

Granville Township Zoning Commission

April 6, 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: Craig Goodwin, 3269 Lancaster Rd., Granville, Ohio

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. All Commissioners were present.

II. Approval of all Meeting Minutes from Regular Meeting, March 16, 2015, and March 31, 2015: Commissioner Walker reported there is a correction required for the March 16, 2015 minutes on the second to last page.

Chairman Schaadt made a motion to approve the March 16, 2015, minutes as corrected and the March 23, 2015, minutes as submitted. Commissioner Preston seconded and the motion passed.

III. Announcements of Chairman:

Chairman Schaadt reported he will discuss some issues which have been discussed this week later in the agenda, but had no other announcements.

IV. Announcements of Commission Members:

There were no new announcements.

V. Public Comments:

Craig Goodwin, 3269 Lancaster Rd. commented concerning the proposed Olde Park development. Mr. Goodwin encouraged the Commissioners to give serious consideration to the safety factor and to require the developers to create a center turn lane into the development on SR 37 for the public and for the safety of everyone involved.

VI. New Business- General Discussion on Home Owners' Associations (HOA):

Chairman Schaadt commented from the last two public hearings held concerning PUDs there has been discussion about HOAs such as who maintains them, etc. Chairman Schaadt reported he has questions for Terry Tackett. Chairman Schaadt requested Commissioner Preston discuss some items involving HOAs and areas which may go wrong. Commissioner Preston reported there was a situation at the Roseview subdivision where there were trees down after a big wind. Commissioner Preston reported the north end of Roseview borders Township land. Commissioner Preston reported she is the chair of the Granville Township Land Management Committee and was contacted by a neighbor who stated a Roseview homeowner was cutting trees in the woods. Commissioner Preston reported the Land Management Committee checked and the homeowner was

cutting trees, however after a review of the property borders, it was determined the homeowner was not cutting trees on Township land, but was cutting trees in the buffer, greenspace zone. Commissioner Preston reported the Roseview buffer zone was supposed to be left alone, as is the buffer zone in the proposed Olde Park PUD. Commissioner Preston reported the matter was referred to the Township Trustees and it was realized there is not a way for the Township to enforce compliance. Commissioner Preston reported the Roseview incident was resolved as former Township Trustee Dan VanNess talked to the Roseview Homeowners' Association and the property owner in question advised only trees which had fallen down due to the wind were being cleared and he agreed not to cut another tree.

Commissioner Preston discussed the incident brought to attention that the Township does not have a mechanism to enforce what has been promised by developers when creating covenants. Chairman Schaadt questioned if Mr. Tackett, concerning when HOAs are created. Mr. Tackett reported in most developments, it is written that HOAs are created as soon as immediately when the development is begun, after half the lots are sold, after all the lots are sold, etc. Mr. Tackett reported when a deed is taken by an owner, the owner is automatically in the HOA and the owner does not have the right to opt out. Mr. Tackett reported there is an initial meeting, with notice given. Mr. Tackett reported the developer maintains the park space until it is turned over to the HOA.

Chairman Schaadt questioned if the proposed PUD is approved, and the open space is platted, whether the open space is first put under the developer's name, or under the HOA, and whether the HOA is formed at that time for the set asides. Mr. Tackett reported the developer decides when to form the HOA. Mr. Tackett reported the proposed Olde Park PUD only has 22 lots and therefore the HOA will be formed almost immediately and the developer will retain control of the HOA until control is turned over to the HOA.

Chairman Schaadt questioned if at that point an LLC would be created. Mr. Tackett reported the HOA will be a non-profit corporation. Chairman Schaadt questioned whether on the tax map the greenspace buffer will say Olde Park HOA and Mr. Tackett affirmed it will and that the Olde Park HOA will be a legal entity.

Chairman Schaadt questioned if the deeds to the properties purchased will include all the covenants and restrictions for the development. Mr. Tackett reported the covenants have to be recorded immediately when the development is platted. Chairman Schaadt questioned if there was language included to require the buyers to be in the HOA when it is turned over by the developers and Mr. Tackett stated there will be such language. Mr. Reed stated participation in the HOA will be a deed restriction and the owners do not have a choice not to join.

