

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

**REGULAR MEETING
TUESDAY, APRIL 14, 2020 7:00 PM**

1 This meeting was held virtually.

2
3 Berlin Township, Delaware, Ohio 43015

4
5 **CALL TO ORDER**

6
7 The meeting was called to Steve Flaherty at 7:00 PM.

8
9 Steve Flaherty led meeting attendees in the pledge of allegiance.

10
11 BZC members present: Chairperson Steve Flaherty, Vice-Chairman Jerry Valentine,
12 Darcy Kaplan, Martin Johnson, Mike Bardash.

13 Also present: Zoning Inspector David Loveless, Zoning Clerk Lisa Knapp, Zoning
14 Secretary Cathy Rippel, BZC alternate member Christina Littleton.

15
16 Mr. Flaherty said this is the very first virtual meeting held in Berlin Township, due to the
17 pandemic. He reviewed the meeting rules.

18 **AGENDA ITEM: LEGAL NOTICE**

19 Ms. Knapp said this meeting was advertised in the 12/31/2019 Delaware Gazette as a
20 regular meeting.

21 **AGENDA ITEM: BZC 18-001 ROMANELLI & HUGHES BUILDING COMPANY**
22 **OLD HARBOR EAST**

23 *BZC 18-001 Romanelli & Hughes Building Company, request for approval of the final*
24 *development plan for an approved Transitional Planned Unit Development (TUPD)*
25 *condominium development with 50 single family homes known as Old Harbor East, 4175*
26 *South Old State Road, Lewis Center, Ohio 43035.*

27
28 Gary Smith, with G2 Planning & Design, 720 East Broad St., Columbus, Ohio, presented
29 the application and answered questions. David Denniston, with Advanced Civil Design,
30 Engineer for the project, and Phil Moorehead from G2 Planning and Design were also
31 present to answer questions.

32
33 Mr. Smith said he is doing the final development plans for the east portion of the Villas
34 of Old Harbor zoning, which Romanelli & Hughes purchased. This plan is very similar
35 to the plans from the original zoning process, with the exception of some additional
36 detail.

37
38 Mr. Smith provided the boundary survey and the public facility context map. On the
39 existing conditions map there are two existing ponds located in the center of the project.
40 They will remain as part of the development, and everything else will be moved.

41
42 Mr. Smith provided an overall illustrative plan and stated that the layout hasn't changed.
43 There will be a detention basin on the south and landscaping and mounding along the
44 frontage along South Old State Road, and the mounding/landscaping buffering to the
45 north, west and south of the property.

46
47 Mr. Smith showed the overall landscaping plan that included the street trees, with
48 evergreen and ornamental trees along the frontage to help buffer the development from
49 the road and to present a natural feel. There will also be a new entry feature that will
50 replace the gates planned for the development because they prove to be a challenge. The
51 end result was that, given the location, it would be difficult to find a way for people to
52 turn around if they pulled in accidentally.

53

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

TUESDAY, APRIL 14, 2020 7:00 PM

54 Mr. Smith said the new plans show a similar feel from a visual perspective and create a
55 sense of enclosure at the entry. The pathway system connects to the open space area into
56 the central open space. Residents can walk through the development around the loop and
57 the trails. A community gathering/seating area/pavilion has been incorporated near the
58 existing pond that provides an overlook of the pond with a nicely landscaped area to
59 gather.

60

61 Mr. Smith said each pond will have a fountain to keep the ponds clean and to provide an
62 aesthetic look. There will be street trees throughout the project. He provided a detail of
63 the area along with an architectural elevation.

64

65 Mr. Smith said there will be a cluster mailbox with decorative landscaping. He also
66 provide an enlarged version of the entry feature. He provided a sense of arrival/enclosure
67 because the gates are no longer part of the entry. He created a vertical architectural
68 element on either side of the entry, with a gatehouse on the right side, and a trellis
69 structure south of that. On the north side of the entry there will be additional trellis
70 structures that line up with that, and the trellis is built over that path.

71

72 Mr. Smith provided a view of the guardhouse. Romanelli & Hughes will provide the
73 final design for it. It adds a lot of structure at the entry and should add a nice sense of
74 enclosure.

