

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

**REGULAR MEETING
TUESDAY, APRIL 11, 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 Angela Brown, Jenny Sloas, Keith Goshia.

7

8 Not present: BZC member 1st alternate Jasper DeChristopher.

9

10 Also present: BZC 2nd alternate Tara Shields. Zoning Inspector Jake Bon, Zoning Clerk
11 Lisa Knapp, Zoning Secretary Cathy Rippel.

12

13 Mr. Valentine reviewed the BZC's adopted rules, including public comment rules.

14

15 **PROOF OF PUBLICATION**

16

17 Ms. Knapp stated that this hearing was advertised in December 2022 in the Delaware
18 Gazette as a regular meeting.

19

20 **AGENDA ITEM: APPROVAL OF MINUTES**

21

22 Ms. Kaplan made a motion to approve the minutes from the 3/14/23 BZC meeting as
23 presented. Ms. Sloas seconded the motion.

24

25 Vote: Kaplan, yes; Sloas, yes; Brown, yes; Goshia, abstain; Valentine, abstain.

26

27 Ms. Brown made a motion to approve the minutes from the 3/21/23 BZC meeting as
28 presented. Ms. Kaplan seconded the motion.

29

30 Vote: Brown, yes; Kaplan, yes; Goshia, abstain; Sloas, yes; Valentine, abstain.

31

32 **AGENDA ITEM: INFORMAL MEETING OLD CHESHIRE**

33

34 John Angelo Burke, owner of DiAngelo Builders, presented the application and
35 answered questions from the Commission. Mr. DiAngelo said he has gone into contract
36 for the property for sale just east of the Cheshire Market and shops, which is currently
37 zoned Neighborhood Commercial District (NCD). He said he believes it needs to be
38 converted to Old Cheshire Planned Unit Development due to the setback requirements for
39 this proposed use.

40

41 Mr. DiAngelo displayed an informal document for discussion. He said the proposed
42 development would be similar to one he is developing at Cheshire Road and Route 23
43 that includes 1, 2 and 3-family Epcon-style homes. He said page 2 shows a basic layout,
44 that includes residential, as well as three L-shaped office building starting at East Street,
45 and about 180' by 100'. Each building would have about 45 parking spaces behind it.
46 There would be another entrance so the commercial would have its own entrance off
47 Cheshire Road, and another entrance off of East Street.

48

49 Mr. DiAngelo said he wanted to create a storefront/village look along Cheshire Road,
50 with all the parking behind the buildings. There is a bike path along the front and a 30'
51 setback from the edge of the right-of-way, which is 60' from road centerline.

52

53 Mr. DiAngelo said there would be a park area with ponds and pavilions. He is proposing
54 40 farmhouse style duplex and tri-plex homes similar to those off U.S. 23 and at
55 Brookshire Commons in Westerville.

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56 Mr. DiAngelo said he may be proposing a 3-story retirement center. Page 4 shows some
57 unit layouts. He asked how much open space is required, and who would take care of it,
58 because it would be used publicly. Page 5 shows some sample architecture and plans.
59 There would be three office buildings, each about 7500 SF with another 5,000 SF on the
60 second floor. There would be three barns directly across the street from The Shires. He
61 would like to have the retention ponds in that area and a paddle wheel to reflect the area's
62 past.

63
64 Mr. DiAngelo said there would be an entrance for the residence. He may purchase the
65 four acres adjacent, which would allow him to have another 20 houses or perhaps the
66 park would be moved back to that area. The parking would be in the upper left corner.
67 The retail space can be reconfigured.

68
69 Mr. DiAngelo said the next page shows a concept of the barn, and he explained the
70 history of mills in this area. He would like to mimic that, and perhaps there could be an
71 exercise facility on the second floor of one of the barns. The next page is the actual
72 houses he will be building at Cheshire Crossing, and they are single-family homes. They
73 will be modified and adjusted to fit the lots. The next page shows they can also be
74 duplexes or triplexes.

75
76 Mr. DiAngelo said he likes the concept of the enclosed mailboxes at Evans Farm, and he
77 would like to mimic that here. It would double as a pavilion. There are concepts of bocci
78 ball and fire pits. There are currently 40-50 houses in the Old Cheshire area, and they
79 would build another 40, so that would give another 200 people to frequent the shops, play
80 at the parks, and live there, in addition to the nearby subdivisions.

81 Mr. DiAngelo displayed some samples of homes he has built in the past, which are
82 usually stone/stucco/board and batten, and there is a possibility of metal roofing. This
83 would cater to single or retired people and would be a unique property.

84
85 Ms. Kaplan asked about the retirement center or rehab facility. Mr. DiAngelo said that is
86 a possibility and it could be located on the 7-acre parcel so it was set back further, on the
87 parcel furthest away from Alum Creek.

88
89 Ms. Kaplan asked about the other uses for the barns. Mr. DiAngelo said they could be
90 gathering areas. Ms. Kaplan asked for the price point for the homes. Mr. DiAngelo said
91 it would start at \$500-600,000. Ms. Kaplan asked about signage at the entrances. Mr.
92 DiAngelo said he had not read that chapter yet. He would like something more demure
93 that blends in with landscaping, such as block pillars with block wall with marquis hybrid
94 stone with the name of the community and landscaping. There would be a separate sign
95 for the park and a separate sign for the commercial area.

96
97 Mr. DiAngelo said individual homes would have fences 3.5-4' tall in the rear and their
98 own areas for pets, etc. The homes would be individually owned. He said there would
99 be 2-3 twin singles, which means each home can be 5' wider. This can help with first
100 floor masters. He would provide a variety of appearances to avoid monotony.

