

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING  
DECEMBER 13, 2011, 7:00 PM**

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

3  
4 **CALL TO ORDER**  
5

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

7  
8 Ms. Yorko led the meeting attendees in the recitation of the Pledge of Allegiance.

9  
10 **BZC Members Present:** Rick Sedlacek, Kristin Yorko, Jim Hahn, Jerry Valentine, Toni  
11 Korleski, Betty Bringardner (alternate).

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

15  
16 **LEGAL NOTICE AND PROOF OF LEGAL NOTICE PUBLICATION**  
17

18 Zoning Clerk Lisa Knapp said that Zoning Secretary Cathy Rippel informed her today  
19 that the legal notice for this meeting was published in the Delaware Gazette on December  
20 1, 2011. Ms. Rippel also informed her that the Gazette was not able to provide proof of  
21 publication until tomorrow. However, Ms. Rippel has provided a copy of the actual ad  
22 for this meeting for tonight's purposes.

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

25 The Berlin Township Board of Zoning Appeals (BZA) and the Berlin Township Zoning  
26 Commission (BZC) will hold a joint public organizational meeting at 7:00 P.M.,  
27 Tuesday, December 13, 2011 at the Berlin Township Hall, 3271 Cheshire Road,  
28 Delaware, Ohio, 43015. The purpose of the joint meeting is to elect officers and conduct  
29 such other organizational business as deemed necessary. After the conclusion of the  
30 organizational part the BZC will have a regular meeting addressing any other business  
31 brought before the Commission. The person responsible for giving notice of the public  
32 meeting by publication is Cathy Rippel. Questions concerning this matter should be  
33 directed to the Zoning Office at 740-548-5217. Township residents are encouraged to  
34 attend.

35  
36 ***BERLIN TOWNSHIP BOARD OF ZONING APPEALS***

37 *Mike Morrill, Chairman*

38 ***BERLIN TOWNSHIP ZONING COMMISSION***

39 *Rick Sedlacek, Chairman*  
40

41 **AGENDA ITEM: INTRODUCTION OF MEETING ATTENDEES**  
42

- 43 • Joe Korleski, Berlin Township BZA member, 3584 Greenville Dr.
- 44 • Mike Morrill, BZA chairperson.
- 45 • Barbara Sherman, BZA member, 1469 Africa Road, Galena, OH 43021
- 46 • Don Sherman, 1469 Africa Road, Galena, OH 43021

47  
48 **AGENDA ITEM - APPROVAL OF MINUTES**  
49

50 Mr. Hahn made a motion to approve the minutes as presented from the 9/13/11 BZC  
51 meeting. Ms. Yorko seconded the motion.

52 All in favor say, "aye," all opposed signify with same sign. No opposition, motion  
53 carried, minutes approved.

54  
55 Mr. Valentine made a motion to approve the minutes as presented from the 11/15/11  
56 BZC meetings. Ms. Yorko seconded the motion.

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING  
DECEMBER 13, 2011, 7:00 PM**

57 All in favor say, "aye," all opposed signify with same sign. No opposition, motion  
58 carried, minutes approved.

59

60 Mr. Sedlacek said that the organizational meeting was moved to this month because the  
61 January 2012 BZC meeting was expected to be very busy. However, he thought it would  
62 be a good idea regardless so that everything is ready to go for January of the next year.

63

64 **AGENDA ITEM - ELECTION OF BZC CHAIRPERSON FOR 2012**

65

66 Mr. Valentine made a motion to open the nominations for BZC chairperson for 2012.  
67 Ms. Korleski seconded the motion.

68

69 Mr. Valentine nominated Rick Sedlacek for BZC chairperson for 2012. Ms. Yoroko  
70 seconded the motion.

71

72 There were no further nominations. Mr. Sedlacek accepted the nomination.

73

74 Mr. Hahn made a motion to close the nominations. Mr. Valentine seconded the motion.

75

76 **Resolution 2011.12.13.#1: Election of BZC Chairperson for 2012**

77

78 Vote: Valentine, yes; Yoroko, yes; Korleski, yes; Hahn, yes, Sedlacek, yes. Motion  
79 carried, Mr. Sedlacek elected BZC chairperson for 2012.

