

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

**REGULAR MEETING & HEARING
TUESDAY, JANUARY 9, 2024: 7:00 PM**

1

CALL TO ORDER

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

4

5 BZC members present: Chairperson Darcy Kaplan, Vice-Chairperson Angela Brown,
6 Jenny Sloas, Jasper DeChristopher, BZC member Tara Shields.

7

8 Also present: Zoning Secretary Cathy Rippel, Zoning Clerk Lisa Knapp, Zoning
9 Inspector Jake Bon.

10

11 Not present: Keith Goshia, 1st alternate member; Assistant Zoning Inspector Jerry
12 Valentine.

13

14 Ms. Shields was recently appointed by the trustees as a regular BZC member, and Mr.
15 Goshia is now an alternate member.

16

17 Ms. Kaplan read the adopted policy of the BZC. She asked that public comments be
18 limited to 3 minutes.

19

AGENDA ITEM: LEGAL NOTICE

20 Ms. Knapp said this meeting was advertised in the December 27, 2023 Delaware Gazette,
21 as follows:

22

BERLIN TOWNSHIP ZONING COMMISSION NOTICE OF PUBLIC HEARING

23

24
25 *The Berlin Township Zoning Commission will hold a meeting for the purpose of a public*
26 *hearing January 9, 2024, at 7:00 p.m. at the Berlin Township Hall located at 3271*
27 *Cheshire Road, Delaware, OH 43015 to consider an application to amend an approved*
28 *Preliminary Development Plan, designated as BZC 16-001, amendment #2, filed by*
29 *Rockford Homes, 999 Polaris Parkway, Ste. 200, Columbus OH 43240. The applicant*
30 *is requesting approval to modify single family Planned Residential District (PRD) lots*
31 *and road layout to be reconfigured with less density, increase average lot size and open*
32 *space acreage, ±182.90 acres, Parcels #418340001057000, 41834001061000,*
33 *41834001062000 & 41843303001000, SW corner of Hollenback & S. Old State Roads,*
34 *Lewis Center, OH 43035 formally known as Evans Farm.*

35

36 *For questions, call Jake Bon, Zoning Inspector at 740.548.5217 x103. You can find the*
37 *packet on the Berlin Township website www.berlintwp.us under the agenda and meeting*
38 *tab for Zoning Commission. After the conclusion of the hearing, the matter will be*
39 *submitted to the Board of Township Trustees for its action. The person responsible for*
40 *giving notice of the public meeting by publication is Cathy Rippel. Township residents*
41 *are encouraged to attend.*

42

43 *BERLIN TOWNSHIP ZONING COMMISSION*
44 *Darcy Kaplan, Chair*

45

AGENDA ITEM: APPROVAL OF MINUTES

46

47
48 Mr. DeChristopher made a motion to approve the minutes from the 12/12/23 BZC
49 meeting, as presented. Ms. Brown seconded the motion.

50

51 Vote: DeChristopher yes; Brown, yes; Sloas, yes; Shields, yes; Kaplan, yes. Motion
52 carried.

53

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54

AGENDA ITEM: BZC 16-001 AMENDMENT #2 ROCKFORD HOMES

55

Applicant Presentation

56

57 Aaron Underhill, attorney with Underhill and Hodge, 8000 Walton Parkway, New
58 Albany, and Jim Lipnos, with Rockford Homes, 999 Polaris Parkway, presented the
59 application and answered questions from the BZC.

60

61 Mr. Underhill said this request is a major modification to a portion of the Evans Farm
62 project that Rockford Homes is in contract to purchase. He said it's not often that, as a
63 zoning attorney, he presents a plan that has reduced density, an increase in lot sizes and
64 open space, and a significant reduction in the number of public streets that will need to be
65 cared for by the township. Mr. Underhill said that Rockford Homes has a long track
66 record of development in Central Ohio.

67

68 Mr. Lipnos said the original zoning was over 600 acres and was approved in 2016. A
69 project this size was contemplated to be a 20-year project, and it was understood that it
70 would change over time so there were some built-in regulations for the expiration of the
71 preliminary development plan and/or modifications. They are utilizing one of those
72 avenues today to request modifications to a portion of the preliminary development plan.

