 whomever individual or group of individuals that want



1 to go and get signatures. But in terms of it going  
2 on the actual ballot, I don't know, but I believe  
3 that would be the township that would be footing the  
4 bill in terms of getting it on the general election  
5 ballot.

6 TRUSTEE SKINNER: I just want to say that  
7 having legal ramifications is probably not the best  
8 uses of public funds. We are running a township with  
9 your guys's tax dollars. And I have no idea how  
10 expensive a referendum could be, I've never had to go  
11 through it, I have no idea the cost, I don't know if  
12 that would be good use of the township money, but  
13 it's certainly the right of our residents.

14 I just wanted to point out all of those  
15 options so everyone was aware of everything that  
16 could potentially happen.

17 So, obviously, maybe we need more  
18 information. Maybe we continue this.

19 TRUSTEE MILEY: I've got some more  
20 questions.

21 TRUSTEE SKINNER: Okay. Charlie, you go  
22 ahead with your questions.

23 TRUSTEE MILEY: When this was presented to  
24 Regional Planning, it was originally the large lot,  
25 and Regional Planning looked at it and, of course,

1 they had the deviations and stuff, but they  
2 recommended denial. And then during the hearing your  
3 lawyer at that time tried to change the acreage, and  
4 they refused to accept that.

5           Shouldn't this go back before Regional  
6 Planning for additional comments? It might not, but  
7 I think I would feel more comfortable if we had a  
8 recommendation from Regional Planning.

9           Hi, Mr. Shade.

10           DAVID SHADE: Greetings. Well, you've  
11 done it. I always consider that I'm the most  
12 eloquent when I don't say a single word in a meeting.

13           (Laughter.)

14           CORY GOE: I got thrown under the bus, so  
15 here you go.

16           DAVID SHADE: So, in my experience, and  
17 I've been doing this for a very long time, it's not  
18 uncommon at all. Regional Planning looks at these  
19 things very, very narrowly. I would say it's not all  
20 the time, but probably a significant percentage of  
21 the time townships ask things that Regional Planning  
22 doesn't approve. There's no facility that I know of  
23 to go back to Regional Planning.

24           So, I have come into this just recently,  
25 and as we looked at the text, I was very

1     uncomfortable with making a lot of changes to the  
2     text from what the planning commission approved, but  
3     at the same time, I would say to you the applicant is  
4     very willing to change some of the things you've  
5     talked about.

6                     I'm not a big fan of the NAICS  
7     methodology. I understand why townships do it, so  
8     you don't have to have a 10,000-page zoning  
9     resolution. But at the same time, it causes you to  
10    stick all these little code numbers in that I don't  
11    find to be especially helpful, and I think we could  
12    modify the text a little bit on that.

13                    But the point is, that if this plan is  
14    approved, it's going to be approved in these  
15    parameters (indicating). And if we want to change  
16    that, or if Nick's family wants to change that,  
17    they're going to have to come back here, and that's  
18    the advantage of a planned commercial district.

19                    I don't know why most municipalities or  
20    townships -- I'm sorry, I'm a little raspy.

21                    I know a planned district is really kind  
22    of in everybody's best interest, I think, because if  
23    you want to change it, you're going to have to come  
24    back and talk about it.

25                    You've got the document outline. I

1 believe that it conforms and it's unique. This  
2 property is situated, you know, if you look at Zone 3  
3 under the -- under the --

4 TRUSTEE SKINNER: Comprehensive.

5 DAVID SHADE: -- under the comprehensive  
6 plan, it talks about 1600 feet north of 521. Well,  
7 that's into this property. So we're right there.

8 And I have two clients that joined in the  
9 Evans Farm thing down in Berlin and Orange Townships,  
10 so I followed that a little bit. That township,  
11 Orange Township, wants to have a village. Well, if  
12 you drive in there, it's no village.

13 You have a village here that could be made  
14 to be a wonderful place, and I think some of the  
15 folks have alluded to it, that it is better now than  
16 it was, with Henmick. Every business that comes in  
17 will help make that village stronger and help make it  
18 recover.

19 And as you see 521 out near Delaware  
20 starting to get busier and busier, and it takes ten  
21 minutes longer to get to Meijer, or 15 minutes longer  
22 to get to Meijer, it might be pretty nice to have a  
23 little grocery store. That can happen with this kind  
24 of thing. And it goes hand in hand -- and many of  
25 the folks here talked about what a wonderful addition

1 it has been.