75

76 Mr. Smith said in the lower left corner is the community gathering center pavilion. It will
77 ultimately contain seating areas and a fire pit to create a nice space to sit in the shade. An
78 elevation view of the mailbox enclosures was reviewed. It matches the style of the
79 homes and will have a pitched roof.

80

81 Mr. Smith reviewed typical building landscaping plans, and said the homeowner will
82 have the option to additionally customized the plants if they so choose.

83

84 Mr. Smith said regarding the architecture, some of this was included in the original
85 submittal package. The development is a craftsman-style development and all units will
86 have first-floor masters. The materials will be traditional and he showed examples of the
87 architecture.

88

89 Mr. Smith is very appreciative of moving this project forward and to the township for
90 putting together the virtual meetings to keep projects moving.

91

92

Commission Consideration

93

94 Mr. Bardash said he thought the township trustees had discussed having at least 25% side
95 load garages. However, the text indicates that front load garages will remain at least 25%.
96 He saw no diagrams or examples of layouts of any homes with side load garages in the
97 plans.

98

99 Mr. Smith said the engineering drawings included with the packet show some of those
100 houses and he said they are side loaded in two ways. 25% of the homes are side loaded;
101 the homes with corners are “obvious side loads” and the driveway is shown coming from
102 the side of the house. The courtyard-style homes will have side load garages.

103

104 Mr. Bardash asked whether the BZC would to see the exhibits that represent that. Mr.
105 Flaherty said it would be nice to have examples in the elevation view. From a plotting
106 standpoint, the engineering plan is where he would like to definitely see it referenced.
107 The elevation view will be subject to what the buyer selects as their ultimate house layout
108 and those are examples. It is necessary to see on this view exactly how they have done
109 with the driveways notating that they are side load garages.

110

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

TUESDAY, APRIL 14, 2020 7:00 PM

111 Mr. Bardash asked whether it was OK to not have them on the plans as long as long as
112 the architectural side where they will be located and there will be at least 25% within the
113 subdivision.

114

115 Mr. Bardash said on page 5, L-2 of the divergences indicates that the sidewalk will be
116 adjacent to the curb. However, Exhibit G-1 references the 3' grass strip between the two.
117 Mr. Smith said it would be the 3' grass strip. He apologized and said the original text
118 was resubmitted and said he is happy to update it and resubmit it to the township. He
119 said the drawings have been updated to reflect the changes with the 3' grass strip between
120 the sidewalk and the curb. He confirmed that there would be 3' of grass in the strip.

121

122 Mr. Bardash said a larger perimeter setback was also discussed on Exhibit G-1, #16 of
123 the deviation. The south property line went to 40', and he asked why sporadic lots are
124 just 35' instead of the entire row to the east side. Mr. Smith asked Mr. Denniston to
125 explain it. Mr. Denniston said it was based on the house styles and depths of the houses
126 on those lots, and extra setback was provided when possible.

127

128 Mr. Bardash said the perimeter setback would be more of a rear yard setback divergence
129 than just the perimeter setback. He said if 35' could be done on lot #27 and 21, there is
130 no reason lots #18, 19 and 20 cannot also have the same setback from the perimeter,
131 although there may be a smaller rear yard setback. Mr. Denniston said the rear yard
132 setback would need to be the same as the perimeter setback on those lots. Those house
133 pads extend all the way back to that setback. If the perimeter setback is increased by
134 another 5', that would encroach into the back of the houses. David said they are also
135 noted on Sheet 1 of 3 in a table on the final development plan engineering drawings.

136

137 Mr. Johnson said this has all be separated from the development on the west side, and he
138 asked whether there was a common HOA for all of this. Mr. Smith said it would be two
139 separate HOAs. Mr. Johnson said discussed during the rezoning process was the
140 crossings over Old State Road from east to west and where it would be located. He asked
141 whether providing access from the east to the west have been eliminated.

142

143 Mr. Smith said he believed so and that there is no longer an opposing vehicular
144 connection across South Old State Road, so all connection between the two have been
145 eliminated.

146

147 John Wicks said there was much discussion about the speed limit on South Old State
148 Road and pedestrian safety, and that seemed to overtake the desire to have cross access.
149 At the trustee level, he took out the crossing altogether. The path along Hollenback Road
150 that would cross at the four-way intersection was also removed because there is nowhere
151 on the east side of South Old State Road for pedestrians to go, and the county engineer is
152 now considering a roundabout at that location. He has provided a path on the west side
153 of the development to Hollenback Road, with the concept that when the Evans Farm
154 project gets up to that area, pedestrian traffic would be able to continue east along the
155 south side of Hollenback Road.

