

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on February 17, 2015, at 7:00 pm, at 2090 Ferry Road, Sugarcreek Township, Ohio 45305.

1. Mrs. Daugherty called the session to order at 7:00 pm.
2. Mr. Hodson called the roll with Board Members Nadine Daugherty and Scott Bryant being present. Board Member, Mike Pittman and Fiscal Officer, Ted Hodson were absent. Others present, who signed in, were Donna Hellman, Danielle Coots, Jim Martin, Greg Smith, Keith Bidwell, Kevin Weaver, Gnan Thakore, Barbara Burson, Tim Janz and Lisa Janz.
3. All rose and recited the Pledge of Allegiance to the Flag.
4. **Community Activities**
Chief Pavlak said the Lion's Club is having a pancake breakfast on February 28th from 7:30 a.m. to 11:30 am at Stephen Bell Elementary School.

5. **Public Hearing**

Oberer Land Developers, LTD is requesting a map amendment to the Sugarcreek Township Zoning Resolution to rezone 23.99 acres located on the west side of Little Sugarcreek Road (the subject property is located between 5425 Little Sugarcreek Road and 5475 Little Sugarcreek Road, approximately 1750' north of the intersection of Feedwire and Little Sugarcreek Roads) from A-1 (Agricultural) District to PUD-R (Residential Planned Unit Development) District. The subject property contains 23.99 acres, can be further identified by parcel number L32000100020001200, and is owned by Betty Ann Earley and Stephen Hawn. Oberer Land Developers, LTD is also requesting preliminary development plan approval under Article 5 of the Sugarcreek Township Zoning Resolution for approval of the preliminary plan for a proposed subdivision.

Mrs. Daugherty asked Cara Tilford to provide a staff report on the requests. Cara provided descriptions of the request in her report which provided for the applicant proposal, zoning of adjacent parcels, the Greene County Regional Planning Commission recommendations, the Board of Zoning Commission recommendations, the township long range land use plan and a history of previous actions. Cara's report also included the applicable articles and findings of fact as it pertains to various sections of the Zoning Development Plan Resolution. The report also included various development requirements regulated by the Township and by Greene County. A copy of this report will be appended to the permanent record and copies can be obtained upon request.

Mrs. Daugherty moved to open the public hearing. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mrs. Daugherty - Yes
Mr. Bryant – Yes

Mr. Greg Smith from Oberer Development Company came forward on behalf of the applicant. He presented a PowerPoint presentation on the development proposal. He noted that he is happy to complete a Traffic Impact Study if that's what the Trustees want. He reviewed the landscaping plan and went over changes made to the plan since the Zoning Commission's recommendation. They are proposing 36 lots now instead of 40 and have created a landscape reserve area between the two rows of lots internal to the development, as opposed to depicting this area as open space. Discussion ensued on the landscape reserve area. It was determined that the Trustees are fine with the landscape reserve area in concept, but more details will be provided at the time the Final Development Plan is submitted for approval. The Trustees determined that a woodland preserve area should be provided on lots 15-23. Mr. Bryant and Mrs. Daugherty expressed a desire for the developer to look into adding additional landscaping along the frontage of Little Sugarcreek Road.

Mrs. Daugherty asked for comments in favor of the development. There being none, she asked for comments opposed to the development.

Mr. Kevin Weaver, 1032 Little Sugarcreek Road, noted that he is totally against it or totally for it. He agreed that the view from Little Sugarcreek Road was very important and is concerned about maintenance of the landscaping shown.

Mr. Tiffany noted that the township has the enforcement ability to require that dead landscape material be replaced.

Mr. Weaver noted the issue with addresses on Little Sugarcreek Road.

Mr. Tiffany noted that addresses are assigned at Greene County Regional Planning but will discuss the issue with them.

Dr. Keith Bidwell, 3794 Grand Oak Trail, came forward as a neutral party. He is concerned about the Oak Brooke development and this one and the kind of impact that will have on a beautiful township road.

Mr. Tiffany discussed the turn lanes required by the County Engineer and the Traffic Study that will be completed by the applicant. He explained the impact of the Park District's purchase of the adjacent land. He noted that we are developing the two remaining lots on Little Sugarcreek and that the 36 lots here and the 98 lots at Oak Brooke will not come online all at the same time. We will continue to monitor the traffic situation.

Mr. Bryant noted that Dr. Bidwell's comments speak directly to the reason why density was so important to us here. We are sensitive to the number of cars we are putting on Little Sugarcreek Road.

Mr. Gnan Thakore noted that he lives directly across from the proposed development and he is against it. He asked how they would be getting sewer.

Mr. Smith referred to a slide that showed the path of sewer from the creek on the Park District's property to the proposed development.

Mrs. Daugherty closed the Public Hearing.

Mr. Bryant stated that the developer has done everything that we've asked him to do. He stated he has no issues with the preliminary plan as proposed given that a traffic study will be a condition of approval.

