

BERLIN ZONING COMMISSION

Regular Meeting

October 14, 2008, 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 The meeting was called to order by Chairman Rick Sedlacek at 7:00 PM.

6
7 Mr. Armstrong led meeting attendees in reciting the Pledge of Allegiance.

8
9 BZC Members Present: Rick Sedlacek, Jim Hahn, Jerry Valentine, Kristin Yorke, Rae
10 Ann Kerlin, Betty Bringardner (first alternate)

11
12 Meeting Attendees Who Signed In

13 Adam Kemmerling, Furniture Depot, 6914 St. Rte. 37 East, Sunbury, OH 43074

14 Don and Barbara Sherman, 1469 Africa Road, Galena, OH 43021

15 Don Ray, 6004 S. Old State Rd., PO Box 167, Lewis Center, OH 43035

16 David Leahy, 1484 Dale Ford Road, Delaware, OH 43015

17 Doug Grote, 5229 Cheshire Road, Galena, OH 43021

18 Rick Gemienhardt, 881 Africa Road, Galena, OH 43021

19 Charles Hall, 5764 Cheshire Road, Galena, OH 43021

20 Todd Voss, 6299 Cheshire Road, Galena, OH 43021

21 Dave Fields, 2475 Africa Road, Galena, OH 43021

22 Steve Cross, 141 Plunkett Road, Delaware, OH 43015

23 Loren Hart, 3615 S. Old State Road, Delaware, OH 43015

24 Victor Ricks, 3615 S. Old State Rd., Delaware, OH 43015

25 Mike Morrill, 883 Dunham Rd., Delaware, OH 43015

26 Bob George, 229 Tyler Ave., Pataskala, OH 43062

27 Chris Miller, 616 Glenn Road, Delaware, OH 43015

28 Betty Bringardner, 3469 Piatt Road, Delaware, OH 43015

29
30 Mr. Sedlacek said it was nice to see so many people attending this BZC meeting.

31
32 **APPROVAL OF MINUTES**

33 Ms. Kerlin made a motion to approve the minutes from the September 3, 2008 BZC
34 meeting, as presented. Ms. Yorke seconded the motion. All in favor say, "aye," all
35 opposed signify with same sign. No opposition, motion carried.

36
37 **Proof of Publication**

38 Zoning Clerk Lisa Knapp provided proof of publication for the legal notice for this
39 meeting, which was published in the October 1, 2008 Delaware Gazette, providing
40 notification of the meeting date and time and items for discussion.

41
42 **Legal Notice**

43 October 1, 2008 - Berlin Township Zoning Commission Notice of Public Meeting

44
45 The Berlin Township Zoning Commission will hold a meeting at 7:00 p.m. Tuesday,
46 October 14, 2008. The meeting will be held at the Berlin Township House, 3271
47 Cheshire Rd., Delaware, OH. The purpose of the meeting is to hold a Business
48 Community Input Forum with Berlin Township Business owners/proprietors. This forum
49 will be an open discussion and will be conducted according to normal Zoning
50 Commission (BZC) policy. Discussion will continue with the Berlin Township
51 Comprehensive Land Use Plan (CLUP). The person responsible for giving notice of the
52 public meeting by publication is Cathy Rippel. Questions concerning this matter should
53 be directed to the Zoning Office at 740-548-5217. Township residents are encouraged to
54 attend.

55
56 Berlin Township Zoning Commission

57 Rick Sedlacek, Chairman

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**AGENDA ITEM – EXTENSION OF ZONING FOR
ESTATE AT SHERMAN LAKES**

62
63
64 Mr. Sedlacek asked if a representative was present for the Estate at Sherman Lakes.
65 There was no response. Mr. Sedlacek said that the zoning for the property was approved
66 in November 2005, and per the zoning resolution, the applicant has 3 years to complete
67 the development. However, that has not occurred, so the applicant has applied for an
68 extension of zoning in a letter dated 9/25/08, addressed to the Berlin Township Trustees,
69 from P. Ronald Sabatino, Manager, T&R Land Development.
70

71 Mr. Armstrong said that the applicant has received a recommendation of approval for a
72 one-year extension from the Delaware County Regional Planning Commission (DCRPC),
73 and has now applied for an extension from the township. The original zoning approval
74 date was 11/7/05. Mr. Sedlacek said the final engineering occurred last month.
75

76 Mr. Armstrong said the final engineering was submitted, and the Delaware County
77 Engineer's office responded to the applicant on 7/29/08 with several items on the plan
78 which needed to be resolved prior to approval by that office. A letter dated 9/8/08 from
79 the engineer's office indicated that only the sewer issue remained, and that the other
80 issues were taken care of.
81

