

**BERLIN TOWNSHIP TRUSTEES**

**6:00 p.m.**

**Special Meeting**

**November 18,**

**20**

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

**CALL TO ORDER:** Tom D’Amico, Trustee Chairman

**PLEDGE OF ALLEGIANCE:** Ron Bullard led the Pledge of Allegiance

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

**ATTENDANCE:** Christina Littleton, Meghan Raehll, Holly Mattei, Jim Reed, Rob Platte, Scott Cubberly, Angela Brown, Drew Grudowski, Jim Yorke, Jim & Patty Chapman, Chris Ballard, Joe Miller, James Brenza and Rick Gemienhardt

**BZC 19-004 AS THE BERLIN BUSINESS PARK INDUSTRIAL OVERLAY**

**RESOLUTION 20-11-35 MOTON TO CONTINUE WITH THE HEARING OF THE BZC #19-004, BERLIN INDUSTRIAL OVERLAY**

Motion: Bullard  
Second: D’Amico  
Vote: D’Amico yes and Bullard yes

Rob Platte began with the current redlined version dated November 18, 2020, that mainly consisted of grammatical errors and the cleanup of words. The current version of the proposal was sent to Scott Sanders of the regional planning review board as well as the prosecutor’s office. Platte stated that before the final adoption from the trustees, they will make sure that the map will be the most updated version. There are mainly references that are called out in the current redlined version to include; Net Developable Acre, under the R10 usage there is an All Roads call out, a specification of Rt36/Rt37, IND as opposed to INDA, the light requirements are called out in the R4 and R10 and the county subdivision regulations were added. Under All Open Space, there was language added to state that it will be deed restricted or platted as an open space parcel. The definition of vehicle use area was added. There was a concern regarding the NAICS codes and Platte stated that the county feels as if they are called out correctly and captured within the document. Platte addressed a concern brought up by Christina Littleton at the previous meeting, where she questioned parcels that are included within the overlay not benefiting from the buffer. Platte confirmed that if a parcel is within the overlay it will not have the 250-foot buffer around it. Platte stated that those parcels within the overlay are for the most part, those that had asked to be included in the overlay unless they were included from the beginning.

Bullard stated that he spoke with Ballard who spoke with Joe Miller, the attorney representing the Hondros family. Miller stated that the Hondros family does not want to be included in the cloud zoning. Bullard explained that all the properties that border the Hondros property would then not receive the 250-foot buffer since the cloud zoning would not be taking place. Bullard asked D’Amico his thoughts of removing the property. D’Amico stated that he would rather go forward without the threat of litigation and accept the Hondros family’s request of being removed from the cloud zoning. Bullard agreed and stated that the trustees have said if someone wants to be included that they can and if they do not want to be included then they do not have to be. Platte stated that this change can be made by the next trustee meeting.

Joe Miller stated that he feels this is not optional zoning and it would constrain the pre-use of his client’s property. He stated that if the Hondros property is excluded then they would stand down in terms of litigation.

**Public Comment-** D’Amico opened the floor to public comment.

James Brenza stated that he feels the county is ignoring resident feedback about the inadequacy of continuing to allow a single NAICS code contribution. He believes things are being left open to interpretation. Brenza stated that he will contact the board of elections to determine the number of signatures needed for referendum. Bullard stated that he recommends the Hondros family’s property be removed from the BIO and then making the redlined document with those changes as the current working document.

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Miller asked Bullard if there will also be a revised map of the BCO excluding his client's property if he anticipates that the BCO would pass. Bullard answered that if it is approved there could be but that he cannot anticipate if it will pass or not as it is a different hearing. Platte stated that they would be prepared with multiple work versions in the event there is a change.

**RESOLUTION  
20-11-36**

**MOTION TO ACCEPT THE REDLINED DOCUMENT AND REQUEST THE CHANGES TO THE MAP TO REMOVE THE HONDROS PROPERTY FROM THE BIO AND SHOW HOW THE ADJACENT PROPERTIES WILL LOOK WITH THE CHANGES, IN REGARD TO THE 250-FOOT BUFFER**

Motion: Bullard  
Second: D'Amico  
Vote: D'Amico yes and Bullard yes

**RESOLUTION  
20-11-37**

**MOTION TO CONTINUE BZC #19-004 HEARING TO NOVEMBER 23, 2020 AT 6:30 P.M. VIRTUALLY BY ZOOM**

Motion: Bullard  
Second: D'Amico  
Vote: Bullard yes and D'Amico yes

Meeting continued by Chairman D'Amico at 6:44 P.M.

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Tom D'Amico, Trustee

ATTEST:

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Ron Bullard, Trustee

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Theresa Taylor, Assistant Fiscal Officer

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RECUSED  
Ken O'Brien, Trustee