

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

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 Chairman 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; Kristin Yorke; Rae Ann Kerlin;
11 Jim Hahn; Betty Bringardner-first alternate; Toni Korleski-second alternate.

12
13 Mr. Sedlacek read the adopted BZC policy statement for the meeting, as printed in the
14 agenda.

15
16 **PROOF OF LEGAL NOTICE PUBLICATION**

17
18 Zoning Clerk Lisa Knapp provided proof of publication for the legal notice for this
19 meeting, which was published on April 30, 2009 in the Delaware Gazette, providing
20 notification of the meeting date, time, and items for discussion.

21
22 **Resolution 09.05.12. #01:Approval of 4/14/09 BZC Minutes**

23
24 Mr. Valentine made a motion to approve the minutes from the April 14, 2009 BZC
25 meeting, as presented by the Clerk at this meeting. Ms. Yorke seconded the motion. All
26 in favor say, "aye," all opposed signify with same sign. No opposition, motion carried.

27
28 **LEGAL NOTICE**

29
30 **BERLIN TOWNSHIP ZONING COMMISSION NOTICE OF PUBLIC MEETING**
31 The Berlin Township Zoning Commission will hold a meeting at 7:00 p.m., Tuesday,
32 May 12, 2009. The purpose of the meeting is to continue discussions regarding the goals
33 and visions necessary for revising the text of the Berlin Township Comprehensive Land
34 Use Plan (CLUP). Additionally, discussions will continue on possible changes as a result
35 of the recently completed Business Community Forum. The person responsible for
36 giving notice of the public meeting by publication is Cathy Rippel. Questions concerning
37 this matter should be directed to the Zoning Office at 740-548-5217. Township residents
38 are encouraged to attend.

39
40 Berlin Township Zoning Commission
41 Rick Sedlacek, Chairman

42
43 **AGENDA ITEM - INTRODUCTION OF MEETING ATTENDEES**

44
45 Mr. Sedlacek asked meeting attendees to introduce themselves.

- 46
47 • Scott Sanders, Executive Director of the Delaware County Regional Planning
48 Commission
49 • Don Sherman, 1469 Africa Road, Galena, OH 43021
50 • Betty Bringardner, BZC first alternate member.
51 • Tom Thompson, 5380 Summer Boulevard, Galena, Ohio 43021, in the Meadows of
52 Cheshire subdivision, also a Berlin Township Board of Zoning Appeals alternate
53 • Toni Korleski, Zoning Commission alternate member, 3584 Greenville Drive, Lewis
54 Center, OH 43035, in the Shadow Creek subdivision
55 • Joe Korleski, BZA member, 3584 Greenville Drive, Lewis Center, OH 43035
56 • Jack Knapp, 938 Winding Creek Lane, Delaware, Ohio 43015
57 • Dave Armbruster, 477 Dunham Road, Delaware, Ohio 43015
58 • David Leahy, 1484 Dale Ford Road, Delaware, Ohio 43015
59 • Rick Gemienhardt, 881 Africa Road, Galena, OH 43021

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

- 60 • Mike Morrill, 883 Dunham Road, Delaware, Ohio 43015
- 61 • Don Ellis, 5204 Port Haven Ct., Galena, Ohio 43021, in the Harbor Pointe
- 62 subdivision, said he was responding the township's request for assistance on its
- 63 survey.
- 64 • Jeff Ballan (sp?), resident
- 65 • Joe McCarthy, 1370 3 Bs and K Road
- 66 • Elizabeth Cline, in Harbor Pointe
- 67 • Janet Cassidy, Berlin Station
- 68 • Dan Pizzino, 625 Africa Rd., Galena, Ohio 43021
- 69 • Don Sutton, BZA alternate

70
71 **AGENDA ITEM: STATUS REPORT FROM SUB-COMMITTEES**

72
73 Mr. Sedlacek asked for a brief summary from the BZC subcommittees, which he noted
74 were formed because it isn't possible for the BZC to complete all necessary tasks in just
75 one meeting per month. These groups work between Commission meetings, provide
76 reports/updates at these monthly meetings, and they also welcome additional volunteers.

77
78 **EXPANDED HOME OCCUPATIONS SUB-COMMITTEE - UPDATE**

79 Mr. Hahn said that he and Ms. Yoroko have been working on this together recently. Ms.
80 Yoroko said she has been asked to look at possibly changing some regulations for
81 expanded home occupations, so she has been researching other townships to see how they
82 regulate those uses, including the number of employees permitted; parking; signs; waste
83 disposal; hours of operation and delivery restrictions; traffic requirements, etc. She will
84 put this together in spreadsheet form and email it to other Commissioners for their review
85 and determination of whether they would like to change this portion of the zoning
86 resolution. Then the BZC can decide how it wants to move forward in regards to
87 changing the Berlin Township zoning resolution to expand its home occupation
88 regulations.

89
90 Mr. Sedlacek said that in addition to the CLUP update, the BZC is also working on
91 another project. The results of the Business Input Forum held in November 2008,
92 indicated that the township should look into the regulations for signage, home
93 occupations, etc.

94
95 **VILLAGE OF CHESHIRE BUSINESS COMMUNITY SUB-COMMITTEE - UPDATE**

96 Ms. Kerlin said that this sub-committee is working to plan for the future of the merchants
97 in the Cheshire area, including learning what their needs are, such as for signage, etc.
98 The results from the Business Community Input Forum indicated that there are many
99 issues regarding signage in this area. This sub-committee has decided to consider signage
100 zoning in the Village of Cheshire as a separate entity from the rest of the township, and
101 she is working on a proposal covering what should be done soon, which she will email.

