

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

1 This meeting was held at the Berlin Township Hall, 3271 Cheshire Road, Delaware, Ohio
2 43015.

3
4 **CALL TO ORDER**

5
6 The meeting was called to order by Chairperson Rick Sedlacek at 7:00 PM.

7
8 Mr. Hahn led the meeting attendees in the recitation of the Pledge of Allegiance.

9
10 BZC Members Present: Rick Sedlacek; Jerry Valentine; Jim Hahn; Kristin Yorko; Toni
11 Korleski (2nd alternate seated for first half of meeting)

12 Also present: Rae Ann Kerlin for second half of meeting

13 Absent: Betty Bringardner (1st alternate)

14
15 Mr. Sedlacek read the adopted BZC policy statement for the meeting, as printed in the
16 agenda.

17
18 **LEGAL NOTICE AND PROOF OF LEGAL NOTICE PUBLICATION**

19
20 Zoning Clerk Lisa Knapp provided proof of publication for the legal notice for this
21 meeting, which was published on June 29, 2010 in the Delaware Gazette, providing
22 notification of the meeting date, time, and items for discussion.

23
24 **BERLIN TOWNSHIP ZONING COMMISSION NOTICE OF PUBLIC MEETING**

25
26 The Berlin Township Zoning Commission will hold a public meeting on July 13, 2010 at
27 7:00 p.m. at the Berlin Township House located at 3271 Cheshire Road, Delaware, Ohio
28 43015 to continue discussions regarding the revisions associated with the text of the
29 Comprehensive Land Use Plan (CLUP). This will include introduction of
30 recommendations and sub areas. Discussions will continue on possible changes as a
31 result of the recently completed Business Community Forum as well as wind turbines and
32 signage. The person responsible for giving notice of the public hearing by publication is
33 Cathy Rippel. Questions concerning this matter should be directed to the Zoning Office at
34 740-548-5217. Township residents are encouraged to attend.

35
36 **BERLIN TOWNSHIP ZONING COMMISSION**

37 Rick Sedlacek, Chairman

38
39 **APPROVAL OF MINUTES**

40
41 Mr. Hahn made a motion to approve the minutes from the June 8, 2010 BZC meeting as
42 presented. Mr. Valentine seconded the motion. All in favor say, "aye," all opposed
43 signify with same sign. No opposition, motion carried, minutes approved.

44
45 **AGENDA ITEM: INTRODUCTION OF MEETING ATTENDEES**

46
47 Mr. Sedlacek asked the meeting attendees to introduce themselves.

- 48
49 ○ Scott Sanders, director of the Delaware County Regional Planning Commission
50 (DCRPC)
51 ○ Dave Davis, with Flyaway Farms, a Christmas tree farm, 1950 Lackey Old State Rd.
52 ○ Dave Armbruster, 477 Dunham Road
53 ○ Elizabeth Kline, 5540 Bayside Ridge Drive
54 ○ Jeff Baumann, 1224 Dale Ford Road
55 ○ Joe Korleski, Berlin Township BZA member
56 ○ Doug McCannon, representing Edward Jones at 5191 Columbus Pike, Ste. B
57 ○ Don Sherman, 1469 Africa Road
58 ○ Barbara Sherman, Berlin Township BZA member, 1469 Africa Road
59

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

60 Mr. Sedlacek thanked Mr. Valentine for his meeting reminder calls, which have resulted
61 in increased BZC meeting attendance by the public. He noted that Ms. Kerlin notified
62 him that she would be arriving later in the meeting. She will then review with the
63 Commission possible changes to the sign regulations for the township which she and her
64 subcommittee have prepared.

65
66 Mr. Sedlacek said that a meeting was held a while back with the Commission and several
67 small business owners. One of the most frequent comments heard from the business
68 owners at that meeting was that the Berlin Township sign regulations are too strict, and
69 he noted that Liberty Township and other entities have recently relaxed their sign
70 regulations. He said that the Commission didn't want a sign on every street corner, but it
71 would like to hopefully not inhibit the business owners from being able to advertise their
72 business and products.

73
74 Mr. Sedlacek said a presentation had been given by Al Berthold with the Neighborhood
75 Design Center (NDC) at the last meeting, and Mr. Berthold has sent a letter to Mr.
76 Sanders. He noted that he thought Mr. Berthold had intended to be at this meeting, but he
77 assumed that the letter was sent in lieu of him attending this meeting.

78
79 Mr. Sedlacek noted that the NDC proposal is for the village of Cheshire and it will
80 hopefully have a cost attached to it and then a decision could be made regarding whether
81 the trustees should be petitioned to consider it.

82
83 **AGENDA ITEM: REVIEW OF CLUP CHAPTER 14**

84
85 Mr. Sanders distributed Chapter 14 to the end for the Commission's review. He noted
86 that he has inserted some village of Cheshire general guidelines, which he had prepared
87 to put in for the village of Cheshire regardless of what happens regarding the NDC
88 proposal. He noted that the timing might be off due to the proposal from the NDC and it
89 might replace or add to it, but it is important to review it regardless.

90
91 Mr. Sanders noted that there is a list of general recommendations that don't make it into
92 any sub area and those will also be reviewed. There are two tables which indicate the
93 township's current land use and build-out land use, as well as its population projection
94 per zoning district, which he noted should be "sub area" instead, and he noted that they
95 are blank but have been included as placeholders.

96
97 Mr. Sanders said that a brief history of planning was also included as well as a summary
98 of community input. He wasn't planning to review Chapter 4 because it was done last
99 month and he thought it could be posted as the first complete draft after this meeting.

100
101 Mr. Sanders said that there are only two areas to review, including the village of Cheshire
102 area and the recommendations that are general in nature and not for any sub area.

