

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session on September 21, 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, Mike Pittman and Scott Bryant being present. In addition to Mr. Tiffany, Township Administrator, others, who signed in, were Donna Hellman, Denise Moore, Shiela Titer, Carolyn Destefani, James Jones, Greg Sandefur, Shanna Staten, Jim Martin, Leroy Kressin, Marvin Moeller and Bob Getty.
3. All rose and recited the Pledge of Allegiance to the Flag.
4. **Public Hearing **Continuance**** - Miller Valentine is requesting a preliminary development plan approval under Article 5 of the Zoning Resolution for approval of the preliminary plan for Waterford at Sugarcreek, a multi-family development.

Mr. Tiffany suggested we allow Miller Valentine to start off with their presentation of changes from the previous meeting. Mrs. Daugherty agreed.

Mr. Dave Liette, Miller Valentine, introduced the other representatives for Miller Valentine. He said we did hear you at the last meeting and have worked on the changes that you wanted. He said our focus tonight will be on the changes made regarding distance from the development across the creek, erosion control, storm water control and 'Big House' design. Mr. Paul Metzger said we have moved the buildings nearest the flood plain back an additional twelve feet. He put a slide on the screen showing the buildings in relation to the Little Sugarcreek. The flood plain set back of forty feet is now fifty two and the set back of one hundred forty five feet is now one hundred fifty seven feet.

Mr. Shawn Goodwin presented slides showing the soil and sedimentation plan. He said the erosion and sedimentation control plan during construction will consist of four sedimentation basins, silt fencing and temporary diversion swales. Mr. Bryant asked if they would point out the basins on the previous slide depicting the buildings. Mr. Metzger said, after construction, the sedimentation basins will turn into storm water basins. He said basins one, two and three will drain into the small east west creek. He said basin number four will drain into the Little Sugarcreek. Mr. Metzger said the erosion control and sedimentation plan will be controlled by the EPA and Greene County Soil and Erosion.

Mr. Todd Foley, Todd Design, discussed the storm water system in relation to landscaping. He said the system will be conducive to new trees, particularly oaks and other native deciduous tree. Mr. Pittman said it's nice to see some native trees.

Mr. Paul Metzger addressed the 'Big House' garage and entrance door issue. He had drawings showing the buildings from all four sides showing garage and entrance doors. He said all garages had an entrance directly into an apartment. He said not all exterior entrance doors

were to apartments. Mr. Metzger said some of these doors were to utility and mechanical rooms to service the building. Mr. Bryant asked if people would be living above and below in the units. Mr. Metzger said they would. Mr. Metzger said there will be thirty-three (33) three bedroom apartments, which is only nine percent. He said forty percent will be one bedroom and the remaining, two bedroom. He said on average we have only 0.25 student per unit which is less than single family residents.

Mrs. Daugherty asked about the traffic study. Mr. Metzger said it has been done and we are in favor of thirty five (35) miles per hour. Mr. Bryant asked if the roads will remain private so you do the maintenance. Mr. Metzger said they will be private and built to township specifications.

Public Hearing Opened –

Mrs. Daugherty said she wished to open the public hearing again so those not present at the last meeting could have an opportunity to speak.

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

Mr. Pittman – Yes
Mr. Bryant - Yes
Mrs. Daugherty - Yes

Those wishing to speak in favor –

Mr. James Jones said he moved to Sugarcreek Township in 1964. He said he has since moved away and is back again. Mr. Jones said the Township and Bellbrook area is a great place to live. He said there is a wonderful spirit in the people here. Mr. Jones said he thought the project will be a good addition and thanked the Board for encouraging Miller Valentine to build an even better development. Mr. Pittman thanked Mr. Jones for his comments.

Mr. Jim Martin said he bought land in Sugarcreek in 1946. He said he has only considered selling part of his land once because of taxes. He said Miller Valentine has a good reputation and they do what they say. He said if your zoning is too restrictive, you will lose your land.

Those wishing to speak against -

Mr. Greg Sandefur, 431 Sugarcreek Dr., said he lives on lot twenty which backs up to the woods across the creek from the proposed development. He said the tree line is thin in his area and wanted to know if the trees will remain on the other side of the creek. He said he would rather look at tree than apartments. Mr. Metzger said we want to leave as much there as possible. All that we can commit to at this time is that we will preserve all that is possible.

