

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

TUESDAY, SEPTEMBER 25, 2018 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 Toni Korleski at 7:00 PM.

7
8 Ms. Korleski introduced Ray Armstrong, the new BZC second alternate.

9
10 Mr. Valentine led meeting attendees in the pledge of allegiance.

11
12 BZC members present: Chairman Toni Korleski, Vice-Chairman Jerry Valentine, Darcy
13 Kaplan, Mike Bardash, Martin Johnson.

14 Also present: BZC 1st alternate member Steve Flaherty, Zoning Inspector David
15 Loveless, Zoning Secretary Cathy Rippel, Zoning Clerk Lisa Knapp

16 Not Present: BZC members Ray Armstrong (2nd BZC alternate)

17
18 Ms. Korleski read the adopted BZC policy statement.

19 **AGENDA ITEM: LEGAL NOTICE**

20 Ms. Knapp said this meeting was advertised in the September 14, 2018 Delaware
21 Gazette, as follows:

22
23 *BERLIN TOWNSHIP ZONING COMMISSION*
24 *NOTICE OF PUBLIC HEARING*

25
26 *The Berlin Township Zoning Commission will hold a meeting for the purpose of*
27 *public hearing September 25, 2018 at 7:00 p.m. at the Berlin Township Hall located*
28 *at 3271 Cheshire Road, Delaware, OH 43015 in order to consider an application to*
29 *amend the Berlin Zoning Resolution, designated as BZC 17-007, filed by Peachblow*
30 *Land II LLC, Kenny Asset Management LLC, Triangle Properties Inc., 470 Olde*
31 *Worthington Road, Suite 101, Westerville, OH 43082.*

32 *The applicant is requesting approval of a preliminary development plan known as*
33 *Berlin Meadows, Parcel's #41833001016000; 41833001014000; &*
34 *41833001094000; from Farm Residential District (FR-1) to R-3 with a Planned*
35 *Residential District Overlay (R-3/PRD) 193.3 ± acres, 1162 Peachblow Road, O*
36 *Peachblow Road & 663 Shanahan Road, Lewis Center, OH 43035.*

37 *The text and map of this application will be available for public examination,*
38 *excluding legal holidays September 14-25, Monday-Friday from 8:00 a.m. to 4:30*
39 *p.m. at the Berlin Township Zoning Office located at 3271 Cheshire Rd., Delaware,*
40 *OH 43015. Also, you can find the text and map on the Berlin Township website*
41 *www.berlintwp.us.*

42 *After the conclusion of the hearing, the matter will be submitted to the Board of*
43 *Township Trustees for its action. The person responsible for giving notice of the*
44 *public hearing by publication is Cathy Rippel. Township residents are encouraged to*
45 *attend.*

46
47 *BERLIN TOWNSHIP ZONING COMMISSION*
48 *Toni Korleski, Chairwoman*

49 **AGENDA ITEM: APPROVAL OF MINUTES**

50 Mr. Johnson made a motion to approve the minutes from the 9/11/18 BZC meeting, as
51 presented. Mr. Valentine seconded the motion.

52 Vote: Johnson, yes; Valentine, yes, Flaherty, yes; Kaplan, abstain; Korleski, yes. Motion
53 carried, minutes approved.

54

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55

AGENDA ITEM: INTRODUCTION OF MEETING ATTENDEES

- 56 ♦ Michael Dew, 553 Shanahan Road
- 57 ♦ Christina Dew, 553 Shanahan Road
- 58 ♦ Barbara Sherman, 1469 Africa Road
- 59 ♦ Bob Burden, 1231 Peachblow Road
- 60 ♦ Jimmie Wise, 737 Shanahan Road
- 61 ♦ Alan Kemp, 523 Shanahan Road
- 62 ♦ Bob Kuederle, 846 Mill Stream St. 43074, with Evans Farm
- 63 ♦ Andrew Northeim, 815 Shanahan Road
- 64 ♦ Clyde Fitzpatrick, 585 Shanahan Road
- 65 ♦ Todd Faris, with Faris Planning and Design, 543 N. Fifth St., Columbus, OH
- 66 43215
- 67 ♦ Joe Thomas, with Metro Development
- 68 ♦ Joe Korleski, 3584 Greenville Drive

69

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

70

71 *BZC 17-007, filed by Peachblow Land II LLC, Kenny Asset Management LLC, Triangle*
72 *Properties Inc., 470 Olde Worthington Road, Suite 101, Westerville, OH 43082. The*
73 *applicant is requesting approval of a preliminary development plan known as Berlin*
74 *Meadows, Parcel's #41833001016000; 41833001014000; & 41833001094000; from*
75 *Farm Residential District (FR-1) to R-3 with a Planned Residential District Overlay (R-*
76 *3/PRD) 193.3 ± acres, 1162 Peachblow Road, O Peachblow Road & 663 Shanahan*
77 *Road, Lewis Center, OH 43035.*

78

79 Mr. Faris said that he was here to review the changes that have been made to the recently
80 submitted plan and to explain the revisions to the BZC. He also wanted to discuss some
81 issues that have come up in the recent past that will be pertinent in regards to this. Mr.
82 Faris said this application was submitted several months ago and there were comments
83 from that first submission. He then came back with some revisions to the site plan.

