

Granville Township Zoning Commission

April 20, 2015

Public Meeting

Minutes

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

Absent: Vince Paumier

Guests: John Hinderer

Keith Wills

I. Chairman Schaadt opened the meeting at 7:00 p.m., followed by roll call. The above Commissioners were present. Commissioner Paumier was not in attendance.

II. Approval of all Meeting Minutes from Public Hearings, March 31, 2015, and April 13, 2015: Commissioner Preston reported a correction to the March 31, 2015, Public Hearing. Jason Freudiger and his wife should be included in the list of guests at the Public Hearing. Chairman Schaadt reported the letter 'g' was left off zoning on the last page of the April 13, 2015 minutes.

Commissioner Preston made a motion to approve both sets of minutes as corrected. Chairman Schaadt seconded and the motion passed.

III. Announcements of Chairman:

Chairman Schaadt reported there will be a Public Comment section in the meeting, however no more testimony concerning the proposed Sycamore Ridge Subdivision will be taken as the Public Hearing was closed.

IV. Announcements of Commission Members:

There were no new announcements.

V. Public Comments:

John Hinderer stated he understood there would be no further testimony and was present to observe the process and to hear the Zoning Commission's decision.

VI. Old Business- Sycamore Ridge PUD:

A. Review Findings:

Chairman Schaadt reported since the close of the Public Hearing he was contacted by Keith Wills. Mr. Wills reported to Chairman Schaadt he ran into a problem with the Licking County Engineer's office regarding the name of the road in the proposed PUD. Preliminary approval was given by Licking County to name the road Sycamore Ridge Drive. There are no roads in the county named Sycamore Ridge, but there are some roads which start with Sycamore and therefore the county will not allow Sycamore Ridge Drive to be the name of the road. Mr. Wills reported the name of the proposed PUD will remain Sycamore Ridge, but the road will have a different name.

Chairman Schaadt reported he ran this issue by Assistant Prosecuting Attorney (APA) Lecklider, and the name of the road will not make a difference or affect the ability of the Zoning Commission to vote on the proposed PUD as approval for the name is at the county level.

Chairman Schaadt reported Commissioner Walker put together the findings of the Zoning Commission. The items were based on what was presented at the Public Hearings.

Commissioner Walker read the following document:
See Attachment A.

Commissioner Walker presented the following exhibits which will be delivered to Granville Township Fiscal Officer Miller for public records retention.
See Attachment B.

B. Vote on Proposed Sycamore Ridge PUD:

Chairman Schaadt questioned if all Zoning Commissioners present felt they had enough information to vote on the proposed PUD, and each affirmed there was enough information to vote.

Chairman Schaadt called for a vote as to whether the Granville Township Zoning Commission should approved the proposed development plan as submitted. The Sycamore Ridge development plan as submitted was approved with Walker-Yes, Preston- Yes, Schaadt- Yes, and Brown-Yes.

Chairman Schaadt reported he will submit the order and will instruct Zoning Inspector and Compliance Officer Binckley to issue a zoning permit.

Commissioner Walker thanked the developer and Mr. Hinderer for providing the Zoning Commission with a lot of information and stated the Commissioner seriously considered all information presented. Commissioner Walker commented Mr. Hinderer may be disappointed with the outcome, but assured him the Commissioners looked at everything very closely and seriously. Commissioner Walker thanked the developer for his professionalism and for providing the Zoning Commission with the information needed.

Commissioner Brown thanked Mr. Hinderer and the developer for their honest opinions and for coming forth. Chairman Schaadt also voiced his thanks and stated the biggest item was safety.

Chairman Schaadt referenced information provided by the Licking County Engineer's office, Licking County Planning Commission, ODOT, Granville Township Fire Chief Hussey, etc. and stated no evidence was provided to go against the traffic survey provided and approved by ODOT.

There was further discussion concerning the PUD approval. Chairman Schaadt discussed PUD approval is the only decision where the Zoning Commission has a final say as everything else is a recommendation to the Township Trustees. Chairman Schaadt discussed the many hours involved in the PUD approval process and that the Zoning Commission seriously considers all information and the criteria required. Chairman Schaadt commented Licking County will also review drainage

for the PUD and questioned if Mr. Wills was planning on putting crops on the property this year. Mr. Wills reported he would like to put a crop in. Chairman Schaadt commented it would be helpful to have a crop planted to hold the soil in place and prevent any future erosion until the lots are sold. Chairman Schaadt reported he will provide Mr. Wills Mr. Hinderer's attorney a copy of the findings.

Mr. Hinderer thanked the Zoning Commission for their time spent. Mr. Hinderer commented that he is the neighbor, and no one wants a Wal-Mart, or anything built next to them, but there is no way the road is more safe in this location. Mr. Hinderer commented the Zoning Commission had to work within the guidelines they had but he believes there are further issues and work that needs to be done for the land owners around the PUD such as what is their cure for things that happen down the road. Mr. Hinderer commented there is not a place in the PUD which addressed this issue.

