

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

SPECIAL MEETING

THURSDAY, OCTOBER 29, 2019 7:00 PM

1 This meeting was held at Berlin Township Hall, Lewis Center, OH 43035.

2
3 **CALL TO ORDER**

4
5 The meeting was called to order by Toni Korleski at 7:00 PM.

6
7 Pledge of allegiance.

8
9 BZC members present: Chairman Toni Korleski, Vice-Chairman Jerry Valentine, Darcy
10 Kaplan, Martin Johnson, Mike Bardash.

11 Also present: Steve Flaherty, 1st BZC alternate member; Ray Armstrong, 2nd BZC
12 alternate member; Zoning Inspector David Loveless; Zoning Clerk Lisa Knapp; Zoning
13 Secretary Cathy Rippel.

14 **AGENDA ITEM: LEGAL NOTICE**

15 Ms. Knapp said this meeting was tabled to this evening from October 17, 2019.

16 **AGENDA ITEM: BZC 19-004 & 005**

17 *BZC 19-004 and BZC 19-005 (collectively known as the Berlin Business Park*
18 *overlays). The amendments have been initiated via motion of the Zoning Commission*
19 *and are proposed to be amendments to the Berlin Township Zoning Resolution.*

20 Ms. Korleski asked Rob Platte, Delaware County Economics administrator, and Bob
21 Lamb, Delaware County Economic Development Director, to present the changes and
22 updates to the plan.

23
24 Mr. Lamb thanked everybody for being here. He said this has been a long process, and
25 he appreciated everybody coming out for so many nights to work on this.

26
27 Mr. Lamb said that his department was asked by the Berlin Township trustees to
28 undertake this process. He noted that a map has been created that has addressed many of
29 the concerns of the community.

30
31 Mr. Lamb said two maps will be presented. The first one is the Zoning Commission
32 Land Use Exhibit Map, which highlights many of the changes he has heard from
33 residents. The Alt 1 Map also highlights many changes from residents, but also keeps
34 more commercial property in the project. He feels that the Alt 1 Map is a better fit for
35 what he was originally asked to put together, while also addressing many of the
36 community's concerns.

37
38 Mr. Lamb said there are major changes made throughout the maps including another
39 reduction in the amount of commercial and increase in residential property. The density
40 was reduced from 14 units per acre to 10 units per acre, and from 6 units per acre to 4
41 units per acre. This represents a nearly 33% reduction in the amount of units being
42 proposed per acre. Industrial has also been reduced from nearly 1000 acres to about 500
43 acres. Residential has been increased from the original 200 acres to just over 700 acres.
44 Land has been added to the area on the east side per requests. Commercial was added
45 more on the north side.

46
47 Mr. Lamb said both maps address logistics, which was reduced because a concern about
48 trucking was expressed several times in the lighter blue area.

49
50 Mr. Lamb said the Alt 1 Map retains the 14 units and 6 units per acre, residential has
51 been increased on the north side, and logistics have been removed.

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53 Mr. Lamb said on the Land Use Exhibit Map, the reduction from 14 to 10 and from 6 to 4
54 will reduce the ability to be able to secure the amenities in those areas that people want,
55 including trails, parks, community centers, etc. because the private sector will not be able
56 to cover those costs at these reduced densities. He thanked everybody for the process and
57 believes it is a better plan than it was.

58

59 Mr. Platte said map packets were provided. He said they include a progression of the
60 mapping from when the process was started in March 2019. Initially, he tried to blend
61 some of the commercial and residential areas, and the industrial and commercial areas
62 were moved. That has since changed. There is only one logistics use remaining, which
63 is general warehousing under NAICS code 49, and it is now in the once-industrial area in
64 the new map.

65

66 Mr. Platte said several changes were made including adding four properties but they have
67 not been added to the map yet. After the last meeting, he met with Delaware County
68 Regional Planning Commission (DCRPC) director Scott Sanders, and changes were
69 made. The BZC should have 7 documents now, which he reviewed, including the
70 changes on the maps. He noted that there is a typo that includes a reference to 14 units
71 per acre, but that will be changed to 10. The ag uses were removed.

