

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

REGULAR MEETING

TUESDAY, SEPTEMBER 13, 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 alternate member Jenny Sloas (seated).

Also present: Zoning Inspector Laura Borso, 2nd alternate member Keith Goshia.

Not present: Chairperson Steve Flaherty.

Ms. Littleton reviewed the BZC's adopted rules, including public comment rules.

PROOF OF PUBLICATION

Ms. Knapp stated that this hearing was advertised in the September 2, 2022 Delaware Gazette.

BERLIN TOWNSHIP ZONING COMMISSION NOTICE OF PUBLIC MEETING

The Berlin Township Zoning Commission will hold a public meeting September 13, 2022, at 7:00 p.m. at the Berlin Township Hall located at 3271 Cheshire Road, Delaware, OH 43015. The purpose of the meeting to invite the public to review the final draft to the Comprehensive Land Use Plan (CLUP). Scott Sanders, Director Delaware County Regional Planning, and the Zoning Commission can answer any questions that the public may have.

The text and map of the final draft Comprehensive Land Use Plan (CLUP) will be available for public examination from Sept. 2 - Sept. 13, 2022, Monday-Thursday excluding legal holidays from 8:00 a.m. to 5:30 p.m. at the Berlin Township Zoning Office located at 3271 Cheshire Rd., Delaware, OH 43015. Also, you can find the text and map on the Berlin Township website www.berlintwp.us under the zoning commission agenda tab. As well as Delaware County Regional Planning hosting all files: https://regionalplanning.co.delaware.oh.us/current_events/contract_status/

Questions concerning this matter should be directed to the Zoning Office at 740-548-5217 x103. The person responsible for giving notice of the public meeting by publication is Cathy Rippel. Township residents are encouraged to attend.

BERLIN TOWNSHIP ZONING COMMISSION

Steve Flaherty, Chairman

AGENDA ITEM: APPROVAL OF MINUTES

Ms. Littleton made a motion to approve the minutes from the 8/23/22 BZC meeting, as presented. Ms. Kaplan seconded the motion.

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

Motion carried, minutes were approved.

Ms. Littleton introduced and welcomed the new BZC second alternate member, Keith Goshia.

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**AGENDA ITEM: REVIEW FINAL DRAFT OF THE
COMPREHENSIVE LAND USE PLAN (CLUP)**

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Scott Sanders, director of the Delaware County Regional Planning Commission, was present to discuss the revisions to the Comprehensive Land Use Plan (CLUP). He distributed the documents to the BZC.

Mr. Sanders said the new language could be voted on tonight. The CLUP has a map and also a book of text that has been reviewed and revised per discussions. It includes recommendations that go along with the map. When a developer comes before the BZC to request approval for a rezoning, they review the CLUP to see whether the proposed rezoning is in compliance with the CLUP.

Mr. Sanders said the CLUP recommendations are not binding, but they are a guide for the different entities to use to examine densities, types of uses such as residential or commercial, types of housing, environmental issues, etc. He noted that the zoning resolution or the zoning on any property is not being changed. This is merely an adoption of the CLUP, which will go to the trustees for consideration.

Mr. Sanders distributed copies of the revised plan and reviewed it. He noted that the last overhaul was done in 2010. In 2016 he did a presentation of all the changes proposed since 2010. The township then became very busy with development so the process was put on hold. There was also movement to bring sewer to the 36/37 corridor, and a business park in that area was formed and adopted in the zoning code.

There was a discussion about the proposed changes, which included a suggestion to specify open space uses in the CLUP.

**RESOLUTION 2022.09.13: RECOMMEND APPROVAL TO THE TOWNSHIP TRUSTEES OF
THE PROPOSED 2022 COMPREHENSIVE LAND USE PLAN**

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Mr. Valentine made a motion to recommend the approval to the township trustees of the proposed 2022 CLUP with the condition that the open space uses are specified. Ms. Littleton seconded the motion.

Vote: Valentine, yes; Littleton, yes; Sloas, yes; Brown, yes; Kaplan, yes. Motion carried, document will be sent to the trustees with recommendation of approval.

AGENDA ITEM: OTHER BUSINESS

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Ms. Borso said she has been working on updates for the zoning resolution, including inconsistent definitions, open space, the sign code, etc. She asked that members of the BZC contact her with suggestions for other changes. Mr. Valentine said there is inconsistency between the minimum lot size in the zoning resolution; one section states 20,000 SF, and another indicates 1.85 acres, which are not the same.

Ms. Borso said she is working on Standard Operating Procedures (SOPs) for zoning violations and rezoning applications. This will help make the zoning process more efficient and less ambiguous.

Mr. Valentine said prior to now, informal hearings with developers were held with a couple of BZC members to get feedback, and then more recently, informal meetings were held with the zoning commission.

Ms. Borso said the trustees have decided that those meetings will be held with just her and possibly the part-time assistant zoning inspector. She said that she will get them all

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107 set, and then it will come before the BZC, in order to prevent having extra meetings prior
108 to the official BZC hearing.

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110 Ms. Borso noted that Ryan Homes has requested an informal meeting for Evans Farm
111 with the BZC, but that is a waste of the BZC's time because there was no reason to have
112 that discussion in front of the BZC as there was nothing to approve.

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114 Ms. Borso said she is tracking violations and creating a final development checklist in
115 order to increase efficiency.

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117 Mr. Valentine asked about the Village of Cheshire zoning violations that were discussed
118 recently by the BZC. Ms. Borso said the property owner has until September 22, 2022 to
119 resolve the issues. Mr. Valentine said residents have complained about the entry being
120 blocked. Ms. Borso said she has not observed that yet.

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122 Ms. Brown asked about the property at the end of Sherman Road at 3 B's and K Road.
123 Ms. Borso said Mr. Shepherd should be cleaning that up today and it should be gone
124 soon. Ms. Brown said he is doing a good job, but there are still things out there as of late
125 today. Ms. Borso said she send him a letter this part Friday and he has until September
126 19, 2022 to move the items into the barn, which he built for that purpose. That involves
127 everything along the tree line.

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129 Ms. Littleton said it was suggested to not cancel meetings in advance at these meetings
130 and to wait to see if anything came up. The next meeting will be on Tuesday, September
131 27, 2022 at 7:00 PM at Berlin Township Hall.

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133 There was no further business to come before the BZC. Motion to adjourn. Meeting
134 adjourned.

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137 Steve Flaherty, Chairperson

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140 Christina Littleton, Vice-Chairperson

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143 Jerry Valentine, member

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146 Darcy Kaplan, member

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149 Angela Brown, member

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152 Jenny Sloas, 1st alternate member

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