82 Mr. Sedlacek said the applicant's letter requested a 3-year extension, and he asked if Mr.
83 Armstrong knew why. Mr. Armstrong said he was unsure of the exact reason for that
84 request, and he noted that typically the township grants extensions for only one year at a
85 time. Mr. Sedlacek said that unfortunately the applicant is not present to explain the
86 request.
87

88 Mr. Hahn noted that the entire development would not need to be completed within the
89 one year extension; it must simply be started. Mr. Sedlacek said that the applicant could
90 apply in the future for another zoning extension; however, if a longer extension is granted
91 now, the zoning resolution may change during that time.
92

**Resolution 08-10-14-01 – Grant 1-Year Extension to the Zoning for
Estate at Sherman Lakes**

93
94
95 Mr. Hahn made a motion to grant a one-year extension to the zoning for the Estate at
96 Sherman Lakes, to expire on 11/7/09. Mr. Valentine seconded the motion.
97 Vote: Hahn, yes; Valentine, yes; Yorke, yes; Kerlin, yes; Sedlacek, yes. Motion carried.
98

AGENDA ITEM – BUSINESS COMMUNITY INPUT FORUM

99
100 Mr. Sedlacek said he was pleased to see so much interest in tonight's Business
101 Community Input Forum. Mr. Hahn had suggested a few months ago that the BZC ask
102 township business owners which issues and problems they have, and how the township
103 could better work with the business owners. A letter of invitation to this forum was
104 mailed on 9/4/08 to about 64 business owners and others in the townships.
105

106 Mr. Sedlacek said this forum is an open meeting so anybody could attend. He said the
107 Commission will focus on local business needs, and changes which may support those
108 needs. The Zoning Clerk will document the issues brought up at this meeting, and they
109 will be discussed at a later date by the Commission. He said the Commission could not
110 promise that all suggestions will be adopted; however, they do promise to consider them.
111 There will be follow-up, feedback with dialogue, and possibly another meeting. The
112 document prepared by the Clerk can be mailed out.
113

114 Mr. Hahn said that he suggested this forum because of feedback he has received in the
115 past from township businesses. For example, perhaps a restaurant wants to run a special
116 on a certain dish for the weekend. However, the business would need to a permit from
117 the township for signage to advertise the special, and that may be cost prohibitive. He
118 felt it would be advantageous for the Commission to hear about these issues so they could
119 examine the zoning resolution in light of these issues and decide whether to change the
120 zoning resolution in some manner. Mr. Sedlacek said that each issue or suggestion will
121 be considered and responded to.

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122 **Business Owner Comments**

123 Doug Grote, owner of the Double Eagle Barber Shop 5229 Cheshire Road, Galena, OH
124 43021, said that his questions and comments are regarding advertising and signage for
125 businesses, including the 25% limitation on the amount of window area which can be
126 used for advertisement. This should be adjusted, especially because many buildings
127 have very small window areas. Also, A-frame movable signs require temporary paid
128 permits, and he does not have the luxury of being located on a sidewalk where people
129 would just walk by and come into his shop. For example, such temporary signage could
130 state, "Walk-ins Welcome" or "Tonight's Special", etc. and could have changeable copy
131 and/or be moved in and out when needed.

132
133 Mr. Grote asked if there could be special signage regulations in the village of Cheshire.
134 There are several businesses being added to that area, and it may be helpful if the
135 township could help with installing signage similar to that at a park which would direct
136 people from major intersections towards the location of businesses. Mr. Grote said that
137 his issue is the limitations on advertising and signage, and he would like to increase the
138 visibility of local businesses to the general public. It is very expensive for small business
139 owners to have to pay for each sign. Ms. Kerlin asked if he was suggesting that
140 attractive, permanent directional sign, for example stating "barber this way" or "pizza this
141 way" be permitted at the crossroads. Mr. Grote said he was. Ms. Kerlin asked if such a
142 sign would enhance the look of the community. Mr. Grote responded that it would.

143
144 Mr. Sedlacek said that Article 16 of the zoning resolution is for Old Cheshire Planned
145 Unit Development; however, there are no sign specifications in that section of the
146 township. Sign requirements apply to the entire township and are included in another
147 section of the zoning resolution. He asked if Mr. Grote was asking that the zoning
148 resolution be modified to allow different types of signage for the village. Mr. Grote said,
149 "Yes, possibly." Mr. Sedlacek said it seemed that Mr. Grote was requesting that some of
150 the advertising and signage requirements be relaxed to help enhance local businesses.