103
104 **Planning Area Nine - Historic Cheshire Village Area**

105 Land area: 849 acres

106 Potential development acreage: 19 acres

107 Current estimated population: 1,278 (477 housing units)

108
109 Mr. Sanders noted that this is called the Historic Cheshire Village Area sub area, but its
110 area is much larger than that and includes two major subdivisions to the south of the
111 actual village. It is bounded on the west by Alum Creek, on the north by a line parallel to
112 and approximately 1300 feet north of Cheshire Road, on the east by Berkshire Township,
113 and on the south by the lands of the United States extending east to 3 Bs and K Road.

114
115 Mr. Sanders said that the township has placed a layer called the Old Cheshire Planned
116 Unit Development (PUD) over part of the area which provides landowners with some
117 flexibility regarding what can be developed in that area.

118

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

119 9.1 The area is served by Delaware County sanitary sewer mostly within the village of
120 Cheshire and the PRD subdivisions. The lands fronting on 3 B's and K Road are
121 recommended for single family use at one unit per acre, continuing north of Cheshire
122 Road to include some of the lands of Double Eagle Golf course.

123
124 9.2 The unincorporated village of Cheshire and some of its adjacent properties as
125 depicted on the Comprehensive Plan are recommended for redevelopment in a mixed use
126 planned district that would permit residential use at up to five units per acre, and local
127 commercial uses, preferably in a downtown with historic architectural syntax, on-street
128 angle parking, sidewalks, street trees, and shallow or zero setbacks.

129
130 Mr. Sander said that page 27 general statements have been included that give developers
131 or landowners an idea of what that mix of uses might be and how that might be laid out.
132 This is essentially what was included in the existing plan in the index at the end called
133 Elements of Great Communities but this is in a table which is briefer and easier to read.

134
135 Village Center General Guidelines

136 Due to the intensity of uses and higher densities in town centers, good design is critical to
137 the success of such centers. The following are general design guidelines that should be
138 considered in developments in the OCPUD and at the Piatt Road/Shanahan Road
139 Neighborhood Commercial areas.

140
141 Mr. Sedlacek asked whether the language should be more consistent. The zoning
142 resolution in Article 16 calls that area "Old Cheshire" and the CLUP calls it the "Village
143 of Cheshire." He noted that the area is really not a village. Mr. Sanders said that it
144 depends on how the group would define village and he noted that the plat was probably
145 intended to be a village when it was originally platted. He noted that it is up to the
146 Commission if they wish to call it "Old Cheshire" in the CLUP.

147
148 Mr. Sedlacek said referring to the area by two different names may cause some
149 confusion. Ms. Yorke noted that the area is historic, as opposed to "old." Mr. Sedlacek
150 agreed. Mr. Sanders said it would also lend consistency to the language.

151
152 Mr. Sanders said that while reviewing the existing language, he noted that the old part
153 doesn't have its own sub area and it is in the larger sub area 9, which is probably fine
154 because most of the property to the south has already been developed. However, when
155 the CLUP was done 10 years ago, nobody knew they were there.

156
157 Mr. Sedlacek asked for the Commission's opinions on the issue. Ms. Korleski said it
158 should be worded consistently. Mr. Hahn liked "historic" Cheshire. Mr. Sedlacek said
159 that there should be consistency and the following names have been discussed so far: Old
160 Cheshire, Village of Cheshire and Historic Cheshire.

161
162 Mr. Armbruster said that the term "Village" may draw more people because it makes the
163 area sound as though it has a central location to visit or start a business. Mr. Valentine
164 said the wording should be consistent, whatever is decided.

165
166 Mr. Sherman said that 60 years ago, there was nothing there at all but the Cheshire
167 Market and that was where everybody bought their groceries.

168
169 Mr. Sedlacek suggested the, "Historic Village of Cheshire" so the word "old" didn't need
170 to be used. There was a discussion and he asked that Mr. Sanders insert that into the
171 CLUP for consistency, and the township will work on changing the name in the zoning
172 resolution in the future so it will all be consistent.

173
174 Mr. Hahn suggested perhaps getting input from the people who live in the area and they
175 might have opinions on that. Mr. Sanders said the area isn't being renamed and just the
176 way it is referred to is being changed. He noted that the zoning resolution states the
177 descriptor "old." Mr. Sedlacek said that could be changed in the future.

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

178 Ms. Korleski disagreed with the term, “historic” because there was only one historic
179 business there. All the houses and other development are part of the village of Cheshire
180 area. Mr. Sedlacek thought that a better-sounding name would help with what they are
181 trying to do in that area.

182
183 Mr. Valentine said the word “historic” makes the area sound much larger than it is and he
184 suggested, “Cheshire Village.” Mr. Sedlacek said his concern is that it’s not a village,
185 but noted that other Commissioners didn’t seem to think that’s a problem. Mr. Sanders
186 said that the word “historic” doesn’t necessarily mean it’s famous, but that it is a
187 tradition.

188
189 After further discussion and input from Mr. Sanders, Mr. Sedlacek asked that the
190 language be modified to indicate “Historic Village of Cheshire and Surrounding Area”
191 for consistency, and he noted that the zoning resolution would be updated in the future to
192 reflect the modified designation.

193
194 Village Center Design Concepts

195 Mr. Sanders reviewed these concepts and noted that if the NDC does design work
196 for the township, these concepts may be replaced. He said that these show the concept of
197 pulling buildings up to the street and creating that pedestrian character with on-street
198 parking which wouldn’t necessarily be on existing roads but might be on interior, private
199 drives and would have the appearance of on-street parking. The concepts will probably
200 be expanded upon.

201
202 Planning Area Ten - South East Alum Creek Corridor

203 Mr. Sanders said that this was already reviewed at an earlier meeting.

204
205 General Recommendations

206 The following implementation items are general in nature and are not specific to any sub-
207 area.

208
209 11-1. Continue to work with the township parks committee and encourage development
210 of parks and leisure trails as part of new developments. Mr. Sanders said the township
211 continues to seek that in rezoning cases so this doesn’t seem controversial.