101
102 Mr. DiAngelo asked about the amount of open space required. The structure coverage is
103 about 20%, and the pavement coverage is about 22%, which is below the NCD
104 requirements, but there are none in the PUD provisions. Ms. Kaplan said she appreciates
105 the usable open space.

106
107 Mr. DiAngelo said there is a biking path along the front, to be made of asphalt, and the
108 roads would be curbed. There is a requirement that the houses must be 40' back from the
109 street for the garage door and 30' for the house from the right-of-way. That is a lot of
110 asphalt and he only needs 24' behind the sidewalk for a car. If there is a sidewalk and a
111 curve, the garage door would be at 35', and with no sidewalks on one side, he only needs

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112 to be 35' from the curve so cars can park off the street but not in the way of people
113 passing by.

114

115 Mr. DiAngelo said in the subdivision off Route 23, they put the sidewalk on one side of
116 the street and made it 6' wide so they can pass each other. He did not want people
117 crossing the street on bikes. He suggested only doing the inside portion around and on
118 the outside portion have the houses and grass run up right to the street. He can put the
119 lampposts and fire hydrants on that side as well.

120

121 Ms. Kaplan asked whether there would be on-street parking. Mr. DiAngelo said he
122 would provide areas for parking, but each house has a two-car garage with 2 spaces in the
123 driveway for parking, and there may be some additional parking elsewhere. There would
124 also be parking behind the houses.

125

126 Mr. Valentine said the proposal states a density of 5 units per net developable acre. Mr.
127 DiAngelo said it is 10.97 acres; 85% of that is 9.325, times 5 is 46 dwellings maximum.
128 There would be 40 houses and two, 2500 SF apartments above the commercial spaces.
129 He could also fit 3, 1500-1600 SF spaces above there, but he would have to reduce the
130 number of houses to 36. Mr. DiAngelo said he did not see a density for commercial
131 uses.

132

133 Mr. Valentine asked whether the entire development would be governed by a
134 homeowners association. Mr. DiAngelo said he would think they would have an
135 overarching body that would govern that. The units above would be "condominiumized"
136 so they could be apartments or offices and the units below would be "condominiumized"
137 as offices.

138

139 Ms. Kaplan asked whether he would retain ownership of the barns and commercial
140 spaces. Mr. DiAngelo said that was his intention. He would like to know who would
141 take care of the open space. Ms. Kaplan said that is usually the responsibility of the
142 developer.

143

144 Mr. Valentine asked for as few divergences as possible.

145

146 Ms. Brown said she really likes this proposal. She likes the concept of the shops and
147 bringing in business. She also likes the parks concept. She is fine with some condos or
148 apartments. She has concerns about the parameters placed upon the parks. She said
149 people really want local parks that they can visit.

150

151 Public Comment

152

153 A person in the audience said he and Mr. DiAngelo are long term residents of the
154 township. He liked the vision of this plan.

155

156 Mr. Goshia asked what the hours of operation would be. Mr. DiAngelo said it would
157 probably be 10:00PM or so. Ms. Kaplan asked whether there could be a renting of the
158 pavilion for public use. Mr. DiAngelo said they were not set up to be enclosed and they
159 would be open to the public.

160

161 Ms. Sloas said the BCO states that the height of the building can be up to 45' or 47' or up
162 to 10% of the building line, to allow for architectural variations, features and designs, and
163 cannot be over 3 stories. Ms. Sloas said she likes the barn look of The Shire.

164

165 Ms. Shields said she lives in the Arbors of Cheshire, which has 19 houses. They are
166 dealing with some structural issues, including a giant stream of water when it rains that

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167 floods their court. They believe it comes from the subject area. Regarding East Street,
168 she did not think there would be room for a bike path and a separate entrance.

169
170 Ms. Shields was also concerned about the possible removal of the majority of trees in the
171 area. Mr. DiAngelo said that the majority of the trees would be removed. Ms. Shields
172 said that would remove the buffer between the development and the adjacent house. Mr.
173 DiAngelo said a row of pine trees would be planted. The drainage would be handled as
174 well and the water would need to be captured. If the neighbors would sell their property,
175 they could place the parkland in that area.

176
177 Ms. Shields is glad to see the plans for a bike path, as many teenagers walk along the
178 road. She wants to make sure the lights are turned off at night.

179
180 Kari Lindberg asked what the barns would be used for. Mr. DiAngelo said a two-story
181 would have a play area above the gym, or perhaps the HOA could use it. The other two
182 would be open like those at Pulte. Ms. Lindberg wanted to ensure there are destination
183 businesses rather than realtors and dentist offices.

184
185 Kim Trackler, 210 Finch Lane, said East Street cannot handle two-way traffic, and
186 adding 200 residents to the area, in addition to the business traffic, will overload the
187 roads even further.

188
189 Ms. Rippel said she liked the proposed name of the development.

190
191 Ms. Brown asked how many building permits there have been so far this year. Ms.
192 Rippel said total permits including pools, sheds, etc. there are only about 88 so far,
193 although things have been picking up a bit.

194
195 There was additional discussion.

196
197 **AGENDA ITEM: OTHER BUSINESS**

198
199 The next BZC meeting is scheduled for Tuesday, April 25, 2023 at 7:00 PM.

200
201 There was no further business to come before the BZC. Mr. Valentine adjourned the
202 meeting.

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205 _____
Jerry Valentine, Chairperson

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207
208 _____
Darcy Kaplan, Vice-Chairperson

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211 _____
Angela Brown, member

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214 _____
Jenny Sloas, member

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Keith Goshia, member

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Jasper DeChristopher, 1st alternate member

Tara Shields, 2nd alternate member

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