151
152 ✓ *Synopsis: Enhance local businesses by relaxing the zoning resolution to increase
153 the maximum 25% window signage percentage, allow different signage for
154 different areas in the township such as the Village of Cheshire, allow temporary
155 movable A-frame-type signage with changeable copy, allow permanent
156 directional signage stating for example, "barber this way" or "pizza this way."*

157
158 Todd Voss, 6299 Cheshire Road, Galena, OH 43021, said A-frame signs are used at both
159 entrances at the Meadows at Cheshire residential development, and he saw no difference
160 between allowing those for residential areas and for business areas. He didn't understand
161 why small businesses aren't allowed to install temporary signs, and he asked what the
162 difference was. Mr. Sedlacek said he didn't see any difference; Berlin Township is large
163 and sometimes A-frame signs are not noticed immediately by the township.

164
165 Mr. Voss said he is representing the Double Eagle Club, but he is also here as a neighbor.
166 He asked if the township was paying attention to recent information regarding a new
167 interchange at I-71 and 3 B's and a K Road, as there could be drastic changes.

168
169 Mr. Armstrong said he has attended several meetings recently regarding that issue, which
170 is in Berkshire Township. He has met with the county engineer and a representative from
171 the Delaware County Commissioner's office, county economic development
172 representatives, etc. where the options have been explained. The information from those
173 meetings has not been made public yet. He said there are several suggestions for
174 interchanges off of I-71, both north and south of Route 36, and the township is aware of
175 that. There was additional discussion.

176
177 ✓ *Synopsis: Businesses should be allowed to have A-frame-type signs, and
178 businesses should be considered in the same category as residential developments
179 for this purpose.*

180

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181 Adam Kemmerling, owner of Furniture Depot, 6914 S. R. 37 East, Sunbury, OH, 43074,
182 was concerned about the signage allowed in the township. He said that per the zoning
183 inspector, signs are positioned at a business based on the road right-of-way, and at his
184 business the right-of-way cuts in towards his building, so it is only about 10' from his
185 building, leaving an area of only about 48-50' to the roadway. He opened his business a
186 year ago, and he still has customers tell him that they have driven by his business many
187 times and yet have never noticed it. His sign is bright orange and 4' by 8', but it is hard
188 to drive customers to his business because the sign is set so far back. Also, he shares a
189 driveway with American Heritage and there is no signage allowed at the driveway.
190 Directional signage there could be helpful, and every customer counts, especially in
191 today's economic times. That area of Route 36/37 is very dark at night.

192

193 Mr. Kemmerling said that his sign was very expensive, and he spends \$75,000.00 per
194 year to advertise his business. People who live in Delaware and drive I-71 to Columbus
195 for work everyday still don't see his sign. He is not permitted to use inflatable devices,
196 place temporary signs out by the road, or put signs in other locations in the township to
197 draw attention. Recently he has paid teenagers to hold signs on Polaris Parkway to draw
198 customers to his store.

199

200 Mr. Kemmerling said that if he could possibly generate more revenue in another
201 township, he may have to move. He would like to be able to move his sign 15-20' closer
202 to the road. Every penny counts, and he can't afford to pay the township a sign fee each
203 time he wants to make a change.

204

205 Mr. Hahn said that the right-of-way shifts along State Route 36/37 and is not at the same
206 lineal distance from the paved highway at each portion of the road. The right-of-way for
207 Mr. Kemmerling's property may be closer than his next door neighbor's, so his neighbor
208 may be able to have a sign closer to the road, which exacerbates the situation. Mr. Hahn
209 said in order to change the rights-of-way on the roads, the township would need to work
210 with the state government.

211

212 ✓ Synopsis: Allow signage to be 15-20' closer to the road and/or make the rights-
213 of-way along roads consistent, allow directional signage in a driveway, and allow
214 directional temporary signs.

215

216 Dave Fields, owner of Waters Edge Pizza, 2475 Africa Road, Galena, OH, 43021, just
217 south of Cheshire Road, said he agrees with the statements made by others at this meeting
218 regarding allowing signage, banners, and anything else which would help attract traffic to
219 businesses. His business has been open for 1.5 years. The closest neighborhood is the
220 Meadows at Cheshire, and each week he continues to get new customers from that
221 development that weren't aware of his business. This indicates that people are not able to
222 see his business. He commented that mailed advertisements are very expensive for a
223 small business. He liked the concept of allowing A-frame signage, and said that the
224 signage suggested at this meeting could be designed in a very attractive manner, and most
225 businesses would want signage which was made by a professional signage company. He
226 agreed that perhaps the sign code should be relaxed, and that the permit for signage for
227 temporary specials often costs more than the profit which would be made by having the
228 specials.