102 Mr. Sedlacek said he would place that on next month's meeting agenda.

103
104 Ms. Kerlin said she received an email from Rich Rogers of Rich's Auto Care, who had
105 been working on lowering the speed limits in the area approaching the Cheshire and
106 Africa Road intersection. Mr. Rogers informed her that he didn't have anything concrete
107 to report on yet.

108
109 Ms. Kerlin said that she and Ms. Cline have been working on having a historic district
110 designation for the area. Ms. Cline said that she was directed to the zoning code for the
111 City of Delaware, and she is reviewing that for potential model language.

112
113 Mr. Sedlacek said he welcomed as much input as possible for these sub-committees by
114 the community.

115
116 **SUB-COMMITTEE PROMOTING RESIDENT INPUT IN THE COMPREHENSIVE**
117 **LAND USE PLAN (CLUP) REVIEW - UPDATE**

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

118 Mr. Valentine thanked the meeting attendees for coming to this meeting, and he would
119 like to ensure that everybody has an opportunity for input. He noted that Chapter 4,
120 Vision and Goals, will be reviewed tonight and this should be the best meeting so far.
121 His goal is to fill the seats at this meeting.

122
123 Mr. Sedlacek said that unfortunately, government takes time and things don't happen
124 overnight; however, the process is moving along.

125
126 **AGENDA ITEM – REVIEW/UPDATE OF**
127 **COMPREHENSIVE LAND USE PLAN (CLUP)**

128
129 **CHAPTER 4 GOALS - REVIEW**

130 Mr. Sanders provided some background information on the CLUP, and explained the
131 procedure of reviewing its text. He said his presentation is mostly lecture-style because
132 he is reviewing the information, but he welcomed comments, questions, and
133 clarifications. He noted that he doesn't hand out a draft of the meeting beforehand
134 because that technique tends to make people not listen.

135
136 He said that the vision of the township will be reviewed, but it probably has not changed
137 very much since the initial CLUP was created. He said that the Mid-Ohio Regional
138 Planning Commission (MORPC) is responsible for transportation in Delaware and
139 Franklin Counties. He noted that the DCRPC is different from that entity because it does
140 land use planning and zoning reviews for the township.

141
142 Mr. Sanders said that typically when a CLUP is reviewed, there is a lot of public
143 attendance at these meetings in the beginning of the process, and he requests that each
144 person write down 3 strengths of the township and 3 weaknesses/dislikes. The group
145 would then meet to help decide the most important items so it has a sense of how the
146 community feels about the process.

147
148 Mr. Sedlacek said the Commission was directed to respond to the survey with not only
149 their personal feelings, but also what they have heard from the community during their
150 surveys, door-to-door interactions, and other discussions. Thus their answers represent
151 more than just the opinions of the Commission but also those of many other residents in
152 the township. Mr. Sanders said there are two parts to the survey results; the first is the
153 Commission members' responses to the survey, and the second is the full distribution
154 including the recent township-wide survey which was constructed.

155
156 Mr. Sanders reviewed the process and tabulated the responses in order of greatest
157 response, which included the items from the original CLUP.

158
159 **STRENGTHS**

- 160 ➤ Alum Creek Park
- 161 ➤ Low crime
- 162 ➤ Beautiful natural resources
- 163 ➤ Fresh air
- 164 ➤ Green areas
- 165 ➤ Openness
- 166 ➤ Rural atmosphere
- 167 ➤ Wildlife
- 168 ➤ Good schools
- 169 ➤ Lack of high-density housing
- 170 ➤ Agriculture and farms
- 171 ➤ Central location
- 172 ➤ Large lot sizes
- 173 ➤ Lack of multi-family housing
- 174 ➤ Recreation
- 175 ➤ Good utilities
- 176 ➤ Commercial development
- 177 ➤ Diversity of the community

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

- 178 ➤ To be able to look up and see the stars
- 179 ➤ Appreciating property values
- 180 ➤ Small-town feel
- 181 ➤ Can still hunt
- 182 ➤ Minimal development
- 183 ➤ Low traffic
- 184 ➤ It is not a transient community
- 185 ➤ Skinny Roads

186

187 Weaknesses

- 188 ➤ Need more industrial/commercial tax base
- 189 ➤ Taxes are too high
- 190 ➤ Lack of central focus or town center
- 191 ➤ Trailer parks
- 192 ➤ Rapid growth of schools
- 193 ➤ Necessity to commute
- 194 ➤ Overhead power lines
- 195 ➤ Shopping needs not close enough
- 196 ➤ Not enough variety of restaurants
- 197 ➤ Vulnerability to undesirable development
- 198 ➤ Growth rate may be about to explode
- 199 ➤ Not enough utilities where needed
- 200 ➤ Too much development of property
- 201 ➤ Lack of jobs in the township
- 202 ➤ Skating on residential streets
- 203 ➤ Lack of traffic control
- 204 ➤ Lack of entertainment
- 205 ➤ Public disrespect of private property
- 206 ➤ Overcrowded schools
- 207 ➤ Lack of full-time fire department
- 208 ➤ Light pollution
- 209 ➤ Truck stops
- 210 ➤ Boat noise at Alum Creek
- 211 ➤ Too many bars

212

213 Mr. Sanders said that community facilities will be reviewed in the future. Mr. Sedlacek
214 said that a representative from the township fire department was expected to attend this
215 meeting.

216

217 Mr. Sedlacek asked which items changed most dramatically since the original CLUP was
218 done 10 years ago. Mr. Sanders said that 10 years ago, it was just a list and the items
219 weren't ranked.

220

221 Ms. Kerlin asked if the list would be amended to include or delete information indicated
222 in the surveys. Mr. Sanders said that currently the lists are just being rearranged, but in
223 the future that could be revisited, or everything beyond a certain rank could be deleted.

