

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING**

**TUESDAY, APRIL 10, 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 Steve Flaherty led meeting attendees in the pledge of allegiance.

8  
9 BZC members present: Toni Korleski, Jerry Valentine, Darcy Kaplan, Steve Spangler,  
10 BZC 1<sup>st</sup> alternate member Martin Johnson (seated), BZC 2<sup>nd</sup> alternate member Steve  
11 Flaherty.

12 Not present: BZC member Mike Bardash.

13 Also present: Zoning Clerk Lisa Knapp; Zoning Inspector Chet Heid.

14  
15 Ms. Korleski dispensed with the reading the adopted BZC policy statement for the  
16 meeting, as printed in the agenda, due to just a few audience members being present at  
17 the meeting.

18  
19 **AGENDA ITEM: LEGAL NOTICE**

20 Ms. Knapp said this meeting was advertised as a regular meeting at the beginning of the  
21 year.

22 **AGENDA ITEM: APPROVAL OF MINUTES**

23 Mr. Spangler made a motion to approve the minutes from the 3/13/18 BZC meeting, as  
24 presented. Mr. Johnson seconded the motion.

25 Vote: Spangler, yes; Johnson, yes; Valentine, yes; Kaplan, abstain; Korleski, yes. Motion  
26 carried, minutes approved.

27  
28 Mr. Johnson made a motion to approve the minutes from the 3/27/18 BZC meeting, as  
29 presented. Mr. Spangler seconded the motion.

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

32 **AGENDA ITEM: INTRODUCTION OF MEETING ATTENDEES**

- 33 ♦ Joe Korleski, 3584 Greenville Drive, Lewis Center  
34 ♦ Janet Hofman, 6755 Heverlo Drive  
35 ♦ Greg Bender, 3850 Berlin Station Road  
36 ♦ Dave Schlegel, 3578 Greenville Drive  
37 ♦ Barb Sherman, 1469 Africa Road

38 **AGENDA ITEM: CONTINUE DISCUSSIONS ON CHANGES TO THE BERLIN**  
39 **TOWNSHIP COMPREHENSIVE LAND USE PLAN, 2010**

40  
41 Ms. Korleski said that at the last meeting, the BZC had discussed updating the township's  
42 comprehensive land use plan (CLUP) and they decided that at this meeting they would  
43 discuss the best methods to incorporate the public for feedback on the process.

44  
45 She would also like to discuss comments/changes/concerns anybody has about any  
46 specific sub-areas in the CLUP and about the vision statement regarding what they would  
47 like to see in the next 10 years.

48  
49 Mr. Korleski said that first, how to reach the public will be discussed. If the BZC makes  
50 people aware that changes are coming to their particular area, they may be interested in  
51 attending those discussions. Most people are not interested unless the changes are

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52 proposed in their own backyard. Ms. Korleski said the types of developments that it will  
53 entail can also be included.

54

55 Ms. Kaplan asked whether the township could communicate with the homeowners  
56 associations in addition to the township newsletter, the sign, and the website. Ms.  
57 Korleski said a general notice was included in the last newsletter. Ms. Hofman said  
58 many people at the meeting last month read it in the newsletter. Mr. Flaherty said there  
59 has been a lot of action on the township Facebook page including the post by Ms. Rippel  
60 and also via private messages.

61

62 However, the township Facebook page is no longer managed by the township because the  
63 current trustees have not given Ms. Rippel the authorization to answer questions nor have  
64 they added anybody else to do that. Ms. Korleski suggested discussing that with the  
65 trustees. Mr. Flaherty said he has told them at every meeting; he still gets the messages  
66 but he cannot answer them on behalf of the township anymore because he is no longer a  
67 trustee.

68

69 Mr. Flaherty said there are probably at least a dozen questions that remain unanswered  
70 about changes to the CLUP and how they can engage and attend.

71

72 Mr. Johnson said at the last meeting the BZC had discussed using the township web page  
73 to post a survey and to illicit feedback. However, that was going to be done after the  
74 Delaware County Regional Planning Director Scott Sanders had come back to present  
75 some recommended updates to the vision statement. Ms. Korleski said she believed the  
76 trustees' approval would be required to put that survey on the website.