72

73 Mr. Platte said there was a request to remove codes in the 62s including family services,
74 housing, and emergency shelters, but due to back and forth, he wasn't sure whether they
75 wanted it removed, so it has been included in red. The changes in red in the NAICS
76 codes were the only ones that were added from the original set of NAICS codes when
77 there was industrial and commercial. There was no PRO (Professional Research Offices)
78 or PROC in the beginning; it has been a blended district originally. When the PRO-type
79 uses were added, that chart added columns and they brought them together. They did
80 affect different land areas, but no new codes were added except the 62 codes.

81

82 Mr. Platte said building heights were of concern. The current Berlin Township zoning
83 resolution allows spires, steeples, roofing etc. up to 100' in order to allow for antennas
84 etc. Manufacturing-type uses require smokestacks such as forging, etc. Those types of
85 uses were removed; however, they were not sure whether smokestacks would qualify, so
86 they included some uses in the manufacturing area such as assembly. There is no
87 provision for the building, so it is a double protection because those type of uses were
88 removed as well as the height that would be needed for a smokestack. The industrial uses
89 will be limited to manufacturing/assembly.

90

91 Mr. Platte said the building heights remain the same at 60' and 45' and above the actual
92 building line an additional 10' is allowed for the roof top units. The building height has
93 not changed.

94

95 Mr. Platte said another significant change was to the residential open space requirement,
96 which was increased from the required 10% to 20% per requests from the BZC and
97 others. Also, for tract coverage there is no distinguishing between impermeable surfaces;
98 there must be a minimum of 25% open space. That has been included for residential and
99 commercial office type uses.

100

101 Mr. Platte said he tried to establish a 250' use setback for manufacturing type uses from
102 existing residences. He wanted to ensure that pockets of setbacks within that area were
103 not created. He streamlined that language to make it easier. The text includes two
104 setbacks; a minimum rear yard side yard setback has been included, as well as a
105 perimeter setback. There is a 250' perimeter setback for all uses when a project is
106 adjacent to a parcel currently used for residential purposes. The 150' setback still exists
107 for building setbacks, and that would be for interior-type uses.

108

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109 Mr. Platte said the architectural design review board will not have the authority to deviate
110 from the established standards, or to make a recommendation for the BZC to do so.

111

112 Public Comments

113

114 Ms. Korleski reviewed the public speaking rules including that speakers must identify
115 themselves, they will have up to 3 minutes to speak, and there will be no repetitive
116 debates.

117

118 Dr. Megan Raehll, 4935 SR 37 East, said she owns four acres of property. She thanked
119 everybody for listening to the residents' feedback regarding how they would like to see
120 the land developed. Their years of leadership, wisdom and investment in the community
121 is evidenced in the modified draft now proposed. The new version better captures the
122 essence of the community, the slow growth, and the lower density, while also
123 understanding the need for building a tax base.

124

125 Dr. Raehll said there are still things that should be done. The employees of the Delaware
126 County Economic Development Department visited her neighborhood meeting, but their
127 interest was purely economical in nature. The changes requested by the BZC made it
128 clear that maximum profits to produce a quality of life where nobody wants to be will not
129 yield the results intended by this venture, but sustainability will.

130

131 Dr. Raehll said one point that was made evident at the trustee meeting yesterday that
132 many here attended was to bring the kinds of jobs that Berlin residents have so they don't
133 have to drive so far to and from work. Those options including increasing work from
134 home opportunities, law offices, medical, dental, educational facilities, technology, small
135 business and agriculture. Industrial development will not bring those kinds of jobs.

136

137 Dr. Raehll said as she shared yesterday, 85 % of the jobs that will exist in 2030 have not
138 been invented yet. Adopting industrial NAICS codes will be solving for future problems
139 with antiquated solutions.

140

141 Dr. Raehll had several requests. She asked that the following adjustments be made to the
142 revised proposal in 10.24: 1) Eliminate all light industrial codes and allow one-off
143 proposals to be submitted to the township, with processes currently in place and replace it
144 with commercial, and 2) Protect the area around the future middle school as only low
145 density residential and similar to what is found around other Olentangy schools. 3) Set
146 R-6 as the maximum limit to replace R-10 in high density housing areas and create a
147 step-down tier effect going from R-2 and R-6 to commercial. 4) The township should
148 consider sponsoring a citizens summit with a different kind of meeting structure that
149 seeks to imagine the kinds of businesses and housing that they want to see in a thriving
150 community.

