

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

**HELD AT:** This meeting was held at 3271 Cheshire Rd, Delaware, OH

**CALL TO ORDER:** Ken O'Brien, Trustee Chairman

**PLEDGE OF ALLEGIANCE:** Ken O'Brien led the Pledge of Allegiance

**ROLL CALL:** Ken O'Brien, Meghan Raehll, Ron Bullard, Claudia Smith, Fiscal Officer

**ATTENDANCE:** John Pardi, Dan Pardi, Roy Cottrill, Amy Eiken, Maribeth Graham, and Gene Cottrill, Josh Barkin, Joel West and Andy Gottesman

**O'Brien called to order the Zoning Hearing BZC 18-003 Berlin Farms West**

Josh Barkin from MI Homes was here with Andy Gottesman and Joel West and also with some of the property owners. He is happy to be here off of a very productive meeting with the trustees a few months ago and also a unanimous recommendation of approval from the planning commission to come back. He said he is very happy to be in Berlin Township with a very supportive crowd. He said this was a job that was called Longhill and now it's called Berlin Farms West. There are two main sub areas, MI Homes just recently got into the project and they are proposing to decrease the density by (48) lots and increase the open space by 16 acres of 40%, take out 10,000 linear feet of street and build bigger buffers around and the thing that resonated with them and the neighbors as they studied and got into this project was decrease density and increase open space, nicer buffers, keeping the amenities are all really good things but it's really important to the community that this is seen as Berlin Farms is the rural center of the township. With our three amenity areas, the silo and the new features that they are adding and the product that they are bringing, they will do that to the best of their ability. Also MI controlling the Berlin Farm on the east side of Piatt really will make this one big community that will live and flow together for everybody.

He had a summary of the changes that had been made since the planning commission. They took a lot of the feedback and incorporated it as best they could and are here to answer any questions. O'Brien said he is supportive and likes a lot of the changes.

1.) He had an issue with the ponds. He wants it to say that any manmade materials would be covered.

2.) It says the fountains would commiserate to the size of the pond. He wants clearer definition. Joel West said they typically leave that up to their landscape company and the ones that install the fountains. He explained the different ones that are used. O'Brien said they state, "what is reasonably necessary" and that language is not okay. Barkin said it does state that all ponds shall have a fountain or fountains and he does not want to commit to something that can't be functionally done. O'Brien said he wants height or pressure added.

3.) O'Brien said they asked them to talk to the County Engineer's office in regard to the trails specifically at the peanut and how that was going to be safely used for significant amount of pedestrians. They spoke with Doug Riedel of the engineer's office who was surprised that that conversation happened as he wasn't aware of it. Andy Gottesman from MI Homes said he had an email exchange with Tiffany Jenkins where she shared their plans where they are still in the process of finalizing those with the property owners in the area. O'Brien asked if they would share the exchange with us. Barkin said yes and he would go a step further of articulating with Jenkins and Rob Riley. From all his conversations over the past year he thinks they have a really good feel of the size of the peanut. He will make sure that the trustees get the information during the final development plan.

4.) With signage O'Brien said it states that "they will provide shielded lighting directed toward the sign in a manner that does not interfere with driver visibility" which is good but, in their language, they are pretty clear with wanting down lighting not up lighting causing light pollution.

5.) O'Brien said in their language they talk about all the divergences that are in the plan are the signs that they will use, and yet it says in the language these are examples, not these are the signs. It gives you flexibility in two ways, you have flexibility that you don't have to do these signs and any divergences are allowed because you said these signs are there and he doesn't like how that gives them cart blanche. Barkin said he would say they haven't any issues with their other developments like the Pines. O'Brien said he liked the sign they put up first and then they put something over it that he didn't like.

6.) O'Brien said they have similar language when it comes to elevations, these are examples of what it could be. Barkin said that one is a little tougher because it is still revolving.

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

O'Brien said you could say shall. Barkin said you have not required that in other developments. Raehll said could they capsule those examples but make it more binding and indicate shall be one of the following and give all the examples and then say any such change may be subject to major modification. O'Brien said related to this an ancillary concern is one that the difference is only required to be to the house to the left, to the right and across, which is only three sides, so you could have all the neighborhood have 3 styles of houses. Barkin said this community will have 7 plans that have 3 different elevations each, that is 2 ranches and 5 2-stories in each of the pods. There will be 21 exterior options and 7 to 10 color options. O'Brien asked why do you have in the language 3? Barkin said from a practical standpoint it's not going to happen, there might be one here or there and it's hard to police. O'Brien said that's why we have a zoning inspector as he'll tell you to tear it down. Barkin said there is a ton of built-in diversity but if there is a standard that they like. O'Brien said he doesn't want to wordsmith for them, but the 3 is not okay and he mentioned that before and they also talked about one possibly solution being landscaping but he didn't see any. Barkin said they could do that with landscaping like putting a tree in the front yard if that is what you were going for. Barkin said of the 6 or 7 plans that have pre-elevations, 2/3<sup>rd</sup> of the elevations have some level of water table or covered foundation on the front of them. O'Brien said he has concerns with the front load garages because he sees garage door, garage door, garage door. Barkin said their garage doors match elevations. Barkin said they are here to build a great subdivision and he hopes that comes through and there aren't that many places in central Ohio that have a lot of additional criteria and said he needs help defining what they are looking for. Barkin said they have 7 house styles, 5 two stories and 2 ranches, they have 3 elevations each, and 7 to 10 color choices. O'Brien said we have to go with what was put into the zoning and what was put into the zoning could be flipped. Barkin said they are not in the business to do that. Gottesman said as it relates to diversity, they do not permit the same color next to or across the street. O'Brien said another thing they required was the garage doors having some diversity. Barkin said they do have that. O'Brien said it needs to be in the language because if it isn't then it doesn't exist. O'Brien would like language about the garage doors added.