224 Ms. Kerlin said that simply arranging the order of the lists but still including the same
225 lists doesn't seem to be beneficial. Mr. Sanders said that items which aren't relevant
226 should be removed, and items which are less relevant could remain on the lists. This is a
227 process to review the plan and get an idea of the feel of the township; there is not much
228 of a direct correlation between these statements and the recommendations.

229

230 Mr. Sedlacek asked if during the process, the lists could be divided into high, medium,
231 and low priority items, and the low-priority items be deleted. This would be beneficial to
232 the township.

233

234 Mr. Hahn said that the high, medium and low priorities can be seen on the list.

235

236 Mr. Sanders said that the next section is exactly the way it was in the old plan, and the
237 goal is to honor the information in the original CLUP but also respond to them now. The

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

238 word “essence” was used to describe a community by its residents, and this was included
239 in the lists. The most important items included:

240

241 ➤ Open spaces

242 ➤ Rural character or feel.

243 • Preservation of agricultural buildings

244 • Green space between developments

245 • Preserved ravines

246 • Jurisdictional wetlands

247 • Access to Alum Creek State Park

248 • Large lots

249 • Mature trees

250 • Large agricultural areas

251 • Retention of open space along the road

252 • Wildlife corridors maintained

253 • Parks and green areas

254 • Establishing neighborhoods to replace farms as they disappear

255 • Green belts and bike paths which tie into neighborhoods

256

257 ➤ Planned Developments with a mix of land uses for a balanced tax base.

258 ➤ Low-level lighting and downward cast for commercial uses

259 ➤ Effective landscaping buffers between commercial and residential uses

260 ➤ Diverse housing types

261 ➤ Ideally to be less auto-dependant by designing connecting paths between
262 developments

263 ➤ Moderate traffic

264 ➤ To see if the background info, if the statements make sense now, can go back and
265 change the vision statement

266

267 Mr. Sanders said that these were from the old plan, but he felt that they were all still
268 relevant and he included them in the revised plan.

269

270 He said that typically the vision statement is presented at one of the first review meetings,
271 and then it is revisited later during the recommendations portion of the review to see if it
272 needed to be changed. The vision statement of the existing plan is:

273

274 *“When Berlin Township is all built out, we would like it to be a community with a*
275 *rural feel and character. Rural roads would have a rough edge, with fencing that*
276 *reminds us of the rural past, and mature landscaping to replace fence/tree rows*
277 *that are removed. We would like areas with low-density, large lots and areas with*
278 *greater density and a diversity of housing.*

279 *We would like planned, commercial and industrial uses, with attractive*
280 *landscaping in commercial corridors and at entrances to neighborhoods. We*
281 *would like useable green spaces throughout the community. We would like to*
282 *retain historic and agricultural structures that give a sense of our heritage. We*
283 *would like to preserve unique scenic views and our critical natural resources such*
284 *as ravines, floodplains, wetlands and forests.*

285 *We would like to see a center of the township, perhaps at Cheshire, where a*
286 *traditional village with neighborhood shops would be an attractive destination.*
287 *We would like to retain the small town feel in the human scale of structures, the*
288 *use of natural materials and traditional structural colors. Roads should remain as*
289 *narrow as possible, but safely carry the traffic.”*

290

291 Mr. Sanders said that this indicated that skinny streets are valued, but that did not rank
292 very high on the survey. Mr. Sedlacek asked for his thoughts regarding what should be
293 changed. Mr. Sanders noted that vision statements are usually vague enough that they
294 can apply in most areas; for example, Orange and Porter Townships also value their rural
295 character, but that characteristic is in the eye of the beholder. There is a lot of language
296 in the vision statement regarding a mix of uses for a tax base, and also for walkability and

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

297 connectivity. Mr. Sedlacek asked him if he was suggesting that the Commission digest
298 the language and move on for now. Mr. Sanders agreed and added that he could make a
299 copy of the materials for posting on the township website if desired. Mr. Hahn said it
300 should be put on the website and Mr. Armstrong said that should be possible.

301
302 Ms. Korleski asked if this was the same information which was put in the CLUP 10 years
303 ago, except for the first page which includes the survey. Mr. Sanders asked if she was
304 referring to the material covered so far in Chapter 4, and Ms. Korleski said, "Yes." Mr.
305 Sanders said it was, and he specified that in the first paragraph. Ms. Korleski said the
306 information is already available on the website. Mr. Sanders felt it would be better to put
307 the draft plan separately to make it easier to direct interested people to.

308
309 Ms. Yorko suggested that the draft be marked as such using a watermark so people are
310 aware of it. Mr. Sanders said he would prefer to continue to use a .pdf format due to
311 technical and formatting issues; however, he could add the word "draft" at the bottom of
312 each page near the page number.

313
314 Mr. Gemienhardt said that the page Mr. Sanders just reviewed mentions that on 4/28/99
315 the residents noted the essence of the township. He would like to see the document be
316 more real-time, instead of referencing something from 10 years ago, unless there is a
317 different ideology or goals and objectives. He asked if it would be stronger to instead
318 indicate, "In the 2009 Comprehensive Plan the essence of Berlin Township is..." rather
319 than continuing to refer back in time. The township has spent a lot of time on surveys
320 and other methods. Mr. Sedlacek agreed and said it looked like the township hadn't done
321 anything since 1999. Ms. Kerlin said that the township is going to do something; it is
322 still in the process of reviewing the document. Mr. Sedlacek said he would like the date
323 to be removed or updated with today's date.