73

74 Mr. Lipnos said the process is that the township determines whether the changes are
75 major or minor, and the trustees determined it was a major change, so it needed to come
76 back to the BZC for review. The changes do not change the use or character of the
77 development or the overall lot coverage. The density would be decreased. The traffic
78 pattern and circulation pattern, public utilizes, approved open space, off-street and
79 loading space, off-street parking, reduction in road or pavement width and change in
80 acreage are not being modified. Those are the items that, if changed, would be
81 considered a major modification, but the trustees did determine that it was a major
82 modification.

83

84 Mr. Lipnos said that things have changed since 2006, when the plan called for a total of
85 379 homes on the parcel, which has been reduced to 340 homes. Of the 379, 319 were
86 less than 72' in width. He is asking to increase the lot sizes so that all 345 homes are 72'
87 wide, and the number of homes is being reduced by 34. The open space is being
88 increased by about 11 acres. The length of the road is being reduced by 5600 lineal feet,
89 which is just over a mile.

90

91 Mr. Lipnos said it has been requested to add single-hung windows, which the current text
92 is silent on. He added vinyl siding that is a thicker gauge. A definition of front porch
93 being in the front façade has been included. Exposed foundation block will be painted to
94 match the exterior color.

95

96 Mr. Lipnos said the site plan shows more homes backing to more usable open space.
97 There is a central gathering place with walking paths and a pond with play equipment.
98 This is a much better plan that is a lot less "gridded," and it is less maintenance for the
99 township. These changes will enable Rockford to be able to build larger homes.

100

101

BZC Consideration

102

103 Ms. Sloas said she was not a fan of introducing the vinyl siding, which typically is not
104 allowed in the community. Mr. Lipnos asked what the objection to vinyl siding was.
105 Natural materials such as cementitious and wood products are popular, but they have an
106 increased cost. It is recommended that those items are repainted every 4-5 years. Mr.
107 Lipnos said there is a dilemma now between what people want and what is required here.

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108 The wood and cementitious siding does move and they create gaps and there is water
109 infiltration.
110
111 Mr. Lipnos said vinyl siding is more environmentally friendly, and it scores better in the
112 environmental impact score than all others.
113
114 Ms. Brown said she is not a fan of the upgraded vinyl, but she would like to see the
115 statistics. She asked what the percentage of stone or brick was required in the originally
116 approved zoning. Mr. Lipnos said he was not sure, and the text was silent on that matter.
117 Ms. Brown said she would like to see such a requirement in the text.
118
119 Mr. Lipnos said there are many elevations provided. She would like to see the composite
120 of the front.
121
122 Ms. Brown said the approved text states that the exposed foundation shall be finished
123 with permitted finished siding, but now the text states only that it would be painted. Mr.
124 Lipnos said the entire side would not be exposed. There would be a couple of feet of
125 exposed area in the base, rather than bringing the siding all the way down. There would
126 also be patio-porches that sit on piers that would also fall into that category.
127
128 Ms. Brown said she likes the fact that the lots are larger and there are fewer roads.
129 However, she would have loved to see more of the 16.73 acres that is behind the future
130 Evans Farm lots more incorporated into the back section, with more green space behind
131 those homes. Mr. Lipnos said the mature tree stand will be a platted open space and trees
132 will not be removed.
133
134 Mr. DeChristopher said he did not like the idea of vinyl siding and would prefer that it be
135 allowed on the back or sides. He also would like more definition of the exposed piers
136 because it seems as though that could be done anywhere. He would like the locations
137 where that could be used to be defined so it is not on the front of the house, etc. He
138 appreciates the larger lots. He likes the street layout and the overall street layout, that the
139 trees are being kept, and that the eastern exit across from The Marina is being removed
140 due to traffic issues.
141
142 Mr. DeChristopher said Exhibit E mentions backyard bollards and he asked what the
143 purpose of those were. Mr. Lipnos said they are to demarcate the open space from
144 people's backyards. Mr. DeChristopher said he likes the central open space and the
145 walking paths.
146
147 Ms. Shields had concerns about the walking path behind the houses and people looking
148 into bedrooms and she asked how that could be prevented in this situation. Mr. Lipnos
149 said there is enough room to have screening between the house and the backyards in the
150 final development plan.
151
152 Ms. Shields was concerned about pickleball courts being located so close to the houses
153 due to the noise. Mr. Lipnos said it was considered but that was the best location for
154 them. Ms. Shields said she saw benches only along the walking path and in the circle
155 path on the far right. She suggested adding benches in the center circle green space.
156
157 Ms. Shields had concerns about the number of street trees. Mr. Lipnos said this is the
158 preliminary plan and he said those details would be provided in the future.
159
160 Ms. Shields was concerned about the side yard setbacks. Mr. Lipnos said those still meet
161 the existing zoning.
162