84

85 Mr. Faris said the project is located between Peachblow Road and Shanahan Road,
86 around 1/2 to 1/4 of a mile east of Route 23. He pointed out the location on the map as
87 well as the surrounding uses, and said that to the east of the project is the proposed Evans
88 Farm development.

89

90 Mr. Faris said he would review the modifications to the plan that have been made since
91 the last meeting. He said Delaware County has always been concerned that there is a
92 major roadway that runs through this site. That has been reflected on the northeast
93 corner, where an extension of North Road will end up going through Evans Farm, the
94 subject property, and the property to the north all the way up to Glenn Parkway

95

96 Mr. Faris said that is a major roadway that is not reflected on the thoroughfare plan, but
97 the county has made it clear that they want the road. The applicant has acknowledged it
98 on the plan and has been working with the county within the plan. Mr. Faris said one of
99 the bigger changes is that they are in conversation with the school district because they
100 have an interest in this area for a new elementary school.

101

102 Mr. Faris said he has been working with the school on several studies over the past 2 to 3
103 months to come up with an appropriate configuration. The school district would like to
104 place the school on the northern portion of the site and they would like to have direct
105 access to it from the proposed North Road Extension.

106

107 Mr. Faris said that in order to accommodate the elementary school, there has been a loss
108 of lots on the site, which was reduced by 39 units. The proposed density is now 1.9 units
109 per acre. The open space, which was hefty to begin with, has increased.

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110 Mr. Faris said the interior pathway system was modified so there are more access points
111 to the school site. The tot lot has now been relocated further to the south, which will now
112 be more central to the single-family area.

113

114 Mr. Faris said there have been major reconfigurations to the roadway system, including
115 to the one major entry and one minor entry. The open space is now 84.4 acres, which is
116 nearly 44% of the site, which is an increase from the prior submittal. Mr. Faris said it was
117 requested at the last meeting that he determine how much of it would consist of pond, and
118 his calculations indicate there would be 13.5 acres of ponds, out of the 84.4 acres.

119

120 Mr. Faris said there would still be over 36% open space. Evans Farm had committed to
121 35% open space, so not including the ponds, the open space is very similar to Evans
122 Farm.

123

124 Mr. Loveless asked whether the open space calculations included the school area. Mr.
125 Faris said that they did.

126

127 Mr. Faris said the application shows the pocket parks and connectivity, and that he has
128 taken some of the comments received from the Delaware County Regional Planning
129 Commission for conductivity to create pocket parks that will connect to the various areas
130 throughout the site including to the school site.

131

132 Mr. Faris said that the prior plan was around 2.2 units per acre and that he had reviewed
133 the densities that have been approved for the properties around the subject
134 property. Now at 1.9 units per acre, the project is well within the densities of the
135 surrounding projects. He feels that the proposed density is in line with the density of
136 these surrounding projects, as well as the types of uses.

137

138 Mr. Faris said there had been concern that architectural standards have been provided but
139 that nothing that indicated what that might look like had been provided. He said Mr.
140 Thomas has been in contact with different builders and has provided some examples of
141 that. He displayed some renderings and said it was a farmhouse theme a rural or
142 farmstead appearance to the project. He is willing to commit to those standards above the
143 general development standards which he has already committed to.

144

145 Mr. Faris said that early in the project, he committed to all natural materials on all four
146 sides of the homes.

147

148 Mr. Faris said he had been asked by the landowner whether there was a potential to
149 incorporate commercial into the development. With the roadway system that the county
150 is bringing to them to construct for the county, that opens up some possibilities.

151

152 Ms. Korleski asked how many styles of homes there would be. Mr. Thomas explained
153 information that he just distributed. There will be 33 different styles and elevations,
154 including ranches and two-story buildings.

155

156 Ms. Korleski asked whether all of the homes would be a minimum of 2,500 square feet.
157 Mr. Thomas said that was correct but there will be a ranch product with smaller square
158 footage. He said that most of them will be 2,000 square feet or larger. Ms. Korleski said
159 the submitted text seemed to indicate that they would be around 1,600 SF. Mr. Thomas
160 said that was the standard in Berlin Township.

