

**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING**

**TUESDAY, AUGUST 13, 2019 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 Cathy Rippel led meeting attendees in the pledge of allegiance.

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

11 Also present: Ray Armstrong, 2<sup>nd</sup> BZC alternate member; Zoning Clerk Lisa Knapp;  
12 Zoning Secretary Cathy Rippel.

13 Not present: BZC member Mike Bardash.

14  
15 Ms. Korleski read the adopted BZC policy statement as printed in the agenda.

16 **AGENDA ITEM: LEGAL NOTICE**

17 Ms. Knapp said this meeting was advertised in the August 1, 2019 Delaware Gazette as  
18 follows:

19  
20 *BERLIN TOWNSHIP ZONING COMMISSION NOTICE OF PUBLIC HEARING*

21  
22 *The Berlin Township Zoning Commission will hold a meeting for the purpose of a public*  
23 *hearing August 13, 2019 at 7:00 p.m. at the Berlin Township Hall located at 3271*  
24 *Cheshire Road, Delaware, OH 43015 in order to consider an application, designated as*  
25 *BZC 19-006, filed by Rowe Valerie Trustee, c/o Molly R. Gwin, Esq., Two Miranova*  
26 *Place, Ste. 700, Columbus, OH 43215. The applicant is requesting approval of a*  
27 *preliminary development plan to rezone, Parcel #41831001044000, 2591 Cheshire Road,*  
28 *Delaware, OH 43015 from Farm Residential District (FR-1) to R-3 Planned Residential*  
29 *District (R-3/PRD), 22.129 ± acres, 30 single-family lot subdivision that will be part of*  
30 *Piatt Preserve West. The text and map of this application will be available for public*  
31 *examination, excluding legal holidays; July 31 – August 13, 2019, Monday-Friday from*  
32 *8:00 a.m. to 4:30 p.m. at the Berlin Township Zoning Office located at 3271 Cheshire*  
33 *Rd., Delaware, OH 43015.*

34  
35 *For questions call David Loveless, Zoning Inspector at 740.548.5217 x103. Also, you can*  
36 *find the text and map on the Berlin Township website [www.berlintwp.us](http://www.berlintwp.us) After the*  
37 *conclusion of the hearing, the matter will be submitted to the Board of Township Trustees*  
38 *for its action. The person responsible for giving notice of the public hearing by*  
39 *publication is Cathy Rippel. Township residents are encouraged to attend.*

40 *BERLIN TOWNSHIP ZONING COMMISSION*

41 *Toni Korleski, Chairwoman*

42 **AGENDA ITEM: APPROVAL OF MINUTES**

43 The minutes from the 7/23/19 BZC meeting will be approved at the next BZC meeting.

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

- 45
- 46 • Anne Jordan, 2515 Cheshire Road
  - 47 • Larry Harmon, 3931 Africa Road
  - 48 • Joe Korleski, 3584 Greenville Drive
  - 49 • Barbara Sherman, 1469 Africa Road.
  - 50 • Rob Platte, Delaware County Economic Development Administrator
  - 51 • Jack Mautino, with Westport Homes
  - Terry Andrews, with Westport Homes

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- 52 • Molly Gwinn, attorney representing Westport Homes.

53 **AGENDA ITEM: BZC 19-006 ROWE VALERIE,**  
54 **2591 CHESHIRE ROAD, PIATT PRESERVE WEST**

55  
56 *BZC 19-006, filed by Rowe Valerie Trustee, c/o Molly R. Gwin, Esq., Two Miranova*  
57 *Place, Ste. 700, Columbus, OH 43215. The applicant is requesting approval of a*  
58 *preliminary development plan to rezone, Parcel #418-310-01-044-000, 2591 Cheshire*  
59 *Road, Delaware, OH 43015, known as Piatt Preserve West, from Farm Residential*  
60 *District (FR-1) to R-3 Planned Residential District (R-3/PRD), 22.129 + acres, 30 single*  
61 *family lot subdivision that will be part of Piatt Preserve West.*

62  
63 Ms. Korleski presented as an exhibit a letter to be added to the Piatt Preserve West  
64 application under Tab 1:

65  
66 *“Please accept this letter as confirmation of the appointment of Molly Gwinn as*  
67 *the agent relating to all matters concerning the current rezoning application of*  
68 *my property know as parcel #41831001044000. I hereby give Ms. Gwinn the*  
69 *authority to sign relevant zoning applications, forms or other documents on my*  
70 *behalf as required by Berlin Township of Delaware County for the current*  
71 *rezoning application as submitted on June 12, 2019. Valerie Rowe, trustee.”*

72  
73 Molly Gwinn, present on behalf of Westport Homes, the developer, said she does have  
74 authorization to act for the seller, Ms. Valerie Rowe.