151

152 James Brenza, 3626 Curve Road, said that more than 24 people showed up at the trustee
153 meeting last night, and over a dozen spoke, none in favor of the industrial uses. He asked
154 for closure on this application, because the trustees did not seem to be in favor of
155 industrial or high-density zoning. He asked how there has been so much discourse on
156 things that do not seem to be favored by our community or the township boards.

157

158 Mr. Brenza said only 271 signatures are needed to referendum the applications. He said
159 if the final result is not acceptable, he will meet everybody at the polls.

160

161 Rick Gemienhardt, 881 Africa Road, said he spoke at the last BZC meeting and he has
162 suggestions tonight and a statement to be included in the record.

163

164

165

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166 Faults and Concerns of the current “Cloud Legislation”

167

168 1. Citizen right to referendum is eliminated. Ohio Revised Code balances the rights of a
169 landowner to change their underlying land use at the same time permitting neighbors
170 and concerned third parties to put such action(s) to a vote. The “Cloud” process results
171 in irreparable harm to our democracy by eliminating our right to choose.

172

173 Mr. Gemienhardt said the lack of ability to file a referendum on the uses after the
174 applications are approved bother him. This is 2000 acres and how it is developed will
175 affect future Berlin Township residents. This process is hamstringing those residents’
176 democratic rights, so when a rendering or cement plant, or densities of 10 units per acre is
177 proposed, the new generation will look into these meetings and find that a decision was
178 made by Berlin Township that took away their referendum rights.

179

180 Ms. Korleski asked whether Mr. Gemienhardt has researched the referendum process.
181 Mr. Gemienhardt said he had, and that this is a legislative action. Plans that come in will
182 be approved via administrative action, and that has been acknowledged by everybody.
183 This is a pre-zoned, industry-code based land use change. He wants to ensure his
184 comments are reflected for the future.

185

186 2. False claims the “Cloud” has worked well. This controversial, seldom used re-zoning
187 is intended to be used to promote economic activity in small, blighted and challenged
188 neighborhoods. The Historic Village of Cheshire is Berlin’s only “Cloud”
189 implemented district. I was at those meetings. The intent was to help ALL businesses
190 within the Village by easing restrictions the Township code had regarding permitted
191 signs, advertising, lights etc. at one time. It can be argued this 2,000 acre district fails
192 to meet the Ohio Revise Code’s intentions.

193

194 3. Failure to provide documented, third party verification/certification of the financial
195 impacts of the existing Cloud proposal. Rather than media talking points of how these
196 abatements, TIF’s and enterprise zones will help the county pay for their infrastructure
197 improvements, we have seen nothing that addresses the pool of property tax dollars
198 that will be lost to the township via these abatements. Additionally there has been no
199 County Auditor, School superintendent or Reginal Planning Commission
200 confirmations as to the revenue/costs impacts. What would be the cost for increased
201 EMS, Fire and Police activity in 14 unit per acre apartments? Who would have to pay
202 for a +1.5 million dollar fire ladder unit needed to safe guard 60 foot story buildings?
203 Expensive Township road repairs and snow removal has been ignored as well.

204

205 4. An incomplete claim being propagated by the County Economic Development
206 representative(s) is the creation of a JEDD to help offset the township loss of property
207 tax revenues. The May 29, 2019 BZC minutes fail to reflect a JEDD would require
208 ballot approval and not just a simple, township resolution. Our history with a township
209 JEDD failed miserably at the ballot several years ago.

210

211 Suggestions for improvements-2,000 acre “cloud” district

212

213 1. Must preserve Referendum rights on majority of land use within “cloud” district.
214 2,000 acres of pre-zoned, untested, industry code-based land use changes are
215 potentially detrimental to the health and well being of current residents.

216

217 2. If there is an absolute, verifiable need to pre-zone and “Float a Cloud” it should
218 ONLY be done to create devil strips along the west and east township boundaries.
219 Devil strips are properties that abut up to municipal and city lands.

