

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

SPECIAL MEETING

WEDNESDAY, SEPTEMBER 4, 2019 7:00 PM

1 This meeting was held at Berlin High School, 3140 Berlin Station 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 Darcy Kaplan led meeting attendees in the pledge of allegiance.

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

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

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

17 **AGENDA ITEM: LEGAL NOTICE**

18 Ms. Knapp said this hearing was advertised in the August 22, 2019 Delaware Gazette as
19 follows:

20 **PUBLIC NOTICE**

21
22 Public notice is hereby given that on September 4, 2019 at 7:00 p.m. at the Berlin High
23 School, located at 3140 Berlin Station Road, Delaware, Ohio 43015, the Zoning
24 Commission of Berlin Township (Delaware County) Ohio shall conduct a hearing on two
25 (2) related zoning amendments, identified as BZC 19-004 and BZC 19-005 (collectively
26 known as the Berlin Business Park overlays). The amendments have been initiated via
27 motion of the Zoning Commission and are proposed to be amendments to the Berlin
28 Township Zoning Resolution.

29
30 The amendments, in their current form, are on file with Cathy Rippel, Berlin Township
31 Zoning Secretary, at the Berlin Township Zoning Office located at 3271 Cheshire Road,
32 Delaware, Ohio 43015 and are available for examination between normal business
33 hours. This notice has been given by Cathy Rippel, Zoning Secretary, on behalf of the
34 Zoning Commission.

35
36 Upon conclusion of the hearing, the Zoning Commission recommendation will be
37 submitted to the Board of Trustees of Berlin Township (Delaware County) Ohio for their
38 consideration. A map of the areas being considered is available on the township's website
39 at www.berlintwp.us

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

41 Ms. Korleski said the time is limited tonight, so she will try to conclude the meeting by
42 8:30 PM per the request of the school. Each question or comment that is not addressed at
43 the meeting can be written and handed in at the door or at the township hall offices, and
44 should include the writer's contact information. Ms. Korleski said the information will be
45 forwarded to the proper representative for an explanation. She noted that paper pads
46 were provided at the entrance for that purpose.

47
48 Ms. Korleski briefly reviewed the applications. She asked Rob Platte, Delaware County
49 Economics Director, and Ray Armstrong, zoning commission member alternate, to
50 provide explanations and reasons for the applications.

51

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52 Mr. Armstrong said he is an alternate member of the Zoning Commission. He said he was
53 approached a year ago by the trustees and asked to take on a project that involved an
54 overlay district encompassing areas designated as planned industrial and planned
55 commercial in the township's Comprehensive Land Use Plan (CLUP). The township
56 currently has two cloud overlays; one is residential, and one is mixed use and located in
57 the Village of Cheshire. The latter is similar to the overlay proposed tonight.

58
59 Mr. Armstrong said this is a zoning tool, and the properties are being rezoned upon the
60 request of the landowner. There are many subdivisions that have caused much roadway
61 congestion. The proposed cloud overlay is in a development corridor, and businesses will
62 develop there.

63
64 Mr. Armstrong said one reason that the township is looking into doing this is because
65 they have always had the problem of not having the infrastructure on Route 36 to support
66 any kind of development including housing, commercial and industrial. That
67 infrastructure includes water, gas and sewer. This overlay is being done in conjunction
68 with the county economic development office and will help create the infrastructure to be
69 able to develop the property. One of the main goals is to keep the property in the
70 township and not have it annexed. The benefits include additional dollars for the school
71 system.

72
73 Mr. Armstrong said the zoning commission is working on the zoning portion, and the
74 Delaware County Economic department is handling the rest.

75
76 Mr. Platte said to be upfront, he is a staff liaison to the Delaware County Finance
77 Authority and he has been helping with this project from its inception until now. His
78 office has been in this conceptual phase for about 3 years. A corridor study was done by
79 a firm two years ago to determine appropriate uses for that area.

80
81 Mr. Platte said utilities are heading that way and the Delaware County Regional Sewer
82 District does intend to extend services north along Lackey Old State Road, and that will
83 come up to 36/37 to service a subdivision east of there and south of Curve Road. It is
84 very likely that the service will continue on to 36/37. Development follows sewer service
85 and developers are seeking sites. However, if there is no plan in place ahead of time, the
86 development will end up being not beneficial to the community.

