

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

TUESDAY, MAY 22, 2018 7:00 PM

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

3 **CALL TO ORDER**

4
5 The meeting was called to order by Toni Korleski at 7:00 PM.

6
7 Boy Scout Wyatt Bednar led meeting attendees in the pledge of allegiance.

8
9 BZC members present: Toni Korleski, Jerry Valentine, Darcy Kaplan, Mike Bardash,
10 Steve Spangler.

11 Not present: BZC 2nd alternate member Steve Flaherty.

12 Also present: BZC 1st alternate member Martin Johnson, Zoning Secretary Cathy Rippel;
13 Zoning Clerk Lisa Knapp

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

17 **AGENDA ITEM: LEGAL NOTICE**

18 Ms. Knapp said this meeting was advertised in the May 9, 2018 Delaware Gazette, as
19 follows:

20
21 *BZC 17-007, filed by Peachblow Land II LLC, Kenny Asset Management LLC,*
22 *Triangle Properties Inc., 470 Olde Worthington Road, Suite 101, Westerville, OH*
23 *43082. The applicant is requesting approval of a preliminary development plan*
24 *known as Berlin Meadows, Parcel's #41833001016000; 41833001014000; &*
25 *41833001094000; from Farm Residential District (FR-1) to R-3 with a Planned*
26 *Residential District Overlay (R-3/PRD) 193.3 ± acres, 1162 Peachblow Road, O*
27 *Peachblow Road & 663 Shanahan Road, Lewis Center, OH 43035.*

28 **AGENDA ITEM: APPROVAL OF MINUTES**

29 Mr. Valentine made a motion to approve the minutes from the 5/8/18 BZC meeting, as
30 presented. Mr. Bardash seconded the motion.

31 Vote: Valentine, yes; Bardash, yes; Spangler, yes; Kaplan, abstain; Korleski, yes. Motion
32 carried, minutes approved.

33
34 **AGENDA ITEM: INTRODUCTION OF MEETING ATTENDEES**

- 35 ♦ Steve Reynolds, 2385 Piatt Road
- 36 ♦ Donna Reynolds, 2385 Piatt Road
- 37 ♦ Barbara Sherman, 1469 Africa Road
- 38 ♦ Joe Korleski, 3584 Greenville Drive
- 39 ♦ Mark Vanderhort 1010 Peachblow Road
- 40 ♦ Jimmie Wise, 737 Shanahan Road
- 41 ♦ Bob Grden, 1241 Peachblow Road
- 42 ♦ Wyatt Bednar, 5312 Port Haven Drive
- 43 ♦ Shannon Bednar, 5312 Port Haven Drive
- 44 ♦ Penny Brown, 405 Walnut Blvd.
- 45 ♦ Joe Langer, 71 Oak Boulevard
- 46 ♦ Kim Langer, 71 Oak Blvd., representing Worthington Arms
- 47 ♦ Anna Martin, 532 Shanahan Road
- 48 ♦ Bill Martin, 532 Shanahan Road
- 49 ♦ Mike Zyst, 744 Peachblow Road
- 50 ♦ Andrew Northeim, 815 Shanahan Road
- 51 ♦ Katie Northeim, 815 Shanahan Road
- 52 ♦ Christina Dew, 553 Shanahan Road

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- 53 ♦ Michael Dew, 553 Shanahan Road
- 54 ♦ Sue Fitzpatrick, 585 Shanahan Road
- 55 ♦ Clyde Fitzpatrick, 585 Shanahan Road
- 56 ♦ Tony Eyerman, 1550 Lewis Center Road
- 57 ♦ David Schlaegel, 3570 Greenville Drive
- 58 ♦ Carl Woodruff, 1600 Peachblow Road
- 59 ♦ Tim Krupar, 1522 Peachblow Road
- 60 ♦ Todd Faris, 243 N. 5th Street
- 61 ♦ Joe Thomas, 470 Old Worthington Road
- 62 ♦ Betty Branham

**AGENDA ITEM: BZC 17-007 PEACHBLOW LAND II, LLC, KENNY ASSET
MANAGEMENT, LLC, TRIANGLE PROPERTIES, INC.**

63
64
65
66 *BZC 17-007, filed by Peachblow Land II LLC, Kenny Asset Management LLC, Triangle*
67 *Properties Inc., 470 Olde Worthington Road, Suite 101, Westerville, OH 43082. The*
68 *applicant is requesting approval of a preliminary development plan known as Berlin*
69 *Meadows, Parcel's #41833001016000; 41833001014000; & 41833001094000; from*
70 *Farm Residential District (FR-1) to R-3 with a Planned Residential District Overlay (R-*
71 *3/PRD) 193.3 ± acres, 1162 Peachblow Road, O Peachblow Road & 663 Shanahan*
72 *Road, Lewis Center, OH 43035.*

73
74 Mr. Faris said he is present to begin formal discussions on Berlin Meadows. The site is
75 around 193 acres and he pointed it out on a rendering. The site is around ½ mile east of
76 State Route 23 and around 1/3 to ¼ mile from the CSX railroad to the east.

