

## **Granville Township Zoning Commission**

February 16, 2015

### **Public Meeting**

#### Minutes

Present: Commissioners Vince Paumier, Steve Brown, Judy Preston, and Susan Walker and Chairman Rob Schaadt, and Recording Secretary Betsey Hampton

Guests: Chuck Peterson, Granville Sentinel

Charles Moore, 55 Beechtree Rd., Granville, Ohio

Todd Willis, 18512 West Bank Dr., Millersport

Bryon Reed, 134 Stone Valley Dr., Granville, Ohio

Terry Tackett, 185 Reserve Dr., Granville, Ohio

I. Chairman Schaadt opened the meeting at 7:00 p.m., followed by roll call.

II. Approval of all Meeting Minutes from February 2, 2015:

Public Meeting, February 2, 2015:

Commissioner Preston reported an error on the first page where it stated, “to all a conditional use” should instead read “to allow a conditional use.”

Chairman Schaadt reported there was an error on the second page “developers do not want the terms of the contract” should be changed to “developers do not want all of the terms of the contract.”

Olde Park Public Hearing:

Commissioner Paumier reported there was an error on page 2, paragraph about T- endings to roads. The sentence concerning feasibility of expansion should be changed to read, ‘could be feasible to expand the subdivision on the east side.’

Artisan Business Public Hearing:

There were no changes to the Artisan Business Public Hearing minutes.

Commissioner Paumier made a motion to approve the amended Olde Park Public Hearing minutes, Artisan Business Public Hearing minutes, and the amended February 2, 2015 Regular Public Meeting Minutes. Commissioner Schaadt seconded and the meeting minutes were approved as amended.

III. Announcements of Chairman:

Chairman Schaadt reported he did not have any new announcements.

IV. Announcements of Commission Members:

There were no new announcements.

V. Public Comments:

Charles Moore, 55 Beechtree Rd., Granville, Ohio, reported he was aware his comments would not be viable for the final vote concerning the Olde Park PUD. Chairman Schaadt reported Mr. Moore may speak however the Zoning Commission may not take any further information about the proposed PUD into consideration when making a decision regarding the proposed PUD.

Mr. Moore discussed ODOT's approval of the proposed subdivision on both sides of SR 37, and suggested surveys from 7-8 years ago may have been used. Mr. Moore suggested an ODOT representative should be called and asked to park on SR 37 at the location of the proposed subdivision and observe the amount of traffic travelling north and south on SR 37 between the hours of 2:30 p.m. to 6:00 p.m. Mr. Moore further commented on the amount of traffic on SR 37.

There were no other public comments.

#### VI. Old Business:

##### A. Artisan Business/ Update:

Chairman Schaadt reported he presented the artisan business text amendment to the Township Trustees and the Trustees will schedule a public hearing. The timeline and approval process was discussed.

#### VII. Old Business:

##### A. Sections 405-406/ Update:

Chairman Schaadt reported he attended the Township Trustee Meeting on February 11, 2015, and spoke to Zoning Inspector Binckley. Zoning Inspector Binckley reported he has discussed Sections 405-406 with Assistant Prosecuting Attorney (APA) Lecklider and does not think some of what the Zoning Commission previously discussed is necessary. Chairman Schaadt suggested when the Zoning Commission completes what is necessary concerning the PUDs, he, Zoning Inspector Binckley, and APA Lecklider meet to discuss the issue before the Zoning Commission do work which may not be necessary.

#### VIII. Old Business:

##### A. Olde Park PUD/Review Section 9.12:

Commissioner Walker presented for discussion purposes only, a draft of a report regarding the Olde Park Subdivision. Chairman Schaadt stated the Zoning Commission is not voting tonight, but is discussing whether there is enough information for a decision concerning the PUD to be made when the Commission votes on March 2, 2015.

Commissioner Walker reported she reviewed and compiled information provided by the developers, the Licking County Planning Commission (LCPC), the Licking County Planning Commission Technical Review Committee (TRC), Granville Township Fire Chief Hussey, etc. She also included information presented to the Commission during work sessions, information presented at the Public Hearing, etc.