87
88 Mr. Platte said his office has taken the initiative on this. He said Berlin Township
89 residents live in an unincorporated portion of a township in the state of Ohio. Annexation
90 law favors municipalities. The city of Delaware is located to the west, and the Village of
91 Sunbury is located to the east. His office received a call from a property owner in the
92 center of the proposed cloud overlay, stating he would like to position his property for
93 development. Mr. Platte said he responded that his office has already been working on
94 the area and that they wanted to make sure it was done right.

95
96 Mr. Platte said his office then approached the Berlin Township trustees and shared what
97 had been brought to them. His office proposed that they spearhead the plan for the
98 township. An outreach meeting was held with property owners in the immediate area to
99 gauge their interest, and they began the process. They then approached the zoning
100 commission because if the zoning isn't already in place, the uses cannot be controlled.
101 When the unincorporated part of a township annexes into a municipality, the municipality
102 is not obligated to seek their input, and the township zoning rules and plans that were in
103 place for the property are no longer valid, and will be replaced by the municipality's.

104
105 Mr. Platte said his office has provided a list of frequently asked questions. The most
106 common questions are, why is this being done, how will this affect their property values,
107 how will storm runoff be handled, how the types of zonings were selected for each area,

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108 etc. At 2000 acres in size, this is a very large project and he is not aware of any similar
109 projects currently in Ohio.

110

111 Mr. Platte said this is an overlay zoning. By statute, townships can enact overlays, which
112 are clouds. It does not affect the property or the property near it until the cloud is brought
113 down. The underlying zoning still exists for the property and the use of the property does
114 not change until the zoning is enacted.

115

116 Mr. Platte said regarding property values, the auditor's office informed him that if the
117 cloud is passed, it will not affect the valuation of the property. The valuation of the
118 property would change if the property were sold and zoned as a higher use than
119 residential and/or actually developed.

120

121 Mr. Platte said there are concerns about light industrial uses. It does not include paper or
122 steel factories or the like. It involves logistics and light manufacturing, limited to smaller
123 50,000 SF-type buildings, not the million square-foot Facebook facility seen in New
124 Albany. He is looking at the smaller type manufacturing uses.

125

126 Mr. Platte said commercial development is multi-faceted and includes some residential
127 and retail, professional office uses, and commercial and light industrial. One key aspect
128 of this is how the township and county work together to put incentives together that
129 attract desirable development and benefit the residents. The simple answer is the
130 townships do not have an income tax. However, a JEDD can be created to generate
131 income tax, with the property owner's permission. Contractors, employees and
132 companies would be subject to the income tax, and a large portion of that would go to
133 Berlin Township, which would benefit the residents. The money could be used to make
134 improvements, purchase fire trucks, etc.

135

136 Mr. Platte said the key to making this successful is the details; the zoning has to be set up
137 and done right. This is a two-step process; the first step of approving the cloud does not
138 result in a rezoning. The property is rezoned when the cloud is pulled down, and that
139 action wouldn't be subject to referendum. This is the time to put all the details and
140 requirements together including uses, setbacks, building height, buffering, etc.

141

142 Mr. Platte said the second step is to rezone the property by submitting a development
143 plan application, and it must meet the zoning resolution requirements that are put into
144 place now. He encouraged the residents to examine the uses, the NAICS codes, etc. The
145 western area is an industrial overlay, and the eastern commercial will be more
146 commercial.

147

148 Mr. Platte displayed a map and said he drew lines through the area where he thought
149 these types of uses best fit. He looked at Curve Road as light industrial. There are a
150 significant number of single family homes with large lots along Curve Road to the south,
151 and that area needs to be protected. A type of buffer was placed there, and could include
152 high density apartments, condos, or other reasonable use. Those kinds of developments
153 generate tax dollars that can be directed back for infrastructure improvements including
154 back roads and utilities, and it also creates a buffer against the single family homes.
155 Nobody wants to see an industrial use in their backyard.

156

157 Mr. Platte said it is key that buffering uses are included between uses that are drastically
158 different. He said significant building setbacks of at least 100' have been included; the
159 typical setbacks across the state are 25' or 50' for light industrial uses. He has also
160 included compatible uses.

161

162 Mr. Platte said his department would like to see feedback from the residents and the
163 BZC. He said it was not reality that development is not coming to this area.