7.) O'Brien said regarding the back setback they state that there is no divergency requested as long as they can diverge, which he does not get that language on the back setback because the patio is allowed but decks are not, that is a divergence and screen porches are a divergence. Barkin said they deleted the screen porches in the revised language. O'Brien said the deck is not allowed, so that's back at 15 feet and he doesn't know what he thinks about that but the one that scares him is the side setback because of fires, because they say we meet the 12.5 feet as long as they can do all the things that go in that 12.5 foot. He could probably do the 12 inch overhang with the eaves but when you say this and this and this, so he doesn't know in their language, because it is unclear he takes it as the worst. Barkin asked if they had the revised language and read the following "*but Applicant requests a divergence to permit side yard encroachments such as eaves (up to 12''), overhangs (up to 12''), bay windows (up to 3')*", O'Brien asked if this was 12 inches plus 3 feet plus the. Barkin said it was specific to each, we call out eaves, overhangs, bay windows, egress wells and fences. O'Brien asked if what he is saying, which he is not agreeing to, the most that they can infringe is 3 feet on one side and 3 feet on the other side. Barkin said correct. O'Brien said that takes you down to 6.5 feet and you can't get a fire truck or fire equipment through 6.5 feet. O'Brien said so he may have said that wrong, so you're saying 12.5 minus 3 feet is the maximum on one side so it's 9.5 feet on both sides. Barkin said that was correct. O'Brien said the air conditioner has to be in the back so there's nothing else on the side yard including fences, trees and things like that. Barkin said you have to approve fences in Berlin Township so usually what happens is when a resident, they don't build fences, so the residents would come in and submit for a fence and then get approved and they will build it right on the property line. O'Brien said but it is back to 9.5 feet. Barkin said he guesses it will be 12.5 feet. O'Brien said but you have a 3 foot bump out. Barkin said the bump out would be between the house and no one really builds their fence in the side yard they build it in the back yard. If they need to restrict it to the back side of the house, they will add it to the zoning text and the deed restrictions.

Raehll said she feels the plans are an improvement, but she was surprised that they had the conversation and some of the items that O'Brien mentioned were apparent in the text and she had a few items that she will help them with by offering language suggestions to be incorporated. She asked if they anticipate 400 to 500 kids in the subdivision. Barkin said 350 to 375. Raehll said this will be a high traffic tails area with lots of walkers, lots of activity, high use of the multiuse trails. Barkin said he would commit to all the trails that are on this plan. Raehll asked if they knew what the Delaware County Engineer recommends

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

when it comes to trails. Barkin said no. Raehll read the following: The County Engineer recommends the Delaware County Engineer aligns with the American Association of State Highway and Transportation officials and that the standard is the approximate paved width for a shared used path is dependent on the context volume in the mix of uses. The minimum paved width for a 2 directional shared use path is 10 feet. In very rare circumstances a reduced width of 8 feet may be used where bicycle traffic is expected to be low, where pedestrian traffic is expected to be rare, where horizontal and vertical alignment provide frequent well designed passing and direction opportunities and where the paths are not regularly subject to maintenance vehicle loading positions.

Barkin said this was discussed in length at the zoning commission and they have committed to a lot of paths where some of 10 feet and some have 8 feet. There was a question where the path along Piatt Road and Berlin Station would be 8 or 10 feet. They ended up with 8 feet because with the peanut plan and Berlin Farms East was all approved at 8 feet and will match the surrounding area. Raehll asked if going against what the engineer would recommend previously mean that we should continue to go against what the engineer would recommend now. Barkin said they have done a lot of projects in Delaware County and will do whatever they are comfortable with. Raehll said her language suggestion here is it says all paths in Berlin Farm will also be 8 feet wide to call out the original so her recommendation is a simple change to 10 feet wide particularly on Berlin Station Road and Roloson Piatt Road. This is her 1<sup>st</sup> concern.

2.) Raehll said regarding lighting in section EE there is one sentence that if you would cut it off at the word unless because it clearly states what they intend to do but then says unless.....so unless you can't do it then it would change. So if on EE if you would take away the second clause and put a period on it the language would be sufficient at least for her.

3.) Raehll said the language regarding mailboxes she would like to have more inclusive and accessible language so it should be in compliance with ADA accessibility, side lots, curbs those types of things. She knows those are their intentions, but she wants it to be clear that it is going to be ADA compliance and accessible to members of other disabilities.

Barkin said he got it.

4.) Raehll questioned any fencing that abuts AG properties should be in place and she didn't see any of this. She knows one of the abutting properties has goats and fencing is always good to keep things in your development from going out but also to keep AG uses from coming in. She's concerned with the back corner as residents on Dale Ford have different types of animals. She doesn't think people paying that much money for a house would want goats in their back yard. Barkin said this came up in the zoning commission as there was confusion in the language and they revised it to say no divergence meaning they would meet whatever the code said. Raehll said no divergence would imply that but she did not see any fencing in the plan and asked if there was a particular type of fencing they would use. Gottesman said he does not recall but thought is said fencing is required on all lots. O'Brien said it did say residential lots up against it. He said the statute is nasty against the township because it says if one side wants it the trustees must order it and the cost is split. O'Brien said fencing should be dealt with now. Raehll said it should be particularly along the FR1 properties and in the back, she showed them on the map the areas. O'Brien asked if there was language that the tree line would not be cut. Gottesman said a lot of this is differed to the final development plan.

Bullard said there was a lot of discussion about buffering along Berlin Station Road and mowing and asked them to elaborate as he didn't see a lot in the text. Barkin said they provided on the north side of the path a very strong landscape buffer all the way across Berlin Station and showed on the map the area. Bullard asked if it was mounding and Barkin said that is not included as it is waiting for some engineering analysis to make sure they don't cut off anybody's drainage.

1.) Bullard said he would like some wording about what the buffering is going to be.

Gottesman said they would add some general language about buffering.

2.) Bullard said he is not happy with it not being lined up with Gregory Road as head lights will be shining into houses. It would have been much better if the roads had been aligned.

3.) Bullard asked if they have any crosswalks planned for Berlin Station Road going to the school. Barkin said they do not as they will continue to impress upon the county engineer that something should be there. Bullard said he would like to see working that they are trying to do something.