80

81 **AGENDA ITEM - ELECTION OF BZC VICE-CHAIRPERSON FOR 2012**

82

83 Mr. Valentine made a motion to open the nominations for BZC vice chairperson for  
84 2012. Mr. Hahn seconded the motion.

85

86 Ms. Yoroko nominated Toni Korleski for BZC vice-chairperson for 2012. Mr. Valentine  
87 seconded the motion. There were no further nominations. Ms. Korleski accepted the  
88 nomination. Mr. Hahn made a motion to close the nominations. Mr. Valentine seconded  
89 the motion.

90

91 **Resolution 2011.12.13.#2: Election of BZC Vice-Chairperson for 2012**

92

93 Vote: Yoroko, yes; Valentine, yes; Sedlacek, yes; Hahn, yes, Korleski, yes. Motion  
94 carried, Ms. Korleski elected BZC vice-chairperson for 2012.

95

96 **AGENDA ITEM – SET 2012 BZC MEETING DATES**

97

98 Mr. Sedlacek said that Zoning Secretary Cathy Rippel provided him with a list of all the  
99 second Tuesdays of the month in 2012. Typically July and August meetings are only held  
100 if needed. He asked that a motion be made to have all BZC meetings on the second  
101 Tuesday of each month and he reviewed those dates as follows:

102

- 103 ♦ January 10, 2012
- 104 ♦ February 14, 2012
- 105 ♦ March 13, 2012
- 106 ♦ April 10, 2012
- 107 ♦ May 8, 2012
- 108 ♦ June 12, 2012
- 109 ♦ July 10, 2012 (if needed)
- 110 ♦ August 14, 2012 (if needed)
- 111 ♦ September 11, 2012
- 112 ♦ October 9, 2012
- 113 ♦ November 13, 2012
- 114 ♦ December 11, 2012

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING  
DECEMBER 13, 2011, 7:00 PM**

115

116 Ms. Yorko said that she would prefer not to have a meeting on Tuesday 2/14/12, which is  
117 Valentine's Day.

118

119 Mr. Armstrong said that he has been working on a daily basis with the attorneys, the  
120 developer and the engineer for an applicant who is expected to apply with the township  
121 soon. He requested that because the applicant was provided earlier with the dates for the  
122 January and February 2012 BZC meetings, that the February meeting be held later rather  
123 than earlier. Otherwise, the application could not be heard at the February meeting.

124

125 After further discussion, it was agreed to move the 2/14/12 meeting to 2/22/12.

126

127 Mr. Armstrong noted that 10/8/12 is Columbus Day, so the Berlin Township trustee  
128 meeting would be held on 10/9/12 instead. Last year, the BZC meeting was moved up a  
129 week. It was agreed that the BZC meeting would be held on 10/16/12.

130

**Resolution 2011.12.13.#3: Set 2012 BZC Meeting Dates**

131

132  
133 Mr. Valentine made a motion to accept the following meeting dates for 2012 BZC  
134 meetings:

135

- 136 ♦ January 10, 2012, 7:00 p.m.
- 137 ♦ February 22, 2012, 7:00 p.m.
- 138 ♦ March 13, 2012, 7:00 p.m.
- 139 ♦ April 10, 2012, 7:00 p.m.
- 140 ♦ May 8, 2012, 7:00 p.m.
- 141 ♦ June 12, 2012, 7:00 p.m.
- 142 ♦ July 10, 2012 7:00 p.m., (if needed)
- 143 ♦ August 14, 2012, 7:00 p.m., (if needed)
- 144 ♦ September 11, 2012, 7:00 p.m.
- 145 ♦ October 16, 2012, 7:00 p.m.
- 146 ♦ November 13, 2012, 7:00 p.m.
- 147 ♦ December 11, 2012, 7:00 p.m.

