

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

**REGULAR MEETING
TUESDAY, FEBRUARY 23, 2021 7:00 PM**

1 This meeting was held virtually.
2

3 **CALL TO ORDER**
4

5 The meeting was called to order by Chairperson Steve Flaherty at 7:00 PM.
6

7 Mr. Flaherty led meeting attendees in the pledge of allegiance.
8

9 BZC members present: Chairperson Steve Flaherty, Vice-Chairperson Jerry Valentine,
10 Darcy Kaplan, Mike Bardash, 1st alternate Christina Littleton, seated.

11 BZC members not present: Martin Johnson.

12 Also present: BZC 2nd alternate Angela Brown, Zoning Inspector David Loveless, Zoning
13 Clerk Lisa Knapp, Zoning Secretary Cathy Rippel.
14

15 Mr. Flaherty reviewed the adopted policy of the BZC, and noted that public comments
16 are limited to three minutes per person. He reviewed the procedures for this hearing. He
17 noted that public comment can be taken via the zoom link on the township website.

18 **AGENDA ITEM: LEGAL NOTICE**

19 Ms. Knapp said this hearing was advertised as a regular meeting in December 2020 in the
20 Delaware Gazette.

21 **AGENDA ITEM: APPROVAL OF MINUTES**

22 Mr. Flaherty made a motion to approve the minutes from the 2/9/21 BZC meeting. Mr.
23 Valentine seconded the motion.

24 Vote: Flaherty, yes; Valentine, yes; Kaplan, abstain; Littleton, yes; Bardash, yes.

25 Motion carried, minutes were approved.

26 **AGENDA ITEM: 2021 BZC GOALS & OBJECTIVES DISCUSSION**

27 Mr. Flaherty said there is no hearing or applicant tonight, but the BZC established earlier
28 in the year that they want to be proactive and work on corrections and amendments to the
29 zoning resolution and other documents. A list of 2021 action items and goals was created
30 in January and was shared with the BZC members.
31

32 Mr. Flaherty displayed and reviewed the list of action items. There was a discussion
33 regarding whether BZC members would like to work on particular items. Mr. Flaherty
34 said the BZC can be more effective by individual members bringing items to a meeting
35 after researching them so dialogue can occur and decisions can be made. Language from
36 other communities in Delaware County and elsewhere can be considered as well and
37 modified as needed so the wheel does not need to be re-invented.
38

39 Mr. Valentine said it was discussed at a prior meeting that Scott Sanders, director of the
40 Delaware County Regional Planning Commission (DCRPC), may be able to provide the
41 BZC with language from other townships. Mr. Flaherty said it was discussed that the
42 BZC would send everything to him at once for his weigh-in. Mr. Valentine said that
43 would be a good start, rather than having to start from scratch.
44

45 Mr. Valentine said he would take windmills and he thought there was at least one in
46 Berlin Township, the one on Route 23 across from the highway patrol. Mr. Flaherty said
47 that was actually located in the City of Delaware. He visited the one off of Sawmill Road
48 and the meter there indicated that it powered the electricity for their service department,
49 although it may be more of an icon.
50

51 Mr. Flaherty said the language could also be sent to the county prosecutor's office for
52 review.

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

REGULAR MEETING

TUESDAY, FEBRUARY 23, 2021 7:00 PM

53

54 Mr. Flaherty noted that bike paths are highlighted under the R-2, R-3 and R-4 standards.

55

56 Mr. Valentine noted that Mr. Johnson has been working on changes to the
57 Comprehensive Land Use Plan (CLUP).

58

59 Ms. Kaplan said she was interested in working on agri-business, and she asked who has
60 the recommendations from the DCRPC. Mr. Loveless said he has contacts and
61 information he can provide to Ms. Kaplan.