75  
76 Ms. Gwinn said she is here to request approval of a preliminary development plan to  
77 rezone this property to a PRD with an R-3 overlay. This area is the T-shaped piece that  
78 fits into the existing Piatt Preserve development that was before this body on June 11,  
79 2019 and received a unanimous recommendation. During formal and informal  
80 discussions, the BZC requested to see this piece fit into the approved development.

81  
82 Ms. Gwinn said this project was presented at the Delaware County Regional Planning  
83 Commission (DCRPC) on June 27, 2019, and she had filed the request for rezoning on  
84 the day after receiving unanimous approval from the DCRPC on the prior plan.

85  
86 Ms. Gwinn said this plan is very consistent with the surrounding areas. Like Piatt  
87 Preserve East and West, this extension of Piatt Preserve West is a proposed PRD with an  
88 R-3 overlay. The net developable acreage of the site is 16.9 acres, and the net density is  
89 1.77 units/acre, with a gross density of 1.35 units/acre. This is below the required density  
90 for this district, she said.

91  
92 Ms. Gwinn said the plan exceeds the 20% open space required in the zoning resolution  
93 with about 6 acres of open space, which is 27% open space. The values in this  
94 development are very consistent with the values in the existing surrounding Piatt Preserve  
95 West at \$375,000-425,000, a minimum of 1500 SF for ranch homes and 2000 SF for 2-  
96 story homes. She pointed out the 4<sup>th</sup> phase of the Piatt Preserve subdivision and said this  
97 is the last piece to come in.

98  
99 Ms. Gwinn said the plan is compliant with the zoning resolution’s setbacks, with 30’  
100 front yard setbacks, 12.5’ front yard setbacks, and 25’ rear yard setbacks. The perimeter  
101 setback buffer is also compliant at 50’. The bike path, which is intended to be a real  
102 amenity to this community, will extend down along Piatt Road.

103  
104 Ms. Gwinn said there is a modification to the text and to the site plan that was submitted  
105 with the filing. In her discussions with the seller, Ms. Rowe is desirous of maintaining a  
106 parcel she currently controls as a residence. The prior contract included a provision for

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107 Westport Homes to purchase that, but it no longer does, and it will remain within her  
108 possession and control.

109

110 Ms. Gwinn said to be very clear, the request is still to rezone that parcel as an R-3 with a  
111 PRD overlay to keep it consistent and marketable in the event that she wanted to sell, at  
112 which point she would simply need to present a final development plan to the BZC. Any  
113 plat that is recorded for this piece will not have lots on this parcel. As a result, two lots in  
114 that area were lost from the proposed plan, but the overall zoning remains the same.

115

116 Ms. Gwinn said the only resulting change made in the text is a slight adjustment to the  
117 open space calculation and it is now 6 acres of open space versus 7.2 acres. That has  
118 been adjusted in the text and she has provided copies of those to Ms. Rippel to distribute.

119

120

121 Ms. Gwinn said this will be Phase 4 of the development. She said the text indicates that  
122 all front facades will have all natural materials, which are defined as brick, natural and  
123 manufactured stone, stucco, natural or engineered wood siding, or cementitious siding  
124 with a painted or stained finish.

125

126 Ms. Gwinn said the traffic study that was submitted to the Delaware County Engineer's  
127 office, and had submitted on the major modification submitted prior, is the same traffic  
128 study with the same counts. The addition of the 30 units did not change the study much.

129

130

Commission Consideration

131

132 Ms. Kaplan asked whether it was correct that lots 98 and 99 were being removed. Ms.  
133 Gwinn said that was correct and that they had been moved, and she pointed it out on the  
134 plan. She wants to rezone those lots to a PRD with an R-3 overlay. However, Westport  
135 Homes does not control those lots and does not plan to build anything on those lots; they  
136 are simply doing that at the request of the seller. If she wanted to sell those lots, they  
137 would be subject to the same zoning as the other lots.