229

230 Mr. Fields said he makes changes to make his business more attractive to customers each
231 month. He asked if it was correct that signs cannot be placed in the right-of-way. Mr.
232 Armstrong said that the right-of-way in that area extends nearly to the edge of the
233 buildings, per county requirements and signs cannot be placed in it. Mr. Fields said he
234 didn't understand why temporary or removable signage couldn't be placed in the right-of-
235 way since it is easily removed if the road needs to be widened or in other circumstances.
236 Mr. Armstrong said that state law prohibits anything being placed in the right-of-way,
237 and it is a liability issue. Mr. Fields said that requirement doesn't help him attract new
238 customers.

239

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240 Mr. Sedlacek said the original intention of these regulations was not to limit business
241 operations but rather to beautify the township.

242
243 Mr. Fields said that he sees signs for open houses, real estate sales, firewood for sale,
244 garage sales, etc. throughout the township, and some of those signs are not very
245 attractive. He suggested allowing banners within certain standards, for 15-30 days, with
246 an expedited 2-3 day approval period from the zoning office.

247
248 Mr. Hahn said that signage couldn't be installed on the west side of Africa Road in the
249 Cheshire area because that is state land, but perhaps on the east side of the road and
250 possibly on Cheshire Road, it may be possible for the collective business owners to work
251 with the township to create signage such as that seen in the historic Westerville area.
252 Some of the signage may have to be placed on private property. There were no voiced
253 objections to this concept.

254
255 There was a discussion about official "tourist-attraction" type signage. Mr. Hall said that
256 type of signage is granted through the state. It was commented that the Freeman's Farm
257 state signage cost \$900.00 and the monthly fee is \$35.00. Mr. Fields said that the corners
258 at South Old State and Cheshire and Africa and Cheshire Roads are the two busiest
259 intersections coming into the village of Cheshire, and signage on either or both of those
260 corners could be helpful. It was noted that there is currently no formal business owners
261 association for the area.

262
263 Mr. Fields suggested having main signage at major intersections in the township, and
264 corresponding signs at each business which can be seen by passing vehicles.

265
266 ✓ *Synopsis: Relax the signage and banner regulations, there are concerns that new*
267 *customers can't see signage from the road, being able to install banners and A-*
268 *frame signage without an expensive permit fee, questions regarding signage in the*
269 *right-of-way, and allowing banners for a specified period of time without a permit*
270 *fee, allowing signage for the village of Cheshire on private property, allowing*
271 *directional signage at Cheshire and Africa Roads and/or Cheshire and S. Old*
272 *State Roads.*

273
274 Dave Leahy, 1484 Dale Ford Road, Delaware, OH 43015, representing Electrimotion,
275 Inc., said he has an expanded home occupation permit for his business, which allows a
276 maximum of only one non-resident employee, and he feels that most small businesses
277 would like to grow in the future. However, only allowing one non-resident employee
278 makes it difficult to do so. His future goal is to move from a resident home business into
279 a commercial property; however, the gap in the number of employees and operations
280 between a small and large business is very large and it is nearly impossible to generate
281 enough revenue with non-resident employee to allow a business to take the next step to
282 purchase or lease commercial property for its operations. He asked the township to
283 consider increasing the number of non-resident employees permitted for home
284 occupations, and he distributed a map which indicated that bordering townships allow
285 more non-residential employees. He noted that Orange and Brown Townships allow up
286 to three non-residential employees.

287
288 Mr. Leahy said that during the BZA hearing for his expanded home occupation permit,
289 30 neighbors appeared and none objected to having more than one non-residential
290 employee at his business.

291
292 Mr. Hahn said that the township limits home businesses because of the high traffic count
293 generated by businesses, which can put children in the neighborhood at risk, and also
294 create nuisance traffic. Mr. Leahy said that his business doesn't generate any traffic at all,
295 as it has no walk-in traffic, etc. The only traffic generated is from the business'
296 employees, and the company's products are shipped in and out via mail.

297
298 Mr. Leahy said that the home occupation permit is conditional, and thus would only be
299 approved by the township if it was acceptable to the BZA.