161

162 Mr. Faris said everybody wants walkability and mixed uses, and he is here to discuss that
163 possibility with the BZC, although it is not on the plan right now. He said the area is
164 located directly across the school and would not make a good site for small uses such as
165 an ice cream shop, coffee shop or the like. The property owner is also interested in
166 including a nearby piece of property which is currently zoned Planned Industrial.

167

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168 Mr. Faris said his suggestion to the property owner was to modify the application after
169 discussions with the BZC at this hearing to set aside that area as planned commercial and
170 to apply standards to that, including two curb cuts. He would then file a new zoning
171 application to include the planned industrial property.
172

173 Ms. Korleski said that he keeps comparing this property to Evans Farm. However that is
174 a mixed-use plan and the subject application is not. Mr. Faris agreed but said this plan
175 could provide “connectability.” Mr. Faris said there is an existing home/office on the
176 property; it is very nice and would make a nice bed and breakfast as it is.
177

178 Mr. Faris said the proposed commercial use would work out because the internal
179 walkways have already been provided for, thus making it a walkable community with
180 major destination points. Including the school in this development as well makes it more
181 of a hybrid community.
182

183 Ms. Korleski asked whether he would be committing to the commercial area today along
184 with the application he has submitted. Mr. Faris said that was correct. He would request
185 for the application to be tabled, revise it to include the commercial area, and then submit
186 a separate application for the new property.
187

188 Mr. Faris said that the other items including divergences, side yard setbacks and more
189 have not been changed and are still part of this application. The major changes include
190 the school, the modifications for the roadways, and the two commercial areas. Those
191 would be good additions to this plan.
192

193 Mr. Loveless asked whether the North Road extension would meet with what has already
194 been approved for Evans Farm. Mr. Faris said that the Evans Farm North Road extension
195 comes down and was designed with the concept that Shanahan Road will be relocated.
196 The county has indicated that North Road is not a fixed location on either side including
197 on the subject property and on Evans Farm. A final location for the North Road extension
198 has not been approved.
199

200 Ms. Korleski asked whether it was a certain need that North Road will go through. Mr.
201 Faris said that it was and that the starting and ending points have been defined by the
202 county engineer.
203

204 Ms. Kaplan said if the portion at the northwest were to be folded into the plan, acreage
205 would be changed. She asked whether it would be necessary to reconfigure the plan to
206 grant access to some of the homes indicated in yellow. Mr. Faris agreed and said this may
207 change slightly, and he would need to work with this traffic engineer to find the best way
208 to access that. Ms. Kaplan said the commercial located on the other side of the North
209 Road interchange would not really be walkable. Mr. Faris showed the locations that
210 would be necessary to obtain access.
211

212 Ms. Kaplan said the plan has elements of walkability but yet other parts of the plan do
213 not. She asked how large the new area was where the applicant was contemplating
214 commercial development. Mr. Faris said it is around 7.2 acres. Ms. Kaplan asked whether
215 he envisioned it as a strip mall development. Mr. Faris said there is no concept yet and
216 he would look at standards for that. It would need to be insured that the parcels to the east
217 would need to be buffered from the commercial development. There would probably be
218 two or three lots with some stand-alone buildings.
219

220 Ms. Korleski said that would need to come in as a separate application.
221

222 Ms. Kaplan asked whether it was proposed that the school would be the entire 21 acre-
223 area. Mr. Faris said the school does not need all of those detention ponds and they are
224 evaluating how much of that they actually need. That site may end up only being 18
225 acres.
226

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227 Mr. Thomas said that the superintendent and the school planning committee are
228 committed to this location. Ms. Kaplan was concerned about including that as open
229 space especially because the application will be modified in a new application submitted
230 for additional property. Mr. Thomas said that the Berlin Township zoning resolution
231 indicates that it is to be counted as open space towards the density calculation. He read
232 from the Berlin Township zoning resolution:

233

234

“Permitted Density:

235

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*If land is dedicated to public use as part of the PRD development plan, and such
dedicated tract will house public buildings (such as a school, fire station, police
station, public recreational facility, township hall) that are approved by the
Zoning Commission, and if the public buildings occupy less than 30 % of the tract
so dedicated, the full land area of the tract dedicated to a public use may be
included in the net developable area for density calculations.*

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Ms. Kaplan said the price point was stated earlier as being \$400,000-600,000 and she
asked whether that remained the same. Mr. Thomas said that it would. Ms. Kaplan
asked how many builders the development would have. Mr. Thomas said it would be
limited to two builders. Ms. Kaplan asked whether the homes would all have front load
garages. Mr. Thomas said that was correct.

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Ms. Kaplan said he made comparisons to the densities of Evans Farm; however, the cases
where the densities were this high had garages located at the rear alleys and the clutter
was reduced. Mr. Thomas said he understands their philosophy of New Urbanism, and
he is trying to commit to a certain standard of elevations that ties it into Berlin Township
as well as the rural character of Delaware County with the farmhouse look as well as the
retail center, which would have the same standard of architectural standard including
board and batten siding, standing seam/metal roof, front porches, etc.