164

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165 Mr. Platte said the yellow area is the area proposed for commercial uses. To the east
166 along the township line are commercial, residential and commercial office uses. To the
167 north along 36/37 are light industrial and commercial uses. Restrictions can be put into
168 place, but at this point, it is difficult to know which ones are appropriate. He said there
169 will be additional hearings on these applications.
170

171 Mr. Platte said that also proposed is an architectural design review board, which the
172 township trustees can enact. The design standards would include requirements for
173 anything developed in this area, including landscaping, building facades, building
174 heights, design, trash receptacles, etc. and his department is encouraging the trustees to
175 put such restrictions in place.
176

177 Mr. Lamb thanked everybody for attending the hearing. He said he serves the county
178 commissioners, who are Delaware County's elected representatives, and he will make his
179 department available to meet or to answer any questions.
180

181 Mr. Lamb said the main question is, why are we doing this? He knows the community
182 will continue to grow, and smart growth is necessary. The question is, will the growth be
183 tackled in a smart manner, or are the residents going to sit back and watch it slowly
184 happen one piece at a time?
185

186 Mr. Lamb said proposed is a comprehensive plan to address the growth in a manner that
187 will provide for infrastructure but will keep the quality of life intact within the area. This
188 includes safe road, water, fire, police, etc. Access has been addressed, as well as tax
189 abatements of 50% and also other incentives. Every dollar will not be given away. When
190 this development occurs, there will be an immediate increase in revenue coming in,
191 especially in the commercial site, which requires fewer resources than single family
192 homes. He would like to create an economic base that will ensure the schools, county
193 and township can maintain the services they expect for years to come. That is the overall
194 driver of this project.
195

196 Delaware County Regional Planning Commission (DCRPC) Director Scott Sanders said
197 he has worked for that department since 2001. The DCRPC has many roles including
198 working with townships on zoning code changes, zoning recommendations, and
199 comprehensive plan amendments and updates.
200

201 Mr. Sanders said the CLUP was last updated in 2010 and the process was again started up
202 again last fall, but this process needs to be completed first. His job is on the technical
203 side and included putting the text together. He took the existing districts and used them
204 as a starting point for the map and text, which has been made available to the public and
205 township.
206

207 Mr. Platte noted that the property owner at 4484 Baker Road does not want to be
208 included in the cloud, and he asked that be entered upon the record. Mr. Platte said two
209 parcels are on the maps that were not intended to be part of the plan including a 3.16
210 parcel north of 36/37 by Big Run. He asked that those two parcels be removed.
211

212 Mr. Platte said this is a draft, and properties can be added or removed during this process;
213 that is why these hearings are held.
214

215 Mr. Platte said he has been asked who the developer was behind this development. He
216 said nobody comes to a township and asks to develop 2000 acres unless they have a
217 grand plan in mind, and that is not the case here. The county is trying to work with the
218 township to get things in place to ensure development is done correctly, and to capture
219 tax revenue for the residents. There is no one developer who is driving this. He is aware
220 of 30 acres west of Lackey Old State that is being looked at for development, although he
221 has no end user or contract at this point.

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Commission Consideration

222

223

224 Ms. Kaplan said she is curious about Sunbury Parkway, which is not addressed here but it
225 is part of the current development plan. She asked how it would access the area of the
226 cloud overlay.

227

228 Mr. Lamb said the Sunbury Parkway is a proposed road connection that is located at the
229 east side of I-71 and would align with the proposed new interchange that is located about
230 a mile south of the existing interchange at 36/37. Because it is on the other side of I-71,
231 the Berlin Business Park concept does not currently address the Sunbury Parkway
232 development. He has had talks with different entities to discuss how that project could
233 help facilitate construction of the southern interchange, and help to alleviate traffic in that
234 area. Those conversations have mostly focused on the Africa Road connection, moving
235 in across I-71 with the actual development of the interchange and tying into Wilson
236 Road.

237

238 Ms. Kaplan said the multi-family densities exceed the allowable Berlin Township zoning
239 density. Mr. Lamb said he selected the density based upon market conditions, and other
240 projects in Delaware County and Central Ohio.