2 I've practiced law for 51 years, I don't  
3 take every case, but I remember Nick's grandmother,  
4 Virginia, I remember his dad, and when I met him,  
5 these guys came to my office and we talked, and he's  
6 a man of his word. He's a man of principle. He's  
7 going to do what he says. He's going to run a good  
8 operation.

9 You have an advantage here that you don't  
10 usually have. If you had a set of plans coming in  
11 here from somebody who you didn't know to build this  
12 from scratch, it would be lot harder decision, I  
13 think. But you, in fact, you know what's going on.  
14 You can see that it's been done well. You know that  
15 he tries to do the right thing.

16 And we're happy to talk about making  
17 modifications to make it a little better for you to  
18 meet concerns, but we most assuredly think that it's  
19 in conformity with the comprehensive plan, and I can  
20 go through all the legal aspects of that, and it's in  
21 conformity with your zoning code, and we think that  
22 it's a great thing for your township.

23 So, any more questions?

24 TRUSTEE MILEY: I'm not opposed to it at  
25 all, I'm just trying to -- my wife was trustee when

1 Augspurger's on 42 went commercial, and it caused a  
2 lot of trouble for the township as time went on  
3 because things weren't listed specifically enough.  
4 And that's why I kind of -- some of those, the codes  
5 that you don't like, and I can't remember the  
6 alphabet, but, you know, some of those were a little  
7 too general for my liking, and it's just my personal  
8 opinion.

9           DAVID SHADE: Well, I can make some  
10 adjustments to that text, but, again, I was really  
11 reluctant. I don't like to bring before this board  
12 language that I've altered from what was approved, so  
13 I try to adhere as closely as possible. Some of the  
14 wording isn't, honestly, what I would have done had I  
15 been the attorney in the first place, but I wasn't.

16           And so we would like to work with you and  
17 maintain a dialogue, and the technical guys can do  
18 that. And we've tried not to make this meeting  
19 legal-centric. We didn't want lawyers standing here  
20 talking all the time. We want to do what's right,  
21 and we want to do what's in the best interest of the  
22 township, and we think we can -- there's a way to get  
23 there. Thank you.

24           CORY GOE: I can try to add a little  
25 clarity to some of the questions with Regional

1 Planning.

2 So there's some changes to the footprint,  
3 but, from my recollection, there weren't any, I'll  
4 say more substantial changes to what the tenor of the  
5 whole project would be. That might be something  
6 where if it was, say, going from, you know, a  
7 restaurant to a tire factory, right? That's a  
8 substantial change where then maybe that would be  
9 something that would go back to Regional Planning.

10 But what's important to understand, and  
11 really for everyone, is there's kind of layers to  
12 this, right? It goes to Regional Planning, and their  
13 goal or their job is to recommend one way or the  
14 other, right? Approve. Deny. But they don't make  
15 the decision.

16 It then goes to the BZC to  
17 approve/deny/make a recommendation, but they're not  
18 the ones making the decision; that's ultimately up to  
19 the trustees.

20 So there are layers, but really the layers  
21 are just to give you all guidance when ultimately  
22 making your decision.

23 So in terms of going back to Regional  
24 Planning, really, at most, it will get you another  
25 recommendation, but ultimately, based on the plan

1 that's been presented, the decision is up to the  
2 trustees to decide whether, yes, thumbs up, thumbs  
3 down, or thumbs up with modifications or changes.

4 Does that make sense? Does that sort of  
5 answer a little bit?

6 TRUSTEE MILEY: Yes. So even though  
7 Regional Planning denied it, we could make it a  
8 stipulation that they have to follow the suggestions  
9 of Regional Planning.

10 CORY GOE: If that's -- if that's the  
11 decision of the board, that could be the decision of  
12 the board, yes. That would be, basically, approving  
13 the plan with modification, those modifications being  
14 either what was laid out by, specifically by Regional  
15 Planning or whatever modifications you want to  
16 specify.

17 TRUSTEE MILEY: There were also some  
18 question about they thought -- Regional Planning  
19 thought they should be putting conservation reserve  
20 between the 80 acres and the 20 acres. There was  
21 some talk about that in the text that I saw.

22 NICK SHEETS: And just a comment, too, is  
23 if there's things that you want modified, we're here  
24 to talk those through and work those out.