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163 Ms. Kaplan said she was thrilled that they removed the entry onto South Old State Road,
164 and that there is a lot more green space. She had concerns about the design of the green
165 space, and she said it appeared that people would walk there and to the mail kiosk. Mr.
166 Lipnos said the mail kiosk location has not been detailed yet but they would ensure that it
167 would be in an area where people could safely pull off and get their mail.
168

169 Ms. Kaplan said green space should be accessible and usable and she was concerned that
170 there was no way to access it without trespassing. Mr. Lipnos said it could be accessed on
171 the north side of the reserve on the far left and right side. There are no additional
172 benches proposed in that area.
173

174 Ms. Kaplan asked whether the dog park was new. Mr. Lipnos was not sure, and also was
175 not sure of the size. Ms. Kaplan asked when work would begin. Mr. Lipnos said it
176 would probably be 6-7 months after approval. Ms. Kaplan said she did not love the vinyl
177 siding. She asked whether there could be a compromise. Mr. Lipnos said it is
178 maintenance free and very popular.
179

180 Ms. Kaplan asked why the windows were changed. Mr. Lipnos said the double hung are
181 not easily available, and most builders use single-hung windows. Ms. Kaplan asked if
182 vinyl could be restricted to the sides and back, with natural fronts. Mr. Lipnos asked if he
183 could submit elevations in the final development plan. Ms. Kaplan was concerned about
184 dusty white vinyl. Mr. Lipnos said the color is all the way through vinyl and it doesn't
185 chip or scratch. Mr. DeChristopher asked that samples be provided.
186

187 Ms. Brown said she has concerns about the perception of value for a home that costs
188 \$600,000-700,00 but has vinyl siding on the front. Mr. Lipnos said they have 37
189 developments with predominantly vinyl siding on all sides, and he has never heard
190 complaints about that. He understands that vinyl has a stigma. Ms. Sloas said they are
191 trying to steer away from all vinyl.
192

193 Ms. Shields asked about the timeframe and phasing. She asked about phase 1 with the
194 small section with part of the walking path. She asked when the amenities and open
195 space would be developed. Mr. Lipnos said it is premature to talk about phasing as
196 engineering has not been completed. It is in their best interest to build as many amenities
197 in phase 1 as possible.
198

199 Ms. Brown asked that language be added so that the BZC can determine whether or not
200 vinyl is permitted on the front. Mr. Lipnos suggested that language be added stating that
201 vinyl is permitted pending approval of the BZC at the final development plan.
202

Public Comment

203
204
205 Jason Cartee, 3067 Avonlea Way, said he is a representative of Avonlea, a 20-home
206 development just south of this development, this is shift in traffic patterns from the
207 approved plan. All the traffic from 345 homes that would have been exiting the
208 development would now be going through Avonlea. This is a major concern with small
209 children.
210

211 Justin Plessinger, 3136 Avonlea Way, said he is the vice-president of the HOA. He
212 pointed out the line between Orange and Berlin Townships, and showed the original plan
213 that was approved. His community is standalone and has been there for 19 years. Thirty-
214 four children live there and there is currently no through traffic, with the roads ending in
215 dead-ends on each side. The existing plan showed a connection, but an outlet onto South
216 Old State from the development was planned. The residents did not sign up to be a part
217 of this community and they will become the doorstep to the community.
218

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219 Mr. Plessinger said that a traffic light cannot be added because there are driveways within
220 30' of the road. It is already difficult to turn out of Avonlea with today's traffic. The
221 increase in not only residential traffic but also delivery trucks and trash trucks will cause
222 non-stop traffic and make their neighborhood unlivable. This is a devastating blow for the
223 Avonlea development and more research needs to be done.
224

