

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

REGULAR MEETING

TUESDAY, MARCH 22, 2022: 7:00 PM

CALL TO ORDER

The meeting was held at Berlin Township Hall, 3271 Cheshire Road, and was called to order by Vice-Chairperson Christina Littleton at 7:00 PM.

BZC members present: Vice-Chairperson Christina Littleton, Jerry Valentine, Darcy Kaplan, Angela Brown, 1st BZC alternate Jenny Sloas (seated).

Also present: 2nd BZC alternate Sherry Graham (seated), Zoning Clerk Lisa Knapp.

Not present: Chairperson Steve Flaherty, zoning secretary Cathy Rippel.

PROOF OF PUBLICATION

Ms. Knapp stated that the meeting was advertised as a regular meeting on March 9, 2022 in the Delaware Gazette as follows:

BERLIN TOWNSHIP ZONING COMMISSION NOTICE OF PUBLIC HEARINGS

The Berlin Township Zoning Commission will hold a meeting for the purpose of a public hearing March 22, 2022, at 7:00 p.m. at the Berlin Township Hall located at 3271 Cheshire Road, Delaware, OH 43015 in order to consider an application to amend an approved Preliminary Development Plan, designated as BZC 16-001, amendment #1, filed by Evans Farm Land Development Company, LLC, 1550 Lewis Center Road, Lewis Center, OH 43035. The applicant is requesting approval to remove references to “Lot Classifications”, to Planned Residential District (PRD) and Planned Commercial District, (PCD) for a new urbanism community, ±804.9 acres, Parcels #41833001010000, 41833001006000, 41834001053000, 41834001054000, 41833001104000, 41833001101001, 41833001098000, 41834001055000, 41834001056000, 41834001057000, 41834001061000, 41834001062000, 41843303001002, 41843303001000, 41833001103000, and 314.21 ± acres, Parcels #41834001013000, 41834001012000, 41834001009000, 41834001004000, 41834001008000, 41834001002000, 41834001003000, 41843001005000, 41843001006000, 41843001007000, 41834001006000, 41834001010000, 41834001011000, 41834001019000, & 41831001095000.

Also, the Zoning Commission will consider an application to amend an approved Preliminary Development Plan, designated as BZC 18-003 #1, filed by M/I Homes of Central Ohio, LLC, 4131 Worth Avenue, Ste. 310, Columbus, OH 43219. The applicant is amending Berlin Farms West, formally Longhill, the development text to reduce the density of the approved R-3 Planned Residential District, ±279.812 acres, Parcel’s #41823001001000, 41823001002000, 41824001056000, 41824001057000, 41824001058000, & 41824001058001.

AGENDA ITEM: APPROVAL OF MINUTES

Ms. Brown made a motion to approve the minutes from the 3/8/22 BZC meeting, as presented. Ms. Kaplan seconded the motion.

Vote: Brown, yes; Kaplan, yes; Sloas, yes; Graham, yes; Valentine, abstain.

Motion carried, the minutes were approved.

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AGENDA ITEM: BZC 16-001 AMENDMENT #1
EVANS FARM LAND DEVELOPMENT, LLC

BZC 16-001, amendment #1, filed by Evans Farm Land Development Company, requesting approval to remove references to "Lot Classifications", to Planned Residential District parcels and Planned Commercial District parcels on 804.9 acres.

Tony Eyerman, with Evans Farm, Evans Farm Way, presented the request and answered questions from the BZC.

Mr. Eyerman thanked the BZC for their time this evening to hear his request for the approval of an amendment to the application. He said Evans Farm is about equally split in Orange and Berlin Townships, and part of the property is in the city of Delaware service area. He started working with the Evans family about 15 years ago, and they have one vision of a seamless, New Urbanism community.

Mr. Eyerman said the approved architectural guidelines are not proposed to be changed. He said that in November of 2020, the Orange Township trustees requested that they amend their zoning. The complete development consists of three large binders for Berlin Township, and two for Orange Township. Orange Township asked them to consolidate it into one small binder.

Mr. Eyerman said Orange Township wanted to simplify the information, and Michele Boni, the planning and zoning director at the time, and her staff helped them write it, which took about a year. The question and answer parts of the text were removed in order to consolidate it, and much of the information was placed in a spreadsheet form.

Mr. Eyerman said Orange Township asked them to get rid of the lot classifications, which specify the 11 lot widths, and narrow it down to two sizes. He is here to make the same request of Berlin Township. Rather than chasing the details including standards such as setbacks, lot coverage, minimum square footage, etc. for 11 different lot sizes, now it would be narrowed down to just two sizes.

Mr. Eyerman said this would simplify the process for the zoning department. He said that in Orange Township, the lot sizes have not actually been reduced overall, and many have increased in size.

Mr. Eyerman said that in Section 11.13 of the Berlin Township zoning resolution, Administration of the Development Plan, the minor deviation section asks whether there are changes in the locations of the buildings, and there are not. The setbacks and the street widths are not changing, and the intent of the district remains the same as when it was originally zoned.

Mr. Eyerman said regarding major deviations, items A through J ask about whether there are changes in the character or the use of the property. He said there will be no change in the character and use, and it will still be in the PRD. The setbacks and square-footages will be the same.

Mr. Eyerman said the overall lot coverage will not change from the original approval. The density, quantities and the acreage of the community will not change. The infrastructure will not change. Mr. Eyerman said construction has not started because the Peachblow lift station was finished and the sanitary is coming from Hyatts and Route 23 but has only recently become available. There has been no change in the 30-35% open space. There has been no change in pavement width or the off-street parking.

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104 Mr. Eyerman said there were size items in the zoning text that was approved that he is
105 requesting an amendment to, and they are all relevant to lot classifications. He is only
106 requesting to reduce the 11 lot classifications to two. During the original rezoning in
107 Orange Township, their legal counsel Mike McCarthy asked that the number of lots be
108 broken down by quantities and the size of each lot classification, which was done. They
109 used the same format for Berlin Township.

110
111 Mr. Eyerman said he is requesting to eliminate the lot classification matrix, and the single
112 family lots are not being changed, including the quantity and setbacks. The classification
113 will be 40-80' wide lots, and 90' and greater . He is also requesting the elimination of the
114 square footage requirements per lot as a part of this.