324
325 Mr. Sanders said that he has spent a lot of time concentrating on the other two chapters,
326 but then he realized that he had stated that he would put the vision statement in Chapter 1
327 as an introduction. It then became obvious that the vision chapter needed to be redone,
328 and now that he reads the vision statement again, he feels that the paragraph may not
329 even be necessary, as the next page will include 22 specific goals which were also on the
330 Commission survey and which continued to rank as being important.

331
332 Mr. Sedlacek said the vision statement should be moved to Chapter 1. Mr. Sanders said
333 this entire chapter will be part of the intro chapter, but he would rather leave it in its
334 present location for now than having to number the future maps accordingly.

335
336 Mr. Sander said that typically general statements are made and then refined into specific
337 goals, which have been included on the next page:

- 338
339 1) To preserve the rural character of Berlin Township as expressed in its openness,
340 green areas, farms, natural resources (floodplains, wetlands, slopes > 20%,
341 ravines, creeks and rivers) and low density.
342 2) To provide an opportunity for agriculture to continue through flexible/creative
343 zoning.
344 3) To provide for a variety of rural, and low density suburban (less than 2 units per
345 acre) residential housing districts.
346 4) To retain a primarily single family residential housing mix, but permit a diversity
347 of housing types.
348 5) To encourage commercial and light industrial development in planned districts to
349 broaden the jobs and tax base, and to prevent property taxes from rising faster
350 than the growth in the township tax base.
351 6) To provide for dense landscape buffering between incompatible land uses.
352 7) To provide passive and active recreational areas as the township grows.
353 8) To retain wildlife cover and corridors where feasible.
354 9) To link developments with green spaces and paths.
355 10) To preserve the rural "look" along township roads via fencing and landscaping.
356 11) To retain historic and agricultural structures.

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

- 357 12) To preserve scenic views.
358 13) To create a “heart” of the township at Old Cheshire with mixed uses.
359 14) To relate land use and density to land suitability, utility availability and existing
360 land use; limit development to the carrying capacity of the land infrastructure.
361 15) To recognize and maintain only those services needed for a predominantly
362 rural/low density community – Mr. Sanders noted that this ranked the lowest this
363 time.
364 16) To determine and implement an appropriate land use mix – Mr. Sanders said the
365 challenge is to determine what that appropriate mix is.
366 17) To use access management controls to limit key access points to minimize
367 highway congestion.
368 18) To ensure the amount and location of facilities providing goods is based on need;
369 to discourage overdevelopment or premature development.
370 19) To implement and maintain the land use plan.
371 20) To enforce zoning regulations.
372 21) To expand township services at a rate to ensure public health and safety.
373 22) To acquire suitable land for the township and school future needs.
374

375 Mr. Sedlacek asked if it was intended to change the order of this list so all the higher-
376 rated items are first. Mr. Sanders said that 10 years ago the intent was not to rank these
377 items, although it does seem as though the items are grouped together, such as by natural
378 resources, densities and land use, etc. Mr. Sedlacek said that typically one would like to
379 see the high-priority items first on a list. Mr. Sedlacek said that could be done.
380

381 Mr. Sedlacek asked how the Commission felt on the issue. Mr. Hahn said that all the
382 items on the list are closely ranked except for one, and he didn't think rearranging the
383 items would be necessary.
384

385 Ms. Korleski said that the items on the list were referenced in the 1999 plan, and she
386 asked if the revised CLUP plan would then indicate that the township's priorities
387 remained the same. Mr. Sedlacek said that the additions suggested by the Commission
388 would be added to the list. He agreed that the goals shouldn't be eliminated, but perhaps
389 the order could change and new items added. If nothing is added, one could perceive
390 that the township is stagnant. Ms. Korleski said it appears to be stagnant at this time.
391

392 Mr. Sanders reviewed the next paragraph, which includes additional goals which were
393 suggested by the Commission in the survey they completed. The township's recent
394 survey included some subjective and some objective questions, and he considered the
395 questions relating to what the township is doing right, and what it could work on. When
396 lines were provided for a response in the survey, varied comments resulted and some
397 answers had to be grouped together for the sake of brevity. These responses in their
398 entirety could be listed in the appendix if desirable by the township.
399

400 Mr. Sanders reviewed some of the goals generated by the Commission, listed in no
401 particular order. The numbers after each item refer to the number of times the item was
402 mentioned.
403

- 404 ➤ Create a township parks board
405 ➤ Fair signage rules for the community
406 ➤ Trails to areas like adjoining township trails, Alum Creek, Delaware, shopping,
407 schools and recreation.
408 ➤ Actively pursue the types of industry that would decrease taxes for residents.
409 ➤ Township enforcement of zoning violations to ensure that neighborhoods can
410 remain clutter-free
411 ➤ Increase commercial areas, especially on S.R. 36/37
412 ➤ Continue to work to preserve and protect township boundaries from annexation.
413 ➤ Require developers to donate land for recreational areas.
414

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

415 Mr. Sanders noted the following comments generated from the general resident survey,
416 and said that the numbers after each item refer to the number of times the item was
417 mentioned.