77
78 Mr. Faris said many of the lands to the north have already been annexed to the City of
79 Delaware and the City has a sewer line agreement with everything north of Peachblow
80 Road which is why those lands have been annexed. The property to the south is Orange
81 Township; Berlin Township has a narrow window onto Route 23. To the east is Evans
82 Farm, which was previously approved. To the west is proposed The Greenery
83 condominium site and Worthington Arms mobile home park, vacant land, Fairview
84 Memorial Park, and some existing homes.

85
86 Mr. Faris said the existing site features include an existing wood lot in the center of the
87 development and there are tree rows along the periphery of the site. There exists a large
88 overhead transmission electric line that bisects the site and also a stream/ditch/swale that
89 goes through the property. There have been requests for ditch petitions in that area to get
90 it taken care of. Otherwise, the property is typical Ohio farmland.

91
92 Mr. Faris said there would be two main entries; the single southern entry is from
93 Shanahan Road, and from the north tis the North Road extension. The county has
94 requested that the applicant provide a non-loaded roadway that services as the North
95 Road extension that ultimately goes up and through projects in Delaware, connecting to
96 the north, possibly Glenn Parkway.

97
98 Mr. Faris said this is a major roadway that has been planned between the City of
99 Delaware and Delaware County and they have dictated that it is an unlimited road with
100 45 MPH speed and no homes or driveways fronting it. There would be two entries off
101 the North Road extension. The main entryway from the north is fixed; the County has
102 requested it be 2200' from the railroad track for safety and in case an overpass is built in
103 the future. They have determined where the access point will be.

104
105 Mr. Faris said the site plan is organized around the open space, which has been dispersed
106 throughout the development in response to requests in the past from the Delaware County
107 Regional Planning Commission (DCRPC), and also due to the natural features on the site.
108 Significant buffers have been provided adjacent to existing residential homes along
109 Shanahan Road. He would like to preserve the existing tree rows in those areas to the

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110 extent possible and pull the houses back as far as possible. Likewise, along Peachblow
111 Road there is a natural buffer to the existing homes with the ability of the North Road
112 extension that goes around the existing houses to the north.

113

114 Mr. Faris said there are a series of trails interlinking the different open spaces that
115 connect it all together. One can bike or walk throughout the community without having
116 to drive on a road. All streets have sidewalks and there are numerous trails throughout
117 the project as well.

118

119 Mr. Faris said the site plan indicates three different colors. The site is organized into 3
120 different lot size categories; he is requesting 423 total lots on the 193 acres. The lighter
121 green indicates smaller lots and are 57' by 120' deep. The second size lots are 60' by
122 140' deep. The third indicates 65' by 140' wide lots. The site has been organized in a
123 way that provides pedestrian connectivity between them all and they are gridded streets
124 in the manner of older neighborhoods.

125

126 Mr. Faris said the lots have 25' front and rear yard setbacks as well as 5' side yards. All
127 homes will be a minimum of 1500 SF which exceeds the zoning resolution's
128 requirements of 800 SF. Metro Development has made a commitment that all materials
129 on the homes will be all-natural materials, which has been defined in the text as
130 cementitious, Hardi-Plank, cultured stone, real stone, brick, stucco, or wood. Vinyl is
131 excluded except for accent materials such as at the top of the eaves to provide a scalloped
132 look.

133

134 Mr. Faris said the architectural character for this development has not been defined at this
135 time and Mr. Thomas is currently not associated with a builder. Standards have been set
136 in place regarding items such as size, roof pitches, minimum two-car garages, etc.
137 During the final development plan, more details regarding architectural requirements will
138 be provided including colors, styles, etc. It would be premature at this point to provide
139 those details, however.

140

141 Mr. Faris said the open space plan indicates a variety of different areas. The open space is
142 highlighted in darker green on the rendering. Approximately 73 acres of the site, or 37%
143 of the site, is open space. It is dispersed throughout the site so it can be closer to
144 everybody in the neighborhood instead of centrally located, due to comments from the
145 DCRPC when the open space had been included in the center.