115
116 Mr. Eyerman said the requested changes will help the township keep track of things, and
117 from the developer's standpoint, it allows them to be more marketable. He noted that
118 with the recent changes in the economy, covid, the price of lumber, etc. the price of
119 starter homes has increased from the low to mid \$300,000's to the high \$400,000's. He
120 said the quality of the product and the aesthetics will not change.

121
122 Ms. Sloas said this seems to be fairly administrative to her and she did not have any
123 questions at this point.

124
125 Ms. Brown asked whether the number of lots would increase or decrease. Mr. Eyerman
126 said it would be the same. Ms. Brown said if some of the lots were getting bigger, some
127 of the lots would be lost and the number of lots would be decreased. Mr. Eyerman said
128 that is correct. He said there are two items that are fixed: the total acreage and the open
129 space. If there are too many large lots, because the open space is not decreasing, the
130 number of lots will be decreased. If the lots are smaller, the open space will increase.

131
132 Ms. Brown said it makes sense to remove all of these different classifications because
133 that is an administrative nightmare. It is fine with her, as long as the number of units are
134 not being increased.

135
136 Ms. Littleton said Mr. Eyerman mentioned that the layout of the streets will not be
137 changing. Mr. Eyerman said any changes would be minor and would be based upon the
138 direction of the county engineer. Ms. Littleton said she looked at some of the prior maps
139 and noticed that areas have smaller lots, with some larger lots sprinkled in. The lot sizes
140 are fairly consistent. She asked whether that was happening in Orange Township.

141
142 Mr. Eyerman said the planning approach here is New Urbanism, which including
143 development transects. The area closest to the center of the community is usually the
144 highest density, and as it radiates out, the density is lower. This is based on how
145 developments in the area have developed naturally for centuries. He pointed out the town
146 center at Shanahan and Piatt Roads, and said the higher-density areas radiate out from
147 that area. Evans Farm seeks to copy that. The plan will maintain that transition.

148
149 Mr. Eyerman said Orange Township is a slightly different in that typically, transect is a
150 straight line, and as the lots go north they are smaller, and as they go to the east they get
151 bigger.

152
153 Ms. Kaplan said the transitioning and spreading out had been discussed during the
154 original zoning process, and it seems that is still expected to. She said the applicant had
155 mentioned replacing residential and commercial but all that was included is the
156 residential.

157

158

159

Public Comment

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160 John Cardi, 1164 Dale Ford Road, said that reclassifying residential and commercial had
161 been mentioned, and all he heard here was residential. Mr. Eyerman said that this request
162 only deals with the planned residential

163

164 Katie Meisner, 2875 Weyant St., asked about the Paykoff Farm off of Peachblow Road
165 including who owns it, what it is currently zoned for, and whether there is a timeline to
166 build on the farm. Mr. Eyerman said the Paykoff family owns the farm and they continue
167 to live on the farm and operate it. He spoke with a family member today and yesterday,
168 and they have no intention of doing anything with it at this time.

169

170 Ken Stone, 2278 Silver Hill St., said his property backs up to the big field, just to the
171 west of the school. He asked when they will start developing that area, and whether the
172 houses behind him will be similar to his home. Mr. Eyerman said the sewer extending
173 east and west has just recently become available. It will take a year to get engineering
174 done and approved, and then the bidding and construction will occur. If prices continue
175 to go up, more time may be needed. Mr. Stone asked whether it would be a year or two.
176 Mr. Eyerman said that would be a good estimate.

177

178 Mr. Stone asked whether the homes would be similar to those on Silver Hill. Mr.
179 Eyerman said that per the zoning text, the lots that back into Oldfield and Piatt Meadows
180 have to match those sizes, and that has not been changed.

181

182 Dan Jacobs, 1983 Gregory Road, said the BZC should consider that any changes they
183 make will have a ripple effect throughout the township. What is approved here will have
184 to be approved for everybody else. Ms. Littleton said the BZC does consider that.

185

186 Don Myers, 1147 Shanahan Road, said he has spoken to Mr. Eyerman in the past, and his
187 concern is about the roads and traffic. Each house will generate two cars. He asked what
188 would be done about the roads, and whether they would be widened. He was told
189 Shanahan Road would be widened to the south, and he asked whether that would happen
190 at the same time that the sewer comes up.

191

192 Mr. Myers said that nobody has been able to tell him about the roads. During school
193 times, he has to wait 5 minutes just to get out. He said the development at the corner of
194 Shanahan Road and North Road dumped the traffic out on Shanahan Road, which was a
195 terrible idea. How will the 1000 additional cars be moved and who will have to pay for it.

196

197 Mr. Eyerman said regarding the timing of the sanitary versus the street widening, the
198 sanitary is already underway and it's coming up from Hyatts and Route 23 through the
199 property to the west and it should be available within the next year. Regarding the road
200 widening, he has also spoken with the county engineer's office, who controls that. Mr.
201 Myers said when the light is done, most of the traffic will come out onto Lewis Center
202 Road, but that is not being widened.

203

204 Mr. Myers said the Home Road extension is at least 4 years away. When property is
205 developed, the roads need to be fixed prior to building. Nobody can tell him how many
206 homes will be in that area, but on the corner of North and Shanahan Roads, there will be
207 60-70 houses developed in the next year.

208

209 Mr. Eyerman said he would call Rob Riley, deputy county engineer, tomorrow to see
210 whether he can get a target date to have Shanahan Road widened, or at least started. He
211 said if they are boring now that means they're either starting or will start soon the
212 engineering for the design. The county is trying to set it up so that it widens from the
213 intersection of Route 23 all the way over to the tracks all at once. He is not certain what
214 the timing will be, but he will try to find out.

215

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216 Mr. Myers said that about three months ago, a representative from AEP wanted to
217 increase the size of the pole by 5' in front of his house. He said they are going to move
218 the poles from the north side of the road to the south side. It did not make sense to him.