Commissioner Walker reported she tried to be as neutral as possible and state the facts. Commissioner Walker suggested the Commissioners review the thirteen standards in Section 912.9 Criteria For Approval of a PUD Development Plan. Commissioner Walker reported Section 912.10 of the Township Zoning Resolution requires "specific written findings of fact related to each of the

decision factors or standards specified in the Granville Township Zoning Resolution.” Commissioner Walker reported she also review the Granville Township Comprehensive Plan. There was further discussion.

The draft report was discussed and reviewed. The first item discussed was whether “the proposed development is in conformity with the goals and objectives of the Granville Township Comprehensive Plan and the requirements of this Section 912.” Chairman Schaadt reported the PUD plan was designed to keep developments clustered and to preserve open space. Chairman Schaadt reported there has been comments from the public the PUD deviates from the five acre lot requirement but they are not accurate as this is available to any homeowner where there is a development over twenty acres. They build on a smaller lot but give up the right to build on the open space areas. There was further discussion concerning this issue and whether the proposed PUD meets the standard.

Commissioner Walker reported traffic issues are also discussed in the Comprehensive Plan. Commissioner Walker reported specifically, at page 37 the Comprehensive Plan addresses State Route 37:

Over the past few years, there has been an overall increase in traffic along State Route 37....Some passenger vehicle and truck traffic may be using State Route 37 as a short cut between I-71 and I-70. State Route 37 is one of seven major state routes that have experienced multiple accidents and, as a result, has been designated as a top safety corridor by the Governor’s Task Force on Highway Safety. All of State Route 37 is classified as rural minor arterial according to the Ohio Department of Transportation (ODOT) functional classification system....They also provide service to corridors with relatively high speeds and minimum interference through movement.

TTT Development LLC provided the Commission with a traffic study conducted by Carpenter Marty Transportation. That study provided a turn lane analysis and found, “No turn lanes at either full-access drive meet ODOT turn lane warrants.”

Pursuant to a letter dated August 15, 2014, ODOT’s Traffic Engineer for District 5, Brian Bosch agreed with the Traffic Impact Study provided by TTT Development LLC (Todd D. Willis, PE PS) that “ no turn lanes are needed for this development....”

There was discussion concerning this issue, the Comprehensive Plan, and whether this information should be listed instead under the sixth standard. It was decided to leave the Comprehensive Plan information under the first item and move the other two to the sixth standard and to add that the Zoning Commission agrees the design meets the goals and objectives of the Granville Township Comprehensive Plan. It was decided all traffic issues should be included and discussed under item six of Section 912.9.

The second criteria discussed under Section 912.9 was whether “the proposed development advances the general health, safety and morals of Granville Township.” Commissioner Paumier commented safety could mean many things and discussed the context of this section. Information from a previous work session and from the TRC was reviewed. Commissioner Preston stated with proper installation of septic and wells the residents should be healthy, etc. Commissioner Paumier suggested a statement be made that the Commission does not believe the proposed PUD will negatively impact the general health, safety, and morals of Granville Township.

The Zoning Commissioner discussed Section 912.9 item 3, whether “the benefits, improved arrangement, and the design of the proposed development justify the deviation from standard development requirements included in the Granville Township Zoning Regulation.” Commissioner Walker provided a draft statement. Commissioner Brown commented the statement sounds good and is concise and to the point. The statement was modified to read, “The Commission finds the open space provisions evident in the landscape plan provided to the Commission meet the conservation design envisioned by the Comprehensive Plan. Comparable properties are either agricultural or residential.”

Item 4, Section 912.9: That “the uses requested in the proposal are compatible with surround land uses.” There was discussion concerning this issue. Chairman Schaadt reported he had discussions with Brad Mercer concerning compatible land, buffers, etc. Residential is compatible with agriculture and residential. It was decided to state, “The Commission finds that the property in question is currently agricultural and may be developed with 5 acre lots or as a PUD in conformance with these Regulations.”