25 TRUSTEE SKINNER: Just to clarify,



1 Regional Planning has seen this current plan in front  
2 of us, as I was well within my right to reach out to  
3 them for advice.

4 GARRETT GANDEE: Charlie, do you think you  
5 could point --

6 TRUSTEE MILEY: I'm kind of looking for  
7 it.

8 GARRETT GANDEE: Yeah, I'll look too.

9 TRUSTEE SKINNER: The comments that I saw  
10 from Regional Planning was for the entirety of that  
11 farm field was going to be included. I think they  
12 were concerned about watershed going through there  
13 and conserving some of the watershed, the drainage  
14 and the farmland there. I don't believe there was a  
15 recommendation for a separate thing, unless I missed  
16 it.

17 TRUSTEE MILEY: I underlined it here  
18 someplace, now I can't find my underlining.

19 You guys can ask another question while I  
20 look.

21 GARRETT GANDEE: Based on what I knew of  
22 this conversation, I think that that was a  
23 conversation about the reduction from 90 acres to  
24 30 acres, and he was actually working with his  
25 attorney at the time when she interchanged the words,

1 but they were wanting to know how to protect the area  
2 that wasn't going to be developed.

3 So they didn't like that the original plan  
4 had that whole 90-acre area, and she was saying she  
5 didn't want to put conservation easements, per se, on  
6 those areas. The solution, which was much neater and  
7 cleaner, was simply to reduce the size of the area.

8 Is that the way you understood it?

9 DAVID SHADE: That's kind of the way I  
10 read it.

11 And, you know, I understand these  
12 conservation easements occur, but, frankly, as a  
13 lawyer acting in the best interest of a client, I  
14 can't imagine when I would recommend to them that  
15 they do that.

16 If they want to stay in farming, good,  
17 keep on farming. But when you put it into that  
18 conservation easement, you may get a little money  
19 from the State of Ohio up front, you've limited it  
20 forever and ever and ever, and I don't think that's a  
21 good -- doing something forever is not a good plan,  
22 and I don't think that that's a reasonable  
23 restriction.

24 TRUSTEE SKINNER: That's the way I  
25 remember it.

1           Could you find anything else, Charlie?

2           TRUSTEE MILEY:   No.

3           TRUSTEE SKINNER:   Okay.

4           TRUSTEE STEGNER:   Is there a fire hydrant  
5   on the property?

6           NICK SHEETS:   Currently a fire hydrant?  
7   On the brewery there's an FDC connection on the  
8   building, a fire department connection right on the  
9   building. There's not a hydrant. It's right on the  
10   building that the fire department can connect to.

11          TRUSTEE STEGNER:   Okay.

12          NICK SHEETS:   And, again, I think any of  
13   those details would be worked out in the final build  
14   plan too, on what was required by the fire  
15   department.

16          DAVID SHADE:   But the fire department has  
17   approved it.

18          TRUSTEE STEGNER:   Correct.

19          As of right now, you could stay open till,  
20   what, one?

21          NICK SHEETS:   Two o'clock in the morning.

22          TRUSTEE STEGNER:   Two o'clock in the  
23   morning. Do you have any future plans on doing that?

24          NICK SHEETS:   No, sir. It's not our  
25   business. We are family friendly. Have I ever

1 stayed open past ten? Yes, a later Buckeye game, we  
2 stayed open for our guests.

3 But our business, it's not who we are.  
4 It's not the business I want to run. We shut down at  
5 ten for a reason. I don't want to stay open any  
6 later because that just -- my risk goes up. I want  
7 people in and out at ten o'clock, and then, you know,  
8 we push them out eventually, especially in the  
9 summertime.

10 But, legally, I could stay open till two  
11 per my liquor license, but I have no intentions of  
12 doing that.

13 DAVID SHADE: One little comment about the  
14 inn and music. I don't think there ought to be bands  
15 there, but I can remember a place that I used to go  
16 to in Grandview that had a piano, a guy playing the  
17 piano in the lower level, and it was absolutely  
18 delightful. So I don't think we should rule out  
19 something like that where if they want to have a  
20 little, teeny combo playing, you know, things just  
21 for the immediate audience.

22 TRUSTEE STEGNER: Would you object if we  
23 determined that we would like to see it stated that  
24 you didn't stay open past ten?