4.) Bullard said the access to the green space is awful as there is very little access for people except for the people going out their back yard to the green space. There are only two access points and suggested to put a couple walkways between some houses for people to get there. Barkin said they have a sidewalk network within the development and a path

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

along Piatt to come through the community and they will be able to go to all three amenity areas from the high school. Bullard showed on the map that it was difficult for people to access the green space. Gottesman said there are two types of open spaces, passive and active and the active space is what they use to connect the amenities that are meant to draw the residents. The passive open space is meant to be lower maintenance than the active open space. Bullard still would like to see a way for residents to get to the pond in case they want to go fishing. Gottesman said the zoning commission did not want to have those spaces active because of the railroad tracks. Raehll said she was concerned about that. Barkin said they are also conscious of the fact that people don't want people in their back yard. Bullard said if you don't put them in now, they will never be there. Raehll said she was okay with the west side not having much access.

5.) Bullard said the drawings are shoeing street trees and they do not allow street trees between the sidewalk and the street. Barkin said they have to be in the yard. O'Brien said we need that in the language.

6.) Bullard said there is a law about to be passed about small animals, that the zoning and ordinances and stuff from cities and government cannot control small animals. The only way to control it is with deed restrictions. Barkin said they already have that in the language.

7.) Bullard asked if their 2 to 3 car garages were really 3 cars or is it 2 cars and a golf cart. Barkin said their garages are 10 x 20 so they are full size garages.

8.) Bullard echoed what Raehll said about mailboxes being ADA compliant and be off street with parking to be maintained by the homeowner's association and asked where they would be located. Barkin said they would be in 2 or 3 of the amenity areas. O'Brien asked if they were covered and Barkin said they were not, they don't usually cover them and asked if there were any in the township now that are covered. O'Brien said Genoa does and he likes that. O'Brien said he does want in the language that they will be upright and not leaning. Gottesman said they build them to USPS specifications which is a minimum of 6 inches of concrete, but they will look into it. Raehll said regarding the parking that there not be a curb when you get out of your car and go to the mailbox.

Raehll asked how far forward the garages are from the front porches. Bullard said they do not want snout houses so the garage can extend from the house but not the entire garage. They weren't sure if it was 6 feet or 12 feet. Barkin showed them pictures of the designs and they discussed houses with front porches and where the garage would start. One was 4 feet from the porch which O'Brien said would be fine. But without the porch it would not be. Barkin said they will add to the language that they will not build the model called Canton as it stuck out too far.

O'Brien said he forgot to bring up an issue where Scott Sanders was concerned that they put a dog park where a road connection used to be and that DCEO & RPC wants to make sure that a stub is provided. Barkin said they will do whatever the county wants them to do and O'Brien said if they don't they need to let them know as he wants a stub there as it's a safety issue. O'Brien said it needs to be built to the county standard so that it can be used in case of a fire.

Bullard read off the list of items that they wanted to have addressed.

- 1.) Fountains in ponds
- 2.) Trails & paths on Roloson Piatt Road
- 3.) Signage
- 4.) Garage doors, etc.
- 5.) Buffering along Berlin Station Road. O'Brien said he wants it to be clear of what "No Mow" means because will come in and complain about the weeds so "No Mow" zones can be very good, but it doesn't mean no maintenance. How will it be maintained.
- 6.) Small animals
- 7.) No street trees
- 8.) No snout houses
- 9.) North stub of the property line
- 10.) ADA accessible mailboxes

Recess BZC 18-003 hearing at 8:34 P.M.

O'Brien called the special meeting back to address another item but not to the hearing.

**Piatt Road Appropriation-**

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m. Special Trustee Meeting May 16, 22**

**RESOLUTION 22-05-22 MOTION TO APPROVE SETTLEMENT IN AN APPROPRIATION CASE AND AUTHORIZING PAYMENT OF \$1,300 FOR PIATT ROAD HIGHWAY PROJECT KNOWN AS DEL-TR99.0927, CASE #21 CVH 03 0100**

**BOARD OF TRUSTEES  
BERLIN TOWNSHIP, DELAWARE COUNTY OHIO**

**DATE: May 16, 2022**

**RESOLUTION NO. 22-05-22**

**APPROVING SETTLEMENT IN AN APPROPRIATION CASE AND  
AUTHORIZING PAYMENT**

The Board of Trustees of Berlin Township, Delaware County, Ohio (“Board”) met in open session, pursuant to R.C. § 121.22, on the 16th day of May 2022. The following members were present:

- 1. Ken O’Brien \_\_\_\_\_
- 2. Meghan Raehl \_\_\_\_\_
- 3. Ron Bullard \_\_\_\_\_

Raehl moved the adoption of the following resolution:

**PREAMBLE**

**WHEREAS**, the Berlin Township Board of Trustees (“Board”) has previously authorized and commenced the Piatt Road highway project known as DEL-TR99.0927 (“Project”); and,

**WHEREAS**, as part of the Project, the Board has appropriated land that was necessary for the completion of the Project; and,

**WHEREAS**, the Board is the Plaintiff in the appropriation case styled *Berlin Township Board of Trustees v. Barbara Reiner, et. al*, in the Delaware County Court of Common Pleas, case no. 21 CVH 03 0100; and,

**WHEREAS**, the Board desires to settle this matter with Defendants Barbara and Janet Reiner.

**RESOLUTION**

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:**

- 1. The Board hereby authorizes the Delaware County Prosecutor’s Office to settle the *Reiner* case with Defendant’s Barbara and Janet Reiner on the terms described in the attached “Agreed Judgment Entry on Settlement.”
- 2. The Board authorizes and approves the issuance of a purchase order in the amount of thirteen hundred dollars (\$1300.00) pursuant to the terms in the “Agreed Judgment Entry on Settlement.”
- 3. This amount shall be the full and final payment in this case with Barbara and Janet Reiner.
- 4. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. 121.22.

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

5. This Resolution shall take effect immediately upon adoption.

Bullard seconded the motion.

The roll was called on the question of adoption.

Voted on and adopted this 16 day of May 2022 in Berlin Township, Delaware County, Ohio.

