FRANKLIN COUNTY PLANNING AND ZONING
FRANKLIN COUNTY GOVERNMENT CENTER
400 EAST LOCUST STREET
UNION, MISSOURI 63084

TRANSCRIPT OF PROCEEDINGS
PLANNING AND ZONING COMMISSION
OCTOBER 15, 2019
(COMMENCING AT 7:00 P.M.)

Reported by:
Patsy A. Mayberry, C. R.
Alaris Litigation Services
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(Note: All exhibits, if any, were retained by the parties and are not attached hereto.)
APPEARANCE

PLANNING AND ZONING COMMISSION:
BILL EVANS, CHAIRMAN
DAN HAIRE, VICE CHAIR
TIMOTHY REINHOLD, COMMISSIONER
STANLEY VOSS, COMMISSIONER
BILL McLaren, COMMISSIONER
DEBBIE WILLETTE, COMMISSIONER
RON WILLIAMS, COMMISSIONER
MIKE KLENKE, COMMISSIONER
DENNIS HARTMANN, COMMISSIONER
TOM TOBBEN, COMMISSIONER

PLANNING AND ZONING STAFF:
SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING
NICHOLE ZIELKE, COUNTY PLANNER
COUNTY LEGAL COUNSEL:
MARK PIONTEK, COUNTY ATTORNEY

ALARIS LITIGATION SERVICES:
PATSY A. MAYBERRY, C. R.
711 NORTH 11TH STREET
ST. LOUIS, MISSOURI 63101
(314) 644-2191
PROCEEDINGS

(OCTOBER 15, 2019)

CHAIRMAN EVANS: At this time, I'd like to call to order the October 15th meeting of the Franklin County Planning and Zoning Commission. Scottie, will you please take roll.

MS. EAGAN: Bill Evans?
CHAIRMAN EVANS: Here.

MS. EAGAN: Kyle Dubbert?
COMMISSIONER DUBBERT: (Not present.)

MS. EAGAN: Dan Haire?
COMMISSIONER Haire: Here.

MS. EAGAN: Mike Klenke?
COMMISSIONER KLENKE: Here.

MS. EAGAN: Bill McLaren?
COMMISSIONER McLAREN: Here.

MS. EAGAN: Tim Reinhold?
COMMISSIONER REINHOLD: Here.

MS. EAGAN: Tom Tobben?
COMMISSIONER TOBBEN: Here.

MS. EAGAN: Stan Voss?
COMMISSIONER VOSS: Here.

MS. EAGAN: Debbie Willette?
COMMISSIONER WILLETTE: Here.
MS. EAGAN: Ron Williams?

COMMISSIONER WILLIAMS: Here.

MS. EAGAN: And, Dennis Hartmann?

COMMISSIONER HARTMANN: Here.

MS. EAGAN: Okay. We have a quorum.

CHAIRMAN EVANS: Thank you.

At this time, I will give the Planning and Zoning Commissioners the opportunity to declare any conflict, communication, or relationship they may have had that might influence their ability to consider today's issues impartially.

(NONE)

If there are no declarations, Scottie, will you please give us the presentation of the meeting procedures and exhibits.

MS. EAGAN: Tonight's Planning Commission meeting is governed by the Franklin County Unified Land Use Regulations.

Some matters on the agenda may be for action by the Planning and Zoning Commission. These matters do not involve public hearings.

Other matters on the agenda require public hearings under Missouri law. If a matter
involves a public hearing, all individuals who desire
to testify will be given an opportunity to do so.

At this time, I would like to place into
the record these regulations as Exhibit A, the
official Zoning Map as Exhibit B, the official Master
Plan as Exhibit C, and the case file for each case as
Exhibit D for all the cases to be heard during the
meeting.

(THEREUPON, EVIDENCE WAS
MARKED FOR IDENTIFICATION AND
SUBMITTED FOR THE RECORD AS
EXHIBITS A, B, C, AND D.)

All Unfinished Business items on the
agenda will be dealt with first. Once the Unfinished
Business issues have been taken care of, each item of
New Business will be opened.

As each case is opened, a staff report
will first be read to the Commission, followed by any
questions for the staff.

Then if anyone in the audience would like
to speak or comment on a file that is part of the
public hearing, they must first print their name on
the sign-in sheet provided, and then be sworn in by
the Chairman.

When it is your turn to speak, you will
come to the front of the room to address the Commission and only the Commission, not anyone in the audience, with your comments.

It is possible for the Planning Commission to decide to move a New Business issue to Unfinished Business and vote on it the same night.

At the conclusion of all questions, comments, and discussion concerning each case, the Planning Commission will proceed. Any final decision by the Planning and Zoning Commission concerning Conditional Use Permits may be appealed to the Board of Zoning Adjustment any time within 90 days.

Applications for such an appeal may be acquired from the Department offices during normal business hours.

CHAIRMAN EVANS: Thank you.

The Commissioners should have two sets of meeting minutes, one from the September 17th meeting and one from the September 19th meeting.

Does anyone have any additions or corrections to the September 17th meeting minutes?

(NONE)

Does anyone have any additions or corrections to the September 19th meeting minutes?

(NONE)
If not, the Chair would entertain a
motion to approve both sets of minutes.

COMMISSIONER TOBBEN: I'll make
a motion to approve both sets of minutes.

COMMISSIONER HARTMANN: Second.

CHAIRMAN EVANS: We have a
motion and a second to approve the September 17th and
September 19, 2019 minutes. All in favor signify by
saying aye.

COMMISSIONER REINHOLD: Aye.

COMMISSIONER VOSS: Aye.

COMMISSIONER McLAREN: Aye.

COMMISSIONER WILLETTE: Aye.

COMMISSIONER WILLIAMS: Aye.

COMMISSIONER KLENKE: Aye.

CHAIRMAN EVANS: Aye.

COMMISSIONER HAIRE: Aye.

COMMISSIONER TOBBEN: AYE.

COMMISSIONER KLENKE: Aye.

CHAIRMAN EVANS: Opposed?

(NONE)

The motion is carried.

Communications and Visitors Comments.

Anyone present wishing to address the Commission?

LARRY COLEMAN:: Yes, I would.
CHAIRMAN EVANS: Please come forward, and again these are general communications and visitors comments here, not sworn testimony that will take place during the public hearing. So that won't be included in the public hearing files.

LARRY COLEMAN:: That is quite fine. I just -- just come out here --

CHAIRMAN EVANS: State your name and address.

LARRY COLEMAN:: My name -- my name is Larry Coleman, 1121 Old County Farm Road, Union, Missouri.

And I just come out of here out of the blue. I just heard about the meeting this evening. I see we have the two maps and now is the time to speak about them or later?

CHAIRMAN EVANS: Actually, that will be in one of the files. So you can say what you want, but it won't be included in the --

MR. COLEMAN: Well, that's fine. No, that's fine.

I just noticed the original one up there, the old ones that we are operating under now is on the left, and the one that you're proposing or going to try and go about doing is on the right and it's all
color coded. And I notice out of the whole county, there's one section that has got a little pink circle about the size of a sody (sic) bottle cap, and I just want to know what the pink is. I want to know why that's -- that's where I live. That's where I'm going to build a house, and it's the only thing that's pink on the map, and I was wondering why, if anybody could help me out.

CHAIRMAN EVANS: Scottie?

MS. EAGAN: Are you talking about like right outside the city of Union?

MR. COLEMAN: Yep.

MS. EAGAN: Pink is the equivalent of what our RD2 District is, our Residential Development 2 zoning. It's a high-density residential district.

We put it there because we looked at Union's current zoning and their future zoning, and we just kind of mimicked what they have on the outskirts of their city, and that is what we're doing out in the county.

MR. COLEMAN: Okay. So this isn't going to affect me tomorrow, or once this is instituted, this isn't going to affect me on my property?
1 MS. EAGAN: It won't affect you personally, no. I mean, you'll still be able to build a house on your property or anything like that.
2 MR. COLEMAN: And have chickens and calves and a few other stuff there?
3 MS. EAGAN: Yeah.
4 MR. COLEMAN: Okay. I was just wondering why I was the only pink on the map. So that's why.
5 MS. EAGAN: Yeah, you have pink there, and then there's some pink up by -- it's really hard to see because it's next to an orange zone there. It's by, I think it's, St. Louis Rock Road.
6 MR. COLEMAN: Yeah, I know then.
7 MS. EAGAN: Yeah.
8 MR. COLEMAN: All right. Well, that was my question. Thank you.
9 CHAIRMAN EVANS: Thank you.
10 Anyone else wishing to make any comments.
11 (NONE)
12 If there's none, we'll move on down to Unfinished Business. We have none.
13 New Business. File 190194, Planning and Zoning. Scottie, give us the details.
MS. EAGAN: This is File 190194.

The applicant is seeking to amend the Unified Land Use Regulations of Franklin County. The proposal includes amendments to Article 10, Supplementary Use Regulation.

The change we're making in Article 10, I think I talked to you guys about last month, is in relation to it will affect our current zoning map as well our future zoning map in terms of large parcels that are split zonings, those parcels that have two different zonings on it.

So in Section 238, lots divided by district lines, and Section A it said:

"Whenever a single lot greater than 10 acres in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located."

We are now adding the next sentence, which says, "In un-subdivided property, the district boundary lines on the map shall be determined by the
use of the scale appearing on the map."
So that actually gives us something to
measure by of where those zonings begin and end.
And that is the only change to Article
10.

CHAIRMAN EVANS: All right.

Thank you.

Anyone present wishing to speak in
support of Article 10?
(NONE)

Anyone present wishing to speak in
opposition?
(NONE)

If not, the floor is open for discussion.

Public comments are closed.

I think it's something we discussed last
month. Any comments, questions, discussion?
(NONE)

If there is no discussion, then the Chair
would entertain a motion.

COMMISSIONER HAIRE: I'll move
that we approve File 190194 with the amendment to
Article 10.

COMMISSIONER WILLETTE: I'll
second.
COMMISSIONER REINHOLD: I'll second.

CHAIRMAN EVANS: We have a motion and a second to approve File 190194 with the changes made. All in favor signify by saying aye.

COMMISSIONER REINHOLD: Aye.
COMMISSIONER VOSS: Aye.
COMMISSIONER McLAREN: Aye.
COMMISSIONER WILLETTE: Aye.
COMMISSIONER WILLIAMS: Aye.
COMMISSIONER KLENKE: Aye.
CHAIRMAN EVANS: Aye.
COMMISSIONER HAIRE: Aye.
COMMISSIONER TOBBEN: AYE.
COMMISSIONER HARTMANN: Aye.
CHAIRMAN EVANS: Opposed?

(MNONE)

Motion is carried.

Moving on to File 190170, Planning and Zoning. This file was tabled, so we will need a motion to take it off the table.

COMMISSIONER McLAREN: I will make that motion.

COMMISSIONER HAIRE: I'll second it.
CHAIRMAN EVANS: We have a motion and second to take File 190170 off the table. All in favor signify by saying aye.

COMMISSIONER REINHOLD: Aye.
COMMISSIONER VOSS: Aye.
COMMISSIONER McLAREN: Aye.
COMMISSIONER WILLETTE: Aye.
COMMISSIONER WILLIAMS: Aye.
COMMISSIONER KLENKE: Aye.
CHAIRMAN EVANS: Aye.
COMMISSIONER HAIRE: Aye.
COMMISSIONER TOBBEN: AYE.
COMMISSIONER HARTMANN: Aye.
CHAIRMAN EVANS: Opposed?
(NONE)

Scottie, please give us the details.

MS. EAGAN: The only difference I have between last month and this month, is there is an amendment to Article 7 proposing in the T District. It was brought to my attention today that somehow the category agricultural farming, dairy farming, livestock and poultry raising got taken out of this district for some reason.

I wanted to make sure we get it back in considering the large amount of T that we have going
around Washington and Union that are currently being
used as agricultural areas. So I'd like to add that
back into the T District.

CHAIRMAN EVANS: Any discussion
on that change?

(NONE)

If not, is there anyone present wishing
to speak in support of File 190170?

If not, then -- you're going to speak in
favor of it?

MS. LORI MELTNER: Yes.

CHAIRMAN EVANS: Okay. Will
you please state your name and address and sign in,
please.

MS. MELTNER: My name is Lori
Meltner, 5052 Walnut Grove Drive, Villa Ridge 63089.

(THEREUPON, THE WITNESS WAS
SWORN.)

I'm going to keep it very brief here. I
believe that approving this proposal would help the
economic development of our county. I feel that
promoting this currently would be, you know, in good
favor for our county.

And that's it.

CHAIRMAN EVANS: Thank you.
And I should have mentioned that everyone will have the opportunity to speak, and we have a limit of five minutes. There's a lot of people here, so I will keep it to five minutes.

Will you please state your name and address and sign in, please.

MR. CAMERON LUEKEN: Cameron Lueken, 512 East Main.

(THEREUPON, THE WITNESS WAS SWORN.)

As I said, my name's Cameron Lueken with Wunderlich Surveying and Engineering. We represent Harlan Meyer tonight. You guys should have received in your packet a letter regarding that property. I'll just go ahead and go over that real quick.

I guess I'm a little bit confused of whether I'm in favor or in opposition. The owner has about three properties there. Two of them are zoned correctly, and basically it was just there was no way for the zoning official to identify that he had an additional property underneath another name that he would like to have that same zoning district.

Bill, do you want to -- you look like you have a question, but --

CHAIRMAN EVANS: No, I'm
MR. LUEKEN: Okay. So like I said, I'm just restating that he controls Washington Metal Fabricators. They've got about 102,000 square feet of property there. As Scottie has pointed there on that map, the two pieces or the two roads that are heading west -- yeah, right there and right there -- are stuffed into the 93 acres that's identified as MFP. That's the Meyer Family Partnership. And he planned on obviously expanding to the west there.

At this time, it's under MFP and not under LMH, which Washington Metal operates under. So there was not really any way for Planning and Zoning to know that it's all one entity, all in the same entity, you might say.

So the request is just to simply zone Parcel 47, it would be called A, which would allow that property then to continue to operate as it is.

CHAIRMAN EVANS: Any questions?

MR. LUEKEN: And Mr. Meyer is here if you have any questions for him also.

COMMISSIONER WILLIAMS: What's it zoned now?

MR. LUEKEN: It's zoned CD right now, I believe. Is that right?
MS. EAGAN: Yes.

COMMISSIONER WILLIAMS: Would that allow what they want to do under the CD?

MR. LUEKEN: I believe it does.

I'm not sure.

MS. EAGAN: I don't know what they -- what are they doing?

MR. LUEKEN: What are they doing now?

MS. EAGAN: Uh-huh.

MR. LUEKEN: Well, they're operating -- what's that?

MS. EAGAN: What's the proposal for this property?

MR. LUEKEN: The proposal for the prop-- because the County had identified it being zoned as A, which is a -- let me see. Let me make sure and tell you. Yeah, A is going to be -- A would allow manufacturing with property over five people. Correct?

MS. EAGAN: Yes. So W --

MR. LUEKEN: W is -- W is five or fewer. A is five or more. I believe.

MS. EAGAN: Well, in the W District, you can have more than five with a
1 conditional use permit with manufacturing light.
2 If they're doing more heavy
3 manufacturing, then it wouldn't be allowed in the W,
4 but it would be allowed in A.

MR. LUEKEN: Right. And that's
5 without getting into what's heavy and what's light.

MS. EAGAN: Right.

MR. LUEKEN: You guys had
6 already planned on it being A, and like I said, you
7 just didn't know the rest of the property was the same
8 operation.

CHAIRMAN EVANS: So you're
9 really looking to have that third parcel included
10 because --

MR. LUEKEN: Yeah.

CHAIRMAN EVANS: -- they're
11 all --

MR. LUEKEN: Just like it is
12 right there, the same, the same as those other two
13 properties.

COMMISSIONER McLAREN: How's it
14 being used today, Cameron?

MR. LUEKEN: A large portion of
15 it is woods. There's some clearing that's occurred to
16 build the last facility that's on that property,
that's currently unimproved.

COMMISSIONER McLAREN: Oh, it's completely unimproved right now?

MR. LUEKEN: It's mostly unimproved, yeah.

COMMISSIONER McLAREN: So you know, I -- I want you to make the argument to me, please, why -- when we just past the Article 7, why we should make an exception for this.

MR. LUEKEN: The Article 7 related to?

COMMISSIONER McLAREN: What Scottie just presented that there is -- just because two pieces are contiguous, doesn't mean it's necessarily going to be zoned the same. Was that not what we just passed?

MS. EAGAN: You talking about Article 10?

COMMISSIONER McLAREN: I'm sorry. Article 10. I apologize.

MS. EAGAN: That's a single parcel that's split. So like --

COMMISSIONER McLAREN: Okay.

So that's --

MS. EAGAN: -- like your parcel
Currently.

COMMISSIONER McLAREN: Well, that's what we're talking about basically here, isn't it?

MS. EAGAN: Well, these are three separate parcels. So this wouldn't fall under Article 10. This is a completely separate parcel than the other two that are being proposed to be zoned as A.

COMMISSIONER McLAREN: Are we -- once again, I'm not trying to pick on you.

MR. LUEKEN: I understand.

COMMISSIONER McLAREN: Are we parsing words here so if it's based on taxed parcels? Is that the way you're looking at it?

MS. EAGAN: For what?

COMMISSIONER McLAREN: The way that it's -- I -- please expand on what you're saying that --

MS. EAGAN: So Article 10, for instance, if this piece right here, if we split it, do you remember the map that had the hash marks on the parcels?

COMMISSIONER McLAREN: Uh-huh.

MS. EAGAN: Those are single
parcels that was split into two zonings so the north side had one, and the south side had another.

That's what Article 10 is dealing with.

COMMISSIONER McLaren: Okay.

MS. EAGAN: These are all separate parcels or separate tracts that the same man or company happens to own all three of them.

CHAIRMAN EVANS: I think the issue was the third parcel was under a different name, --

MR. LUEKEN: Correct.

CHAIRMAN EVANS: -- is that correct?

So that's why those were included with the other two.

Any other questions?

COMMISSIONER WILLIAMS: It may be picking at this, but CD wouldn't allow what you're describing they want to do with that property. They'd have to rezone it anyway.