219

220 **RESOLUTION 2022.03.22.#1: RECOMMEND APPROVAL OF 16-001 AMENDMENT #1**

221

222 Ms. Littleton made a motion to approve BZC 16-001 Amendment #1. Mr. Valentine
223 seconded the motion.

224 Vote: Littleton, yes; Valentine, yes; Kaplan, yes; Brown, yes; Sloas, yes. Motion carried.

225

226 There was a brief recess. The meeting was brought back to order.

227

228 **AGENDA ITEM: BZC 18-003 AMENDMENT #1**

229

BERLIN FARMS WEST

230

231 *BZC 18-003 amendment #1, filed by M/I Homes of Central Ohio, request to amend the*
232 *development text of Berlin Farms West, formally known as Longhill, to reduce the density*
233 *of the ±279.812 acre R-3 Planned Residential property.*

234 Josh Barkin, with M/I Homes, and attorney Aaron Underhill of Underhill & Hodge, 8000
235 Walton Pky, #260, New Albany, Ohio, representing the applicant, presented the
236 application and answered questions from the BZC. Joel West was also present.

237

238 Mr. Barkin said he is excited to be here and said he is requesting a reduction in density.
239 He had a really good conversation with the trustees a few weeks ago. It is nice to be in
240 person versus when the original application was approved and the hearing were virtual,
241 which made it difficult to get everything across.

242

243 Mr. Barkin said it is important to talk about Berlin Farms in conjunction with this project
244 because the vision that he wants to show is that this is all going to be one cohesive
245 development with three distinct living opportunities. This will be in a really great
246 agrihood with a rural environment near the schools that will be a great place to live.

247

248 Mr. Barkin said the Longhill property was zoned a year ago for 482 units and the
249 development is ready to go. He has spoken with the owner of the property several times
250 and he has tried to sell a vision that with his unique understanding of the off-sites as well
251 as the Berlin Farm, they really have the ability to do something special.

252 Mr. Barkin said he is here to request a reduction of 48 lots and an increase of 68 acres of
253 open space up to 40%, with 10,000 less linear feet of street, bigger buffers around the
254 site, and more continuous lineal open space with three unique amenity areas. He has
255 spoken with BZC chair Steve Flaherty, the residents and the trustees throughout the
256 process, and it is important because this is the center of the township. The rural
257 characteristic and the agrihood-feel is what originally got the application approved and it
258 was very important to keep that as much as possible.

259

260 Mr. Barkin said he has delivered on that in a big way with the proposed application. He
261 displayed the approved plan and the proposed revised plan, including Berlin Farms with
262 91 lots that is not part of this zoning, and the Longhill development, which has been
263 broken up into two sections including Aberdeen and Longhill. Piatt Road will create a
264 nice distinction; it is an unloaded road being built by the county this summer. There will
265 be one product with 91 homes where every third home will have a side-load garage, and
266 another product with 165 homes that will all be side-loaded, and another area that will
267 have other features but will not be side-loaded.

268

269 Mr. Barkin said there will be three distinct areas with three distinct amenity areas. The
270 community gardens along Berlin Station Road will remain. The swimming pool amenity

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271 has been centralized to make it more accessible for all of the homes, and there will be a
272 third amenity area that will have paths, gardens and potentially a dog park.

273

274 Mr. Barkin said M/I Homes built a development called Falls of Jefferson in Jefferson
275 Township on the east side of Franklin County, which was the number one selling
276 community in central Ohio last year. It is a really great project with huge open spaces,
277 great amenities, young families, old families, and everything in between. Some of the
278 amenities built there will be carried over here. A farmhouse/pool house pavilion theme
279 was created as well as playgrounds that lead to the paths.

280

281 Mr. Barkin showed an example of sample architecture of the sideload product that has
282 been built on a few lots in The Pines. It will be a little different in Berlin Township and
283 all of the lots in one section will consist of that.

284

285 Mr. Barkin said that discussions of major versus minor changes was discussed and they
286 decided to submit it as a major modification. The proposal received good feedback from
287 the trustees. He asked for the BZC's recommendation of approval tonight.

288

289

BZC Consideration

290

291 Ms. Kaplan asked whether it was correct that there will be three entrances. Mr. Barkin
292 said that was correct and that there will be one off of Berlin Station Road, and two off of
293 Piatt Road.

294

295 Ms. Kaplan said there is a stub road off of Longhill Road, but on her plan it shows a golf
296 course and she asked what that leads to. Mr. Barkin said that would be a path made of
297 different types of grasses including meadow and shade grass. Ms. Kaplan asked whether
298 it was a genuine dead-end and would not connect to anything else. Mr. Barkin said that
299 was correct.

300

301 Ms. Kaplan said that she liked that so many sideload garages were added as well as the
302 increase in green space. She asked about the islands that are encircled by homes and
303 whether they would be active or passive, and whether people would be able to use and
304 access those. Mr. Barkin said some would be passive and would largely be an additional
305 benefit to the homeowners and they will be able to play with dogs back there, etc.
306 However, the outdoor buffer areas in the central area will all have paths and one will be
307 able to get from the dog park on a path to the schools. The Pines, Glenmead, Berlin
308 Manor, Piatt Preserve etc. will be able to access the dog park via a path.

309

310 Ms. Kaplan said the language states there will not be fencing because the property abuts
311 agricultural property. She thought a fence would be required in such a case. Ms.
312 Littleton said a fence would be necessary. Mr. Barkin said there is no agriculture directly
313 adjacent to the development; it is all rural residential, railroad tracks or a road. Ms.
314 Kaplan said a fence would be required if it abuts an agricultural use.

315

316 Amy Eiken, 61 Westgate Drive, Delaware, said their property, the Sackett Farm at the
317 northern edge, is an agricultural use. Mr. Barkin said any lots adjacent to an agricultural
318 use will be fenced. The dog park will be fenced.

319

320 Ms. Kaplan said the text indicates a request for a divergence from that requirement, and
321 that request probably needs to be removed.

322

323 Ms. Littleton said she believed that if the property is zoned agricultural, a fence is
324 required regardless of whether a house is located directly there or not. Mr. Barkin said he
325 did not intend to request that divergence.

