



Berkshire Township Zoning Commission Meeting

September 1, 2022 Minutes

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 Meeting Secretary Chris Sharlike.

Motion to approve the minutes: A motion to approve the August 4, 2022, minutes was made by Jon Kerr and seconded by Damita Peery. The motion was approved 5-0.

Next Zoning Commission Meeting: October 6, 2022, at 7:00 p.m. at the Berkshire Township Hall, 1454 Rome Corners Road, Galena Ohio.

Rezone to Planned Residential Development (PRD) – Application #22-104 Highland Realty Development, Plumb Creek, tabled from the August 4, 2022, meeting

- Motion made by Jon Kerr to remove the application from the table and seconded by Matt Allen. Motion passed 5-0.
- Gary Smith of G2 Planning and Design, 720 E Broad Street Columbus, thanked the Zoning Commission and the public for the good feedback and for their patience as they worked through making the development a better fit.
- Changes to the most recent plan include removing a lot that with a duplicate label and reprinting the affected drawings, removing all divergences, and making lots 150 feet deep in order to allow enough buildable room for patios and decks without the need for variances.
- Lots will be 12,000 square feet, and two-story homes will be a minimum of 2,500 square feet. Ranch homes would be at least 2,300 square feet.
- Minimum roof pitch shall be a 6-12 pitch.
- Applicant stated that their current plan:
 - Falls within the comprehensive plan
 - Meets or exceeds the PRD code
 - Uses 100% natural materials
 - Has a letter of support from Scott Sanders at Regional Planning
 - Commits to a minimum square footage of homes
 - Provides almost 40% open space
 - 88 of 91 homes are adjacent to open space
 - Lots exceed minimum size

- Plan includes walking paths and trails
 - Plan is consistent with other approved developments in the area
- Board member Austin Slattery expressed appreciation for the developer putting their commitments within the text of the plan, and in meeting the code and comprehensive master plan.
- Chairman Kerr opened questions and comments from the public
 - Concerns from the public included lot size, traffic, water table, the effect on the school district, makeup of the open space, and safety of bicyclists, residents and area wildlife. Many residents expressed concern that the development does not fit the area, and that it would negatively affect the neighborhood. Residents questioned of the benefit of the development to the township.
- Zoning Inspector Dave Weade addressed the public questions:
 - The zoning code is a legal document that the Board is required to follow. The code does not address the benefit to the township, which is a question better asked of the Board of Trustees. It is the responsibility of the Zoning Commission to make a recommendation to the Board of Trustees and the final decision will rest with the Trustees.
 - Density is based on total acreage.
 - The Board cannot make decisions based on personal feelings; rather they must decide if a plan meets the zoning code.
 - Open space includes drainage ponds, walking paths, and mounds for noise control
 - The Board cannot make decisions based on the price of land or amount of profit
 - If the application is approved, a traffic study will be done by the County Engineer, who will decide what needs to be done to ensure traffic conditions are not made worse, and the developer will be responsible for paying for those improvements.
- Damita Peery asked the applicant if they had approached anyone at the school district to make them aware of the plan. Applicant responded that they had not, but would do so. He further stated that 70% of property tax dollars goes to the schools.
- Applicant stated there is no builder as of yet.
- Chairman Kerr reminded those present that as board member Andy Kerr stated in the previous meeting, the Zoning Commission has worked on the zoning text over the years with Regional Planning and other professionals to make sure it is up to date and appropriate, and board members have a commitment to abide by the code. Any personal opinions are irrelevant.
- Chairman Kerr made a recommendation to change the rear yard setback on the plan from 30 feet to 20 feet. Applicant has no objection to making that change.
- Jon Kerr made a motion to approve Application #22-104 Highland Realty Development, Plumb Creek with the condition that Tab 1, page 5, rear yard setback be changed from 30 to 20 feet. Austin Slattery seconded the motion, and it was approved 5-0.
- Inspector Weade explained that this was a recommendation to the Trustees, and the Trustees will have the final say on this application. There will be legal hearing on October 10, 2022 at the Berkshire Township Hall, 1454 Rome Corners Road, Galena Ohio. It will be advertised and adjoining

property owners will get a legal notice. The development plan is on the Berkshire Township website.