241

242 Ms. Kaplan said Berlin Township does not have its own police department and she asked
243 whether the proposed overlay zoning would be serviced by the sheriff. Mr. Lamb said
244 the proposed overlay zoning, the JEDD (Joint Economic Development District), the TIF
245 (Tax Increment Financing) and the CRA (Community Reinvestment Area) would not
246 affect the township's relationship with the sheriff's department. The JEDD had the
247 potential of providing extra revenue to the township that could be used for a variety of
248 public service-type items including increased sheriff protection and fire protection. That
249 will help ensure public safety remains in place or is enhanced.

250

251 Ms. Kaplan said residents are concerned that once the overlay is applied, the right to
252 referendum is removed. That is a process which Berlin Township residents have used
253 several times. Mr. Lamb said the overlay zoning allows for the standard referendum
254 period of 30 days after the trustees take final action. As property owners pull down the
255 cloud, there would be no right to referendum the property. Referendum could only be
256 undertaken with the initial establishment of the overlay.

257

258 Mr. Platte said the overlay portion of this is the actual rezoning. The time to get it right
259 including the uses and the setbacks is now, because later when a development plan is
260 submitted, it will be approved as long as they meet the requirements set in place. That
261 process will be called an administrative review and there is no right of referendum. Thus,
262 all concerns must be addressed up front.

263

264 Mr. Valentine said the plan was segregated from west to east instead of north to south.
265 Mr. Lamb said that it was a transportation corridor issue and was due to the location of I-
266 71 being on the eastern side and the access potential to Route 42 or 23 on the eastern
267 side. There is also a railroad connection on the east side that serves as a delineation point
268 between the township and the city.

269

270 Mr. Johnson asked whether all of the properties included have formally requested
271 inclusion into this plan, or whether that was done by the economic development office.
272 Mr. Lamb said he started with the existing CLUP and built upon that, including the uses
273 of light industrial and commercial. He has agreements with some property owners but
274 not all. The cloud overlay zoning has been proposed because it does not automatically
275 rezone the property; it simply expands the rights of the property owners so they can
276 develop the property in the future.

277

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278 Mr. Johnson asked whether it was correct that the property owners did not all request this
279 overlay zoning. Mr. Lamb said some did, but not all. Mr. Johnson asked what the driver
280 was to centralize the commercial to the east and the industrial to the west rather than vice
281 versa. Mr. Lamb said he examined the transportation corridor and he displayed a map
282 that included the uses most likely to occur within those areas. Those are also the types of
283 developments that are typically seen within those types of areas, including retail such as
284 fast food restaurants.

285

286 Mr. Lamb said neighborhood retail uses would be included in the yellow areas, such as a
287 dentist, doctor's office, Kroger, etc. The light industrial uses could include a Kroger
288 distribution facility moving into the purple area, and then adding in the blue area to help
289 shield the single-family homes south of and right along Curve Road.

290 Mr. Johnson asked if after the overlays go into place, would they supersede the pre-
291 existing PRD overlays? Mr. Lamb said the overlay could enact the overlay, but in the
292 future the zoning could be changed. The creation of the overlay does not block future
293 zonings but they would need to go through the standard zoning process.

294

295 Mr. Johnson asked how this could set a precedent for not following the requirements of
296 the CLUP. Mr. Lamb said the CLUP is a suggested document for how the area is to be
297 developed. It doesn't technically have zoning. The overlay would establish a cloud
298 zoning system that would allow a property owner to use that zoning to develop their land
299 in the future.

300

301 Mr. Johnson asked whether the CLUP should be modified to match the cloud. Ms.
302 Korleski said it probably should be changed. Mr. Sanders said it could be done before or
303 after, and it is usually changed over time, and can be done individually. When the zoning
304 occurs, it goes through the platting process, and the county engineer ensures the accesses
305 are appropriate.

306

307 Mr. Johnson said regarding the size and scale of this, he wanted to ensure the BZC will
308 have an opportunity to discuss how far off 36/37 some of the uses will be. Mr. Lamb said
309 these hearings are held to obtain input from the BZC and he is hoping that the
310 conversations will be continued over the next few weeks.