326

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327 Mr. Barkin said there are no lots that directly abut agriculture in this development, and
328 his experience has been that fencing is required for lots that are literally up against
329 agricultural uses. However, if there are particular areas that need to be fenced for safety,
330 he would agree to that. Mr. Underhill said the response was not applicable for that
331 reason.

332
333 Ms. Kaplan said that often in the past there have been green spaces that abut agriculture
334 uses, but they are still required to be fenced and she did not want to permit a divergence.
335 Mr. Barkin asked what that would consist of. Ms. Kaplan said that typically, the
336 developer would coordinate with the landowner to see what is amenable to them.
337 Frequently it is a split rail fence. Mr. Underhill asked whether the specification was that
338 the adjacent property was agricultural zoned or used or either/or.

339
340 Ms. Littleton said the property was both zoned and used agriculturally. Mr. Barkin said
341 that was not how he has interpreted the code so he needs to know where the fence would
342 be located. Mr. Underhill said the divergence should be removed and the developer will
343 present the fencing and location during the final development plan approval process. Ms.
344 Kaplan agreed.

345
346 Mr. Valentine asked what the timing would be to start this. Mr. Barkin said Berlin Farms
347 on the west side has started. The offset sewer extension from The Pines to the
348 peanutabout has started. The peanutabout is scheduled to start when school is over in
349 June, and the project will take about 60 days. The work will include the peanutabout and
350 Piatt Road to a certain point. The rest of it will be completed at a date in the future that is
351 unknown.

352
353 Mr. Barkin said if they receive a recommendation of approval tonight, it will go back to
354 the trustees for approval, and then it will go back through engineering through the end of
355 the year. Construction would start in about a year.

356
357 Piatt Road will become the main access point to everything and will pull the traffic in.
358 There will be 2-3 models, which he pointed out. Mr. Valentine said one section was
359 mentioned to be only front load garage. Mr. Barkin said it would be half of an area. For
360 the availability of the community, the developer thought it was important to have three
361 distinct living opportunities to bring people and families together.

362
363 Mr. Barkin said one part of the development would be like that being built in Jerome
364 Township where every third house will have a signature side-load garage. This allowed
365 for an additional number of sideload garages and to dress up the streetscape. From Piatt
366 Road one will see every third is a sideload garage or every one is a sideload garage.

367
368 Mr. Valentine asked whether the ponds will all have fountains. Mr. Barkin said they
369 would. Mr. Valentine asked about the 3-4 residents near the church on the south end of
370 the property and it seems that the but right up against the ponds. He asked whether there
371 was any kind of buffering such as trees or mounding that could be provided. Mr. Barkin
372 said trees and buffers have been built in at the entry features but some could be added if
373 desired. The approved application did not include buffering in that location. Mr.
374 Valentine said he would like to see mounding and trees.

375
376 Ms. Kaplan said she has seen developments where a pond is located close to a property
377 line and then ends up encroaching on the property of others. Mr. Barkin said he would
378 take a look at it.

379
380 Mr. Valentine asked for the price point. Mr. Barkin said they would not be under
381 \$400,00 but they would be from \$475,000 to 800,000.

382

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383 Ms. Littleton said regarding the additional screening, she would like to see some on the
384 north end against the lots in the teen numbers. There is an existing line of trees but they
385 are thin. The original application included supplement trees in that area. Mr. Barkin said
386 he would spend some time out there and come up with something.

387

388 Ms. Littleton asked, regarding the north end, is there any fencing planned for along the
389 railroad tracks? Mr. Barkin said it is raised and there is no fencing there. He has done a
390 lot of research in this area. The tracks further south have a lot more traffic than these
391 tracks; they split and one goes into the city and the other goes north. There is a lot of
392 natural growth in that area between the tracks and ponds in the area. Between the natural
393 buffer, the tracks being raised, and everything being located at least 300' from the tracks,
394 he felt good about not planning for a fence in that area.

395

396 Ms. Littleton was still concerned about safety in the area. There are trees and ponds in
397 the way, but people do like to walk around the ponds and there are quite a few homes
398 down there towards the south that are closer and she believed that the entire west edge
399 could benefit from a fence, perhaps a split rail fence.

400

401 Mr. Barkin said he could look at a fence in that area, but he asked the BZC to keep in
402 mind that the HOA will have to care for it in perpetuity. Safety is his number one
403 priority, but the maintenance could become a financial burden for the residents. He
404 would add some mounding to help, although he is hesitant to commit due to the
405 engineering that is still required.

406

407 Mr. Myers said that is where the outlets for the stormwater basins. Mr. Barkin said some
408 mounding or a pond may be possible between the houses on the south side for help with
409 the noise, on the southwest corner.

410

411 Ms. Littleton said on page 8, item Q., a divergence is requested for the encroachment into
412 the side yard setbacks for the eaves. She recalled that was permitted on the east side.

413 This does not indicate the amount of encroachment. Mr. Barkin said eaves and
414 overhangs are usually 12", and bay windows and egress wells are usually 2-3', and the
415 fences refer to fences installed by the residents. He said he could clarify that if desired.

416 Ms. Littleton said she would like that.

417

418 Ms. Littleton said on the same page in the same section, there is language that discusses
419 the rear yard setbacks: "Screened porches and patios shall be permitted to encroach a
420 maximum of 10' into the required rear yard setbacks." She is fine with patios
421 encroaching, but is concerned about screened porches, as those are structures. Mr.
422 Barkin said that language is from the Berlin Farms text. He offered to confirm that and
423 delete if it was not. He would prefer to leave it if possible. Typically, they do not build
424 screened in porches. He said he would remove the language.

425

426 Ms. Littleton asked about the side load garages. She really likes the area with all side
427 load garages, and understands that is the identity of that area, and that the original Berlin
428 Farms east has that identity. She feels that the west side could have the identify of 25%
429 side load garages. Mr. Barkin said the trustees had asked about diversity. That would
430 require that some of the side yard setbacks and lot sizes be changed and would impact the
431 development. There would be two car garages offered, two car garages with a 4' garage
432 bump, and a three-car. The garage doors all match the style of the elevation.

