

BEFORE THE GRANVILLE TOWNSHIP ZONING COMMISSION

ORDER

April 20, 2015

In Re: Sycamore Ridge 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 March 31, 2015 and April 13, 2015, the application was received on March 3, 2015. Members of the Applicant, TrenMor Investments and Development, Inc. provided documents and testimony in favor of the proposed zoning amendment for the Sycamore Ridge Subdivision. According to documentary evidence from the hearing, TrenMor proposed to apply PUD to a 50.81 parcel of land located on State Route 661 in Granville Township that is currently zoned Agricultural district. TrenMor provided a copy of a letter from the current property owner Jeane Randolph dated February 3, 2015 (Exhibit 8) to demonstrate that TrenMor is in contract and has sufficient control over the land in question.

Also testifying before the Commission on the hearing dates of March 31 and April 13, 2015 were neighboring property owners that testified against the development primarily due to perceived safety issues involving traffic concerns. The Commission admitted exhibits at the hearing, the list of the exhibits is attached hereto and incorporated herein.

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. The Developer has testified that the development will remove a school bus stop on Route 661 to improve safety. As part of the Development, TrenMor provided evidence that it will also plug an existing abandoned gas well that is currently a hazard due to gas leakage. In addition, the Developer has advised the Commission that the existing historical farm house will be preserved and updated.

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 surrounding land uses:

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. This is compatible with surrounding land uses.

Neighbor John Owens testified at length that he thinks the property should remain as farmland.

The Commission finds that there are adequate public services available to service the proposed development:

- The Granville Fire Department provides fire protection and emergency service for the Township.
- The proposed development will use on-site water supply and on-site septic for the planned 12 units.
- The Ohio Department of Natural Resources, in a letter dated February 20, 2015, has concluded "drilling in the area indicates that the ground water pumping rate from the bedrock is approximately 1 to 40 gpm with an average pumping rate of 11 gpm... Households with water supply wells yielding less than 8 gpm may require the installation of additional water storage-holding tank so that enough water is available to meet peak demand requirements. A pumping rate to 8 to 10 gpm would be adequate for each household assuming low flow fixtures are installed."
- The developer has provided information that electric power is available and that all telephone and electrical will be underground.
- Police protection in the Township is provided by the Licking County Sheriff's Office.

5. 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 includes SR 661 as one of the state routes in the Township with "ever-increasing traffic."

TrenMor provided the Commission with the testimony of Engineer Sam Eppley on March 31, 2015 who testified at length that the entrance on State Rte 661 was positioned on the top of a natural knoll for better sight distance. The study he conducted concluded that a school bus needed 978 feet of sight to turn left or right out of or into the subdivision and there was over 1400 feet at 55 mph and over 1000 at 70 mph leaving ample room for school buses and other traffic to turn safely in or out of the PUD entrance. Mr. Eppley also testified that the crash data from 2012-2015 indicated all animal related

accidents. Mr. Eppley concluded his testimony noting that no turn lanes were required with the entrance and no turn lanes were planned.

At the April 13th hearing Mr. Eppley and Aaron Van Ostran, Engineer both testified that all sight distances in the analysis provided to the Commission as Exhibit K, are based upon 70 mph, rather than the 55 mph speed limit on State Rte 661.

Granville Fire Chief Jeff Hussey testified that there was no significant history of crashes at the planned entrance and from his point of view there was nothing alarming from the public safety standpoint. Chief Hussey also provided the Commission with an email regarding the same dated January 15, 2015 (Exhibit 12).

A neighbor, John Hinderer testified that there were at least 2 fatal accidents adjacent to his property in 2014. Mr. Hinderer testified at length with regard to the safety issues and he provided the Commission with photographic evidence of the proposed entrance. Mr. Hinderer does not agree that the entrance is safe and he related examples from his experience going in and out of his driveway, which is close to the proposed entrance.

John Owens a neighbor, also testified about his concerns with traffic safety. Mr. Owens testified that State Rt 661 does not have a berm so that cars go around other cars turning in his experience.

Lisa McKilvergin, a Granville real estate broker testified that she had lived at the corner of Rte 661 and Chatham and that her experience driving in the proposed development area is very dangerous.