**BOARD OF TRUSTEES  
OF BERLIN TOWNSHIP,  
DELAWARE COUNTY, OHIO**

\_\_\_\_\_  
Ken O'Brien  
Trustee

\_\_\_\_\_  
Meghan Raehll  
Trustee

\_\_\_\_\_  
Ronald Bullard  
Trustee

Attest: \_\_\_\_\_  
Claudia Smith, Berlin Township Fiscal Officer

**CERTIFICATE**

State of Ohio, Delaware County

I, the undersigned Township Fiscal Officer of Berlin Township, Delaware County, Ohio, certify that the foregoing Resolution No. 22-05-22 is taken and copied from the record of proceedings of the Board, and that it has been compared by me with the Resolution on the record and is a true and accurate copy. Further, I certify that the adoption of such Resolution occurred in an open meeting held in compliance with R.C. § 121.22.

Date: May 16, 2022

\_\_\_\_\_  
Claudia Smith,  
Township Fiscal Officer  
Berlin Township, Delaware County, Ohio

Motion: Raehll  
Second: Bullard  
Vote: O'Brien yes, Raehll yes and Bullard yes

Trustee O'Brien call hearing for BZC 18-003 Berlin Farms West back to order.

Barkin said the applicant asked for a motion to approve subject to the following changes to the zoning text and reviewed the changes asked by the trustees. The changes are in the below document in red:

**M/I Homes Edits from Township Trustees Meeting on 5/16 – Updated 6/9/2022**

**Berlin Farm West PRD (Formerly Longhill PRD)**

Introduction and Summary.

The property that is the subject of this text consists of 278.81± acres that are located to the northwest of the intersection of Piatt Road and Berlin Station Road. It is to the west of and adjacent to a planned future northward extension of Piatt Road to be undertaken by Delaware County. In 2019, a zoning application and preliminary development plan were approved to create the Longhill PRD. M/I Homes of Central Ohio, LLC seeks to amend the approved preliminary development plan such that the Longhill PRD will be renamed as Berlin Farm West

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

to reflect the continuation of a master plan that includes the Berlin Farm PRD that is to be developed by M/I Homes to the east of this zoning district and which was previously approved by Berlin Township. Berlin Farm West will be subject to the standards set forth in this text, and will be developed in accordance with the site plan which accompanies this application as Exhibit G-1. This residential community will consist of 434 single-family homes among 109.4+/- acres of open space. This is a reduction of 48 units (roughly 10% of permitted density) as compared to the previously approved preliminary development plan.

The development standards contained within this text and the plans that accompany it are intended to govern the proposed development and replace and supersede the previously approved text and preliminary development plan for the Longhill PRD. This Berlin West PRD is already zoned into the R-3, Residential District High Density base zoning district under the Zoning Resolution of Berlin Township (the "Zoning Resolution"). In the event of a conflict between the standards in this text and those found within the Zoning Resolution, the standards in this text shall govern. To the extent that a development standard is not contained herein, then the provisions of the Zoning Resolution shall govern with respect to that standard including, but not necessarily limited to, those contained in Article 9 of the Zoning Resolution and pertaining to the R-3 zoning district.

This PRD shall include two subareas, namely Subarea A and Subarea B. Subarea A will be known as Aberdeen at Berlin Farm and consists of 104.6+/- acres. Subarea B will be known as Longhill at Berlin Farm and includes 174.25+/- acres.

**ARTICLE 11 PLANNED RESIDENTIAL DISTRICT (PRD)**

**SECTION 11.01: PURPOSE: SEE SECTION 5.055 SECTION 11.02: INITIAL DISCUSSIONS**

The applicant is encouraged to engage in informal consultations with the Zoning Inspector, Zoning Commission and the Delaware County Regional Planning Commission prior to formal submission of a development plan and application to amend the zoning map. No statement by officials of the Township or County made prior to formal submission of a development plan and application to the Zoning Commission under 11.10 shall be binding. Any and/or all such informal consultations may be subject to Ohio's open meeting laws (ORC §121.22) and may be required to be held in an open public meeting.

In addition to any other procedures set out in this Resolution, all applications for amendments to the zoning map to rezone lands to this PRD district shall follow the procedures set forth in Article 11 herein.

**SECTION 11.03: LOCATION OF PLANNED RESIDENTIAL (OPEN SPACE) DEVELOPMENTS**

Planned Residential Development zoning may be overlaid on FR-1, R-2, R-3, R-4, and TPUD zones pursuant to a zoning map amendment approved by the township. The net density of the underlying zoning shall be used to determine the number of units allowed. All other standards shall be as defined in Article 11.

**SECTION 11.04: PERMITTED USES**

A.) Single Family detached residential dwelling units in FR-1 and R-2, R-3, and R-4 PRDs;

Response: Applicant proposes R-3 single family detached residential dwelling units (434 lots in total). Subarea A shall contain 165 lots and Subarea B shall contain 269 lots.

B.) Single family dwellings in R-2, R-3, and R-4 PRDs, or multi-family buildings (including condominiums separated by vertical firewalls) in TPUD PRDs.

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

Response: No single family attached dwellings are proposed.

C.) Common Area: upon approval of the final development plan by the township, the following uses and improvements may be permitted in the common area:

1. Outdoor sports (active recreation) and recreational activities.

2. Accessory service buildings and structures incidental and pertinent to the uses set forth in Section 11.04(C)(1) above, where said accessory service buildings and structures are necessary to the pursuit of a permitted recreational use on the premise.

Response: Applicant proposes ±109.4 acres of open space that generally will be used for open space, recreation, and leisure trail, consisting of 39.2% of the total site acreage. The centrally-located 9.0+/- acres of open space will contain a silo, clubhouse, and other amenities which will have a rural character, as well as an outdoor pool. The open space consisting of 17.0+/- acres found in the southeastern portion of the zoning district will provide for community gardens and leisure trails, as will a portion of the 61.0+/- acres of open space that is located in the northwestern portion of the zoning district. These amenities will provide for agricultural opportunities for residents. A dog park is also planned in the open space within the northwestern portion of the property. See Exhibit "I-2 Open Space Plan". All open spaces will be owned and managed by a forced and funded Homeowners' Association.