220

221 Mr. Gemienhardt said in order for a municipality to annex, it must touch the property.
222 Devil strips could be placed on the west and east sides because annexations cannot jump

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223 those and arbitrarily annex properties in the middle. He wanted to make the record clear
224 on that.

225

226 3. Annexation cannot occur unless land(s) are contiguous and touching city properties.

227

228 4. ALL transitional residential areas from the corridor must be more detailed and with
229 more residential input. This should be done by following through on the updating of
230 the comprehensive land use plan which was discussed in the Spring, 2018 newsletter.
231 Just “Because the City of X offers 10 units” is not an accepted underlying rationale for
232 these Cloud proposals.

233

234 5. Outside of the “devil strip” areas, we should continue to adhere to our comprehensive
235 Land Use Plan of 700 to 1,200 ft depths of commercial and industrial zoning along
236 Route 36/37. Greenwood Commons, which is situated on a 1,200 ft setback, provides a
237 point of reference of what this would look like. It is unconscionable to suggest we
238 need or want 2,500 feet on Dunham Road.

239

240 6. The township needs to understand the goals and objectives of the competing parties.

241 The county economic development department sees this map as a canvas or an
242 inventory map that will maximize revenues for their infrastructure improvements.

243 They are not land use planners. Their goals of financing expanded sewer service and
244 their financial commitment to the interchange improvements and helping to fund other
245 commitments have been brought to light.

246

247 7. Get it right. Trustee Bullard at their hearing on 10.28.19 noted “A JEDD (ie. financing
248 mechanism for townships) cannot be created without a cloud”. This statement is
249 patently untrue. A JEDD is a contract between a municipality and a township and must
250 be voted by both communities. The territory is defined within the contract.

251

252 Mr. Lamb said the text and maps have been reviewed by the DCRPC. NBBJ, a land use
253 and planning design firm, will be creating the design guidelines for the document.

254

255 George McCabe, 4941 SR 37 East, said the 10/24/19 revised plan show what the
256 residents have been asking for all along, including the setbacks around the homes, which
257 was met with resistances over and over. This is a better plan, although it is not perfect.
258 He suggested that the R-4 be deeded property so that people who own it would not rent it
259 out. It will increase the value of the property and increase tax revenue, and it will not
260 increase crime as much as it would without that designation.

261

262 Mr. McCabe asked who would police the area after it is all built out. He asked whether
263 Delaware County would bring a police department in, as the development will have
264 increased crime and the sheriff will does not have the manpower to handle all of that. He
265 said R-14 will increase crime due to the close proximity of people. This submission is a
266 better solution. He said this plan needs to be revised a bit more.

267

268 Amy Eiken, 61 Westgate Drive, said she is a seed planter because she brought the BZC
269 the concept of an agrihood as well as an eco-industrial park. She would like to plant a
270 seed tonight for a pocket neighborhood. She said pocket neighborhoods solve several
271 problems. They are smaller-scale homes that are built around a common central green
272 space. Cars are on the backside and hidden from view, while the fronts have porches so
273 neighbors interact with each other for a real feel of a neighborhood.

274

275 Ms. Eiken said the sense of community and knowing neighbors is what keeps the
276 neighborhoods safe, not the police. She said the township should consider how to solve
277 the problem of affordable housing, and how the idea of community can be solved and
278 enhanced. She asked how the issues of high-density housing can be addressed as well as
279 sustainability and low-impact development. She said low-impact development practices

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280 include preserving the trees and native soils and reducing the road surface areas to narrow
281 the streets. It utilizes permeable concrete and grass paving systems for walkways,
282 driveways and parking areas. It collects rooftop rainwater in cisterns for later use in the
283 landscape, there are rooftop gardens, composting is done, and the use of pesticides is
284 eliminated or reduced because there will be native pollinators and plants.

285

286 Ms. Eiken provided a book called Pocket Neighborhoods, which are found in places like
287 Seattle, Austin TX, Boulder CO, and other places people find very desirable to live in.
288 Delaware is on the map, and Berlin Township could be on the map for some very positive
289 things. She hopes that can be considered in the current residential zoning plan.