146

147 Mr. Faris said each residential home will be within 500' or less of any open space, which
148 is within easy walking distance. Most are closer than that. The open space plan provides
149 linkages for activity and scenic areas throughout the site. The southern open space areas
150 are predominantly used as buffers to enhance the existing homes in order to preserve their
151 right to have an enjoyable life on their lots and to enhance the entry from the south.
152 Buffers have been provided against the west, partly due to the existing power lines, but
153 also due to future residents.

154

155 Mr. Faris said in the center of the development, the open spaces are more organized and
156 more formal to allow for more gathering activities and those areas will be seeded. There
157 are many pathway connections to that area. The center of the site will include the
158 existing large tree preserve with a centralized play area/tot lot with a play structure will
159 be installed and maintained by the homeowners association.

160

161 Mr. Faris said to the north of the site are buffers as well as open spaces and a nice entry
162 feature. There will be ponds and gazebos at the entryway. There will be 2.5 miles of
163 walking paths and 8 miles of sidewalks.

164 Mr. Faris said he is requesting several divergences as follows.

165

166 1) The R-3 overlay requires a minimum lot size of 10,890 SF and he is requesting
167 that be reduced to 6,840 SF.

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- 168 2) Required lot frontage is 80' and the applicant is requesting 57'. The zoning
169 resolution indicates that is measured at the right-of-way; there are some lots on
170 cul-de-sacs that are 39' and they flare out to 57' at the build line.
171 3) A reduction of the required 12.5' side yard setback to 5'.
172 4) The zoning resolution requires a distance of buildings from the project perimeter
173 of 50' and the applicant is requesting that be reduced to 25'. To be more specific
174 where that is: it is not adjacent to any existing residential homes but generally in
175 the areas where the adjacent property is not developed, and 5' at the side yard in
176 one location, which he pointed out.
177 5) Berlin Township calculates density as net density, which is 1.85 units/net acre.
178 The developer is requesting a divergence to 2.71 unit/net acre on the site, which is
179 2.2 units/acre gross.
180 6) The zoning resolution allows one marketing sign for this project and the applicant
181 is requesting two signs because the development has frontage on two major
182 roadways.
183

184 Mr. Faris said he would discuss existing and proposed developments in the area. He
185 provided a handout that indicated the density patterns in the area. To the south is North
186 Farms in Orange Township, which was zoned at 2 units/acre. To the east is Evans Farm,
187 zoned at 2.2 units/acre gross density. To the immediate west is The Greenery, which is
188 3.23 units/acre. To the north is Belmont Place in the City of Delaware at 2.15 units/acre,
189 Glenross at 2.3 units/acre, and another builder is attempting to be zoned at 2.4 units/acre.
190

191 Mr. Faris said the increased density around the development will help explain this
192 applicant's requested density on this project.
193

194 Commission Consideration

195
196 Ms. Kaplan said the extension for North Road takes up quite a bit of room, and she asked
197 whether those areas were considered part of the green space. Mr. Faris said that was
198 correct. Ms. Kaplan asked whether it was correct that they are not accessible. Mr. Faris
199 said they are accessible but one would have to cross water to get to them, so yes, she is
200 correct. Ms. Kaplan asked whether the road itself was subtracted from gross. Mr. Faris
201 said it was and it was not included in the green space calculations.
202

203 Ms. Kaplan asked what the dimensions of the tot lot would be. Mr. Faris said the play
204 area surface itself is 50' across and the play structure is around 40' long. He displayed a
205 rendering of the concept. The play area capacity is 55-65 children.
206

207 Ms. Kaplan said DCRPC stated that this applicant made a comparison to the density of
208 Evans Farm, and they made the point that this development does not include mixed uses.
209 This is a highly-dense residential development. Mr. Faris said he discussed with DCRPC
210 Executive Director Scott Sanders that this is not a mixed-use development, but it is
211 adjacent to a mixed-use development. Ms. Kaplan said Evans Farm has elements of
212 transition, while the applicant has proposed this very dense block of residential units with
213 no transition, and she struggled with that. Berlin Township is trying to accomplish a
214 rural feel.
215

216 Mr. Faris said this is in keeping with the context of what has been established around the
217 property. Otherwise it would feel like a void. Ms. Kaplan said she did not see that. This
218 development is very homogenous; there is lot after lot after the same thing. Perhaps after
219 architectural details have been provided it may be less homogenous. There are definitely
220 transition areas in Evans Farm. Also, each section of Evans Farm has a different look and
221 then it has transitions that are spread throughout.
222

223 Mr. Faris said Evans Farm is 1000 acres. Ms. Kaplan said this development also has a lot
224 of acres. She asked what the distance from Shanahan Road to Peachblow Road was. Mr.
225 Faris said it was around a mile.
226