Mrs. Daugherty stated that she appreciated that the Trustees were able to get the number of lots reduced and the traffic study is very important.

Resolution #2015.02.17.03

IN RE: Approval of a Map Amendment to Rezone 23.99 Acres
Located on the West Side of Little Sugarcreek Road between
5425 and 5475 Little Sugarcreek Road

WHEREAS, Oberer Land Developers, LTD has submitted an application for a map amendment to the Sugarcreek Township Zoning Resolution to rezone 23.99 acres located on the west side of Little Sugarcreek Road between 5425 and 5475 Little Sugarcreek Road from A-1 (Agricultural) district to PUD-R (Residential Planned Unit Development) district; and,

WHEREAS, the Greene County regional Planning and Coordinating Commission has reviewed the applicant's request for a map amendment from A-1 (Agricultural) district to PUD-R (Residential Planned Unit Development) district and has recommended that it be considered for approval; and,

WHEREAS, the Sugarcreek Township Zoning commission held a public hearing on December 9, 2014, and continued it on January 13, 2015, and has recommended approval of the requested map amendment from A-1 (Agricultural) district to PUD-R (Residential Planned Unit Development) district to the Board of Trustees; and,

WHEREAS, the Sugarcreek Township Board of Trustees held a public hearing on February 17, 2015, and deliberated on the application,

NOW THEREFORE, BE IT RESOLVED, the Sugarcreek Township Board of Trustees does hereby approve the applicant's request for a map amendment from A-1 (Agricultural) district to PUD-R (Residential Planned Unit Development) district for 23.99 acres identifiable by parcel ID 32000100020001200, located on the west side of Little Sugarcreek Road between 5425 and 5475 Little Sugarcreek Road.

Mr. Bryant moved to accept Resolution as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mrs. Daugherty - Yes

Mr. Bryant – Yes

Resolution #2015.02.17.04

IN RE: Approval of the Preliminary Development Plan for 23.99 Acres
Located on the West Side of Little Sugarcreek Road Between
5425 and 5475 Little Sugarcreek Road

WHEREAS, Oberer Land Developers, LTD has submitted an application for the approval of the Preliminary Development Plan for a subdivision containing 23.99 acres, identified as parcel ID L32000100020001200, located between 5425 and 5475 Little Sugarcreek Road and known as the Earley Property; and,

WHEREAS, the Greene County Regional Planning and Coordinating Commission has reviewed the applicant's request and has recommended that it be considered for approval; and,

WHEREAS, the Sugarcreek Township Zoning Commission held a Public Hearing on December 9, 2014, continued on January 13, 2015, deliberated on the application, and has recommended approval of the Preliminary Development Plan of the proposed subdivision, known as the Early Property, subject to the following conditions:

1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. The development shall comply with the recommendations of the Soil and Water Conservation District.
4. Final design shall be subject to approval of Sugarcreek Township Fire Department.
5. The use of vinyl or aluminum siding shall be prohibited. Vinyl or aluminum may be used for fascia and soffits, or similar minor architectural or structural elements as approved by the Zoning Compliance Officer.
6. Final Development Plan approval shall include a condition of approval referencing design standards as specified in the HOA documents (to be provided at the time of Final Development Plan submission).
7. The park access shall be moved to be located between lots 17 and 18 (instead east of lot 25).
8. A traffic impact study to be scoped at the Trustee level and reviewed by the Greene County Engineer's Office is required. Any changes to the plan recommended by the Greene County Engineer's Office as a result of the traffic impact study shall be reflected on the Final Development Plan submitted for approval.
9. Details on the construction of the retention pond shall be provided at the time the Final Development Plan is submitted for approval. Best practices from a watershed perspective are encouraged.

WHEREAS, the Sugarcreek Township Board of Trustees held a Public Hearing on February 17, 2015, and deliberated on the application,

NOW THEREFORE BE IT RESOLVED, that this Board of Trustees does hereby approve the Preliminary Development Plan for the subdivision known as the Early Property subject to the following conditions and incorporating the modified plan submitted to the Board of Trustees stamped Preliminary Development Plan, with an approval date of February 17, 2015:

1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. The development shall comply with the recommendations of the Soil and Water Conservation District.
4. Final design shall be subject to approval of Sugarcreek Township Fire Department.
5. The use of vinyl or aluminum siding shall be prohibited. Vinyl or aluminum may be used for fascia and soffits, or similar minor architectural or structural elements as approved by the Zoning Compliance Officer.
6. Final Development Plan approval shall include a condition of approval referencing design standards as specified in the HOA documents (to be provided at the time of Final Development Plan submission).
7. The park access shall be moved to be located between lots 17 and 18 (instead east of lot 25).
8. A traffic impact study to the extent deemed necessary by the Greene County Engineer's Office is required. Any changes to the plan recommended by the Greene County Engineer's Office as a result of the traffic impact study shall be reflected on the Final Development Plan submitted for approval.
9. Details on the construction of the retention pond shall be provided at the time the Final Development Plan is submitted for approval. Best practices from a watershed perspective are encouraged.
10. Lots 15-23 shall be subject to a woodland preserve easement.
11. The landscaping plan will be reviewed at the time the Final Development Plan is submitted for approval.