62

63 Ms. Littleton said she could work on the business park implications. Mr. Flaherty said he
64 would work on the group mailbox item. Items including greenspace,
65 headwalls/endwalls/fountains were indicated as being a priority by the BZC. Ms. Kaplan
66 offered to research the headwalls/endwalls/fountains. Mr. Flaherty took on solar farms.

67

68 Mr. Flaherty said that mounding, tree locations, buffer etc. will be part of the overall
69 CLUP.

70

71 Ms. Kaplan said that regarding many of the items under item #4, the BZC is told by
72 developers that they cannot give specifics until the engineering plans have been
73 completed. She asked whether the BZC has a lot of overview on that. Mr. Flaherty said
74 there are some items that they cannot do until final engineering, but there are still
75 requirements such as buffers, tree locations, etc. This ensures that all R-2, R-3 and R-4
76 districts have those standards, and what those standards are. Much of this carries over
77 from 2012 and those last updates; he asked whether that fits with where they are now.
78 For the space that remains and is available to be developed and will be developments, the
79 BZC should consider whether these standards will fit with those coming in. For example,
80 are the mounding and buffering requirements still sufficient and consistent?

81

82 Mr. Flaherty asked whether “mounding height requirements up to date” has already been
83 covered. Mr. Loveless said the Northlake developers created an 18’ high mound of shale
84 that the neighbors did not like at first because they felt they were in a fishbowl. Now that
85 the new homes have been build behind them, they do not mind it as much. Mr. Flaherty
86 asked whether that would fit more into the overall CLUP updates for overall mounding.
87 Ms. Littleton said it should. Mr. Loveless said there is currently a minimum mounding
88 height, but a maximum height also needs to be discussed. Mr. Flaherty added to the list
89 height: minimum and maximum.

90

91 Mr. Valentine asked whether the FR-1 zoning district should be added to bike paths. Mr.
92 Flaherty said Mr. Bardash is working on the “fit with pathways” item, including the
93 county requirements for bike paths, the locations, the preservation of parks, etc. Mr.
94 Flaherty noted that FR-1 would be included in that. He said the Delaware County
95 commissioners and Preservation Parks have created an overall map, and FR-1 would be
96 included there. It would include what the township requires and the overall path structure
97 outside of development. The township wants to ensure that the current standard is
98 included so developers know the standards when they first apply for a rezoning, including
99 the path widths, locations and other standards, and that is where FR-1 would come in.

100

101 Mr. Flaherty said R-2, R-3, and R-4 would be similar and would include what the
102 township wants to include inside for those. The main arteries are important, but the
103 requirements for the inside path networks also need to be created.

104

105 Mr. Flaherty said he would send the revised document to the county prosecutor’s office
106 for review, as well as Mr. Sander’s office. Mr. Sanders can provide sample language for
107 the items and that can be added and reviewed by the BZC.

108

109 Ms. Littleton asked whether standards for mailbox accessibility should be added. Mr.
110 Flaherty said he would add that to offsite parking. Mr. Loveless said eventually, they

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

REGULAR MEETING

TUESDAY, FEBRUARY 23, 2021 7:00 PM

111 will have to be handicapped-accessible, and the cost will fall on the township. The
112 sooner ADA accessibility is required for development, the better. Mr. Bardash said that
113 sometimes, an access is provided at the corner, although he agreed it would not be a bad
114 idea to have one at the mailboxes.

115

116 Ms. Littleton said the concept was that it was street parking so the curb cut would be on
117 opposite sides of the street, which would be awkward. She believed that if there was off-
118 street parking, the curb cut on the opposite side if the street would not be required
119 because there was already parking spaces there.