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227 Ms. Kaplan said the DCRPC recommendations discuss density and reducing it to 2
228 units/acre. She asked whether that had been considered by the applicant. She would like
229 to see the applicant take the DCPRC into considerations. Mr. Thomas said that as part of
230 the dialogue with DCRPC, the county engineer, the county sanitary engineer, etc., the
231 surrounding uses including the density, the quality and types of homes, the sizes of the
232 lots, etc. he felt that this development is very compatible to the surrounding uses. That
233 includes use of the open space as well as their commercial district and it will allow it to
234 continue to have that area prosper with additional customers that are interconnected with
235 the roadway, sidewalk and path networks. This will sustain that type of New Urbanism
236 of Evans Farm.

237
238 Mr. Thomas said buyers of homes in those areas are empty nesters, young professionals
239 or young families with children who continue to want to be pedestrian-oriented, have
240 access to the walking trails, and also have access to the commercial structures of Evans
241 Farm. He feels the proposed development is a similar use to that of the surrounding areas.
242 He has committed to building a stub road to connect to North Road and also other
243 substantial improvements.

244
245 Mr. Thomas said there is no sewer available to this project, so with the help of other land
246 developers in the area, it will be extended from S.R. 23 across the road to the lift station
247 at the corner of Hyatts Road and S.R. 23. There will also be an extension of the feed of
248 the sewer extension that comes from S.R. 23 and it will continue onto Evans Farm.
249 These are all compatible uses that are connected and will have a symbiotic relationship
250 with each other. He believed the density is not only part of the overall equation but it
251 also helps with the sustainability of the overall community aspect of Evans Farm.

252 Ms. Korleski said her understanding is that the applicant would be providing the sewer
253 coming from Hyatts Road. Mr. Thomas said that is part of the equation and he will be
254 working with the Delaware County Sanitary engineer's office to extend the sewer up
255 from the intersection of Hyatts Road and S.R. 23. Ms. Korleski asked whether this
256 developer would be responsible for that and would not rely upon other developers in the
257 area. Mr. Thomas said that has not been determined, but most likely he will be
258 responsible for it and then recoup costs from the lot sales.

259
260 Mr. Valentine said it appears that all garages will be front loaded. Mr. Thomas said that
261 was correct. Mr. Valentine asked whether the homeowners association would mow the
262 lots. Mr. Thomas said "No." Mr. Valentine asked whether each homeowner would have
263 their own equipment to mow 10-12' of lawn. It reminds him of Carson Farms in
264 Delaware. Mr. Thomas said some of those lots are as narrow as 35' wide. Mr. Valentine
265 said this plan indicates 39' wide on some of these lots. Mr. Valentine said he is
266 concerned about the density of this project and it is much closer to Delaware in density
267 than he would have expected.

268
269 Mr. Valentine said Evans Farm has some back alleyways and other features that make it
270 look more like New Urbanism. However, this project doesn't look like the homeowners
271 will walk out their front doors onto the sidewalks. Mr. Valentine asked whether
272 Shanahan Road would be widened because of this. Mr. Thomas said Shanahan Road and
273 Peachblow Road would both be widened. Shanahan Road will probably be widened from
274 S.R. 23 to North Road. There are large overhead power lines on Shanahan Road that will
275 most likely not be moved. The county engineer will work with residents in the area on
276 the south side of the road and the Olentangy school district to make those improvements.

277
278 Mr. Valentine asked for the price range of homes. Mr. Thomas said it would be around
279 \$400-600,000. He said there is not a big demand for larger estate lots currently and in the
280 future. People are looking for less responsibility of taking care of their yards and the
281 exterior of their property and are looking for larger homes with nice bathrooms, bonus
282 rooms, gourmet kitchen and other similar interior features.

283
284 Mr. Thomas said the demand for 85-100' wide lots has shrunk dramatically because
285 people don't want the responsibility to have to maintain that much property. Ms.

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286 Korleski asked whether the fire department has approved of the 5' side yard setbacks.
287 Mr. Thomas said he met with the fire department but side yards have not been
288 commented upon yet. Mr. Faris said he has not received a letter from the fire department
289 saying they have reviewed the plans.

290
291 Mr. Thomas said he put a submittal together and sat down with the fire chief to review it.
292 Ms. Korleski said DCRPC recommended 2 units/net acre after previously recommending
293 1.85 units/net acre. At 2 unit/net acre, there should only be 328 units at the most. Just
294 taking out 15% for infrastructure, not even including acreage for slopes etc., the
295 maximum would be 303 units. 423 units is pretty high.