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Mr. Thomas said he did not want to match the Evans Farm standards and that it will be
slightly different as there will be different buyers and different uses. There will be uses
and types of houses for every buyer. Ms. Kaplan said she was just trying to verify the
comparison claim. Mr. Thomas said it would be a walkable community with access to the
public open space where the school will be located. There will be trails and also a retail
component. He would be willing to install a crosswalk in with a light for crossing from
the school to the retail area for pedestrian access across North Road, not only for the
school but also for the residents both in this development and throughout Berlin
Township. There will be several access points that tie into Shanahan and Peachblow
Roads as well as Evans Farm throughout the township.

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Ms. Kaplan said that back in May, there was discussion about some of the smaller lots
being marketed more to Baby Boomers and empty nesters. Now there is a school
proposed, and that is a different demographic. Mr. Thomas said the smaller lots with the
ranch homes will be more geared towards empty nesters, with a smaller yard and a
smaller footprint. The larger lots will probably be geared towards families. He said he
hears a lot that grandparents are seeking proximity to their children and grandchildren.
There is a similar market in Concord and Liberty Townships. The empty nesters are
buying the smaller lots with similar size homes and square footage and the families are
buying the homes with the 65-75' wide lots.

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Ms. Kaplan asked whether the plan is to only put ranch homes on the smaller lots. Mr.
Thomas said “No” and that they will have the option. Also, some families like ranches.
Mr. Valentine asked how many lots/homes there would be. Mr. Faris said there are 384
lots now while the prior submittal was 423 lots. He said that DCRPC said the correct
number was 300, but he had actually reduced the number because of the school. Mr. Faris
said the reduction after the school was to 384.

284

285

Mr. Valentine asked whether it was correct that most of these lots are 5,000 SF. He said
the applicant is requesting a divergence to reduce the size of the lots from what the

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286 zoning resolution requires. Mr. Faris said the smallest lot size would be 57' by 130'. Mr.
287 Valentine said square footage is around 6,000 SF instead of the required 10,000 SF. Mr.
288 Thomas said he read the conditional approval by the DCRPC differently and they didn't
289 clarify it as a net or gross. Mr. Valentine said DCRPC recommended a maximum of 300
290 lots, so whether it is net or gross doesn't really make a difference.

291
292 Mr. Valentine said his biggest concern is front load garages because typically they do not
293 appear to be neat and closed as depicted on the drawings.

294
295 Ms. Korleski said DCRPC indicated 2 units per acre, and they stated that 1.85 units/acre
296 is required. Berlin Township's density requirements are net developable so that would
297 imply that is what DCRPC meant. Mr. Thomas said he could revisit the issue with the
298 DCRPC to clarify that. Ms. Korleski said it should be 2 units/net developable acreage.
299 The development exceeds the number of units, which should be a maximum of 289 lots
300 with the 1.85 units/net developable acre.

301
302 Mr. Thomas said that the density requested also takes into account the donation of the
303 school site as well as the construction of North Road and off-site improvements including
304 to Peachblow and Shanahan Roads, and bringing sewer from U.S. 23. Ms. Korleski
305 asked whether the applicant would be responsible for that. Mr. Thomas said they may
306 need to be.

307
308 Ms. Korleski asked whether they were in discussions with Evans Farm. Mr. Thomas said
309 he is trying to work out with them the alignment of North Road as well as bringing sewer
310 from S.R. 23 to this area. This area is undevelopable without sewer construction. There
311 needs to be a lift station built on the west side of S.R. 23 and Hyatts Road, sanitary sewer
312 needs to be brought under U.S. 23 to the east then north past the Speedway gas station
313 then ultimately through the Greif properties to the subject property's western boundary
314 line, through that site onto the Evans Farm property to serve most of the Berlin Township
315 corridor. He is in discussions on the North Road alignment, the sewer alignment, cost
316 sharing for Peachblow Road, and Shanahan Road.

317
318 Ms. Korleski said she recalled the applicant had indicated they were working with Evans
319 Farm for a community authority. Mr. Thomas said this development joined that
320 community authority. Ms. Korleski asked whether that had anything to do with this
321 development and the Evans Farm developments. Mr. Thomas said it did because it is
322 part of the infrastructure discussions. The community development authority gives the
323 land developer a portion of the dollars generated to pay for larger offsite improvements.
324 This development can not only have development improvements on Shanahan Road and
325 Peachblow Roads, but it will also contribute to U.S. 23 improvements at those two
326 intersections.