Chairman Schaadt commented his concern is what happens in 10 years when the developers are gone. Chairman Schaadt commented he wants to make sure there is something in place requiring the existing homeowners to honor the agreements made by the developers. Mr. Tackett commented it is spelled out that the homeowners have to honor the restrictions. Mr. Tackett reported each HOA has a board of directors which governs everything. It is also written that if anything happens, it may go to court. Every homeowner has rights in the HOA and if someone is cutting trees, they may be taken to court.

Commissioner Preston reported a neighbor on the south side of Roseview felt another homeowner was encroaching into the buffer zone, and the Trustees sorted out the problem. Commissioner Preston questioned if a neighbor whose property is adjacent to the proposed subdivision sees a subdivision homeowner cutting down trees which are more than six inches, who should the adjacent neighbor contact. Mr. Reed stated the HOA should be contacted and action will ultimately be determined by how the HOA is managed. Mr. Reed stated some HOAs have an attorney, and immediately a letter will be sent by the attorney to the homeowner to let them know they are in violation of the covenants and restrictions. Mr. Reed reported sometimes the HOA will send the homeowner a letter questioning if the homeowner understands the requirements. Mr. Reed stated he lives in the Stonecreek subdivision and has seen both actions. Mr. Reed reported he has done business in many HOAs and has seen extreme actions such as in Bryn Du. Mr. Reed reported the Bryn Du Subdivision has an attorney and if a homeowner is in violation he will be required to pay attorney's fees. Mr. Tackett commented an HOA can do work and bill the homeowner when a home is in disrepair, etc. Mr. Tackett commented the HOA rules will be the same as Stonecreek's and Waters Edge.

Mr. Reed commented some of these issues are managed by the HOA's Board of Directors. Mr. Reed discussed there will also be committees such as landscaping, architectural, etc. Mr. Reed commented some may work well, and some might not.

Chairman Schaadt commented one concern is that some HOAs do not have money and when there is a violation the HOA does not have money to hire an attorney. Mr. Tackett commented subdivisions he has worked with have attorneys who live in the subdivision and also serve on the HOA's board of directors. Mr. Tackett reported challenges for most developments normally occur within the first 5 years, then things run smoothly.

There was further discussion concerning HOAs.

Chairman Schaadt reported his concerns regard the promises which have been made such as not allowing trees to be cut within the open space, having the open space remain open space, etc. Mr. Tackett commented the open space is written into all the deed restrictions. Mr. Reed reported such issues at Stonecreek were resolved with a letter sent to the homeowner advising of the deed restrictions and reminding them what they cannot do. Mr. Tackett reported the buyers are aware of the deed restrictions when they purchase the property and understand what they are buying into.

Commissioner Walker questioned if the deed restrictions are on every deed. Mr. Tackett reported the restrictions are recorded and the deed will reference the recorded restrictions. Chairman Schaadt questioned whether the deed references the owners have to accept the restrictions of the HOA. Mr. Tackett stated when the homeowners purchase the property they have to become members of the HOA. Mr. Tackett reported if a homeowner does not pay into the HOA, a lien will be placed against their property.

Commissioner Preston questioned if there was any way the HOA could decide to end the HOA. Mr. Tackett stated they could not. Chairman Schaadt questioned if there is language written stating if a

certain percent of homeowners want to change the restrictions they may vote to do so. Mr. Tackett reported such language is included and commented most of the votes require 2/3 of the homeowners to vote to change the restrictions, however the deed restrictions are written to hold true for a certain number of years, such as 20 years. After the required time, then a vote may be taken. There was further discussion.

Commissioner Preston questioned whether it was possible to have language written stating the open space restrictions could never be changed. Chairman Schaadt discussed there is potential in 20 years for the homeowners to say they want ball fields instead of a wooded area. Mr. Tackett commented the language the developers committed to was that the open space would remain open space forever and that part could not be changed. Mr. Reed stated they can only do what is recorded. Mr. Reed stated they could put a trail system in the open space, passive recreational stuff, but cannot develop it. Mr. Tackett reported the developers will make it clear they cannot log the open space, etc. Mr. Tackett reported the language provided by the developer's attorney is the language which covers the open space. Mr. Tackett reported the language written by the developer's attorney was written to be solid and was based on what the Zoning Commission wanted.

