

RECORD OF PROCEEDINGS

**MINUTES OF THE XENIA TOWNSHIP TRUSTEES:
HELD ON: MARCH 8, 2012**

**PUBLIC HEARING
5:00 pm**

NOTE: These minutes are a summary of the meeting and are not a word for word account of the discussion. The proceedings were electronically recorded on tape, but limited by the quality of the recording equipment. The meeting place was the Xenia Township Office, 8 Brush Row Road, Xenia, Ohio.

Jim Reed called the Continued Public Hearing to order at 5:08 pm.

PRESENT: Amy Lewis, Trustee; Scott Miller, Trustee; Jim Reed, Trustee; and Stephanie Hayden, Prosecutor's Office

GUESTS: Catherine Cunningham, Rose Ann Compton, Jim Sharn, Matt McCoy, Steve Raffensberger.

PUBLIC HEARING

This hearing was a continued Public Hearing for the following: An application has been received by American Aggregates Corporation, 9277 Center Pointe Drive, West Chester, OH 45069 requesting a change of zoning from A-Agriculture District to M-3 Mineral Extraction. The property is located along the south side of Dayton-Xenia Road and south of the intersection of Dayton-Xenia and Hawkins Road containing 84.721 acres, Parcel ID M36000100160000500 and M36000100160004400, Xenia Township, Greene County, Ohio. A public hearing will be held on the proposed rezoning before the Xenia Township Trustees on February 23, 2012 at 5:00 pm at the Xenia Township Office, 8 Brush Row Road. Interested persons may appear at this scheduled hearing and express their opinion with respect to the proposed rezoning. Copy of the proposed rezoning may be viewed at the Township Office during regular business hours.

Attorney Catherine Cunningham came on behalf of American Aggregates/Martin Marietta. She has follow-ups to last hearing. She has recommendations for approval from Greene County Regional Planning Commission and the Xenia Township Zoning Commission. As part of the recommendation for approval from the Zoning Commission there were 4 conditions to be met. American Aggregates/Martin Marietta is in agreement with all the 4 conditions. One of the conditions was water well surveys. At the last hearing a water well protection program was presented. Martin Marietta is ready to implement the program upon final approval of zoning. Several questions were raised at the last public hearing about reclamation and ponds and wetlands on the opposite side of Dayton-Xenia Rd.

Jim Sharn, American Aggregates/Martin Marietta, gave presentation about the reclamation process. One of the cross sections was residential homes and approximately 250' from those homes, or the centerline of the road, where 180' of that is woods. He showed a picture of the woods prior to mining, during mining and after mining. Beyond that 180' of woods is a 70' berm, approximately 10' high. It is created by using the overburden removed from phase 2 of the property when mining initially begins. The berm will be seeded and for the life of the mine will add additional buffer to the mining operation. This represents about a 50' high wall at a 1 to 1 slope. This means for every 1' going down, it goes 1' out. This is the natural repose of the sand and gravel. During reclamation they will utilize the berm (part of the 70') to create the 3 to 1 slope. From the centerline you still have about 180' of woods, then about 30' more level ground, then 150' of 3 to 1 slope, so total distance from centerline is approximately 360'. Once doing final reclamation, they seed using a combination of fescue, rye grass and blue grass. In the final seeding they use white Dutch clover. On the first hillside they contacted the Ohio State Extension Office and planted about 1,300 trees—700 Black Locust, 400 Red Hoke and 200 Virginia Pine. That hillside is also bonded through the Ohio Department of Natural Resources, which means they have to use a certain amount of vegetative cover, a certain amount of soil cover, and it has to be erosion free. The State will not release the bond until they are satisfied with reclamation. Reed asked about removing berm being a safety factor. Sharn answered in the lower area (along Dayton-Xenia Rd., a lake is located here) there will still be the majority of the berm. On the upper portion (no lake or water behind it) the berm will be used to make the 3 to 1 slope at a higher level (it is approx 20' to 30' above the water table). He showed several pictures showing stages of reclamation. Miller asked if all exposed ground will have vegetation. Sharn answered yes.

Matt McCoy, Civil Environmental Consultants, spoke about the wetland surface water north of the site. He looked back at USGS topographic maps and topographic data from the Greene County GIS website and looked at all surface water features in this area—couple of ponds and wetland in this area. Based on topography and aerial photos you can see there is a drainage that comes down from inside the City of Xenia that feeds this area and drainage from east of the site that comes down the swale. The majority of the water coming into this area is surface water run-off (storm water). He sees no impact to the surface water.

Miller said the Zoning Commission put 4 conditions on this and on one of the conditions he would like it to say “invasive species” instead of calling out “honeysuckle” in particular. Cunningham assured that Martin Marietta will comply with ODNR requirements. One of the struggles of the Zoning Commission was the visual of neighbors, but with thick tree cover they could not come up with ideas about landscaping so they put in a general recommendation for additional landscaping in the area if desired. Discussion about landscaping. Miller asked about the timeline. Steve Raffensberger answered 10-15 years. Reed commented about berm area along Valley Road being so high you cannot see into the facility. Will the berm be of that size continuing down to Hawkins Rd.? Raffensberger answered both berms will be 10’ high. Reed wondered if you would be able to see over the berm as you get in front of the Kil-Kare property going towards Hawkins Rd. Raffensberger does not foresee that happening but if so, they will monitor as they build the berms.

Miller suggested changing the minor wording in #3 of the Zoning Commission recommendation and in #2 additional landscaping along the buffer area—do Trustees want to address this? Reed asked if that could be left open. Stephanie Hayden answered conditions need to be put in now. She added ODNR has very strict requirements. Miller wants to change the wording of #2 “to maintain the buffer areas up and to conclusion of mining.”

Miller moved to accept the recommendation of the Zoning Commission with 2 minor modifications to the conditions presented: #2 Martin Marietta shall maintain the buffer areas as presented during the mining operation up and to the point of closure of mining; and #3 the control of invasive species growth. Lewis seconded. Roll call vote: Lewis-Aye; Miller-Aye; Reed-Aye. Motion passed 3-0. **RESOLUTION #2012-050**

This concluded the Public Hearing. Reed moved and Lewis seconded to adjourn. The meeting adjourned at 6:00 pm.

Jim Reed, Chairman

Amy Lewis, Trustee

Scott Miller, Trustee

ATTEST:
