

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

**REGULAR MEETING
TUESDAY, JULY 11, 2023: 7:00 PM**

1 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 *Notice: A video recording of this meeting can be found on Berlin Township's YouTube*
6 *channel and Facebook page.*

7
8 BZC members present: Chairperson Jerry Valentine, Vice-Chairperson Darcy Kaplan,
9 Angela Brown, Jenny Sloas, BZC 1st alternate Jasper DeChristopher (seated).

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

13
14 Not present: BZC member Keith Goshia.

15
16 AGENDA ITEM: APPROVAL OF MINUTES

17
18 Ms. Kaplan made a motion to approve the minutes from the 6/27/23 BZC meeting as
19 presented. Mr. DeChristopher seconded the motion.

20
21 Vote: Kaplan, yes; DeChristopher, yes; Sloas, abstain; Brown, yes; Valentine, yes.

22
23 AGENDA ITEM: INFORMAL DISCUSSION OF SCIOTO GARDENS

24 Christine Dilley, one of the partners of Scioto Gardens, and Tony Eyerman, presented.

25
26 Ms. Dilley said Scioto Gardens is a native plant nursery that has been operated in
27 Delaware County since 1999. It was preparing to close their doors for good when the
28 owners retired in 2019 when a group of plant lovers came together to save it. They grow
29 native plants for customers to come from all over, even surrounding states.

30
31 Ms. Dilley said native plants are crucial to the reverse of the declining populations of
32 native bees, birds, butterflies, and other wildlife. The demand for these plants has
33 increased greatly over the first few years of ownership due to the uptick in home
34 gardening during the pandemic, and also the release of the wildly popular book,
35 "Bringing Nature Home."

36
37 Ms. Dilley said market indicators show that the demand for native plants has grown, and
38 Scioto Gardens must grow to meet the needs of their customers and wildlife. They are
39 running out of space and time and their lease is up next May. They have identified
40 property in Berlin Township for about 10 acres at Sackett Farms on Curve Road for their
41 new location.

42
43 Mr. Eyerman said that the current location is right around the corner from where he has
44 lived for 25 years. This is a really cool place with a unique perspective. Moving to
45 Sackett Farms, which is already zoned agricultural conservation district, is perfect. He is
46 here to familiarize the BZC with their operations.

47
48 Mr. Eyerman said the native plants at Scioto Gardens are unique from other plants
49 available in the area, and they support the native wildlife. The uses fully comply with the
50 permitted uses of this zoning district. The applicant plans to go to the BZA for approval
51 of their signage, and will not request any of the prohibited uses. The plan will comply
52 with all development standards including setbacks, etc.

53

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54 Mr. Eyerman said he said the nursery will look like a park, as it sits off the road and
55 maintains the green strip along the road, and has an agricultural feel. Each area in the
56 nursery has a different type of habitat such as prairie, wetland, etc. Off-street parking and
57 lighting is provided and the maximum tract coverage will not be exceeded. There are a
58 couple of areas for production such as a greenhouse, structures for plant growing and
59 propagation, and for shade and sheltering during bad weather.

60

61 Mr. Eyerman said they plan to apply as soon as possible. Moving plant material during
62 the hot weather destroys the materials due to the hot weather and the wind during
63 transportation. This plan will allow the materials to be moved during the fall.

64

65 Ms. Dilley said they plan to open April 1, and they are typically closed from November
66 until around February. The Sacketts are very supportive of this project, and they have
67 bene working together on this.

68

69 Mr. Valentine asked where on Curve Road this is located. Mr. Eyerman said it is on the
70 east side of the railroad tracks, and he distributed a plan to the BZC.

71

72 Mr. DeChristopher said the parcel is over 50 acres and he asked where the proposed site
73 was, specifically on that property. Ms. Dilley said it will be on around 10 acres just to
74 the east of the old farmstead, and they are on the opposite side of the railroad tracks.

75

76 Ms. Brown asked whether people can come in from the community and walk through.
77 Ms. Dilley said they could. Ms. Brown asked how a person could purchase plants from
78 each area. Ms. Dilley said there would be wagons, and people would check out at one
79 location.

80

81 Ms. Sloas said this would be a nice addition to the community and would provide more
82 variety Ms. Kaplan asked about the signage to be presented to the BZA and she asked
83 whether there were any issues with it. Ms. Dilley said it was just because there is no sign
84 there now. Ms. Kaplan asked whether they were intending to have gravel driveways. Ms.
85 Dilley said that was correct.

86

87 Ms. Kaplan asked about the level of traffic. Ms. Dilley said they hoped it would increase.
88 Mr. Eyerman said the nursery is currently on SR 37.

89

90 Ms. Kaplan asked whether the buffer to the right is against a property owner's property.
91 Ms. Dilley said it was a strip of wildflower conservation that is owned and will continue
92 to be owned by the Sackett Family, and the neighboring property is on the other side of
93 that. It will be on a 9-year conservation district.

94

95 Mr. DeChristopher asked what the green area to the left was versus the more detailed
96 area. Amy Dutt said one is the current Sackett Farmstead with the 100-year old house
97 with a cut flower, wedding etc. business. The parcel with the dashed black line is the
98 split. The green area is the forested tree area, and the driveway is located along the
99 forested area.

100

101 Ms. Kaplan asked whether they would have classes and events. Ms. Dilley said there
102 would be some classes and farmers markets, etc.

103

104 Ms. Kaplan asked whether the planned buildings would be permanent. Mr. Eyerman said
105 they are agricultural buildings, such as a shed for equipment, etc. He said the Ohio
106 Revised Code allows for those types of buildings. Buildings such as office buildings
107 would require approval. Ms. Kaplan asked whether there would be shipping containers,
108 etc. Ms. Dutt said there are two shipping containers in the back for storage and
109 production and she will rehabilitate them to make them look nice.

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110 Mr. Eyerman suggested visiting the existing nursery to get an idea of the operations and
111 appearance. Ms. Dutt said it is located on SR 37 just northwest of Delaware. Ms. Dilley
112 said people come to the shop from all over.

113

114 Ms. Shields said that A-1 allows for plant nurseries but it considers the permitted uses as
115 roadside sales. The conditional uses are where they get the ability to sell items. She
116 wants to ensure they are fully compliant. Temporary structures are permitted for 6
117 months. She said adequate off-street parking must be provided. This is under the
118 conditional uses that are imposed by the Board of Zoning Appeals. This is different that
119 selling on the roadside and she just wanted to make sure they met the requirements.

120

121 Ms. Shields asked where the point of sale would be. Mr. Eyerman said it would be in the
122 nursery. Ms. Dilley said one can place their orders online and pick them up in person.

123 Mr. Valentine said he likes the green space.

124

125 Ms. Rippel welcomed them to Berlin Township.

126

AGENDA ITEM: CONTINUE WORKING ON DRAFT CLUP,

127

POSSIBLE INITIATION OF THE PROCESS

128 Mr. Valentine said the BZC has been provided with the draft of the Comprehensive Land
129 Use Plan (CLUP) from Scott Sanders, director of the Delaware County Regional
130 Planning Commission (DCRPC). He asked the BZC to provide any additional changes
131 prior to the 7/25/23 BZC hearing. He said the process would be initiated tonight. Ms.
132 Rippel said there will be an additional vote after the feedback is received from the
133 DCRPC, and then it will go to the trustees for approval.

134

**RESOLUTION 2023.07.11.#A: INITIATE THE PROCESS TO AMEND THE
BERLIN TOWNSHIP COMPREHENSIVE LAND USE PLAN**

135

136

137 Mr. Valentine made a motion to initiate the process to amend the Berlin Township
138 Comprehensive Land Use Plan. Ms. Brown seconded the motion.

139 Vote: Valentine, yes; Brown, yes; Sloas, yes; DeChristopher, yes; Kaplan, yes.

140

141 Motion carried.

142

143

OTHER BUSINESS

Berlin Business Park Meeting

145 Mr. Valentine said on August 18, 2023 at 11:30 a.m. there will be a meeting at Berlin
146 Township Hall regarding the Berlin Business Park. ODOT, business leaders and others
147 are invited to attend, as are the BZC members.

