

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

REGULAR MEETING

TUESDAY, AUGUST 22, 2023: 7:00 PM

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CALL TO ORDER

2 The meeting was held at Berlin Township Hall, 3271 Cheshire Road, and was called to
3 order by Chairperson Jerry Valentine at 7:00 PM.

4

5 BZC members present: Chairperson Jerry Valentine, Vice-Chairperson Darcy Kaplan,
6 Jenny Sloas, Keith Goshia.

7

8 Also present: Zoning Inspector Jake Bon, Zoning Clerk Lisa Knapp.

9

10 Not present: BZC member Angela Brown, BZC 1st alternate Jasper DeChristopher, BZC
11 2nd alternate Tara Shields.

12

13

AGENDA ITEM: PROOF OF PUBLICATION

14 Ms. Knapp said this hearing was advertised in the August 5, 2023, Delaware Gazette, as
15 follows:

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17

*BERLIN TOWNSHIP ZONING COMMISSION
NOTICE OF PUBLIC HEARING*

18

19

20 *The Berlin Township Zoning Commission will hold a public hearing August 22, 2023, at*
21 *7:00 p.m. at the Berlin Township House located at 3271 Cheshire Road Delaware*
22 *OH 43015 to hear application, designated as BZC 18-003, filed by M/I Homes of*
23 *Central OH, 4131 Worth Ave., Suite 260, Columbus, OH 43219. The applicant is*
24 *submitting an application for a Final Development Plan, Berlin Farms West, Section 2*
25 *(formally Longhill), Parcels #41824001057001, ±18.41 acres, Berlin Station Road,*
26 *Delaware, OH 43015. Present zoning is an R-3/Planned Residential District to develop*
27 *55 lots per plan for Phase 2. For questions, call Jake Bon, Zoning Inspector at*
28 *740.548.5217 x103. You can find the packet on the Berlin Township*
29 *website www.berlintwp.us under the agenda and meeting tab for Zoning Commission.*
30 *The person responsible for giving notice of the public hearing by publication is Cathy*
31 *Rippel. Township residents are encouraged to attend.*

32

33 *BERLIN TOWNSHIP ZONING COMMISSION*

34 *Jerry Valentine, Chairman*

35

36

AGENDA ITEM: APPROVAL OF MINUTES

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38 Mr. Valentine made a motion to approve the minutes from the 8/8/23 BZC meeting as
39 presented. Mr. Goshia seconded the motion.

40

41 Vote: Valentine, yes; Goshia, yes; Kaplan, abstain; Sloas, yes

42

43

AGENDA ITEM: BZC 18-003, M/I HOMES

44

45 *BZC 18-003, request for approval of the final development plan for Berlin Farms West,*
46 *Section 2 (formally Longhill), ±18.41 acres on Berlin Station Road,*

47

48 Andy Gottesman, with M/I Homes, 4131 North Ave., presented the application and
49 answered questions.

50

51 Mr. Gottesman said he is here requesting approval for the final development plan for
52 section 2 of Berlin Farms West. The model at Berlin Farms, on the east side of the

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53 peanut roundabout, has been open for about 30 days and has been doing well, as around
54 30 homes have been sold since March.

55
56 Ms. Kaplan said this second phase has around 55 homes. She said it has been 3-4 years
57 since the BZC last saw this. The text references Type A and Type B homes, and she
58 asked which one this is. Mr. Gottesman said this Phase 2 has all front-load garages and
59 the lots are just around 70' wide. The east side of the development has sideload garages,
60 and the west side has front load garages.

61
62 Ms. Kaplan asked what the size of the homes would be. She said they seem to be smaller
63 than required by the zoning resolution, and she asked if a divergence had been granted for
64 that. Mr. Gottesman said this text was updated on 6/29/22, and he was not aware whether
65 Longhill had previously already had a divergence. He said his company had received
66 approval from the township to modify the application previously.

67
68 Ms. Kaplan said that the original approval included the stipulation that there would not be
69 more than six houses in a row with a sideload garage. Mr. Gottesman said a lot of time
70 was spent on that, and the compromise was that every house on the eastern half is
71 sideload, and none on the west side. Ms. Kaplan said she could not find that in the text.