156

157 Mr. Wicks said he committed to funding a 4-way flashing stop sign at that intersection
158 due to safety concerns. The roundabout is several years out, so he has worked with the
159 county engineer on the flashing stop sign.

160

161 Mr. Johnson said there had been conversations about buffering on the adjacent properties,
162 especially those on the south side. He asked about the detention area on the south side
163 and whether there were still plans for buffering along the southern property lines. Mr.
164 Smith said he did not have additional plantings in there at this times. There are existing
165 trees and there is landscaping along the south where a gap currently exists.

166

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

TUESDAY, APRIL 14, 2020 7:00 PM

167 Mr. Johnson asked whether that would be a detention basis. Mr. Smith said that was
168 correct and it was to handle storm water overflow retention and filtration. The bottom
169 will be seeded with a swale seed mix, which is a variety of grasses and sedges that will
170 tolerate that wet environment. Mr. Johnson asked how deep it was. Mr. Denniston said it
171 was 4-5' deep.

172
173 Mr. Johnson said the original plan included pickleball or playground active green space.
174 Mr. Smith said there was the opportunity to include those, although Romanelli & Hughes
175 developments don't include sports courts, etc. Their residents prefer a quieter community
176 with outdoor seating and gathering areas.

177
178 Mr. Ohlin said there was more of a desire to have an outdoor gathering area than an
179 active space. Mr. Wicks said there will be pickleball courts on the west side.

180
181 Mr. Johnson asked whether it was correct that the applicant has identified which lots will
182 be mandated to have side load garages. Mr. Smith said "yes." Mr. Johnson asked
183 whether it had been verified that there would be 25% side load garages. Mr. Smith said
184 the engineering plans outlined those and he showed the lot diagrams. There are side load
185 garages that are courtyard style homes with garages in front of the homes but they are
186 side loaded in the sense that the garage door cannot be seen. There are side load garages
187 at each of the corners and each are identified on the plan itself, and there is a table on the
188 engineering drawings that outlines the total side load garage units, with a total of 13 units
189 and 26%.

190
191 Mr. Johnson asked whether the street tree plantings are outside of the 3' green grass strip
192 and on the interior. Mr. Smith said that was correct and they are on the backside of the
193 sidewalk.

194
195 Mr. Valentine asked whether there are any architectural designs on the remaining 75% of
196 the garage doors. He felt that it would be nice to have a different type of garage door that
197 faces the road rather than just plain. Mr. Smith said the windows and the "panelization"
198 of doors can change based upon the elevation of the homes. Romanelli & Hughes are a
199 custom builder and they provide many options to buyers. There are many other options
200 that buyers can choose that aren't shown here that will be offered in order to break up the
201 elevations. He said there will be some variety in the architecture throughout the
202 community due to the multiple options.

203
204 Mr. Valentine said that 18 of the 40 homes do not have sidewalks. Mr. Smith said the
205 sidewalk is around the outside of the loop and it connects back up with the pathway and
206 around. Mr. Valentine asked whether there was a driveway but no sidewalk on the inside
207 for several homes. Mr. Smith said that was correct.

208
209 Mr. Valentine said that there is a statement about sod or seed on Exhibit E-1. These are
210 such small lots that he would prefer that it all be sod; there isn't much yard there to start
211 with. Mr. Smith said seed would apply to the larger open spaces where it would be
212 impractical to plant sod. Sod is more practical for the actual lots themselves. Mr.
213 Valentine said he was concerned about the wording.

214
215 Mr. Loveless said "per owner's direction" means Romanelli & Hughes, not the individual
216 lot owners.

217
218 Mr. Valentine said he was concerned about the timeframe of the utility letters, as they
219 were all dated in September 2018 and should be updated. That includes the fire
220 department, water department, and the sanitary sewer department letter. Mr. Smith said
221 they could be reissued and he did not anticipate the utility availability to change on any of
222 those. Mr. Denniston said that is correct: Del-Co Water is approving the plan as we
223 speak, and the sanitary department has reviewed the plans and is ready to approve it. He

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

TUESDAY, APRIL 14, 2020 7:00 PM

224 has also been working closely with the township fire department and have addressed all
225 of their comments.