296
297 Ms. Korleski said that regarding the references to the City of Delaware and Evans Farm,
298 Berlin Township does not agree with the high density in the City and would like densities
299 within Berlin Township to remain within that recommended by the township's
300 Comprehensive Land Use Plan. The application has so much open space because the lots
301 are so small; they are all crammed in one place. Those open spaces are all detention
302 ponds. She asked for the acreage of the tot lot. Mr. Valentine said it is 40' by 50'. Mr.
303 Faris said that is for the play area.

304
305 Ms. Korleski said with that many residents, there should be a park-like setting where
306 residents of this development can commune, including seating and being able to walk. A
307 gazebo does not provide enough of that.

308
309 Ms. Korleski said the phasing plan indicates 7 phases and each will take 12-18 months,
310 which would be a minimum of 7 years. Phase 1 is on the southern end and the only
311 access those residents would have would be on Shanahan Road. It would be 7 years
312 before the North Road extension is able to be used. 7 phases is a lot to wait for the
313 residents to be able to access Evans Farm on foot. It does not seem feasible that this will
314 be a walkable community anytime soon.

315
316 Mr. Spangler said he does like the pathway concept. However, he agreed with Ms.
317 Korleski and the DCRPC that the density is too high. The development needs more green
318 space that is more accessible to the entire project. He likes the tot lot but it is just not
319 enough for this large of a project. Ms. Korleski said The Greenery was indicated as being
320 3.23 unit/acre. However, that is a Transitional Planned Unit Development and those are
321 condos so that is not really applicable here.

322
323 Mr. Bardash said he did not have a problem with the request for two marketing signs
324 because there are two entrances. He also liked the pathways on the project and he
325 noticed there will be fountains in all retention ponds. However, he does not care what the
326 City of Delaware has done so far. The Evans Farm concept includes smaller lots that are
327 based around the city center and the lots get larger as they expand out. The applicant is
328 proposing smaller lots right up against this as though their development is part of that city
329 center.

330
331 Mr. Bardash said he does not agree that people no longer want to take care of larger lots
332 and he believed many meeting attendees may feel the same way. He said if people do not
333 want to take care of larger lots, they should not move here, as far as he is concerned. He
334 lives in the first subdivision in this township; all of the lots in his neighborhood are over
335 half an acre in size and he has not heard anybody complain about mowing their lawns.
336 Unless the applicant comes back with a plan that is similar to what DCRPC has
337 recommended, which includes reducing the units by nearly 100, this plan would not get
338 his vote. Ms. Korleski said that would also provide better open space.

339
340 Public Comment

341
342 Ms. Brown said her property borders right on the field in-between Piatt and Peachblow
343 Roads. That field has karstification and sinkholes in it, which would be a problem for
344 any contractor. She was not certain whether that has been overlooked or whether

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345 somebody is trying to hide it. In Worthington Arms there is currently a very large
346 sinkhole that is waiting to be filled.

347

348 Mr. Woodruff said that 5 years ago there was a discussion regarding the 16 acres woods
349 on the back of the parcel with a “run” through it. The developer had wanted to cut that
350 out but they were not allowed to do it. He did not see anything in this plan that shows
351 that 16 acres will remain in place.

352

353 Mr. Woodruff asked about the buffer and explained with 432 houses, all he will see is
354 many houses clumped together. Evans Farm is providing other amenities such as soccer
355 fields and the like, and he does not see that in this plan. He was also concerned about the
356 traffic problems; 432 homes will add at least 900 cars plus the traffic from Evans Farm.
357 He said this would be a complete mess for the current residents of the area. He has been
358 here for 29 years and owns 3.5 acres; he has trees, animals, and more and he does not
359 want to see that spoiled with a bunch of homes.

360

361 Ms. Korleski said the DCRPC indicated, “Discussion of the purpose of the land along
362 Peachblow Road, part of the northern parcel and whether it could be incorporated into the
363 development.” She asked what part of the property that was referring to.

364

365 Mr. Faris pointed out a parcel that is zoned Planned Industrial and that is a request to
366 carve out some property to leave a buffer around that so it can expand in the future. The
367 parcel is around 5 acres.

368

369 Mr. Wise asked what the buffering plan is. He lives on the corner of the North Road
370 extension and Peachblow Road. Mr. Faris showed enlargements of the area. He said it is
371 primarily the open spaces but he is also providing some mounding and landscaping in
372 that location to prevent headlights shining from the subdivision onto the property. We
373 are still at a conceptual level but he can sit down with him and review that with him in
374 the future.

375

376 Mr. Wise asked whether the green space including the pond is accessible for people who
377 want to walk around it. Mr. Faris said it would be owned and maintained by the
378 homeowners association. He is proposing some pathways through there so people will be
379 able to walk through there. He said it is possible people may be able to access the open
380 space, but probably not.