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300 ✓ Synopsis: *The expanded home occupation requirements should be revisited and*
301 *the number of non-resident employees possibly increased. There is a large gap*
302 *between the number of employees at a home occupation and at a commercial*
303 *business. Data on requirements for home occupation permits from other*
304 *townships was provided. Berlin Township allows fewer non-residential*
305 *employees than some neighboring townships.*

306
307 Mr. Hahn said that communities such as old Westerville or old Worthington have
308 sidewalks up to the edge of the pavement, and signage is allowed on the sidewalks. It
309 would seem that this signage must be located within the rights-of-way, and he asked why
310 they were allowed. Mike Morrill, 883 Dunham Rd., Delaware, OH 43015, property
311 owner and also a township BZA member, said that sidewalks are not located in the rights-
312 of-way. There was additional discussion. Mr. Sedlacek said sometimes signs are placed
313 illegally.

314
315 Mr. Hahn asked if perhaps the installation of a paved path in the Village of Cheshire area
316 could provide flexibility for the location of signs.

317
318 Mr. Fields asked if the road right-of-way was preventing the township from allowing
319 signage in that area, or if it was the property owner's liability in case of an issue. Mr.
320 Sedlacek said that if negligence was proven because the zoning inspector had not noticed
321 the signage, the township could be liable. Mr. Morrill said that monument mailboxes are
322 not allowed in the right-of-way for liability reasons. Mr. Sedlacek said that only
323 directional signs and regular post-style mailboxes are permitted to be placed in the road
324 right-of-way.

325
326 Mr. Morrill said he was a member of the zoning resolution rewrite committee, which
327 spent much time on signage regulations. The committee determined what it wanted the
328 township to look like in regards to signage, and spent many hours creating the language.
329 It also spent much time rewriting the Cheshire Planned Unit Development Plan so all
330 property owners in that area were given a chance to provide input into what they wanted
331 the village of Cheshire to look like. He was pleased that business owners from that area
332 are in attendance at this meeting, but he wished they had been there when the township
333 was working on the village of Cheshire plan. The township's comprehensive plan stated
334 that the village of Cheshire would be the center of Berlin Township.

335
336 Mr. Morrill said the rewrite committee specifically stated that it didn't want to look like
337 Berkshire Township, which has allowed many ugly signs. The language which is
338 currently in place is the result of much input from the community and the committee at
339 that time, and he didn't want all their effort to "go down the drain" without a lot of
340 community input regarding what it wants the township to look like.

341
342 ✓ Synopsis: *The zoning resolution rewrite committee spent much time creating and*
343 *modifying the language and regulations in the zoning resolution, the land use*
344 *plan, and the Cheshire Planned Unit Development He does not want Berlin*
345 *Township to look like Berkshire Township or other areas which have more*
346 *relaxed sign codes. He doesn't want to see all the work on the current*
347 *regulations "go down the drain" without input from a great variety of township*
348 *residents.*

349
350 Don Ray, owner of Anchors Aweigh, 6004 S. Old State Rd., PO Box 167, Lewis Center,
351 OH 43035, said he has been in the community for over a year and would like to be more
352 involved in the community. He has no specific comment or issues at this time

353
354 ✓ Synopsis: *Has only been in the community for a year and has no specific comment*
355 *or issues at this time.*

356
357 Steve Cross, 141 Plunkett Road, Delaware, OH 43015, owner of several businesses in
358 Berlin Township, said that he puts on the Fantasy of Lights show at the Alum Creek State
359 Park marina every year, and he must buy temporary signage permits for the show. He

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360 donates all profits of the show to Recreation Unlimited and other non-profit entities. The
361 show is very popular and highlights Berlin Township; people come from all over the
362 country for this premier show. It seemed ridiculous that he has to pay for sign permits,
363 since the profits are going to charity. He noted that just to rent the generators for the
364 show costs \$58,000.00, and the fuel costs \$15,000.00.

365
366 Mr. Cross said that he also received complaints each year that visitors to the show get lost
367 and have to turn around in residential driveways, etc., because they aren't able to see the
368 small signage the township permits him to install. The signs are very hard to see,
369 especially at night. He has written letters in the past to the township regarding this, and
370 nobody except for Mr. Armstrong has ever acknowledged these letters.

371
372 Mr. Cross asked what the BZC has to do with anything, as the last time he came before
373 this Commission he had 100% agreement with his project, which included additional
374 buildings on a piece of property he owned. He then went before the township trustees 30
375 days later. Four years and many emotional meetings later, he feels he was treated poorly.
376 He never did install the buildings. Mr. Cross said he advises against going into business
377 in Berlin Township now.