226

227 Mr. Valentine asked what the price point and size of these homes was. Mr. Ohlin said
228 they would begin in the mid-\$450,000's to around \$650,000, with an average price of
229 around \$550,000. The base would be about 2,400 SF exclusive of finished basements
230 and bonus rooms.

231

232 Ms. Kaplan said the other members asked many of her questions. She said she
233 appreciated the detail on the side load and courtyard type garages, as well as the
234 landscaping plan. She had no further questions.

235

236 Mr. Flaherty said the preliminary plan has changed now to remove the gates, there will be
237 no pathway along South Old State Road, and the parcel on the northwest corner has been
238 removed. Mr. Smith said that was correct.

239

240 Mr. Flaherty asked whether it was correct that there would be no bedrooms upstairs. Mr.
241 Smith said that was correct, and that only a bonus room would be permitted upstairs. Mr.
242 Flaherty said without being an age-restricted community, it is being tailored toward a
243 certain demographic. Mr. Smith said it was empty-nester. Mr. Flaherty said that surveys
244 show that the township wants more of those types of neighborhoods.

245

246 Ms. Littleton said she had questions about the courtyard-style houses. It seems that the
247 garage will be very close to the sidewalk and there will be no front yard. She asked
248 whether that was a desirable trait for this demographic. Mr. Ohlin said this demographic
249 doesn't spend much time in the yard, and they have a lot of mobility. They prefer to
250 spend a lot of time and money on the interior finishes of the home. They like to get out
251 and travel, perhaps leaving for months at a time and not having to worry about
252 maintenance. They aren't looking for a yard, but for a lifestyle.

253

254 Ms. Littleton said for lot #7, what is the distance from the side of the garage to the
255 sidewalk. Mr. Smith said he wasn't sure, but it was probably between 8-10'. He said this
256 is typical for this kind of development, including at Tartan Fields in Dublin, where the
257 house is built nearly all the way up to the back of the sidewalk. Ms. Littleton asked if the
258 view from the road will be the gable view or the side. Mr. Smith said it would look like
259 the front façade and have window and detailing. Some will have a gable roof and others
260 have pitched roofs in the front.

261

262 Mr. Ohlin said they have done a community called Verona where the Parade of Home
263 was held a few years ago with 66 patio homes with courtyard garages. There is also a
264 site under development in New Albany called Inverness Place that has the same setbacks,
265 if anybody would like to view those. There is also a location off of Riverside Drive.

266

267 Ms. Littleton said the existing trees on the south edge appear to be deciduous and she
268 asked whether the buffer could be enhanced with evergreen trees. Mr. Smith said once
269 the development process begins, the screening can be looked at and additional
270 landscaping planted to enhance it. Ms. Littleton asked about in-between lots 27 & 26
271 where there is a break.

272

Public Comment

273

274

275 Kitsie Pollack, 3667 Hollenback Road, said that mounding and buffering and been
276 discussed along the basin and the border along the southeast side. They have removed
277 most of those trees, and limbs off of trees on her sides. She said she was told that there
278 would be a fence that would separate their backyard from that community, but mounding
279 and buffering was indicated in this plan.

280

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

TUESDAY, APRIL 14, 2020 7:00 PM

281 Mr. Smith said he wasn't part of the earlier discussions and he asked Mr. Wicks about
282 that. Mr. Wicks was not certain. Mr. Smith said he wasn't aware of the commitment for
283 the fencing.

284

285 Ms. Pollack said most of the trees have been pulled down and she asked whether they
286 would be replaced. Mr. Ohlin said he wants to have screening so if there are gaps, he
287 will fill in the gaps, which is good for the homeowners and also the neighbors.

288

289 Marsha Moore, 4090 Mainsail Drive, said she is north of the development on lot 1965.
290 There is a small strip of trees that separates her property from the condos, and she asked
291 if Romanelli & Hughes would consider cleaning it up and filling it with some additional
292 evergreen trees to make it look nicer. Mr. Smith said "yes" and that additional
293 landscaping would be provided to augment the existing landscaping.