- 418
- 419 ➤ Zoning should be done to make the township a community which will not be
- 420 annexed.
- 421 ➤ Keep large lot sizes (2).
- 422 ➤ Densities are too high and there is not enough green space.
- 423 ➤ Keep the rural atmosphere in the township by requiring rural-type densities.
- 424 ➤ Be careful not to deviate from the zoning restrictions and density levels.
- 425 ➤ I hope the one non-resident home occupation employee regulation can be
- 426 increased.
- 427 ➤ Keep commercial development near Route 23 and protect S. Old State and
- 428 Cheshire Roads from becoming another Sawmill Road.
- 429 ➤ Need more planned commercial services.
- 430 ➤ Need closer retail in small centers.
- 431 ➤ Encourage builders and developers to build reasonably-priced condos; affordable
- 432 housing should be available, even if this means multi-family development. There
- 433 were also comments that residents would like to remain in the township after they
- 434 retire, possibly living in a condo.
- 435 ➤ Would like a recreational center (4)
- 436 ➤ Pool (3)
- 437 ➤ Library
- 438 ➤ Bike trails/sidewalks/etc. (16)
- 439 ➤ Having no sidewalks will result in less to maintain which will reduce taxes.
- 440 ➤ Community parks
- 441 ➤ Sports fields
- 442 ➤ Roads wide enough to share with bicycles
- 443 ➤ Parks parks parks
- 444 ➤ Playground for kids
- 445 ➤ A comment about farmland preservation
- 446 ➤ Given the current economic conditions, it is important to maintain agriculture to
- 447 provide a local food source
- 448 ➤ Encourage trustees to work with the Delaware County Commissioners to extend
- 449 service.
- 450 ➤ Many comments about better sign standards
- 451 ➤ More signs
- 452 ➤ No sidewalks to keep rural environment.
- 453 ➤ Taxes are too high.
- 454 ➤ Government should pay for trash pickup
- 455

456 Mr. Sanders said it is up to a group like this and/or the township trustees to make the best
457 decisions for the community based on what they feel the interests of the residents are, as
458 they are representatives of the township.

459

460 Mr. Sedlacek said that the primary goal of the community survey was not to capture all
461 this information but to generate some interest instead, and it is obvious that it did. He
462 asked how Mr. Sanders would meld these concepts with the ones from 1999. Mr.
463 Sanders said the CLUP is an active document which tells a story which indicates that
464 later these items can be picked up, and the reference to 1999 can be removed. Many of
465 the issues were prior goals, and sometimes clarification of the goals is necessary. For
466 example, some respondents mentioned a need for more recreational opportunities. One
467 possibility is to build a community center on property Orange Township owns on North
468 Road, which is close enough to Berlin Township to possibly pursue a joint effort if
469 desired by the townships. That is an example of the specificity which the plan could
470 include.

471

472 Ms. Kerlin said she spoke with her neighbors regarding drainage issues in their
473 neighborhood, and she hears a lot of talk from people regarding curbs and gutters.
474 However, nobody in the surveys really mentioned that. Perhaps they think curbs and

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

475 gutters could be done and a rural feel maintained. Mr. Sanders said that there were some
476 comments regarding problems with drainage. Ms. Kerlin said that there were no
477 comments regarding the requirement of storm drains, though.

478
479 Mr. Fitzgerald said that most people would consider that situation as a maintenance item.
480 He asked if perhaps cost estimates could be provided for some of the concepts suggested
481 on the survey to help residents understand how much their taxes would increase. This
482 could result in a different perspective. Mr. Sedlacek said that so many of the goals and
483 objectives are so general that would be difficult to do. For example, what kind of cost
484 could be associated with increasing lot sizes? Mr. Fitzgerald said rough costs could be
485 generated for projects pools, parks, bike paths, etc. Ms. Kerlin said that information may
486 be available from Orange Township.

487
488 Mr. Sanders said that one of the survey recommendations was for a township parks
489 board, and that would be a good place to start as such a group can begin to formulate
490 details. Berlin Township has a smaller population and is close to Delaware and Orange
491 Township, so some of the functions would be more likely to occur in other areas. Berlin
492 Township doesn't have the current density to support some of the larger uses. Mr.
493 Sedlacek said that Len Fisher from the Orange Township Community Parks Board had
494 mentioned at a BZC meeting that there had been many suggestions and needs for parks
495 items, but nothing was formulated until they formed a parks board.

496
497 An unidentified resident asked how many surveys were sent out, how many people
498 responded, and how many responses there were to the items listed in tonight's
499 presentation. For example, if 2000 surveys were mailed and only 100 were received, and
500 of those only 5 said they want bike trails, is that significant enough to be concerned
501 about. One of the biggest assets in this community is Alum Creek State Park, which
502 already has bike trails and park facilities. That doesn't mean that parks in the township
503 aren't valid, but he wondered why there is a desire for that.

504
505 Mr. Sanders said it would be useful to learn how far from the closest park the survey
506 respondents who want more parks facilities live. There may be some pockets of people
507 who relate more with other townships.

508
509 Mr. Armstrong said that 2,074 surveys were sent to residents, and 100 were received
510 back. He said that is it nice to get some general feedback from the residents, but
511 statistically speaking the survey does not provide that. Mr. Hahn noted that a response of
512 3-4% is typical for this type of survey, and that is the response the township received.

513
514 Mr. Sedlacek said that was expected. He said it is difficult to guess what the rest of the
515 residents want, and he noted that several BZC members made phone calls and visited
516 residents for additional input and to generated interested. Some feedback received from
517 these discussions regarding parks and recreation was that although the township does
518 have Alum Creek State Park, residents are seeking sports fields, etc., and those
519 recreational facilities are not available in the township. He and Mr. Armstrong have been
520 looking into what it would take to have some type of park facility north of the fire
521 department, and to do it right will be expensive.

522
523 Mr. Leahy said that the main purpose of the resident survey was to provide awareness,
524 with the secondary benefits being the input which was received. The intent was to put a
525 survey at every home letting residents know that if they care about Berlin Township's
526 future, they should come to these meetings and voice their opinions. Mr. Sedlacek said
527 the promotional techniques worked because a good-size group has attended these
528 meetings.

529
530 Mr. Morrill said that he has heard that soccer fields are expensive, but he doesn't know
531 how expensive they are. If the township residents want a soccer field, let them make the
532 decision. There is obviously a great deal of interest by many residents to provide parks
533 facilities, and the trustees haven't taken the issue up.