138

139 Ms. Gwinn said lots 98 and 99 had been off of lot 97 in the prior plan, but they are now  
140 horizontal to it. It is still the same lot count. As to the final development plan and what  
141 goes in it, it is technically for now going to be two less lots, which will only help with  
142 density calculations.

143

144 Ms. Kaplan said she had wondered why that change didn't change the density  
145 calculations, but now she understands. Ms. Gwinn said it won't change the density  
146 because it will have the same zoning, but practically speaking, it will be less dense when  
147 it is built. It was thought to be preferential to have those two lots consistent with the  
148 PRD, the Cheshire Road improvements and the Piatt Road extension. At least for now,  
149 those lots will not be disturbed.

150

151 Ms. Kaplan asked how future owners of those lots would access their property if they  
152 were developed. Ms. Gwinn said it is her understanding that there is an envelope from  
153 when the roundabout was installed that would create the needed accesses.

154

155 Terry Andrews, with Westport Homes, said the county put in a new access approach for  
156 Ms. Rowe, and he suggested that there be a common access drive so that if there is a  
157 second home, that drive could come off the same access point. Ms. Kaplan said she  
158 thought at some point was said that there couldn't be a driveway within 50' of a  
159 roundabout. Ms. Gwinn said Ms. Rowe's home is already there, and she is close to the  
160 roundabout, although she did not know whether she was within 50'. That would not  
161 change at all.

162

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163 Mr. Valentine asked for clarification regarding the 30 lots. Ms. Gwinn said it would be  
164 lots 83 all the way down to 97, and 104-112, and 16-20, and 103-106. Mr. Valentine said  
165 it was confusing. Mr. Andrews said the 28 lots are right in the “heavy line area” on the  
166 plan. There are now 2 in the south and 28 to the north.

167  
168 Mr. Valentine asked whether there were any commitments to side load garages. Ms.  
169 Gwinn said there was not in this area. The prior Piatt Preserve West has a commitment  
170 of 20% side load garages. There may be some limitations to this site regarding that.

171  
172 Jack Mautino, with Westport Homes, said he had no problem making the same  
173 commitment on these 28 development lots. This was added as a condition to the plan.  
174

175 Mr. Valentine asked whether this would be part of the main homeowners association.  
176 Ms. Gwinn said that was correct.

177  
178 Mr. Valentine said the signs look overwhelming at around 12-13’ high and he asked  
179 where they would be located. Ms. Gwinn said the applicants are requesting two  
180 permanent signs, one at Piatt Road and one at Cheshire Road. Mr. Valentine said 12’  
181 seems higher than normal. Mr. Mautino said the sign is the same size at 15’ high as  
182 approved in the original Piatt Preserve West development, and that signage was in  
183 conformance with the zoning resolution.

184  
185 Ms. Korleski asked whether those two lots that would remain with Ms. Rowe would be  
186 part of the HOA. Ms. Gwinn said they would not, and that Westport Homes would not  
187 own those lots. They would continue to be owned by the Rowe Trust until they decide to  
188 sell those lots. Ms. Korleski asked whether they were excluded from the Piatt Preserve  
189 West development. Ms. Gwinn said they are, and that she is simply requesting them as  
190 part of this rezoning application, which is only 28 lots.

191  
192 Ms. Korleski asked whether the lots would become part of the HOA if the lots are sold in  
193 the future. Ms. Gwinn said they would not be part of the Piatt Preserve HOA. Ms.  
194 Korleski said those two lots are independent from Piatt Preserve West, and they each  
195 have access to the road. Ms. Gwinn said that only one has access to the road. Mr.  
196 Flaherty said the applicant has requested a common access drive. Ms. Gwinn said that  
197 has already been provided and it was constructed by the county when the road  
198 improvements were done. Mr. Flaherty said they would need to contact the county to  
199 change it to a common access driveway when the second home was built.

200 Ms. Korleski said she was not sure about the two parcels being part of the rezoning but  
201 not part of the HOA. Ms. Gwinn said for consistency’s sake, those parcels are being  
202 rezoned now for the future convenience of the seller. Mr. Mautino said the home is  
203 already noncompliant with the architectural standards of the HOA, and also they want to  
204 reserve rights to fence the property in the future. Those two parcels will be totally  
205 independent of the HOA and would not benefit from paying HOA dues as they do not  
206 have access to any of the amenities. He said when he learned Ms. Rowe wanted to keep  
207 the home, he was stunned at first but then he realized it would be beneficial to helping  
208 maintain the rural character of the area, with the more-dense homes built behind it.