225 David Hedges, 3049 Hollenback Road, said he lives on 3 acres right across from the
226 development. He said he sat through all of the zoning hearings for the original Evans
227 Farm development in 2016 and he was excited about the high-end, custom-built homes
228 with no vinyl siding. Now, the developer is coming in with a production builder. He
229 asked how Rockford Homes would maintain the same level of quality. He also asked
230 why this change was being requested.
231

232 Mike Heidenreich, 3178 Avonlea Way, said exits to communities have a runway style,
233 but this does not. It's just a residential street. There is also an elevation when exiting the
234 neighborhood. It is hard now to exit, and it will be impossible to do so if this plan is
235 approved.
236

237 Rebecca Sexton, 4840 Gables Crossing, said she lives in Avonlea. She asked why the
238 plan was changed from the original. She is glad there is less density and more green
239 space, which is great. She wanted to understand more about the procedures for
240 amendments, as sometimes the plans expire after a year. The traffic flow is a concern,
241 and she asked whether a traffic study was ever done. The traffic is already backed up as it
242 is. There had been talk about building a roundabout at Hollenback and South Old State,
243 which also has backups, and adding another 300 homes will increase that. She asked what
244 the implications of that many more cars coming in and out would have on that area,
245 especially given the hill outside their neighborhood on South Old State Road.
246

247 Ms. Sexton asked whether a light would be built at Hollenback and South Old State Road
248 that may encourage people to use that instead of their neighborhood. She asked whether
249 this proposal had gone to the Delaware County Regional Planning Commission (DCRPC)
250 yet. She noted that traffic coming up South Old State Road will turn into her
251 neighborhood. Traffic in that area is 55+ miles per hour and it is currently hard to turn
252 out.
253

254 Ben Allen, 2616 Hollenback Road, said he lived in one of those three homes in the
255 square. The approved plan kept the three homes out of the plan, but the revised plan
256 shows a walking path that stops at his driveway, discontinues, and picks up at his
257 neighbor's property. He was concerned about people coming across his property to pick
258 up the rest of the path. The original plan had lower house density up against his property.
259 Now, the neighborhood runs right up to it. The open space goes right up against the
260 whole side of his property. The fence between him and the subject property was removed
261 so there is no longer any demarcation between the development and his property.
262

263 Mr. Allen said nobody came to him to discuss this plan and he feels like they are
264 forgotten.
265

266 Kevin Gadd, 2584 Hollenback, said there are now two home lines that touch his property,
267 and before this, there were none. Three sides of his property will touch this development.
268 They are on septic, and the water levels have been poor since the roads were built. He
269 spends time in the tree area and he is glad that they are going to leave it, although nobody
270 will want to walk in there.
271

272 Ms. Sexton said there is a natural preserve behind her and there is a lot of water that
273 currently backs up, and she asked about a drainage plan for this so it does not get worse.
274 She was also concerned about vinyl at the back and sides as she will have to look at it.

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275 Mr. Hedges asked whether they had considered putting walking paths through the woods
276 without taking trees out, as paths will be created by kids. He said the north exit comes
277 out right in front of his house, so anybody who turns left will cast lights into his home.
278 He would like that to be shifted to the left/west.

279
280 Dan Sajner, 3105 Avonlea Way, said he agrees with his neighbors. It seems natural to
281 connect Gables Crossing to this development, but it does not need to and that would solve
282 all of the issues. Ms. Brown suggested an emergency access only there. Mr. Plessinger
283 said Berlin Township Fire Department would be coming from the north, and Orange
284 Township Fire Department would be coming from the south.

285
286 Mr. Hedges asked where the traffic would flow if the exit to Avonlea was made into an
287 emergency access only. He said all of the traffic flowing south would be forced north to
288 Hollenback Road and that would create a problem for him. He said there should be an
289 access from the proposed development onto South Old State Road as originally planned.