D.) Natural Area: restricted to passive recreational uses such as fishing, swimming, hiking, canoeing, and such other recreation that does not alter any of the natural features of the area. Agriculture may also be used as natural open space, provided it does not permit hog operations, poultry barn, and fur bearing farms or feed lots. Accessory buildings should be discouraged in the natural area.

Response: Areas located outside of those described as having specific amenities in the immediately preceding response will be passive open spaces with leisure trails in many locations. Grading is permitted within these areas to accommodate retention ponds, utilities and other improvements shown on the accompanying plans. Within the open space along the western and southern frontages, no improvements are permitted except for leisure trails and sidewalks.

**SECTION 11.05: ACCESSORY USES**

A. Non-residential uses of a religious, cultural, educational or recreational nature or character to the extent that they are designed and intended to serve the residents of the Planned Residential District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located in such proximity to major thoroughfares as to permit access without burdening residential streets.

Response: No divergence.

B. Schools, if they occupy a lot of not less than 1 acre, with adequate area for indoor and outdoor recreation, and additional setbacks as may be necessary to avoid disruption to adjacent residences.

Response: No divergence.

C. Adult Family Homes as provided for and defined in ORC Chapter 3722.

Response: No divergence.

D. Child Day Care provided in the provider's permanent residence for six or fewer children, who are not members of the immediate resident family, provided the day care is accessory to the use of the dwelling as a residence.

Response: No divergence.



**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

E. Temporary structures such as manufactured or mobile homes, or mobile offices, and temporary buildings of a non-residential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent dwelling is being constructed. The user of said structure shall obtain a permit for such temporary use, which permit shall be valid for six (6) months and may be renewed not more than twice for a total combined period of time under all issued permits not exceeding eighteen (18) months. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. The Zoning Inspector may require provisions for sanitary waste disposal, solid waste disposal, and water supply, as he/she deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. Said temporary structure shall be removed not later than ten (10) days after expiration of said permit.

Response: Up to 5 model homes shall be provided in accordance with Exhibits “H-1 Phasing Plan and Model Home Location” and “C-5 Model Home Enlargements and Signage.” Downcast lighting shall be required when parking areas next to model homes are illuminated. Notwithstanding anything to the contrary in the Zoning Resolution, prior to the approval of a final plat by Delaware County the developer may commence construction of one of these model homes. Construction of one model home may occur in advance of, or in conjunction with, installation of infrastructure for the subdivision.

F. Conducting of casual sale of goods in what are commonly referred to as garage sales or yard sales provided that such sales shall not be conducted on more than six (6) days in any calendar year or more than three (3) consecutive days. The sale and parking area shall be outside of the right-of-way and shall not interfere with traffic on adjacent thoroughfares. Any signage must be consistent with Article 22.

Response: This development shall adhere to this requirement.

G. Limited home occupation, as prescribed in Section 24.15 of this resolution.

Response: Limited home occupation uses will be in accordance with Section 24.15.

H. Licensed Family Homes as provided for in ORC §5123.19. All such facilities shall possess all approvals and/or licenses as required by state or local agencies.

Response: Licensed Family Home uses will not be included in this development.

**SECTION 11.06: CONDITIONAL USES**

A.) Model Homes in Subdivisions, the same being defined as residential type structures used as sales offices by builders/developers and to display the builder's/developer's product. The same may be furnished within, since its purpose is to display to prospective buyer the builder's/developer's features (such as exterior siding treatment, roofing materials, interior trim, moldings, floor coverings, etc.), in the environment of a completed home. Model homes may be staffed by the builder's/developer's sales force. Model homes shall be subject to the following restrictions:

1. Lighting: All exterior lighting, except for security lighting, must be down-lighting, so that no light shall be cast onto adjoining residential properties. All off-street parking areas must be illuminated. All exterior lighting, except for security lighting, shall be extinguished at the closing time of the model home.

Response: No divergence.

2. Parking: All model homes shall provide off-street paved parking for the public. Such off-street paved parking shall be located as directed by the Board of Zoning Appeals. The number of

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

required parking spaces shall be six (6) per model home. The driveway of the model home may be utilized for not more than two (2) parking spaces.

Response: No divergence.

3. Screening and Trash Receptacles: Landscape drawing shall be required and show adequate landscaping and screening from adjoining residential lots, together with the clear marking of the boundaries of the model home lot. Trash receptacles shall be provided around the model home for use by visitors to the home.

Response: Landscaping for model homes is consistent with the overall landscape and provides adequate landscaping and screening from adjoining lots. Locations of trash receptacles will be identified in the building permit application for each model home.

4. Termination of Use: The use of model homes within a residential subdivision, or within any single phase of a multi-phase subdivision, shall terminate after five (5) years from its opening date, or when building permits have been issued for ninety percent (90%) of the lots, whichever comes first.

Response: No divergence.

5. Model Home Signs: Model home signs may be approved by the Board of Zoning Appeals provided the following conditions are met:

a.the sign shall not exceed 16 (sixteen) square feet per side with 32 (thirty two) square feet maximum total display area;

Response: No divergence. Applicant's proposed signage, as shown in accompanying exhibit, complies with the display area requirements.

b.the overall height of the sign shall be no more than four (4) feet above grade.

Response: No divergence.

c.model home sign shall be located on the same lot as the model home.

Response: No divergence.

6. If sign information is not presented at the time the development is submitted and approved, the applicant will apply for a conditional use permit to the Board of Zoning Appeals, which will rule on additional sign conditions.

Response: Sign information is being provided at this time for review and approval.

**SECTION 11.07: PROHIBITED USES**

A. Uses not specifically authorized by the express terms of this Article of the Zoning Resolution shall not be permitted.

Response: No divergence. Development will be subject to such prohibited uses.

B. Outdoor storage of inoperable, unlicensed, or unused vehicles or trailers, for a period exceeding fourteen (14) days is prohibited. Said vehicles if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.

Response: No divergence. Development will be subject to outdoor storage restrictions.