209  
210 Ms. Korleski said she is not familiar with that situation being in the zoning resolution.  
211 Mr. Valentine said this property has been changed 2-3 times already with the property  
212 splits, etc. This is bisecting it more, and that could come back on the township. It seems  
213 separate from everything that was approved 6-8 months ago. Ms. Korleski said the  
214 guidelines are that if they want to do anything, they have to follow the format of the R-3  
215 with the overlay.

216  
217 Mr. Johnson asked what the size of those two lots are. Ms. Gwinn said they are 286’ by  
218 133’ and 286’ by 207’. Ms. Korleski said they are nearly an acre each.

219

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220 Mr. Johnson said he thought a 4' sidewalk setback was discussed. Ms. Korleski asked  
221 how wide the sidewalks are. Ms. Gwinn said they are 4' wide. Mr. Mautino said there  
222 was at least 5' of grass from the curb to the sidewalk and more likely 6-7' of lawn area.  
223

224 Mr. Flaherty said trees are not allowed to be in-between the sidewalk and the road, and he  
225 asked whether it was correct that the trees would be set behind the sidewalks in the front  
226 yard. Ms. Gwinn said she would commit to that.  
227

228 Mr. Flaherty said regarding the 8' path on Piatt Road, he thought the standard for bike  
229 paths is 10' wide along major thoroughfares and he asked the applicant to check with  
230 Delaware County regarding that.  
231

232 Mr. Flaherty said this plan was straightforward until they threw in a curveball. He feels it  
233 sets a dangerous precedent to include lots in a development but not as part of everything  
234 else. He understands why they are doing it, to improve the property value, but the owner  
235 should just sell the properties. If Ms. Rowe is maintaining control of the property, she is  
236 maintaining it as FR-1. It is not agricultural use, and it is FR-1 under the zoning  
237 resolution.  
238

239 Mr. Flaherty said he didn't think having a common access drive that close to a  
240 roundabout with another house put there is in the best interests of public safety. He is  
241 fine with the rezoning and with lot 97, but he wanted lots 98 and 99 removed from the  
242 rezoning. Ms. Korleski agreed and said that would be the best thing for them to do.  
243

244 After a brief discussion with her clients, Ms. Gwinn said that lots 98 and 99 do not need  
245 to be included and the property can be considered with the existing 28 lots, or they can do  
246 one lot instead of the two lots because there is a house there now. She noted that it will  
247 throw off everything in the text and she will need to rerun the numbers on the open space,  
248 density calculations, etc. The engineers will have to fine tune that to make sure it is  
249 correct in the submittal.  
250

251 Ms. Korleski asked why two lots were included; was Ms. Rowe trying to keep those two  
252 lots separate, or was the applicant trying to maintain 30 lots? Ms. Gwinn said it was to  
253 maintain 30 lots. Ms. Korleski asked whether it was correct that Ms. Rowe owns those 2  
254 lots. Ms. Gwinn said Ms. Rowe owns all the property. Mr. Flaherty said it helps keep the  
255 density in compliance. Removing the two lots may increase the density over the  
256 maximum 1.85 units/net developable density.  
257

258 Mr. Flaherty said he would be fine with that due to the features of the overall plan, but he  
259 did not want to set a precedent for that within the township. There is flexibility to allow  
260 that as long as the plan is a good one.  
261

262 Mr. Mautino asked if the one lot could be rezoned, because Ms. Rowe is able to provide  
263 an easement for that 10' bike path down to the roundabout. If she is not made part of this,  
264 that negotiation may go away. Mr. Flaherty asked whether that would be one lot with a  
265 PRD overlay so that the home could be torn down and rebuilt within compliance of the  
266 PRD. Mr. Mautino said she could chose to do that or she could approach the township  
267 for a lot split in the future.  
268

269 Ms. Korleski said she didn't see any difference and it may as well be pulled out. Mr.  
270 Flaherty noted that the easement for the bike path may go away. Ms. Korleski said that  
271 doesn't help the township. Mr. Mautino said being one lot, it would alleviate the concern  
272 for another common access drive. Ms. Korleski said it should remain as FR-1 whether  
273 there are two or one lots. Mr. Flaherty said if it is kept as one lot, they cannot ever build  
274 more than one lot. Ms. Korleski said if it's FR-1 they can do whatever they want. Mr.  
275 Flaherty said they would have to do a lot split. Mr. Valentine noted that it isn't two acres.  
276 Ms. Korleski said it was.