Neutral Parties wishing to speak - None

Public Hearing is closed-

Mrs. Daugherty moved to close the Public Hearing. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant - Yes

Mrs. Daugherty - Yes

Deliberation and Discussion -

Mrs. Daugherty said she appreciated Miller Valentine looking at this and coming back. She said she thinks they have come back with a better plan.

Mr. Pittman said he thinks the drainage issue has been clarified and he is satisfied with their response.

Mr. Bryant said last time they couldn't answer some of the questions regarding the Little Sugarcreek. He also said the pictures showing garages and entrances were helpful. He voted 'no' last time because he didn't understand some of the things which were explained tonight. He said he appreciates their effort on the creek.

Resolution #2015.09.21.03

IN RE: Approval of the Preliminary Development Plan for parcels L32000100020000700 and L32000100020006500, 24.525 Acres Located at 4700 and 4704 Feedwire Road

WHEREAS, Miller Valentine has submitted an application for the approval of the Preliminary Development Plan for Waterford at Sugarcreek, a multi-family development. The subject property contains 24.525 total acres, identified as parcels L32000100020000700 and L32000100020006500, located at 4700 and 4704 Feedwire Road; 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 June 9, 2015, deliberated on the application, and has recommended approval of the Preliminary Development Plan for Waterford at Sugarcreek, a multi-family development, 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. Final design shall be subject to approval of the City of Bellbrook Water Department.
4. The development shall comply with the recommendations of the Soil and Water Conservation District.
5. Final design shall be subject to approval of Sugarcreek Township Fire Department.
6. The use of vinyl and/or aluminum siding shall be prohibited.
7. The percentages of stone and/or brick may vary throughout the site depending upon the exposure of the elevation to the public, but will average 30% +/- across the community's combined elevation area. Elevations will be presented and reviewed during the Final Development Plan stage.
8. Any changes to the plan recommended by the GCEO as a result of the Traffic Impact Study shall be reflected on the Final Development Plan submitted for approval. The developer shall be responsible for necessary road improvements including, but not

limited to, improvements deemed necessary to Feedwire Road to accommodate the proposed development.

9. Details on the proposed internal pedestrian network shall be reflected on the Final Development Plan submitted for approval.
10. The developer shall remove the existing 6' path located along Feedwire Road in Sugar Ridge, Phase 1 and replace it with a 10' wide asphalt path adjacent to the right-of-way terminating at the eastern property line and where topography becomes severe adjacent to the Little Sugar Creek (this path will mirror the path shown on the submitted preliminary plan). The path shall be constructed to township specifications.
11. The developer shall provide right-of-way to the township to allow for the construction of a 10' bridge crossing adjacent to Feedwire Road to connect to the two path sections. Details will be finalized with legal counsel.
12. The developer shall provide easements to the township covering all constructed 10' path to allow for public access, use and maintenance (including the Sugar Ridge, Phase 1 relocated path). Details will be finalized with legal counsel.
13. Only fixtures certified by the International Dark Sky Association as dark sky friendly shall be utilized for lighting proposed within the development. Fixture details shall be included with the submission of the photometric plan at the time the Final Development Plan is submitted for approval.

WHEREAS, the Sugarcreek Township Board of Trustees held a Public Hearing on September 8, 2015 and September 21, 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 Waterford at Sugarcreek Development 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. Final design shall be subject to approval of the City of Bellbrook Water Department.
4. The development shall comply with the recommendations of the Soil and Water Conservation District.
5. Final design shall be subject to approval of Sugarcreek Township Fire Department.
6. The use of vinyl and/or aluminum siding shall be prohibited.
7. The percentages of stone and/or brick may vary throughout the site depending upon the exposure of the elevation to the public, but will average 30% +/- across the community's combined elevation area. Elevations will be presented and reviewed during the Final Development Plan stage.
8. Any changes to the plan recommended by the GCEO as a result of the Traffic Impact Study shall be reflected on the Final Development Plan submitted for approval. The developer shall be responsible for necessary road improvements as determined by the Greene County Engineer including, but not limited to, improvements deemed necessary to Feedwire Road to accommodate the proposed development.
9. Details on the proposed internal pedestrian network shall be reflected on the Final Development Plan submitted for approval.