Item 5, Section 912.9: “That there are adequate public services available to service the proposed development.” There was discussion concerning the availability of emergency service providers, on-site water supply, on-site septic, electricity providers, natural gas providers, and phone service providers. There was lengthy discussion concerning water replenishment rate, information provided by the Ohio Department of Natural Resources, and statements made by neighbors.

It was decided a sentence regarding the recharge rate will be added and the comment will read, “The Commission finds that there are adequate public services” and to include a bullet which states “in conclusion, water appears to be adequate in a normal year, however in a drought alternate sources of water may need to be utilized.”

Item 7, Section 912.9: Whether “the arrangement of land/development uses on the site properly consider topography, significant natural features, natural drainage patterns, views and roadway access.” This issue was discussed and it was decided to state, “The Commission finds based upon the landscape plan provided by TTT Development LLC, the site properly considered the topography and natural features and provides for additional landscaping at both entrances to the proposed development. Roadway access issues involve the unusual intersection proposed as defined above.”

Item 8, Section 912.9: Whether “the clustering of development sites are shown to preserve any natural or historic features and provide viable undeveloped space.” This issue and pertinent information such as the landscape plan and new information provided by the developers concerning open space was reviewed. It was decided to attach the new information provided by the developers concerning open space, buffers, trees, etc. Commissioner Preston questioned the wording of the open space description provided. A correction will be made a condition of any possible approval.

It was decided the comment should state, "Pursuant to the Landscape Plan provided to the Commission and the new information provided upon the Commission's request, the Olde Park Reserve proposes that the Open Space shown on the Plan will be deeded in fee simple to the Olde Park Homeowners' Association. Deed language provided is attached here and incorporated into this Order. This document also provides for preservation of trees over 6" caliper and walking paths, benches and other improvements for passive recreation for the use of the members of the Homeowners' Association.

Item 9, Section 912.9: Whether "the proposed road circulation system is integrated and coordinated to include a hierarchical interconnection of interior roads as well as adequate outer connection of interior collector streets with off-site road systems." It was decided to state, "The Commission finds that this criterion is met as the planned development is for just 22 home sites and there are only three interior roads and the design will permit school bus turns at the end of each designed proposed roadway. The Developer made this change to the plan based upon information provided by Granville Schools Superintendent Jeff Brown and Granville Township Roads Superintendent Travis Binkley."

Item 10, Section 912.9: Whether "there are adequate buffers between incompatible land uses." This was discussed and it was decided the finding would be, "the Commission finds this is not a concern with the proposed development."

Item 11, Section 912.9: Whether "the Granville Township Zoning Commission is satisfied that the developer possesses the requisite financial resources to begin the project within the required one year and complete the project in accordance with the developer's submitted time table." This was reviewed and it was reported the developers were asked when they planned to begin the development and provided testimony they planned to begin within the year. It was decided the finding would state, "The Commission finds by letter dated February 4, 2015, Julie A. Grefe, Assistant Vice President of the Vinton County National Bank provides that the developer of Olde Park qualifies for funding of \$1.992 million to fund the development. This letter satisfies the Commission and the developers testified at the Public Hearing the development will begin by the end of 2015.

Item 12, Section 912.9: Whether "the proposed development is in conformity with the Licking County Subdivision Regulations. It was decided to state, "The Commission finds that by letter dated December 3, 2014, the Licking County Technical Review Committee of the Licking County Planning Commission provided comments to the developer, TTT Development LLC. The Developer testified at the public hearing that it would comply with all required items in the TRC Report." A footnote stating the sidewalk issue will be decided by variance will be added.

Item 13, Section 912.9: Whether "the final plat approved by the Licking County Planning Commission includes all dedicated open space." There was discussion there has been a change by the county and the final plat will not be approved until construction is complete. The statement will read, "The Commission has reviewed the submitted plan and makes the assumption that the development will go before the Licking County Planning Commission at a later date in conformance with Licking County regulations."