77

78 Mr. Valentine said Survey Monkey was discussed. Mr. Johnson said the residents could  
79 provide feedback that way and also a schedule was discussed. However, the issue was  
80 how to inform the public that the information was available. Ms. Korleski said NextDoor  
81 could also be used but there are various groups within that and certain ones would need to  
82 be selected.

83

84 Mr. Flaherty said there are 5 sectors of NextDoor in Berlin Township. Mr. Johnson noted  
85 that residents would need to opt in to be notified. He said the intent was to communicate  
86 as much as possible so residents cannot come back and say they had never been notified.

87

88 Mr. Schlegel said he could not find a link to the last CLUP on the township's website.  
89 Ms. Korleski said it is on the DCRPC website. Mr. Schlegel said the township should  
90 have a link to it on their own website. Mr. Johnson said all the information should be  
91 provided in one area of the website. There was a discussion about using Twitter.

92

93 Ms. Sherman suggested having articles written in ThisWeek and the Gazette.

94

95 Mr. Johnson said there were discussions regarding a targeted schedule, and which  
96 sections of the district would be discussed on which dates. However, that will be a very  
97 fluid schedule because the township has other legitimate business such as rezonings that  
98 will need to be addressed first. He suggested putting together a schedule with a link on  
99 the website with a tentative schedule. Updates can be done as needed.

100

101 Mr. Valentine was concerned that perhaps residents would be more concerned with their  
102 own areas than the township overall. For example, the Savko concrete plant may benefit  
103 the township as a whole via property tax revenue, but the residents in that area are  
104 opposed to it.

105

106 Ms. Korleski said the BZC is to discuss the kinds of questions they would like to see on  
107 the survey. Mr. Valentine said the prior questionnaire was in the CLUP and he thought  
108 many of those questions were still relevant. The BZC could see if attitudes have changed  
109 since then due to all the changes in the township. Additional commercial development  
110 can reduce property taxes for residents.

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111 Ms. Kaplan said at several meetings there was a very engaged, noisy group of people  
112 who had a good amount of leadership. There have been two referendums in recent  
113 history. She wanted to capitalize on those people because clearly they are engaged and  
114 interested.

115  
116 Ms. Korleski said she thought they were aware of the meetings because resident Larry  
117 Harmon, who was involved in the Nelson Farms referendum, was at the last meeting. Ms.  
118 Kaplan suggested checking with some of them and invite them to the meeting. She asked  
119 whether they were allowed to post flyers in public areas such as Cheshire Market. Mr.  
120 Valentine said there is a board there that anybody can post on. Mr. Flaherty said they  
121 could post anything at their own cost as long as the source is correctly represented.

122  
123 Mr. Flaherty said when he was a trustee he was working on outreach through the  
124 homeowners association because most of them have a Facebook page and/or a website  
125 that they are actively engaged in. Many more people could be reached that way.

126  
127 Ms. Korleski asked who would contact the HOAs, the newspapers, etc. Ms. Kaplan and  
128 Mr. Valentine said the BZC could divide it up and also some residents could assist. Mr.  
129 Flaherty suggested putting the post on the Berlin Township Facebook page and have the  
130 homeowners associations share the post on their Facebook page.

131  
132 Mr. Valentine asked about programming the sign in front township hall. He said Ms.  
133 Rippel could change it to indicate that the CLUP is being reviewed. There was a  
134 discussion about BZC members sharing information with their neighbors about upcoming  
135 meetings.

136  
137 There was a discussion about how to distribute flyers and other information about the  
138 meetings. Mr. Flaherty said members could distribute their own flyers as residents and  
139 not on the behalf of the township.

140  
141 Ms. Korleski said Mr. Sanders will be presenting information at the May 8<sup>th</sup> meeting.  
142 Mr. Johnson said a tentative schedule should be presented for the sub-areas as well as a  
143 survey ready to go prior to the meetings being advertised. Ms. Korleski agreed and said  
144 Mr. Sanders presentation could be advertised prior to that meeting.