25 NICK SHEETS: Say what?

1 TRUSTEE STEGNER: Would you object if we  
2 decided as trustees, the board here, that we would  
3 not like to see the place open after ten and have  
4 that in writing?

5 NICK SHEETS: Have that in writing? I  
6 would probably like some flexibility there,  
7 definitely not two, but I'd have to -- I'd have to  
8 talk to my attorney real quick.

9 TRUSTEE STEGNER: What about music, no  
10 music after nine o'clock?

11 NICK SHEETS: I could -- Again, I'd like  
12 to have just a little bit of -- because of rain and  
13 stuff, sometimes we've delayed and they've gone to  
14 9:30. But if that means this goes through, again,  
15 I'd like to, offline, talk with my attorney about  
16 that.

17 TRUSTEE STEGNER: Well, I'm only thinking  
18 of the neighbors and the noise that it could cause,  
19 so.

20 NICK SHEETS: I mean, if that's something  
21 that's -- We don't do it now, currently, for a  
22 reason.

23 TRUSTEE STEGNER: But you could.

24 NICK SHEETS: We could.

25 TRUSTEE STEGNER: Yeah.

1           NICK SHEETS:  And so -- But we don't.  But  
2   if that's, again, a concession -- We can discuss it,  
3   but if that's something you need to see . . .

4           TRUSTEE MILEY:  I think a little bit, too,  
5   the more specific you can be on these things, the  
6   easier it is to vote for it.  You know, like there's  
7   all those codes and stuff, it's kind of hard to vote  
8   on that when you see that big list of codes, that  
9   some of them might not apply to FR-1 or a planned  
10  commercial district.  So, I mean, that's kind of my  
11  point.

12          DAVID SHADE:  Let me give you an example.

13                 If we can look at -- I'm having trouble  
14  finding it, but, for example, the parts they were  
15  talking about, nails and things like that, nails, I  
16  think you could have an introductory clause at the  
17  beginning that says something like:  To the extent  
18  needed for the inn to run in full operation, you  
19  could have these things.  But they would be -- those  
20  particular NAICS uses would only be limited to the  
21  inn.  So that's how I would suggest solving that  
22  problem.

23          TRUSTEE MILEY:  I think that would be more  
24  acceptable.

25          DAVID SHADE:  Yeah, I think we can do

1 that. And, again, it's a judgment call, but when  
2 your planning commission makes a recommendation based  
3 upon certain language, I just didn't feel comfortable  
4 tinkering with that.

5 TRUSTEE MILEY: I understand.

6 TRUSTEE SKINNER: Yes.

7 TRUSTEE MILEY: And, again, we just got  
8 this thing from Regional Planning, or I did, I just  
9 got it yesterday, so I really haven't looked through  
10 it as closely as I should have.

11 TRUSTEE SKINNER: At this point I think we  
12 should definitely work through -- I think we should  
13 continue the hearing. I don't think we're ready to  
14 make a decision tonight.

15 Unless you guys are. I'm not ready to  
16 make a decision.

17 I think we should work through what we  
18 would like to see you come back with. So definitely  
19 the codes that were just mentioned, but now making  
20 known the purposes of everything.

21 The murals, I would like those taken out.  
22 I want our BZA, or, yeah, zoning --

23 TRUSTEE MILEY: Appeals board.

24 TRUSTEE SKINNER: Zoning appeals board.

25 Thank you. I've been up since 4:30. Sorry.

1 I would like them to look at what those  
2 murals are and approve or deny them, so that would be  
3 a variance request. So I'd like that taken out.

4 The zoning code issue that we were just  
5 mentioning, I would like that buttoned up.

6 I would also like to see some trees,  
7 whether it be on both sides of the road, one side of  
8 the road. It doesn't have to be 40 trees. I  
9 probably would be happy with eight trees.

10 Are you guys thinking about eight? Ten?

11 NICK SHEETS: We could come back with our  
12 landscape architect with that plan.

13 TRUSTEE SKINNER: Okay.

14 TRUSTEE MILEY: I'd like to see more than  
15 eight. That's a large stretch of road for eight  
16 trees.

17 TRUSTEE SKINNER: Okay. Well, and we also  
18 got to think of visibility, safety, pedestrians,  
19 drivers.

20 TRUSTEE MILEY: But by the time you got to  
21 the house, you didn't have any trees in site.

22 TRUSTEE SKINNER: Yes. So definitely some  
23 trees.

24 What else does anybody want them to come  
25 back to us with?



1 TRUSTEE STEGNER: I'd like to see it in  
2 writing, myself, no music after nine. And definitely  
3 closed by ten. Now, I realize that you can't --  
4 things overflow, I understand that.