290

291 Herb Kaiser, 3712 Curve Road, said much has been said. He requested that the
292 involvement with the Delaware County Economic Development department be ceased
293 and that the township work with the people who have attended these. He said everybody
294 is in the same situation “not in my backyard.” He asked that they work with the people
295 who want to have a better neighborhood. The same topics have been rehashed over and
296 over again. It is time to move on.

297

298 Christina Littleton, 5310 Baker Road, asked why this proposal was broken into two
299 separate proposals. She said she also just learned that a settlement was reached with
300 Arcadia out by the outlet mall, and she asked whether that has been taken into
301 consideration in the formation of these plans and how that may affect this area.

302

303 Mr. Lamb said it was broken into two different areas because of what they feel is viable
304 coming off of I-71 from a density and use standpoint, and what was compatible with the
305 investments they have seen and the city of Delaware, especially with the reinvestment
306 currently going on at the Kroger center. These are two very different areas given the I-71
307 and city of Delaware area.

308

309 Mr. Lamb said regarding Arcadia, the number one way in which that would impact this is
310 from a transportation standpoint. The county engineer has stated that the plan will need
311 to go through a traffic impact study, and he is also talking about having to go through
312 another traffic impact study with Nationwide because it was completed about 10-12 years
313 ago. Those two plans must be aligned given the traffic volume that is currently seen in
314 that area. ODOT is still telling them they are moving forward with the second
315 interchange to be located about a mile south of the existing 36-37 area.

316

317

Commission Consideration

318

319 Mr. Bardash asked whether it was correct that if the BZC recommends approval of this to
320 the trustees, the architectural review board would determine the designs such as a pocket
321 park. He said many improvements have been changed in the plans, but based on what he
322 knows about development, he agreed that reducing the density to R-4 and R-10, if the
323 township wants amenities such as bike paths and walking trails, that will not provide the
324 economics necessary for those amenities. Thus, they will risk the possibility of losing
325 some of the land. He agreed that it was time to make a decision and send it on to the
326 trustees for their consideration.

327

328 Mr. Johnson said he would like to see the impervious surface reduced to perhaps 70%
329 maximum. He asked whether the architectural review board would also be responsible
330 for open space design and incorporation as well. Somebody responded that it would. He
331 noted that this subject has evoked emotions and deep personal feeling regarding how to
332 do this right, and he suggested that residents participate further in the process and provide
333 input to the trustees.

334

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335 Mr. Johnson said many of the details that residents are envisioning and fearful of are
336 beyond the scale of zoning, and that could not be defined in the text even if they wanted
337 to, but input to the trustees could be helpful in those areas.

338
339 Mr. Johnson said he has done a lot of strategic planning and volunteer work with the
340 Olentangy school district, and one challenge that is placed upon the graduates is that for
341 jobs other than agricultural or blue collar work, they must move out of Delaware County.
342 This plan may incorporate additional job opportunities for local residents and graduating
343 students, and he supported that.

344
345 Mr. Johnson said it is time to move on. It is not this commission's decision to approve
346 this; they will simply provide a recommendation for the trustees, and he encouraged the
347 residents to provide their input to the trustees. Something has to be done, or the city of
348 Delaware will come and take the land. This is the lesser of two evils. It is not an ideal
349 scenario for anybody, but he is trying to balance the rights of the property owners with
350 the rights of the residents. They have the right to develop their properties, and nothing
351 they are requesting is restricted by their regulations.

352
353 Mr. Valentine said he agreed with the residents about the industrial development. He said
354 something must be done before the property is annexed by the city of Delaware. He said
355 it is time to move on.

356
357 Ms. Kaplan said she agreed with Mr. Johnson regarding permeable surfaces and she
358 asked that it be reduced. She thanked Mr. Lamb and Mr. Platte for meeting with the
359 residents and she hoped they felt heard. She said it is not possible to have a plan that
360 everybody would agree on. The BZC members are heavily invested in Berlin Township
361 and many have been residents for decades, so they understand. She said this is the lesser
362 of two evils.