311

312 Mr. Johnson asked if it was the position of the DCRPC and the economic development
313 department that annexation is inevitable. Mr. Lamb said "No" and that his office doesn't
314 take a position on annexation; that is between the local municipality, the property owner,
315 and the township. His belief is that this area will develop and will develop drastically
316 over the next 5-10 years. The question is what type of development will occur; if it is
317 planned commercial and industrial, that is something that most municipalities would be
318 interested in pursuing for annexation purposes. By no means is he taking any stance on
319 annexation; he was asked to engage on this property to look at how he could work with
320 the township to better position the land for commercial growth that would diversify the
321 tax base and allow for increased revenue for public services, public safety, and other
322 amenities. That is what this plan does.

323

324 Ms. Korleski asked why the 14 units/acre residential density is proposed. Mr. Lamb said
325 that is what is being driven by marketing conditions within Central Ohio.

326

327 Mr. Bardash commended the presenters and said the plan is going in the right direction.
328 The high density is something the township has tried to avoid, although it is his belief
329 that some type of high density housing is needed. It is important to go through with this
330 plan in a way where the BZC can designate the density and location. It can be used
331 between the existing single family homes.

332 Mr. Bardash said if the cloud is put into place, what is the process if the landowner wants
333 to remove their property from the cloud, or add it? Mr. Lamb said it would require

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334 zoning action by the BZC and trustees to remove or to add properties to the cloud
335 following the establishment of a cloud, and it would be subject to referendum.

336

337 Mr. Flaherty noted that this is a tool that would exist but does not have to be used by the
338 property owner. Mr. Lamb said that was correct.

339

340 Mr. Flaherty said he is interested in hearing what the audience thinks. He said the
341 township and the county are very aware that this property will develop. The point of all
342 of this is to be proactive instead of reactive. The township likes the rural setting and the
343 fields and tries to preserve that rural character and charm. Berlin Township is the only
344 area in the state of Ohio that has a mixed-use development with a large agricultural center
345 and a new residential neighborhood with an agrihood. He is trying to balance the rapid
346 growth and also keep the rural charm and character.

347

348 Mr. Flaherty asked whether agreements not to annex could be made part of this process.
349 Mr. Lamb said there are a variety of ways annexation or non-annexation agreements can
350 be reached with municipalities, and that would be up to the trustees to proceed with that
351 type of arrangement.

352

353 Mr. Lamb said the nature of the community is very important to his office as well. He
354 serves the residents of the community, and he views these plans in the framework of what
355 they have heard from residents, the schools, the businesses and the schools. The design
356 guidelines are very important to ensure that the final product is not harmful to the
357 community.

358

359

Public Comment

360

361 Michael Marchiodondo, 444 Lackey Old State Road, asked about whether the PCO could
362 be extended. The purple area shows five houses right next to the industrial area, and a
363 large buffer against the developers coming in, but nothing for the residences. Two homes
364 are being constructed at the moment. He asked if that buffer area could be modified to
365 protect the existing residences. He asked if the commercial overlay could be extended
366 north of the residential properties so they are buffered as well. Mr. Platte said that could
367 be done.

368

369 Mr. Marchiodondo asked whether the JEDD was with Delaware. Mr. Lamb said no
370 partner has been determined yet for that agreement.

371

372 Mr. Marchiodondo said 14 units per acre is too high. Mr. Lamb said he understands the
373 concern, but it is an issue of market trends, and the facilitation of the flow of traffic in
374 that area. The density is not necessarily negative, but the BZC should let it be known if
375 they object to it and he will put it into the recommended changes.

376

377 Mr. Marchiodondo said his biggest concern is that there is enough buffering: he sees
378 buffering, then condos, then apartments, then commercial.

379

380 Chris Acker, 90 Lackey South Old State Road, said he is concerned about his property
381 values. He says he understands there is no legal way to put a moratorium on
382 development in Delaware County or Berlin Township. Mr. Lamb agreed that he didn't
383 think that was possible, and to do so would be considered as a taking of individual
384 property rights.

385

386 Mr. Acker asked whether, if the cloud is established, could somebody rezone the property
387 as residential? Mr. Lamb said "yes." The cloud does not change the underlying zoning of
388 the property nor is the zoning change automatically upon the sale of the property. The
389 property owner would need to enact the zoning of the cloud and bring it down to the
390 property, then they would be able to build to that higher standard.

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391 Mr. Acker said traffic density has not been discussed, and he asked what the development
392 would do to the traffic on Route 36/37. Ms. Korleski said zoning doesn't haven't
393 anything to do with traffic and it does not control traffic. The township counts on the
394 county engineer to accommodate whatever is being brought in. Mr. Acker said he was
395 concerned about the 14 units per acre density, and he asked whether that could be
396 reduced.