120

121 Some of the items for review by individual BZC members included:

122

- 123 • Electronic signs: David Loveless.
- 124 • Amenity standards in recreation areas in developments: Angela Brown.
- 125 • Windmills: Jerry Valentine.
- 126 • Fit with pathways: Mike Bardash.
- 127 • Changes in ambiguities: Steve Flaherty.
- 128 • Business park implications: Christina Littleton.
- 129 • Text updates in CLUP updates: Martin Johnson.
- 130 • Agri-business text: Darcy Kaplan
- 131 • Business Park Implications: Christina Littleton.
- 132 • Group Mailbox Items: Steve Flaherty.
- 133 • Headwall/endwall/fountains: Darcy Kaplan.
- 134 • Solar Farms: Steve Flaherty.

135

AGENDA ITEM: OTHER BUSINESS

136 Mr. Bardash noted that he may be moving to Orange Township soon and he plans to
137 resign from the BZC at that time.

138

139 Mr. Flaherty said the items will be prioritized so the more important items can be
140 addressed sooner in the year. Items can be added or removed as time goes on. Each of
141 these items can be brought to meetings and discussed as they are ready; they should be
142 provided to Ms. Rippel so she can add them to the agenda and the BZC can be prepared.

143

144 Mr. Flaherty said he has had some informal meetings including with Metro Development.
145 Some of the concepts discussed did not seem to be in line with the BZC's thoughts
146 although they are welcome to apply to rezone the property. He referred them to the
147 citizen's group We Love Berlin Township for their thoughts, and he heard that a meeting
148 was held. It is good to have developers weigh in and discuss situations like that not only
149 with township officials but also with active citizens' groups who have a vested interest in
150 what happens.

151

152 Mr. Flaherty said he also met with Tony Eyeran of Evans Farm this past week
153 regarding the property on Peachblow Road, east of the railroad tracks behind those
154 homes. Mr. Eyeran is working on a solution to get housing in there, and also to get
155 back to the drainage problem and help ease the drainage issues at Piatt Road. Mr.
156 Flaherty also referred Mr. Eyeran to the We Love Berlin Township citizen's group. He
157 believes that residents should be involved in the process because it creates a better
158 dynamic, a healthier township, and a better vision overall. It becomes a collaborative
159 approach, rather than just the developer and township officials being involved.

160

161 Ms. Brown asked whether there has been any activity on the 13-acre Africa Road
162 property sold by the Sherman family. Mr. Flaherty said informational meetings had been
163 held late last year; they are working on the adjacent property as well, and putting together

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

REGULAR MEETING

TUESDAY, FEBRUARY 23, 2021 7:00 PM

164 a total plan for both parcels. Some of it may be put on hold due to the current market
165 conditions but he expected something to come forward this year.

166
167 Ms. Brown asked whether the development would be single-family homes. Mr. Flaherty
168 said that they would be.

169
170 Mr. Valentine asked about the annexation from Sunbury. Mr. Flaherty was not certain of
171 the current status. Mr. Loveless said township trustee Ron Bullard told him the
172 annexation has not been completed.

173
174 Mr. Loveless said the laptops have been brought in but he is not sure when they will be
175 ready.

176
177 Ms. Rippel said there are no zoning issues coming into the township that she is aware of.

178
179 Mr. Flaherty said he hoped to have feedback for the next BZC meeting on March 9, 2021
180 at 7:00 PM from Mr. Sanders and the prosecutor's office regarding the discussed
181 modifications to the zoning resolution to discuss, and he welcomed BZC members to
182 bring up priority items for discussion. The meeting will be virtual and broadcast live, and
183 he invited and welcomed residents to attend and participate.

184
185 There was no further business to come before the BZC.

186 Motion to adjourn. Meeting adjourned.

187
188
189 _____
Steve Flaherty, Chairperson

190
191 _____
Jerry Valentine, Vice-Chairperson

192
193 _____
Darcy Kaplan, member

194
195 _____
Mike Bardash, member

196
197 _____
Martin Johnson, member

198
199 _____
Christina Littleton, 1st alternate member

200
201 _____
Angela Brown, 2nd alternate member

202
203
204
205
206
207
208
209 Attest: _____
210 Lisa F. Knapp, Berlin Township Zoning Clerk

211
212