C. No trailer of any type, no boats, no motor homes, nor equipment of any type shall be parked in front of the building line on any parcel within this district for more than twenty-four (24) hours in any ten (10) day period. If a dwelling is located on said lot, the building line shall be

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

considered to be the front wall of the dwelling even if said dwelling is located behind the minimum building line established by this code or the restrictions on the plat or subdivision.

Response: No divergence.

D. No motor home, mobile home or camper of any type may be occupied by a guest of the resident/owner for more than fourteen (14) days per calendar year and only one (1) occupied motor home or camper is permitted at any time.

Response: No divergence.

E. Except as specifically permitted in Section 11.01(G) or approved in the approved development plan, no manufactured/mobile home shall be placed or occupied in this district. This provision does not apply to permanently-sited manufactured homes.

Response: No divergence.

F. No trash, debris, unused property, or discarded materials which create an eyesore, hazard, or nuisance to the neighborhood or general public shall be permitted to accumulate on any lot or portion thereof.

Response: No divergence.

G. In subdivided areas that meet the requirements of section 711.131 of the Ohio Revised Code, the keeping of livestock and poultry is prohibited.

Response: No divergence.

H. Boat or vehicle storage yards or facilities within common open space areas are prohibited.

Response: No divergence.

**SECTION 11.08: DESIGN FEATURES REQUIRED OF A PRD**

The development plan shall incorporate the following standards:

A. Open space shall be distributed throughout the development as part of a unified open space system, which shall serve to unify the development visually and functionally, and buffer surrounding land uses;

Response: No divergence. As shown in Exhibit "I-2 Open Space Plan", the open space has been distributed throughout the development, is visually and functionally harmonious with the development, and provides buffers to surrounding land. Applicant proposes ±109.4 acres of open space that generally will be used for open space, recreation, and leisure trails, consisting of 39.4% of the total site acreage. The centrally-located 9.0+/- acres of open space will contain a silo, clubhouse, and other amenities which will have a rural character, as well as an outdoor pool. The open space consisting of 17.0+/- acres found in the southeastern portion of the zoning district will provide for community gardens and leisure trails, as will a portion of the 61.0+/- acres of open space that is located in the northwestern portion of the zoning district. These amenities will provide for agricultural opportunities for residents. A dog park is also planned in the open space within the northwestern portion of the property. See Exhibit I-2 Open Space Plan.

B. The zoning commission may require walkways to connect all dwelling areas with open space and to interconnect the open spaces;

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

Response: No divergence. Applicant has provided for walkways and interconnected open spaces, as shown in Exhibit I-5.

C. Moderate to thick coverage by trees and natural undergrowth is desirable to most intended functions of the open space. Where such foliage exists naturally, it should be retained where practicable. Where adequate foliage does not exist, the Zoning Commission may require establishment of such tree cover or other foliage as may be necessary to achieve the purpose of the open space and the buffer of adjacent uses;

Response: No divergence. Applicant has incorporated existing foliage into the open space as shown in the accompanying plans.

D. Scenic areas and views shall be preserved to the maximum extent practicable, including views from the adjacent road;

Response: No divergence. Applicant has strategically placed open spaces along the perimeters of the site and centrally within the zoning district. See accompanying plans.

E. Open spaces may be used for the natural disposal of storm water drainage. No features should be designed which are likely to cause erosion or flooding of the proposed or existing houses;

Response: No divergence. Open spaces have been utilized throughout the site plan for the natural disposal of storm water drainage, as shown on Exhibit G-1. Ponds with headwalls and end walls that are exposed to view shall be treated with real or synthetic stone to resemble stone walls. All stone shall extend to or below the grade of earth so that any exposure due to low water conditions only has exposed stone, not concrete. Additionally, all ponds shall have a fountain or fountains depending on the size of each and what is reasonably necessary. Fountains shall have a spray pattern of 10' height minimum.

F. Minimum overall tract size for a PRD is 20 acres, unless adjacent to a neighborhood of comparable density or design, in which case the Zoning Commission may permit the tract size to be reduced to 10 acres;

Response: No divergence. Applicant meets and exceeds the 20-acre minimum for a PRD, as this development consists of ±278.81 gross acres.

G. Improvements within the PRD shall conform to the subdivision standards for Delaware County Ohio;

Response: No divergence. Applicant's design will conform to county's subdivision standards, unless otherwise specified in this application or otherwise approved by Delaware County.

H. Wetlands, steep (over 20%) slopes, forests, 100 year floodplains, ravines and noted wildlife habitat are to be preserved to the greatest extent possible;

Response: No divergence.

I. The permitted density shall not be exceeded.

Response: No divergence. The Longhill PRD zoning permits 482 lots, while this amended PRD provides for 434 lots.

J. The required percent of open space shall be provided. The percent of open space required varies according to the zoning district overlaid;

1.FR-1: 40% (of gross tract area) open space

2.R-2, R-3 and R-4: 20% (of gross tract area) open space

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

In calculating open space, the areas of fee simple lots conveyed to homeowners shall not be included. Unbuildable areas, (defined as jurisdictional wetlands, floodplains, slopes greater than 20%, utility rights-of-way and existing bodies of water) may count for up to 50% of the required open space. That portion of land dedicated to public purpose that remains either open and unbuilt upon by any structure (including parking) or which houses a recreational facility approved by the Zoning Commission on the Development Plan may count toward the open space requirement.

Response: No divergence. Applicant meets and exceeds this requirement by proposing 109.4+/- acres of open space, which amounts to approximately 39.2% of the gross tract area.

L. No residential dwelling structures shall be constructed within the 100-year floodplain of any stream or river.

Response: No divergence.

M. In FR-1 zones, water supply and sanitary sewage disposal shall be as approved by the Delaware County Board of Health and/or the Ohio EPA. Feasibility shall be indicated by the appropriate agency at the time of the preliminary plan. In the R-2, R-3 and/or R-4 zones, centralized water supply and sanitary sewage disposal systems shall be provided, subject to Delaware County Sanitary Engineer, Board of Health, and/or Ohio Environmental Protection Agency approval. Feasibility of water supply and wastewater disposal systems shall be indicated by the appropriate agencies at the time of the preliminary plan.