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277 Ms. Gwinn said Ms. Rowe asked to keep 1.3 acres. Mr. Andrews said it was about 1.5  
278 acres total for the two lots. Ms. Gwinn said this would just change the underlying  
279 zoning; anything that would be built on that would have to come back to the BZC for a  
280 final development plan, and for a lot split and it would have to show compliance with the  
281 R-3 plan. This is simply changing it on paper for Ms. Rowe's purposes.  
282 Ms. Korleski asked whether she wanted to keep it as FR-1 or a PRD. Ms. Gwinn said she  
283 would like to bring it in with the PRD because she is willing to provide the access going  
284 through her property for the bike path, and it keeps the number of lots as 30.  
285  
286 Ms. Korleski said it should be left out of the development and kept as FR-1. Mr. Flaherty  
287 asked whether the fire inspector has had a chance to review the revised plan with the cul-  
288 de-sac. Ms. Gwinn said he has not.  
289  
290 Ms. Gwinn said an easement is needed from Ms. Rowe in order to extend the bike path  
291 all the way down. Ms. Korleski said that is no different than other properties where the  
292 bike path goes nowhere because there is a property there. She thought it would simplify  
293 the matter to keep the property FR-1.  
294  
295 Mr. Armstrong said several other applications attempted to do the same thing and the  
296 BZC did not allow it; either the properties are part of the subdivision or they are not,  
297 regardless of whether there is a bike path or not.  
298  
299 Mr. Armstrong said a portion of lots 101-104 are in this application, but about ¾ of those  
300 lots are located in what was approved by the BZC as green space in the prior application.  
301 That changes the green space in that application. Mr. Armstrong said the figures should  
302 be redone prior to the BZC's final decision.  
303  
304 Mr. Armstrong said it was green space on the north side of the road in section 9 in the  
305 prior plan. Ms. Korleski said she thought the green space was still within the parameters  
306 of the zoning. Mr. Armstrong asked if the BZC was going to request that the applicant  
307 modify their plan that was approved in June because of that. There are two ways out of  
308 doing this and one is easier than the other.  
309  
310 Mr. Flaherty explained the applicant was putting houses on the green space of a  
311 previously approved subdivision. Ms. Korleski said it is being allocated on a new plan.  
312 Mr. Flaherty said they are doing that on top of the green space of an already approved  
313 plan and thus are decreasing the green space. Mr. Armstrong said the plan was just  
314 approved one month ago.  
315  
316 Mr. Johnson said this plan is modifying the original approved plan.  
317  
318 Ms. Gwinn said the Schank and Roll properties are already under a PRD, and it is a major  
319 modification. This is a full rezoning that has an entirely separate process. In an ideal  
320 world, this is one development and it is her intent to treat it as one development and for it  
321 to be evaluated holistically. The developer is here in good faith doing that, and they want  
322 it to comply all the way through. The perimeter setbacks on all of this will be the same,  
323 as well as the side yards. Because the open space on the initial major modification was at  
324 28%, even with this adjustment, the green space still meets the requirement.  
325  
326 Mr. Johnson said this may not be a major modification, but it is a modification. Mr.  
327 Flaherty said it could be corrected by doing a modification to the plan. Ms. Gwinn asked  
328 whether the developer would need to lose 6 lots. Mr. Johnson said they are not saying  
329 they need to go away, but inclusion of that change modifies the calculations under which  
330 the original plan was approved. The general consensus seems to be that, although this  
331 adjacent property changes an approved plan, it does not warrant a major modification.  
332 However, the calculations should be done to verify the exact figures, and then a  
333 semblance of procedure should be followed.

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334 Mr. Andrews said the open space requirements are still being met, and more open space  
335 was picked up in this piece. He is in the process now of doing a major modification. He  
336 was hoping to get through the zoning on this piece and then come back in for the final  
337 development plan. At that time, all four pieces will be put together and there will be one  
338 plan. He will provide all the calculations at that time. Mr. Flaherty asked if he knew  
339 what the overall total will be and he noted that it is “robbing Peter to pay Paul.” Mr.  
340 Andrews noted that the density requirements of 1.85 units/net developable acre were still  
341 being met.