MR. LUEKEN: Okay. It could very well be, so now's the -- now's the great time to fix it.

COMMISSIONER WILLIAMS: I'm just making sure that's what's occurring.
MR. LUEKEN: Yeah, I -- I assume it's zoned CD.

MS. EAGAN: It's zoned CD currently.

MR. LUEKEN: Okay. And so they've been there since -- so, Ron, to answer, they've been there since '79. So I don't know, you know.

COMMISSIONER WILLIAMS: I understand. I just -- it's not like we hadn't done that, you know, at the last meeting. We took some areas and said --

MR. LUEKEN: Sure.

COMMISSIONER WILLIAMS: -- you have a property like that.

MR. LUEKEN: Right.

COMMISSIONER WILLIAMS: So I understand. I just wanted to clarify --

MR. LUEKEN: Right.

COMMISSIONER WILLIAMS: -- that it's currently zoned the way he's -- his desire to use it in the future. They would have had to under the current zoning regulations per map, come in and rezoned it anyway. Which is fine. What you're asking for is to say the property owner has intentions to
utilize it the same way he does his other properties.
And so it makes sense to maybe zone it differently?

MR. LUEKEN: Correct.
CHAIRMAN EVANS: Any other questions or comments?

(NONE)

All right. Thank you, Cameron.

MR. LUEKEN: Thank you.
CHAIRMAN EVANS: Anyone else wishing to speak in favor of the file?

(NONE)

If not, anyone wishing to speak in opposition?

MS. ANN SCHWETYE: What is this on? This is on opposition of the --
CHAIRMAN EVANS: Yes.
MS. SCHWETYE: You're saying yes and some are saying no.
CHAIRMAN EVANS: This is if you would like to speak in opposition to the zoning map.
MS. SCHWETYE: To Article 10?
MS. EAGAN: No.
CHAIRMAN EVANS: No. File 190170. This is Article 7. Again, if you'd state your name and address.
1                      MS. SCHWETYE: Article 7?
2                      MS. EAGAN: Yeah. This is the
3                        zoning map.
4                      MS. SCHWETYE: Okay.
5                      MS. EAGAN: So if you're here
6 in opposition to the zoning map, then you're where you
7 need to be.
8                      MS. SCHWETYE: Okay. So --
9 (THEREUPON, THE WITNESS WAS
10 SWORN.)
11                      My name is Ann Schwetye, and I live on
12 Grand -- well, I don't really live there. I have a
13 home that's weekend home right now on Grand Army Road.
14 I -- I know this is a lot of work. I've
15 done some city planning myself, city planning not
16 county planning. And it just so happened right before
17 this the information came out in the "St. Louis
18 Business Journal" that states housing stocks ranking
19 the St. Louis area neighborhoods that deliver the best
20 return on investments.
21 And by golly, Labadie, Missouri happens
22 to be one of those neighborhoods. That's what we're
23 talking about. I live very close to Labadie,
24 Missouri. It's a very rural farming or large
25 acreages. And I know with the why we are zoning.
It's going to open up to many different and more varied businesses.

So in my extrapolation, I am saying that I feel that one of the reasons why the return on investment over the ten years for Labadie has increased 239 percent. That's a very large increase for the return on investment, and I think it's due because the area has restricted uses in that -- in the zoning that's currently -- I think we're Suburban Development.

COMMISSIONER REINHOLD: Aye.
COMMISSIONER VOSS: Aye.
COMMISSIONER McLAREN: Aye.
COMMISSIONER WILLETTE: Aye.
COMMISSIONER WILLIAMS: Aye.
COMMISSIONER KLENKE: Aye.
CHAIRMAN EVANS: Aye.
COMMISSIONER HAIRE: Aye.
COMMISSIONER TOBBEN: AYE.
COMMISSIONER HARTMANN: Aye.
CHAIRMAN EVANS: Opposed?
(NONE)
I understand that you are trying to get the best value out of the property and the taxes.
However, I think this speaks for itself
in the article about the land value around Labadie, which has increased by far much more.

I -- opening up to a -- we would now be a W and one of -- I'm just going to give you an example. I grew up on a farm in Iowa, quite frankly, and we lived close to a -- within about 5, 10 miles a fish processing plant. And one of the permitted uses is an animal processing plant within this area.

Well, in my opinion, if an animal processing plant comes next to my property, I know there are odors. I know that there are environmental issues. Where we live, I know that the roads are very narrow. I think the County would have to do some road construction. There'd be probably more police protection, and I would just like you to think about maybe for that area knowing this came in the "Business Journal" that you rethink and perhaps rezone. Maybe go back to what even St. Albans is in the yellow, because I think that has a similar value. It's a similar flow of the land, and that's exactly what I would -- that's why I oppose W. I would like it to go back to the yellow.

So that's what I have to say. Thank you.

CHAIRMAN EVANS: Thank you.

And if I didn't mention this before,
again on this rezoning, the Planning and Zoning Commission makes a recommendation to the Franklin County Commission.

The Franklin County Commission will in turn have their own public hearing, and they are the only one who have the authority to change any zoning. So again, this is a recommendation and they will have a public hearing.

Anyone else wishing to speak in opposition? Step forward. Please state your name and address and sign in, please.

MR. TERRY PUTTHOFF: My name is Terry Putthoff, 682 Deer Ridge Road.

I just want to agree with the woman that was just up here. My wife and I actually just moved out here three, four months ago, I think. And we came from northwest Missouri, and the biggest reason why we moved here was because of the fact that it's a rural area. And it's peaceful, and we've gotten to know some of the neighbors. The neighbors are great.

I don't begrudge anybody a nice piece of property to live, but if you open up Highway 100 to all the businesses and construction, I have a feeling it's going to do exactly the opposite of what we would like with our property, and it's going to decrease the
We both worked hard to get where we are, and like I said, that's the reason we're here. And I -- I don't begrudge anybody a business, a place to live, but you have to stop and think about it sometime from the fewer people that might be affected by this, and putting in industries like -- you're definitely going to have sooner or later pollution issues.

There's a lot of pristine ground in the area we live, and we would love more than anything to see it stay that way. And honestly, we would like the help of the County to secure that.

I don't have a lot more to say on that, but I do have a question. The one yellow spot back up in the corner, that's St. Albans?

MS. EAGAN: Yes.

MR. PUTTHOFF: Okay. They were yellow as well as the rest of the area, correct?

MS. EAGAN: Yes.

MR. PUTTHOFF: Okay. Why -- just curious, why is it that they're staying yellow? I'm serious. I'd like to know because there's -- there's obviously something that's come about that somebody's decided to keep St. Albans -- and it's a beautiful area, but what was the decision to keep that
yellow and turn the rest of us white?

CHAIRMAN EVANS: Scottie?

MS. EAGAN: I will say that initially St. Albans was a mix of yellow and W or YW. Just because I didn't know what their future plans were, St. Albans -- two different people from St. Albans did come and meet with us and showed us their future plan of where their development is happening. So yes, the majority of St. Albans is the Y because they are planning for those higher-density subdivisions up there. They have the infrastructure up there for them, but they did request large pieces up there to be W and then also request for more B, which is our commercial district.

MR. PUTTHOFF: Okay. Can I request that the area that we're in stay yellow?

MS. EAGAN: That's up for these guys to decide tonight.

MR. PUTTHOFF: Okay, cool. I -- there are a lot of people that stand behind me on this. I guess sometimes you got to think about the aesthetic value of where you are instead of thinking about the monetary value, and that seems to be what everybody goes for nowadays, is the monetary value. And you do away with the aesthetic value,
and the monetary value doesn't mean anything.

Anyhow, thank you very much.

CHAIRMAN EVANS: Thank you.

COMMISSIONER WILLETTE: I have a question.

CHAIRMAN EVANS: Okay.

COMMISSIONER WILLETTE: Sir.

I'm sorry. You had mentioned something about Highway 100.

MR. PUTTHOFF: Yeah.

COMMISSIONER WILLETTE: So are you objecting to the commercial the reds and the blues that are along the highway? Is that --

MR. PUTTHOFF: Well, doesn't W open it up to pretty much anything?

COMMISSIONER WILLETTE: No.

MR. PUTTHOFF: No?

COMMISSIONER WILLETTE: They're quite different. But are you objecting to the places right on the highway that are --

MR. PUTTHOFF: That are blue?

COMMISSIONER WILLETTE: --

designated red and blue?

MR. PUTTHOFF: Yeah. Yeah, exactly. Yes, that and the fact that we're white now,
and --

COMMISSIONER WILLETTE: Where you live is?

MR. PUTTHOFF: -- we used to be yellow. Yeah. In fact, there was a pretty substantial size acreage that was yellow, and there again, it goes back to my other question why is St. Albans staying yellow, because they requested that.

Well, I'm going to be the first one, and I'll even sign a paper. I'm requesting that the area I live in stay yellow.

COMMISSIONER WILLETTE: Thank you.

MR. PUTTHOFF: Thank you.

CHAIRMAN EVANS: Thank you.

If you please state your name and address and sign in, please.

MS. TRICIA ROUEFF: Tricia Roueff. I live in 1979 Fiddle Creek Road.

(THEREUPON, THE WITNESS WAS SWORN.)