363
364 Ms. Kaplan said regarding the devil strips mentioned by Mr. Gemienhardt, she discussed
365 that with him 30 years ago, but it hasn't happened. Annexation rules are very liberal, and
366 a property that has even a miniscule amount of space adjacent to a city can be annexed.
367 She loved the concept, but in reality, cities find a way. She doesn't like legislation out of
368 fear, but she doesn't feel like this is fear, but reality. Those conversations are already
369 happening, from the east and from the west, and she doesn't like that.

370
371 Ms. Kaplan said annexation takes away all of the power; there will be no architectural
372 review board or access to the trustees. This is just a starting point and it will probably
373 take decades to build out. There is enough passion here that it can be made into
374 something tolerable and nice that the residents can live with and that the community will
375 benefit from financially. Development is going to happen, and the township would like
376 to control the way it happens.

377
378 Mr. Flaherty asked whether there was any thought given to putting residential in the
379 northern part of the property. Mr. Lamb said a full, across the board change was made to
380 the north side, and there are residents on both sides. Mr. Flaherty said the businesses
381 could be moved. Mr. Lamb said that was what was done. Mr. Flaherty said it is R-4 and
382 R-10, and he asked about changing it. Mr. Lamb said that could be considered.

383
384 Mr. Flaherty said he was involved in the original committee and that area was an eco
385 area, with the crossing to Alum Creek. Mr. Lamb said the residential could be changed
386 from R-14 and R-6 and an area made R-10.

387
388 A female member of the audience asked why he would do that. Mr. Flaherty said an area
389 indicated as business could be residential. He said there are two scenarios and the
390 economics behind it, to get the green spaces and the sustainability designs with bike paths
391 and the other amenities in the residential areas, in R-14 and R-6. For the R-4 and R-10,

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392 the builders will not go above and beyond the base requirements. The R-14 and R-6
393 allows the economics to go above and beyond the base economics.

394

395 The female voice said that only one of the proposal texts and maps was posted on the
396 Berlin Township website, and that was the BZC version. Mr. Flaherty asked which
397 version the BZC was to vote upon. Mr. Lamb said it was their choice, but his
398 recommendation is the version that allows more economic development. Mr. Flaherty
399 said he is saying the Alt 1. Mr. Lamb said Alt 1 was distributed last week. The female
400 voice said it was not on the Berlin Township website. Mr. Loveless said the computers
401 were down. Ms. Korleski said the township had no internet all week so nothing could be
402 posted.

403

404 Mr. Brenz asked whether it had to be one or the other plan, or whether they could create
405 their own rationale plan. Mr. Lamb said his recommendation is the one with higher
406 densities. Ms. Korleski said more jobs would be created on that plan. Having more
407 apartments instead of businesses will not generate as much income.

408

RESOLUTION 2019.10.29 #A: RECOMMEND BZC 19-004 TO TRUSTEES

409 Ms. Korleski made a motion to recommend approval to the trustees of BZC 19-004 with
410 exhibit Alt 1, with the exception of changing anything in the PIO overlay 19 to R-14 and
411 R-6. The densities need to be corrected in the text.

412

413 Mr. Bardash asked that the four parcels be added to the map. Mr. Flaherty said the
414 trustees could add that.

415

416 Mr. Bardash seconded the motion.

417

418 Mr. Bardash said just because light industrial is shown in one area doesn't mean it will be
419 developed that way. This is just an overlay and the zoning still allows for professional
420 services, offices, logistics or commercial. This just opens the property up as another
421 possibility.

422

423 Mr. Flaherty said he traveled extensively to visit sustainable neighborhoods, including
424 Colorado. Colorado Springs is far ahead of Berlin Township on their green pathways,
425 their sustainability designs, neighborhoods, etc. He called Ms. Aiken while she was out
426 there and suggested the eco-industrial park, which he had seen out there. It included
427 large buffers, and an HP campus. HP built public ball fields and ball parks with their
428 own money. He said an identity is needed for this area. The architectural review board
429 can be put into place to accomplish that. The cloud overlay needs to be put into place,
430 and they all need to push as to what type of identity this has. This will take decades to
431 develop. Once it is in place, the township can work with the developer to develop it that
432 way, in both the residential and the commercial and industrial sites.