212
213 11-2. Continue to require sidewalks within and pedestrian connections between
214 residential developments.

215
216 11-3. Encourage pedestrian-oriented commercial development and seek pedestrian
217 connections between commercial and residential developments.

218
219 11-4. Seek usable open space in developments. This is opposed to getting just leftover,
220 unusable space from developers, said Mr. Sanders.

221
222 11-5. Consider the overall housing mix when reviewing rezoning requests as the
223 township continues to develop. Mr. Sanders noted that many of these items come from
224 what currently exists as goals and objectives in the CLUP. When the chapter on goals
225 and objectives was redone, they weren’t replaced at the end and thus needed to be put
226 somewhere in the CLUP.

227
228 11-6. Encourage the conservation of natural resources (steep slopes, woodlands, wooded
229 ravines, floodplains, etc.) as part of a subdivision’s open space while utilizing the current
230 PRD and TPUD zoning language.

231
232 11-7. Seek multiple entrances to developments and the interconnection of subdivisions to
233 improve safety, reduce travel times and lower maintenance costs. Mr. Sanders said this is
234 an issue between the DCRPC and the county engineer and he likes everybody to be on
235 the same page regarding multiple entrances in a subdivision and having connections to
236 the next parcel, even if it’s not developed yet.

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

237 11-8. Seek street connections or cross-easements between commercial uses. Mr. Sanders
238 said this is for situations where there is a backage road but it is not appropriate for
239 everybody to have their own connection and the cross-easements can be sought, usually
240 in a larger development. That way an easement isn't forced onto one developer to the
241 next user, but when the overall commercial area is developed the cross easements can be
242 obtained to provide back-and-forth access between commercial uses.
243

244 11-9. Support access management along state routes as well as along existing and
245 proposed arterial roads, referencing the ODOT goals for U.S. 23 and U.S. 36/S.R. 37.
246 Mr. Sanders said that this is covered under the map because those backage roads have
247 been done to limit the points of access on those roads.
248

249 11-10. Support the County Engineer by encouraging best practices for stormwater
250 management and by encouraging development that preserves surface and ground water
251 quality.
252

253 11-11. Keep local agencies informed throughout the development process so they can
254 plan for future service. Mr. Sanders said that this isn't necessarily county agencies or
255 development-style agencies but to alert others such as libraries, schools, fire departments
256 and similar that might fall through the cracks.
257

258 11-12. Work with agencies to identify new sites for township facilities. Mr. Sanders said
259 this type of issue is difficult to put on a map, for example, indicating that a new fire
260 station is desirable for a certain sub area. However, the township should work to
261 continually identify with those sites.
262

263 11-13. Provide for updates to the Comprehensive Land Use Plan within 5-10 years.
264

Berlin Township 2010 Comprehensive Land Use Plan

265 The Berlin Township Comprehensive Land Use Plan Map incorporates the goals, means
266 and planning principles recommended in this text. It is intended to represent the best
267 thinking for future development at the time of its adoption. The plan is subject to change
268 depending on significant new considerations after the plan's adoption or a shift in the
269 basic goals of the community.
270

271

Berlin Township 2010 Comprehensive Build-out Land Use Mix

272 The 2010 Berlin Township Comprehensive Plan makes site-specific recommendations
273 for every parcel of land in the township. The following table projects the result of the
274 land use recommendations of the Land Use Map.
275

276

277 Mr. Sanders reviewed Figure 14.2 Comparison of Existing Land Use Acreage and Build-
278 Out Acreage which is a table which will be updated soon, one the figures are available.
279 He also reviewed Figure 14.3 Build-out Population by Sub-Area which shows the
280 estimated population per sub area.
281

Appendix A - A Brief History of Planning

282 Mr. Sanders said that this is a standard brief history of planning.
283

284

Appendix B - Summary of Community Input

285 Mr. Sanders said that this section reviews all the numbers and rankings which were no
286 longer desirable in Chapter 4 because they were complicated, so they were placed in the
287 back of the CLUP for reference.
288

289

290 Mr. Sedlacek asked whether Mr. Sanders would provide to the Commission next month a
291 completed draft copy of the entire document with the CLUP map. Mr. Sanders said that
292 was correct and he asked whether the Commission wished to have the items posted so
293 people could either read it online or could print it if desired, although he is happy to
294 provide copies. Mr. Sedlacek said that is a large document.
295

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

296 Ms. Korleski asked whether Appendix B should include a reference to Chapter 4, as that
297 chapter references it. Mr. Sanders agreed to do so.

298

299 Mr. Sedlacek asked what a reasonable amount of time was for the Commission to review
300 the document once more and when it could be ready. Mr. Sanders said it would be a
301 good idea to review the document again.

302

303 Ms. Yorke asked whether the changes were tracked by Mr. Sanders so the Commission
304 can easily pick up on the changes which have been made. Mr. Sedlacek thought it would
305 be a good idea to review the document again. Ms. Yorke agreed and asked whether a
306 spiral-bound copy could be obtained. Mr. Sanders said the books will be bound into a
307 glued binder.

308

309 Mr. Sedlacek said he would like to have 2 weeks to further review the document. Mr.
310 Sanders said he can post the CLUP within the next week and the map in a couple of
311 weeks. Mr. Sedlacek felt that was reasonable as the Commission is signing their names
312 to the CLUP document and stating that it believes that is the direction the township
313 should go in; he didn't want to do that until it was reviewed once more and comments
314 could be provided at the next hearing.

315

316 Mr. Armstrong suggested putting the document online and those who want printed copies
317 could contact him to print them. Ms. Yorke asked that they be printed double-sided. Mr.
318 Davis noted that 4-B should actually be 4-C. Mr. Sedlacek noted that 4-A and 4-B had
319 been combined in the text. Mr. Sedlacek asked that on the map, 4-B should be removed,
320 and 4-C should be changed to 4-B; Mr. Sanders agreed to make the change.