433

434 Mr. Barkin said there are about seven home plans, and each have 3 elevations. Two are
435 ranches and five are two stories, so there are 21 different exterior options between and
436 there are different garage options. Thus, there are also so there is going to be a lot of
437 diversity. The 75' lots mean the homes will not be packed in right next to each other.

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438 two-thirds of the elevations have some enhancement such as stone, brick or some
439 masonry presence on front.

440

441 Mr. Barkin said two-thirds of them offer a full front porch, and many things are done to
442 emphasize the front porches and other architectural elements to ensure there really is a
443 good diversity of streetscape. The developer is incentivized as much as anybody else to
444 ensure that the development feels great, or they are not going to sell many houses.

445

446 Mr. Barkin said he knew that was going to be a sensitive issue because they have been
447 before the BZC in the past, so he focused that to ensure that on Piatt Road, where most
448 residents who don't live in this community will be driving, what they see will make them
449 feel really good. A variety of choices is important to the developer. It is important to
450 have the distinct selling propositions, and in order to have all sideload garages in one
451 area, they need the ability to have no sideload in the other section. The original
452 discussion was to have 1/3 of the lots have sideload garages, mixed in everywhere,
453 although he did not think that would create as nice of a proposition.

454 Ms. Littleton said regarding the view from Piatt Road, the drivers would see the backs of
455 the homes. Mr. Barkin said that was correct, but they would also see the sideload garages
456 and the feel of the community. They will also see the landscaping.

457

458 Ms. Littleton asked whether he had mentioned the maximum amount the garage would go
459 past the front façade in the areas where front load garages are permitted. Mr. Barkin said
460 he did not mention that and it was brought up by the trustees. He has been examining the
461 text that has been agreed to in other places in the township and they intend to submit a
462 proposal to the trustees. He asked whether there was a preference by the BZC. He had
463 been examining the Mauve Meadows and it may be similar. Ms. Littleton said that has
464 not been discussed as a board.

465

466 Ms. Kaplan said that "snout houses" were discussed, but the dimensions were not
467 discussed. Ms. Brown said 12' beyond the front porch has been discussed in the past, but
468 with no more than 20% of the houses could have that. Ms. Brown said many of the
469 garages for these homes do not extend 12' out. Mr. Barkin said he would come up with a
470 proposal for the trustees. His company likes to focus on the front porch element because
471 it helps break up the monotony.

472

473 Ms. Littleton asked whether the north garden is just different grasses, or flowers.

474

475 Joel West said on the south side there is more of an active central open space, but this one
476 was intended to be a more passive open space consisting of multiple types of gardens.
477 This is something that is more of an exploratory experience. This concept would have a
478 lot of native Ohio vegetation. It could be an expansive garden with meadow mix, multiple
479 trails throughout, and a place for people to get out and enjoy themselves, especially
480 coupled with the dog park. The active space would be kept to the center and closer to the
481 schools. He would dress that area up.

482

483 Ms. Littleton asked whether that would be maintained or natural. Mr. West said it would
484 be maintained. Ms. Littleton asked whether the dog park was a certainty or just a
485 potential. Mr. Barkin said it was definite. Ms. Littleton asked how big it would be. Mr.
486 West said it would be about an acre, split into two for small and large dogs.

487

488 Ms. Littleton said Exhibit 12 shows a lot of area that is no-mow and she asked whether
489 that would just be mowed a few times a year to control tree growth, or whether it is
490 expected to become forest again at some point. Mr. Barkin said having this much
491 expansive open space can be very expensive to maintain by the HOA, so creating the
492 low-mow/no-mow areas helps to cut down on that. It also provides a more rural

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493 community. It will be mowed in the spring then let the native vegetation grow a bit, then
494 go back and knock it down a few times a year.

495
496 Ms. Littleton asked whether the area along the walking path would be mowed. Mr.
497 Barkin said that would be done.

498
499 Ms. Littleton said that a future right-of-way is shown where the dog park is going, to the
500 north. She asked whether that was a remnant. Mr. Barkin said that was on a prior plan
501 and it was always complicated that there was something there. He would prefer that there
502 was nothing there and that it could be a nice natural open space. Perhaps a small parking
503 lot would be added so people could park there and visit the dog park. Walking from one
504 end of the development all the way up to the dog park may not be desirable for some
505 people, especially the elderly. If a stub road is necessary, that can be accommodated.

506
507 Ms. Littleton said along Piatt Road an 8' path is still indicated. Typically, along roads, a
508 10' wide path is desirable including along Berlin Station Road. Mr. Barkin said Exhibit
509 11 shows a circulation plan. From a construction standpoint, building an 8' wide asphalt
510 path is ideal because that is the width of the machine. He believes that Berlin Farms east
511 is just 8' wide.

512
513 Ms. Littleton said her concern is continuity. Ideally, those paths will be extended along
514 the road and it wouldn't make sense to have an 8' path meet up with a 10' path. Mr.
515 Barkin said he would meet the township standards if they are 10' along the main road.

516
517 Ms. Littleton said she has spoken to some residents in the past few years regarding tot
518 lots and they have complained that they are all just for younger children. She
519 recommended equipment for older children. Mr. West said that the developer programs
520 them for the ranges of under 5 and 5 to 12. Ms. Littleton asked that activities for the
521 older children be considered.

522
523 Ms. Brown said she is very happy with the decrease in the number of lots and she is
524 happy the lots have increased to a size of .25 to .27 acres. She would prefer to see them a
525 minimum of 1/3 acre, she appreciates the provided lots are greater than those require for
526 R-3. The 75' width versus the 80' does not bother her from a frontage perspective
527 because there will be more space and overall larger lots.

528
529 Ms. Brown said regarding the northern garden area with the stub road, the parking lot
530 with a few space may be a good idea, as long as the stub road was not going to go
531 anywhere.

532
533 Ms. Brown said a dock was shown with one of the front retention ponds near the market
534 garden, and she asked whether that would be a stocked pond. Mr. Barkin said it was.
535 Ms. Brown said she likes that idea.

