



Delaware County Regional Planning Commission

109 North Sandusky Street
P.O. Box 8006, Delaware, Ohio 43015
740-833-2260 www.dcrpc.org
Scott B. Sanders, AICP *Executive Director*



MINUTES

Thursday, March 30, 2023 at 6:00 PM

Frank B. Willis Building, 2079 US 23 North, Conference Room,
Delaware, Ohio 43015

ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of February 23, 2023 RPC Minutes
- Executive Committee Minutes of March 22, 2023
- Statement of Policy

CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
24-21.2	Berkshire Crossing, Sec. 2, Lot 1817, Div. #2	Berkshire	52 lots / 15.794 acres
17-20.2	Hyatts Meadows, Section 2	Liberty	27 lots / 6.127 acres

ZONING MAP/TEXT AMENDMENTS

07-23 Brown Twp. Zoning Commission – Zoning Resolution text amendments

SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
05-23 T	Estates at Duncan Run	Harlem	24 lots / 67.93 acres

EXTENSIONS

08-21	Keller Subd., Lot 294, Div #1	Berlin	2 lots / 2.767 acres
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OTHER BUSINESS

- Consideration for Approval –Bylaws Amendments
- Executive Committee Elections

ADMINISTRATIVE BUSINESS

- **Call to Order**
 Chairman Stites called the meeting to order at 6:00 p.m.
- **Roll Call**
Representatives: Jim Nelson, Meghan Raehll, Steve Lisano, Ric Irvine, Gary Merrell, Barb Lewis, Jeff Benton, Dustin Kent, Sarah Holt, Jill Love, Dave Stites, Jeffrey Warner, Michele Boni, Joe Proemm, James Hatten, Dan Boysel, Herb Ligocki, Josh Vidor, Kent Manley, and Mike Dattilo. *Alternates:* Brad Stanton, Mike Love, Paul Benson, Barry Bennett, John Grumney, Richard Lehner. *Staff:* Scott Sanders, Brad Fisher and Stephanie Matlack.
- **Approval of the February 23, 2023 RPC Minutes**
Ms. Holt made a motion to Approve the minutes from the February 23rd meeting, seconded by Mr. Merrell. VOTE: Unanimously For, 0 Opposed. Motion carried.
- **March 22, 2023 Executive Committee Minutes**

1. Call to order

Chairman Stites called the meeting to order at 8:45 a.m. Present: Dave Stites, Gary Merrell, Tiffany Maag, Joe Shafer, and Michele Boni. Staff: Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes from February 15, 2023

Miss Boni made a motion to Approve the minutes from the February meeting. Mrs. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. New Business

- Financial / Activity Reports for February

REGIONAL PLANNING RECEIPTS		FEBRUARY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$410.00	\$3,280.00
Fees A (Site Review)	(4202)		\$600.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$100.00
Membership Fees	(4204)	\$5,335.00	\$160,261.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$292.71	\$292.71
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)		\$45,052.10
Charges for Serv. B (Final. Appl.)	(4231)		\$5,300.00
Charges for Serv. C (Ext. Fee)	(4232)	\$200.00	\$400.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		\$300.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$600.00

OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$100.00
Soil & Water Fees	(4243)		\$900.00
Commissioner’s fees	(4244)		\$147.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)	\$40.00	\$116.62
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$6,377.71	\$217,449.43

Balance after receipts		\$1,255,945.76
Expenditures	-	\$ 47,660.43
End of February balance (carry forward)		\$1,208,285.33

Mr. Shafer made a motion to Approve the Financial reports as presented, subject to Audit. Mrs. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried

• March RPC Preliminary Agenda

- SKETCH PLANS

	<u>Township</u>	<u>Lots/Acres</u>
• Dublin Court	Concord	14 lots / 25.01 acres

- ZONING MAP/TEXT AMENDMENTS
 - Brown Twp. Zoning – Zoning Resolution text amendments

- SUBDIVISION PROJECTS

	<u>Township</u>	<u>Lots/Acres</u>
<u>Preliminary</u>		
• Estates at Duncan Run	Harlem	24 lots / 67.93 acres
<u>Final</u>		
• Berkshire Crossing, Sec. 2, Lot 1817, Div. #2	Berkshire	52 lots / 15.794 acres
• Hyatts Meadows, Section 2	Liberty	27 lots / 6.127 acres
<u>Extension</u>		
• Keller Subd. – Berlin Twp. – requesting 1 year extension		

• Director’s Report

Meetings hosted or attended:

- Internal Development Team – 2/ 27;
- MORPC Transportation Advisory Committee – 3/1;