Chairman Schaadt commented this is an issue which is likely a statewide issue. Chairman Schaadt discussed the language submitted for this PUD is likely the strongest for any PUD done before in the Township. Chairman Schaadt discussed the portion which requires approval for changes by the Township Trustees rather than just the HOA. Chairman Schaadt commented this change was not requested by the Zoning Commission but was done by Mr. Wills. There was further discussion.

Mr. Wills thanked the Zoning Commission for their efforts and thanked Chairman Schaadt for his communications and for making it clear what was required of him as the developer. There was discussion the new road will travel east to west and should catch some of the water and direct it to the west. There was discussion the county thoroughly reviews plans and ensures there are no water run off issues.

There was discussion concerning the new restrictions placed on the greenspace. The Commissioners reported they will ask for similar language with future PUDs. Commissioner Walker commented the new restriction will also be a selling point as it will show owners the open space is important. There was further discussion concerning the open space and HOAs.

VII. Old Business, Solar Arrays:

Chairman Schaadt reported he spoke to Trustees Schott and Jenks who encouraged the Zoning Commission to take the month of May off. The Trustees appreciate all the effort of the Zoning Commissioners and they do not feel any issues are pressing at this time.

Chairman Schaadt reported Seth Patton, Denison University, is retiring at the end of June, 2015. Chairman Schaadt reported Denison at first wanted the solar array issue to proceed through the courts. Chairman Schaadt discussed there are tax credits for solar arrays which expire at the end of 2015, and any contract would need to be signed prior. Chairman Schaadt reported he advised Trustee Jenks to let Denison University know of the Zoning Commissions timelines and guidelines, the Trustees' timelines, BZA timelines, etc. and that the process could take 6 months. Chairman Schaadt reported Trustee Jenks spoke to Mr. Patton today and told Denison University any time they want to meet with Chairman Schaadt he will provide the application and discussed the county requirements and timelines. Chairman Schaadt reported he would like Denison to propose the actual

language wanted and he could spend time with them in May so they may come to the Zoning Commission in June.

Commissioner Walker questioned what would happen if the Zoning Commission does not like the language proposed by Denison. Chairman Schaadt reported the Zoning Commission has to present the application as requested to the Licking County Planning Commission (LCPC.) LCPC will then give the Township Zoning Commission their recommendations which they also give to the Licking County Board. At the end of the board meeting, they will vote for or against and then send a recommendation to the Township Zoning Commission. Chairman Schaadt reported as LCPC is reviewing the proposal, the Township Zoning Commission will also be able to review the language. When the board sends the recommendations the Township Zoning Commission may ignore Licking County's recommendation, incorporate it, or work with it, and then the Zoning Commission will forward its recommendations to the Township Trustees along with the LCPC's recommendations.

Commissioner Walker questioned if the Commissioners vote yes or no on the language proposed. Chairman Schaadt reported the Zoning Commission can approve, approve with conditions or modifications, or deny. Chairman Schaadt discussed the timelines for review and stated the Public Hearing has to be held no less than 20 days after receipt and no more than 40 days after the receipt of the recommendations from Licking County. The Zoning Commission will then have up to 30 days to vote.

Commissioner Brown questioned what Zoning Inspector Binckley's opinion was concerning the solar array. Chairman Schaadt reported Denison University proceeded with the Village by declaring the proposed solar arrays as a conditional use under an auxiliary structure. Chairman Schaadt reported Zoning Inspector Binckley does not read the Township's Zoning Code that way and Assistant Prosecuting Attorney Lecklider agreed with Superintendent Binckley. There was further discussion.

VIII. New Business- Thoughts for the rest of 2015:

Chairman Schaadt reported Trustee Schott and Zoning Inspector Binckley have a list of amendments for the Zoning Commission to review. Chairman Schaadt will meet with Trustee Schott and Zoning Inspector Binckley prior to the next meeting and obtain the list of possible amendments. Chairman Schaadt reported there is also an issue concerning dogs and discussed the Township Zoning Resolution calls for no more than 3 dogs depending on age of the dogs without a kennel permit. There was further discussion concerning this issue and page 16 of the Zoning Resolution.

Chairman Schaadt suggested the Zoning Commission determine a list of 10-15 items to review and discuss. Chairman Schaadt reported some of the changes Trustee Schott would like the Zoning Commission to make concern language corrections such as stating "his or hers" rather than "his", etc. Chairman Schaadt commented he would also like the ROW discussion continued and changes to Sections 405 and 406 reviewed. There was further discussion concerning possible items in the Zoning Resolution to review.

IX. Set Next Regular Meeting:

Chairman Schaadt reported the next regular meeting will be held June 1, 2015. Commissioner Brown reported he will be gone the first Monday in June. Commissioner Walker reported she will be out much of July and the first Monday in August. There was discussion if Denison files an application the first week of June, it may be better to have a special Zoning Commission meeting the second week of June.

Chairman Schaadt made a motion to adjourn the meeting. Commissioner Brown seconded the motion and the meeting was adjourned at 8:05 p.m.