321

322 Mr. Gemienhardt said it is very hard to download the maps from the DCRPC website and
323 he asked whether Mr. Sanders could bring 20 maps to the next meeting. Mr. Sedlacek
324 felt that was a reasonable request.

325

326 Ms. Korleski said that on page 132, item 1 at the top of the table is indicated as US 26 but
327 the correct reference is actually US 36.

328

329 Mr. Sanders said that 7-C and 7-E were merged together, so 7-C, 7-D and 7-E are all now
330 7-E.

331

332 Mr. Sedlacek asked Mr. Sanders to notify the Commission when the CLUP is posted and
333 Mr. Sanders agreed.

334

335 Ms. Yorke asked when the next township newsletter would be mailed, and she wondered
336 whether it would be timely to put a notice in the newsletter about the updated document.

337

338 Mr. Armstrong said that would be a great idea, but he wasn't sure when the next
339 newsletter would go out.

339

340 Mr. Sedlacek suggested that perhaps a Commissioner could write up a paragraph which
341 states that the Zoning Commission has completed the CLUP and that it is online. He said
342 a draft copy of the CLUP will be online within a week and the map will be online within
343 2 weeks. Mr. Sanders agreed and said he would also bring copies. Mr. Sedlacek said the
344 CLUP will be reviewed next month.

345

346 **AGENDA ITEM: NEIGHBORHOOD DESIGN CENTER PROPOSAL**

347

348 Mr. Sanders said that the Neighborhood Design Center (NDC) is a firm in Columbus
349 which has two certified architects and a staff of student architects/landscapers/planners.
350 The NDC does design work for local communities at student prices so they can provide
351 design work at a much lower price than hiring an outside firm.

352

353 Mr. Sanders said the NDC employees have varied backgrounds that he or people at
354 DCPRC don't necessarily have. Franklin County has used the NDC to do some township

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

355 plans, and he has seen their work and really liked it. The group of students conducts a
356 design charette, which is where people discuss what their vision is for an area.

357

358 Mr. Sanders said that he has been aware that the township has struggled through the
359 months and years to get the village of Cheshire businesses to come together and agree on
360 things, so this is an opportunity to do that in a way which would be less threatening than
361 coming to a Commission meeting.

362

363 Mr. Sanders said that he found that Franklin County had used its economic development
364 office to fund the projects so the county or the township didn't have to pay for the
365 services, so he spoke with the Delaware County economic director and found that there
366 are community block grants that have to go to distressed properties. However, there is a
367 section which allows for some planning purposes.

368

369 Mr. Sanders said that the NDC Director Al Berthold and a student presented to the
370 Commission at last month's meeting. As the next step, Mr. Berthold then sent him a
371 draft of the NDC's proposal which indicates what the group would do and how much it
372 would cost. He had thought it was a draft and that Mr. Berthold was going to send a copy
373 to Berlin Township, and he didn't realize until today that they were not going to do that.

374

375 Mr. Sanders distributed the letter about the project, which was addressed to him. There
376 are introductory comments and then a description of the work. The project was
377 separated into several steps and packages.

378

379 Mr. Sedlacek said that under Work Step 1, the second line says that the NDC will prepare
380 for the initial meeting, and he asked if Mr. Sanders thought that would be part of a
381 Commission meeting or a separate meeting. Mr. Sanders thought that would be held on a
382 different day such as on a Saturday, and it may be an open house type of event.

383

384 Mr. Sanders said that Work Step 1 is intended to prepare the items for Work Step 2, and
385 he wasn't sure whether Work Step 1 would be necessary all by itself. Many features
386 have been identified just through this process so that is really preparing for Work Step 2,
387 which is a vision meeting for which people will be present.

388

389 Mr. Sedlacek said that Work Step 1 seems to be just the preparation for Work Step 2.

390 Mr. Sanders said that it is likely that if funding could be found for the project there would
391 be no reason to say, "No" to the proposal.

392

393 Mr. Sedlacek said that if the Commission likes this proposal it can submit it to the
394 trustees for them to decide what they want to do. Mr. Sanders noted that he submitted a
395 rough copy to Gus Comstock, economic development director for Delaware County. Mr.
396 Comstock informed him 1.5 months ago that there was funding which hasn't been used
397 yet this year.

398

399 Mr. Sanders explained that Mr. Comstock has a staff of one which does block grants and
400 makes contact with businesses across Delaware County, both in municipalities and
401 outside and tries to do what he can to keep businesses here and to also attract new
402 businesses. Part of that includes a neighborhood stabilization program which is typically
403 in more urban areas such as the City of Delaware, and includes the funding of housing
404 rehabs, as well as block grants which were used for sidewalk repairs in the City of
405 Ashley.

406

407 Mr. Sanders noted that there is a section that can be used to fund planning and not
408 rehabilitation. Mr. Sedlacek asked whether that grant money is ready or Mr. Comstock
409 would need to go get it. Mr. Sanders said that he had told him there are some funds
410 available now; however, he believes it is not sitting in an account but does need to be
411 requested for a certain project.

412

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

413 Mr. Sedlacek said it would be beneficial for the Commission to learn whether any of that
414 grant money was available and then send the proposal to the trustees with that
415 information. Mr. Hahn suggested sending it to the trustees from the Commission with
416 their recommendation that it be adopted pending grant money being available to help
417 with the project; this would eliminate a step. Mr. Sanders agreed.

418
419 Ms. Yorke asked who would file the paperwork for the grant. Mr. Sanders said the form
420 includes an area for a representative from the township to sign, and also a signature from
421 a certified architect, which would be someone from the NDC. It was worded for actual
422 projects which are done in the ground. There is no separate form for planning work.