5 NICK SHEETS: I think my only concern is,  
6 we could talk about the music, but, you know, it's  
7 going to be very specific to my business, right? And  
8 if there's other businesses, they might not have  
9 those same restrictions, so.

10 TRUSTEE STEGNER: But other businesses,  
11 what gets decided on here is what they might be able  
12 to do.

13 NICK SHEETS: Understood with the music  
14 limitations.

15 TRUSTEE STEGNER: Yeah.

16 TRUSTEE SKINNER: Okay. I also would like  
17 to see more clear plans of the courtyard behind the  
18 inn, and maybe how many seats are in the tavern,  
19 barstools, tables, you know. I just don't know how  
20 many people are going to fit in this area. Was any  
21 of that in the packet?

22 NICK SHEETS: Not in the packet. We have  
23 those architectural drawings, though, with all those,  
24 because that's how we came up with the parking spots.

25 TRUSTEE SKINNER: Okay. I would

1 definitely like to know the number of people you're  
2 planning for that tavern to hold.

3 TRUSTEE MILEY: Addition on the horse  
4 barn, too.

5 TRUSTEE SKINNER: And I would like to see,  
6 yes, further plans on Building D.

7 NICK SHEETS: Okay.

8 TRUSTEE MILEY: What you think you're  
9 going to add on there, what kind of spatial --

10 NICK SHEETS: We already have some general  
11 area with the addition if we incorporate it there,  
12 but we have, it's like an area study they look at,  
13 here's where bathrooms would be. This is, like, a  
14 food court area.

15 TRUSTEE MILEY: We're talking about maybe  
16 having an open patio back there too.

17 NICK SHEETS: Yeah. I mean, it's kind of  
18 just where the picnic tables are back behind as far  
19 as that. But I can provide -- for Building D you  
20 want details.

21 TRUSTEE MILEY: More detail.

22 TRUSTEE STEGNER: You're not planning on  
23 adding onto Building D.

24 NICK SHEETS: Yes. Outwards.

25 TRUSTEE SKINNER: Yes.

1                   NICK SHEETS:   So Building D is a horse  
2   barn currently.

3                   TRUSTEE STEGNER:   Correct.   I remember.

4                   NICK SHEETS:   So the goal is to expand it  
5   out.

6                   TRUSTEE STEGNER:   To the side.

7                   NICK SHEETS:   Yes.   So we can have some  
8   food trucks out and give them, like, a  
9   brick-and-mortar and also for bathrooms, for storage,  
10   for everything we need to help accommodate that.

11                  TRUSTEE MILEY:   Would that do away with  
12   the old milk house, then, or is that still --

13                  NICK SHEETS:   No, I want to incorporate it  
14   somehow, but I'm thinking about incorporating it on  
15   the inside as kind of like an interior thing.

16                  TRUSTEE MILEY:   Kind of like you did the  
17   barn?

18                  NICK SHEETS:   Yeah.   No, I want to keep  
19   the fabric as best --

20                  TRUSTEE MILEY:   I mean, when you say move  
21   it to the south --

22                  NICK SHEETS:   Right.   It might not be  
23   visible from the road, but the inside, I want to keep  
24   it, because it's cool.

25                  TRUSTEE STEGNER:   Now, the inn will be

1 incorporated around the existing house?

2 NICK SHEETS: No. The house would  
3 actually, the plan would keep that, that's going to  
4 be the court. We would pick it up, gut it, and move  
5 it, keep the frame, and then build off of that. We  
6 would get it further away from the road.

7 TRUSTEE STEGNER: Okay.

8 NICK SHEETS: But we would keep -- I want  
9 to keep the house, because that's part of -- that's  
10 why it's still there and that's why we chose, you  
11 know, because it's part of the fabric. So I don't  
12 want to see it ripped out, because I have too many  
13 memories there. So that's part of the central -- the  
14 central, in that photo, the central piece of that is  
15 the farmhouse, except you spin it because it's longer  
16 one way.