72
73 Mr. Valentine said that page 10 of the summary that was included with the packet
74 indicates that all lots within Subarea will include side load garages, which is 165 lots,
75 which is over 38% of the total lots.

76
77 Mr. Valentine said he is concerned because there are 15 homes in a row across from each
78 other, which means 30 homes that have garages facing one another the whole way down.
79 The original text for Longhill required no more than 6 front load garage homes in a row
80 with a separator of a side load garage in between.

81
82 Mr. Gottesman said that is what the township spent the bulk of their time considering
83 when they requested an amendment from the trustees. Mr. Valentine said the BZC did
84 not receive a copy of that application. Type A was 8%, Type B was 25%, and Type C
85 was 50% side load garages.. He does not even see a Type C now.

86
87 Mr. Gottesman said this submission is specific for Section 2. The separate submission
88 was for Berlin Farms West, Longhill final development plan. Mr. Gottesman said this is
89 just for Section 2. It may be confusing because there are exhibits that reference Section
90 A and B, but that is not included here because it does not apply.

91
92 Mr. Valentine said also referenced was Exhibit I-2, Open Space Plan, but that was not
93 included. Mr. Gottesman said that is the zoning text from the final development plan for
94 the prior site that was approved last June. Mr. Valentine asked whether the left or right
95 side is A or B. Mr. Gottesman was not sure.

96
97 Ms. Sloas said a market garden was referenced. Mr. Valentine asked whether that was A
98 or B. Mr. Gottesman said that A is the eastern half and there are 80' wide minimum lots,
99 and B has 75' wide minimum lots and is all front load garages. Mr. Valentine asked
100 whether it was correct that phase 1 was already approved with 52 homes. Mr. Gottesman
101 said that was correct. Mr. Valentine said this request is for 55 homes. Mr. Gottesman
102 said a portion of phase 1 is the street that goes to the east.

103
104 Mr. Valentine said there appears to be some front load garages in phase 1. Mr.
105 Gottesman said that was correct, and per Exhibit E-1, everything east of the line has side
106 load garages. Mr. Valentine asked which lots would have side load garages. Mr. Goshia
107 said lots T1-T12, and T142-T152 are side load garages.

108

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109 Mr. Valentine said lots 53-107 are all front load garages in subarea B. Mr. Valentine said
110 it looks cluttered and small. The lots would be 75' by 150' which is ¼ acre each.

111

112 Ms. Kaplan said there is language on page 1. Mr. Valentine said the second paragraph of
113 the introductory summary discusses the zoning resolution and then states that in the event
114 of a conflict between the standards in the text and those found in the zoning resolution,
115 the standards in this text shall govern. He said he has never seen that kind of text in any
116 plan.

117

118 Mr. Gottesman said that text is typically included in the PRD because the concept is that
119 with a new rezoning application, a text specific for this piece of land is being created.
120 For example, the minimum frontage in the zoning resolution may be 100', but the
121 approved plan is as approved. Mr. Valentine said that is typically requested as a
122 divergence.

123

124 Mr. Bon said it would be approved in the development plan as submitted.

125

126 Ms. Kaplan asked about the price point for these homes. Mr. Gottesman said he would
127 guess in the \$500,000's.

128

129 Mr. Valentine asked why no side load garages were required by the trustees in this
130 section. Mr. Gottesman said it was in the context of the situation. Longhill was
131 approved with no buffers, homes right against the railroad tracks, etc. M/I Homes
132 proposed a reduction in lots and an increase in open space, which resonated. The side
133 load garages that were approved is about 35% of the total homes, and combined with the
134 additional amenities, the buffers, the conservation of the rural feel, the open space, etc. is
135 what helped get to that point.

136

137 Mr. Valentine said there is an area with 269 homes with a bunch of garages, and not
138 everybody will keep theirs pristine. With Longhill, there was 8, 25 and 50% and it was
139 clear that there would be side load garages mixed in with the front load garages. Mr.
140 Valentine said he would like to see more diversity.