145  
146 Mr. Heid said the BZC had decided at the last meeting that certain areas need revision but  
147 others do not need as much. The areas should be prioritized and structured and also the  
148 residents should be made aware of the fact that the CLUP affects all residents.

149  
150 Mr. Johnson said there are 13 sub-areas. Mr. Valentine suggested Mr. Heid go through  
151 the sub-areas and tell the BZC what the “hotspots” are. Mr. Heid said he would be  
152 willing to, but he has a lot of other current job responsibilities and that would take some  
153 time. Ms. Korleski said the BZC is probably also aware of the hotspots. They know  
154 section 7a and 7b need to change, as well as the corridor. To the east is the Tanger Mall  
155 and a road will go right by Ray Armstrong’s property; that needs to be considered as  
156 well.

157  
158 Ms. Hofman offered to review Sub-Area 2 although she wasn’t sure how far the  
159 Ciminello’s development has gone. Ms. Korleski said that project was already approved.  
160 Mr. Flaherty said much of that area is Berkshire Township. Ms. Korleski said every  
161 piece of property will be important to address.

162  
163 Mr. Heid asked about properties that have been rezoned but have never been developed.  
164 He asked whether the trustees would be responsible for changing the zoning back to the  
165 original zoning. Ms. Korleski was not sure. She asked how, when a property is subject  
166 to a successful referendum, it reverts to the prior zoning. Mr. Flaherty explained that a  
167 successful referendum makes the action of the BZC and the trustees null and void.

168

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169 Ms. Korleski asked whether the BZC would like to make changes of specific areas. For  
170 example, does the BZC want to address increasing density and increasing open space  
171 when they are considering a development?  
172

173 Ms. Hofman said that after years of work by the invasive plant council, state park people,  
174 etc., the legislature just passed a law banning certain plants from being sold in nurseries  
175 due to concerns about invasive plants destroying a lot of Ohio's landscapes. She said  
176 Berlin Township has a special responsibility to pay attention because Alum Creek State  
177 Park is located here. She is concerned that plants/trees/shrubs/landscaping being installed  
178 by developers, including Mr. Ciminello, could be on the list of banned plants because  
179 they will be cheap now while remaining stock is sold. This includes Bradford pear and  
180 callery pear trees. She asked whether the list could be added to the zoning resolution.  
181 Mr. Heid said that could be added to the township's dangerous plant list.  
182

183 Ms. Korleski said perhaps a supplemental list of banned plants and/or approved plants  
184 could be included in the book as a reference. Mr. Heid asked whether the list would need  
185 to be approved by the trustees. Ms. Korleski said they approved the tree list. Mr. Flaherty  
186 said the township could have a guide because state law will trump the CLUP plan. Ms.  
187 Hofman said state law provided a lot of time for the nurseries to unload the remaining  
188 plant product and they could be planted in Berlin Township unless the plants were  
189 prohibited.  
190

191 Ms. Korleski asked whether that would go through zoning or be included in the CLUP.  
192 Mr. Heid said it would not be in the CLUP so it would be placed in the zoning resolution  
193 or be in the format of a resolution made by the trustees. He was unsure of whether that  
194 would need to be initiated by the BZC and sent to the trustees.  
195

196 Mr. Bender said the Ciminello woodland property was decimated of large old trees and  
197 replaced by 5 year trees. Ms. Hofman added that none of those trees are native trees. Mr.  
198 Bender asked whether the township had the authority to specify the types of trees that  
199 must be planted when replacing such trees. Mr. Heid said the zoning resolution states  
200 that there can be no clearcutting, and trees are only removed when necessary, especially  
201 old growth trees.  
202

203 Mr. Bender asked whether the township or AEP was responsible for the fiasco south on  
204 Old State Road south of Berlin Station Road. Mr. Heid said it was AEP. Mr. Flaherty  
205 said The Pines development also took some down. Mr. Bender said The Pines said they  
206 were going to save all the trees they could. Mr. Heid said the Army Corp of Engineers  
207 owns the right-of-way all the way near the hill.  
208