327
328 Mr. Faris said those improvements will be done as part of the contribution dollars from
329 this development. Mr. Thomas said it creates a large block of property to contribute to
330 the improvements. Ms. Korleski asked whether this development and Evans Farm would
331 be under separate homeowners associations. Mr. Thomas said that was correct. The
332 community development authority is a financial model, and there is also the individual
333 development associations that maintain the open space, etc. of each development.

334
335 Ms. Korleski said the market the applicant is trying to attract has been discussed
336 including empty nesters. Mr. Thomas said the empty nesters would be interested in the
337 57' and 60' lots, and the 65' lots would be more for young families. Ms. Korleski asked
338 whether the lot widths would be mixed. Mr. Thomas said it would not be and that they
339 would be segmented via different quasi-neighborhoods as far as the divisions of the lot
340 areas and where they are located.

341
342 Ms. Korleski said that Evans Farm has 6' side yard setbacks and the applicant is seeking
343 5' setbacks. She asked whether the Berlin Township fire department is fine with those.
344 Mr. Faris said they met with the fire department. The International Fire Code requires a

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345 minimum of 5'. Ms. Korleski asked whether they got the letter from September 21
346 regarding the proposed school cut. Ms. Korleski said the side lot setback is not addressed
347 in that letter.

348
349 Ms. Korleski asked whether exhibit D6 that includes the open spaces was provided as a
350 larger drawing. She was not able to see the open space details and asked for a larger
351 version of the plan to be submitted with the next revision.

352
353 Ms. Korleski asked whether 10' multi-use paths would be built on Peachblow Road and
354 whether they would go across where the commercial would be located. Mr. Faris said
355 they have been built on the major roadways. They would be located along the North Road
356 extension, Peachblow Road, and Shanahan Road. The internal pathways would be 8-10'
357 wide as well.

358
359 Ms. Korleski asked whether there was room for the 5' green strip between the curb and
360 the sidewalk. Mr. Faris said he did not see why there would not be because the road
361 would be built to the county standard. Ms. Korleski said the front yard setback was
362 reduced. Mr. Faris said that does not account for the right-of-way, which is fixed at 60'.

363
364 Mr. Faris said the front setback is measured from the right-of-way back to the home. Mr.
365 Thomas said that prior to the 2007 market crash, his company was approved for 3000
366 traditional neighborhood homes with larger front porches, walkable community and the
367 rear garages in the alleyways. When the market rebounded, there was no market for that
368 product and he had to go back and rezone many of those properties for the traditional
369 neighborhood with the larger backyards and garages in the front. Ms. Korleski asked
370 whether the properties had to be rebuilt. Mr. Thomas said no but 2500 had been built.

371
372 Mr. Faris said that many U.S. residents like to have private backyards and do not like
373 alleys in their backyard. They are not attractive and end up being service areas.

374
375 Mr. Loveless asked if the side yard is 5' per house with 10' between buildings, how will
376 a proper swale be built, and how will it be graded?

377
378 Mr. Thomas said he works closely with the Delaware County desk permit and that
379 includes side slopes, drainage slopes, high point, etc. That is all mandated and inspected
380 by the desk department. Prebuild, as-built and sod inspections are required. He noted
381 that 5' is the minimum setback and it is more likely to be 7-8'. Mr. Faris said this
382 provides flexibility for different lots and home sizes.

383
384 Mr. Faris said the smaller side yards allow for more open space.

385
386 Mr. Johnson said the school can be included as open space but regarding the impact on
387 open space, as soon as a school is built, due to the tract coverage by the buildings and
388 parking lots, the detention areas will need to be increased. He would like to see how
389 much actual usable open space overall would be available after the school site was built.
390 Mr. Thomas said the detention is maintained at 18-21 acres and the school site will not
391 change that.

392
393 Mr. Johnson said he did not like the concept of alleys and backload garages. The lots
394 with larger homes will essentially not have much backyard after the house and driveway
395 are built. A 3,000 SF house on a 6,800 SF lot would take up over half of the lot. Mr.
396 Faris said some of the lots are 130' and that would allow 40-45' backyards.

397
398 Mr. Johnson said he understood the need for commercial aspects of a development and he
399 may support some. Evans Farm brought in a larger variety of lot sizes in that
400 development. There is not much variety in this development, and the commercial and
401 school areas do not help with the lack of open space. The development will be very
402 compact.

403

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404 Mr. Johnson asked that the applicant consider bringing in the elements suggested by
405 DCPRC as well as adjusting the lot sizes, and that could possibly accommodate some
406 side load garages to break up some of the monotony of having all front-load garages.
407 The overall density calculations and number of lots would then be reduced to be more in
408 line with what DCRPC suggested and what the zoning resolution requires. He suggested
409 additional consideration of that by the applicant.