381

382 Mr. Wise said he did not want people to be able to come in right on the edge of his
383 property and he asked where the buffer would be located. Mr. Faris said it would be right
384 along his property line. He is unsure of the detail at this point. Mr. Wise suggested a 6’
385 tall mound with trees. Mr. Faris said individual conversations with homeowners will be
386 held.

387

388 Mr. Wise asked how the development would affect the drainage on his property. Mr.
389 Faris said legally the development cannot increase the drainage onto surrounding
390 properties and it must accept the drainage coming from his property. Once the
391 engineering is started and the topography is known, detailed analysis will be done. At
392 this point, he has sized and placed detention basins and lakes/ponds where his civil
393 engineer says they should be to accommodate the water in that area in order to prevent
394 additional drainage onto neighboring properties and to alleviate drainage from the subject
395 property. Typically, once storm sewers and basins are constructed, the drainage in the
396 area will be improved. Currently there is no drainage in the area.

397

398 Mr. Wise said his property has a spring-fed well on his property and he asked whether
399 that would affect it. Mr. Thomas asked what level the well is at. Mr. Wise said it is 13’
400 deep and is on the side of his home. Mr. Thomas said underground utilities would be
401 placed in the general vicinity but as part of that process he is required to monitor other
402 people’s wells and other items in the general area. If the groundwater is impacted, the

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403 well would be replaced or perhaps there would be the availability of another water
404 service.

405

406 Mr. Wise asked whether the sewer lines being brought through would be accessible to all
407 property owners on the outer border of this development. Mr. Thomas said “yes” at their
408 choice. If the existing septic system is in good order and it meets the Delaware County
409 General Health District standards, it does not need to be abandoned. Easements to
410 connections are provided, manholes are placed nearby, and frequently the developer
411 provides the Y connections into the line.

412

413 Mr. Wise said with the unique situation of being on the opposite side of North Road etc.,
414 would he still have tap access to the sewer line? Mr. Thomas said that he would.

415

416 Kim Langer, manager of Worthington Arms, said one map indicates a pond that will back
417 up to her community. However, there are currently rain/drainage issues coming off of
418 that farm and she was concerned with the ponding getting worse and overflowing
419 occurring even if additional drainage is provided. Mr. Thomas said the ponds are
420 designed to hold the drainage from the development. The drainage from the yard inlets,
421 the curb inlets from the street, the roof drains, and the open space goes through a design
422 system of storm structures via catch basins, the pipe, and the ponds. All of that water
423 must be collected and the actual flow of that water must be reduced when it goes offsite.
424 All the water flows to a central stream onsite. Ms. Langer said it overfills onto her
425 residential property. Mr. Thomas said it currently is unabated and goes across the farm
426 field with no restrictions. The development’s ponds will be designed so they will collect
427 all that rainwater and then it will be released it over a 48-hour period. The overflow will
428 be prevented. The design will be per the county standard which is above what is
429 currently out there. The situation will improve immensely. Ms. Langer said the situation
430 currently is not good.

431

432 Mr. Thomas said it never is because Delaware County soils do not absorb water very well
433 although they to flow well, which causes problems.

434

435 Ms. Langer asked whether the developer was willing to work with her corporate office,
436 QMH Properties, to be able to fix that problem. Mr. Thomas said “absolutely” and Mr.
437 Faris said the county will make them do that anyway.

438

439 Mr. Johnson said the retention areas were included as part of the calculation for open
440 space. Mr. Faris said that was correct. Mr. Johnson said there is a lot of water that is not
441 really usable open space. Mr. Thomas added that it does look attractive. Mr. Johnson
442 said the amount of actual usable open space becomes a challenge. Concerns were raised
443 about providing community gathering areas and the detention areas cannot be used for
444 that. He asked whether the applicant could provide the amount of usable open space.

445

446 Mr. Faris said that each year the requirements for drainage get more stringent and the
447 new standards for this year require that more water be held and for longer. He said he
448 would do a calculation.

449

450 Ms. Branham said there is already a pond or two back in that field. She asked whether
451 they were aware that there are potholes back there. Mr. Thomas said there are karsts
452 everywhere in Delaware County and he has come across many of them over his past 27
453 years of building in Delaware County. He has done sewer in Delaware County as deep as
454 55’ and as wide as 200’ excavation.