423
424 Mr. Sanders said there would need to be a representative from the township who commits
425 to the project. He said he would prepare the paperwork to be approved. Ms. Yorke
426 asked whether the Commission needed to submit the grant proposal to the trustees in a
427 timely manner so they have that paperwork in hand.

428
429 Mr. Hahn said that if the Commission agrees with the proposal, it can recommend to the
430 trustees that it does agree with the proposal pending availability of grant money; that will
431 eliminate a step. The NDC gets much of their work done during the summer because
432 they are students and class starts back up in September.

433
434 Mr. Sedlacek said he could ask the trustees to put this on the agenda at their next meeting
435 next month. Mr. Sanders agreed to discuss the issue with Mr. Comstock this coming
436 Monday and said that the township is also welcome to make additional contact.

437
438 Ms. Korleski asked whether, if the township receives grant money for the design work,
439 would it have to commit to actually follow through and implement the plan? Mr.
440 Sedlacek said it wouldn't have to. The township would like to get financial help to do
441 that plan. It will examine the plan to see whether it is doable and how.

442
443 Mr. Hahn said that his understanding is that if such a plan is done, it would help guide the
444 Commission as future applicants come into the area for zoning approval. At the county
445 level it will also help as the township will have a plan it would like to adhere to.

446
447 Mr. Valentine said that the recommendations which are made would be incorporated into
448 the CLUP as that document is published and that would be a guideline. Ms. Korleski said
449 that when people spend money on something, they usually expect something to come
450 from it. If the economic development people are spending money to help the township
451 with its design, wouldn't they have concerns if the design wasn't implemented?

452
453 Mr. Sedlacek said that in order to determine that, he would like to send a Commissioner
454 and Mr. Armstrong to see Mr. Comstock with Mr. Sanders. Mr. Hahn said he has been
455 on town councils where they turned down grant money because by the time all the
456 required paperwork, etc. it cost more money than was received from the grant, and he
457 would like to ensure that situation is avoided.

458
459 Mr. Sedlacek said that in the past, the township applied for a grant and received it, but
460 there was a deadline which was missed because there was so much work to be done
461 beforehand, and the grant money was lost. He assumed this would be the same way but it
462 should be discussed with Mr. Comstock.

463
464 Ms. Kerlin said that there was no reference to the rights-of-way and that was discussed at
465 the last meeting. Mr. Sanders said that could be part of the initial mapping because that
466 would be an issue that would affect what could be done. Mr. Sedlacek said the rights-of-
467 way are not direct and not easily understood.

468
469 Mr. Hahn said he would provide a copy of what is given to Mr. Comstock.

470

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

471 Mr. Hahn asked whether, after the aforementioned meeting occurs with Mr. Comstock,
472 does the Commission need to wait until after its next meeting before it can go back to the
473 trustees. Mr. Sedlacek said he hoped not.

474

475 **Resolution 10.07.13.#1: Authorize Discussions with Delaware County Economic**
476 **Development Director Regarding the NDC Proposal and Possibly Forward Said**
477 **Proposal to Berlin Township Trustees**

478

479 Mr. Valentine made a motion to authorize one Zoning Commission member and the
480 Zoning Inspector to take the Neighborhood Design Center Proposal to Delaware County
481 Economic Development Director Gus Comstock. The representatives will explain to Mr.
482 Comstock that the township seeks potential grant money to fund the proposal and will
483 also engage in information gathering from Mr. Comstock to identify the specific
484 requirements associated with the grant money. If these representatives find the terms
485 acceptable after the meeting with Mr. Comstock, they are authorized to forward the
486 proposal to the township trustees.

487 Mr. Hahn seconded the motion. Vote: Valentine, yes; Hahn, yes; Korleski, Yorke, yes;
488 Sedlacek, yes. Motion carried.

489

490 Mr. Valentine volunteered to serve as the Zoning Commission member referred to in the
491 above motion.

492

493 **AGENDA ITEM: CHESHIRE BUSINESS UPDATE AND SIGNAGE, ARTICLE 22**

494

495 Mr. Sedlacek said the Commission asked Ms. Kerlin to review the township's sign and
496 billboard regulations again and to head a committee about it. Originally it was being
497 reviewed only for the Historic Village of Cheshire and surrounding area but now is being
498 considered for the entire township.

499

500 Ms. Kerlin said she met with Ms. Korleski and Tom Tomlinson to review Article 22 of
501 the zoning resolution, sign and billboard regulations. Originally the chapter was
502 reviewed in the context of only the Village of Cheshire and the Commission was seeking
503 to help the businesses in that area.

504

505 Ms. Kerlin said a meeting was held about a year ago and the neighborhood business
506 owners were there to speak regarding what would help them. A sub committee was
507 formed and it set about seeing what could be changed. A large part of that meeting was
508 regarding the sign and billboard regulations in the Village.

509

510 Ms. Kerlin said that originally the committee discussed creating a separate article of sign
511 and billboard regulations for just the Village, but later decided that probably wasn't the
512 best precedent to set as it would provide certain rights to one part of the township which
513 weren't give to other parts. Thus, Article 22 was revised included additions and
514 deletions.

515

516 Ms. Kerlin said that some language was taken from the Liberty Township zoning
517 resolution.

518

519 Ms. Kerlin said the purpose was changed quite a bit and she reviewed Section 22.01
520 Purpose:

521

522 *"The purpose of this sign regulation is to promote and protect the public health by*
523 *regulating existing and proposed outdoor signs of all types. It is intended to protect*
524 *values, enhance and protect the needs of the business properties in the entire township as*
525 *well as the physical appearance of the Old Cheshire Planned Unit Development*
526 *(OCPUD) and preserve the scenic and natural beauty of the communities and*
527 *countryside as a whole."*

528

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

529 Mr. Valentine noted that "Old Cheshire" should be changed to "Historic Village of Cheshire"
530 as discussed earlier in this meeting and the Commission agreed.