I'd like to thank the Committee for their time and efforts, but I would encourage you to reconsider the zoning for the area bound by the eastern edge of Franklin County, the area north of 100
and east of Washington, Missouri.

As several have stated, we were previously zoned yellow. In changing to the white, the concern is I think you have looked at short-term gain not long-term. I think if you look at what is being attracted to that area now, there are businesses going into these areas and also homes that will increase the value of the communities and of the county that will not come in if you open it as broadly as you have now.

And I would ask you to consider why, again, St. Albans and also the heart of Washington can stay zoned yellow but our area cannot. If you actually go out into these areas, you will see that they are large tracts attracting newer homes and larger tax values and they also are still very popular agricultural areas that again will not continue if you open it up.

And as I have stated previously, Franklin County does not have the infrastructure at this point to support the types of developments you are proposing, both in this area I've previously mentioned and along 100.

If you track the area from Highway O to 44 on 100 in those curves, and you allow the number
and types of commercial development along 100 that you are proposing, it's not safe. We had another accident in the curves over the weekend on a bright sunny day, and it gets worse in the winter and it gets worse in the rain.

We have deaths in those curves on a regular basis. As I stated before while I am aware the State has proposals to change Highway 100, those proposals have been on the books for 25 years. I think you're putting the cart before the horse to say that this road can support what you're proposing. It may be able to in the future, but right now I think you're taking the area that's already high risk and putting it at even greater risk.

If you haven't driven those areas on a regular basis, I would encourage you to do so. And I would encourage you again to speak to your first responders about the number of accidents they attend to in those areas.

I thank you for your time and effort.

CHAIRMAN EVANS: Thank you.

Anyone else wishing to speak in opposition? Will you please state your name and address and sign in, please.

MS. PATRICIA SCHUBA: Good
evening. My name is Patricia Schuba. I live in Labadie, Missouri.

(THEREUPON, THE WITNESS WAS SWORN.)

Thank you for your time this evening and for giving us the opportunity to speak. I just had a chance this afternoon to download Article 7 Zoning Districts and Zoning Map, and found several things that I'm hoping you can reconsider.

Many of us from the Labadie were quite engaged on the landfill issue. So it came to my surprise that a coal ash landfill would be allowed in District W. And as everyone who's in the room can see, the white area is District W, and that's a good portion of this county. And I remember at the time when we discussed the Labadie Landfill, that it had to be on the Ameren property. And many of us thought that was a dangerous location near the water and in a floodplain, which if many of you have followed that issue, that's now been pretty much decided that it is.

And so we're working on how to clean up that site, but it's also equally a risk to have it near family farms and their homes.

And so I'm a little concerned that we've included that as a permitted use, not even a
conditional use permit. So I would hope that you as
commissioners, as our neighbors would consider
removing that from the Code.

If a power plant wants to build one of
those in our county, they can approach the County
Planning and Zoning, or they can deal with the
Department of Natural Resources.

I feel like we're sending out an
invitation to utilities to build these God awful sites
in our County, which as was mentioned by several of
the people who spoke here tonight, Franklin County is
an up and coming place for people who want to move
from the St. Louis area out into a more rural
community with larger plots of land near family farms.

I know our farm has been in our family
for four generations, and we're on the very eastern
border of Franklin County with St. Louis County. And
we never wanted a permanent landfill the size that's
in Labadie near our home, but we certainly don't want
it up on 100. And I just looked. I didn't even look
to see that the zone where it's commercial on 100, it
would be allowed there.

So I remembered an executive from Ameren
say to me, well, Patricia, we could put it right next
to your family farm. Well, now they might be able to.
1. So I can't say what my neighbors will do.
2. You know, if they want to sell their property for a
3. high price, that site could be right next to my
4. family, next to my niece and nephew, and I would never
5. want that for anyone here in the county.
6. I also noticed the CAFOs (ph.) are also
7. allowed, and I don't think the public really
8. understands what that means. And I know that in the
9. last legislative session, we were told that we cannot
10. write regulations that are more restrictive than the
11. state, but we don't need to open the door for them to
12. come into our county.
13. And I just wanted to share with people a
14. size 1A CAFO, which is allowed in these regulations
15. would mean operations as large as -- it's almost
16. frightening -- 7,000 cattle, 4,900 cows, dairy cows,
17. 385,000 turkeys, 17,500 hogs. Those are huge
18. operations, and in the state of Missouri, there's only
19. 20 of those. And we're saying Franklin County right
20. outside of St. Louis County, we've opened the door for
21. that.
22. So I don't think that's what we want, and
23. so I appreciate that you take the input from the
24. public and you consider that when you make these
25. decisions. Please recommend removing those things
from these regulations.

Thank you very much. My family is counting on you.

CHAIRMAN EVANS: Thank you.

Anyone else wishing to speak in opposition? Please state your name and address and sign in, please.

MS. ANGELA DILLION: My name is Angela Dillion. I live at 2057 Fiddle Creek Road. (THEREUPON, THE WITNESS WAS SWORN.)

Thanks for the opportunity to speak tonight. My husband and I have been out on Fiddle Creek for about 16 years now. We were in St. Louis County before, so I kind of echo some of the other comments of why we moved out here, peace, quiet, rural. It's, you know, just absolutely beautiful where we live.

I don't understand why all of a sudden we are just opening the flood gates to just about anything, it seems like, manufacturing light. Medical marijuana infused products manufacturing can be right next door to me.

You know, when you buy, I'm a Realtor as well. When you purchase, you look at a lot of things,
and one of the things we did look at was zoning. And to just say hey, all this stuff can be allowed now is extremely disturbing.

Just like the gentleman had said before, we've worked very hard for, you know, our lifetime. We hope -- we are on 21 and 1/2 acres. We hope it to pass down to our kids. Our kids want us to keep it, stay, and it's just been a great family place.

And having the yellow zoning, the yellow zone, being a little bit more restrictive, especially on Fiddle Creek and up Grand Army, if you're at -- I don't know if you can zone in on the map here there at Fiddle Creek and 100, and you see Thornton Road and 100 as well. Now you've got -- I mean, I'm going to talk to the Blue District as well. You've got blue on the most eastern edge of the county coming in from 100 where there's no commercial in St. Louis County except a dump you know. It's all rural out in -- it's all residential in St. Louis County, and then you come into Franklin County. There's a gas station now at 100 and DuBois (ph.).

But if you look at Thornton Road and 100, right next to it is a dense development of small homes. I don't know if you can get that particular intersection. Are you able to do that?
MS. EAGAN: When my map wants to work.

MS. DILLION: When your map wants to work. I'm feeling your pain. There you go.

But if you see the -- I guess kind of the middle of the map there. There you go. Can you point out Thornton Road and Fiddle Creek. Let's see, what can I see.

Pretty much the center of the map where you see the little cul de sac with a bunch of homes right there. Is there a way to point it out? There you go. That's it right there.

You see that's Ellisville right there. It's all residential around it, and all of a sudden now it's blue when you come up Thornton Road there, and that is just really inappropriate for commercial. As Patricia was just saying as well, those curves right there between there and east of there, really just not good at all.

That is -- just because it's 100, doesn't make it appropriate for commercial development. And I really sincerely hope that you guys really look at that as a very strong residential piece of 100. There are parts of 100 that commercial is appropriate for, and there's some on it now when you get into Gray
Summit and so forth. But right there is extremely bad spot for commercial.

And I really do, as the other people all so suggested, just to stay yellow. Because opening it up to light manufacturing and all this other stuff is just unbelievable when you hear of someone living there, and it is very strong farm, agricultural, residential.

And it makes no sense to open this zoning up like this and disrupt that lifestyle that everybody has out there.

So those are my comments.

CHAIRMAN EVANS: Thank you.

Anyone else present wishing to speak in opposition? Would you please state your name and address and sign in, please.

(THEREUPON, THE WITNESS WAS SWORN.)

MR. TOM SCHWETYE: Tom Schwetye. We're off of Grand Army Road.

I, as the other speakers have been talking about the appropriateness of zoning, I'm not sure how zoning is accomplished here in Franklin County other than Scottie going out and looking at different pieces of property, talking to select
populations. And I think that's one way to do it.

Another way to do it would be for you all to go into the county, perhaps go to schools, churches, et cetera, and ask the folks in the community what their vision is. I don't know if you can do that. I don't know if there's a law in Franklin County that prohibits that or if this is the venue that has to happen.

Our property is over a hundred acres. We have a certified tree farm. Ours is fourth -- four generation property also. The thought of all the permitted uses that W would bring to this -- to our area is unthoughtful, if I could be critical.

People driving out from St. Louis City looking for property, they're driving down 100. If they start seeing nothing but Baldwin, Ellisville, Manchester, those types of development, that -- then we are not differentiated from St. Louis County.

We're just like St. Louis County.

Now if that's the vision of this panel, that's one thing. I don't know if it is or not. I don't know what your vision is. It's concerning at this point.

