



Berkshire Township Zoning Commission Meeting June 9, 2022

Call to Order: Chairman Jon Kerr called the meeting to order at 7:00 p.m.

Determination of a Quorum/Roll Call: Members present were Jon Kerr, Damita Peery, Austin Slattery, Matt Allen and Phil Pifer. Also present were Zoning Inspector David Weade and Board Clerk Chris Sharlike. It was determined that Alternate Phil Pifer would have full voting rights in the absence of Andy Kerr.

Motion to approve the minutes: A motion to approve the April 7, 2022 minutes was made by Austin Slattery and seconded by Damita Peery. The motion was approved 5-0.

Announcements:

- Chairman Kerr announced that if business was not completed by 9:30 p.m., it would be continued to the July 7, 2022 meeting at 7:00 p.m. at the Berkshire Township Hall.

New Business:

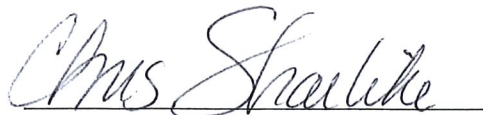
- Amendment to Final Development Plan/Site Plan Review
Application #22-103 True North Energy LLC (Shell Gas Station)
 - Representative Rick Turner reviewed the plan for site improvement including a new canopy, reconfiguration of pumps, eliminating the car wash and Tim Hortons, improving traffic flow, repaving, and refreshing the landscaping.
 - Questions from the board included the number of parking spaces, the road shared by McDonalds, Wendy's and Shell, and the current pole sign. Mr. Turner explained that parking spaces were being eliminated at the front of the lot, but parking spaces would remain behind the building. The service road to the west is maintained by McDonalds, but True North has been in conversation with McDonalds about improving the road following the construction upgrades. True North also wants to keep the pole sign, replacing the signs for the car wash and Tim Hortons with a sign for diesel fuel. The Board explained that renovating the site requires the applicant to abide by the current code including signage which does not permit a pole sign but does permit a monument sign.
 - Chairman Kerr opened the meeting up to public participation. While there were no official comments or questions for the Board, the general comments from those present were favorable.
 - Damita Peery made a motion to approve the application #22-103 with the stipulation that the signage be addressed at the time of permitting. Austin Slattery seconded. The motion passed 5-0.
- Rezone w/lot split or Rezone with development plan
Application #22-104 Highland Realty Development Plumb Creek

- o The applicants were represented by Chris Bradley, Gary Smith, Scott Mallory, Justin Wallenburg and Chris Kelley.
- o Mr. Bradley reviewed their progress to date and noted the number of people present. He assured the Board that they desire to have a collaborative and cooperative relationship and want input from the community so they may adapt and adjust their plans.
- o The presentation included drawings and plans for 47 single family and 94 patio homes on 87 acres between Dustin and Plumb Roads, currently zoned Planned Institutional (PIND). The proposed density would be 1.93 units per net developable acre. The stream areas would be kept in order to preserve a more rural feel along with open space and a walking path. Buffering along I-71 would be included.
- o The Board had questions about how the density was calculated by the applicant. Concerns were raised about homes being in a wetland area, setbacks, streetlights, density, and the 5 divergences requested.
- o Chairman Kerr opened the meeting up to public participation. There were many questions and concerns regarding sewer and water, density, traffic, easements, rental homes, and the additional pressure that would be placed on the school system, as well as how the development would change the character of the neighborhood. After questions it was noted that the application did not include approval letters from the Delaware County Engineers office for sewer and traffic improvements if needed.
- o Following the public participation portion of the meeting, the applicants were given the opportunity to respond to the questions and concerns of the public.
- o The applicant did ask the zoning inspector to review the steps in the zoning process that must be followed to complete the zoning change.
- o The Board asked additional questions about the proposed HOA, the space between houses and the differences between the text and the maps.
- o Mr. Bradley stated that at this point they are seeking feedback and guidance, and requested the application be tabled until the August 4, 2022 Zoning Commission meeting.
- o Matt Allen made a motion to table the application #22-104 until the August 4, 2022, Zoning Commission meeting at 7pm at the township hall. Jon Kerr seconded the motion and it passed 5-0

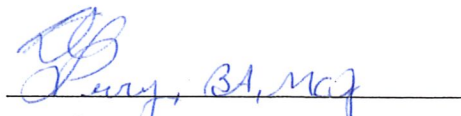
Adjournment: Motion to adjourn made by Damita Peery and seconded by Jon Kerr. Motion passed 5-0.



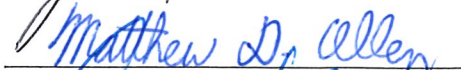
Zoning Inspector



Board Clerk









Date 7.7.22

Zoning Commission Members