290
291 Mr. Lipnos said he is in contract to purchase the property. It was zoned in 2016 and has
292 an existing preliminary development plan. The traffic flow and land use issues were
293 addressed at that time. A lot of the access is determined by Delaware County. He said he
294 does not make the decisions to connect neighborhoods. He does not want to come in and
295 say they are going to connect the neighborhoods. He said those are fire and safety issues
296 and that is beyond his control.

297
298 Mr. Lipnos said the existing plan shows a stub street, and that is not being changed.
299 What he did is eliminate the exit/entrance to South Old State Road, which was done in
300 conjunction with the county. There are undetermined planned improvements at the
301 Hollenback Road/South Old State Road intersection. The access to South Old State Road
302 could only go in one place, which was to line up with the entrance across South Old State
303 Road. The impact of the improvements to the Hollenback/South Old State Road
304 intersection, which could include turn lanes or a roundabout, would have an impact. He
305 said, "that's why that entrance was removed" and why there is access only from the north
306 end.

307
308 Mr. Lipnos said regarding the statement about an 800% increase in traffic, there are 345
309 homes here. The reality of more than 10-15 people that live near that connection point
310 traveling through Avonlea to get out is not realistic. If traffic backs up 5-6 cars deep now
311 for people turning left from Avonlea onto South Old State Road, drivers will not go out
312 that way; they will exit onto Hollenback Road and turn at the intersection at South Old
313 State Road.

314
315 Mr. Lipnos said regarding the comment about production builders, Evans Farm is the
316 developer and they do not build homes, although there are custom home builders. Evans
317 Farm regulates the use, not the user. The developer is bound by the existing zoning and if
318 this request is denied, and they decide to purchase the property anyway, they will build
319 exactly what was already approved. They are requesting concessions tonight with the
320 lower density and smaller lots.

321 Mr. Lipnos said regarding a traffic signal or a roundabout, there are certain requirements
322 that trigger those events that are out of the control of the developer or Berlin Township.
323 The traffic concerns and traffic studies all go through Delaware County. He said the
324 application went to DCRPC in 2016 during the original zoning.

325
326 Ms. Sexton asked whether the initial approval had already expired. Mr. Lipnos said in
327 the 2016 Evans Farm zoning, knowing this is a 600-acre, 20-year project, there was a
328 clause and provisions that the preliminary plan does not expire. There are also
329 mechanisms in that zoning for developers to come back and request modifications.

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330 Mr. Lipnos said Rockford Homes is requesting a modification to the preliminary
331 development plan, which was approved in 2016. He submitted the modifications, and the
332 trustees determined about a month ago that the changes are major modifications, which
333 means the request comes before the BZC, who recommends approval, denial, or approval
334 with conditions to the trustees. The application will be heard by the trustees, who vote to
335 approve or deny the application. If approved, the applicant comes back to this BZC with
336 the final development plan for final approval.

337
338 Mr. Lipnos said the traffic study was done with the overall development in 2016. As
339 long as the density is not changing, it is probably minor if they are just moving entrances
340 to one point or the other.

341
342 Mr. Lipnos said he would talk to the residents after the meeting to create a good buffer
343 plan so they can be good neighbors. He would include some kind of demarcation for the
344 open space as well.

345
346 Mr. Lipnos said regarding the path stopping in front of the home, that was in the old plan
347 as well. They are required to build the paths and they cannot install them on the
348 homeowner's property. If his property was ever developed, they would be required to
349 connect the two paths. He said Hollenback Road may become a county road and they
350 may install a bike path there. Ms. Kaplan said traffic is outside of the BZC's purview
351 and she could not answer that.

352
353 Mr. Gadd said it seems that the old path in the approved plan does not dead end, but goes
354 around the properties, dipping down and the coming back up and across. Mr. Lipnos said
355 he believed they were both intended to hit property lines and stop. Further down there is a
356 square of property that DelCo Water owns, and the same situation was happening there.

357
358 Mr. Lipnos said that regarding stormwater, people who live next to farm fields always
359 have drainage concerns. He will be required to collect the site's stormwater runoff, put it
360 in a pond, and release it at a rate no faster than the existing rate that it left the property.
361 He said the neighboring property owners' drainage situations will occur. There will be
362 rear yard swales and storm catch basins that catch the water and direct it to the detention
363 basin, where it is treated and discharged.