- MORPC’s Data Day workshop – Brad and I both attended on 3/1;
- Trenton Township Trustees – discussed the impacts of Intel on 3/1;
- County Intel Working Group – 3/2;
- Housing Land Use and Zoning subcommittee – attended virtually on 3/13;
- Delaware County Township Association – 3/9;
- Berlin Business Park utility update meeting – 3/14;
- MORPC’s Northeast area meeting – Brad attended on 3/21;

Project updates

- Delaware Twp. Zoning Resolution – attended Trustee meeting on 2/28, they approved on 3/20;
- Harlem Township Zoning Resolution – started amendment meetings on 3/13;
- Village of Ostrander Comprehensive Plan – 3/9 - Brad continuing to present material;
- Liberty Township Comp Plan – met on 3/16, continuing to work on recommendations;
- Kingston Township Comp Plan – waiting on final steps;
- Berlin Township Comp Plan – Trustees has submitted changes, updating text due 3/27;
- Troy Township Zoning Comprehensive Plan – looking to start meeting in June;
- Village of Galena – formatting and layout of their Comp Plan, background chapters;
- Early talks with Sunbury and Shawnee Hills on updating background information

Other matters:

- Completed an online survey for the Health Commissioners organization of Ohio;
- Teams interview on Southwest area of the City of Delaware;
- Stakeholder in upcoming study on the Sunbury Parkway study by ODOT;
- City of Delaware is performing a Safety Action Plan with MORPC – RPC was requested to be a stakeholder.

4. Old Business

- Executive Committee nominating committee / member elections

There was discussion regarding the nomination process and concerns of absences at the March meeting. Chairman Stites asked the Committee if they were in support of asking the Commission to forego Executive Committee member elections until the April RPC meeting in order to allow members to submit their names for a ballot election. All were in favor of making a recommendation to the full Commission that election of officers be moved to April 27th.

5. Adjourn

Having no further business, Mr. Merrell made a motion to adjourn the meeting at 10:11 a.m. Mr. Shafer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, April 19, 2023 at 8:45 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.

- **Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted an opportunity to make their formal presentation. The audience will then be granted an opportunity to comment followed by questions from the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration. The Chairperson may limit repetitive debate.

CONSENT AGENDA (Final Plats)

24-21.2 **Berkshire Crossing, Sec. 2, Lot 1817, Div. #2 – Berkshire Twp. - 52 lots / 15.794 acres**

Conditions

Applicant: AMH Development LLC / **Engineer:** CESO Inc.

Subdivision Type: Single Family Residential

Location: South of Wilson Rd., west of N. Galena Rd.

Zoned: Planned Residential (PRD), PMUD Art. 17

Preliminary Approval: 08/26/21

Utilities: Del-Co Water, central sanitary sewer

School District: Big Walnut

Staff Comments

The Berkshire Crossing Preliminary Plan was approved on August 26, 2021 as a residential subdivision with 104 single-family lots. The request is to plat Section 2 of that project, which contains 51 buildable lots that gain access from three roads that connect to roads in Section 1, includes one cul-de-sac and 4.208-acres of open space. Modification were made from the Preliminary Plan to address Preliminary Plan comments for both phases one and two. Those modifications include: widening lots throughout to allow for up to 54 feet wide drainage easements, remove a wetland and the emergency access drive that abut the cul-de-sac and add one additional lot near the cul-de-sac. For reference, two lots were removed from phase 1 and a secondary access point was added to accommodate for the modifications in phase 2.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

Staff Recommendation

Staff recommends *Final Approval* of **Berkshire Crossing, Sec. 2, Lot 1817, Div. #2** to the DCRPC.

Commission / Public Comments

Mr. Irvine made a motion for Final Approval of Berkshire Crossing, Sec. 2, Lot 1817, Div. #2. Mr. BoyseI seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

17-20.2 Hyatts Meadows, Section 2 – Liberty Twp. - 27 lots / 6.127 acres

Conditions

Applicant: Olentangy Falls II, Ltd. / **Engineer:** EMH & T

Subdivision Type: Planned Residential community

Location: North side of Hyatts Rd., west of US 23

Zoned: Planned Residential District (PRD)

Preliminary Approval: 09/17/20

Utilities: Del-Co Water, central sanitary sewer

School District: Olentangy

Staff Comments

The Hyatts Meadows Preliminary Plan was approved on September 17, 2020 as a residential subdivision with 119 single-family lots and two multi-family lots. The request is to plat Section 2 of that project, which contains 27 single-family buildable lots that all gain access from internal roadways and includes 0.391-acres of open space to accommodate an existing powerline and easement. The typical lot size is 0.149 acres with between 52' – 57' frontage.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

Staff Recommendation

Staff recommends *Final Approval* of Hyatts Meadows, Section 2 to the DCRPC.