410
411 Mr. Johnson said this project is multiple phase and he asked what the overall plan was for
412 timing of the development, from start to finish. Mr. Thomas said it is typically one year
413 to 18 months per phase depending on the market. Mr. Johnson asked how many phases
414 there would be. Mr. Faris said it would be seven phases. Mr. Thomas said there would be
415 two home builders, which typically cuts the phasing time in half.

416
417 Mr. Thomas said it would probably be three to four years, if the market stays as it has
418 been recently. Mr. Johnson asked whether the shown location of the North Road
419 extension was provided by the county. Mr. Faris said they wanted to see an alignment
420 that worked, and this is what the developer provided to the county and the county said it
421 would work.

422
423 Mr. Johnson asked whether the county has committed to timing for the extension. Mr.
424 Thomas said that the developer would be building the extension. Mr. Johnson asked
425 whether they would also build the portion through the Evans Farm property. Mr. Thomas
426 said "no" but that the developer's responsibility would be to take it from Peachblow Road
427 to wherever the terminus is at the boundary. That road would need to be built prior to the
428 school breaking ground, which would be 2019 to 2020.

429
430 Mr. Johnson said Evans Farm would have to agree to build the rest of the extension and
431 he asked how that fit in with their timing, because otherwise there would be a stub road
432 that could sit for many years without being completed. Mr. Thomas said the subject
433 development would have connections to both the south, which is Shanahan Road, as well
434 as to the north. The North Road section is really only necessary for the northern path to
435 the community. It does not dictate that the southern half needs to be built or not because
436 it is all connected to a different route. However, North Road will be built first because the
437 school will be breaking ground in July.

438
439 Mr. Johnson said if the developer coordinated with Evans Farm, would that North
440 Road extension be built? Mr. Faris said Evans Farm has 20 years to finish their
441 development. Mr. Johnson said it is possible that the developer could build their portion
442 of North Road in 2019 but the final part of it could be built 10 years later. Mr. Faris said
443 if it was a county project they could do it, but the county wants the developer to pay for
444 it.

445
446 Ms. Korleski said that if sewer is brought in, the Evans Farm development will begin
447 moving faster. Mr. Johnson said Evans Farm development still needs to move north from
448 Orange Township to get to that point.

449
450 Mr. Johnson said the developer would run the sewer that would come from route 23 and
451 asked whether it would all be aligned with the new lift station. Mr. Faris said it would.
452 Mr. Johnson asked what the timing of that would be. Mr. Thomas said the easements are
453 in place to take it all the way to the subject property line and it's just a matter of getting a
454 developer to build it. Mr. Johnson asked whether that would be within the next year or
455 two. Mr. Thomas said that was correct.

456
457 Mr. Johnson said his major concerns include the side yard setbacks and a lot width, and
458 he would like to see more creativity in those areas.

459
460 Mr. Loveless said that for example, in German Village there are no front yard setbacks at
461 all. The side yard setback have a safety factor involved. The fire department does not
462 want to send personnel in between buildings that are 25' or less when a building is

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463 completely engulfed in flames. In such a case, the fire will be fought from the street in
464 order to not endanger employees. Mr. Faris said the national fire code is 5' between
465 structures. Mr. Faris said it is 6' between structures if there are no openings.

466
467 Mr. Bardash said the applicant is comparing this development to Evans Farm. That
468 development has six feet minimum throughout their development regardless of lot
469 size. If the 7.2 acres is turned into commercial development, that green space would be
470 lost. There's also a power line easement and he asked whether it was considered as green
471 space. Mr. Faris said it was. Mr. Bardash asked whether there were power lines running
472 across there at this point. Mr. Faris said that was correct.

473
474 Mr. Bardash said that was not very usable green space and he would not want his
475 children playing in that area. Taking out the 7.2 acres as well as the power line easement,
476 plus the school, there's not much left for green space. Mr. Thomas said many areas in
477 southern Delaware County have power lines running through them. He said he looked at
478 it as recreational space that is planned in the power line areas, where uses such as soccer
479 fields, parking, and the like are frequently seen in the area.

480
481 Mr. Thomas said that even with the school being around 18 acres, the commercial site
482 being around 7 acres and the power lines being around 10 acres, there will still be over 50
483 acres of open space, which is not an inconsequential amount. Trails and pathways being
484 built under the power line is not unlike other areas in Delaware County.

485
486 Mr. Bardash said the economic need by the developer to have 384 lots in order to make it
487 financially successful is one thing, but the way the BZC feels about the township and the
488 300 lots may make it unbeatable.

489
490 Mr. Flaherty said he typically does not read prepared statements but in this case he is not
491 participating in the consideration of this application, and he wanted to make sure he was
492 concise and got all of his points in. Regarding Mr. Thomas and Mr. Faris, he understands
493 their position in presenting this to the BZC and he asked them not to take his statement
494 personally because he knows they are just doing their job.