- **Rezone to planned mixed use development (PMUD) – Application #22-161 Northstar Residential Development LLC Article 17 proposed sign changes**
 - Dave Holtsmiller of Northstar Residential Development, 375 North Front Street, Columbus asked the board to consider approval of the submitted signage guidelines.
 - Northstar worked with Berkshire Township staff to come up with signage guidelines that will align with the purpose of the code and be useful and consistent for future users.
 - These are guidelines and examples. Once adopted, any specific plans are subject to future approval by both the developer and the Zoning Commission.
 - Presented illustrated guidelines for commercial and residential developments
 - Pylon signs illustration is just an example, but is only a guideline. Actual signage will be subject to approval
 - Inspector Weade stated that according to Article 17, the first developer sets the standard for future developers and a signage plan has to be adopted by the Board and added to the zoning resolution. These guidelines will be the legal standard that any signage will have to follow, and would be added to Article 17 as an appendix. If the architectural review board at Northstar approves a signage plan, it will still come to the Zoning Commission for approval.
 - The question was asked if developers who fall under other articles would have to abide by the guidelines. Inspector Weade stated they would not.
 - Board asked about “reasonable intensity of lighting”. Mr. Holtsmiller explained that there would be discretion so that the lighting would be appropriate for where the signage is located. The architectural review and the Zoning Commission will make that determination.
 - Question about maximum letter size, and consistent letter size. Mr. Holtsmiller responded that the guidelines were meant to provide flexibility, and cautions against including so much detail that it excludes specific businesses.
 - The Board raised a concern that there appeared to be nothing in the document concerning where pylon signs could be located. Mr. Holtsmiller stated that since they do not yet know who the users will be, the idea was to keep the guidelines flexible to attract a wide variety of users, and that signage and location would still be subject to approval and could be considered on a case-by-case basis.
 - Inspector Weade commented that as the guidelines are adopted into the resolution, they state a location of a minimum of 15 feet from the right of way of 71. He recommends putting a restriction on it, and reviewing it on a case-by-case basis. It would be up to the future applicant to prove why they can’t abide by the guidelines.
 - After discussion, a recommendation was made to add to page 3, G4 “ Pylon signs will be within 600 feet of the right of way on I-71. Revised text will be provided by applicant by October 1.
 - Damita Peery made a motion to approve application 22-161 Northstar Residential Development LLC Article 17 proposed sign changes with the amendment that page 3, G4 add that pylon signs

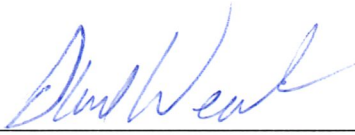
to be located within 600 feet of the right of way of I-71. Jon Kerr seconded, and the motion carried 5-0.

- **Other Business**

- Discussion of possible changes to current Berkshire Township Zoning Resolution

- Inspector Weade asked the Board if they would like to consider changes to Article 16 and gave them a comparison sheet between Article 15 and Article 16 and language from the Ohio Revised Code to discuss one specific use.
 - If so, a resolution would be adopted to have a public meeting on the subject on October 6, 2022 at the Berkshire Township Hall, 1454 Rome Corners Road, Galena, Ohio
- After discussion, the Board decided to hold the hearing in 30 days in order to get more detailed information and consider changes to Article 16.
- Damita Peery made the motion to initiate for consideration, pursuant to Ohio Revised Code Section 519.12, a proposed amendment to the Berkshire Township Zoning Resolution which would, if adopted, include changes to the following sections: 16.03, and attachment 1-Zoning District Map. The motion was seconded by Jon Ker and was passed 5-0.

- **Adjournment:** Motion to adjourn made by Phil Pifer; seconded by Matt Allen. Motion passed 5-0.

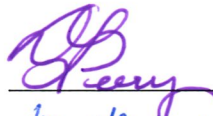


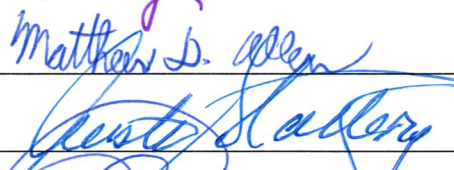
Zoning Inspector

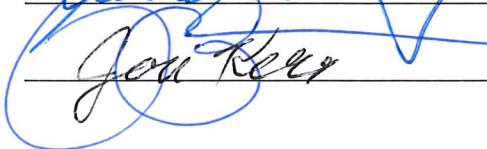


Meeting Secretary

Date 10/6/22







Zoning Commission Members