209 Ms. Korleski said when the BZC approves a development, they insist that all old trees  
210 must be saved. That is why sometimes the BZC allows some leeway for open space and  
211 density, so the trees are not cut down. Mr. Heid said the township has perimeter setback  
212 requirements and that is mostly to preserve trees.  
213

214 Mr. Bender asked whether the township can require that a developer locate on their plans  
215 all trees of a certain size. Mr. Johnson said the landscaping plan includes detail. Ms.  
216 Hofman was not happy that Ciminello cut down so many trees in Sub-Area 2. She spoke  
217 with Berkshire Township's zoning representative, who informed her that they made  
218 Ciminello add hardwood trees to the plan so they would still be there in 30 years. Ms.  
219 Korleski thought the trees had to be of a certain caliper. Mr. Heid said he believed they  
220 must be 2" or greater. Ms. Hofman was concerned that the trees currently sitting on the  
221 property waiting to be planted appear to be callery pears.  
222

223 Ms. Korleski said she would like to look at different areas to change the density. She  
224 would prefer to increase density but also have more open space. Residents want open  
225 space, paths and sidewalks. Mr. Heid said the BZC had discussed that in areas where  
226 density is increased, TPUD (Transitional Planned use Development) could be used as a  
227 buffer to low density development.

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228 Ms. Hofman said there is a great opportunity to have a lot of green space in the highest  
229 density areas especially along drainages that go into Alum Creek, and the ponds. The  
230 township could request that developers leave the natural growth around the edges of  
231 ponds instead of round-upping the edges of ponds so they have to be mowed.  
232

233 Mr. Heid said those kinds of things are discussed during the zoning process. Ms. Hofman  
234 said she read the zoning resolution regarding those items and it did not seem to go as far  
235 as she thought it would. Ms. Korleski said she had mentioned including TPUD in some  
236 areas.  
237

238 Ms. Korleski said they could also discuss increasing the depth of US 36/SR 37 on both  
239 sides for PID (Planned Industrial District) and PCD (Planned Commercial District).  
240 There had been a discussion about locating businesses on that state highway although she  
241 was not sure what businesses would locate there. Mr. Heid said the State will not allow  
242 unlimited access to US 36/SR 37; there would need to be backage roads. He said perhaps  
243 Berlin Township may want to work with Berkshire Township for the property north of  
244 US 36/SR 37, regarding their ideas for commerce along US 36/SR 37.  
245

246 Ms. Korleski said backage roads should be included along US 36/SR 37. Mr. Heid and  
247 Mr. Flaherty said that is a requirement. Mr. Heid said the roads that are already going  
248 north and south will be the connectors. Drivers should be able to go from one  
249 development to another without having to go back out on the main road. Commercial  
250 developers should be required to have linkage in the form of stubs to the next  
251 undeveloped property. Ms. Korleski said they should also be to the developed property.  
252

253 Mr. Flaherty asked whether Mr. Sanders would be bringing the latest county information.  
254 Ms. Korleski said he would be. Mr. Flaherty said the county has a design they paid a  
255 substantial amount of money for, and that they included input from Berlin Township in  
256 that design while it was being developed. Ms. Korleski said that has not been made  
257 public yet. Mr. Flaherty said the township could make the CLUP match what the county  
258 paid \$80,000 to a consultant to design; that plan includes two back road systems.  
259

260 Mr. Heid said the township is trying to get what it wants in there before no further  
261 changes can be made. Mr. Flaherty said he was on that committee as the Berlin Township  
262 representative; he relayed everything the township wanted to see per the trustees and the  
263 CLUP. Ms. Korleski said the CLUP is being changed now.  
264

265 Mr. Flaherty said he had requested an increase in the depth and more commerce parks on  
266 US 36/SR 37. ODOT (Ohio Department of Transportation) has already indicated they  
267 will grant no further access points between the city of Delaware and Sunbury. There is a  
268 possibility of two additional traffic lights. The plans even include the Michigan j-curves  
269 as turnarounds in some points.  
270