534

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

535 Mr. Sedlacek said the BZC isn't making any decisions, they are just considering ideas
536 and concepts, and he is not in opposition. Mr. Morrill said that all he has ever heard is
537 that somebody has researched the concepts, learned that it was really expensive, and the
538 subject was dropped. Mr. Sedlacek said the subject hasn't gone anywhere.

539
540 Mr. Morrill said there hasn't been any progress on the issues. Mr. Sedlacek agreed and
541 asked that people who are interested in these facilities should voice their opinions to the
542 trustees. Mr. Valentine said parks haven't been funded. Mr. Morrill said he has been to
543 many trustee meetings to voice his opinion, and their answer is always that the facilities
544 are too expensive, and the issue goes no further.

545
546 Mr. Gemienhardt asked if Mr. Morrill could suggest to the trustees that a parks board be
547 started, rather than putting the onus on the trustees. Those who are interested can be
548 more proactive in their efforts. He noted that one of the goals and objectives is a park
549 board, and creating such a board would result in people getting together to discuss their
550 ideas together, including a levy, pros and cons of various concepts, etc. Better results
551 will be gained, and if people really want something they will probably need to work on it
552 on their own. The park board is mentioned in the CLUP. Mr. Korleski said that the park
553 board concept has been mentioned for years.

554
555 Mr. Gemienhardt said that parts of the CLUP reference the 90 survey responses, which
556 have been sprinkled throughout the text, and he asked that these areas be clarified in the
557 text. He suggested removing the numbers included to indicate the number of responses
558 per item, because they are confusing. Sentiments could be included which include
559 general feelings about each items. These changes would result in a stronger document.

560
561 Mr. Sedlacek said there were actually 100 responses which have been received. Also, the
562 indicated verbatim response by one resident of "pool resources" probably does not refer
563 to an actual swimming pool, and perhaps a different work could be used such as
564 "combine" for clarity.

565
566 Mr. Hahn said that it is difficult to speculate on the general resident feeling on the
567 concepts listed by some of the survey respondents; however, the comments do help to
568 provide more information. Ms. Kerlin said that the survey answers were compounded by
569 the door-to-door information which was received, and the document text could be worded
570 to reflect this.

571
572 Mr. Valentine said the answers are difficult to group because they were free-form
573 responses. There are probably many more residents who are interested in some of the
574 concepts, and there are probably many ideas which are similar. The sixteen responses
575 indicating a desire for trails do show a lot of interest, so it may be fine to leave the
576 numbers in. Ms. Kerlin suggested incorporating information from both into the text.

577
578 Mr. Pizzino said that many of the items on the list seem to be contradictory to the vision
579 statement. For example, a pool and library are contradictory to a rural feel, as well as
580 wider roads, extending sewer, etc. He asked if it made sense to leave these items on the
581 list because they are contradictory to the vision statement. Mr. Sedlacek said he didn't
582 think they should be thrown away, because for example a resident who wants wider road
583 may live on a narrow road, and vice versa. However, he did note the discrepancy, and
584 asking questions of many people will result in different opinions. He wanted to capture
585 the information, but the key is what is done with it.

586
587 Mr. Sutton asked if the sentiments of tonight's meeting attendees would be included, or
588 just the information from the survey. Mr. Sedlacek said that the public was invited to
589 provide their comments, and they will be captured in the minutes and Mr. Sanders can
590 incorporate them into the CLUP. Mr. Sutton said that regarding Mr. Morrill's earlier
591 comments about parks and recreation, perhaps that should be discussed. Mr. Sedlacek
592 said that Mr. Sanders could tell the Commission the best way to incorporate these ideas.

593

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

594 Mr. McCarthy said that regarding the comments on curb-and-gutter streets, water needs
595 to be controlled due to problems it can create such including erosion, and there needs to
596 be a place it can drain to, and the county Bureau of Soil and Water Conservation would
597 most likely comment that water must be controlled. Mr. Sedlacek said that information
598 provided about modified ditches was from a representative of that bureau, so there is
599 more than one method to controlling water.

600
601 Ms. Korleski asked if the listed goals are just part of a rough draft and whether they
602 would be included in the revised plan. Mr. Hahn said they are survey responses. Ms.
603 Korleski asked whether it would be decided which items were important and which ones
604 were trivial. Mr. Sanders said they don't have to be, and that is part of the process. Ms.
605 Korleski asked if the Commission was deciding if this information would be part of the
606 book, or which part of this would be in the revised CLUP.

607
608 Mr. Sedlacek said this information includes facts from the residents, so it wouldn't be
609 harmful to include the information as a list in the revised CLUP. However, it is the
610 group's responsibility to determine how they will be incorporated into the other sections.
611 Mr. Sanders said a list of the goals of the township is different than a section which states
612 responses from a survey.

613
614 Mr. Hahn said that he views the information presented in Chapter 4 tonight as input, and
615 he would not like to see it consistent with the information presented tonight. He would
616 prefer to allow the group to digest the information and then come up with a
617 recommendation, and perhaps an attachment of survey results could be included. Chapter
618 4 is the assessment of the responses and the proposal for the future.

619
620 Mr. Sedlacek asked if Mr. Sanders could rewrite Chapter 4 for the next meeting and
621 include the survey responses as an attachment. Mr. Sanders said he could do that and
622 asked for more detail. Mr. Hahn said that Chapter 4 would probably be no longer than
623 presented tonight and possibly shorter, and would consist of the responses received, that
624 the responses have been considered by the Commission and receive input during
625 meetings, and then a recommendation of the visions they see for the township at this
626 point in time. Then 10 or so statements of the township's consolidated vision could be
627 included. This would result in no loss of the survey input, but it would not be part of the
628 main body of the text because that could be distracting to readers. Mr. Sedlacek agreed.