Chairman Schaadt questioned what items in an HOA can be changed by a certain percent passing vote. Mr. Reed stated they can never develop the open space. Commissioner Preston questioned if they can change the way the open space looks. Mr. Reed questioned whether other subdivisions in Granville have done anything to change the open spaces. Chairman Schaadt commented he is not stating it has been done but wants to make sure they can't.

Commissioner Preston questioned what can be changed after 20 years. Items such as changing mailboxes, sheds, etc. were discussed. Mr. Tackett commented they will not be able to change square footage, natural exterior, etc. but how elections are held may be changed, number of meetings per year, how long offices may be held, etc. Mr. Tackett stated they will not be able to change the open space restrictions at all. Chairman Schaadt stated nothing in the two pages concerning open space may be changed, and Mr. Tackett affirmed it will not be changed. There was further discussion.

Chairman Schaadt commented he is concerned that if there is a violation whether the Township does not have the ability to enforce the agreement. Mr. Tackett stated he does not know if the Township ever has that ability and this is not in any of the subdivision regulations he is involved with but it is covered by the deed restrictions.

Chairman Schaadt discussed he is not concerned with building occurring on the open space but is concerned homeowners may decide to cut trees what happens when neighbors state it cannot be clear cut as there was an agreement and PUD document. Mr. Tackett commented there is always the ability to take them to court and state the Township has a document stating it can't be done and sue.

Commissioner Walker commented she does not think that if the Zoning Commission votes to approve the proposed PUD the Township retains standing to sue unless the proposed PUD is approved with conditions. Commissioner Walker stated if the PUD is approved with conditions and

the conditions are not accomplished, the Township may have standing to sue, but she did not think they do. Mr. Tackett reported he has not been asked these questions when he worked on other developments.

Commissioner Walker questioned if any of the other subdivisions with which Mr. Tackett has been involved had conservation easements which were then deeded to a Township. Mr. Tackett reported they have not and stated the Townships did not want the conservation easements. Mr. Reed stated when the Olde Park subdivision was first proposed the developers were going to do that but were told the Township did not want ownership. Commissioner Preston stated there is a difference between ownership and a conservation easement on a property. Mr. Reed reported in the work sessions the developers suggested a conservation easement but were advised it was preferred to have it be HOA open space. Commissioner Preston commented it can be HOA open space and have a conservation easement. Commissioner Preston reported if the Township has a conservation easement on the property the Township would have the right to inspect the property once a year and they have standing if things are not being handled correctly. Mr. Tackett questioned if the Township would begin asking for a conservation easement on all the subdivisions as it has not been done previously. There was further discussion. Mr. Reed stated if the Township wants a conservation easement and will accept one, the developers will grant one as it doesn't matter to them.

Commissioner Preston stated the HOA would be the owners, and the conservation easement would state the HOA cannot do all the items already written that cannot be done, but once a year the Township will come in and look. It was discussed the Township already has a Land Management Committee which reviews Township open space. Mr. Reed and Mr. Tackett stated this would be fine. There was further discussion.

Chairman Schaadt commented the possibility of an open space easement was not discussed with the Township Trustees. Commissioner Preston commented if the written deed restrictions take care of the issue, there is not a need for a conservation easement. Chairman Schaadt questioned if the developers would be willing to give something in writing concerning the points discussed at this meeting such as, the HOA will be a legal entity capable of holding title to the open space, will follow the deed restrictions, and will require the home owners belong to the HOA and are subject to the deed restrictions. There was further discussion this is already part of the approval process for Licking County and what the county approval process requires. Chairman Schaadt commented the Zoning Commission is not asking for anything new, but is requesting a statement which can be reviewed later in time and indicates what was agreed upon.

VII. Old Business- Olde Park PUD:

A. Discuss Public Hearing:

Chairman Schaadt questioned if the Commissioners had any questions or topics to discuss prior to the review of the findings, and they did not.

Chairman Schaadt reported the Zoning Commission is required by the Township Zoning Resolution, Section 912.10, to present specific written findings when voting for a proposed PUD.