141

142 Mr. Gottesman said the different elevations of the homes ensure the garages will not be in
143 the same place on the lot for each home. There are three different elevation styles within
144 each plan, including the traditional, farmhouse and craftsman that have different
145 architectural elements. There are also different color schemes and rules.

146

147 Ms. Kaplan said there was much discussion about the enclave in 2019 and she asked
148 whether that was still part of this. Mr. Gottesman said it was not. That was the empty
149 nester section across the street from the high school, and M/I Homes did not believe that
150 would be a suitable location for empty nesters. Ms. Kaplan said there was also going to
151 be a pool/central green meeting place. Mr. Gottesman said there is now one central
152 awesome amenity that people will hang out at. It will have a pool, playgrounds,
153 cornhole, etc.

154

155 Mr. Valentine said Berlin Farms East was never part of this, as it is 98 homes on the other
156 side of Piatt Road. Mr. Gottesman said that was correct. He said to the consumer, it will
157 all be Berlin Farms and one happy community, and everybody will have access to the
158 amenity.

159

160 Mr. Valentine said this was originally to be the first Agrihood in the area, and the silo
161 was going to be a distinguishing feature of the "farm" theme. He does not see that theme
162 with this plan.

163 Mr. Gottesman said the silo has been moved to be in the central amenity area.

164

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165 Mr. Valentine said smaller pools do not require lifeguards, so perhaps two smaller pools
166 rather than one larger pool. Mr. Gottesman said in Ohio, pools that are 1999 SF or less.
167 No lifeguard is required. M/I Homes spends a lot of time selecting the type of pool that
168 fits with the community, and they try to always build at 1999 SF.

169
170 Mr. Valentine asked during what phase the central amenities would be built. Mr.
171 Gottesman said phase 2 will get them close. You don't want to build it too early or too
172 late, he said. Mr. Valentine said the southwest corner contains a lot of clutter. Mr.
173 Gottesman said they do not own much of that, including right next to the railroad tracks.

174

175

PUBLIC COMMENT

176

177 Dan Jacobs, 1983 Gregory Road, at the corner of Berlin Station and Gregory Roads, said
178 that the access road they installed in front of Jeff Jordan's road is gravel and the drainage
179 tile for the pitch is still up under the trees. The drainage from the church west is plugged
180 up by that gravel. He asked whether that would continue, or would be fixed.

181

182 Mr. Bon said he and the roads superintendent, Jessie, can take a look at where the drain
183 tile is located. Mr. Bon said the tile for the driveway would need to be approved by the
184 road superintendent. Mr. Jacobs said the engineer is already on site and the gravel is
185 already in. The tile was not installed. Mr. Bon said he would talk to the road
186 superintendent to see whether he approved that.

187

188 Mr. Jacobs said in the meantime, there will be no drainage. The ditch is full of gravel,
189 and he asked how water gets from one side to the other. Mr. Bon said he would ask
190 Jessie whether a tile was placed there.

191

192 Teri Jordan, 2862 Berlin Station, said a few years ago she came to the Longhill meetings,
193 where she was told there would not be a gravel or other kind of driveway across from her
194 driveway and that has turned out not to be true. She was also told the lots would be an
195 acre or more, which is not true, and she is not happy about it. Her landline phone has
196 been out of order for 4.5 weeks due to construction and it still has not been repaired.

197

198 Mr. Valentine said Longhill had agreed there would not be a road coming right out
199 against her driveway. PRD with R-3 has 1.85 units/acre, but because it is a PRD overlay,
200 they can have it as small as 10,890 SF per lot. Ms. Jordan said there would be a lot of
201 traffic. This will affect all of the neighbors.

202

203 Jeff Jordan, 2862 Berlin Station Road, asked whether there would be digging on the south
204 side of Berlin station Road. Mr. Gottesman said the county engineer is planning to widen
205 the road.

206

207 Mr. Jacobs asked whether there would be uplighting in the subdivision. Mr. Valentine
208 said there is a divergence for uplighting on the 5 model homes only.

209

210 Mr. Jacobs said the BZC was not aware that the location of the sideload garages had
211 changed by the trustees, and also that they had negotiated part of Longhill as a tradeoff
212 with something to the east. Mr. Valentine said Longhill was approved in 2018 and M/I
213 Homes purchased it later.

