

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

**ORGANIZATIONAL MEETING
TUESDAY, DECEMBER 11, 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 BZC members present: Chairman Toni Korleski, Vice-Chairman Jerry Valentine, Darcy
8 Kaplan, Mike Bardash, Martin Johnson.

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

11 Not Present: Ray Armstrong (2nd BZC alternate)

12
13 Ms. Korleski read the adopted BZC policy statement.

14
15 **AGENDA ITEM: LEGAL NOTICE**

16
17 This meeting was advertised as a regular meeting at the beginning of the year.

18
19 **AGENDA ITEM: ELECTION OF 2019 BZC CHAIRPERSON**

20
21 Ms. Korleski asked for nominations for BZC chairperson for 2019.

22
23 Mr. Valentine nominated Ms. Korleski. Ms. Kaplan seconded the motion.

24
25 There were no further nominations.

26
27 Vote: Valentine, yes; Kaplan, yes; Johnson, yes; Bardash, yes; Korleski, yes. Motion
28 carried, Ms. Korleski was elected BZC Chairperson for 2019.

29
30 **AGENDA ITEM: ELECTION OF 2019 BZC VICE-CHAIRPERSON**

31
32 Ms. Korleski asked for nominations for BZC vice-chairperson for 2019.

33
34 Ms. Korleski nominated Mr. Valentine for 2018 BZC vice-chairperson. Mr. Johnson
35 seconded the motion.

36
37 There were no further nominations.

38
39 Vote: Korleski, yes; Johnson, yes; Bardash, yes; Kaplan, yes; Valentine, yes; Motion
40 carried, Mr. Valentine was elected BZC Vice-Chairperson for 2019.

41
42 **AGENDA ITEM: SET 2019 BZC REGULAR MEETING DATES**

43
44 2019 BZC meeting dates were discussed. They will continue to be held on the 2nd and 4th
45 Tuesdays of each month.

46
47 **RESOLUTION 2018.12.11.#A: APPROVE 2019 BZC MEETING SCHEDULE**

48
49 Ms. Korleski made a motion to set and advertise the following regular BZC meeting
50 dates for 2019, at 7:00 p.m.:

- 51 • 1/08
52 • 1/22
53 • 2/12
54 • 2/26
55 • 3/12
56 • 3/26
57 • 4/09

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- 58 • 4/23
- 59 • 5/14
- 60 • 5/28
- 61 • 6/11
- 62 • 6/25
- 63 • 7/09
- 64 • 7/23
- 65 • 8/13
- 66 • 8/27
- 67 • 9/10
- 68 • 9/24
- 69 • 10/08
- 70 • 10/22
- 71 • 11/12
- 72 • 11/26
- 73 • 12/10

74 Mr. Bardash seconded the motion.

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

76

77

AGENDA ITEM: BZC #17-008 EXTENSION REQUEST

78

79 Mike Shade, attorney for the applicant, presented the request. Mr. Shade said he is
80 requesting an extension due to matters outside of his client's control. There have been
81 several changes for business reasons. The All-Life Center, as it was formerly known, is
82 now going to be called Marybrook and it is going through a re-organization. The main
83 structure, which is located in Orange Township at 123 Hyatts Road, is under massive
84 remodeling inside to make it fully handicapped-accessible.

85

86 Mr. Shade said the only change to the exterior of the building is that once the sewer goes
87 in, it will be connected to the sewer. The sewer plans have changed as well; it has gone
88 out to bid but he is not certain whether the sanitary engineer's office has accepted the
89 bids yet. That sewer line is for the entire area; it will extend from the Rockford Homes
90 project and use part of the road right-of-way to a pump station at the front of 124 Hyatts.
91 It will service an area that was originally planned to be served by sewer through
92 Preservation Parks, but that will not happen.

93

94 Mr. Shade said it will be a forced main from the pump station down to where it connects
95 on the Rockford project and that is a massive undertaking. Thank goodness his client
96 expedited that because he did all of the easements at no cost to any government. His
97 client discussed the easements with everybody and they all agreed to sign up. Some areas
98 will be served later but they are working through those projects with those individual
99 property owners.

100

101 Mr. Shade said the next phase, which will impact Berlin Township the most, will be
102 across US 23 and it will all be done at once. It will be north along the east property line
103 of this property and then it will take a hard turn to the east to US 23, bore under US 23,
104 come up on the NCJLT property, it will move back through the property and eventually
105 service all the way to the railroad track, then all the way to Peachblow Road.