455

456 Ms. Branham asked whether that property could be built upon solidly for the next 50-100
457 years. Mr. Thomas said traditionally, karsts are avoided. However, if they cannot be
458 avoided for utilities or structures, fill is used in that area with a geotechnical consultant
459 who is a registered engineer. Structures are not typically built on fill in karsts. The
460 engineer would provide a report that includes the scope of work as to how that karst

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461 could be abandoned. The work is then monitored and certified when it is done correctly.
462 However, that is a long, arduous process.

463
464 Ms. Branham asked whether that has been done yet on the property. Mr. Thomas said
465 that would not be done until the utilities and roads are being done. He is aware of the soil
466 condition of the property from his geotechnical consultants. ODNR has mapped karsts as
467 well.

468
469 Mr. Dew asked whether sewer would run up Shanahan Road. Mr. Thomas said “no” and
470 that it would actually run north through the developments that are adjacent to S.R. 23.
471 There will be trunk lines that come off the main trunk line that will go up and down S.R.
472 23 and will serve the areas in-between. Currently, sewer cuts off at Olentangy Crossing
473 and this will fill in that gap and serve that entire area.

474
475 Mr. Dew asked whether they would tear up front yards. Mr. Thomas said that there is
476 generally a 20’ wide easement area where the sewer lines are constructed. Individual
477 lines to homes are more shallow at 10-14’ wide so a less wide trench is built.

478
479 Ms. Dew said she was concerned about the 5’ wide side yards and the unknown buffer
480 along her property, which is against lot 68 on the plan. She asked whether there would
481 only be 5’ from that property to the side of her yard. Mr. Faris said that lot is 50’ off of
482 her property line so the closest the house would be is 55’ from her property line. Per the
483 aerial photo, he would try not to disturb that area and instead keep it natural.

484
485 Ms. Dew asked whether the intent is to keep the tree line all the way along her property
486 line. Mr. Faris said “yes” and that he has tried to do that wherever the development is
487 abutting residential properties. Sometimes they will be supplemented and that is shown
488 as well. Enlargements have been provided for all the supplemented buffers.

489
490 Ms. Dew said there will be a pond adjacent to her property and it shows it butting up
491 close to her property line. She asked what the buffer would be there and also whether
492 people would be walking into her property on trails around that pond. Mr. Faris said no
493 trails were planned around that pond. He did not think it would be right next to her
494 property line because the county needs to have access around it, which is typically a 15’
495 cleared area and a slope. It would probably be at least 50’ from her property line.

496
497 Ms. Dew asked how the sewer would be run along Shanahan Road from Route 23 if the
498 residents wanted to tap into it. She was concerned about yards being torn up as she is on
499 the north end on the other end. Mr. Faris said there would be sewer to the house at the
500 end of the cul-de-sac which is just north of her home and that lateral will be served.
501 Delaware County sanitary engineer wants to serve as many people as possible and get as
502 many people off septic systems as it is better for the overall soil and the water system.

503
504 Ms. Dew asked if the sewer would come through her property if her neighbors to the left
505 or right of her wanted to tap in. Mr. Thomas said that would only be with the Dews’
506 cooperation. The county engineer could extend sewer along Shanahan Road through
507 their own capital improvement plan and they could acquire easements or build it inside
508 the road right-of-way.

509
510 Ms. Dew asked whether they would be able to do that on the north side of the road due to
511 the power lines being there. Mr. Thomas said many times they put the sewer within the
512 power line easement because they do not affect each other. It would be a large
513 investment. There is no sewer south of those residents and the closest sewer is nearly a
514 mile away to the north in the city of Delaware. It is a fairly large investment by
515 Delaware County to extend sewer to this area; they want to promote commercial
516 improvements along the S.R. 23 corridor and provide sewer to residential growth
517 between S.R. 23 and Piatt Road.

518

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519 Mr. Thomas said typically they do it on necessity; if there are many residents who do not
520 want to improve their septic systems or whose systems are aging and may need to be
521 replaced in the near future. However, if many of the systems are new or the residents are
522 not interested, they will not typically extend it. It is not just the cost of these sewer itself;
523 there is a fee to connect to the sewer as well.

524

525 Mr. Reynolds said in Berlin Township, the R-3 allows up to 1.85 units per net
526 developable acre. He asked why the developer does not want to respect Berlin Township
527 and their residents by honoring that. What does the developer get out of the 2.2
528 units/acre? Mr. Thomas said he looked at surrounding uses that have already been zoned.
529 Mr. Reynolds said he did not care what the City of Delaware is doing.

530

531 Mr. Thomas said if the surrounding builders are able to develop higher and denser lots on
532 the development it will be about the marketability of the lots. He wants this development
533 to be just as successful as Glenross and Evans Farm. It comes down to success and
534 sustainability. He wants to develop the land in a timely manner. It is also getting a lot
535 more expensive to develop homes. It is sometimes about the competitive reality of the
536 market and how to develop a lot that is sustainable and successful.

