

**BERLIN TOWNSHIP TRUSTEES**

**6:00 p.m.**

**Trustee Meeting**

**August 13,**

**20**

**HELD AT:** This meeting was held virtually by Zoom, Delaware, OH

**CALL TO ORDER:** Ron Bullard, Trustee

**PLEDGE OF ALLEGIANCE:** Theresa Taylor led the Pledge of Allegiance

**ROLL CALL:** Ken O'Brien, Tom D'Amico (Recused), Ron Bullard, Theresa Taylor, Assistant Fiscal Officer

**ATTENDANCE:** Angela Brown, Zachary Dowley, Rob Platte, Holly Mattei, Rick Gemienhardt, Christina Littleton, Meghan Raehll, Amy Eiken, Jim Reed Scott Wieclaw, Kevin Lehman and Vanessa Fletcher

**BZC 19-005 AS THE BERLIN BUSINESS PARK COMMERCIAL OVERLAY**

Bullard stated that he had spoken with the prosecutor in regards to what the vote requirement would be to pass or fail the ordinance. The prosecutor answered that it will have to be a unanimous vote which will consist of 2 votes since the third trustee is recused. If it is a 1 to 1 vote the ordinance will fail and it will revert back to what the zoning commission had passed.

**Public Comment-** Bullard opened the meeting to public comment.

Rob Platte stated that there have been major changes since the beginning of the project in May 2019. Some to include, a significant reduction to the light industrial area, a change to the zoning commission recommended uses map of the densities of 6 units and 14 units for the commercial residential which was reduced to 4 units and 10 units. Per residents' request, there has been language added to the text about quiet hours which will be from 6:00pm-6:00am. Platte also stated he hopes the trustee board will create an architectural review board (ARB) within the next few trustee meetings.

Platte stated that they have changed the modification section to where it states, if there is an application that has been approved by the BZC, the ARB and the Trustees and desired changes by a developer or land owner are requested to that application then it will need to go through the same three entities for reapproval.

Divergences were removed to specifically take the administrative process away and put it in the hands of the BZC and the Trustee Board.

Platte addressed the concern of outside storage of materials and stated this has been put in the language as prohibited. The 250-foot buffer was retained along the residential area.

Bullard asked Platte if they could make a flow chart to show the steps that an application/reapplication will have to go through to reach an approval. Platte said yes.

O'Brien stated that he wants to get a consensus of what people want in the cloud so that it is not subject to referendum. It needs to state specifically that what is in the cloud is all that can be in the cloud. Platte asked if would be ok to check with the prosecutor for suggested language from them. O'Brien said yes.

Meghan Raehll read the following:

I would like to thank you and Trustee Bullard for the openness and for including residents and the people who actually live here and who are invested in this community and who want to see positive change and growth in this area. Compared to where we started, I want to say I appreciate the process.

We, of course, acknowledge there are those who opted in and really want the cloud and, Mr. Chair, I hope they will listen to the people who voted for you all as officials, and I hope they will hear we are not saying they should not want to gain or want additional tools but that we are simply wanting to ensure the long-term viability and to keep berlin beautiful.

And, that is why I share that although I am delighted to see a number of these changes in this iteration especially related to the R-4 and the trail language and appreciate significant work, I am also disappointed in the lack of adoption of the residents' compromise put forward in February.

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This plan still caters to major development and massive big business without giving the people impacted in the community enough.

So, I will close with providing specific language to this iteration:

- \* First, the language needs changed from (A) and (C) to retain legislative power in the local, small government community. I strongly urge you get further counsel and opinion on this fully. Your neighbors will be stripped of referendum rights for codes.

- \* Second, the map and recommendations with 100 + residents' signatures should be adopted full scale. That is the compromise that is the path forward for positive growth so I am hoping you can provide more insights into why we are not adopting that.

- \* Third, the heights need taken to 35 ft. for everything above R-4 and 25 ft. for R-4. For example, Meijer can be built within the 35' building parameters.

- \* Fourth, the codes need to eliminate all broadness "Other" parameter because business self-elect and wide interpretations are still too broad.