364
365 Mr. Plessinger asked to clarify that the county did not in fact require the applicant to
366 remove the eastbound access point onto South Old State Road. Mr. Lipnos said they did
367 not require that, but it was done in conjunction with discussions that he had with him.
368 The resident asked whether the county did not require the removal of the road. Mr.
369 Lipnos said that was correct. Mr. Plessinger pointed out where he lives. Regarding Mr.
370 Lipnos' comment earlier that 10-15 homes may use Avonlea Way, anybody who wants to
371 go south to Polaris, South Old State Road, or Columbus, will take the shortest path there,
372 which is through his neighborhood. That is the only way out.

373
374 Mr. Lipnos said the development will start off of Hollenback road, and they will be
375 conditioned to taking Hollenback Road to go north by the time the final phase to the
376 south is built. The residents objected to that statement and said that was not realistic.

377
378 Mr. Plessinger said at least 200 homes will use the Avonlea Road access. Mr. Lipnos
379 said he is not changing the access between the two developments as that was approved.
380 Mr. Plessinger said that without the entrance/exit onto South Old State Road, that is a
381 death blow to his community.

382
383 Mr. Allen suggested that the other residents go to Orange Township to discuss the issue
384 of the road being removed. The original plan may have been denser, but for the people in
385 this room, it worked in 2016 for traffic flow, for encroaching on their property, etc. The

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386 lower density is great, but the changes being requested are at the expense of everybody in
387 this room. The two big issues that matter to them are being glossed over and they are
388 being told they don't matter.

389

390 Mr. Allen said the residents are saying those are the only things that do matter. Because
391 of this development, the neighboring property owners may be required to tap into the
392 sewer system at a cost of \$20,000. He said Mr. Lipnos does not live there and if he did,
393 he would understand that effect it will have on his neighborhood. Mr. Lipnos said he
394 lives at the first driveway on the left of a 500-home community, and he raised two
395 children there. He understands his concerns.

396

397 Mr. Hedges said the concern about the exit to the north was not addressed. Mr. Lipnos
398 said it appears that it could be moved down one lot.

399

400 Ms. Sexton asked whether Mr. Lipnos was opposed to the exit to the south being turned
401 into an emergency access only. Mr. Lipnos said he was not opposed to it but the county
402 and fire department would make that decision. Ms. Kaplan said this is an interesting
403 situation because the property straddles two townships.

404

405 Mr. Plessinger asked whether an approval would approve this map. Ms. Kaplan said yes,
406 but there are traffic regulations and drainage issues that will bring into play where roads
407 may be placed. Mr. Lipnos said he could exchange information with Mr. Plessinger to
408 discuss the emergency access outside of the meeting. Ms. Kaplan was not certain
409 whether the request to make that an emergency access would be approved, as the exit
410 onto South Old State Road was removed from this plan.

411

412 Mr. Plessinger asked whether these changes were so significant that the BZC may
413 consider not approving this. There are implications with traffic and property lines, not
414 just density. There will be no east bound exit, and the property lines bump up now to the
415 homes on Hollenback. These concerns are significant, and they involve another
416 township. They involve a concept that perhaps is not best resolved with a quick
417 conversation offline. This is not just approving a plan, but approving a new map with
418 significant implications that the old map did not have.

419

420 Ms. Kaplan said the BZC will vote on whether to recommend approval to the applicant's
421 amendments, which include a reduction in density, a change in the lot sizes, and
422 modifications such as double-hung windows and vinyl. Ms. Kaplan said if fire and the
423 county look at the plan and say it needs to be changed, it will be changed in the final
424 development plan and the plan would have to be reworked. The residents' concerns are
425 valid, but that is not what is being asked to be considered.

426

427 Mr. Allen asked whether it was correct that the BZC is approving the new map that is
428 being presented, and if they are, they are assuming the concept that there is now no east-
429 bound exit to South Old State and that the property lines bump up against their homes.
430 He said the map is in fact being approved. Ms. Kaplan said that was correct, but it is not
431 in its final form.

432

433 Mr. Allen asked what the legal options are. Ms. Kaplan said this will go to the trustees,
434 who will have their say, and she encouraged them to attend that meeting. These are
435 important conversations, and everybody wants to create a nice environment where people
436 want to live.