271 Ms. Korleski said Mr. Sanders will bring that information to the May 8<sup>th</sup> meeting. The  
272 BZC can incorporate items into that and Mr. Sanders will present it to the county. She  
273 said Mr. Sanders would also be bringing the vision statement. Mr. Heid said he wants to  
274 make sure the township puts its two bits in before anybody else brings their two bits in.  
275

276 Ms. Korleski said the BZC should review the changes to the road that will be connecting  
277 to I-71 and how it will affect Berlin Township. There will be an interchange located right  
278 behind The Ravines and Brookview Manor. Ms. Kaplan was concerned about that road  
279 cutting Berlin Township's PCD area on 3 B's and K Road in half, which is not good for  
280 business. Mr. Flaherty said it would also overload Sherman Road.  
281

282 Ms. Kaplan said it will have a big impact on that corridor. Mr. Flaherty said it will fill in  
283 behind the White Castle and the Cracker Barrel, similar to the Polaris/Gemini  
284 interchange. This information is located on ODOT's website under District 6. Mr.  
285 Flaherty said there is still around \$130 million to raise, and it has to be 50% developer  
286 matched funds. There was additional discussion.

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287 Mr. Flaherty said there is a total vision plan for the corridor amongst three townships to  
288 provide a unified vision so what happened on Route 23 does not happen on US 36/SR 37.  
289 Brown Township is revising their CLUP. Ms. Korleski did not think Brown Township  
290 had any property on the corridor. Mr. Flaherty said they only have a sliver on US 36/SR  
291 37, but they envision that entire corridor will go all the way back 1000-1500' to Baker  
292 Road.

293

294 Ms. Korleski said Berlin Township should consider a 1500' depth to allow for backage  
295 roads. Mr. Heid said a quarter mile or maybe more would be good. There is still a lot of  
296 property that could be developed.

297

298 Changes or Comments to Vision Statement

299 Ms. Korleski said Mr. Sanders will have some suggestions for the vision statement. Ms.  
300 Hofman asked whether the survey was done to address the vision. Ms. Kaplan said she  
301 would like to see it in there. Ms. Korleski said the BZC needs to find the survey from 10  
302 years ago. Mr. Valentine said he has a copy.

303

304 Mr. Johnson said the BZC will want as much information as feedback as possible, but it  
305 needs to be limited to encourage participation. Ms. Hofman suggested asking  
306 participants how they define "rural." Does it mean mile after mile of 5-acre mowed lots?  
307 Does it mean being able to hang laundry outside? She did not think zoning density is  
308 necessarily the only measure of "rural."

309

310 Ms. Korleski said the BZC will review the last survey and determine what they want to  
311 add or revise. There was a discussion about the number of questions the survey should  
312 have. Mr. Johnson said his initial thought was 30-40 at the high end. Mr. Valentine noted  
313 that a "summary of community input" and goals were included in the current CLUP,  
314 Appendix B. He believed the responses were prioritized as well. The community was  
315 asked what they felt were Berlin Township's strengths and weaknesses.

316

317 Mr. Schlegel said the plan was to discuss the CLUP by geographic sector and he asked  
318 whether discussed would be items that affected everybody or just what the township  
319 would like to see in those sectors. Mr. Valentine said every use has to be allowed within  
320 the township. Certain uses can be included in certain sectors but away from residential  
321 areas. Mr. Schlegel asked whether the township already has ideas regarding where items  
322 such as soccer fields would be located.

323

324 Mr. Valentine said the CLUP map includes the vision including uses such as adult  
325 bookstores. There was a discussion about an indoor soccer facility being planned off  
326 Carter's Corner and SR 37 near Northstar.

327

328 The next scheduled BZC meeting is Tuesday May 8, 2018 at 7:00 p.m.

329

330

331 There was no further business to come before the Commission. Motion to adjourn.  
332 Meeting adjourned.

333

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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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Mike Bardash, member

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Martin Johnson, 1<sup>st</sup> alternate member

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Steve Flaherty, 2<sup>nd</sup> alternate member

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364

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

365