17 TRUSTEE SKINNER: One thing we haven't  
18 talked about is the height of the inn, a variance  
19 from 35 feet to 42 feet. Are we -- I'm okay with  
20 that. Are you guys okay with that, the 42 feet?

21 TRUSTEE MILEY: We wanted to build this  
22 building higher than it is, and we complied with our  
23 zoning and kept it at 35.

24 TRUSTEE STEGNER: Correct.

25 TRUSTEE MILEY: So I'd like to see if

1 there's any way to keep it down to the 35, because  
2 that is our limit.

3 TRUSTEE STEGNER: Is the reason for going  
4 higher is to get the rooms that you need?

5 NICK SHEETS: I'm sorry?

6 TRUSTEE STEGNER: The reason for going the  
7 height that you're asking, is that the only way you  
8 can get the amount of rooms?

9 NICK SHEETS: No. It's the aesthetics.  
10 It's purely an aesthetic thing. The pitch, I  
11 believe -- we don't have our architect here to talk  
12 about that. I mean, if it's a 7-foot drop, I don't  
13 know what it would do to the pitch of the roof. It's  
14 not to get any additional rooms in.

15 TRUSTEE STEGNER: Okay.

16 NICK SHEETS: But I think it's purely --

17 TRUSTEE STEGNER: Well, I kind of agree  
18 with Charlie. I mean, we followed our township  
19 zoning and kept this building at 35 feet.

20 DAVID SHADE: But you weren't following it  
21 on a two-story structure. And the style of rooms  
22 these days is 9- or 10-foot ceilings, and it's hard  
23 to accomplish that in 35 feet.

24 TRUSTEE STEGNER: I'd like to see what an  
25 architect could come up with first.

1           DAVID SHADE: Well, we'll consult.

2           TRUSTEE STEGNER: Sure.

3           NICK SHEETS: Well, actually, I mean, I  
4 just got reminded, it could impact some of the  
5 interior rooms. We have to get with an architect on  
6 that. There's a reason why they went that height.

7           GARRETT GANDEE: Aaron said there's also  
8 some site topography issues that dictated the slope  
9 of the roof.

10          AARON HEYDINGER: Not the roof. You only  
11 have so much grade on the site, and the way that this  
12 is built, if you have a basement and to be able to  
13 get -- have that actual outlet and not be submerged.  
14 That's also part of why the building is pushed up a  
15 little bit, so you can physically walk out of the  
16 basement to the courtyard.

17          NICK SHEETS: There's a walkout on the  
18 back side.

19          TRUSTEE SKINNER: And that's to make it  
20 ADA compliant --

21          NICK SHEETS: Correct. Yes.

22          TRUSTEE SKINNER: -- for the tavern?

23          NICK SHEETS: Yes.

24          TRUSTEE SKINNER: And the restaurant.

25          AARON HEYDINGER: So the ADA pathway will

1 go to the front of the inn, and there's the elevators  
2 inside that would take them down to the bottom.  
3 There's too much grade and separation between the  
4 lots and there, so the ADA path would be from the ADA  
5 spaces, through the front, and then there's elevators  
6 that take you to the different levels.

7 TRUSTEE SKINNER: Understood. That makes  
8 complete sense on why the height is higher than the  
9 35.

10 DAVID SHADE: There's a provision for  
11 allowing divergences for a reason --

12 TRUSTEE SKINNER: Yes.

13 DAVID SHADE: -- and sometimes they're  
14 justified.

15 TRUSTEE SKINNER: Anything else that you'd  
16 like to see, Steve? Anything that you would like to  
17 see them come back to us with?

18 MR. LISANO: The only other item was the  
19 height for the building.

20 TRUSTEE SKINNER: The height of the  
21 building?

22 MR. LISANO: It would be the tallest in  
23 the township.

24 NICK SHEETS: I'll come back with details  
25 why it needs to be that high.

1 TRUSTEE SKINNER: Charlie.

2 TRUSTEE MILEY: If we go ahead and approve  
3 this with the modifications and we find something  
4 else in here that we want modified, are we limited  
5 that we can't bring that up at the next time, or do  
6 we have to have everything for modifications right  
7 now? Can we continue it again after the first  
8 continuance?

9 DAVID SHADE: You know, it surprised me a  
10 little bit when you said that you honored your own  
11 rules. I always heard that the king can do no wrong.