342  
343 Mr. Flaherty said he wants to make sure a precedent isn’t set and this is done correctly.  
344 He said this is a unique circumstance and they are trying to figure out the best way to  
345 proceed. He doesn’t have a problem with including those houses because it makes the  
346 development a better fit, with the corner homes and the street. However, the best method  
347 for the modification needs to be determined.

348  
349 Mr. Flaherty asked whether it was correct that the applicant wants the BZC to approve  
350 this entire application and then they will come back to request a major modification for  
351 the entire project, combining the project at that time. Mr. Andrews said there are three  
352 parcels at this point.

353  
354 Ms. Korleski asked what the point of approving this was if the BZC would be looking at  
355 this in the final development plan as all one application. Mr. Armstrong said the final  
356 development plan is not considered until the preliminary plan is recommended for  
357 approval and sent to the trustees. Ms. Korleski said they will need to come in for a  
358 modification. Mr. Flaherty said the applicant wants to combine the two plans into a final  
359 plan. Ms. Korleski said it does not make sense to approve this as is when the applicant  
360 has to come back for the final plan later.

361  
362 Mr. Valentine and Mr. Flaherty said they cannot come back for a final development plan  
363 without a preliminary plan. Ms. Korleski said she is aware of that, but she wanted to talk  
364 through it because it seems they are doing double work.

365  
366 Ms. Gwinn said if the BZC is amenable, she would like to include this plan, less lots 98  
367 and 99, with the understanding that they would be in the final development plan and  
368 completely cleaned up, and the calculations for the total site will be provided.

369 Ms. Korleski said that would mean lots 98 and 99 would no longer be FR-1 anymore, as  
370 the applicant wants them to be R-3. Ms. Gwinn said she was referring to the four lots and  
371 she wants them to be considered in the final development plan. She understands that lots  
372 98 and 99 can’t be considered in any application. Ms. Korleski said it doesn’t seem to  
373 matter either way as the applicant has to come in with a final development plan on the  
374 entire parcel regardless and it can be addressed them.

375  
376 Mr. Andrews said the applicant has to do a final development plan, and then the county  
377 engineer does an engineering plan based on that. Also, it would be nice to get it all  
378 together in one drawing. Ms. Korleski said then the BZC would look at the open space as  
379 a total of the entire development, rather than each section being shown separately, which  
380 isn’t really right because it will be part of a whole with four phases.

381  
382 Mr. Johnson asked whether the consolidation would be considered as a major  
383 modification to both preliminary plans. That would create a single final development  
384 plan. There was additional discussion. Mr. Armstrong said it could be filed as a final  
385 development plan together.

Public Comment

386  
387  
388 Anne Jordan, 2515 Cheshire Road, said she was concerned about lots 98 and 99 and  
389 whether the changes would affect the tax base to generate less tax revenue. She also did  
390 not understand why it would be approved even if split in two, because that driveway will

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391 still be on Cheshire Road and the address will still be on Cheshire Road, so that will not  
392 be part of the development. Ms. Korleski said they would not be included. Mr. Flaherty  
393 said it is a paper change and it would move from an FR-1, which is one home per acre, to  
394 a PRD, which would allow two homes on two lots. However, the BZC has stated that  
395 they want the lots to be excluded from this application.

396  
397 Ms. Gwinn said that the applicant would like to table this in order to update the  
398 application and provide the final numbers for the development. Mr. Valentine said he  
399 would also like the condition to be included regarding the 20% of lots having side load  
400 garage.

**RESOLUTION 2019.08.13 #A: TABLE & CONTINUE BZC 19-006 TO 9/24/19 AT 7:00 PM**

401  
402  
403  
404 Ms. Korleski made a motion to table and continue BZC 19-006 to September 24, 2019 at  
405 7:00 p.m. Mr. Johnson seconded the motion.

406 Vote: Korleski, yes; Johnson, yes; Flaherty, yes; Kaplan, yes; Valentine, yes.  
407 Motion carried.

408  
409 There was a brief recess.  
410 Meeting was returned to session.