537

538 Mr. Thomas he said he does not do this out of greed or profit, but what is going to work
539 in this particular area. He does not want to do this over and over again; he knows the
540 market and has been developing this market for some time. He believes this will be much
541 more successful at a greater density.

542

543 Mr. Woodruff asked about the 16 acres of wood and natural run; it appears from the
544 submitted plans that the run will be depleted. However, that cannot be disturbed Mr.
545 Faris said that existing run and the trees on both sides will be preserved, and he pointed it
546 out on the map. Mr. Woodruff asked whether the 16 acres will be kept intact. Mr. Faris
547 said "no" and that he wanted to keep the entire areas intact but the DCRPC said that is
548 too much open space and it needs to be dispersed. They said it should be dispersed and
549 some of the woods gone.

550

551 Mr. Woodruff said that natural run sits right in the middle of the 16 acre site. Mr. Faris
552 said the drainage way is not being disturbed.

553

554 Ms. Dew asked what the extent of the widening of Shanahan Road would be on the south
555 side. Mr. Thomas said that will be determined during final engineering but it will be a 3-
556 lane connecting and will have an overall 36' width. Some widening will be done on both
557 the north and south sides of the road. It will be divided up although it will be limited by
558 the overhead power lines. He can provide an exhibit for the next meeting that shows the
559 general area where it will be placed.

560

561 Ms. Korleski said questions have been answered and she hoped everyone was satisfied so
562 far. Mr. Thomas said he didn't think anybody including the residents and the developer
563 were satisfied. Ms. Korleski said it was status quo.

564

565 Ms. Martin asked when the project would begin. Mr. Thomas said it would probably be
566 5-6 months after final approval and engineering for the first phase takes another 8
567 months, so probably around 14 months. Mr. Faris said the plan must first go through
568 final development plan approval by the township so that would another 6 months. Mr.
569 Thomas said he included that in the 5-6 months.

570

571 Ms. Martin was concerned about the widening of Shanahan Road and which side would
572 be widened more. Mr. Thomas said he would provide the exhibits from the county
573 engineer for the discussion. Relevant conditions include the right-of-way, the utilities
574 and roadway alignments. There is an intersection on S.R. 23 as well as the roadways
575 going east to North Road. Ms. Martin said she has a gas and water line on their side in
576 Orange Township.

577

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578 Ms. Dew asked that when the developer presents the road extension information at the
579 next meeting that they indicate the actual location of the houses in that area so the
580 residents can get a feel for that.

581
582 Mr. Thomas said he would like to table and continue the hearing.

583
584 There was a discussion about the date the meeting would be tabled to and also when the
585 revisions would be submitted. It was agreed that the applicant would submit them by
586 June 26, 2018.

587
588 **RESOLUTION 2018.05.22.#A: TABLE & CONTINUE BZC CASE #17-007**
589 **TO JULY 10, 2018 AT 7:00 P.M.**
590

591 Mr. Spangler made a motion to table and continue BZC case 17-007 to Tuesday, July 10,
592 2018 at 7:00 p.m. Mr. Bardash seconded the motion.

593 Vote: Spangler, yes; Bardash, yes; Valentine, yes; Kaplan, yes; Korleski, yes.

594 Motion carried, BZC case #17-007 tabled to July 10, 2018 at 7:00 p.m.

595

596 **AGENDA ITEM: OTHER BUSINESS**

597

598 Ms. Rippel said she is getting ready a final development plan for the June 26, 2018 BZC
599 meeting. Ms. Korleski note that Mr. Johnson is currently working on the survey for the
600 CLUP update and he is expecting to have that to the BZC members this week. They will
601 review it and present it then forward it to the trustees for final approval. At that point, it
602 can be posted on the township website and also hard copies will be available in the office
603 for people without online access.

604

605 Ms. Korleski said the next BZC meeting is on June 12, 2018 at 7:00 p.m. The draft
606 survey provided by Mr. Johnson will be reviewed at that time.

607

608 Ms. Korleski noted that the Berlin Township Zoning Inspector position is open and the
609 deadline for applications is this Friday May 26, 2018. Ms. Rippel noted that the details
610 are available on the township website.

611

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

613 Meeting adjourned.

614

615

616

Toni Korleski, Chairperson

617

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619

620

Jerry Valentine, Vice-Chairperson

621

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623

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Darcy Kaplan, member

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628

Steve Spangler, member

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Mike Bardash, member

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Martin Johnson, 1st alternate member

Steve Flaherty, 2nd alternate member

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