397

398 Mr. Lamb said traffic issues are part of the reason this is a Smart Growth and master plan
399 development. This will help ensure there is revenue for the infrastructure that will allow
400 for transportation improvements that will help to mitigate the traffic issues. Funds would
401 also be dedicated to the southern interchange at I-71 and that would help alleviate some
402 of the traffic concern seen at the existing interchange.

403

404 Suzette Heller said she is here representing the American Legion located at 60 Big Run
405 Road. She said there were some issues with the map, and said there is a lack of clarity
406 regarding whether her property is included or not. She is also concerned about traffic and
407 suggested that the Delaware County engineer should be a part of these meetings. Mr.
408 Lamb apologized for the issues on the map, which was done through an engineering firm,
409 and said there were a few issues on what was sent out. Once it was sent it, he was not
410 able to clarify those. He will as the process moves forward.

411

412 Mr. Lamb said the county engineer and ODOT have been a part of this process at every
413 step. He will make sure they are here at the next meeting. He asked attendees to let him
414 know if there are specific questions on the transportation plan and he would provide the
415 materials. He said he would also make sure an updated map is sent out beforehand so the
416 affected property owners can see that the issues have been addressed.

417

418 Jennie Black, 425 N. Old State Road, had questions about the architectural review board,
419 how it gets put into the process, how the specifications are developed, and how they are
420 administered. She lives in the group of homes that are towards the back, but the property
421 behind her is included in the overlay, along with a driveway that goes between two home
422 properties. She wanted to know how that driveway would be affected, what specifications
423 will be put on it, and whether there would be a buffer.

424

425 Mr. Lamb thanked her for the feedback and said it would be incorporated into the revised
426 plan. Mr. Platte said the architectural design review board is a mechanism provided
427 through state law given to township trustees so they can create a consistent property
428 design. The trustees would create the board, and at least one member must be an
429 architect or engineer, and all members live in the unincorporated part of the township.
430 He recommended that any development plan that comes through the cloud would need to
431 go through that board. He said that board would be charged with creating the criteria, in
432 conjunction with the trustees. His office is interested in engaging a firm named NBBJ
433 that they have used before in other areas to create those standards and put them into
434 place. He said they would hold public outreach meetings to gauge public input for details
435 such as façade, landscaping, etc. The creation of the board needs to be included in this
436 text.

437

438 An unidentified male asked whether there would be a road in-between the houses. Mr.
439 Lamb said he would take that under advisement as that property is owned by a private
440 owner.

441

442 Jeff Parker, 220 Lackey Old State Road, asked how this could be put to a vote so it can
443 be voted on before everything takes place. He asked if the cloud was pulled down, is it
444 better to stay private or to list his property? He purchased his property 6 years ago
445 because of the quiet, farm-type community. Everything being discussed is something
446 nobody really wants. He said maybe the trustees want it.

447

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448 Mr. Lamb said there would be a 30 day referendum period if the trustees approve the
449 plan.

450
451 Lori Moore, 9900 Dale Ford Road, at Curve Road, was concerned about the building of
452 condos and apartments on the north side of Curve Road. The homes along Curve Road
453 are on large acre properties, but now they will have to look at apartments, and there are
454 no incentives for the school. Mr. Lamb said he is not proposing an incentive structure
455 that would eliminated revenue to the schools, so they would receive increased revenues
456 from day one because the property values would increase.

457 Jim Thigpen, 401 Plunkett Road, said he bought here a year and half ago and he was told
458 that all the property around him was protected by the farmers. It has been stated that no
459 matter what, this area will be developed. They are taking 2000 acres and affecting the
460 entire community. He was also concerned about protecting Alum Creek, which is a
461 valuable resource for this area. He is concerned about planned industrial with concrete
462 and blacktop developments.

463
464 Mr. Lamb said regarding the farmers, some of the properties are farmed and some are
465 leased out for farming purposes. He is very concerned about the waterways and is
466 working very closely with the EPA and the Army Corp of Engineers to ensure that the
467 development meets their safety guidelines so the area is protected. His office is not
468 looking at uses that create smells or other development issues that may make the area less
469 attractive from a noise or pollution standpoint.