148

149 Ms. Korleski seconded the motion. All in favor say, "aye," all opposed signify with same  
150 sign. No opposition, motion carried, minutes approved.

151

152

**AGENDA ITEM: ANY BUSINESS FROM THE ZONING INSPECTOR**

153

154 Mr. Armstrong noted that the rezoning application that was expected soon will not be  
155 filed in time for the January 2012 BZC meeting and it could possibly be held at the  
156 February 2012 hearing. He noted that during the January 2012 BZC meeting there will  
157 be a readout and presentation on the sewer issue along Route 36/37 in preparation for a  
158 public reading that Mr. Hahn was organizing and/or hosting.

159

**AGENDA ITEM: SEWER FORUM/MOU DISCUSSION**

160

161  
162 Mr. Sedlacek asked that Mr. Hahn provide an update on the sewer discussion forum for  
163 Route 36/37. Mr. Hahn said that no further meetings have been held since the last BZC  
164 meeting in November 2011, and said that the next meeting will be held with the BZC in  
165 January 2012.

166

167 Mr. Hahn stated that he has communicated with consultant to the Delaware County  
168 Sanitary Engineer's office Jack Smelker and Jack Lundberg, son of property owner  
169 David Lundberg, and each of them have confirmed that they will be ready for that  
170 meeting. Mr. Sedlacek asked that Mr. Hahn ask them to be present at the meeting at 7:00

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING  
DECEMBER 13, 2011, 7:00 PM**

171 p.m. on 1/10/12, and that the presentation regarding the sewer is expected to start around  
172 7:10 p.m. that night.  
173  
174 Mr. Hahn agreed to do so, and also said that he had informed the party that they would be  
175 allowed about 45 minutes for the presentation. He asked whether anybody in the  
176 audience needed a briefing on the issue.  
177  
178 Mr. Sedlacek agreed and explained that the BZC asked Mr. Hahn to head up that  
179 committee, and to continue to work with that, and then to come back to the BZC to  
180 explain its status periodically.  
181  
182 Mr. Hahn said that earlier this year, representatives from the Delaware County Engineer's  
183 office, the Delaware County Regional Planning Commission, and the Delaware County  
184 sanitary sewer department began meeting with a group of property owners along Route  
185 36/37 to plan a backage/access road along Route 36/37, similar to what was done along  
186 Route 23 a few years ago.  
187  
188 Mr. Hahn said it was rapidly determined that there would be no need for a backage road  
189 if sewer service wasn't adequate in that area. Thus, the working committee was cut down  
190 to a subcommittee, which only included those involved in sewer, which mainly meant  
191 leaving out the county engineer's department for now. The other parties, he noted,  
192 continue to be involved.  
193  
194 Mr. Hahn said that the county sanitary sewer department presented to the group its time  
195 schedule for the routing of the sewer, and the costs for such a project, and when sewer  
196 might first be available.  
197  
198 After discussions, Jack Lundberg presented a proposal for a zero-discharge plant that  
199 wouldn't require an agreement with the EPA (Environmental Protection Agency) along  
200 Lackey Old State Road and also it wouldn't need to tie into the sewer department plant  
201 south of Alum Creek Road and north of Polaris Parkway.  
202  
203 Mr. Hahn said that the proposed plant would be similar to that at NorthStar, and it would  
204 have to be done per all the same standards so that Delaware County could take over  
205 operation of it in the future, which is also what he understands is happening with  
206 NorthStar.  
207  
208 Mr. Hahn said that Tiffany Jenkins is in charge of the sanitary sewer department, and  
209 both she and Mr. Smelker thought it was a good idea and that a zero-discharge plant  
210 could be put into place 3 years sooner than if that department ran the sewer lines  
211 themselves. Additionally, Mr. Smelker thought the cost may be as much as 40% less  
212 because the county would be required to do the project with prevailing union wages,  
213 while a private corporation would not be limited to that.  
214  
215 Mr. Hahn said that a private corporation could be set up and stock could be sold based on  
216 the selling of sewer taps and operational fees until such time that the county takes over.  
217  
218 Mr. Hahn noted that the Ohio Supreme Court has decreed that if a privately-run sewer  
219 plant gets into operational or financial trouble to the extent that it needs to be taken over,  
220 the county would be required to take it over. This means that anything that is built must  
221 be built to the county standards as well as the state and federal EPA standards.  
222  
223 Mr. Hahn said that at this point, Mr. Smelker has provided detailed information to the  
224 subcommittee regarding the costs for pumping stations and sewer lines along Route 36/37  
225 and that is being taken into account. Mr. Smelker is working with Mr. Lundberg to  
226 answer a number of questions that have been posed to him. Mr. Hahn said he included  
227 that information in the minutes, which have been distributed. He can provide the minutes  
228 upon request via email.  
229