There is not -- I don't think there's a lot of thought that has gone into this. Other
1 speakers have thanked you for your work. I'm not one
2 of them. So I am being critical. I wish you all
3 would be critical of yourselves.
4
5 Take a close look at the topography of at
6 least, you know, most of the county up in the
7 northwest -- or northeast area. Take a look at the
8 cost to the County of future development.
9
10 Okay. So you're going to get small tract
11 homes. You're going to get hog farms. You're going
12 to get whatever W allows you to do, but what is the
13 cost to the County to supply services for those uses?
14
15 It's dollars and cents also. So I'd like
16 for you to step back, take a look -- another look at
17 what you're doing and how it's going to affect the
18 future.
19
20 Questions?
21
22 CHAIRMAN EVANS: All right.
23
24 Thank you.
25
26 I will say this. Some significant amount
27 of work has gone into this. The Planning and Zoning
28 Department has worked what, a year and a half, to do
29 this. And as was said to anyone who was here the last
30 meeting, all the Commissioner had input as far as
31 going out to each area and running each road.
32 Obviously one area that didn't was the -- no elected
or appointed commissioner. And there were public meetings held, two different ones, to get input from the public.

This has been advertised, promoted for a year, year and a half, with results available from us. So to say that this is short-sighted and hasn't been looked at extensively, would be inaccurate.

Anyone else wishing to speak in opposition? Please state your name and address and sign in, please.

MS. JENNIFER BRINKMANN:

Jennifer Brinkmann. I live on 330 Bridgefield, which is my driveway. I live off of Fiddle Creek Road. I've lived on three addresses on Fiddle Creek Road.

(THEREUPON, THE WITNESS WAS SWORN.)

I may have a little different perspective on this. I served on the -- I was a director on the Public Water District Board for more than 20 years. I delivered mail in that area for 28 years.

On Highway 100 when 44 is closed by snow, traffic is terrible. All the -- all the trucks, everybody gets off at Gray Summit and goes through there. I mean, I've seen that several times. I've had to -- I couldn't even deliver mail a few times
because there were so many vehicles on the road.

I know there's no infrastructure along Highway T between Labadie and St. Albans. So the development there would be quite bad. And while there's water lines along 100, there's no sewer until you get out to Victoria Gardens.

So I don't know what you'd do with the DNR on that either. But anyway, it's just something to think about. It's a little different perspective.

Okay. Thank you.

CHAIRMAN EVANS: Thank you.

Anyone else wishing to speak in opposition? Please state your name and address and sign in, please.

(THEREUPON, THE WITNESS WAS SWORN.)

MR. KEVIN TOKEN: Good evening. I'm Kevin Token. I live at 949 Grand Ridge Road -- Grand Ridge Drive in Labadie. And just to reiterate some of what's been said here tonight.

First I want to thank you all for your work. You guys have hard jobs because there are people involved, and so I know they're hard because if it wasn't for people, it'd be easy. So -- but -- so I appreciate your work.
So the area that everybody's talking about, northeast part of the county, you know, when I moved here four years ago, the reason I moved was because of the quiet, the pristiness, the lack of noise pollution, the lack of light pollution, it just -- I drive 45 minutes to work everyday. And when I come out here it's -- I get to settle down.

The minute small light manufacturing gets installed or an RV campground or any of the things listed on there, that noise pollution goes up. That light pollution goes up. That pristiness goes away, and I believe as some have said, the property values go down. So I'm just asking you to think about that. If you ever drive Fiddle Creek or Grand Army, it's just absolutely gorgeous. You know, do it at dusk sometimes.

So think about that and how it affects us and the traffic. Someone mentioned traffic. Those roads weren't made for truck traffic or you know, lots of traffic. So let's keep the traffic down.

That's all I have to say. Thank you.

CHAIRMAN EVANS: Thank you.

Anyone else present wishing to speak in opposition? You need to state your name and address and sign in, please.
DR. JERRY FRIEDMAN: Dr. Jerry Friedman. I live on Grand Army Road in Labadie.

(THEREUPON, THE WITNESS WAS SWORN.)

I appreciate all the work you have put in. I would like to point out that so far all the comments you have heard are in opposition. I therefore, refer you to the definition of a democracy, which is the will of the majority.

Thank you.

CHAIRMAN EVANS: Thank you.

Anyone else please state your name and address and sign in, please.

MR. MIKE GENOVESE: Mike Genovese, Grand Arm Road. And I spoke at the last meeting, and I just --

(THEREUPON, THE WITNESS WAS SWORN.)

And I just want to reiterate what I said then. I just think that in the W, there's too many permitted uses and possible conditional uses that can be put in that area, in an area where the topography does not align with those particular uses. And I guess I -- and I asked the question why -- why did you change it? I just don't understand the thinking about
1. MS. EAGAN: Should I answer that?

2. CHAIRMAN EVANS: If you want to.

3. MS. EAGAN: Just like I stated last meeting, we looked at topography and we looked at current zoning. We looked at current uses, future uses, future land use map, the master plan. We looked at where infrastructure is and where it's not.

4. In our opinion, that area of the northeast county isn't fit for a high-density residential district. It's more fit for the W District, and that's why the change happened.

5. MR. GENOVESE: That's your opinion.

6. MS. EAGAN: Right.

7. MR. GENOVESE: But I don't think -- I don't think it's correct at all.

8. MS. EAGAN: And that's -- you're entitled to your opinion.

9. MR. GENOVESE: If you look at -- if you just drive around there, I don't think you can come to that conclusion.

10. CHAIRMAN EVANS: Thank you.
Anyone else wishing to speak in opposition? If you would state your name and address and sign in, please.

(THEREUPON, THE WITNESS WAS SWORN.)

MS. KAY GENOVESE: The area, Scottie, you mentioned it. I'm sorry. Kay Genovese, Grand Army. Scottie, you mentioned something just now about the area didn't seem fit for high-density because of the topography.

It's perfectly fit for low-density, for wider, larger acreage lots, and why not accommodate the people that may be moving out here that want a five-acre or ten-acre lot?

The whole county doesn't have to be high-density, and it doesn't have to be so commercial like at the map.

I think it was Mrs. Dillmann that talked about all the commercial usages that really wouldn't be appropriate, and I would like for you -- I mean, you know that I am highly opposed to that whole northeastern part of the county being W. It needs to go back to the more restricted type of zoning that St. Albans has.

We all would have deeply appreciated the
consideration that St. Albans was given by, you know, meeting with them.

There was an article in the "Wall Street Journal" September -- Friday, September 13th talking about medical marijuana facilities. Out in Santa
Barbara -- the article featured the story about Santa Barbara.

So when they decided to allow -- and I mean, I don't object to marijuana, especially medical marijuana. I've never smoked it, but I've rubbed it on my sore shoulders, and it's awesome. But the people out in Santa Barbara are like in just a mess of a state because -- I noticed that in the W thing medical marijuana processing things are allowed indoors.

But how indoors is that? I mean, will you all have all sorts of regulations about the ventilation and the cleaning of the air? Because apparently Santa Barbara County is just in such a mess. They're withdrawing a lot of their licenses that they've given out. They have to rewrite everything because the odor. I never knew this. The odor from processing marijuana is absolutely God awful. A friend of mine said, well, Kay, why do you think they called it skunk weed all these years?
It smells like dead skunks all over the county, and so I would just like for you to maybe look at that article. "Wall Street Journal" Friday, September 13th. I think it was on page 3.

It's a huge mess, and so these people are either giving up their licenses or they have to install huge air cleaning systems just so that they -- they interviewed some woman that had lived there for 50 some years, and she said that her carpeting, her curtains, her sofas, her chairs, the entire house stinks of dead skunk.

So I don't know if you all were aware of that or not, but indoor medical marijuana processing things are complicated.

But again, please put us back to the more restricted zoning. Thank you.

CHAIRMAN EVANS: Thank you.

Anyone else wishing to speak in opposition? Please state your name and address and sign in, please.

MS. GERRI FRIEDMAN: Gerri Friedman, Grand Army Road.

(THEREUPON, THE WITNESS WAS SWORN.)
I'm not going to fuss at you. And I recognize that you all have put a lot of time into this. I really came up tonight, you know how I feel. I can only echo all of the negative comments that have been made, but I have a question.

At the end of your September 19th meeting, it was agreed that this plan would go back to the drawing board. What happened when you got to the drawing board? It looks exactly like it looked on September the 19th.

So did you make any changes? Has it -- have you tried to accommodate any of the concerns that have been expressed tonight?

CHAIRMAN EVANS: We did not go back to the drawing board. We did have a workshop to look at zoning and discussed it, but at that workshop, we did not make any changes because we didn't have the ability to do it in private because if we needed to change it and vote on it, it had to be at this meeting.

So we did meet, but we did not change anything.

MS. FRIEDMAN: So all of the permitted uses, some of which have been mentioned tonight, that were brought up on September the 19th
are still included in the W zone, all of them?

CHAIRMAN EVANS: Nothing has changed since the September 19th public hearing. We will discuss changes tonight if any are to be made.

That is correct. No changes were made outside the Commission meetings.

MS. FRIEDMAN: Well, of course, our primary concern is what happens in Labadie. But I do hope that you'll look again as what you've included as permitted uses. And that's -- that's scary frankly to those of us who own property.

Again, others have spoken probably far more eloquently than I'm speaking and -- but we all have the same basic concerns. I know that Mr. Klenke has only recently joined your ranks so that we didn't have proper representation.

But hopefully, Mr. Klenke, you can hear what we're saying and be one of our advocates in this group when it is discussed. So thank you again for your time and --

CHAIRMAN EVANS: Thank you.