Commissioner Walker read the following written findings:

BEFORE THE GRANVILLE TOWNSHIP ZONING COMMISSION

ORDER

April 6, 2015

In Re: Olde Park Subdivision – Request for Zoning Amendment to Planned Unit Development

The Request for Zoning Amendment to Planned Unit Development (PUD) came before the Granville Township Zoning Commission (Commission) for a public hearing on February 2, 2015 and March 23, 2015, the application was received on December 31, 2014. Members of the Applicant, TTT Development LLC provided documents and testimony in favor of the proposed zoning amendment for the Olde Park Subdivision. According to documentary evidence from the hearing, TTT Development LLC proposed to apply PUD to a 96 parcel of land located on State Route 37 (Lancaster Road) in Granville Township that are currently zoned AG agricultural district (CAUV).¹ TTT Development LLC provided a copy of the purchase contract to demonstrate that it has sufficient control over the land in question.

Also testifying before the Commission were neighboring property owners who generally testified against the development primarily due to perceived safety issues involving traffic concerns.

Pursuant to Section 9.12 of the Granville Township Zoning Regulation Adopted on June 11, 2014, the following findings are the Conclusion of the Commission:

1. 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:

Conservation Design is discussed at Goal D starting on page 29 of the Granville Township Comprehensive Plan. The Commission agrees that the Proposed Development meets the goals of a low impact, conservation design development as envisioned by the Comprehensive Plan with its open space designations and preservation of rural vistas.

Traffic issues are also discussed in the Comprehensive Plan in "Enhancing Mobility" starting on page 36 of the Plan. See item number 6 in regard to traffic issues for additional information.

2. Whether the proposed development advances the general health, safety and morals of Granville Township:

Commission does not believe that the Planned Development will impact the general health, safety and morals of Granville Township.

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:

The Commission finds that 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.

4. That the uses requested in the proposal are compatible with surround land uses:

¹ Parcel Numbers 019-042192-00.000 and 019-042186-00.000

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.

5. The Commission finds that there are adequate public services available to service the proposed development:
 - According to Chief Hussey, the Granville Fire Department will provide fire protection and emergency service.
 - The proposed development will use on-site water supply and on-site septic for the planned 22 units.
 - The Ohio Department of Natural Resources, in a letter dated August 18, 2014, has concluded “that half the newly drilled wells would exceed the average 16 gpm – pumping rate. Water supply of 10 to 12 gpm would be adequate for each household assuming low flow fixtures are installed. Households with water supply wells yielding less than 10 to 12 gpm may require the installation of additional water storage-holding tank so that enough water is available to meet peak demand requirements.”
 - This opinion is bolstered by the testimony of the neighbors of the planned development, some of whom testified that at times, the water supply pressure was not adequate.
 - Within this same letter from ODNR as it relates to recharge rates...”it is possible that the ground water withdrawal (demand) from the consolidated bedrock aquifer could exceeded recharge (supply) during dry years.” In a response to a question by the developer....it was pointed out that the subdivision open space was not included in the earlier recharge calculation.....”The open space was not included in the calculation because it will not be under the control of the homeowners. When I include the open space in the calculations each lot site becomes a 3.89 acres. The recharge for the bedrock areas east of SR 37 is 580 gallons of water/day (dry years) and 1146 gallons of recharge/day (wet years) based on the 3.89 acre lot size. This would be adequate assuming 4 to 5 people/household.” (As the proposed open space will be deeded to the HOA with restrictions the 3.89 acre numbers should be considered.) In conclusion the water appears to be adequate in a normal year.
 - The developer has provided information that power will be provided by Ohio Power, natural gas by either Columbia Gas or Energy Coop and
 - Telephone service by Time Warner Cable or Windstream.
 - Police protection is provided by the Licking County Sheriff’s Office

6. Whether the proposed development will not create overcrowding and/or traffic hazards on existing roads and/or intersections:

Traffic issues are discussed in the Comprehensive Plan in “Enhancing Mobility” starting on page 36 of the Plan. 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.

(Comprehensive Plan at Page 37).

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....