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING**

**DECEMBER 13, 2011, 7:00 PM**

230 Mr. Hahn said that the group knew that it would need the support of the Delaware County  
231 Commissioners, so they have also met with the Delaware County administrator. He said  
232 that by January 2012, Mr. Smelker and Mr. Lundberg believe that they will be in a  
233 position to present a status report to the BZC with the idea that, by the end of January, a  
234 large public meeting will be held for the entire township. Notification letters would be  
235 sent out to all property owners that may be affected by said plan.

236

237 Mr. Hahn said that the plant would have to cover the same properties that the county  
238 plant would have if they were to put it in, and that includes some properties in Brown  
239 Township.

240

241 Mr. Korleski asked whether the location of the plant had been determined yet. Mr. Hahn  
242 said that two proposed locations will be discussed. In addition to sewer, he noted, a new  
243 water tower will be necessary because the water pressure in the subject area are  
244 insufficient to provide sprinkler systems for commercial buildings, which is a  
245 requirement.

246

247 Mr. Hahn said that Mr. Lundberg has met with representatives of the Del-Co Water  
248 Company and has volunteered to provide a place on property that he owns for such a  
249 water tower. Mr. Lundberg's property is also a potential location for the zero-discharge  
250 plant, and Mr. Hahn has asked him and Mr. Smelker to provide an alternate location as  
251 well.

252

253 Mr. Hahn said that the plant being discussed would be done in 4-6 stages. The initial  
254 plant would be built for the first need of business at that location, and he suspected that  
255 the location of the sewer plant itself would be driven by the location of the first  
256 businesses that are to be established in that area.

257

258 Mr. Korleski asked what the scope of the project would be and he noted that the area  
259 along Route 36/37 was mentioned. Mr. Hahn said the driver for it will be commercial  
260 property, because none of the property would be sold for such use if sewer is not  
261 available.

262

263 Mr. Hahn said that Ms. Jenkins felt that it was safe because the sanitation department had  
264 an agreement with Delaware that the county had the sewer plant along there. He pointed  
265 out that it has been proven that the county can be overruled and that sewer locations can  
266 be taken over by a city if so desired. That occurred northeast of Hoover Reservoir in  
267 Galena, he noted, where a large developer sued for Galena to take over the sewer  
268 treatment plant from Delaware County.

269

270 Mr. Hahn said that he had noted that it cannot be counted upon that any agreement in  
271 place with Delaware County or any other entity would not preclude an entity from  
272 coming in and providing sewer if enough developers push for annexation in order to get  
273 sewer service.

274

275 Mr. Hahn said that he had advised that he didn't think the group could wait for the county  
276 to come in with a plan. This is because the county will not install sewer service in  
277 advance of a need, as it doesn't have the funds to do so.