10. The developer shall remove the existing 6' path located along Feedwire Road in Sugar Ridge, Phase 1 and replace it with a 10' wide asphalt path (either adjacent to the right-of-way or in place of the current 6' wide path terminating at the eastern property line and where topography becomes severe adjacent to the Little Sugar Creek). The path shall be constructed to township specifications.
11. The developer shall provide right-of-way to the township to allow for the construction of a 10' bridge crossing adjacent to Feedwire Road to connect to the two path sections. Details will be finalized with legal counsel.
12. The developer shall provide easements to the township covering all constructed 10' path to allow for public access, use and maintenance (including the Sugar Ridge, Phase 1 path). Details will be finalized with legal counsel.
13. Only fixtures certified by the International Dark Sky Association as dark sky friendly shall be utilized for lighting proposed within the development. Fixture details shall be included with the submission of the photometric plan at the time the Final Development Plan is submitted for approval.

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

Mr. Pittman – Yes
Mr. Bryant – Yes
Mrs. Daugherty - Yes

5. **Community Activities**

Cara said 'Dunkin Donuts' will have their grand opening on October 1st at 10:00 am.

6. **Reports**

A. Administration

Mr. Tiffany's report will be appended to the permanent record. Mr. Tiffany said Kroger's has started construction on their gas pumps. He said they have given the Township the retention pond and Gary Branstetter is working with the Ohio Department of Natural Resources to redesign the pond and make it a nice amenity. He said the Kroger project has been funded and will be a seven million dollar project.

B. Fiscal Office

Mr. Hodson said the Audit has not been officially completed yet. Mr. Tiffany said we had an excellent audit. Mrs. Daugherty thanked Mr. Hodson for the financial information he has provided the Board regarding the Centerville negotiations.

C. Fire

The report prepared by the Fire Department will be appended to the permanent record. Assistant Chief Zimmerman said there will be a Soccer Tournament at Sackett-Wright this weekend.

D. Police

The report prepared by the Police Department will be appended to the permanent record. Chief Brown said this Saturday will be the prescription drug drop off at the Public Safety Building. Mr. Bryant asked if it was on the website. Chief Brown said it was.

E. Roads and Services

The report for Roads and Services will be appended to the permanent record. Mr. Tiffany said we are getting salt this week. He also said we need to replace our oldest truck but can discuss it later.

F. Zoning

The report prepared by Cara Tilford, Director of Planning and Zoning, will be appended to the permanent record. Cara said she had nothing else to add.

G. Information Technology

Mr. Zappanti, Director of Information Technology, said due to the mail server problems he had no report this week. Mr. Bryant asked what the problem was. Chris said the drive just gave out but we are back up now.

H. Trustees

Mr. Pittman said he attended the G.C.T.A. meeting last week. He said the County Commissioners talked about the Xenia Airport and future plans. He said it was very informative. Mr. Pittman said the East of Eden Block Party is October 10th.

Cara said Bellbrook will have Beggar's Night on the 31st. The Board decided to do the same for the Township.

Mr. Bryant said he went to Colorado last week. Mr. Martin said 'you didn't go out to get 'pot' did you?' Mr. Bryant said it was prevalent out there and related a story of a personal observation. Mr. Martin said the upcoming issue is not good for Ohio because it will provide a monopoly to a select few.

Mrs. Daugherty said she also attended the G.C.T.A. and found the information about the airport very interesting. She said she will be a judge at the Halloween in the Park event on October 17th.

7. **Public Comments – Agenda Items**

None.