Commission / Public Comments

Mr. Irvine made a motion for Final Approval of Hyatts Meadows, Section 2. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

ZONING MAP/TEXT AMENDMENTS

07-23 Brown Twp. Zoning Commission – Zoning Resolution text amendments

Request

The Brown Township Zoning Commission has forwarded proposed changes for the RPC to consider and provide recommendations. The proposed changes are general in nature and include minor edits to the following sections: signage, setbacks, satellite dishes, driveway construction and permitting, accessory swimming pool covers versus fencing, home occupations, spelling, and reformatting.

Staff Comments

Staff is in support of the proposed changes as they will add clarity and make better use of space within the document. The only recommendation is that examples of approved automatic covers be included if the reference to “Delaware County approved automatic cover” stays as written. Or, add language similar to, “swimming pools with a power safety cover, spas and hot tubs with a safety cover must comply with ASTM F 1346, or be walled or fenced...”. These safety cover standards were established by American Society for Testing Materials International.

Reviewing Agency Comments

Delaware County Building Safety – Recommended amendments shown in red

C. The swimming pool shall be equipped with an approved enclosure or automatic pool cover prescribed in the Delaware County Building Code to prevent uncontrolled access.

21.08 Certain limited areas of the Township lie within the flood plain or special flood hazard areas of Alum Creek or its tributaries. Inundation of those areas during periods of high water can impose great loss of property value unless controls are imposed to insure ensure that land uses within those areas consider such risks and minimize the impact of such flooding. All construction within the designated Flood Plain shall be regulated by the Delaware County Flood Prevention Resolution.

Staff Recommendation

Staff recommends **Conditional Approval** of the text amendments to the Brown Township Zoning Resolution to the DCRPC, Brown Township Zoning Commission and Brown Township Trustees, *subject to the recommended changes within this report.*

Commission / Public Comments

*Mr. Vidor made a motion to recommend **Conditional Approval** of the text amendments to the Brown Township Zoning Resolution, subject to staff recommendation. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

SUBDIVISION PROJECTS

Preliminary

05-23 T Estates at Duncan Run – Harlem Twp. - 24 lots / 67.93 acres

Conditions

Applicant: SREI Fund IV, Inc. / Consultant: Plan 4 Land

Staff Comments

The applicant is requesting a 90-day Tabling in order to address zoning issues.

Staff Recommendation

Staff recommends *Approval* of a 90-day Tabling of **Estates at Duncan Run** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Merrell made a motion to Approve a 90-day Tabling of Estates at Duncan Run. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

EXTENSIONS

08-21 Keller Subdivision, Lot 294, Division #1 – Berlin Twp. - 2 lots / 2.767 acres

Applicant: Mary Lou Gott

Surveyor: Scioto Land Surveying

Preliminary approval: 03/25/21

Staff Comments

The applicant is requesting a 1-year extension for Keller Subdivision, Lot 294, Division #1 in order to complete the disconnection of the septic system and connection to the sanitary sewer system.

Staff Recommendation

Staff recommends *Approval* of a 12-month Extension for **Keller Subdivision, Lot 294, Division #1** to the RPC.

Commission / Public Comments

No one was present to represent the applicant.

Miss Boni made a motion to Approve a 12-month Extension for Keller Subdivision, Lot 294, Division #1. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

OTHER BUSINESS

- **Consideration for Approval –Bylaws Amendments**

Article VII, Sec. 3

- b) **Minor Expenditures** – All expenditures, commitments or contracts for expenditures or disbursements up to **\$5,000.00** ~~\$1,000.00~~ shall be authorized by the Executive Director or in his/her absence by the Assistant Director. All expenditures, commitments, or contracts for expenditures or disbursements between **\$5,000.01** ~~\$1,000.01~~ and **\$10,000.00** ~~\$2,500.00~~ shall be authorized in writing by the Executive Director, or in his/her absence by the Assistant Director, and the Chairperson or Vice-Chairperson of the Executive Committee of the Commission.
 - c) **Major Expenditures** – All expenditures, commitments or contracts for expenditures or disbursements in excess of **\$10,000.00** ~~\$2,500.00~~ shall be approved by a majority of the Executive Committee and then presented to the Regional Planning Commission for their approval.
- Update all department names as needed (“Delaware General Health District” to “Delaware Public Health District” and “Code Compliance” to “Building Safety”).

Mr. Vidor made a motion to amend the Delaware County Regional Planning Commission By-Laws as presented. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- **Executive Committee Elections**

Chairman Stites explained that due to a few members being on Spring Break, he would like to move the Executive Committee member elections to the April 27th meeting. It was also discussed that individuals wanting to be considered for election would need to send a brief bio and explain why they wanted to serve.

Mr. Vidor made a motion to forgo voting for Executive Committee members until April 27th. Mr. Benton seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Having no further business, Mr. Irvine made a motion to adjourn the meeting at 6:16 p.m. Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, April 27, 2023, 6:00 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.