**AGENDA ITEM: TABLE BZC 19-004, ARTICLE 15, & BZC 19-005, ARTICLE 19**

411  
412  
413  
414 Ms. Korleski said regarding BZC 19-004, Article 15, and BZC 19-005, Article 19, the  
415 corridor commercial and industrial overlays for Routes 36/37, it cannot be tabled because  
416 there was no advertised meeting. On September 4, 2019 the BZC will hold a special  
417 meeting at Berlin High School from 7:00-9:00 p.m. and many people are expected to  
418 attend. Everyone who has knowledge of what is going on up there will be speaking, and  
419 the maps and texts will be reviewed.

**RESOLUTION 2019.08.13 #B: ORDER PUBLIC NOTICE OF ZONING HEARING FOR BZC 19-004 BERLIN INDUSTRIAL OVERLAY & BZC 19-005 BERLIN COMMERCIAL OVERLAY**

420  
421  
422  
423  
424 Ms. Korleski made a motion to direct the zoning secretary to order the public notice of a  
425 zoning hearing for BZC 19-004 Berlin Industrial Overlay and BZC 19-005 Berlin  
426 Commercial Overlay on September 4, 2019 at 7:00 p.m.

427 Ms. Kaplan seconded the motion.

428 Vote: Korleski, yes; Kaplan, yes; Valentine, yes; Johnson, yes; Flaherty, yes.  
429 Motion carried.

430  
431 Ms. Korleski said the location within the high school is to be determined.

432  
433 Mr. Armstrong said there is a draft copy with one change made due to a meeting  
434 yesterday. Architectural development board language was added, as it was suggested by  
435 several people. He said there is a lot to think about before this meeting and there would  
436 most likely be many attendees. The meeting will be tabled to keep it going and it may be  
437 possible to hold that meeting that at the township hall due to anticipated lower  
438 attendance.

439  
440 Ms. Korleski said the BZC should make notations of anything they have concerns about,  
441 for discussion at the hearing.

442  
443 Rob Platte, Delaware County Economic Development Administrator, said it will be a  
444 special meeting and it needs to be clear that it is a public hearing. Mr. Johnson asked  
445 who would present it. Mr. Platte said he is helping to prepare a draft agenda based on  
446 conversations yesterday morning. A short description of the proposal will be heard, and  
447 then he will present a summary of the project as a whole, what the text is trying to



**BERLIN TOWNSHIP ZONING COMMISSION (BZC)**

*OF DELAWARE COUNTY, OHIO*

**REGULAR MEETING**

**TUESDAY, AUGUST 13, 2019 7:00 PM**

448 accomplish and why the township is undertaking this. Scott Sanders, director of the  
449 DCRPC, will then provide a perspective. Bob Lamb, director of economic development  
450 for Delaware County, will speak to the effects on the adjacent properties as well as how  
451 property taxes on the subject properties will be affected.

452  
453 Ms. Korleski said the date for the next special BZC meeting will be set at the next BZC  
454 meeting.

**AGENDA ITEM: OTHER BUSINESS**

455  
456  
457 Mr. Valentine asked about a meeting he received via email on July 16, 2019 about a  
458 session to be held on 9/11/19 from 8:00 a.m. to 10:00 a.m. regarding law training, how to  
459 conduct meetings, executive sessions, etc. Ms. Rippel said assistant county prosecutor  
460 Chris Betts is putting that on. Ms. Rippel said the trustees were supposed to discuss the  
461 issue at the trustee meeting last night regarding getting paid to attend it. There was a  
462 brief discussion. Ms. Rippel will check with the trustees.

463  
464 The next BZC hearing is Tuesday 8/27/19 at 7:00 p.m.

465  
466 There was no further business to come before the Commission. Motion to adjourn.  
467 Meeting adjourned.

468  
469  
470 \_\_\_\_\_  
471 Toni Korleski, Chairperson

472  
473  
474 \_\_\_\_\_  
475 Jerry Valentine, Vice-Chairperson

476  
477  
478 \_\_\_\_\_  
479 Darcy Kaplan, member

480  
481  
482 \_\_\_\_\_  
483 Mike Bardash, member

484  
485  
486 \_\_\_\_\_  
487 Martin Johnson, member

488  
489  
490 \_\_\_\_\_  
491 Steve Flaherty, 1<sup>st</sup> alternate member

492  
493  
494 \_\_\_\_\_  
495 Ray Armstrong, 2<sup>nd</sup> alternate member

496  
497 Attest: \_\_\_\_\_  
498 Lisa F. Knapp, Berlin Township Zoning Clerk

499  
500  
501