536
537 Ms. Brown said there should be some mounding or a fence along the Sackett Farm,
538 because that is something that has always been done. Fences can be maintenance
539 nightmares, so perhaps mounding would be appropriate instead if it is not agricultural.
540 Adding trees to help buffer the appearance of the two story buildings is also helpful. That
541 also helps with the transition from rural properties to a planned community. 61 acres is a
542 large area.

543
544 Ms. Brown said she would like to see mounding where all of the flag lots come off and
545 where the corner breaks down when going down from the dog park down south and it hits
546 Scott and Mary's property. For the last flag lot, she would prefer mounding instead with
547 trees, in addition to the existing screening, as long as there is no agricultural use there.
548 She wants to ensure there is greenery along Piatt Road so there are not exposed areas.

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549 Ms. Brown said regarding the retention pond along the south along Berlin Station Road
550 she was a bit nervous because Exhibit i-1 looks like it goes onto those three properties,
551 and she just wanted to make it did not. Mr. Barkin said that is a typo and it does not
552 extend onto the properties. The pond was on the original zoning that has now gone
553 through some engineering.

554

555 Ms. Brown said she would like to see some screening behind it because the residents
556 would be staring into the development. The people purchasing their homes know what
557 they are buying, but the existing residents need screening as this is a big change to go
558 through.

559

560 Ms. Brown said she likes the amenities being provided including the pool, and she likes
561 the feel being created, and also the green space that helps break up the development.
562 There is a shortage of pools in the area.

563

564 Ms. Brown supports the dog park and the removal of the divergence for screened in
565 porches.

566

567 Ms. Brown asked whether, with 420 homes, there would be turn lanes onto Piatt Road
568 and Berlin Station Road? Mr. Barkin said he is required to do a turn lane on Berlin
569 Station Road which will add to the county's peanut and safety projects. Piatt Road is an
570 extension of the existing road south of the school with a middle lane and a lane on either
571 side. Ms. Brown asked whether there would be turn lanes coming out of the development
572 onto those two roads. Mr. Barkin said that typically that is not necessary when there are
573 three ingress/egress and that will be investigated with the county engineer. Ms. Brown
574 said it is typically one lane in and two out.

575

576 Ms. Brown said residents have expressed difficulty getting out of their driveways in the
577 morning and during school times. Anywhere that can be kept from happening is a good
578 idea. Mr. Barkin said the point is well-taken on Berlin Station Road because the school is
579 located to the left. The Piatt Road peanut will become the main circulator for the
580 residents who live here because it will be so much easier to use that to maneuver in
581 whatever direction they want to go unless they are headed west. The engineers will study
582 it.

583

584 Ms. Brown said that between lots 172 and 194 reminded her of Glen Ross and those
585 houses that are right on top of the railroad tracks. Anything between the railroad track
586 and the homes, even a pond, would be useful.

587

588 Mr. Barkin said the railroad track splits off at Glen Ross and it extends up to the City of
589 Delaware. The homes are 300' from the homes at least. He will put as much buffering as
590 possible there.

591

592 Ms. Sloas asked whether there is anything to the east buffering it such as mounding or
593 additional trees. There is also a parking lot just to the north of that that will be buffered
594 from the property to the east near the garden. Mr. West said there is plenty of room there
595 so he can make some adjustments to the buffering. He said on the west side there is
596 buffering.

597

598 Ms. Sloas said the illustration of the market garden shows fencing around it and she
599 asked whether there would be fencing around it. Mr. West said it would probably be a
600 split rail fence.

601

602 Ms. Sloas said she likes the impressive amenities and the farm feel of the development.
603 The township is trying to encourage not just open space but things the community will
604 use.

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605 Ms. Graham said she loves the amenities and asked whether it was a master plan. Mr.
606 Barkin said that this is master planning on a smaller scale. He believes this will be the
607 number one selling community in Central Ohio. It has the proximity to great schools, to
608 the future business park, to Polaris Parkway and 36/37, walking access to the schools, etc.
609 that other communities do not have.

610
611 Ms. Graham said that this will deliver the amenities that residents want. She asked how
612 large the pool would be. Mr. Barkin said it would be just under 2000 SF, which is the
613 threshold for requiring a lifeguard.

614
615 Mr. West said that size of pool is adequate for any development under 500 units and it
616 works well. Ms. Graham asked whether there would be special features such as a
617 mushroom, etc. Mr. West said at the Farms at Jefferson, deck jet features that spray water
618 and there is also a sun deck that is popular with little kids and even the adults, who like to
619 lounge in the pool because it's only six inches of water. He noted that M/I Homes uses
620 Patterson Pools, which is the best pool builder as they use stainless steel.

621
622 Mr. Valentine asked about the mail kiosks and said he didn't see anything in there about
623 it being centralized. Mr. Barkin said they are flagged on Exhibit H-1. There has been
624 some discussion with the trustees regarding centralized them at the amenities. Mr.
625 Valentine said handicapped access has been discussed at prior meetings and he wanted to
626 make sure sidewalks or other accesses are provided.

627
628 Ms. Kaplan said page 10 includes divergences for signage and lighting and she asked for
629 an explanation. Mr. Barkin said they are the same requested in the original application.
630 The requested is for the signage and the lighting on the signage as shown in the exhibit.
631 Ms. Kaplan said the township is strict on requiring downlighting, and none of these are.

632
633 Ms. Littleton asked whether any marked crosswalks are required, as the walking path
634 does cross the roads. She asked whether there are any crosswalks planned for Berlin
635 Station Road going to the high school. Mr. Barkin said they are exploring that, and are
636 trying to get a better answer regarding what is planned for the county's peanut project.
637 Ms. Littleton said it may be wise to consider one at the central community area because
638 there will be a lot of traffic there.

639

640

Public Comment

641

642 Amy Eiken, 61 Westgate Drive, said her family farm is Sackett Farm to the north. She
643 said a few years ago she introduced the concept of an agrihood in order to keep the
644 agricultural feel within Berlin Township. She is pleased with the ripple effect of planting
645 that seed and seeing how it is becoming a reality. Ideally, this would remain a forest, but
646 this has a nice feel.

647

648 Ms. Eiken suggested using native plants when planting buffers rather than the contractor
649 specials and burning bushes. The loss of diversity has really been impacting the
650 environment.