MS. FRIEDMAN: -- and your troubles.

CHAIRMAN EVANS: Anyone else wishing to speak in opposition?
MS. CYNTHIA BROWN: I have a
couple of questions, but I don't know --
CHAIRMAN EVANS: You'd have to
come up and sign in, and if you'd like to make
statements, you know, that's fine.
MS. BROWN: Okay.
CHAIRMAN EVANS: But we're not
-- it's not a Q and A. It's a public input.
(THEREUPON, THE WITNESS WAS
SWORN.)
MS. BROWN: My name is Cynthia
Brown. I've lived at 451 CT Farm Road for a while,
and I'm here with my friend Pat who lives at that
address.
I'm wondering why you haven't thought
that what you're doing in this area around Fiddle
Creek Road, Grand Army is not going to affect
Washington. Because a lot of people come out of the
city just to drive to your area because of the
historical values that you have there. And they wind
through those country roads, T, Fiddle Creek, Grand
Army, beautiful area. I see it all the time, and
that's going to stop once you start infiltrating all
these businesses in this area. And that's going
affect your revenue in the city of Washington.
Why haven't you thought about that? You've got a beautiful historic city, and it's out in the country. Everybody loves it. Everybody comes from the city to do this, to see this beautiful town, and they have -- they want to go through these beautiful open areas, and you're going to destroy it. What are you thinking? You better reconsider because it's going to affect the city of Washington. Thank you.

CHAIRMAN EVANS: Thank you.

Anyone else present wishing to speak in opposition? Please state your name and address and sign in, please.

MS. BRENDA PUTTHOFF: My name is Brenda Putthoff. I live at 682 Deer Ridge Road in Labadie, Missouri.

(THEREUPON, THE WITNESS WAS SWORN.)

I just want to say how shocked I am when I saw this map. Not just for our area, but it looks like you've taken all of Franklin County and just opened it up for anything. And I feel sorry for other people that aren't represented here that you've opened the whole county up to such varied uses.

As far as where we live, I -- we live in
a valley that has only two families in it. We own 57 acres. 100 is right above us. Any business if that was business along Highway 100, everything would roll down into our valley, all the pollution, all the noise, the lights. We have a beautiful creek that runs through our property and down Fiddle Creek.

It's pristine. The water that comes out of the hills is as clear as can be. It's why we spent our entire lifetime saving so that we could retire in a place that was beautiful. And I hope you'll reconsider what the people want.

And I appreciate you hearing me. Thank you.

CHAIRMAN EVANS: Thank you.

Anyone else present wishing to speak in opposition? Please state your name and address and sign in, please.

MS. ANN SCHREDER: Ann Schreder, 609 West Main, Union, Missouri.

(THEREUPON, THE WITNESS WAS SWORN.)

The only thing I'm really concerned about and it got enuated (ph.) when I was a Commissioner and I was on the Missouri Association of Counties and was up at Jeff City a lot and it was the CAFOs. It's a
big problem, and I would like to see more stricter --
it's almost like when I look at this, the CAFOs can be
like everywhere and anywhere almost, except obviously
the cities.

The biggest thing they had problems with
a lot of the rural -- you know, out of 114 counties
that we have, we're kind of still considered as a
municipality. But the CAFOs were causing such issues
for the water, the streams, everything, and I'd hate
to see that happen because we got so many tributaries
in Franklin County and the water sources and all that
kind of stuff that to have some type of -- I don't
think they should be just available everywhere.

And I know the other counties, the
smaller counties that we've worked with that it got to
be an extreme problem. Now that's been ten years ago
or a little better, but I can't imagine that it's
gotten any better.

So I would like to see more regulation on
the CAFOs of where they go, especially near water
sources and rivers and streams and everything else
that we have. And I know we have the land, obviously.
We have plenty of land to do it, but I think it really
needs a little bit more consideration of regulations
for it.
Thank you.

CHAIRMAN EVANS: Thank you.

Anyone else wishing to speak in opposition? If you'd please state your name and address and sign in.

MS. SUZANNE JACKSON: Suzanne Jackson, 214 Inwood Drive, Washington.

(THEREUPON, THE WITNESS WAS SWORN.)

Hi, I am not from Labadie, and I am luckily in an area that's not going to be affected in the white. But my opposition I guess is more to the CAFOs and the coal ash. I think those should be very restricted. I think you should be really careful about where you're placing things, because once you damage the land, it's a lot of money to clean up, and we can't -- we don't have any more land.

I think you do have a county that's beautiful that people want to come to, and I think it's your job to protect it. The CAFOs, from what I've heard, you know, like other people have said, people are going for a quick money. They're not thinking long-term, and I think that's what you guys should be doing. The CAFOs can cause health effects to their neighbors from pollution, damage to the air,
land, water. A hundred and 68 gases are emitted from CAFO waste, including hazardous chemicals, ammonia, hydrogen, sulfate, methane. Coal ash contains heavy metals and are toxic to the land and water. We already know that with Ameren. So I think instead of just having a big white area that you say anything goes, I think you should be very, very careful, and you should go to the people. Go to the people in Labadie. Go to the people in New Haven or wherever. Have conversations with them before you rezone the whole county at once.

That's my opinion. Thank you.

CHAIRMAN EVANS: Thank you.

Anyone else wishing to speak in opposition? State your name and address and sign in, please.

MR. MIKE SMITH: Mike Smith, 70 East First Street, Washington, Missouri.

(THEREUPON, THE WITNESS WAS SWORN.)

Yeah, there's been a lot of talk about the infrastructure that you took into consideration in doing this. But one of my main concerns is the CAFOs and the coal ash landfills and so forth.

My daughter and son-in-law building a
house just outside of Labadie, and with the -- their first attempt at drilling a well, they got down about 150 feet with their well, and they hit a cave. And so they had to abandon that well, and put in a second well. Talking to the well driller there, he was commenting on how frequent that happens. So you know, in addition to the infrastructure for required development that you're talking about here proposing, you really need to take into consideration the geology of this landscape and the karst condition.

So CAFOs in particular contaminating the water through the karst topography, the caves and so forth, and likewise with the landfills. So just another consideration I think is really important for you to think about.

Thank you.

CHAIRMAN EVANS: Thank you. Anyone else wishing to speak in opposition? Anyone else?

MR. PUTTHOFF: I'd like to say one other thing.

CHAIRMAN EVANS: You're still under oath.

MS. REPORTER: State your name for me again, please.
MR. PUTTHOFF: Terry Putthoff.

MS. REPORTER: Thank you.

MR. PUTTHOFF: I want to invite each and every one of you to come out to our house. It's a mess right now because we're still trying to get settled moving in. Spend two or three hours out there. I'll cook you something on the grill. We can sit on the deck, look out over the valley, and I guarantee you you're going to see why it is we're in love with the place.

Why is it that I moved across Missouri. I grew up in a rural town. It was great. Things change big time. It has with that little town that I used to live in, and the biggest reason why is because everybody wanted to start bringing everything else in.

Standing invitation. Come on out to my place, my wife's place, have dinner with us. We'll sit out on the deck and look at the moon and listen to the owls. Thank you.

CHAIRMAN EVANS: Thank you.

And I would ask you to keep it short.

I'm just saying you don't get another five minutes, I'm sure you know.

MS. SCHUBA: I don't think I was really prepared for tonight. So I printed off --
and any one of you can look at this -- the Missouri Department of Natural Resources Animal Feeding Operation Permits and Regulations of Missouri.

They were just reposted in August of 2019, and in that I think there's some significant information that might affect like where we decide, if we decide we have areas in our county that are appropriate for this. Like when I mentioned those 1A -- Class 1A feeding operations that can have these enormous numbers of animals, they only have to have a buffer of 3,000 feet from their neighbors. That's really close if you have like 325,000 turkeys.

There's only a 10-foot setback from public water lines, and for property lines, only 50-foot setback. A public road, 50 feet. Wetland or impoundment, a hundred feet. Lake or impoundment for human water consumption, 300 feet. So it was mentioned like the impacts of pollution on neighbors, the smells and whatever when you're that close to those operations.

And that's you're depending on DNR to issue the permits. So DNR is telling you how lax those are. So I would ask you to read those before you vote on this, please. Thank you very much.

CHAIRMAN EVANS: Thank you.
(APPLAUSE)  

Please hold your applause.  

Anyone else wishing to speak in opposition?  

COMMISSIONER McLAREN: Mr. Chairman, can I ask a question of her --  

CHAIRMAN EVANS: Sure.  

COMMISSIONER McLAREN: -- before she sits back down, please?  

CHAIRMAN EVANS: Sure.  

COMMISSIONER McLAREN: And I think you have to come back up here. Would you please read the first line that you read again of --  

MS. SCHUBA: Of what it is?  

Yeah, what it is?  

COMMISSIONER McLAREN: Yes.  

MS. SCHUBA: Yeah. This is the Missouri --  

COMMISSIONER McLAREN: How many feet of what?  

MS. SCHUBA: Oh, for a Class 1A CAFO, the buffer distance is 3,000 feet.  

COMMISSIONER McLAREN: Okay.  

MS. SCHUBA: And then they have --
COMMISSIONER McLAREN: So that's over a half a mile. So that means that you would have one spot in the middle of 640 acres. So I don't really think that's a really good argument because there's not very many pieces of the 640 acres where we're talking about today.