470
471 Mr. Lamb said he is developing options that are very interior oriented uses such as
472 medical and doctors office. Light industrial is not a 100-foot smokestack type operation.
473 This will be like the flex space seen along Route 23 serving up the industrial parks.
474 These are very clean uses that would not contaminate the property or the surrounding
475 areas. Regarding water retention, they are established in any development that would go
476 forward, and they would have to meet EPA/Army Corp of Engineer Standards to ensure
477 the water is retained on the property and that issues are not created downstream on
478 adjacent properties.

479
480 Ms. Korleski said she would conclude the meeting soon because it is 8:30 PM. Several
481 people stated that they still have questions. Ms. Korleski said two more questions would
482 be taken, and others can write down their questions and hand them in or email the
483 questions to the township office and they will be distributed to the correct party.

484
485 James Brenz, 3626 Curve Road, asked that the math be checked regarding the tax
486 revenue received from the 14 units/acre density. He said about half of people do not pay
487 income taxes, which is a great benefit of living in a township. He said regarding the
488 NAICS codes, they are too broad, particularly for light industrial uses. They include
489 gypsum, rubber and machine manufacturing, and those categories are not acceptable. He
490 encouraged the commercial codes for the industrial park be reviewed to keep it
491 professional.

492
493 Mr. Brenz said section 19.03 item R) C) indicates all of the uses, which means that any
494 planned industrial could be included on Curve Road. It seems that the intent is to put a
495 housing development there, but the way it is written, it could be anything. He asked for
496 acreage limits of one or two acres per unit in area R; that would protect the character of
497 the area being developed, it protects the tax base, and it would serve as a buffer zone.

498
499 Mike Milosh, 3 B's and K Road, said he owns two properties there including his
500 residence and business. He said he is not a fan of the buffer provided by Berkshire
501 Township. He asked what the overall schedule is for this process. Ms. Korleski said she
502 is trying to get it completed as soon as possible, but the township will take the comments
503 into consideration and changes will be made to the text.

504

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

SPECIAL MEETING

WEDNESDAY, SEPTEMBER 4, 2019 7:00 PM

505 A male voice asked when the next meeting was. Mr. Lamb said it would be next week.
506 Ms. Korleski said it would be on Wednesday, September 18 at 7:30 PM. A different
507 male voice asked that the time be extended because 1.5 hours has not been enough time
508 to address all the residents' questions. Ms. Korleski asked whether he has read the text.
509 The man said he has read the text, and he was at the last meeting where a presenter stated
510 that the buildings that were behind Lackey Old State Road would be 25,000 SF or
511 smaller, but the presenter doubled it tonight.

512
513 Ms. Korleski said the suggested changes should be sent into the township or stated at the
514 next meeting. The man said he pays a lot of taxes. Ms. Korleski said the meeting would
515 be concluded. Ms. Korleski said she lives in the same township as he does and she has
516 the same problems he does. The man asked if she would like to have the proposed
517 development in her backyard. Ms. Korleski said she would. Mr. Lamb said he was
518 happy to meet with residents after the meeting including in the parking lot, although he
519 would not be telling people what kind of vehicle he had.

520 **RESOLUTION 2019.09.04 #A: TABLE & CONTINUE BZC 19-004 & 19-005**
521 **TO WEDS. 9/18/19 AT 7:00 PM**

522 Ms. Korleski made a motion to table and continue BZC 19-004 and 19-005 to Weds.
523 9/18/19 at 7:00 PM at the Berlin Township Hall. Mr. Valentine seconded the motion.
524 Vote: Korleski, yes; Valentine, yes; Bardash, yes; Kaplan, yes; Johnson, yes.
525 Motion carried.

526
527 There was no further business to come before the Commission. Motion to adjourn.
528 Meeting adjourned.

529
530
531 _____
Toni Korleski, Chairperson

532
533
534 _____
535 Jerry Valentine, Vice-Chairperson

536
537
538 _____
539 Darcy Kaplan, member

540
541
542 _____
543 Mike Bardash, member

544
545
546 _____
547 Martin Johnson, member

548
549
550 _____
551 Steve Flaherty, 1st alternate member

552
553
554 _____
555 Ray Armstrong, 2nd alternate member

556
557
558 Attest: _____
559 Lisa F. Knapp, Berlin Township Zoning Clerk