531

532 Mr. Hahn suggested changing "health" to "welfare" because the regulations don't affect the
533 public health.

534

535 Ms. Kerlin said that to Section 22.02, Permitted Signs - No Permit Required, ribbons and
536 streamers were added to the list, said Ms. Kerlin, because they seemed to be of a decorative
537 nature and that people may wish to decorate their patios with windsocks and streamers. She
538 noted that there is a section of the zoning resolution which does not allow signage with
539 ribbons and streamers.

540

541 Ms. Yorko said that in Section 22.03, first paragraph, "H3" should be "H.3."

542

543 Ms. Kerlin said that in section B. Signs for Expanded Home Occupations, the language was
544 modified to indicate that the signs shall be placed outside of the right-of-way.

545

546 Mr. Valentine asked whether the right-of-way was defined. Mr. Sedlacek said that the
547 zoning office has a book of the rights-of-ways on all township roads. Mr. Valentine
548 suggested adding, "as defined in the zoning office" to the language. Mr. Armstrong said the
549 official right-of-way is kept by the county engineer's office.

550

551 Mr. Hahn suggested indicating that the sign and its foundation in entirety should be outside
552 the right-of-way. Mr. Sedlacek suggested, "and all associated materials." Ms. Kerlin said
553 she would modify the language to indicate, "The sign and all its associated materials shall be
554 placed outside the right-of-way." She noted the same change was also made to item E.

555

556 Mr. Hahn said that there is language in the zoning resolution which states that signage cannot
557 the block line-of-site view to a property and he asked whether that also applied to all these
558 statements about right-of-way. Ms. Kerlin said there is another place which states that as
559 well. She asked whether Mr. Hahn was suggesting that it be added to 22.02 B. Mr. Hahn said
560 he liked the statement under 8.1 and it should be put anywhere limitations on signage is
561 indicated.

562

563 Mr. Sedlacek asked whether there was language in the zoning resolution regarding what the
564 sight triangle should look like. Mr. Armstrong said it was and it was up towards the front of
565 the resolution. Mr. Hahn said he would like that in the entire section, not just in the political
566 signage section. Ms. Kerlin agreed to modify the language as suggested.

567

568 Ms. Yorko said she made some changes to section D., adding the word "of" and making
569 easement plural as underlined below.

570 *D. Name and address of occupant of property provided that such sign is not more than*
571 *three (3) square feet in area per side and is located outside of the easements or right-*
572 *of-way of any road. Not more than one sign shall be permitted.*

573 Ms. Kerlin said that that in item F., the word "the" was deleted and replaced with "an" as
574 underlined below.

575

576 *F. Temporary signs announcing special public or institutional events. Said signs shall not*
577 *be placed within an easement or right-of-way of any road. Such signs shall not exceed*
578 *thirty-two (32) square feet in area per side and shall not be permitted more than thirty*
579 *(30) days prior to the planned event nor more than seven (7) days after said event.*
580 *Such sign shall designate the name and address of the person charged with the duty of*
581 *removing said sign.*

582

583 Ms. Kerlin said that that in section I., the word "neon" was deleted in two places as indicated
584 below and language was added as indicated below via underlines.

585

586 *I. ~~Neon~~ "Open" signs - A business or use located in a non-residential district may have*
587 *one (1) ~~neon~~ "Open" sign. Such sign shall indicate only the word "Open," shall not*

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

588 *exceed two (2) feet by one (1) foot in size, and shall be limited to a maximum of two (2)*
589 *colors, not including the single-color background, and must be located inside a store*
590 *window. The sign may be either a printed sign or an electronically-lit (e.g neon or*
591 *LED).*

592
593 Ms. Korleski asked whether the language should also indicate that the sign can state
594 “closed” as well. Ms. Kerlin said that most signs state “open” and when they are turned
595 off, people know the stores aren’t open. Mr. Hahn said that some signs are flipped over
596 to indicate that the store is closed and that was a good point. Ms. Kerlin agreed to change
597 the language to indicate “open/closed.”

598
599 “Signs indicating whether a business is open or closed” was suggested as possible
600 language as well. Ms. Kerlin asked whether he was suggesting that more sign room be
601 provided so and open/closed indication could be placed in multiple places. Mr. Hahn and
602 Mr. Sedlacek felt that the size of the signage is fine.

603
604 Ms. Kerlin said that item N. was added to allow ribbons and streamers as follows:

605
606 *N. Ribbons and Streamers - used solely for decoration in outdoor seating or garden*
607 *areas are allowed.*

608
609 There was a discussion about whether the correct spelling of the word was “solely” or
610 “solely.” Ms. Kerlin said she would check on the spelling of that word and correct it as
611 needed.

612
613 Ms. Kerlin said the subcommittee felt it was important to allow ribbons and streamers
614 because it looks so nice outdoors. It appeared that the existing language excluded such
615 signage and that people would not be able to use them. Ms. Yorko asked whether
616 language should be added indicating that they must be removed in off-seasons so they
617 aren’t left out during the winter.

618
619 Mr. Hahn suggested adding that the items are permitted so long as they are maintained in
620 good order. Ms. Kerlin said she would add, “Provided that they are maintained and in
621 quality appearance.” Ms. Kerlin asked if a qualifier that it be removed should be added
622 to the language as well, such as is required when signs aren’t maintained. There is a
623 section in the zoning resolution regarding signs that are neglected and unsightly. Mr.
624 Armstrong suggested that the language be placed in that general section so it applies to
625 everything. Mr. Hahn suggested adding it to section O.