278

279 Mr. Korleski said that east of Alum Creek reservoir would be served by that plan, and he  
280 asked whether the subject area would be to the west. Mr. Hahn said that the area would  
281 be just east of Dunham Road, to include up through where the motorcycle plant is, west  
282 to the Berlin Township line. By the final build-out, the plant would have to be able to  
283 take care of the southern end of Brown Township, which the county had planned to  
284 cover, and down into Berlin Township as much as the county would have taken sewer.

285

286 Mr. Korleski said he assumed it would go south and he asked how far it would go into  
287 Berlin Township. Mr. Hahn said that Mr. Smelker is working with the group on that  
288 because the Perry-Taggart line is planned to go up and it could potentially take in the new

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING  
DECEMBER 13, 2011, 7:00 PM**

289 high school on Berlin Station Road. How far north of that this would go will be worked  
290 out with the county.

291

292 Mr. Hahn said the group would not plan to leave any uncovered area; it would either be  
293 covered by the Perry-Taggart lines or by that plant. Mr. Hahn said that he also asked that  
294 it be ensured that the plant and feeder lines are such that if the county were to ultimately  
295 decide that it wished to tie into south of Alum Creek, they would be able to do that and  
296 disable and splice in a plant in the future. He felt that would be a good economic  
297 solution.

298

299 Mr. Hahn said the plant would initially be built and operated by a private corporation and  
300 the initial figures provided by Mr. Smelker indicate that there could be quite a potential  
301 profit in the plant, perhaps \$16 million in capital improvements and \$16 million for the  
302 installation and the first 10 years of operation. Also expected is more than \$27 million in  
303 tap fees for the operations, assuming that only 80% of potential property would actually  
304 be developed.

305

306 Mr. Hahn said that he believes that the building and operations costs were  
307 underestimated. However, even if that is correct, it will still be a profitable operation.  
308 They are interested in whether the township or county could provide funds, as was  
309 discussed with developer Charlie Vince who had considered installing a feeder line down  
310 to Alum Creek from that area.

311

312 Mr. Hahn noted that Berlin Township trustee Phil Panzarella has been sitting in on  
313 meetings recently representing the township trustees. Mr. Hahn said that the response  
314 was that this is a different situation, both in scale of risk for the township on underwriting  
315 bonds, and also it is a private corporation that is being discussed, not something to be  
316 turned over to the county upon completion.

317

318 Mr. Hahn said that two sons of David Lundberg have been attending these meetings,  
319 although Jack Lundberg has attended more. He noted that these meetings have been  
320 going very well, and that the attendees have been participating in a collaborative and  
321 constructive manner.

322

**AGENDA ITEM: DISCUSSION OF MORPC REQUEST**

323

324  
325 Mr. Sedlacek said that at last month's BZC meeting, Mr. Armstrong presented the Board  
326 with information from the Mid Ohio Regional Planning Commission, (MORPC), and the  
327 BZC created a response to that. The BZC requested that Mr. Valentine take the  
328 information to the MORPC meeting, and he asked for a report from Mr. Valentine.

329

330 Mr. Valentine said that the initial watershed proposal from the MORPC included an  
331 expansion of the conservation areas around Alum Creek to about 150' on each side,  
332 including the, "fingers," around Alum Creek. That would mean that nothing could be  
333 done in those areas.

334

335 Mr. Valentine explained that the BZC put together a quick draft resolution stating they  
336 weren't in agreement with that and he took it to the meeting held 2 weeks ago. At that  
337 meeting, he discussed the issue with Mr. Panzarella, stating that the BZC had asked him  
338 to do something but he thought perhaps Mr. Panzarella could do that because he is a  
339 township trustee.

340

341 Mr. Panzarella said he spoke with assistant county prosecutor Chris Betz, who stated that  
342 what the township says goes, and that the township didn't even need to respond to the  
343 request by the MORPC. Mr. Valentine said that at its last meeting, the BZC had drafted a  
344 resolution opposing the MORPC proposal and he wasn't sure what the status of that was.