106

107 Mr. Shade said there will also be a lateral from the pump station to the southeast, which
108 will parallel the new road that will be constructed. Hyatts Road will be reconstructed in
109 that area, it will turn south slightly and another boring will extend under to the Orange
110 Township side. That will eventually relieve an existing problem; not only will it open
111 that corridor for growth, but more importantly, it will remove the force main for the old
112 elementary school on Shanahan Road. That will all be gravity feed to the pump station,
113 and eventually the one that goes south will also go down and pick up those islands of
114 businesses that are in Orange Township including the motorcycle shop, the drive-thru,

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115 etc. so they will all be on centralized sewer. It will eventually extend further north at
116 some point.

117

118 Mr. Shade said the other issue that is causing a much longer delay is that the intersection
119 at Shanahan and Hyatts Roads is going to be done. This portion of the sewer project is
120 supposed to be done by April, but he feels that is ambitious considering the type of winter
121 that has been had so far. They have promised his client that it will be in-ground and
122 operational by April 1st. The road project is not even close to starting and will take until
123 the end of next year at the earliest and it will probably go beyond that time frame. The
124 road will be widened as it approaches US 23 and also build a large retaining wall in the
125 valley where the stream flows, which will take significant effort.

126

127 Mr. Shade said once the road is constructed, it will taper back with designated turn lanes
128 onto US 23 and taper nearly all the way to 275 Hyatts Road.

129

130 Mr. Shade said in addition to these two situations, his client will also be presenting some
131 revisions most likely in the late spring in regard to the main barn structure that is to be
132 constructed. His client is requesting a 2-year extension in order to complete the project
133 and he hopes it will be a major improvement to the area.

134

135 Mr. Shade noted that his client has also been dealing with a project in front of them on
136 US 23 and he is working with those individuals to resolve some issues. When he first
137 came in for the request, he was not expecting these delays.

138

139 Mr. Shade noted that the properties have changed ownership; 123 Hyatts Road is now
140 ECH Pathways, LLC. And the two properties to the north, 124 and 130 Hyatts Road are
141 now under Jaguar Resources. These changes were done for business and estate planning
142 purposes.

143

144 Ms. Korleski made a motion to grant the extension of BZC 17-008 for 2 years. Mr.
145 Bardash seconded the motion.

146 Vote: Korleski, yes; Bardash, yes; Johnson, yes; Kaplan, yes; Valentine, yes. Motion
147 carried.

148

AGENDA ITEM: INFORMAL PRESENTATION REGARDING BOAT STORAGE
AT S.R. 36 AND PLUNKETT ROAD

149

150 Ryan Moran presented the request and answered questions. He said he purchased the
151 All-Purpose Storage located on the north side of US 36/SR 37 and he would like to find
152 out what the process is for expanding the storage on his property. He said he has many
153 inquiries about boat and RV storage but not enough spaces to accommodate them. He
154 pointed the location out on a map.

155

156 Mr. Moran said he currently has boat and RV storage around the perimeter of the
157 buildings. There are 3 acres of undeveloped grassy area and he would like to use that.
158 Ms. Korleski asked him whether he owned the back portion of the strip mall. Mr. Moran
159 said that was correct.

160

161 Ms. Korleski asked where he would like the additional storage. Mr. Moran pointed out
162 an area where he would like to have additional boat and RV storage. Ms. Korleski asked
163 whether they would be closed storage units. Mr. Moran said the buildings are closed
164 storage but the areas he pointed out are just gravel.

165

166 Ms. Korleski asked whether it was correct that he did not want to add to the storage
167 buildings and just wanted to add on more storage. Mr. Loveless said Mr. Moran already
168 owns the three acres; his original permit involved building buildings. Mr. Moran would
169 like to now find out how much he can put in the open area. Mr. Loveless said that at one
170 point a large building was planned for the property, and he asked whether that was still
171 the case.

172

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174 Mr. Moran said he did not want to prohibit buildings in the future and he has an optimal
175 layout that would be his grand plan eventually. However, for now he would like to just
176 have a gravel area for the storage of boats and RVs. Ms. Korleski asked whether he
177 wanted to have open storage in that three acre area. Mr. Moran said that was correct.
178

179 Mr. Loveless said it is already fenced in and it is already a storage facility. It is not in the
180 regulations so he would like to know what kind of capacity he can have. He spoke with
181 Lt. Steve Arnold of the Berlin Township Fire Department regarding what they require for
182 flow, etc. Mr. Loveless said he suggested this informal meeting so Mr. Moran could get
183 additional input. Ms. Korleski asked whether the property was already zoned PID. Mr.
184 Flaherty said it is zoned PCD and that was confirmed.
185

186 Ms. Korleski asked whether it was correct that the property was already approved for the
187 storage buildings. Mr. Moran said he was.
188

189 Mr. Bardash said as long as the fire department is fine with the flow it should be fine.
190 Mr. Moran said the fire department had been concerned with ensuring the aisles are wide
191 enough for large fire vehicles. Mr. Bardash said that would also be important for access
192 to the vehicles.
193