- \* Finally, the school owned land should be treated like a gem in the community not surrounded by 45" high apartments and 60" industrial areas.

And everything should be connected through the trails between the schools, the neighborhood, the businesses, and that is how you preserve a community.

It was my hope that during this post-pandemic world we find ourselves in, we would see you adopt the residents' compromise and acknowledge that this world is not going the route 60-foot high Polaris style shopping centers and industrial and research offices.

We need to get back to local small businesses, we need to preserve the rural charm of our community, we need to maintain identity green spaces, parks, and trails.

And, so, Mr. Chair, I hope you agree the current recommendations are still too egregious and they reduce your and our power too much without giving enough.

Vanessa Fletcher stated that she would like to keep the rural charm with greenery in our township.

Brady Fletcher (age 6) says he does not want things to change because there would be no where to do anything if there are just buildings everywhere.

Amy Eiken agreed with all others that spoke about having the right to referendum. Eiken asked what flexibility does the cloud give residents. Eiken stated that people are looking for walkability in the community and smaller houses. She feels the future is in local foods and local agriculture. She would like to see farm to table capability and opportunities for young farmers to come into the area. Her question being how do we entice them to come to our community? Eiken stated that she feels the area is very developer centered and not citizen centered.

Angela Brown stated in regards to the commercial/residential area she would like to see a step-down approach so people have more piece of mind as to what is around them. She would like to see apartments no more than 2-stories high as that is what our fire department can service properly. With all the construction of buildings/single-family homes Brown is concerned with the traffic that will move into the area.

Kevin Lehman stated that he agrees in keeping the area with a rural feel. Lehman asked if there is a timeline of the proposed Berlin Business Park. Bullard answered that he wants to get it correct and does not want to rush anything.

Rick Gemienhardt requested a conversation with Bullard outside of the trustee meeting. Bullard said yes. He feels that the township will never win a battle when it comes to annexation. He stated he has never known US government lands annexing to a municipality. Gemienhardt reiterated previous residents' statements in regards to keeping referendum rights with the citizens. He would like to see more of a transition zoning and would like things to be done in a more transparent way.

Christina Littleton stated that she is happy to see that multi-use trails have been added so there will be connectivity within the township. She would like to see verbiage included that does not allow roadways through the setbacks and buffers to the existing homes. As others

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have stated Littleton agrees that the residents need the right to referendum, which is 519.021A.

Jim Reed stated the importance of passing the Berlin Business Park one way or another to avoid Berlin Township being annexed to the point of non-existence. Reed feels that with the jobs and taxes that will be brought into the township by the BBP it will be a positive thing.

After public comment, Bullard asked Platte to only put the most current documents up on the website. This way residents know exactly what is being discussed and to reduce confusion.

**RESOLUTION 20-08-26                      MOTION TO INCLUDE MAP AS EXHIBIT #23 IN MEMO FROM ROB PLATTE ON AUGUST 11<sup>TH</sup>, 2020 AND USE AS A WORKING DOCUMENT**

Motion: Bullard  
Second: O'Brien  
Vote: O'Brien yes and Bullard yes

**RESOLUTION 20-08-27                      MOTION TO TAKE THE TEXT PROVIDED TO THE TRUSTEES BY ROB PLATTE ON AUGUST 11<sup>TH</sup>, 2020 WHICH WILL BE EXHIBIT #24 AND WILL BECOME A WORKING DOCUMENT**

Motion: Bullard  
Second: O'Brien  
Vote: O'Brien yes and Bullard yes

**RESOLUTION 20-08-28                      MOTION TO CONTINUE BZC #19-005 HEARING TO SEPTEMBER 17<sup>TH</sup>, 2020 AT 6:00P.M. VIRTUALLY BY ZOOM**

Motion: O'Brien  
Second: Bullard  
Vote: Bullard yes and O'Brien yes

Meeting continued by Trustee Bullard at 7:30 P.M.

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RECUSED  
Tom D'Amico, Trustee

ATTEST: \_\_\_\_\_  
Ron Bullard, Trustee

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Theresa Taylor, Assistant Fiscal Officer                      \_\_\_\_\_  
Ken O'Brien, Trustee