Response: No divergence. Applicant has obtained verifications that public water supply and wastewater disposal systems are available with capacity to serve this project.

N. The project architect shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other traditional or historic architecture in the community or with the site. All residential roofs must be a minimum of 5:12 pitch, or as approved by plan. Permanently sited manufactured housing must have a minimum pitch of 3:12.

Response: No divergence. See Architectural Elevations in Exhibits K and L. The architectural characteristics to be constructed in this zoning district are to be reflective of said exhibits. These exhibits are intended to be used as a guide in terms of defining the styles and designs of homes. A number of home designs will be used to meet market demand and to provide diversity in terms of home sizes and exterior appearances and finishes, subject to the requirements of this text. The same home design shall not be constructed on lots that are adjacent to or directly across the street from one another and one on either side of the house across the street. A lot shall be deemed to be directly across the street from any other lot that is located in whole or in part between two imaginary straight-line extensions of the side lot lines for the first lot which extend to the opposite site of the public right-of-way on which the first lot has frontage. Front loaded garages shall not extend greater than 4 feet from the primary front façade of a home or front porch. Garage doors shall correspond to the architectural style of the house.

For illustrative purposes only, the diversity standard laid out above shall be applied as:	<b>XXX</b> <b>XOX</b>
--	--------------------------

O. Residential lots shall be fenced for safety if they abut agriculture.

Response: No divergence.

P. Sidewalks or paths shall be provided. Sidewalks shall be separated from the paved street surface by at least five feet (5') of landscaped or grassed green strip. Deciduous, broad leaf street trees (i.e., maple, oak, sycamore, chestnut, and sweet gum) shall be planted (or saved) at the rate of one per 60 feet of frontage on both sides of the street. Trees must be at least a 2.5 inch caliper

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

at planting. Trees may not be placed in the 5' green strip between the street and sidewalk. Trees shall be placed in the front lawn of the residences.

Response: No divergence.

Q. Setbacks, front, side and rear: as defined in the underlying zoning district.

<b>Response: R-3 District Requirements</b>	<i>Applicant's Proposal</i>
<b>Building Setback: Per Section 24.05, as approved in the Development Plan.</b>	<i>No divergence. The minimum building setback shall be 30 feet from the right-of-way line, provided that stoops, steps, and porches shall be permitted to encroach a maximum of five (5) feet within the front yard setback line.</i>
<b>Side Yard Setback: 12.5 ft. minimum to any side lot line.</b>	<i>A divergence is requested. Each lot will provide a minimum of 12.5 ft. side yard on each side of the lot and therefore meet the requirements of the Zoning Resolution, but Applicant requests a divergence to permit side yard encroachments such as eaves (up to 12"), overhangs (up to 12"), bay windows (up to 3'), egress wells (up to 3'), and fences (fences shall not be forward of the back rear corner of the house most closely to the right-of-way). Air conditioning units shall only be permitted to be located along the rear façade of each home. For purposes of clarity, notwithstanding anything in this provision to the contrary, in no event shall there be less than 9.5' between the side lot line and any encroachment.</i>
<b>Rear Yard Setback: 25 ft. minimum for principal buildings.</b>	<i>No divergence, provided that patios shall be permitted to encroach a maximum of 10 feet into the required rear yard setbacks.</i>

R. Minimum lot size: as defined in the underlying zoning district.

Response:

<b>R-3 District Requirements</b>	<i>Applicant's Proposal</i>
<b>10,890 square feet</b>	<i>No divergence. Each lot within Subarea A will have a minimum lot area of 11,250 square feet, and Subarea B will have a minimum lot area of 12,000 square feet..</i>

S. Minimum lot width: as defined in the underlying zoning district.

Response: A divergence is requested. R-3 zoning district, Section 9.06(B) of the Zoning Resolution calls for minimum continuous lot frontage of 80 feet. The Applicant requests that in Subarea A a minimum lot width of 80 feet will be permitted at the minimum building setback line for each lot, and in Subarea B a minimum lot width of 75 feet will be permitted at the minimum building setback line, both to accommodate various conditions for lots located within street curvatures. The divergence is reasonable and consistent with the spirit and intent of the zoning requirement.

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

T. Detached garages with one-hour fire rated construction may be constructed within ten (10) feet of the lot line provided the garage is located to the rear of the house, and that the garage does not abut an adjacent residence.

Response: No divergence.

U. Street layouts should relate to natural topography, and be designed to provide open space views to as many homes as possible.

Response: No divergence. Street layouts relate to natural topography and seek to maximize open space views to as many homes as possible.

V. Attached garages shall be setback at least 12 feet from the front building line of the house, if on street parking is not provided.

Response: No divergence. On-street parking is being provided. Two or three attached car garages will be provided for each lot within the development. All lots within Subarea A will include side-loaded garages (which is 165 lots or over 38% of the total lots in the subdivision). Side-loaded garages shall be permitted but not required in Subarea B.

W. Porches: A covered porch or portico across some portion of the front of the house is a recommended structural design element.

Response: No divergence.

X. Street lighting, if provided, must be of white light, with light standards of traditional or Victorian design (no modern gooseneck lamps or yellow lighting). Maximum height of standards is 16 feet.

Response: No divergence.

Y. Building Height Limits: No buildings in this district shall exceed thirty-five (35) feet in height measured from the elevation of the threshold plate at the front door to the highest point of the roof. Chimneys, barns, silos, grain handling conveyors, church spires, domes, flag poles, and elevator shafts are exempted from the height regulation and may be erected to any safe height, not to exceed one-hundred (100) feet in height. No windmills, antennas, or towers shall be constructed to a height greater than the distance from the center of the base thereof to the nearest property line of said tract and not to exceed one hundred (100) feet in height.

Response: No divergence. Applicant's proposal meets the building height limits.

Z. Building Dimensions: (Floor space requirements): Each detached single family dwelling hereafter erected in this district shall have a living area not less than one-thousand (1000) square feet or eight-hundred (800) square feet of ground floor living area, if the residence is multi-story. All such living areas shall be exclusive of basements, porches, or garages. All attached single-family structures constructed within this district shall contain the following minimum living area:

1. One (1) bedroom unit: 800 square feet
2. Two (2) bedroom unit: 900 square feet
3. Three or more bedroom units: 1000 square feet

Response: No divergence. Applicant's proposal meets these requirements.