626
627 Ms. Kerlin reviewed item R. as follows:

628
629 *R. Menu Boards (except drive through type as noted in section F of 22.03: shall be*
630 *less than ten (10) square feet of display area and must be mounted flush to the wall*
631 *of the building of a store or business establishment. Said signage will be in*
632 *keeping with the architecture of the building, be professionally produced, and*
633 *contain no profanity or slurs of any kind.*

634
635 Mr. Hahn suggested simply stating, “flush to the wall of the business establishment”
636 instead of “building of the store or business establishment.” Ms. Kerlin explained that
637 these aren’t the A-frame signs discussed earlier.

638
639 Ms. Sherman said that many menu boards are in drive-thrus, and she asked whether if a
640 drive-thru is permitted for a business, would the applicant have to get a special permit for
641 the menu board, as they are not usually attached to the building and they are usually
642 freestanding signs. Ms. Kerlin said this language does not refer to drive-thrus and that is
643 addressed in another part of the zoning resolution.

644
645 Ms. Kerlin reviewed section U. as follows, which was changed to reflect the newly-
646 selected descriptive language discussed earlier at this meeting:

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

647 U. *Village of Cheshire Historic and or Directional Signage; Provisions will be made*
648 *to display and depict the Village of Cheshire and its inherent historic features upon*
649 *entering and exiting the area contingent upon the right of way. Permanent*
650 *architectural directional signage may be erected in a central location which will*
651 *allow businesses to “tag their names onto” the sign thereby helping visitors to*
652 *locate areas of commerce. Individual business owners will be responsible for the*
653 *cost of their advertising. Aggregate permanent signage will be paid for and*
654 *maintained by the businesses (as a group) within the Historic District*
655

656 Ms. Kerlin said that may or may not end up being something the Commission wants to do
657 after the NDC plans are ready.

658

659 Ms. Kerlin said she added the last two sentences because she wanted people to be aware
660 somehow that this signage is allowable but not erected or paid for by the township so the
661 language indicates that the upkeep, design and implementation of signage for those
662 business would be paid for by those individual businesses.

663

664 Ms. Korleski asked whether the reference to a group should remain in the language. Ms.
665 Kerlin said that anybody who has their name on it would have to pay for it. Mr. Sedlacek
666 asked whether “advertising” should say “signage” instead.

667

668 Mr. Valentine asked about adding language that indicates that the person would need to
669 contact the zoning office to obtain the specifications, such as size, etc. for consistency.
670 For example, if there are 10 businesses, the signage should all look the same. Ms. Kerlin
671 suggested, “professionally developed and approved by the township.” Mr. Valentine
672 agreed that the businesses should come to the township first if they want to add their
673 name to the sign, and the township will inform them of the requirements.

674

675 Mr. Sedlacek said the zoning office should approve the signage and the language should
676 indicate that. Mr. Armstrong said a size limitation should also be provided in the text.
677 Ms. Kerlin said the language states, “The architecture of the signage must be developed
678 in conjunction with the township trustees or their designee and in keeping with any
679 zoning standards.”

680

681 Mr. Armstrong noted that it wasn’t desirable to make that a separate issue and each one
682 of the letters in the zoning resolution language is a stand-alone item. Ms. Kerlin said she
683 would do a major revision of the language for Commission review at the next meeting.

684

685 Ms. Korleski said the language sounds like the township would pay for the base of the
686 signage. Ms. Kerlin said the language below that indicates that they have to pay for the
687 signage themselves. Mr. Valentine said that the language could indicate that the
688 township will erect the sign’s base and businesses can add their name to it. Ms. Kerlin
689 said that wasn’t her intention.

690

691 Ms. Korleski asked whether in R., for consistency, a reference to 22.03 F. should be
692 added. Mr. Sedlacek said it should read the way it is written currently.

693

694 Ms. Yorke questioned the language, “Its inherent historic features upon entering and
695 exiting the area contingent upon the right-of-way.” Ms. Kerlin said she intended that to
696 mean that it should not be inside the right-of-way. Ms. Yorke suggested that the
697 language indicated that it must be located outside the right-of-way.

698

699 A meeting attendee asked whether the village of Cheshire had an association which could
700 absorb the cost of making the sign base; otherwise the first business will make it very
701 large and charge the future businesses. Ms. Kerlin said that area does not have an
702 association at this time although the township has encouraged that. She said the desire is
703 to set a direction. She noted that there may be an entirely different concept in the future.

704

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

705 Mr. Sedlacek said that currently the text indicates that no permit is required. He asked
706 about possibly requiring a permit instead. Ms. Yorke agreed, because township approval
707 is necessary. Ms. Kerlin said it is here because it is thought of as more of a permanent
708 piece of architecture and not something that each store would have to pay a permit for.
709

710 Ms. Kerlin said that the Commission has discussed for a while allowing a logo and also a
711 place for signage indication, for example, "barber shop this way," or, "pizza this way."
712 Thus, while it wasn't stating that the township would pay for the signage, it would help
713 design it and it would be a landmark, not something that each business would have to buy
714 a permit for, although perhaps their own small sign that goes on it could be permitted.
715 Mr. Armstrong said it is also possible to require a no-fee permit and he noted that all fees
716 are set by the township trustees.
717

718 Mr. Sedlacek said it was similar to a permit being required for an agricultural building
719 but not charging a permit fee, which allows the zoning inspector to take a look at the
720 signage. Ms. Kerlin asked whether he was referring to the individual signs or to the
721 entire sign. Mr. Sedlacek said that originally he meant the entire sign.
722

723 Ms. Kerlin said her original thought was that this was something which the township
724 would do as part of the overall architectural design of the area, and so perhaps the
725 township may pay for the actual monument/base. Mr. Sedlacek said that would result in
726 a dangerous precedent.
727

728 Ms. Sherman said there could be, for example, 6 businesses located there with 4 more
729 coming in so the cost would be more equitable if the township did pay for the
730 monument/base and each business pay for its individual sign. However, it would be
731 necessary to plan for the future addition of more businesses. Ms. Kerlin said perhaps a
732 citizens group, with the direction of the township, may be interested in that.
733