The TRC Report dated December 3, 2014, Brad Mercer, Planning Manager for the Licking County Technical Review Committee raised concerns about the safety of the proposed intersection, "There is some concern that there may not be adequate vertical and/or horizontal sight distance in all directions at the intersection on the east side of the development. This will need to be reviewed and evaluated within the preliminary plan submission.

On March 16, 2015, TTT Development provided the Commission with new maps and plans showing a new entrance to the Olde Park development this plan was is different than the plan provided to the TRC in December and previously to the Commission. The new plan shows the Olde Park development entrance has been moved 75 feet north and includes 285 foot deceleration lanes on both sides of State Route 37.

On March 16, 2015 TTT Development also provided the Commission with a Sight Distance Analysis regarding the new entrance. The Sight Distance Analysis is attached and incorporated into this order. The Analysis reflects that a motorist traveling at 55 mph to 70 mph in either direction on State Route 37 maintains adequate line of sight pursuant to ODOT standards for turns into either side of the Olde Park development. The Developers also provided the Commission with an Accident Analysis for State Route 37 from James Road to Silver Street over a 3 year period (2011-2013). The Accident Analysis shows 12 accidents over that time period. The Commission received a letter just prior to the March 23, 2015 public hearing from the Ohio Department of Transportation approving the proposed newly designed intersection (at the relocated entrance 75 feet north of the previously located entrance). ODOT informed the Commission through the letter that they have approved the right turn, deceleration lanes even though ODOT does not require such lanes. This letter was admitted into evidence at the March 23, 2015 hearing. The Licking County Planning Commission also approved the new proposed intersection. That correspondence was also admitted into evidence at the March 23, 2015 public hearing.

The Commission reconvened the public hearing on March 23, 2015 and heard testimony from the following individuals:

- a. Applicant Testimony - members of TTT Development LLC testified as to the changes made to the development to improve safety of the entrance including moving the entrance 75 feet to the north and continuing to provide deceleration lanes on both sides of State Route 37. This testimony

reflected the facts provided to the Commission on its meeting with the Developers on March 16, 2015. See minutes of that meeting entered into evidence at the public hearing.

- b. Granville Fire Chief Jeff Hussey next testified that the Developers had made a reasonable attempt to mitigate the risks of the entrance to Olde Park by moving the entrance and providing deceleration lanes, he said that the development “was much safer than originally presented.”
- c. Granville Schools Superintendent Jeff Brown testified that school buses would only turn right into each side of the development and that the deceleration lanes were important. Mr. Brown added that he was appreciative of the consideration to school bus traffic.
- d. Neighbor Bill Brady testified that he lives just 500 feet north of the proposed development and that he raises cattle and has concerns about pollution of the stream that crosses the property from run off of septic. Mr. Brady was also concerned about who was going to control the Open Space areas of the development and who would be responsible for maintaining the Open Space.
- e. Heath Manning testified that he currently resides at the property and he has had no problems with the driveway during the 19 years he has lived there.
- f. Neighbor Craig Goodwin testified extensively about his concerns about the safety of State Route 37 and the entrance to the development. He testified that moving the entrance 75 feet north was an improvement but that he still had significant concerns about safety considering the speed limit is 55 mph and 10,000 vehicles travel the road everyday including many trucks. He testified that the speed limit was often ignored. Mr. Goodwin testified that he thinks that a left turn lane is necessary, that ODOT is not always right (using Cherry Valley Road intersection as an example) and that the taxpayers should not have to pay for such a road improvement.
- g. Neighbor Cheryl Waller also testified that the developer needs to put in a left turn lane for safety reasons and she cited to a fatality near the planned entrance in 2014.
- h. Neighbor Al Waller testified that he thinks the deceleration lanes will create a situation where drivers go around a driver turning left, making State Route 37 a defacto left turn lane.
- i. Neighbor Charlie Moore testified that State Route 37 has significant traffic and especially truck traffic at certain times of day and that he thinks the planned development will create an extremely dangerous situation that is unnecessary.
- j. Neighbor Gloria Goodwin testified that she has considerable worries about safety.
- k. Michael Goodwin testified that he travels State Route 37 every day and no one is observing the speed limit.
- l. Catherine Cunningham an attorney for TTT Development addressed the Commission about ODOT and zoning issues from her perspective.