437

438 Mr. Plessinger asked if the vote from the BZC is no, would they rework the proposal and
439 resubmit with some of the considerations from the residents. Mr. Lipnos said he could
440 not answer that right now. Mr. Underhill said the recommendation will go the trustees
441 and changes could be made at that point.

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442 Ms. Knapp asked how this plan matches the plan for the development to the south, to the
443 west of Avonlea. That plan was approved and has streets that are planned to be
444 connected to the subject development. Mr. Lipnos said the existing plan shows four
445 connection points to the south, and that has now been changed to just one. Ms. Knapp
446 said the developer to the south planned their development to match up to the subject
447 property. Ms. Kaplan asked whether that property was part of Evans Farm and said that
448 plan with stub streets was approved in Orange Township, with the understanding that
449 they would connect to the subject property. She asked what happened to that.

450
451 Mr. Lipnos said the four stub roads have been reduced to one connection, and Rockford
452 Homes has an agreement to do some pedestrian connections between the two. Ms.
453 Brown asked whether Rockford Homes was developing that property. Mr. Lipnos said
454 they are not. Ms. Brown said the previously approved plan roads went to the south and
455 down and then they curved back to access South Old State Road south of Avonlea,
456 providing a second entrance out onto South Old State. Mr. Lipnos said he did not have
457 that plan with him, but he did not believe that had changed.

458
459 Ms. Sexton asked why the access to South Old State Road was removed. Mr. Lipnos said
460 he was not here when those decisions were made, but he knows there were discussions
461 with Delaware County regarding the potential impacts on the future intersection of
462 Hollenback and South Old State Roads. It could be a roundabout and there would be a
463 change in the radius.

464 **RESOLUTION 2024.01.09.#A: RECOMMEND APPROVAL OF BZC 16-001, AMENDMENT 2**

465 Mr. DeChristopher made a motion to approve BZC 16-001, Amendment 2, with the
466 additional conditions listed on page 1 and 2 of the amendment and signed by the
467 applicant:

- 468 1) On item 3, section exterior siding finishes and materials, first paragraph, second
469 sentence, insert: "The insertion of vinyl will be subject to approval on specific
470 elevations, with visual samples provided at final development plan."
471 2) On item 3, section exterior siding finishes and materials, fifth paragraph, add to
472 the inserted language, "At typical elevation, painted foundation blocks shall not
473 be permitted; provided that painted blocks may be permitted where special
474 conditions exist as identified and approved as part of the final development plan."

475 Ms. Sloas seconded the motion.

476
477 Vote: Mr. DeChristopher, yes; Sloas, yes; Brown, yes; Shields, no; Kaplan, yes. Motion
478 carried.

479
480 Mr. Lipnos thanked everybody for their time and comments, and said he distributed his
481 cards to everybody who wanted one.

482
483 Ms. Brown noted that the BZC takes all concerns to heart. There are many additional
484 steps that this needs to go through, especially regarding traffic and safety. Technically,
485 the BZC approved the map, but there are many things that will be addressed and changed.
486 Ms. Sloas suggested that residents attend the trustee meeting to see if a compromise
487 could be reached. Nothing is final at this point. Ms. Knapp noted that the trustee hearing
488 will probably be heard around February 12. Mr. Lipnos said a final development plan
489 would probably be submitted in May or June.

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491
492

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO 43015

**REGULAR MEETING & HEARING
TUESDAY, JANUARY 9, 2024: 7:00 PM**

493

AGENDA ITEM: OTHER BUSINESS

494 Ms. Kaplan said the next BZC meeting will be held on January 23, 2024 and Mr.
495 Valentine will be presenting the comments and review received by the attorney on the
496 zoning resolution. She believes the attorney will be at that meeting as well. She is
497 hopeful that the final comments will be submitted to DCRPC.

498

499 There was no further business to come before the BZC. Ms. Kaplan adjourned the
500 meeting.

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Darcy Kaplan, Chairperson

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Angela Brown, Vice-Chairperson

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Jenny Sloas, member

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Keith Goshia, member

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Jasper DeChristopher, member

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Tara Shields, 1st alternate member

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527

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

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