345

346 Ms. Korleski said that the resolution went to the Berlin Township board of trustees, who  
347 approved it at their meeting last night with the exception of the last line. She attended that

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING**

**DECEMBER 13, 2011, 7:00 PM**

348 meeting, she noted. Mr. Valentine read the last line as follows, "We do not intend to  
349 yield the authority given us by the State of Ohio to control our own zoning and land."

350

351 Mr. Sedlacek said that in spite of the township having its zoning and the Comprehensive  
352 Land Use Plan in place, the MORPC asked for more extensive conservation areas. The  
353 BZC responded firmly that the township worked this out and is comfortable with it, and  
354 that there are no plans to change it because of that.

355

356 Mr. Valentine said that a meeting has been scheduled on 12/15/11 from 4:30-6:30 p.m. in  
357 Westerville at the public library to discuss this. Mr. Hahn said he planned to attend.

358

359 Mr. Hahn said that the Alum Creek, "fingers," would also include all the creeks in that  
360 area that feed into the watershed. He said that he understood that to mean that even if a  
361 house is already located there, the owners must allow that area to grow naturally and  
362 could not cut the yard.

363

364 Mr. Hahn said that nearly his entire subdivision would be taken up in that case, as well as  
365 a good bit of the township. The map also indicates that even more of Orange Township  
366 would be taken up by the proposed map.

367

368 Mr. Sedlacek said that the BZC is the microcosm of the township, as each member stated  
369 that their property would be affected by the proposal. He asked how it was logical for an  
370 outside entity such as the MORPC to tell the township what should be a conservation  
371 area and what should not?

372

373 Mr. Hahn said the MORPC had been working on the proposal for months, but only  
374 provided the township with 10 days in which to respond or the plan would be accepted  
375 as presented. Mr. Sedlacek said that during the last BZC meeting, two BZC members put  
376 together a nice response.

377

378 Mr. Sedlacek asked whether if the resolution voted upon by the township trustees would  
379 automatically go to the MORPC. Mr. Armstrong said that he discussed the matter with  
380 Mr. Panzarella today. He asked Mr. Panzarella whether the trustees intended to return  
381 the proposal to the MORPC in time for the 12/15/11 meeting or otherwise ensuring that  
382 the township's wishes to not accept the document were known.

383

384 Mr. Armstrong said he was told by Mr. Panzarella that he wasn't sure whether there was  
385 a plan to do that, but that he understood what he was asking and he would see that a  
386 response was made.

387

388 Mr. Valentine said that another part of the BZC's intent was to notify other nearby  
389 townships which would be affected by the MORPC's plan of Berlin Township's actions.  
390 Mr. Hahn said the resolution stated that Berlin Township would notify the other  
391 townships what it had done, asking whether they would like to work with Berlin  
392 Township collaboratively to reject the proposal.

393

394 Ms. Korleski asked whether that was sent out. Mr. Armstrong said that Mr. Panzarella  
395 asked him to hold off on that until the trustees took action at their meeting last night. He  
396 is unsure what the trustees' intention is regarding that. Mr. Sedlacek asked him to find  
397 out tomorrow on the BZC's behalf.

398

399 Mr. Sedlacek asked if it was correct that Mr. Panzarella had taken on the responsibility of  
400 ensuring that the MORPC would receive that document. Mr. Armstrong said that was his  
401 understanding. Mr. Sedlacek suggested telling him that Mr. Hahn will be attending the  
402 meeting and he could bring a copy of the resolution with him as well.

403

404 Mr. Hahn said he gave Mr. Panzarella a heads up after the last BZC meeting regarding  
405 the matter, and at that time, Mr. Panzarella had asked, regarding the BZC's resolution to  
406 notify the other townships, whether there was a precedent for working with the other

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING**

**DECEMBER 13, 2011, 7:00 PM**

407 townships. Mr. Hahn said that he had responded that he didn't think so, but precedents  
408 are set by doing something the first time so he didn't think the township was bound by  
409 precedent.