8. **Old Business**

Schedule meeting with the City of Bellbrook

9. **New Business**

Consent Agenda Items

A. Approval of Minutes

B. Payment of Bills

C. Authorizing the Roads and Services Department to Hire Temporary Part-time Employees

Resolution #2015.09.21.01

WHEREAS, the need exists to establish and maintain a viable work force within the Sugarcreek Township Roads and Services Department; and,

WHEREAS, the Board of Sugarcreek Township Trustees has authorized the hiring of temporary part-time employees to assist with department functions such as mowing, assist with road work, the removal of snow through the fall and winter seasons and other projects as needed; and,

WHEREAS, Barry P. Tiffany, Township Administrator, recommends the Roads and Services Department be authorized to hire nine (9) temporary part-time employees for a period of Two Hundred Ten (210) days at the hourly rate of \$11.25, payable on a bi-weekly basis; and,

WHEREAS, adequate funds are available in the 2015 Roads and Services Department budget for these positions; and,

NOW THEREFORE, BE IT RESOLVED, that this Board of Sugarcreek Township Trustees does hereby authorize the Roads and Services Department to hire temporary part-time employees according to the guidelines mentioned above.

D. Amendment to the Resolution No. 2015.06.01.07 Notice of Resignation and Intention to Retire Fire Chief Randall J. Pavlak

Resolution #2015.09.21.02

WHEREAS, on June 1, 2015, the Board of Trustees officially accepted the resignation/intent to retire from Randall J. Pavlak from the Sugarcreek Township Fire Department effective March 1, 2016; and,

WHEREAS, Mr. Pavlak recently met with the Ohio Police and Fire Pension Fund to determine his official retirement date; and,

WHEREAS, pursuant to Resolution No. 2015.06.01.07, Mr. Pavlak submitted correspondence to the Administration Office indicating his official last day of work/retirement date would be February 19, 2016.

NOW THEREFORE, BE IT RESOLVED, this Board of Township Trustees amends Resolution No. 2015.06.01.07 to reflect the official last day of work/retirement date of Randall J. Pavlak as being February 19, 2016.

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

Mr. Pittman – Yes
Mr. Bryant – Yes
Mrs. Daugherty - Yes

Discussion Agenda Items

Mr. Pittman said Chief Pavlak put in a lot of good years for the Township. He said he wished him the best in his future endeavors. Mr. Bryant said he agrees. Mrs. Daugherty said he has done a lot for the Township and the Community.

10. Public Comments

Donna Hellman said she was both surprised and disappointed at the decision of the previous Miller Valentine Public Hearing. She said Mr. Schieman would like to have been present to explain their understanding. She said we would like to have more exchange of information with the Board. She said if we go back and forth with questions we may flush things out earlier. Mr. Bryant said he did not know how he was going to vote until he voted. He said it had a good stamp of approval but doesn't think we are a rubber stamp for the BZC, He said he thinks we asked some simple questions that weren't answered. He said we are going to listen but they need to come in prepared. Mrs. Daugherty said she always reads Cara's staff report and minutes to prepare. She said she agrees with Mr. Bryant. She said she came in with an open mind. Mrs. Daugherty did agree that we need all the teamwork we can get. Mrs. Hellman said after tonight's presentation she can see how things could have happened. Mr. Bryant said we have a different set of people here tonight. Mr. Pittman told Mrs. Hellman that you guys always do a great job. He said what came up was a couple of things that had not been addressed.

Mr. Jim Martin said he served on the BZC for fifteen years. He said you do not want the Board working more with the BZC. He said the BZC works through Cara. Mr. Martin said if the Board worked directly with the BZC, collusion would be suspected.

11. Trustee/Staff Discussion

Mr. Tiffany said we have a truck with a bed rusted out. He said the bed replacement would be thirteen (\$13,000) thousand dollars and if other needed repairs were fixed it would run fifteen to twenty (\$15,000-\$20,000) thousand total. He said we are also looking to replace

our 1987 International this year. He said we have three other large trucks but need a smaller truck for cul-de-sacs. He said Tony has found 2 new 2013 F-750s, which sell for about seventy (\$70,000) thousand, listed for forty-nine (\$49,000) thousand. We would need to have beds put on and Tony is currently getting costs together. Mr. Tiffany said he would get back with them when he has more information.

12. Executive Session

None.

13. Adjourn

Mrs. Daugherty moved to adjourn at 8:32 pm. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman – Yes
Mr. Bryant – Yes
Mrs. Daugherty - Yes

Theodore L. Hodson, Fiscal Officer