194 Mr. Loveless said the property is fenced in so the problems that dealerships have had on
195 US 23 such as excessive parking in the grass and right-of-way would not be a problem
196 for this property.
197

198 Mr. Johnson asked whether there is an entrance on Plunkett Road. Mr. Moran said he did
199 not but the gate is parallel to US 36/SR 37 and all vehicle owners would have a code to
200 access the gate. Mr. Flaherty asked whether he would not want to have access from
201 Plunkett Road. Mr. Moran said that was correct. Ms. Korleski said it does not seem to
202 be a change of use but instead a continuing use.
203

204 Mr. Loveless said he originally planned to build buildings but now he is changing what
205 he is doing with the space. There had been some concerns about capacity due to changes
206 that have been made on Lackey Old State Road on the opposite side of the road due to
207 higher rules and new regulations. That has caused some conflict over there and the
208 applicant wants to avoid that.
209

210 Ms. Korleski said the applicant is not proposing any new buildings. Mr. Loveless said he
211 did not see a problem it.
212

213 Mr. Bardash said he would be limited to three acres. Mr. Moran agreed.
214

215 Ms. Kaplan wanted to ensure there was enough room for large vehicles to pull in and not
216 obstruct US 36/SR 37. Mr. Moran said there is, at least 100' and there is plenty of room
217 there. He has had a semi unloading and there is still plenty of room.
218

219 Mr. Valentine asked whether Mr. Moran was planning to include additional landscaping
220 to obscure the view. Mr. Moran said that is a good thought and he could. He noted that
221 the fence is small and he would like to upgrade the fence. He asked whether it was better
222 to have a closed/wooden panel fence that would hide the interior or if it is better to have
223 an open chain link fence. Ms. Korleski said that would be up to him.
224

225 Mr. Valentine said for a different application, a similar property owner expressed concern
226 about the security of the property due to the neighboring residential development being
227 built. There would be a lot of property there that would need to be protected.
228

229 Mr. Loveless said if the sight is too secured, activities cannot be seen. Mr. Moran said he
230 plans to have numerous cameras. Mr. Flaherty asked whether he owns the property to the
231 north as well. Mr. Moran said he does not. Mr. Flaherty said there was a lot split in

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232 September 2017 for All Purpose Storage and they sold the front part of it to Mr. Moran
233 and they still own the rest. Mr. Moran said that was correct.

234

235 Mr. Flaherty said there are no buildings there currently but there is a visual perspective of
236 screening them from the adjacent property to the north. He is not as concerned about
237 screening from Plunkett Road. Ms. Korleski asked whether there is residential to the
238 north. Mr. Flaherty said it is not directly to the north, where there is All Purpose Storage
239 with two barns.

240

241 Mr. Flaherty said the next property up is Comstock's, which is residential, and then it is
242 residential all the way along Plunkett Road all the way to Baker Road. Regarding visual
243 screening, it is two use types of the same type. There is really not a precedent to screen
244 between commercial properties other than to make it look nice for a business. If it was
245 adjacent to residential, there should be screening.

246

247 Mr. Valentine said he was also considering the high-speed traffic along the US 36/SR 37.
248 Mr. Flaherty said that is already there with the building. Mr. Valentine asked about
249 having access to the property from a different road. Mr. Flaherty said the loads are large
250 and he would rather have the access from US 36/SR 37 than from a township road. He
251 has plenty of turnaround area already.

252

253 Ms. Korleski said the business currently has boats and RVs entering and exiting the
254 property. Mr. Moran said he also moved the gate after he purchased it in May to make it
255 much easier for the vehicles to come straight in the property.

256

257 Mr. Moran noted that there will be cameras and light at the site.

258

259 Mr. Johnson asked whether the original approved permit included buildings that already
260 existed, or buildings that were to be built in the 3 acre area. Mr. Loveless said they
261 would have been additional storage buildings in that area.

262

263 Mr. Johnson asked whether what has been currently approved today are the buildings that
264 are there. Mr. Moran said that was correct. Ms. Korleski said she did not think approval
265 for the gravel and parking on the gravel needs to be approved. Mr. Loveless said Mr.
266 Flaherty did indicate that he did not want them to enter/exit on Plunkett and Mr. Moran
267 agreed that he only wanted the one existing entrance/exit.

268

269 Jason Acevedo said there will be more traffic and he asked whether there would be
270 additional lighting. Mr. Moran said he would want additional down lighting for security.
271 Ms. Korleski said he did not need approval for lighting. Mr. Loveless said the lighting
272 must be down lighting and a good example of how it should not be is the down lighting at
273 RCD.

274

275 Mr. Johnson asked whether the lighting would need to be inspected. Mr. Loveless said
276 that could be done to ensure it does not offend anybody. He suggested the applicant
277 ensure that they have enough coverage for the additional storage.