7. Whether the arrangement of land/development uses on the site properly consider topography, significant natural features, natural drainage patterns, views and roadway access:

The Commission finds that 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.

8. Whether the clustering of development sites are shown to preserve any natural or historic features and provide viable undeveloped space:

The Commission finds that 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 and as reflected on the Landscape Plans provided to the Commission as attached. 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.

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:

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.

10. Whether there are adequate buffers between incompatible land uses:

The Commission finds that this is not a concern with the proposed development.

11. 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:

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. The Developer testified that the development would begin by the end of 2015.

12. Whether the proposed development is in conformity with the Licking County Subdivision Regulations.

The Commission finds that the 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.²

13. Whether the final plat approved by the Licking County Planning Commission includes all dedicated open space.

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.

² Sidewalk issues noted may be resolved via variance.

The Granville Township Zoning Commission:

____ Approves the Development Plan

____ Disapproves the Development Plan

____ Approves the Development Plan with the following conditions:

For the Commission, Robert Schaad, Chair

Date

B. Review of Findings:

Chairman Schaadt questioned if any further discussion of the findings by the Commission was necessary. Commissioner Walker commented the Commission heard a lot of testimony, reviewed many documents, and the process was taken very seriously. Commissioner Walker stated she is appreciative of the testimony from the neighbors of the proposed development, and from Superintendent Jeff Brown, and Fire Chief Hussey. Commissioner Walker thanked everyone for handling themselves in a professional manner.

Commissioner Preston stated she has been back in forth regarding the safety issue but has been able to make a decision.

Commissioner Paumier commented the process has been long but has been a democratic process. Commissioner Brown agreed and stated he appreciated the developers and neighbors voiced their opinions in a thoughtful and rational manner.

Chairman Schaadt commented a great many hours were spent on the review process, beginning in July of 2014, and everyone has had an open mind throughout the process. Chairman Schaadt commented his number one concern was safety. Chairman Schaadt reported he attended meetings with ODOT, with the Licking County Planning Commission, etc. Chairman Schaadt commented an important factor for him is ODOT states the site entrance meets their requirements. Chairman Schaadt commented he is glad the Zoning Commission was able to have deceleration lanes added to the project and other modifications made.

Chairman Schaadt reported the Zoning Commissions options are to vote to approve the development plan, disapprove the development plan, or approve the development plan with conditions.

C. Potential Vote:

Chairman Schaadt reported the Commissioners may postpone the vote if they believe they need more time to review the information. Chairman Schaadt questioned if the Commissioners were ready to vote and the Commissioners advised they were ready. Chairman Schaadt commented if they vote, he would like the vote to be whether to approve the proposed PUD with conditions. There was further discussion concerning what the conditions would be. Mr. Reed requested an e-mail be sent to him on April 7, 2015, which he will present to their attorney and after her review, sign and return to the Zoning Commission.

Commissioner Walker made a motion to approve the Olde Park PUD application with the following condition:

That an affidavit be provided to the Zoning Commission within seven days stating the following:

- The Home Owners' Association will be a legal entity capable of holding title to the open space.
- The Home Owners' Association will follow the deed restrictions as presented to the Zoning Commission at the 03/23/2015 Public Hearing.
- The document requires the home owners belong to the Homeowners' Association and are subject to the deed restrictions.

Commissioner Brown seconded the motion. The motion was approved by a unanimous vote with Walker- Yes, Preston-Yes, Paumier- Yes, Schaadt- Yes, and Brown- Yes.

Chairman Schaadt reported he will instruct Zoning Inspector and Compliance Officer Binckley to issue a zoning permit after the above condition is met.

VIII. Old Business- Sycamore Ridge PUD:

Chairman Schaadt reported the Public Hearing concerning the proposed Sycamore Ridge PUD which was suspended will resume on Monday, April 13, 2015. Commissioner Paumier will excuse himself from this meeting.

X. Adjournment:

Chairman Schaadt made a motion to adjourn the meeting. Commissioner Preston seconded and the meeting was adjourned at 8:16 p.m.