

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

20

DD Perry, BA, MCQ

David Perry

Jon Kerr

Matthew J. Allen

Berkshire Township Zoning Commission Meeting
January 2, 2020

Paul DiSantis call the meeting to order at 7:00 p.m.,

Roll Call: Paul DiSantis, Andy Kerr, Jon Kerr, Matthew Allen, Damita Peery and Eric Johnson all here.

Approval of the December 5, 2019 Meeting Minutes

Damita Peery made motion to approve the December 5, 2019 meeting minutes. Second by Matthew Allen. Andy Kerr ^{Obtained} ~~Obtained~~ *Obtained*

Paul DiSantis advised the meeting will go until 9:00 p.m. and if needed will be continued at the next Zoning Commission Meeting. Paul also ask that anyone expecting to speak needs to be sworn in by the Court Reporter at the meeting.

Application 19-134 Plan 4 Land LLC to rezone to Planned Recreational District.

Joe Clase property owner's representative. Property Owners Gert and Anne Mueller of 8931 Grate Park Square, New Albany Ohio. 5.249 acres at 326 Carter's Corner Road, Sunbury Oh 43074.

Paul started by asking Joe about his submission and what exactly he was asking for. A Final Development Plan approval or a Preliminary Plan approval. Paul indicated he doesn't see anything from County Engineer's office, any architect information or Emergency Services information in the submission packet.

Paul advised the Board needs all forms to consider a final plan. Paul advised Joe Clase he might want to consider to ask for a continuance and gather more complete information for a final approval. Jon Kerr asks for Joe to speak up and come back to the Board for a final plan approval.

Paul ask if Joe would like to change the application to a Preliminary application. Joe met with his clients at this time for 5 minutes.

Paul reconvened the meeting and Joe advised he and his clients would like to seek a preliminary hearing and then a final plan later.

Joe gave the Board an overview: Archery Facility with Private and Public Members

The building will face Carters Corner road with parking lot in front. The Health Department indicates suitable for their onsite treatment system.

Damita ask for an explanation on the landscaping. Sharon who did the design for this application got up and gave a detailed explanation of all the plants to be installed.

Eric Johnson asks about the mounding for the outdoor range and if it was a back stop or for esthetic reasons. Chris Williams advised it for both. Eric asks about the pond ariation and Chris advised typically no ariation is needed.

Jon Kerr ask if any Pear Trees or Cattails. No to both of those.

Requested variance is from Trac Size of 10 acres to 5

Paul ask Dave if he had the list of adjacent property owners. Dave answered yes.

Public Comments'

Steve Mack – Carters Corner Road- Lighting concerned about evening lighting.

Answer by Mike Williams – no lights in parking lot and no lights or shooting at night.

Steve indicates the water culvert present is bad and needs looked at.

Shawn Walker – east/south managing property members

Mounding on property is a concern with excess dirt. Delaware County should address this issue and TSC

has a mound that did not follow the final plan. This is an EPA issue

Dave Weade will pursue this with TSC.

Shawn Walker asks about a metal building and if they will have to comply with code.

Melody & Davey - Steve

Spencer

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Brian Guerra 360 Carters Corner Road – property owner next door concerned with stray arrows and for the lighting on the property. Gert Mueller advised the final plan will have the lighting plan. No outside lighting but on the building itself and sign.

Chris Guerra 360 Carters Corner Road – asking about trees. Was advised the trees will be minimum of 2 1/2" calipers and meet the zoning code.

No more public comments

Matthew Allen advised the Buffering area on Page 6 has left him hanging.

Paul DiSantis ask if documents handed out were to be included in the Preliminary Application?

Damita Peery wanted to know about excess parking in case of more than normal attendance. Joe Clase advised he believes more than adequate.

Jon Kerr asks why the building would not be shorten up to meet the code. Mr. Williams advised the club would lose the ability to short 50 meters. *SA 10/28/*

Dave Weade reviewed the Staff Recommendations from Regional Planning:

Additional approval subject to inclusion of a drive stub to the South

Dust from the gravel parking lot

Requirement for a back road in the future and the height of the mound due to safety issues.

Joe Clase advised mound would be 4-5 feet most likely. Dust control measures would be put in place.

Paul DiSantis moved to continue Application 19-134 Plan 4 Land LLC. Until next month at the February 6, 2020 at 7:00 pm and advised the applicant to put together a complete packet to present to the Board. Second by Andy Kerr. Vote Unanimous

Other Business:

Application 19-132 Berkshire Township Zoning Resolution Changes

Comments from the Board and Public

Eric Johnson asks about Paragraph 17.08 (K) raising the fee from 10,000.00 to \$30,000.00 per acre contribution.

Jon and Andy Kerr want vinyl siding eliminated.

Eric Johnson ask about 2203 I real estate signage.

Public comments:

Ellen Ebe- Holley Woods Dr. Can the price for open space be increased over \$30,000.00? Dave Weade it has to do with land value and appraisals to justify the increase.

Kim Bowling- ask if metal exterior was being eliminated – Board advised metal is included.

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Andy Kerr made the following motion;
Motion for Recommendation of approval with Modifications to recommend approval of the amendment proposed to the Berkshire Township Zoning Resolution in Zoning Amendment Case Number 19-132, which amendment consists of the textual revisions proposed to be made to the Berkshire Township Zoning Resolution as reflected in the Zoning Amendment Text entitled Berkshire township Zoning Case 19-132 dated December 5, 2019 with the following modifications:

1. Section 11.08 23 Strike sign language referring to Owners or Developers of the subdivision.
2. Section 11.08 24 Add mailbox/kiosk
3. Section 16.08 E (2) b Correction of building height
4. Section 16.0 I (6) Maintenance of street trees shall be the responsibility of the homeowner or HOA
5. Section 17.08D (3) f Maintenance of street trees etc.
6. Section 17.08 K Payments in lieu of add acquisition
7. Section 22.03 I (1) add rent or lease
8. Section 23.04C Maintenance of street trees shall be the responsibility of homeowner or HOA

Dave Weade advised estimated PMUD attorney fees is \$975.00 a meeting.
2020 Meeting Schedule was given

Damita Peery made a motion to adjourn at 7:45 p.m. Second by Jon Kerr