495
496 *"In my five years of reviewing zoning applications on behalf of the township,*
497 *never have I seen such disregard for the process, the residents, the existing*
498 *approved neighboring developments, and the county and Township governmental*
499 *bodies. I am not sure if this is a bad joke allowed to go too far, or an insult to this*
500 *Commission in thinking that they are naive or inexperienced.*

501
502 *Not only are the lot sizes well below code minimums, densities above maximum,*
503 *but we are adding rooftops without any community or mixed uses, outside green*
504 *space mainly due to the existing power lines, and a future school site. Further,*
505 *there is a big disrespect to an already approved application process and an*
506 *unfounded attempt to pass the buck and let another entity find your improvements.*
507 *Frankly, I am appalled that this is even sitting in front of the BZC for discussion*
508 *in its current form."*

509
510 Mr. Thomas said that there has been a changing environment in the types of homes which
511 people want. He said he would not ask Berlin Township to do something which he has
512 not already done throughout Southern Delaware County. He is simply responding to a
513 market-driven need. He does not create markets or what his buyers want, need, and are
514 looking for. As a developer, he is looking at trends and the housing market is.

515
516 Mr. Thomas said everybody has gone through poor markets and markets where less
517 density, larger lots and more green space is popular, and that wasn't sustainable. Now he
518 is looking at what is sustainable in a market that is ever changing. Mr. Thomas said
519 many millennials are not purchasing houses in the higher per capita areas, possibly due to
520 student loan debt.

521

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522 Mr. Thomas said he is trying to market and provide different types of homes with a more
523 manageable lot size which can be mowed and maintained. He is not looking to offend or
524 to appall anybody, but just meet the needs of the market.

525

526 Mr. Johnson said that one of the challenges that the BZC has is that it is trying to ensure
527 that the desires and expectations of the local community are not simply run over by
528 whatever some market driver is. He said he would echo some of the comments Mr.
529 Flaherty had made, because the developer is requesting many things which will be very
530 difficult to approve simply because they are so widely varying from what the community
531 of Berlin Township wants.

532

533 Mr. Johnson said that there were a number of different drivers that influenced the
534 densities of the developments around the subject property that he does not see with the
535 proposed plan. It will be very difficult to approve this application as is. The community
536 of Berlin Township has spoken very clearly about the type of community they want to
537 retain. There is a standing community here that would not simply change because the
538 market is stated to be changed. The BZC must account for the existing community and
539 represent them.

540

541 Mr. Flaherty said he would like to see the 384 Millennials who are looking for a
542 \$400,000 to \$600,000 house. Mr. Bardash said he is a mortgage banker and there are not
543 very many Millennials with student loans who can even consider affording such homes.

544

545

546 Mr. Dew said that although he is not an expert on markets, he believed people would
547 agree with the statement that markets are cyclical in nature and things can change. Some
548 people want acreage and a place to get away.

549

550

Public Comment

551

552 Mr. Dew asked how many children the school would house. Mr. Thomas said the average
553 is 800 students. Mr. Dew said he lives on Shanahan Road and the neighbors are worried
554 about the improvements to be made to that road, which will be a nightmare for them. To
555 add 384 residences and 700 cars will create a lot more traffic for the area. Although the
556 number of lots has been reduced, 800 students have been added to the plan. Those
557 students will need to be transported to and from the school and that will be even more
558 traffic on the infrastructure which is already in peril.

559

560 Mr. Dew said the developer has discussed that they are bringing the sewer and other
561 infrastructure into Berlin Township. However, that will not help anybody who lives on
562 Shanahan Road because the tap fee and cost to run the sewer line 200 yards will be cost
563 prohibitive for many residents. Mr. Thomas said the service will be there and Delaware
564 County will have the developer install the lines to the homes.

565

566 Ms. Dew ask the applicant to point out the sewer location on the map. Mr. Thomas
567 displayed some information. Ms. Dew asked whether the sewer would be required for the
568 school to be built. Mr. Thomas said that was correct. Ms. Dew said the developer would
569 then start in the corner and then go to North Road. Mr. Thomas said the order would be
570 for sewer to be brought to the site and then built at the interior of the site. That would
571 occur in late 2019.

572

573 Ms. Dew said the applicant had mentioned coming out and walking properties that are
574 alongside the subject property and she asked whether they would still do that. Mr.
575 Thomas said he was planning on doing that but had not had time yet. Mr. Thomas said he
576 had plans for road widening options that he could share with the neighbors.

577

578 Ms. Dew said she would like the developer to come out and look at where the property
579 line and tree line are on the adjacent property.

580

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581 Ms. Dew said that usable green space was discussed earlier in this meeting. The applicant
582 is counting the school area as well as the power lines as open space and she asked
583 whether the ponds were also included as part of the open space. Mr. Thomas said that
584 was correct.