12 TRUSTEE MILEY: We thought of that, but  
13 being a brand-new building, we wanted to be as  
14 compliant as we could.

15 DAVID SHADE: Most townships specifically  
16 include townships, most cities do, and I just did  
17 something for Porter Township where they bought some  
18 property that had deed restrictions, and the law says  
19 deed restrictions don't apply on township lots.

20 CORY GOE: If I could answer your  
21 question, I think your question is if the applicant  
22 comes back with some of the changes that were  
23 described tonight and some additional ones have come  
24 up since then, can you have a, I guess a third  
25 hearing or give them time to address those?



1           So the way the Revised Code outlines it is  
2     that once the hearing is completed, then the trustees  
3     have not more than 20 days to make a decision. If  
4     the applicants -- and this would be, I'm not  
5     suggesting anything, but I'm speaking loud for a  
6     reason. If the applicants want time to address some  
7     of the concerns that the trustees have based on some  
8     of the things that were discussed so far, they can  
9     ask for a continuation of this hearing, so not  
10    closing the public hearing but asking for a  
11    continuation of the hearing, to address those  
12    concerns that were raised here.

13           There's not a specific time frame or  
14    number of how many times that can be continued, but  
15    certainly it would be in everyone's best interest to  
16    limit those meetings as much as possible for various  
17    reasons, but, namely, notice to the residents that  
18    want to be here, things of that nature.

19           So my suggestion would be is if the  
20    applicants -- And if the applicants say right now  
21    that they want to deem this as submitted, then the  
22    trustees would have 20 days, or up to 20 days, not  
23    more than 20 days to render a decision based on  
24    what's been presented today.

25           If they're seeking additional time to

1 answer some of these questions or make changes, then  
2 the hearing can be continued, and it can either be  
3 set -- a date and time certain can be set day, or a  
4 date will be set in the future and that would have to  
5 be noticed in a similar fashion to how this meeting  
6 was noticed.

7 TRUSTEE SKINNER: I would definitely like  
8 to set the date today, if possible. But it depends  
9 on how quickly you guys think you can come back to  
10 us.

11 DAVID SHADE: Oh, we can do it pretty  
12 quickly. You know, what I thought I heard you saying  
13 was, and the motion passed, is the hearing part,  
14 public participation, was closed.

15 TRUSTEE SKINNER: Yes.

16 DAVID SHADE: So we think we can get it  
17 accomplished within the 20 days. If any of you think  
18 of any other little tidbits that you want us to  
19 address, please send them, probably Garrett would be  
20 a good person to send them on to. So maybe if one  
21 person from the board could be the one transmitting  
22 everything to Garrett, and then Garrett will send it  
23 to us, and I'll work on the text.

24 And what are you thinking in terms of a  
25 date?

1 TRUSTEE SKINNER: I definitely want to do  
2 it before 20 days from now.

3 DAVID SHADE: Yeah.

4 TRUSTEE SKINNER: So if everybody wants to  
5 look, and we need a court recorder, and it will take  
6 about ten days to get the transcript, ten business  
7 days, so that takes us to the 19th or 22nd of  
8 July.

9 CORY GOE: And, to be clear, if the  
10 applicants are the ones asking for this hearing to  
11 continue to address those concerns, it can go beyond  
12 the 20 days. The 20 days start once the hearing is  
13 completed.

14 So if their request or ask of the board of  
15 trustees is to continue this hearing, it can go  
16 beyond the 20 days, but I would strongly recommend  
17 that that come from the applicants themselves, since  
18 it's their right to have a decision tendered within  
19 20 days of the completion of the hearing.

20 DAVID SHADE: I think 20 days is an  
21 appropriate period of time. And I think we can, with  
22 a little diligence, we can -- if you can let us  
23 know -- The nice thing is we've got Monday, so by the  
24 end of this week we can probably have most of these  
25 things done if you are sure you have given us all

1 your concerns.

2 NICK SHEETS: I just need to get some  
3 stuff from the architects, but, for the most part,  
4 the general layouts and stuff have been completed,  
5 they just weren't part of the package, some of your  
6 questions about seating and what the courtyard looks  
7 like and things like that.

8 And we'll ask our landscape architect to  
9 come up with some drawings on additional trees in the  
10 area, so we'll just need some time there, but we can  
11 get on it pretty quick.

