

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING**

**TUESDAY, MAY 23, 2017, 7:00 PM**

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

3  
4 **CALL TO ORDER**

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

7  
8 Ms. Kaplan led meeting attendees in the pledge of allegiance.

9  
10 BZC Members present: Toni Korleski, Jerry Valentine, Darcy Kaplan, Steve Spangler,  
11 Ken O'Brien.

12 BZC Alternate members present: BZC 1<sup>st</sup> alternate member Mike Bardash, BZC 2<sup>nd</sup>  
13 alternate Martin Johnson.

14 Also present: Zoning Clerk Lisa Knapp, Zoning Inspector Chet Heid, Zoning Secretary  
15 Cathy Rippel.

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

19  
20 **AGENDA ITEM: LEGAL NOTICE**

21  
22 Ms. Knapp said BZC #17-006 was advertised on 4/15/17 in the Delaware Gazette, heard  
23 on 4/25/17 and tabled and continued to this evening at 7:00 p.m.

24  
25 **AGENDA ITEM: APPROVAL OF MINUTES**

26  
27 Mr. Valentine made a motion to approve the minutes from the 4/15/17 BZC meeting. Ms.  
28 Kaplan seconded the motion.

29 Vote: Valentine, yes; Kaplan, yes; O'Brien, yes; Spangler, yes; Korleski, yes.

30  
31 **AGENDA ITEM: INTRODUCTION OF MEETING ATTENDEES**

- 32  
33 ♦ Troy Hendren, 13541 Edwards Road, Johnstown, Ohio  
34 ♦ Joe Korleski, 3584 Greenville Drive  
35 ♦ Don Sherman, 1469 Africa Road  
36 ♦ Barb Sherman, 1469 Africa Road  
37 ♦ Michael Black, 425 N. Old State Road  
38 ♦ Virginia Black, 425 N. Old State Road  
39 ♦ Alicia Ryan, 594 N. Old State Road  
40 ♦ Graeme Quinn, 355 N. Old State Road  
41 ♦ Jim McConnell, 350 N. Old State Road  
42 ♦ Dave Glassburn, 68 N. Old State Road  
43 ♦ Mike Shade, PO Box 438, Delaware  
44

45 **AGENDA ITEM: BZC #17-006 SAVKO BROTHERS X, LLC**

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47 *BZC 17-006, filed by Savko Brothers Properties X, LLC, 4636 Shuster Road, Columbus,*  
48 *OH 43214. The applicant is requesting approval of a preliminary development plan*  
49 *known as Savko Commerce Park, Parcel #418-120-01-057-000; from Neighborhood*  
50 *Commercial District (NCD) & Farm Residential District (FR-1) to Planned Industrial*  
51 *District (PID) 24.312 ± acres, 5427 S.R. 37 E, Delaware, OH 43015.*  
52

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53 Mike Shade, attorney for the applicant, said he is requesting a tabling and continuance to  
54 the June 13, 2017 BZC meeting. There was a technical matter in the legal notice that was  
55 discussed with zoning secretary Cathy Rippel this past Monday, at which time he  
56 suggested Ms. Rippel seek advice of the township's legal counsel. Ms. Rippel did so and  
57 contacted Mr. Shade later that afternoon, stating that the legal notice would need to be  
58 revised so that it was correct.

59  
60 Mr. Shade said he tried to get as much notice out of his intent to table as possible. He  
61 spoke with a resident of the area yesterday and asked him to let as many people know as  
62 possible that the application would be tabled.

**RESOLUTION 2017.05.23.#A:**

**CONTINUE AND TABLE BZC #17-006 TO 6/13/17 AT 7:00 P.M.**

63  
64  
65  
66  
67 Ms. Korleski made a motion to table and continue BZC #17-006 to June 13, 2017 at 7:00  
68 p.m. at Berlin Township hall. Mr. O'Brien seconded the motion.

69  
70 Mr. O'Brien stated that he would be out of state on that date.

71  
72 Mr. Spangler asked whether notification letters would be sent to the adjoining property  
73 owners. Ms. Rippel said that letters would be sent. Mr. Spangler asked whether it was  
74 appropriate to table the application, given that it was being re-advertised. Ms. Korleski  
75 said that assistant county prosecutor Mark Fowler advised that the hearing be re-  
76 advertised, the certified letters be mailed, and the application be tabled and continued to  
77 the next meeting on 6/13/17.

78  
79 Mr. O'Brien said he understood Mr. Spangler's point; perhaps it would be a good idea for  
80 Mr. Fowler to come to the meeting. A hearing can be re-started from the beginning if it is  
81 re-advertised, or it can be continued and tabled. Mr. O'Brien said if the hearing was not  
82 advertised correctly, the re-advertisement would be as though the original hearings never  
83 existed. Or people could come and add to what has already happened, but that would be a  
84 question for the prosecutor's office to determine.

85  
86 Ms. Korleski said she would like to ask Mr. Fowler to be present at that meeting. Mr.  
87 O'Brien reiterated that he (Mr. O'Brien) would be out of town and he said Mr. Fowler's  
88 opinion should be obtained. Ms. Korleski asked what the question was that she should  
89 ask. Mr. O'Brien said the question is, does it need to start from the beginning as though it  
90 had never been heard, or whether it would have to be continued from where it last left off.  
91 It depends on what the "technical glitch" was.

92  
93 Ms. Korleski said Mr. Fowler did recommend that the hearing be tabled and continue the  
94 hearing. Mr. O'Brien asked that he put that in writing. Ms. Korleski said she has it in  
95 writing and she could ask whether Mr. Fowler could attend. Mr. O'Brien said sample  
96 resolutions could also be brought. Ms. Korleski said he would need to ask for those  
97 himself.

98  
99 Mr. Heid said he may be on vacation at that meeting as well although he may be able to  
100 shorten his vacation.

101  
102 Vote: Korleski, yes; O'Brien, yes; Spangler, yes; Valentine, yes; Kaplan, yes. Motion  
103 carried, application #17-006 tabled and continued to 6/13/17 at 7:00 p.m.

104

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105 There was no further business to come before the BZC. Motion to adjourn. Meeting  
106 adjourned.

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Toni Korleski, Chairperson

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Jerry Valentine, Vice-Chairperson

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Darcy Kaplan, Member

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Steve Spangler, Member

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Ken O'Brien, Member

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Attest: \_\_\_\_\_

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Lisa F. Knapp, Berlin Township Zoning Clerk