585
586 Mr. Northeim asked whether there had been any discussions with the school regarding
587 changing the entrance off of Shanahan Road as proposed. Mr. Thomas said that he had
588 not but that it was more of a discussion with the Delaware County engineer because they
589 dictate the locations. Criteria such as opposing distances between driveways and the
590 location of the school driveway, the entrances to Evans Farm, the railroad tracks etc. will
591 be considered.

592
593 Mr. Johnson asked what the plans were for the entrances. Ms. Korleski said it would be
594 one lane in, two lanes out.

595
596 Mr. Loveless said the applicant has compared this development many times to Evans
597 Farm. However, Evans Farm has a 6' minimum setback for a total of 12' between
598 buildings. That development also has a minimum designated lot depth. He suggested
599 more variety in the lot widths throughout the community, for which the developer could
600 charge more.

601
602 There was a discussion about procedures. Mr. Faris said that the new parcel would need
603 to be filed as a new and separate application.

604
605 Ms. Korleski said the green part indicated in the existing application would need to be
606 rezoned to commercial. She asked whether it would be included in this location. Mr.
607 Faris said that it would be included as a PCD subarea, although that would take away
608 some of the green space.

609
610 Mr. Flaherty said it could also be done as a PRD and a PCD, which is what Evans Farm
611 did, with two separate hearings but with the understanding that they piece together. That
612 part could be removed from this application and put into the new application. Ms.
613 Korleski said that would be a good idea.

614
615 Mr. Flaherty said the county doesn't have a subdivision plan yet for Evans Farm, but
616 there is an approved zoning. He is aware that roads, engineering and other features will
617 be altered. However, telling Evans Farm they need to deal with the North Road Extension
618 does not sit well with him. Evans Farm was designed with a stub for North Road to
619 continue.

620
621 Mr. Flaherty said he would like to see more amenities in the commercial area. He would
622 like to see boutique shops, small offices, co-working space, etc. so the commercial fits
623 more and with what was approved at Evans Farm. Mr. Thomas asked about building
624 apartments.

625
626 There was a discussion about a date to which the hearing would be recessed.

627

RESOLUTION 2018.09.25 .#A: TABLE BZC #17-007

628

629
630 Ms. Korleski made a motion to table and continue BZC #17-007 to 11/27/18 at 7:00 p.m.
631 at township hall. Ms. Kaplan seconded the motion.

632 Vote: Korleski, yes; Kaplan, yes; Johnson, yes; Bardash, yes; Valentine, yes.

633

AGENDA ITEM: ANY OTHER BUSINESS

634

635
636 Ms. Korleski said that Mr. Flaherty attended the trustee meeting last night to discuss the
637 CLUP survey. They trustees gave him the go-ahead forward on the survey and also a
638 stipend of \$200 to advertise it.

639

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640 Mr. Flaherty said the survey needs to be condensed to one page for the newsletter so
641 residents can either mail it in or stop by the zoning office and drop it off. It will also be
642 included online. Ms. Rippel said this was the first she had heard of that.

643
644 Mr. Johnson said he assumed a two-sided single-page insert could be done in the
645 newsletter. Mr. Johnson asked whether the newsletter insert would also point to the
646 online survey website. Ms. Rippel said she was working on the newsletter
647 today. Trustees would like to get the newsletter out before the fire open house on
648 October 21st.

649
650 Mr. Flaherty said a link to the survey would also be posted on Facebook, on the website,
651 and individual BZC members can post the link on Nextdoor.

652
653 Mr. Johnson asked if the printing could be pushed till Monday so he could finish up the
654 survey. Ms. Rippel said that would be fine.

655
656 Mr. Johnson said that any paper responses should be entered into the Survey Monkey
657 behalf of the respondents so those answers can be included in the Survey Monkey
658 analytics. Mr. Flaherty agreed that it should all be in one place.

659
660 Mr. Flaherty noted that there was no feedback by the trustees on the survey and they were
661 fine with how it was.

662
663 Ms. Korleski said the next BZC meeting will be on 10/9/18 at 7:00 p.m. An application
664 by Mitech Systems, who is in contract to purchase property from Hatfield, will be heard
665 at that time.

666
667 There was no further business to come before the Commission. Motion to adjourn.
668 Meeting adjourned.

669

670

671

Toni Korleski, Chairperson

672

673

674

675

Jerry Valentine, Vice-Chairperson

676

677

678

679

Darcy Kaplan, member

680

681

682

683

Mike Bardash, member

684

685

686

687

Martin Johnson

688

689

690

691

Steve Flaherty, 1st alternate member

692

693

694

695

696

Ray Armstrong, 2nd alternate member

697

698

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Attest: _____

703

Lisa F. Knapp, Berlin Township Zoning Clerk