That's all that I'm going to say. Thank you.

MS. SCHUBA: Well, and you'd have to read the document because at another point which I also pointed out from public water lines it's 10 and from property lines it's 50. So I didn't have a chance to read this all, but I would expect you, if you're voting on it, that you would read what DNR cites.

COMMISSIONER McLAREN: That first part -- the very first part of 3,000 feet eliminates almost everything.

CHAIRMAN EVANS: All right. Thank you very much.

Anyone else wishing to speak in opposition? Please state your name and address and sign in.

MS. WALLIS WARREN: Yes, my name is Wallis Warren, 2671 Jeffricks Berge Road,
Beauford, 63013.

(THEREUPON, THE WITNESS WAS SWORN.)

So I thought it would be good to get some viewpoint from the other side of the county Highway 50 side so it's not just an issue of people not wanting it in their backyard. A lot of us are very concerned about the spread of the lack of regulations or protections is what I prefer to call it.

CAFOs, I can't be in a meeting where CAFO is mentioned and not say something because it's my favorite or least favorite four-letter word.

So CAFOs, we're talking about one Class 1A operations. You can CAFOs much smaller than that that have virtually no regulations.

The State of Missouri is taking the lead in stepping backwards when it comes to protecting our resources, when it comes to allowing agricultural, industrial agricultural interests to supercede people's health, people's land values, their way of life, and it's extremely -- it's a slippery slope that we've got a toboggan on in this state.

I believe Franklin County sometime ago adopted the ag ready status, which means they were basically rolling out the red carpet for industrial
agricultural operations saying we're going to give you not a free pass, but agriculture in Missouri has virtually no restrictions anyway.

So you might feel that many CAFOs aren't an issue, but you can have CAFOs much smaller, much closer together that have the same impact.

It's something that you look at as a long-term impact. You as a body can take a stand now as far as what you see this county's future being. As most people living here --

(ALARM)

Your vision is fundamental to the future.

So something that is going to reduce protections as radically as these decisions are going to be felt generationally, and it certainly impacts landowners immediately. But I'm thinking more in the long-term as far as specialty farmers, quality of life, quality of our water, the land use, agri-tourism is huge, and Franklin County is on the front line of that with Highway 50 Rock Island Trail bringing a lot of people from, not just Missouri, from all over the country, from all over the world that would use these trails.

And we've got the data from the Katy Trail showing what it does. So if we start loading this up and the few restrictions, few restrictions,
there are on industrial agriculture basically saying come on, bring it in, anything you want, I think is very questionable as far as judgment is concerned. Any place that you can take a stand and say we want something better for our residents, for future residents, for future generations, I think it's important to understand that, because once these resources are depleted and destroyed, that's exactly what you have. You have nothing. So I hope you exercise judgment and consideration for those speaking today and those from other parts of the county as well.

Okay.

CHAIRMAN EVANS: Thank you. Anyone else wishing to speak in opposition? Please state your name and address and sign in.

MS. CANDY LARSON-SOETTE: Candy Larson-Soette, 215 Legend Hill in Washington. All right. I don't always speak in public.

(THEREUPON, THE WITNESS WAS SWORN.)

Okay. So the one fact I want to bring up because I am opposed. I live in the Campbellton area. I'm very opposed to CAFOs.
And, Mr. McLaren, that 3,000 feet that you were talking about is strictly the buffer in neighborhood noticed distances. It has nothing to do with where that property can be placed. I believe Pat had more accurate numbers of where those can be placed.

So you just literally have to tell people within a 3,000 mile/feet that hey, we're going to put this crappy farm here. So I'm opposed to that.

Thank you.

CHAIRMAN EVANS: Thank you.

(APPLAUSE)

Please hold the applause.

Anyone else wishing to speak in opposition? Anyone else?

(NONE)

All right. The public comment portion of this file is closed.

The floor is open for discussion.

COMMISSIONER McLaren: My opinion really hasn't changed from what it was a month ago. I truly don't believe that the White District fits in as many places in the county that it is. I don't think it's fair, and I know that the people who live in Campbellton have a different opinion of what
I'm going to say. But I don't think it's fair to look at eastern Franklin County and western Franklin County and judge them the same as far as what should be in the White Agricultural District.

My opinion is that way, and it's been that way, and I think that it's very hard to consider making a whole area white that's there. I still think that we need to find an accommodation that better suits the area.

CHAIRMAN EVANS: The one thing I would say is we have to remember that this is -- when we look at this -- and personally I live off Highway 30, which is -- went from Suburban Development to Red, to Commercial Activity. And I know when 44 shuts down, and someone was killed I think about a half a mile from my house two days ago, and the road I live on has one of the little yellow lights when you pull out because of the accidents. But it went from Suburban Development to Red.

When we look at this, we have to remember that we've been focusing on the northeast portion of the county, but that we represent all 100,000 people, and I would say what, maybe 90 percent of the county that's shown is white.

Whether that's -- we have to decide if
whether that's good enough, but we just need some discussion because we've tabled this once. And I think keep tabling doesn't really get us anything at all, that we need to have some discussion and make some decision to get this up to Franklin County Commission so -- they're the decision makers, and they can have their public hearings.

Any other discussion?

COMMISSIONER WILLIAMS:

Unfortunately, I opened my mouth at the last meeting, and I'm still going to open my mouth at this meeting.

I still think that area, and I'm talking about everything from what I call the triangle, Washington, along 100, and out in along Highway T, you got a natural buffer there. And I'm talking about the light area that's that area.

I think we need to go with a hybrid district, and I think you could take what's W or look at the Y District, and then look at what's in the W District, and you have like ten additional uses that are from the Y that's kin to W. And that's what would be the permitted uses, and then you go ahead and make everything else a conditional use because if it could go there with conditions, fine. If it can't go there, it's not compatible, then you don't issue a CUP.
COMMISSIONER WILLETTE: I would support that.

CHAIRMAN EVANS: Further discussion?

COMMISSIONER McLAREN: Scottie, I do know that you worked hard on this, and I do know you took it seriously.

Can go back to the map that's actually got the colors on it.

MS. EAGAN: I am trying.

COMMISSIONER McLAREN: Trying, okay. Well, you know, I truly appreciate everybody's comments, and I think it's great to see everybody as passionate as it is. Just because we're not saying much -- I've been more the outspoken -- doesn't mean that we're not passionate about what we're doing either and that we're not hearing you.

But a little -- I think we need to have some development along Highway 100. I think that we need to have some areas that have services. If you don't have services, it's not productive to the people that live there either.

Now there's -- a little bit of this some I think we have shot with a shotgun and not a rifle, and that's one of my expressions that makes sense to
me but it probably doesn't make sense to somebody else. Just because something's along the highway, doesn't necessarily mean it should be developed like that. The topography is critical enough that it's not ever going to be affordable to develop as commercial property.

Then there's other places that make sense to be, that's affordable to be developed. Whether the property owner that owns that property ever wants it developed is another thing, you know, but it does make sense to be developed.

But you know, as you look, there was one piece of property along Highway 100, and I happen to know whose piece of property it is, but it goes off in a very log finger. And you know, I'm arguing with Cameron that just because two pieces touch should we consider that, and I wanted him to make a better argument because I do think we need to consider when two pieces touch. Even if it's not developed for what the future use is going to be, that now is the time to consider that.

I don't know how to do it just for the people that happen to know and happen to come up here, I don't know how to make that accommodation for them. But I also know that there's some pieces of property
that are not suited for development, that probably will never develop, and just because it's along whichever highway you pick out, doesn't necessarily mean that we're expecting everything along the road to look like Baldwin or Manchester. So...

CHAIRMAN EVANS: I would agree with that because just living along 30, the county line, look at the topography across the street it probably won't happen. So I think last meeting I stated that there probably shouldn't be red, but in hindsight, if you're not going to put it on Highway 30, where are you going to put it? Probably not major road through Franklin County.

COMMISSIONER WILLETTE: The one good thing about the W that I do agree with for the areas that we've been hearing about tonight are the less density as far as residential goes because the W says that you must have three acres on an un-subdivided lot.

And I think that's probably right for the area, but then I do agree with Commissioner Williams' suggestion to change a lot of those permitted uses as far as non-residential uses to CUP so that that would require a lot more consideration before some of those are approved.
And I do appreciate all of you coming and letting us know your concerns. That's very important.

MS. EAGAN: I'm going to state it again, and I stated it in your guys' workshop. I would be opposed to a district like that because you are asking for a district again with over 40 conditional use permits in the entire northeast part of the county.

I have one zoning enforcement officer. You guys can approve all the conditional use permits you want. I don't have the staff to enforce them.

CHAIRMAN EVANS: Further discussion?

COMMISSIONER WILLETTE: It is unfortunate if we don't have the staff to take care of our needs, but that doesn't necessarily make particular districts correct for certain parts of our county.

CHAIRMAN EVANS: Any further discussion?

(NONE)

I mean, again, we're at that point in time where we need to make some decision. It's one thing to talk about what we should do, but we have to talk about what our responsibility is. And we have to
make a recommendation to the Franklin County Commission, either in favor or in opposition of this. And once it gets to them, as I stated before, they have their own public hearing and will make a decision.