629
630 Ms. Kerlin said that she agreed with Mr. Hahn also, and she sees the vision as a summary
631 of what has come before this time and what the residents say now, and what those two
632 lists have in common to tie them together and also what is new to be tied into the present
633 vision. She noted that there are probably residents of the township who still feel those
634 items are important and should be retained. However, credence has to be given to the
635 new information as well.

636
637 Mr. Valentine said that it may be difficult for Mr. Sanders to write a draft given all this
638 information, and he suggested that the Commission spend more time constructing the
639 document and use Mr. Sedlacek for guidance. Mr. Sedlacek said he has the opposite
640 view and he would like Mr. Sanders write the draft for Commission review.

641
642 Ms. Yorko said that Mr. Valentine has a good point, and putting the onus on Mr. Sanders
643 at this time may not be the right thing to do. Ms. Kerlin said that the exact wording could
644 be revisited later.

645
646 Mr. Thompson suggested that the attachment could indicate that the survey comments are
647 a sampling of the community.

648
649 Mr. Gemienhardt asked if the Commission was stating that they didn't feel comfortable
650 with the last section of the chapter and how the survey responses were summarized, or
651 that they don't like the strengths and weaknesses, essence, or goals pages and that they
652 should be removed. He felt there was a lot of information there and was concerned about
653 reinventing the wheel. Mr. Sedlacek said the survey could be included as an attachment

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

654 but it shouldn't replace the vision or goals; however, the new goals which are agreed-
655 upon should be incorporated with the current goals. He clarified that the Commission did
656 not intend to condense the plan into just a few pages and that it intended to merge the
657 survey results in order to state the 2009 vision statement. The issue is who should
658 provide the draft. Mr. Gemienhardt felt that Mr. Sanders was the most qualified to do
659 this.

660
661 Mr. Hahn suggested that a BZC member could work with Mr. Sanders on the draft for
662 maximum quality. Mr. Sedlacek said that Mr. Sanders has more experience and Berlin
663 Township has commissioned him with the funds to do this.

664
665 Ms. Cline said that she has much experience in technical writing, and perhaps Mr.
666 Sanders' draft information could be used by the group to help rewrite it and that could
667 help get residents involved with the process. She agreed to work with Mr. Sanders on
668 this. Ms. Kerlin said that would be an ideal situation because it will help provide a more
669 personal feel, and also get resident input from outside the BZC. Mr. Valentine and Ms.
670 Yorke also agreed, and there were no objections from the audience.

671
672 Mr. Sutton said he was confused about updating the goals, and he asked if the goals are
673 intended to help with the zoning boards and working with land use plans in the future, or
674 are the goals also intended to be issues which could be given to the trustees for
675 consideration for future action. He suggested that this should be clear in the document.
676 Mr. Sedlacek said the trustees are anxious to see the results and they will read the
677 document and take it to heart.

678
679 Mr. Sherman said that bike trails are very expensive and cannot be supported by the
680 present tax base and population. He recalled that Mr. Fisher has told him that the money
681 for some of Orange Township's trails was from donations, and that and other amenities
682 could be millions of dollars. A list of recommendations can be created which includes
683 items everybody would like to have, but tax dollars to pay for it will be necessary, and he
684 asked where the money would come from. He suggested perhaps that when new roads
685 are installed a larger 6' berm could be added, which could be used for a bike trail in the
686 future. This could be mentioned to developers during the zoning process.

687
688 Mr. Sedlacek said that the goals are the vision, and how it is implemented is a different
689 issue. The BZC asks developers to donate green space to the township. Mr. Hahn said
690 that a park board could work together to create information which includes costs and
691 priorities for items, and also work with neighboring townships and cities. Thus the BZC
692 would have better direction and be able to work with developers to have rights-of-way for
693 bike trails donated to the township. A concept plan for potential trails could be created so
694 when large pieces of property come before the Commission for rezoning it can request
695 the donation. The park board could help solidify this information.

696
697 Mr. Sedlacek said that Mr. Fisher had stated that there were many ideas regarding parks
698 in Orange Township, but nothing was ever started until a parks board was formed and
699 activated. There were donations, but a levy was also required. Mr. Hahn said that if one
700 wants something done, one has to get behind it. He doesn't think the trustees are
701 deliberately not addressing the issue, as they are very busy with other township functions.
702 The township has good road maintenance, snow removal, and much more which the
703 trustees have worked on. Thus, citizens working on a commission helping to push and
704 issue does help bring attention to it. The trustees don't have the time and aren't enough
705 to work these issues so the help of the community and the BZC is really appreciated, can
706 help spread out the work, and also obtain a wider input.

707
708 Mr. Morrill said that the resident of Orange Township wanted the parks enough that they
709 were willing to pay considerable taxes for their park. However, nobody will know if the
710 residents want parks until they are asked; the concept may not go anywhere but it is
711 worth looking into. Ms. Kerlin said that at least the wishes of the residents had been
712 responded to.

713

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

714 Mr. Sedlacek said that a park board's recommendation to the trustees would hold more
715 credence than an answer on a flyer.

716
717 Mr. Pizzino said that the percentage of commercial, industrial, and multi-family
718 development would be necessary to raise tax dollars for such facilities, and also for
719 required maintenance, and this should be part of the CLUP. Mr. Sedlacek said a proposed
720 commercial corridor exists on Route 36/37, but not much will occur until sewer is
721 available for the area; this will be considered in the future. Mr. Hahn said the trustees are
722 working on that issue with the county.