148

149 Mr. Valentine said on September 11, 2023 there will be a trustee meeting for the T & R
150 Properties application. They are requesting to reopen the residential proposal that was
151 turned down. The applicant has stated they have additional information to state and are
152 asking that the application be reopened. Ms. Kaplan asked whether that was the
153 customary process. Mr. Valentine said the county prosecutor was present at the meeting
154 last night and did not comment on the legalities of it, and it was placed on the September
155 11, 2023 trustee meeting.

156

157 Mr. Valentine said Trustee Raehl would like to complete the CLUP so they can start on
158 revising the zoning resolution in September. Chapters 15 and 19 will be reviewed first.

159

160 Mr. Valentine said regarding the meeting for the residential hotel that was turned down
161 by the BZC a few weeks ago, there is a lot going on. It is rumored that at Africa Road

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162 and 36/37, ODOT is considering changing the speed limit to 35 MPH from 60 MPH.
163 Metro Development has apparently offered to pay for a J-hook so a left turn out to 36/37
164 will not be allowed. A right-in/right-out would satisfy his safety concerns. They are also
165 discussing a light at Africa Road. These would help to satisfy some of the safety issues.

166

167

AGENDA ITEM: OTHER BUSINESS

168

169 Mr. Valentine said the next regular BZC meeting will be on Tues., July 25, 2023 at 7:00
170 PM. An amendment is requested to BZC 21-004, Maeve Meadows.

171

172 Ms. Rippel said when the model home was built it was to have a side load garage, but
173 they built a front load garage instead. The applicant would like to trade that location for a
174 different lot, which is indicated in the packet.

175

176 Ms. Rippel said the approved plan was very clear as to which lots were to have sideload
177 garages. The property was purchased by Pulte Homes.

178

179 Mr. Valentine said there will be an informal hearing as well with Joe Walker with
180 EMH&T. Ms. Rippel said she believes it will be for a light industrial use at the Berlin
181 Business Park.

182

183 Mr. Valentine said there are no items on the August 8 meeting at this point, and he and
184 Ms. Kaplan will not be at the 8/8/23 meeting and it will most likely be cancelled unless
185 something important comes up.

186

187 Brian Soloman, 6157 Brookview Manor, a resident of Brookview Manor, has been a
188 resident of Berlin Township for four years. He went to the ODOT meeting at the church
189 a few weeks ago, and he said he shares some of the BZC's concerns about the
190 interchange at 36/37 and Africa Road.

191

192 Mr. Solomon asked who the right entity would be to talk to regarding a buffer. There is
193 also a dead-end street in Brookview Manor and he asked whether there would be a
194 passthrough there or just an emergency access.

195

196 Mr. Valentine said that was annexed by Sunbury so the township does not have a lot of
197 control over it. The adjacent properties are still in Berlin Township and they are trying
198 their best to have it fit in with the rural nature of Berlin Township. He suggested
199 speaking with the city of Sunbury officials and township trustees.

200

201 Marge Troupe, 6481 Sherman Road said she received a zoning violation and nobody has
202 returned her calls. She stopped by today at 1:30PM but the office was close for lunch.
203 The issue is supposed to be resolved by July 24, 2023. She is aware that Mr. Bon is on
204 paternity leave.

205

206 Ms. Troupe said she purchased her property around 8 years ago. At the time, the land
207 towards 3 B's and K Road was farmland, and was part of a housing development that was
208 being built. Ms. Rippel said that was Brookview Manor. Ms. Troupe said they just
209 completed the last portion of that development, but apparently there is a perception by
210 somebody in the community that she is encroaching on the HOA land. However, she did
211 not think she was.

212

213 Ms. Troupe said some surveyors came out 3-4 months ago and moved her property line,
214 so she lost 20' of property. She is very frustrated. She said that is her property. Ms.
215 Rippel said she would make sure Mr. Bon returns her call upon his return.

216

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

219

220

221

222

Jerry Valentine, Chairperson

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225

226

Darcy Kaplan, Vice-Chairperson

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228

229

230

Angela Brown, member

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Jenny Sloas, member

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Keith Goshia, member

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242

Jasper DeChristopher, 1st alternate member

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246

Tara Shields, 2nd alternate member

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248

249

Attest: _____

250

Lisa F. Knapp, Berlin Township Zoning Clerk

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