So obviously, it can be tabled again, which I see absolutely no purpose in doing because I don't know if we're just kicking the can down the road.

So any opinions? Lots of microphones, so use one.

(NONE)

All right. Again -- Bill? Sorry.

COMMISSIONER McLaren: I'm sorry. I don't -- I really don't see how we can truly approve this without the written opposition and that the opposition, the testimony that's been presented against this.

You know, we've -- it's not our job to mirror what the community says in a meeting. It's our job to think about it, but it is our job to gather opinions and take those into consideration. And it just does not seem to me like we have the right way to move forward here.

CHAIRMAN Evans: Bill, what
would you suggest being the next step?

COMMISSIONER McLaren: I am truly -- I am truly with Ron. I think I'm in opposition to Scottie, that we need a different district that takes into consideration something besides the Ag, the Non-Urban Ag District for the eastern part of Franklin County. Whatever the boundary is, I think there's compatible uses with what's in there, and I think there's un-compatible uses with what's in there.

And I -- as we talked about it in the workshop, I'm not willing to take something away from one part of the county in order to please another part of the county. I don't think that's fair to the part of the county that is truly agricultural to take away their uses in order to make it more compatible with the east side.

So I am with Ron, and I think that we need a hybrid district, and I feel very strongly about that.

CHAIRMAN EVANS: Again, any further discussion from any of the other Commissioners?

(NONE)

Again now obviously there's significant
changes and W is -- probably does make up 90 percent of the county the way it's designed.

But once again, we're at that point where we can table it, we can make a recom- -- which I strongly oppose, make a recommendation in favor of the rezoning as presented, or make a recommendation opposed to the zoning as it's presented.

At which time, it does get a document in front of the Commission either way, whatever changes can be presented to them, but I think it would behoove us to do something with this file.

All the batteries in these microphones are just -- all of them work. Would anyone like to make a motion?

COMMISSIONER McLaren: I'm sorry I'm going to make a motion that we recommend not approving the map as presented instead -- that's my motion.

MS. EAGAN: Your motion is to recommend denial?

CHAIRMAN EVANS: Yes.

COMMISSIONER McLaren: I don't know that that's the exact words, but yes. That's the message.

CHAIRMAN EVANS: We have a
motion to recommend denial.

COMMISSIONER WILLETTE: I will -- I'm not quite clear on where we would go from there, but what do you see, denial and then what?

COMMISSIONER McLAREN: It's going to go to the County Commission, and they're going to be required to --

COMMISSIONER WILLETTE: I see.

CHAIRMAN EVANS: Yeah, it would be presented --

COMMISSIONER McLAREN: We're just making a suggestion to the County Commission of whether yes we think this is the way to move forward, or no we don't think it's the way forward is what my motion is.

So my motion is no, I don't think this is the way forward.

COMMISSIONER WILLETTE: I see.

I'll second that.

CHAIRMAN EVANS: We have a motion and a second to recommend to the County Commission that this be denied. So a yea vote would mean that you would deny it. A no vote means that you would not deny it.

Everybody understand that? Voting yes
1 means that you want to deny it. Voting no means that
2 you don't want to deny it. It's a little backwards.
3 So the yea vote means that we will tell the County
4 Commission that we don't like it.

   All right. We'll just go ahead and take
6 a voice vote first. All in favor of recommending
7 denial of the rezoning please signify by saying aye.

   COMMISSIONER WILLIAMS:  Aye.
   COMMISSIONER WILLETTE:  Aye.
   COMMISSIONER McLAREN:  Aye.
   COMMISSIONER REINHOLD:  Aye.
   COMMISSIONER KLENKE:  Aye.
   COMMISSIONER VOSS:  Aye.
   COMMISSIONER HARTMANN:  Aye.
   CHAIRMAN EVANS:  All opposed
16 signify by saying no. No.

   COMMISSIONER HAIRE:  No.
   COMMISSIONER TOBBEN:  No.
   CHAIRMAN EVANS:  All right. We
20 need a roll call vote.

   MS. EAGAN:  Bill Evans?
   CHAIRMAN EVANS:  No.
   MS. EAGAN:  Dan Haire?
   COMMISSIONER HAIRE:  No.
   MS. EAGAN:  Mike Klenke?
COMMISSIONER KLENKE: Yes.

MS. EAGAN: Bill McLaren?

COMMISSIONER McLaren: Yes.

MS. EAGAN: Tim Reinhold?

COMMISSIONER REINHOLD: Yes.

MS. EAGAN: Tom Tobben?

COMMISSIONER TOBBEN: No.

MS. EAGAN: Stan Voss?

COMMISSIONER VOSS: Yes.

MS. EAGAN: Debbie Willette?

COMMISSIONER WILLETTE: Yes.

MS. EAGAN: Ron Williams?

COMMISSIONER WILLIAMS: Yes.

MS. EAGAN: And, Dennis Hartmann?

COMMISSIONER HARTMANN: Yes.

MS. EAGAN: With seven in favor, it's going to be recommended to deny it.

CHAIRMAN EVANS: All right.

This file will be sent up to the Franklin County Commission with the recommendation from Planning and Zoning that it be denied as presented.

Preliminary Plats. We have none.

Planning and Zoning Commission Forum.

Anything to discuss?
COMMISSIONER WILLIAMS: I just want to say something. I know, Scottie, you and your staff put a lot of time into this. My vote is not against that, you know. My vote was presented in the way that it was because I didn't -- I do feel strongly about that area. And I think a hybrid would work. I understand your opposition to that, creating another zoning district.

But at the same time, I think it's applicable to this, but I'll say I know you spent a heck of a lot of time, you and your staff. And greatly appreciating those people tonight who don't. That's their opinion, but I do want to say thank you. If it comes back, you'll get another try.

CHAIRMAN EVANS: And I'm pretty sure it'll come back because the process is that the Commission will have a public hearing, and they decide and they can make changes.

And, Mark, correct me if I'm wrong, that once they make a change after their public hearing, that the public has the right to speak again. So it would come back to Planning and Zoning?

COUNTY ATTORNEY PIONTEK: That's correct.

CHAIRMAN EVANS: And there
1. would be another public hearing?

COUNTY ATTORNEY PIONTEK:

That's correct.

CHAIRMAN EVANS: And we would

-- I think as Mark stated last week that we would look

at those, accept those changes, and then make another

recommendation to the County Commission.

So this file will move on to the County

Commission, and they will have a public hearing.

MS. EAGAN: Mark, just to

clarify, if the County Commission just reverses the
denial and it just decides to vote in favor of it, it
will not come back here?

COUNTY ATTORNEY PIONTEK:

That's correct.

CHAIRMAN EVANS: Is that a

super majority?

COUNTY ATTORNEY PIONTEK: Yes.

CHAIRMAN EVANS: Okay. So if

you would change it and accept it, totally reverse

it, then it would not come back. Okay. Thank you for

the clarification.

Anything else to discuss?

(NONE)

Planning Director's Report.
MS. EAGAN: As far as I know, this is probably Tom Tobben’s last meeting with us. He’s just asked to not be reappointed. So his term ends I think officially on November 3rd. So he wanted to make sure he saw the rezoning through.

So since you guys made a recommendation, this will probably be his last meeting.

COMMISSIONER TOBBEN: I appreciate that, and it’s been an honor to serve on this Board, but with other responsibilities in my life and my family growing, other needs are pulling me elsewhere where I’d like to spend more time. So...

CHAIRMAN EVANS: All right.

Tom, thanks a lot. You’ve been a valuable asset.

COMMISSIONER TOBBEN: Thank you, Bill.

MS. EAGAN: And we also do have a new member with Central Township. Dennis Hartmann has decided to join. So thanks for coming tonight. I hope you stay for more.

CHAIRMAN EVANS: All right.

Anything else to discuss?

(NONE)

If not, the Chair would entertain a motion to adjourn.
COMMISSIONER McLaren: I want to make a motion to adjourn.

COMMISSIONER KLENKE: Second.

CHAIRMAN EVANS: We have a motion and a second to adjourn. All in favor signify by saying aye.

COMMISSIONER REINHOLD: Aye.

COMMISSIONER VOSS: Aye.

COMMISSIONER McLaren: Aye.

COMMISSIONER WILLETTE: Aye.

COMMISSIONER WILLIAMS: Aye.

COMMISSIONER KLENKE: Aye.

CHAIRMAN EVANS: Aye.

COMMISSIONER HAIRE: Aye.

COMMISSIONER TOBBEN: AYE.

COMMISSIONER HARTMANN: Aye.

CHAIRMAN EVANS: Opposed?

(NONE)

We are adjourned.

(THEREUPON, THE PROCEEDINGS CONCLUDED AT 8:58 P.M.)

080
CERTIFICATE OF REPORTER

I, PATSY A. MAYBERRY, Professional Court Reporter and Notary Public within and for the State of Missouri, before whom the foregoing proceeding was taken, do hereby swear that: the aforementioned was held at the time and in the place previously described; the proceedings were taken down in stenographic notes by me and transcribed by me, or under my supervision, to the best of my ability; and that the aforementioned represents a true and accurate transcript of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand.

Patsy A. Mayberry,
Court Reporter
Notary Public, State of Missouri
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able 12:2 36:12
addresses 46:14
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adjustment 8:12
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