723

724 **Resolution 09.05.12.#02:commission Elizabeth Cline**
725 **to work with Scott Sanders to revise Chapter 4 for further BZC review**

726

727 Ms. Kerlin made a motion to commission Elizabeth Cline to work with Mr. Sanders to
728 bring back at the next meeting a revised Chapter 4, under the auspices and directions
729 which were discussed at this meeting. Mr. Hahn seconded the motion.

730 VOTE: Kerlin-yes; Hahn-yes; Valentine-yes; Yorke-yes; Sedlacek-yes.

731 Mr. Sedlacek asked if this was acceptable to Mr. Sanders. Mr. Sanders said it was. Mr.
732 Sedlacek said the revised Chapter 4 would be discussed at the next meeting.

733

734 **CHAPTER 5 EXISTING LAND USE – REVIEW**

735 Mr. Sanders said that the information in this chapter is factual. He displayed a chart
736 which shows the existing land use comparison between 1999 and 2009, using county
737 auditor data, and indicating how taxes are determined on each parcel. The next page has
738 a color map which indicates the uses. He reviewed the various districts on the map in
739 detail on the maps. He noted that the percentages were based on the overall acreage of
740 the original township, and he said that if that was factored out the percentage would
741 increase except for the agricultural area the annexation came from.

742

743 Mr. Morrill said that map indicates a large portion of commercial development is
744 indicated on Sherman Road. Mr. Sanders was not sure what that area was and it could
745 possibly be the clubhouse for the golf course. Mr. Armstrong said that may be correct
746 but it shouldn't be indicated as commercial zoning, and he would check on it.

747

748 Mr. Sedlacek asked if the total acreage of the township is the same since 1999. Mr.
749 Sanders said the bottom row subtracts the incorporated areas out of the total, and he said
750 that "total acreage" refers to the old square township size, and the bottom of the page
751 indicates the total township acreage after the annexations to the City of Delaware, a
752 decrease from 16,500 acres to 15,600 acres.

753

754 Mr. Sanders said that 1,353 acres of new residential have been developed since 1999,
755 with another 2,300 acres designated as residential but not developed yet. Since 1999, the
756 land in roads increased by 84 acres which is the additional right-of-way for roads in
757 subdivision, 254 acres has been developed in commercial/industrial, agricultural property
758 has dropped from 46% to 23%, and annexed land has grown by 943 acres.

759

760 Mr. Sanders said that rivers, lakes, and seasonal swales have decreased, which may be
761 due to development, and golf courses and parks have decreased by 177 acres. The Old
762 Cheshire PUD was mapped differently than the others so it is an overlay and doesn't
763 appear as acreage on the map, but the rest of the acres do. The district with the largest
764 acreage is the farm residential district, which is the township's base district; the next is
765 the PRDs; then R2 with PRD overlay; Planned Commercial and Office; and all other
766 areas are a small fraction of the total acres. He reviewed the map in detail.

767

768 Mr. Sanders said that 20% is the typical amount land planners and zoning codes use to
769 help define how much open space to preserve. He provided detailed information
770 regarding water drainage and flow in the township, as well as wetlands and floodplain
771 information. He said that the critical resource map is used at DCRPC meetings during
772 hearings for zoning cases and subdivisions. He reviewed historic sites. Ms. Kerlin asked
773 if significant trees could be put on the map as well.

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833

Mr. Sander said that when an entire township is in a sewer district or will be soon, such as Orange Township, septic information isn't as critical as it is in Berlin Township where sewer is not as widely available at this point. There will continue to be some development in the township in utilizing onsite mound septic systems, so a soil map has been provided, which he reviewed.

Mr. Sanders noted that the best soil for agriculture is usually the worst for on-site wastewater treatment. He reviewed the color designations on the map, and said that some of the best farmland in the county is located in the middle of Berlin Township. He noted that in cases where the soils are not suitable for septic treatment, if there is enough acreage sometimes a mound can be built to obtain the soil necessary for an on-site septic system.

Mr. Sedlacek said that Mr. Sanders and Ms. Cline will work on Chapter 4, and he asked what other chapters Mr. Sanders would work on for the next meeting. Mr. Sanders said that since the goals will be reviewed again, he will bring Chapter 7 Housing and he will try to bring Chapter 8 as well.

Mr. Sedlacek noted that the next meeting will be on June 9, 2009 at 7:00 PM, and he asked if meetings for July and August should be set now to continue the review process.

Resolution 09.05.12.#03:Set 7/14/09 and 8/11/09 BZC Meetings

Mr. Valentine made a motion to set BZC meetings for July 14, 2009 at 7:00 PM, and August 11, 2009 at 7:00 PM. Ms. Yorke seconded the motion. All in favor say, "aye," all opposed signify with same sign. No opposition, motion carried.

AGENDA ITEM – COMMENTS FROM THE ZONING INSPECTOR

Mr. Armstrong had no comments at this time.

SYNOPSIS

ACCOMPLISHED

- Chapters 4 and 5 of the CLUP were reviewed.

FUTURE WORK

- Work will continue on the various BZC sub-committees.
- Elizabeth Cline will work with Mr. Sanders to revise Chapter 4 of the CLUP, to be reviewed at the next BZC meeting on 6/9/09.
- At the next BZC meeting on 6/9/09, Chapter 7 and Chapter 8 (if possible) will be reviewed.

The next BZC meeting will be on Tuesday, June 9, 2009 at 7:00 PM at the Berlin Township Hall.

There was no further business to come before the Commission. Motion to adjourn. Meeting adjourned at 9:20 PM.

Rick Sedlacek, Chairman

Jerry Valentine, Vice-Chairman

Jim Hahn, member

BERLIN ZONING COMMISSION

Regular Meeting

May 12, 2009, 7:00 PM

834
835
836
837
838
839
840

Kristin Yorko, member

Rae Ann Kerlin, member

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