378
379 ✓ Synopsis: *Should not be charged sign permit fees for the Alum Creek State Park*
380 *Marina because it is a non-profit organization and 100% of the profit is donated*
381 *to non-profit groups. The signage for the event is inadequate and causes visitors*
382 *to get lost and turn around in driveway. There is a "disconnect" in the thinking*
383 *between the BZC and the trustees regarding rezonings, and feels he was treated*
384 *poorly by the trustees.*

385
386 **Resident Comments**
387 Don Sherman, a resident, 1469 Africa Road, Galena, OH 43021, said that in order to find
388 a business, the driver of a vehicle must be able to see it signage far enough ahead to be
389 able to turn into the business safely, which means it needs to be located up off the grade.
390 When drivers can't see the businesses, they will keep driving and go to the next business
391 which is more visible. Comments have been made that some people don't want Berlin
392 Township to look like Berkshire Township or the City of Delaware, but being too
393 restrictive may cause local business owners to leave the township in search of an area
394 which provides more visibility.

395
396 Mr. Hahn said that higher signage in the Cheshire Market area wouldn't be beneficial.
397 Mr. Sherman said that visible signage is the most important advertising tool a business
398 can have. For example, that he hauled freight from Kentucky Fried Chicken for years,
399 and if that business didn't have the signage it has, that company wouldn't be as
400 successful as it is today. Everybody recognizes that signage up on the pole and turns in
401 there to buy fried chicken.

402
403 ✓ Synopsis: *Business signs must be able to be seen to attract customers.*

404
405 Rick Gemienhardt, 881 Africa Road, Galena, OH 43021, commended the Commission
406 for holding this forum with business owners and said it is an excellent opportunity for
407 people to express their views. Anything the Commission can do to help the business
408 owners would be much appreciated. If the businesses are not here, something else will
409 be, and that is usually not good for the community. Businesses don't place many
410 demands on township services, and the tax base is positive.

411
412 Mr. Gemienhardt said that sign regulations are overdone in the township at times, and it
413 has a tendency to over-regulate. The township doesn't have any lollipop or large bright
414 light signs. He said A-frame signs are a good idea, as they are temporary signs, and they
415 would satisfy business owners needs for specials and seasonal-type items, etc. The right-
416 of-way issue is also important, and he wasn't sure why temporary signs are not allowed
417 in the right-of-way, although he does understand why permanent structures aren't
418 allowed in the right-of-way.

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419 Mr. Gemienhardt said he didn't understand how the township came up with the fee
420 structure for signage permits, which he felt are too high, and he noted that real estate
421 agents do not need permits, as well as other yard signs put up by companies who have
422 done work for residential properties. These types of signs are also advertisements, but
423 they are free. He said in this economic time, small businesses are struggling and
424 anything the township can do to help these businesses would be appreciated.

425
426 Mr. Gemienhardt said that the regulations for the historic district of Cheshire could be a
427 topic for the future; a lot of time and energy was spent on that document. However,
428 many of the existing business owners were not in the township at that time, and he
429 suggested mailing copies of the regulations to the business owners in the historic district
430 of Cheshire, and maybe holding a meeting similar to this one to discuss the regulations.
431 He suggested perhaps creating a special sign standard for that area, as one size of sign
432 doesn't always fit all. He said the township should do all it can to help local businesses.

433
434 Mr. Sedlacek noted that the township cannot overrule state laws on rights-of-way. Mr.
435 Gemienhardt said that in Sunbury, businesses are allowed to have temporary A-frame
436 signage. If the township desires the area to be a historic centerpiece, some changes
437 should be made to encourage traffic to go through.

438
439 Mr. Gemienhardt said that nobody has proposed 30' tall huge signs or moving, flashing
440 lights and most of the suggestions seem reasonable to him. Mr. Sedlacek said the
441 contractor signs in residential yards mentioned earlier are illegal. Mr. Gemienhardt said
442 that if the signs are on private property outside of the right-of-way, he didn't think the
443 township could enforce them.

444
445 Mr. Sedlacek said the intention is that littering the right-of-way with signs can be a
446 distraction, which creates a safety issue. No signage whatsoever is permitted in the right-
447 of-way.

448
449 ✓ *Synopsis: This forum is a wonderful idea, small businesses can be positive for the*
450 *area, and signs are a big issue and sometimes the township over-regulates them.*
451 *In favor of temporary A-frame style signs, the fee structures for permits needs to*
452 *be re-examined, and the village of Cheshire should be updated independently of*
453 *the rest of the township in regards to businesses and signs via a special meeting*
454 *with invitations like this meeting. Concerned about the effects of inconsistent*
455 *road rights-of-way on the location of signage.*

456
457 Mr. Sedlacek said that the zoning resolution is on the township website, and Article 16
458 includes the regulations for the Old Cheshire Planned Unit Development District, or
459 copies can be provided by the zoning inspector as well.