AA.) Landscaping: All yards, front, side and rear, shall be landscaped, and all organized open spaces or non-residential use areas shall be landscaped and shall meet the requirements of Article 26, unless a variation from these standards is specifically approved as part of the final

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

development plan. A landscape plan showing the caliper, height, numbers, name, and placement of all material, prepared by a licensed landscape architect shall be approved as a part of the final development plan.

Response: Landscaping to be provided in accordance with approved final development plans. Individual lots shall include landscaping in the front, rear, and side yards, with the selection of plantings to be determined by individual home buyers.

BB.) Parking: Off-street parking shall be provided, at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the development plan. In preparing and approving the parking plan, the provisions of Article 24 of this Resolution, when appropriate, shall be incorporated.

Response: Off-street parking will be provided in garages. In addition, each home shall provide for a minimum of 2 automobiles to park on the driveway.

CC.) Signs: Except as provided under the provisions of this Article for home occupations or as controlled by Article 25 (Signs) of this Resolution and except as permitted by the Board of Zoning Appeals incidental to Conditional Uses, no signs shall be permitted in this district except a "For Sale" or "For Rent or Lease" sign advertising the tract on which the said sign is located. Such sign shall not exceed six (6) square feet in area on each side.

Response: A divergence is requested. Applicant requests a divergence to permit all signage as shown and detailed in accompanying exhibit.

DD.) The owner or developer of a subdivision or similar area, upon the conditions and for the time period established by the Zoning Commission, may erect one (1) sign not exceeding thirty-two (32) square feet in area per side advertising said subdivision, development or tract for sale.

Response: Applicant will erect such sign in accordance with the conditions and for the time period established by the Zoning Commission.

EE.) Exterior Lighting: All exterior lighting shall meet the lighting requirements of Article 24 of this zoning resolution, unless a variation from these standards is specifically approved as part of the final development plan.

Response: A divergence is requested to accommodate development signs, which will provide down lighting directed toward the sign in a manner that does not interfere with driver visibility on adjacent streets.

FF.) Other required provisions as stated in this ordinance. The Berlin Township Zoning Commission and/or Board of Trustees may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed, landscaping, development, improvement and maintenance of common open space, and any other pertinent development characteristics.

Response: Delaware County plans to build a roundabout at the intersection of Berlin Station Road and Piatt Road and extend Piatt Road to the north. When requested by the County, the Developer will dedicate right-of-way for the required improvement.

In addition, clustered mailbox units shall be located in the major open space areas in 2-3 locations in the community so that all residents are not required to go to a single location to retrieve their mail and parking shall be available at each location. Access to all CBUs shall be constructed in compliance with ADA accessibility standards. All CBUs shall be maintained by the HOA and be plumb.



**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

Miscellaneous Commitments:

- 1. Developer shall communicate and cooperate with Delaware County on pedestrian access to and from the subdivision and Berlin Station Road.
- 2. Buffering shall be installed pursuant to the Preliminary Landscape Plan submitted herewith and shall be supplemented as engineering requires.
- 3. North street stub will be constructed to the property line to County standards provided Delaware County supports such extension and construction.
- 4. "No mow" where used in this PRD shall mean mowing or bushhogging 1-4 times per year and the HOA spraying for weeds at the same frequency.
- 5. Paths located along Roloson Piatt Road and Berlin Station Road shall be 10'. All other paths shall be 8'.
- 6. HOA will be turned from the developer to the homeowners at no later than 85% of the homes in the subdivision being transferred to third party homeowners.

Amy Eiken and Gene Cockrell both made comments that they were in favor of the plan as it stands.

**RESOLUTION                      MOTION TO ACCEPT EXHIBITS #1-6 FOR BZC 18-003  
22-05-23                              BERLIN FARMS WEST**

Motion:        O'Brien  
 Second:        Raehll  
 Vote:            O'Brien yes, Raehll yes and Bullard yes

**RESOLUTION                      MOTION TO ACCEPT EXHIBITS #7-11 FOR BZC 18-003 BERLIN  
22-05-24                              FARMS WEST PER THE MEMO DATED MAY 16, 2022, WITH  
LATTER CHANGES TAKING PRECEDENCE OVER FORMER  
DOCUMENTS**

Motion:        O'Brien  
 Second:        Bullard  
 Vote:            Raehll yes, Bullard yes and O'Brien yes

**RESOLUTION                      MOTION TO ACCEPT THE RECOMMENDATION OF THE BERLIN  
22-05-25                              TOWNSHIP ZONING COMMISSION APPROVING BZC 18-003  
BERLIN FARMS WEST WITH THE CHANGES AS ASKED BY THE  
APPLICANT IN EXHIBIT #11 AS WELL AS THE CHANGES  
THE ZONING COMMISSION ITSELF RECOMMENDED IN  
AMENDMENT #1**

Motion:        O'Brien  
 Second:        Bullard  
 Discussion:    O'Brien said he does accept and thank the applicant for working with the residents, the township trustees, and the zoning commission, even though technicalities are always nitpicky. He thinks it's a good application and he wishes other people would do similar and they have done well in the past and he assumes they will in the future.  
 Vote:            Raehll yes, Bullard yes, O'Brien yes

**Adjourn-**

**RESOLUTION                      MOTION TO ADJOURN  
22-05-26**

Motion:        Bullard  
 Second:        Raehll  
 Vote:            Bullard yes, O'Brien yes and Raehll yes

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Special Trustee Meeting**

**May 16,**

**22**

Meeting adjourned by Chairman O'Brien at 9:54 p.m.

\_\_\_\_\_  
Ken O'Brien, Chairman

ATTEST:

\_\_\_\_\_  
Meghan Raehl, Co-Chairman

\_\_\_\_\_  
Claudia Smith, Fiscal Officer

\_\_\_\_\_  
Ron Bullard, Trustee