651

652 Ms. Eiken said she is thrilled with the plan for the end that abuts her property. She was
653 just approved for a conservation easement for 10 acres on her property. There will now
654 be 10 acres of native pollinators, wildflowers and grasses planted and installed this
655 spring. The entire boundary along the back of this development will be wildflowers.

656 Ms. Eiken suggested incorporating evergreens on the mounds because of the concerns
657 about light pollution. The trustees are very adamant about downlighting and dark skies,
658 as that is a feature of country life that everybody here is starting to lose.

659

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660 Ms. Eiken said there are some incredible landscaping designers who create natural
661 playscapes with big stones, fallen trees etc. and they are more of a natural way for kids to
662 explore instead of colorful plastic playgrounds, although there are pros and cons of each.
663 She recently visited a living willow tree farm, where the owner has willow trees that he
664 can construct into giant igloos that kids can climb and hang out in and adults can meditate
665 in. This is a divergent way to think about using the open spaces in difference way.

666
667 Ms. Eiken thanked everybody for doing a terrific job, including the BZC continuing to
668 encourage and push to keep the rural vision for the township and to make it a win-win for
669 the community. This large development will impact traffic but it is not all bad. She
670 thanked everybody who has been involved.

671
672 Dan Jacobs, 1983 Gregory Road, said he lives on the corner of Berlin and Gregory
673 Roads. He asked whether there will be a permanent sign on that property advertising the
674 development. Mr. Barkin said there would be but it would not be a sign at the end of
675 Gregory Road where it dead-ends into Gregory Road. Mr. Jacobs asked whether there
676 would be a temporary sign there as a directional sign. Mr. Barkin said that is not the
677 intent.

678
679 Mr. Jacobs said that he and his neighbors mow the area from the tracks to the church
680 weekly. The applicant has indicated that the open space will be mowed twice a year.
681 They are used to seeing the property that is being developed mowed every week. The
682 only native grasses that are around are weeds. He would prefer from lots 185-191 be
683 mowed weekly.

684
685 Mr. Barkin said the entry area would be maintained and the ponding and mounding will
686 have an impact. He thought that being more natural would look more natural.

687
688 Mr. Jacobs said the residents on the south side of Berlin Station Road will be looking at
689 the rear of houses from lots 191-185 or so. Typically, people do not build their decks or
690 patios for years and he will have to look at the 3-4 steps coming out of the patio doors,
691 and he does not want to look at that. Ms. Brown asked whether it was a better benefit if it
692 is not being mowed. Mr. Jacobs said it would not be, and the ground should be raised to
693 be slightly above Berlin Station Road, and there should be trees. His current trees are 40-
694 145 years old, and he does not want to look at a bunch of weeds and the backs of the
695 houses across the street.

696
697 Mr. Jacobs asked that the trees match up to those in his neighborhood, which are mostly
698 pine trees. Ms. Littleton said there are plans for some planting along Berlin Station Road.
699 Mr. Barkin said there will ultimately be three lanes when that road is widened so the feel
700 will be really different than it is today. The existing condition will change and will end
701 up being a different vision than expected. He will build as much mounding as possible in
702 that area.

703
704 Mr. Jacobs said steep mounds can also be difficult to mow.

705
706 Mr. Jacobs said the mounds can cause drainage issues in the neighborhood. Mr. Barkin
707 said that would be ensured by the county engineer. Mr. Valentine said that they are not
708 permitted to increase drainage on his property.

709
710 Michelle Cook, 2820 Berlin Station Road, said she is adjacent to Mr. Jacobs across the
711 street. She asked which side of Berlin Station Road would be widened or whether it
712 would be equal on both sides. Mr. Barkin said that was indicated in the county's plan and
713 he was not certain. Ms. Cook said since last year, there has been more water lying on the
714 north side of Berlin Station Road than in the past. She has never seen the culvert in the

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715 ditch flow out onto Berlin Station Road like she did until a couple weeks ago. The
716 development could make the issues worse.
717
718 Ms. Cook said that the original plan included more buffering across Berlin Station Road.
719 It is her understanding that homes will be built on the southwest corner, where the
720 existing home is.
721
722 Ms. Littleton said she would think when they update the road that they would also fix the
723 water issues.
724
725 Gene Cottrill, 2807 Berlin Station Road, said the county has been measuring that road
726 and they are going to flag where it will be extended. The road has migrated over the
727 years to the south.
728
729 Mr. Myers asked whether there would be street lights like those at North Farms, or just
730 porch lights. Mr. Jacobs said there would be no street lights.
731
732 Susan Boisvert, 3560 Berlin Station Road, asked whether the county intended to light the
733 peanut as they have on the roundabouts. Mr. Barkin said he was not sure but can find
734 out.
735
736 John Cardi, 1164 Dale Ford Road, said that many of the residents that have flag lots in
737 the back on the north side of the property are here. They already have water problems
738 coming off of the fields back in the tree line. There is no retention pond planned on the
739 back side of the corner where there is currently a foot of standing water. That is where
740 the homes will be built. He just wants to ensure that they are all working together in
741 conjunction to get the site work done and that the area drains properly. He is concerned
742 about mounding affecting the drainage as well. He has spent \$10,000's of dollars to drain
743 his property because it is so flat and he wants to ensure that it is not made worse.
744
745 Scott Schraer, 1134 and 1146 Dale Ford Road, asked whether there are any plans for
746 subsurface drainage back there on the property line between the houses and their lots, or
747 whether it will just be surface drainage sheeting though the open space area. Mr. Barkin
748 said there will be drainage on the backs of the lots that go into the storm system to take
749 that away. He is not permitted by law to make the drainage situation worse. As the
750 project goes into full engineering, more details will be known.
751
752 Mr. Schraer said there are 109 acres of open space, and he is experienced with dealing
753 with open space as part of his prior profession at Scioto Reserve at Kinsale, if the
754 property is not maintained, it will turn into a dumping ground for the homes because they
755 have no other place to put their yard debris, pumpkins etc. There is typically a buffer
756 between the lots and the neighbor's lots for open spaces. If some is left native and only
757 mowed a couple times per year, are there plans to mow the property line edges on a
758 weekly basis so they do not become dumping grounds.
759
760 Mr. West said that is typically done on the backs of the lots, and about 6-8' is finish
761 mowed. The tree line is basically the border.
762
763 Ms. Littleton said there will be a walking path in that area as well. Mr. Schraer said he
764 has had no preview to the walking paths planned through the backside of the property and
765 adjacent to his property. Ms. Littleton said they extend from lot 42 down by the
766 clubhouse up to the north parking area. Mr. Schraer asked whether it was correct that
767 there is a walking path in the open space.
768