294

295 Ms. Kaplan said the Nov. 2018 text, Section 13.06 mentions a total of 55.62 acres, and
296 item c) indicates the development is 46.83 acres. She is aware there have been changes,
297 and she asked for clarification as to which piece has how many acres. She said the
298 subject parcel is 16.23 acres and she asked what the density is.

299

300 Mr. Smith said everything in the boundary survey and the engineering plans should be
301 the exact surveyed acreage and is listed in the general summary in the engineering plans
302 as part of the submittal. Ms. Kaplan said it was her understanding that when Old Harbor
303 East comes in with their plan, it will all be separated out. Mr. Smith said that was
304 correct.

305

306 Mr. Wicks said he is submitting the west side application this week for a hearing on the
307 28th. Originally, there were existing homes that were proposed to stay. They were part of
308 the gross acreage, but not part of the net acreage which was being zoned, so they are
309 being left as Fr-1 lots.

310

311 Mr. Loveless asked whether there would be a model home, and where. Mr. Ohlin said
312 there would be a model home on one of the first two lots but he hasn't selected the lot
313 yet. Mr. Loveless said the existing trees that are around the perimeter are all mature
314 deciduous trees that don't provide a lot of screening but they do provide shade. He said
315 evergreen trees may be necessary to help screen the residences especially to the east as
316 they cleared up to the property line, leaving little buffer. Mr. Ohlin said he was happy to
317 augment that with additional evergreens and landscaping.

318

**RESOLUTION 2020.04.14 #A: APPROVE FINAL DEVELOPMENT PLAN FOR
BZC 18-001**

319

320 Mr. Flaherty made a motion to approve the final development plan for BZC 18-001 as
321 presented with the following condition:

- 322
- Page 5, divergence request #2 should indicate there is to be a 3' grass strip
323 between the back of the curb and the edge of the sidewalk, per exhibit G-
324 1 deviations.
 - The approval is with the willingness of the applicant to provide the additional
325 screening as noted by the residents along the southeast and the north side as
326 needed for any deciduous or removed trees that are no longer there as part of this
327 process.
 - Update the text in the landscaping plan to indicate that all of the home lots would
328 be sodded.
- 329
- 330

331 Mr. Flaherty asked Mr. Smith to notate the changes on the plan and submit it to the
332 zoning office.

333

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

REGULAR MEETING

TUESDAY, APRIL 14, 2020 7:00 PM

334 Mr. Valentine seconded the motion.
335 Vote: Flaherty, yes; Valentine, yes; Kaplan, yes; Johnson, yes; Bardash, yes.
336 Motion carried.

337 **AGENDA ITEM: RE-SCHEDULE BZC 19-006**

338 Mr. Flaherty said that recently, the 3/26/20 zoning hearing was canceled due to the
339 pandemic, which pushed their application out.
340
341 Ms. Gwinn said the project was before the BZC and was tabled to adjust the plan to
342 exclude the homestead lot, but it should look familiar. There was a discussion about the
343 date the hearing would be held.

344 **RESOLUTION 2020.04.14 #B: TABLE BZC 19-006**

345 Mr. Flaherty made a motion to table BZC 19-006 to 4/21/00 at 7:00 PM, to be conducted
346 virtually via a webinar program, with public notice to be provided and advertised as soon
347 as possible. Mr. Bardash seconded the motion.
348 Vote: Flaherty, yes; Bardash, yes; Johnson, yes; Valentine, yes; Kaplan, yes.
349 Motion carried.

350 **AGENDA ITEM: OTHER BUSINESS**

351 Mr. Loveless said he recently learned about a deck on Bay Harbor Drive that was being
352 built without a permit, and he is looking into that tomorrow.
353
354 Mr. Flaherty said that he would work on getting the meetings on Facebook Live. The
355 next regularly scheduled BZC meeting is on April 28, 2020 for BZC 18-001, Villas of
356 Old Harbor West.

357
358
359 _____
Steve Flaherty, Chairperson

360
361
362 _____
Jerry Valentine, Vice-Chairperson

363
364
365
366 _____
Darcy Kaplan, member

367
368
369
370 _____
Mike Bardash, member

371
372
373
374 _____
Martin Johnson, member

375
376
377
378 Attest: _____
379 Lisa F. Knapp, Berlin Township Zoning Clerk