433

434 Mr. Flaherty said after the cloud is put into place, this is a land use that can be used, or
435 they can use the existing zoning via the normal process. The concept behind an eco-
436 industrial park is that it is a sustainable design park that has certain metrics. That is a
437 trend that can help set Berlin Township apart and provides an easily-identifiable market
438 for the types of companies that want to come in and be part of, including walking trails
439 for their employees and ponds. He felt that 70% impermeable surfaces was a possibility.

440

441 Mr. Flaherty said he was at a meeting with the Ohio Business Roundtable, at MORPC
442 and Columbus One, and he has learned that the region is facing a lower trend in
443 entrepreneurship, and it is at a 30 year low in the country. This business park could allow
444 entrepreneurship and small business creation. He does not look at this as the typical
445 industrial development, as many of NAICS codes for larger industrial uses have been
446 eliminated. He seeks this as corporate responsibility and citizenship coming into a

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447 business park that Berlin Township could define as a sustainable, eco-industrial park. He
448 has received feedback from many residents who seem to agree. He noted that the
449 apartment buildings will not bring the socioeconomic level residents may think it will
450 bring. Apartments do not always bring bad people or larger amounts of crime. He
451 encouraged residents to stay in touch and participate in the process.

452

453 Mr. Brenz said that it was stated that the additional density was necessary in order to get
454 the amenities such as bike paths, parks, etc. The reason the amenities are desired is
455 because things are being backed up to their back porches. If the density was reduced, the
456 amenities do not need to be built in. He liked the concept of responsible businesses.

457

458 Mr. Flaherty said he is concerned with greenways for public uses of all residents. Mr.
459 Brenz suggested R-4 against the commercial area. There are many communities in the
460 area are R-1 or R-2 but they do not need the trails and parks. Developers want to build
461 high value homes at low density, which will raise the tax dollars necessary without the
462 burden on the school district.

463

464 Mr. Flaherty said there are studies that show if this area is filled in with homes per the
465 current zoning, it would not be sustainable and tax dollars will go up due to future levies.
466 Single family homes bring in dollars, but the cost of educating the resulting students is
467 around 3 times the cost that is brought in by property taxes. That would create a multi-
468 million deficit. The residential at the commercial level provides a higher tax base with
469 fewer school-aged children.

470

471 Ms. Korleski asked them to wrap it up because it was becoming repetitive.

472

473 Dr. Raehll said the residents are being betrayed because it was not posted on the website.

474 Ms. Korleski said she is here looking at it now.

475

476 Mr. Flaherty said the apartments do not receive tax abatements. Mr. Lamb said the CRA
477 (Community Reinvestment Area) will not be placed over the apartments, and the TIF will
478 be. He said the financial information he provided to the commission showcases that.

479

480 Vote: Korleski, yes; Bardash, yes; Johnson, no; Kaplan, yes; Valentine, yes.

481

Motion carried.

482

RESOLUTION 2019.10.29 #B: RECOMMEND BZC 19-005 TO TRUSTEES

483 Ms. Korleski made a motion to recommend approval of BZC 19-005, the commercial
484 overlay, with the Alt 1 map, and the clean draft dated 10/24/19, with the exception of
485 changing the densities to reflect the map. Mr. Valentine seconded the motion.

486 Vote: Korleski, yes; Valentine, yes; Bardash, yes; Johnson, no; Kaplan, yes.

487

488 Ms. Korleski said there would be a brief recess to make the indicated changes. She noted
489 that everything will go to the trustees and they will hold a public hearing.

490

491 Brief recess.

492 Meeting was returned to session.

493

494 There was no further business to come before the Commission. Motion to adjourn.

495

Meeting adjourned.

496

497

498

499

Toni Korleski, Chairperson

500

501

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

SPECIAL MEETING

THURSDAY, OCTOBER 29, 2019 7:00 PM

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Jerry Valentine, Vice-Chairperson

Darcy Kaplan, member

Mike Bardash, member

Martin Johnson, member

Steve Flaherty, 1st alternate member

Ray Armstrong, 2nd alternate member

Attest: _____
Lisa F. Knapp, Berlin Township Zoning Clerk