734 Mr. Sedlacek said the Commission is modifying a relaxed sign code regarding what can
735 be done today, but they will have to find a way to implement it. Ms. Kerlin said that
736 would simplify the issue back down to her proposed language, with a few changes.
737

738 Mr. Hahn suggested adding language indicating that the zoning office reserves the right
739 to intervene if it is felt that any of the following guidelines are not being agreed to. Mr.
740 Sedlacek said that changes are more difficult to make after they have already been done,
741 and requiring a permit would mean that the changes would be made up front rather than
742 wait for Mr. Armstrong to find the problem. Ms. Kerlin agreed that it would be better to
743 require a permit and she said she would work to revise the language.
744

745 Ms. Yorke asked whether it could be possible that property owner approval would be
746 provided, as it was her understanding that the signage wouldn't be on the actual business
747 property. Ms. Kerlin said that if the park becomes a reality that could be an issue. Ms.
748 Korleski said that the business owners should be required to pay for the signage.
749

750 Ms. Kerlin noted that the business owners asked for this exactly, as so many of them are
751 not able to place a sign directing traffic to their business in a visible location, due to the
752 right-of-way, and they have requested signage located centrally so people could come to
753 the intersection and know that there is a coin shop or pizza parlor.
754

755 Mr. Sedlacek said that during his discussions with the business people, he informed them
756 that the Commission would be looking at the sign regulations, and he also suggested that
757 they coordinate with each other and be more active in this process, rather than completely
758 expecting the Commission to do it all.
759

760 Mr. Hahn said that perhaps the NDC could help with the signage issue.
761
762
763

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

JULY 13, 2010

AGENDA ITEM: OTHER BUSINESS – SECTION 22.03 C)

764
765

766 Mr. McCannon said he was here to discuss Section 22.03 c) was here to discuss Section
767 22.03 C. of the zoning resolution regarding monument style freestanding signs identifying
768 commercial or office complexes. Mr. McCannon said that his office is located on US 23 on
769 Greif Parkway and he shares the space with Lehman Homes, which is currently the owner of
770 a non-conforming sign which is 15' tall.

771

772 Mr. McCannon said it is difficult to add anything because the sign is non-conforming. He
773 noted that there is a major freeway running through the township and that area is different
774 than the rest of the township for that reason. Forty-five thousand people drive by there every
775 day and he doesn't have a good way to let them know that his Edward Jones office is located
776 there.

777

778 Mr. McCannon said that the township zoning regulations allow a maximum height of 8' for a
779 monument sign and not much width. He said that Liberty Township allows signs up to 12' in
780 height, although it allows less square footage than Berlin Township. He asked if perhaps that
781 part of Berlin Township could have separate sign regulations due to the special condition of
782 being located along a busy state route. He noted that section is different than, for example,
783 Cheshire or Peachblow Roads.

784

785 Mr. McCannon said the township expects different types of business in that area and perhaps
786 relaxing the sign code in that area could be explored. He asked the Commission to consider
787 allowing a minimum height of 12', and ideally he would like to add onto the existing signage
788 on his property.

789

790 Ms. Kerlin agreed that the subject area is a completely different part of the township. She
791 said that much of what has been done in the past has been done to protect the rural nature
792 of the township but that section isn't rural so perhaps the Commission could discuss Mr.
793 McCannon's request. Mr. Sedlacek agreed.

794

795 Mr. Hahn suggested perhaps after the tables in item C. 2. indicating total display area, it
796 may be appropriate to add another column that allows for increased height as a sign is
797 placed further back from the road. Mr. Sedlacek said that perhaps there would be a
798 maximum height of 8' at a 15' setback and 10' at 20' setback, for example.

799

800 Mr. McCannon provided a copy of text from the Liberty Township zoning resolution for
801 the Commission's review. Ms. Kerlin asked how far back Mr. McCannon's sign is from
802 US 23. Mr. McCannon said it is set back over 27'. Ms. Kerlin said that makes a big
803 difference and there is no way to see it before one is right on top of it and that can create
804 traffic safety problems.

805

806 Mr. Sedlacek noted that the next BZC meeting will be held on August 10, 2010 at 7:00
807 PM.

808

SYNOPSIS

809

Accomplished

811

- 812 ➤ Review of Chapter 14 of the CLUP was completed.
- 813 ➤ The following resolution was passed:
814 "Resolution 10.07.13.#1: Authorize Discussions with Delaware County Economic
815 Development Director Regarding the NDC Proposal and Possibly Forward Said
816 Proposal to Berlin Township Trustees"
- 817 ➤ Proposed modified language for Article 22 of the zoning resolution was reviewed.

818

Future Work

819

- 820 ➤ Ms. Kerlin will make the suggested revisions to the proposed modified language in
821 Article 22 for BZC review at the next BZC meeting.

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

**REGULAR MEETING
JULY 13, 2010**

- 822 ➤ The Commission will discuss Section 22.03 c) of the zoning resolution regarding
823 monument style freestanding signs identifying commercial or office complexes to
824 determine if changes should be made to that language.
825 ➤ A BZC member may write up a paragraph for the next Berlin Township newsletter
826 indicating that the BZC has completed its review of the CLUP and that it is now
827 available online.

828
829 The next BZC meeting will be on August 10, 2010 at 7:00 PM at the Berlin Township
830 Hall.

831
832 There was no further business to come before the Commission. Motion to adjourn.
833 Meeting adjourned.

834
835 _____
Rick Sedlacek, Chairperson

836
837 _____
Kristin Yorke, Vice Chairperson

838
839 _____
Jerry Valentine, member

840
841 _____
Rae Kerlin, member

842
843 _____
Jim Hahn, member

844
845 _____
Toni Korleski, seated alternate member

846
847 Attest: _____
848 Lisa F. Knapp, Berlin Township Zoning Clerk