460
461 Mr. Fields said Berlin Township is an excellent township and he would like to keep the
462 township residents here to purchase their wares.

463
464 Mr. Cross said that the Berlin Township Fire Department has a large open-house sign out
465 front, and he asked if a permit fee was paid for that. He said the township must feel it is
466 important to advertise such events. Mr. Cross said the zoning hearing notification
467 signage is too small to be seen from the road.

468
469 ✓ *Synopsis: Mr. Fields said Berlin Township is an excellent township and he would*
470 *like to keep the township residents here. Mr. Cross mentioned the event signage*
471 *at the fire station and feels the zoning hearing notification signage is too small*
472 *and not easily readable. Mr. Kemmerling suggested highlighting businesses as*
473 *part of the township newsletter.*

474
475 Mr. Sherman said that when the Alum Creek State Campground is full, a sign is placed to
476 the front stating that the campground is full, and he is certain that it is in the road right-
477 of-way.

478

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479 Mr. Hahn said it seems like the township has been more responsive and proactive in the
480 last few years, and this meeting is an indication of that. Mr. Hahn said that when a
481 school district area has less than 30% of the taxable property as businesses, the property
482 owners end up paying an overwhelming tax amount. Only about 16% of the properties in
483 the Olentangy Local School District are businesses, which is one reason why the district's
484 homeowners have such a high property tax rate. This business forum is also intended to
485 help determine what the township can do to help its businesses succeed. He thanked the
486 meeting attendees.

487

488 Mr. Grote said that as the area's children are growing older, they are walking down to the
489 village of Cheshire area from the subdivisions via Africa and Cheshire Roads. He asked
490 about walking paths being built in that area, and perhaps a parking lot being built to help
491 the area become a destination for recreation.

492

493 Mr. Hahn noted that there exists a dedicated right-of-way to allow residents of the
494 Meadows at Cheshire through the Arbors development, although it has not been activated
495 yet.

496

497 ✓ Synopsis: Sidewalks or paths in the village of Cheshire area and parking for
498 recreational purposes.

499

500 Mr. Kemmerling asked if the township newsletter could perhaps highlight different
501 businesses during each issue

502

503 Ms. Kerlin asked that the area business owners should organize to determine what they
504 want, and she suggested perhaps creating a village of Cheshire area business association.
505 Mr. Sedlacek agreed. Ms. Yorke thanked the attendees for attending and providing their
506 input to help make Berlin Township better. Mr. Valentine said the input is valuable. Mr.
507 Sedlacek said he was encouraged by the attendance by both the residents and the business
508 owners and he thanked the meeting attendees for their attendance.

509

510 Mr. Sedlacek said that the comments received at this meeting will be discussed in earnest
511 by the BZC in the future. The Zoning Clerk will prepare a synopsis/summary report of
512 the comments heard this evening.

513

514 There was a brief recess.

515

516 **AGENDA ITEM – DISCUSSION OF PROPOSED CHANGES TO THE**
517 **COMPREHENSIVE LAND USE PLAN (CLUP) AND ASSOCIATED MAP**

518 Mr. Morrill said he was pleased to learn that the CLUP is going to be discussed soon, as
519 it is now 10 years old and outdated. He encouraged the BZC to make the proceedings
520 known to the widest group of people in the township to obtain the most possible input.

521

522 Mr. Morrill presented a copy of a letter to the editor published in the Delaware Gazette
523 several years ago by Liberty Township officials. The letter was from the trustees and
524 zoning chairs, inviting all residents and leaders of homeowners associations to attend
525 meetings to provide input on the updating of Liberty Township's land use plan. Mr.
526 Morrill said it is a wonderful letter and Berlin Township should considering publishing a
527 similar letter. Mr. Sedlacek noted that this letter was a supplement to the legal
528 advertisements which are done, which few people actually read.

529

530 Mr. Morrill said the township should spend money to advertise that it is going to re-open
531 the CLUP because the more input, the better. He is disappointed when people complain
532 at public meetings about what is in the zoning resolution, and he asked where those
533 people were when the township spent a lot of time rewriting the documents. Mr. Hahn
534 said many of them weren't township residents yet when the documents were written and
535 revised.