12 TRUSTEE SKINNER: Yes. Do we need to see  
13 heights from any other buildings? Do we need to see  
14 front heights? Back heights? Side heights?

15 TRUSTEE MILEY: Well, the elevations.

16 TRUSTEE SKINNER: Elevations.

17 TRUSTEE MILEY: Also, and this might not  
18 apply to this development, but when Oxford Woods put  
19 all theirs in, they had elevations of all the signs  
20 and the type of posts they were all mounted on.

21 NICK SHEETS: We have a comprehensive list  
22 of all the signage that was part of the package.

23 TRUSTEE MILEY: Do you have the elevations  
24 of those?

25 NICK SHEETS: Yes. Heights are in there

1 as well. It's part of that Excel sheet package.

2 It's in there.

3 TRUSTEE MILEY: Okay.

4 NICK SHEETS: A lot of it's "way finding"  
5 throughout the property, go here, not there, but all  
6 the heights are there.

7 TRUSTEE SKINNER: I want to get this  
8 buttoned up for everybody. So if we have a meeting  
9 the 22nd, that's two weeks, you're good?

10 DAVID SHADE: Yes.

11 NICK SHEETS: Yes.

12 TRUSTEE SKINNER: Can we have a recorder  
13 on the 22nd?

14 THE STENOGRAPHER: Same time, same place?

15 TRUSTEE SKINNER: Uh-huh.

16 THE STENOGRAPHER: Sure.

17 TRUSTEE SKINNER: Six o'clock.

18 Cory?

19 CORY GOE: I'll do my best.

20 TRUSTEE SKINNER: We need you or someone  
21 from the prosecutor's office.

22 CORY GOE: I'll do my best.

23 TRUSTEE SKINNER: Okay. So we will put  
24 notice July 22nd, 6 p.m. continuing the hearing.  
25 And, hopefully, we will be able to make a decision

1 that night.

2 TRUSTEE MILEY: Did they formally ask for  
3 a continuance?

4 TRUSTEE SKINNER: They did not. Do you  
5 really want them to?

6 NICK SHEETS: What do you want me to ask?

7 TRUSTEE STEGNER: They should.

8 CORY GOE: I would prefer that, just to  
9 make it cleaner.

10 TRUSTEE SKINNER: Ask for a continuance.

11 TRUSTEE MILEY: We'd prefer that you ask  
12 for a continuance just to keep it aboveboard.

13 CORY GOE: For purposes of the record and  
14 documentation.

15 TRUSTEE MILEY: That's what we need.

16 DAVID SHADE: On behalf of the applicant,  
17 we request a continuance until the 22nd.

18 TRUSTEE MILEY: Thank you.

19 TRUSTEE SKINNER: Thank you.

20 I will not make a motion to adjourn  
21 because I want to keep this open, correct? Is that  
22 the correct procedure?

23 CORY GOE: There can be a move to grant  
24 the continuance voted on, and then it will be  
25 continued to that date and time certain. If you can

1 just put that on the record again for the members of  
2 the public that are here listening.

3 TRUSTEE SKINNER: Very good. So I move to  
4 continue the public hearing for Henmick Brewery  
5 rezoning to PC and office district to July 22nd at  
6 6 p.m.

7 TRUSTEE STEGNER: I'll second.

8 TRUSTEE SKINNER: Same place.

9 Any other discussion on that?

10 (No response.)

11 TRUSTEE SKINNER: All in favor?

12 (Ayes heard.)

13 TRUSTEE SKINNER: Thank you to everybody  
14 that came tonight.

15 CORY GOE: Do you want to move to close  
16 the meeting?

17 TRUSTEE SKINNER: Should we?

18 CORY GOE: Well, at least for purposes of  
19 tonight.

20 TRUSTEE SKINNER: We will move to close  
21 the meeting for the purposes of tonight. Second?

22 TRUSTEE MILEY: I'll second.

23 TRUSTEE SKINNER: All in favor?

24 (Ayes heard.)

25 (Whereupon, at 9:12 p.m., the meeting

1 concluded.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, July 8, 2024, and carefully compared with my original stenographic notes.

*Maria DiPaolo Jones*



Maria DiPaolo Jones,  
Registered Diplomate Reporter,  
Certified Realtime Reporter,  
and Ohio Notary Public

My commission expires: June 19, 2026.

(33941-MDJ)

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