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769 Mr. Schraer said he is not opposed to any of this, but he just wants to make sure that it
770 minimally impacts their property in the country that they purchased 16 years ago.
771 Having 400+ homes built next to him was not in his plan.
772
773 Ms. Littleton said she has farmland behind her home and she relies on the failing field
774 tiles. She would think this kind of engineering drainage would be an improvement.
775
776 Mr. Cardi asked about the Piatt Road dead end and whether the county was in charge of
777 that road being extended. Mr. Barkin said all of Piatt Road is a county project and they
778 have a vision.
779
780 Mr. Schraer asked about the phasing of the project. He appreciates that the east side will
781 be developed first, and he asked whether it was moving from there, and how long it
782 would take for the phasing.
783
784 Mr. Barkin said the first phase would be built and he pointed it out on the map with the
785 two access points. The next phase will extend to the amenity area, and it will work its
786 way through. It could sell out within 5-6 years of sales from January 2024.
787
788 Mr. Schraer asked how much site work would be done in anticipation of that. Mr. Barkin
789 said he tries to do it as precisely as possible and the lots are done as work progresses.
790 The first phases involve more site work for drainage and the like. Mr. Schraer asked
791 whether some of ponding could be prioritized in the back corner adjacent to the existing
792 residents so that the impact of the site work to the neighbors is mitigated as much as
793 possible.
794
795 Mr. Barkin said they will get the engineering completed and the final development plan
796 approved, and there will be certain requirements associated with offsite that they will
797 have to work with. Sometimes additional ponds must be built to retain water. Mr.
798 Schraer said he is concerned with communal impact to the area.
799
800 Mr. Myers asked where the drainage would outlet. Mr. West explained it on the map.
801 Mr. Myers asked where the big tile that drains the subdivision. Mr. Barkin said there is
802 an outlet through an adjacent property with an outlet and it will come to the low spot.
803 There was additional discussion. Mr. Myers asked that had a county tile on his property,
804 and in 1994, the state of Ohio said the county does not have to maintain that tile, and that
805 the county does not have to maintain their ditches. Mr. Cottrill said he could petition the
806 county to put it on maintenance for a fee. Mr. Myers said they should pay for it since he
807 pays taxes.
808
809 Andy Clark, 1176 Dale Ford Road, said there are many drainage issues in the area.
810 Regarding screening and mounding in the area, he did not hear specifically for the flag
811 lots along the south side and the north side of the development. Ms. Littleton said she
812 had brought that up earlier.
813
814 Mr. Clark said he would like to see the walking path plan as well. Mr. Barkin said it is in
815 the application as well.
816
817 Mr. Clark said there are animals along the flag lots that share that property line, and he
818 asked whether there were specific provisions for them or whether that just involved
819 ensuring there is proper landscaping in that area as a deterrent.
820
821 Mr. Barkin asked what kinds of animals were back there. Mr. Clark said there are horses
822 and goats. Mr. Barkin said this is still preliminary, but he will do something. Mr.
823 Underhill said this needs to be approved, and then engineering will be done, and then the

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824 final development plan will be submitted to the township for approval. Residents can
825 appear at that hearing to have their concerns addressed.

826

827 Ms. Sloas asked what would be preferred, such as fencing. Mr. Clark said he was not
828 looking for anything in particular, but the conversation had been around animals and
829 fencing from the agricultural use. He did not have a preference. The more natural, such
830 as landscaping and trees, the better. That will not block the view.

831

832 Mr. Underhill suggested approving the application and moving it forward to the trustees.
833 The applicant will then come forward in the future with the final development plan,
834 which will address all of the items raised in this hearing. The engineering needs to move
835 along in order to address many of these issues.

836

837 Mr. Barkin said items could be included as conditions, such as deleting screened-in
838 porches, specifying the depths of the encroachments, etc. Ms. Kaplan said divergence O
839 was to be removed, and divergence Q for screened in porches need to be defined. Mr.
840 Barkin suggested adding such as eaves and overhangs up to 12” and bay windows and
841 ingress windows up to 3’.

842

843 Ms. Littleton asked whether there would be fencing along the railroad tracks and
844 elsewhere. Mr. Underhill said they would state that no divergence was being requested,
845 and figure out what that means later. There was a discussion about the width of bike
846 paths. Mr. Underhill said they would comply with the township standards.

847

RESOLUTION 2022.03.22.#2: RECOMMEND APPROVAL OF 18-003 AMENDMENT #1

848

849 Ms. Brown made a motion to approve 18-003, Amendment #1, with the following
850 conditions:
851

- 852
- 853 • Removal of divergence O.
 - 854 • Removal of divergence Q for screened in porches and the specification of the
855 maximum eave overhang, bay window and ingress window encroachments.
 - 856 • Review the pathway specifications at Berlin Farms and adjust the plan
accordingly.

857 Ms. Kaplan seconded the motion.

858 Vote: Brown, yes; Kaplan, yes; Sloas, yes; Valentine, yes; Littleton, yes

859

860 The next regular BZC meeting will be on Tuesday, April 12, 2022 at 7:00 PM.

861

862 There was no further business to come before the BZC. Motion to adjourn and second.
863 Meeting was adjourned.

864

865

866

867

Steve Flaherty, Chairperson

868

869

870

871

Christina Littleton, Vice-Chairperson

872

873

874

875

Jerry Valentine, member

876

877

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895

Darcy Kaplan, member

Angela Brown, member

Jenny Sloas, 1st alternate member

Sherry Graham, 2nd alternate member

Attest: _____
Lisa F. Knapp, Berlin Township Zoning Clerk