536

537 Mr. Morrill read from the 1998 CLUP plan which stated that on 12/8/98, the BZC and
538 about 30 residents gathered to discuss what they liked and disliked about Berlin

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539 Township. The CLUP text said that the likes and dislikes could be formulated in a vision
540 statement and goals for the future of Berlin Township. Mr. Morrill said that prior to the
541 CLUP and the zoning resolution being updated, the township should create a vision
542 statement and goals for Berlin Township, using input of the citizens regarding what they
543 want for the township. The township worked on the zoning resolution rewrite for many
544 hours and it was created using comments from residents which indicated that they want
545 Berlin Township to look more like Dublin and Worthington, and not like some other
546 places. He understands the local businesses need more advertising, he is glad this issue is
547 being reopened, he intends to attend the meetings, and he hopes to obtain a lot of input
548 from the township's citizens during the process.

549

550 Mr. Gemienhardt said he agrees with Mr. Morrill, and he encouraged as much public
551 attendance as possible. The CLUP is the township's roadmap, and it indicates what will
552 happen in the future in the township. The CLUP was driven by vision statements, goals,
553 and objectives which were created at the beginning of the process. This is the people's
554 plan. He said that the CLUP was a joint effort by the DCRPC and the BZC, with
555 community involvement.

556

557 Mr. Gemienhardt suggested earmarking areas for senior citizens and assisted living

558

559

OTHER BUSINESS

560 Mr. Armstrong said an agreement was signed in 9/2008 for a sewer district between the
561 City of Delaware and Delaware County which clearly delineates the area for the
562 annexation boundaries and provides an annexation model. He also noted that Delaware
563 County is working on sewer project planning.

564

565 Mr. Armstrong attended a meeting today with trustee Phil Panzarella regarding a study
566 contracted by the City of Delaware to tie U.S. Routes 23 and 42 into S.R. 36, in order to
567 provide a bypass of City of Delaware. This was previously referred to as the "southern
568 bypass," and it is now going to be called "Veteran's Memorial Parkway." Within the
569 study area there is a group of elected officials to provide addition input and concerns. The
570 input received today from about 50 meeting attendees will be used in conjunction with
571 prior City plans, and it is expected that in early 2009 there will be discussions regarding
572 corridors. He provided maps for the BZC's review. The results of the meeting will be
573 posted on the City of Delaware website several weeks prior to the next meeting.

574

575 Mr. Armstrong confirmed that there has been no progression on the rerouting of
576 Peachblow Road.

577

578 Mr. Sedlacek said the next BZC meeting is scheduled for Tuesday, 11/11/08 at 7:00 PM,
579 which is Veteran's Day. There were no objections to having the meeting on that day. Mr.
580 Hahn proposed putting a sign up at the township hall regarding the upcoming CLUP
581 discussions, which could be seen by people voting. Mr. Sedlacek suggested including the
582 information in the local newspapers and possibly the next newsletter. Mr. Valentine
583 suggested taking a "straw poll" of people voting on 11/4 after they leave the township
584 hall for their ideas on what they may want in the CLUP.

585

586 Mr. Morrill suggested putting on the front page of the next newsletter that the township
587 intends to update the CLUP, and on the inside include a returnable questionnaire for
588 residents. Mr. Sedlacek asked how much a post mailing to each resident would be. Mr.
589 Armstrong said it could be \$600-700.00. Ms. Sherman suggested including the
590 information at the fire department open house being held on 10/26/08.

591

592 Mr. Sedlacek asked Mr. Armstrong to investigate with the trustees whether the BZC
593 could have a presentation at the open house, and hand out a flyer encouraging interest in
594 the CLUP update process. Ms. Yorke suggested looking at the prior survey for
595 information. There was additional discussion.

596

597 Mr. Armstrong said the township could contract with the DCRPC for the update process.

598

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SYNOPSIS OF MEETING

- ❖ The information received from the Business Community Input Forum will be compiled and distributed in summary form by the Zoning Clerk, for discussion by the BZC at its 11/11/08 7:00 PM meeting.
- ❖ The Comprehensive Land Use Plan and related maps will be reviewed and discussed regarding possibly changes by the BZC at its 11/11/08 7:00 PM meeting.
- ❖ Various methods to increase community participation in the review of the CLUP may be discussed and/or implemented.

There was no further business to come before the Commission. Motion to adjourn.
Hearing adjourned at 9:35 PM.

Rick Sedlacek, Chairman

Jim Hahn, Vice-Chairman

Jerry Valentine

Kristin Yoroko

Rae Ann Kerlin

Attest: _____
Township Zoning Clerk Lisa F. Knapp