Jason Freudiger, another neighbor, also testified about his concerns over traffic safety issues. Mr. Freudiger testified that State Rte 661 is very hilly and he is concerned about school buses turning out of the development onto State Rte 661.

Mr. Wills, the developer testified that school bus safety was also a concern of his and that eliminating a school bus stop on St Rte 661 improves safety and that the engineering demonstrates that there is sufficient sight lines from the proposed entrance driveway.

Jim Roberts, the Engineer that conducted the sight line survey testified that there is a good line of sight from the proposed entrance and that ODOT had approved the entrance.

The Developer provided two letters from the Ohio Department of Transportation (ODOT). In a letter dated March 19, 2015, Brian Bosch, Traffic Engineer opined that upon his review, "the submitted subdivision accesses along SR 661 and have found both locations to meet the required site distances for the posted legal speed limit of 55 mph (minimum of 495' each direction.)" (Exhibit A.) In a letter dated March 27, 2015, Mr. Bosch concluded that ODOT, District 5 "has reviewed the submitted subdivision Traffic Impact Study (TIS) and agree with the stated conclusions....the TIS meet the guild (stet) lines...and ODOT, District 5 agree that the TIS shows that no roadway improvements are warranted for this proposed development." (Exhibit B).

The Developer, Keith Wills testified on April 13, 2015 that he spoke with Chief Hussey of the Granville Fire Department regarding the two fatalities cited by Mr. Hinderer at the previous hearing. According to Mr. Wills, Chief Hussey told him that the Manning fatality was likely a medical issue as the vehicle was traveling at a high rate of speed and there was no attempt to break before hitting a tree. Mr. Wills also indicated that Chief Hussey told him that the other fatality was a teen pedestrian, in dark clothing walking on St Rte 661 at night.

Mike Whitehead, an attorney for Mr. Hinderer testified that the location of the proposed street is not as safe as the current driveway location. However, he did not provide any engineering evidence to support this claim. Although Mr. Whitehead further testified that they had consulted with DLZ Engineering, the engineer had not made a site visit and the engineer concluded that ODOT's approval, given the guidelines, was proper.

6. 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 TrenMor, the site properly considered the topography and natural features and provides for additional landscaping at the entrance to the proposed development.

Mr. Hinderer, the neighbor to the south of the proposed PUD testified extensively at both the March 31 and April 13, 2015 hearings about his concerns regarding drainage issues and his concerns that with buildings and the road, there will be more rather than less issues of drainage.

Mr. Eppley the PUD engineer testified that the planned septic systems have been approved by the County and each leach field will have a tank for discharge.

Mr. Wills, the Developer, testified that he understands Mr. Hinderer's concerns and they are planning accordingly. Mr. Wills also indicated that the Licking County Technical Review Committee reviewed all drainage issues.

7. 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 plan to renovate the existing historical farmhouse on the property meets the requirements to preserve historical features. In addition, TrenMor provided the Commission with the planned home designs (Exhibit 11) and the updated Open Space Restrictions (Exhibit J). The Commission is satisfied that the restrictive covenants meet the Zoning Regulations.

8. 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 12 home sites and the Licking County Planning Commission by letter dated March 24, 2015 (Exhibit 4b) granted the Developer a variance with regard to the requirement to build a stub road to the property to the south.

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

The Commission finds that the PUD plan provides significant Open Space buffers and that the Developer plans to cap an existing gas well that is leaking. Exhibits that reflect this finding are Exhibits 2, H, J and L.

Mr. Owens, a neighbor, testified that the planned PUD does not fit in with the surrounding farmland on each side of the proposed development.

10. 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:

The Commission finds that TrenMor has provided sufficient evidence of financial responsibility including a letter dated March 17, 2015 from First Federal Savings (Exhibit 9) and Sycamore Ridge Preliminary Cost Estimates (Exhibit 10).

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

The Commission finds that the letter dated February 11, 2015, and an email dated February 13, 2015 (Exhibits 3 and 4a) the Licking County Technical Review Committee of the Licking County Planning Commission provided comments to the developer. Licking County Planning Commission granted two variances to the Developer as indicated in two letters, both dated March 24, 2015 (Exhibits 4b and 4c).

12. 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.

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 Schaadt, Chair

Date