There was discussion concerning whether appeal information should be included on the final document and what the three choices the Zoning Commission has: approve, approve with

conditions, deny. There was further discussion concerning some of the above information. The date of an e-mail from Fire Chief Jeff Hussey was discussed. Commissioner Paumier questioned if the e-mail should be considered as it was written before the deceleration lanes were added to the plans. There was also discussion concerning a December 3, 2014, letter from Brad Mercer concerning vertical and horizontal sight distances, and a letter from Ty Thompson, ODOT Engineer, listing all the required sight distances and what the sight distances are at the location. It was decided to attach the ODOT letter.

Item 6, Section 912.9: Whether “the proposed development will not create overcrowding and/or traffic hazards on existing roads and/or intersections.” The draft reported stated:

The issue of traffic safety was hotly debated at the public hearing held on February 2<sup>nd</sup>. Several neighboring property owners testified to the high incidence of accidents at or close to the proposed development, including a fatality in the summer of 2014.

TTT Development LLC presented a proposed right turn deceleration lane on each side of the proposed development as well as a jug-handle turn with a no left turn to the west side of the development during the hearing. The intersection proposed would require a driver going north bound on State Route 37 to turn right into the east side of the development and cross both lanes of State Route 37 to enter the west side of the development.

The safety of this proposal and the limited sight lines for the proposed development were rebutted by the testimony of the neighboring property owners. As noted above in response to #2, Granville Fire Chief Hussey shares the concerns regarding the proposed development without left turn lanes. The Commission requested that the Applicant, TTT Development LLC provide the most recent crash study of this area. The information provided by the ODOT Engineer was that the location had 12 accidents during the 3 year period ending in 2013 (2011-2013).

However, information from Michael Bline of the Licking County Engineer’s office indicated that the crash rate is almost double the statewide average for this type of roadway and questions whether turn lane additions are required. The ODOT engineer disagrees with the Licking County Engineer’s conclusion that turn lanes are required.

There was open discussion concerning this issue and changes to the draft statement were made. One change concerned the reference to Chief Hussey’s e-mail which was written prior to the addition of the deceleration lanes. There was discussion whether the e-mail reference should be taken out or a statement added after. Previous meeting minutes from September 2, 2014, which reported comments made by Chief Hussey during a work session that there were 2 fatalities out of 31 injury crashes in the previous two year period. The minutes also reported Chief Hussey stated some crashes occur when cars are stopped waiting to turn left onto James Rd. or Infirmary Mound Park. Chief Hussey also stated on September 2, 2014, the line of sight at the location is okay when there is not any traffic, however SR 37 backs up quickly and the line of sight is significantly cut. There was further discussion concerning Chief Hussey’s previous comments. Chairman Schaadt

reported he will check with APA Lecklider to see if it is appropriate to obtain a follow-up e-mail from Chief Hussey.

Locations of accidents on SR 37 as reported by ODOT were discussed. Commissioner Brown requested the information concerning the required sight distances be added. There was discussion many drivers do not drive 55 mph, and it was questioned what the sight distance required is for 60 or 65 mph.

There was discussion whether the Trustees could request a speed limit change for the section of SR 37. Commissioner Walker commented the decision will only be based on the current speed limit.

Commissioner Paumier questioned if the developers would mark with stakes on the road where the deceleration lanes would begin and end on the north and south. Mr. Tackett replied he will mark the locations.

The corrections discussed will be added to the draft report and e-mailed to the Commissioners. The report will be further discussed when the vote is taken on March 2, 2015. It was stated nothing other than typos and what was discussed in the meeting will be changed or added. No discussions as a board will take place outside of the public meetings. Chairman Schaadt will have APA Lecklider review the final copy. There was open discussion concerning the process, timeline, and whether the Commissioners believed they had enough information to make a decision. It was discussed a special meeting may be called and if so, would be advertised on the Township website and notification made to interested parties. Mr. Peterson, Granville Sentinel requested he be notified if a special meeting was called.

#### IX. Adjournment:

Commissioner Walker made a motion to adjourn the meeting. Commissioner Preston seconded and the meeting was adjourned at 8:55 p.m.