Mr. Bryant moved to accept Map Amendment as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mrs. Daugherty - Yes
Mr. Bryant – Yes

6. Reports

A. Administration

Mr. Tiffany discussed salt usage and how we have reduced it this year. The Roads and Services Department is pleased with the beet juice. We are using it and it does work. He noted that we have sold roughly 200 tons of salt, which is a good thing for us.

B. Fiscal Office

Mr. Hodson was absent.

C. Fire

The report prepared by the Fire Department will be appended to the permanent record. Chief Pavlak said Firefighter Kirnec and his wife had a baby with some medical concerns. It seems like things are going to be okay, we congratulate them on their first birth and pray for them. The Board expressed their condolences to the family of the firefighter in Huber Heights that lost his life in an accident at home. Chief Pavlak noted that there was a news program about one of residents calling 911 on a cellphone. We need to get our residents aware of the need to say that they are calling from Sugarcreek Township when they do call. Chief Pavlak noted that he would like to talk about staffing at the next meeting as he has two fulltime vacancies. He would also like to talk about the medic.

D. Police

The report prepared by the Police Department will be appended to the permanent record. Mr. Bryant noted that he had a friend victimized by a heroin addict. We need to realize it is in our community and it is a horrendous addiction that makes good people do bad things. Chief Brown explained what the Guide Program is doing to help, including the Project Cure that brings recovering addicts in to speak to our kids.

E. Roads and Services

The report for Roads and Services will be appended to the permanent record. Mr. Tiffany noted that we are good with our salt supply and our supply of beet juice, which can be stored for use next year. Mr. Bryant asked about the county's plowing of his road; he asked if we have heard if they are cutting back. Mr. Tiffany noted that it seems as though a lot of communities are waiting until the end of a snow event to go out and plow if we are only going to get three inches.

F. The report prepared by Cara Tilford, Director of Planning and Zoning, will be appended to the permanent record. Mrs. Tilford noted that the Zoning Commission did pass a motion to forward the Floodplain Overlay to the Trustees for initiation. She noted that Mr. Schieman would like to present the Floodplain Overlay to the Trustees at an upcoming Work Session.

G. Information Technology

The report prepared by Mr. Zappanti, Director of Information Technology, will be appended to the permanent record.

H. Trustees

The Trustees had nothing to add.

7. Public Comments – Agenda Items

None.

8. **Old Business**

Microwave Link – Mr. Zappanti said this is moving forward. Assuming okay weather, they should be doing this the last week of February for the remote site and the first week of March for the other work.

9. **New Business**

Consent Agenda Items

A. Approval of Minutes

B. Payment of Bills

C. Declaration of Excess Road Department Property

Resolution #2015.02.17.01

IN RE: Declaration of Excess Road Department Property

WHEREAS, the Sugarcreek Township Road Department has identified equipment which is no longer needed for operations, and;

WHEREAS, Anthony Lamb, Service Supervisor, is requesting the attached list of items be declared as excess property and sold “as is”; and,

WHEREAS, the items listed have an individual value of \$2,000 or less,

NOW THEREFORE BE IT RESOLVED, this Sugarcreek Township Board of Trustees hereby declares said property to be excess and authorizes the Township Administrator to immediately dispose of and/or place said property on GovDeals.com and sold “as is”.

D. Declaration of Excess Police Department Property

Resolution #2015.02.17.02

IN RE: Declaration of Excess Police Department Property

WHEREAS, the Sugarcreek Township Police Department has identified equipment which is no longer needed for operations, and;

WHEREAS, Police Chief Michael Brown is requesting the attached list of items be declared as excess property and sold “as is”; and,

WHEREAS, the items listed have an individual value of \$2,500 or more,

NOW THEREFORE BE IT RESOLVED, this Sugarcreek Township Board of Trustees hereby declares said property to be excess and authorizes the Township Administrator to immediately dispose of and/or place said property on GovDeals.com and sold “as is”.

Mrs. Daugherty moved to approve the minutes and payment of bills and to accept the Consent Agenda Items as presented. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mrs. Daugherty - Yes
Mr. Bryant - Yes

10. Trustee/Staff Discussion

Mr. Bryant noted the need for a short Executive Session.

11. Public Comments

Barbara Burson stated that she thinks the Lion's Club Pancake Breakfast might be on the same day as the Greene County Parks Pancake Breakfast at the Middle School.

12. Executive Session

Mrs. Daugherty made a motion to go into Executive Session to discuss litigation. Mr. Bryant seconded. Roll was called with the vote being as follows:

Mrs. Daugherty - Yes
Mr. Bryant - Yes

13. Adjourn

The meeting adjourned at 9:13 pm.

Theodore L. Hodson, Fiscal Officer