214

215 Mr. Valentine said it is the developer's choice what to name a development. Another
216 development with 90 homes was originally Berlin Farms, but it was renamed Berlin
217 Farms East. Piatt Road is going to be extended, and that is where Berlin Farms West is
218 dissected. It all used to be Longhill. The BZC makes recommendations to approve or
219 deny a rezoning request and then it goes to the trustees for final approval. The residents

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220 have 30 days to referendum a zoning plan, but that did not happen. It went to the trustees
221 in 2022 and was modified. He is not certain of all that was changed.

222
223 Mr. Valentine said this is still Berlin Township although that ends at the tracks. The BZC
224 wants to protect the interests of Berlin Township and have some control over it and work
225 with the developer to keep the property in the township. He is surprised at some of the
226 changes.

227
228 Mr. Jacobs said his family has been in Berlin Township for years, and the property across
229 the street was always mowed. The last time he was in here, the developer proposed that
230 the space at Berlin Station Road was going to be a natural habitat for weeds. He said
231 they do not want to look at an unkept property across the street. He said he feels entitled
232 to see a maintained area that is mowed.

233
234 Ms. Jordan said there are an awful lot of houses there and if each house has 2 cars, the
235 traffic will increase a lot on Berlin station road, right in front of her house.

236
237 Mr. Goshia said an official traffic study was done. Ms. Jordan said that was a few years
238 ago. Mr. Goshia said they have to project their impact in the future. JJ said there were
239 fewer houses in Longhill. Ms. Jordan thanked the BZC for listening.

240
241 Mr. Valentine said the Berlin Farms map shows open space of 61 acres with ponds that
242 are not there today. That may help the drainage. The greenspace is 30-40' from the next
243 phase of residences. He said one of the documents stated that the HOA would be caring
244 for the dark green area which is the no-mow section. Ms. Sloas said that is concerning to
245 her. Mr. Gottesman said he imagined that for the presentation, there would be some
246 mowing.

247
248 Mr. Bon said he would talk to Jessie about the drainage. He asked the residents to let him
249 know if there is any debris in the construction zone.

250
251 Mr. Gottesman said when M/I Homes took over the Longhill property, they modified the
252 plan and started from scratch but included many of the original elements. He said
253 neighbors were notified of the hearing, and some to the north came to the hearings and
254 provided input.

255
256 Ms. Jordan asked whether there were fewer homes in the original Longhill development.
257 Mr. Valentine said they had more, at 531. That was decreased to 482, and now there are
258 434.

259
260 Ms. Sloas asked if M/I Homes could change the area near the entrance to a mowed area.
261 AB said he could. He said there were discussions with the trustees about the natural
262 nature of the area including not running mowers, oil seeping into the ground, etc. and it
263 was done at the request of one of the trustees.

264
265 Mr. Jacobs said the neighbors mow the railroad right-of-way because otherwise it
266 becomes overgrown. They want the neighborhood to look nice and they take pride in
267 their neighborhood. He does not want a bunch of wild weeds growing in the area.

268
269 There was a discussion and it was determined that this would not go to the trustees.

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RESOLUTION 2023.08.22 APPROVE FINAL DEVELOPMENT PLAN FOR SECTION 2, BZC 18-003

Mr. Valentine made a motion to approve the final development plan for section 2 of BZC 18-003. Mr. Goshia seconded the motion.

Vote: Valentine, no; Goshia, yes; Kaplan, yes; Sloas, yes. Motion was carried.

Mr. Valentine said he just could not get over 55 homes with only front load garages. Mr. Gottesman said he would see that he got a copy of the minutes that showed the discussion and approval of that.

AGENDA ITEM: OTHER BUSINESS

Mr. Valentine said there is nothing scheduled for the September 12, 2023 BZC meeting and he suggested working on the zoning resolution

There was no further business to come before the BZC. Mr. Valentine adjourned the meeting.

Jerry Valentine, Chairperson

Darcy Kaplan, Vice-Chairperson

Angela Brown, member

Jenny Sloas, member

Keith Goshia, member

Jasper DeChristopher, 1st alternate member

Tara Shields, 2nd alternate member

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