410

411 Mr. Hahn said that Mr. Panzarella also didn't like the idea of Berlin Township telling  
412 other townships what to do. Mr. Hahn said that his response was that actually, the BZC  
413 simply intended to inform the other townships about what it did and also inviting them to  
414 work with the BZC.

415

416 Mr. Sedlacek said that the resolution was intended to indicate to other townships what  
417 Berlin Township has decided, and asking whether they are interested in being part of it.  
418 It does not tell them what to do, but simply issues that option to them.

419

420 Mr. Hahn said that his concern was that the other townships may not realize the potential  
421 implications of the proposal, including that it may stop further building. However, much  
422 of the property has already been zoned for building. Also, it could stop further building  
423 on other properties in the townships.

424

425 Mr. Hahn said that it was also possible that the MORPC may take an extreme position  
426 that nothing can be done on the yards of existing homes if they fall into that conservation  
427 area, such as planting a tree, mowing, or anything else to disturb the natural area. If other  
428 townships weren't aware of that, they may ignore it and then be in trouble.

429

430 Mr. Sedlacek said the proposal seems to have a greater potential impact on Berlin  
431 Township than any other township, due to the Alum Creek area. Mr. Hahn said that is  
432 correct regarding undeveloped property, but the map also indicates that much of Orange  
433 Township's already developed land would be affected by the proposal.

434

435 Mr. Hahn said that Berkshire Township would be drastically affected, and it was possible  
436 that Genoa Township would be as well.

437

438 Ms. Korleski asked whether it was up to the trustees to decide whether the BZC's  
439 resolution could be forwarded to the other township. Mr. Sedlacek said that is the way he  
440 understands it and he asked Mr. Armstrong to follow up on the matter with Mr.  
441 Panzarella tomorrow.

442

443 Mr. Armstrong said that he had asked Mr. Panzarella about it prior to action being taken  
444 on the issue two weeks ago. There was a brief discussion regarding whether one zoning  
445 commission was able to send correspondence to another zoning commission on its own  
446 and how to go about doing that. It was noted that this was not a legislative action by the  
447 BZC, but simply communicative and informative.

448

449 Mr. Sedlacek suggested directing Mr. Armstrong and the Zoning Secretary to send the  
450 resolution out. Mr. Armstrong said he was told by the township trustees not to send the  
451 letter out, so the BZC would need to go to the trustees regarding that. There was concern  
452 about it being too late now.

453

454 There was no further business to come before the BZC. Mr. Sedlacek noted that the next  
455 BZC meeting would be held on 1/10/12 at 7:00 p.m.

456

457

**SYNOPSIS**

458

**Accomplished**

460 The following resolutions were approved:

461

- 462 ➤ Resolution 2011.12.13.#1: Election of BZC Chairperson for 2012
- 463 ➤ Resolution 2011.12.13.#2: Election of BZC Vice-Chairperson for 2012
- 464 ➤ Resolution 2011.12.13.#3: Set 2012 BZC Meeting Dates

465

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING  
DECEMBER 13, 2011, 7:00 PM**

466 Homework

467 ➤ Mr. Hahn will make a presentation regarding the Sewer Forum/MOU at the January  
468 2012 BZC meeting.

469 There was no further business to come before the Commission. Motion to adjourn.

470 Meeting adjourned.

471

472

\_\_\_\_\_  
Rick Sedlacek, Chairperson

473

474

\_\_\_\_\_  
Toni Korleski, Vice-Chairperson

475

476

\_\_\_\_\_  
Kristin Yorko, member

477

478

\_\_\_\_\_  
Jerry Valentine, member

479

480

\_\_\_\_\_  
Jim Hahn, member

481

482

483 Attest: \_\_\_\_\_  
484 Lisa F. Knapp, Berlin Township Zoning Clerk