278

279 Mr. Flaherty suggested plug-ins for RVs and/or electric to charge batteries.

280

281 Ms. Korleski said it seems to be agreed that Mr. Moran will not need to obtain additional
282 approval from the BZC unless he starts installing buildings.

283

AGENDA ITEM: CLUP SURVEY

284 Mr. Johnson provided an update on the Comprehensive Land Use Plan (CLUP)
285 community survey that included a bar graph and the counts for each question. Some
286 work needs to be done for questions 6 and 7 where it is requested that a rating be given
287 from most desirable to least desirable. When the survey is finally closed and the response

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288 finalized, he will provide a breakout of the questions that ranked the highest. He will
289 create a separate chart for questions 6 and 7.

290

291 Mr. Johnson said January 11th will be three months, which is the timeline for closing the
292 survey; he will consolidate and finalize the data. A number of responses were also
293 received that need to be manually inputted.

294

295 Mr. Flaherty said it would be interesting to compare the demographics of the mail-ins
296 versus the online survey responses.

297

298 Larry Harmon, 3931 Africa Road, asked how it was distributed and said he missed it. Mr.
299 Flaherty explained it was distributed through the fall newsletter and also notices were
300 sent out via Facebook and Nextdoor.

301

302 Mr. Flaherty said so far there are 306 online responses and also around 100 that were
303 mailed in.

304

AGENDA ITEM: BUSINESS FROM THE ZONING INSPECTOR

305 Mr. Loveless said Sycamore Trails will be before DCRPC (Delaware County Regional
306 Planning Commission) this Thursday, and also the Hatfield property has been cleaned up.

307

308 Mr. Valentine noted that the Savko property has been cleaned up and it looks “gorgeous.”

309 Mr. Loveless said Mr. Savko stopped by today with rough plans for the property. Mr.

310 Loveless said it appears as though he is going to try to stretch as much as he can to get

311 the township to do what he wants and then he will come back later. He is pushing the

312 boundaries as much as he can.

313

314 Mr. Johnson said it is cleaned up and looks much better now. He said there was a lot of
315 pipe and he asked whether the water tower is going in now. Mr. Loveless said he did not
316 think so yet and he believes it is just being stored at that time. He said Mr. Savko said the
317 location of the water tower has yet to be determined but he has a few ideas regarding
318 where it could go.

319

320 Mr. Loveless said Mr. Savko mentioned needing extra space to run his trucks through.
321 He has a different plan but it still has the extended road; Mr. Loveless suspects when the
322 concrete plant is ready, that road will be used.

323

324 Ms. Korleski said that in front of the trailer park on US 23, there are three new trailers in
325 front. At one point the property owners had wanted to have model trailers at that location
326 but they did not get approval for that so she just wanted to bring it to his attention.

327

328 Mr. Flaherty said he requested the corridor study for US 36/SR 37 and he received it. He
329 was informed that the final presentation of the plan and recommendations was done and
330 then it was dropped because they were aware that Berlin and Brown Townships were in
331 the process of updating their land use plan. He said Berlin Township can take the survey
332 results and look at that plan and the recommendations and provide input regarding that to
333 the county. That will push it back to the county with updated information so it can be
334 finalized.

335

336 Ms. Korleski said Mr. Armstrong would like to bring DCRPC director Scott Sanders in to
337 discuss it next year.

338

AGENDA ITEM: OTHER BUSINESS

339 Mr. Valentine expressed concern about the Fantasy of Lights sign at the end of Lackey
340 Old State/US 36. It has an arm that should not be moving because it is a distraction, but
341 he notice that it was moving. Mr. Loveless said he will talk to them about it and he did
342 not realize it was that much of a distraction.

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343 Mr. Harmon expressed concerns about Nelson Farms and the flow of water on that
344 property, which has been a very wet property. He asked who he would contact regarding
345 a change in the drainage pattern.

346
347 Mr. Flaherty said it was the subject of an effective referendum, which took it out of the
348 Berlin Township's oversight; the county now has full oversight of the property.

349
350 Ms. Rippel said the BZC has an informal presentation on 1/22/19 as well as the Germins
351 on Peachblow, who have a gravel lot and they are interested in boat storage. Evans Farm
352 is also going to provide an update.

353
354 There was no further business to come before the BZC. Motion to adjourn. Meeting
355 adjourned.

356
357
358
359 _____
Toni Korleski, Chairperson

360
361
362 _____
363 Jerry Valentine, Vice-Chairperson

364
365
366 _____
367 Darcy Kaplan, member

368
369
370 _____
371 Mike Bardash

372
373
374 _____
375 Martin Johnson

376
377
378 _____
379 Steve Flaherty, 1st alternate member

380
381
382 _____
383 Ray Armstrong, 2nd alternate member

384
385
386 Attest: _____
387 Lisa F. Knapp, Berlin Township Zoning Clerk

388
389