



# Delaware County Regional Planning Commission

109 North Sandusky Street Delaware, Ohio 43015  
740-833-2260 fax 740-833-2259  
www.dcrpc.org

Scott B. Sanders, AICP  
Executive Director

## *\*MINUTES\**

Thursday, February 26, 2009 at 7:00 PM  
Delaware Hayes Services Building,  
140 N. Sandusky Street, Room G 35, Delaware, Ohio 43015

### I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of January 29, 2009 RPC Minutes
- Executive Committee Minutes of February 18, 2009
- Statement of Policy

### II. VARIANCES *(none)*

### III. ZONING MAP/TEXT AMENDMENTS

04-09 ZON Berlin Township Zoning Commission – text amendments

### IV. SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary *(none)*

Preliminary/Final *(none)*

Final *(none)*

T=TABLED, W=WITHDRAWN

### V. EXTENSIONS *(none)*

### VI. OTHER BUSINESS

- Consideration for Approval: Contract for Kingston Township Zoning Resolution update
- Consideration for Approval: Contract for Orange Township Comprehensive Plan update
- Consideration for Approval: Contract for Berlin Township Comprehensive Plan update
- Consideration for Approval: Liability Insurance, \$7,984.00
- Appoint Nominating Committee for Executive Committee members

### VII. POLICY / EDUCATION DISCUSSION *(none)*

### VIII. RPC STAFF AND MEMBER NEWS

- Gary Spanner, Concord Twp. Representative – last meeting

**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

Chairwoman Foust called the meeting to order at 7:00 p.m.

▪ **Roll Call**

*Representatives:* Jeff George, Rick Sedlacek, Dale Johnson, Gary Spanner, Fred Fowler, Tommy Thompson, Ken O'Brien, Steve Burke, Sharon Hough, Joe Clase, Dave Stites, Holly Foust, Dick Gladman, Bill Thurston, Marvin Miller, Lloyd Shoaf, Tom Brown, Tom Zalewski, Mike Datillo and Doug Price. *Alternates:* Tiffany Jenkins, Pat Blayney, Dave Jackson, Larry Crile, and Charlie Callender. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the January 29, 2009 RPC Minutes**

***Mr. Miller made a motion to approve the minutes from the January 29<sup>th</sup> RPC meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

▪ **February 18, 2009 Executive Committee Minutes**

1. **Call to order**

Chairwoman Foust called the meeting to order at 8:30 a.m. Present: Holly Foust, Dick Gladman, Steve Burke, and Lloyd Shoaf. Mr. O'Brien was absent. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes**

***Mr. Shoaf made a motion to approve the minutes from January 21, 2009. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

3. **Old Business** (*none*)

4. **New Business**

a. Financial / Activity Reports for January 2009

REGIONAL PLANNING RECEIPTS		JANUARY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$205.00
Fees A (Site Review)	(4202)		
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$100.00
Membership Fees	(4204)	\$149,431.00	\$149,431.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$2,117.94	\$2,117.94
Assoc. Membership	(4206)		
General Sales	(4220)	\$208.00	\$208.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$5,710.80	\$5,710.80
Charges for Serv. B (Final. Appl.)	(4231)	\$2,978.30	\$2,978.30
Charges for Serv. C (Ext. Fee)	(4232)		
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)	\$125.00	\$125.00

MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)	\$2,106.00	\$2,106.00
Other Misc. Revenue (GIS maps)	(4730)	\$215.40	\$215.40
Misc. Non Revenue Receipts	(4733)		
<b>TOTAL RECEIPTS</b>		\$163,797.44	\$163,797.44

<b>Balance after receipts</b>	<b>\$205,706.71</b>
<b>Expenditures</b>	<b>- \$ 35,122.18</b>
<b>End of January balance</b>	<b>\$170,584.53</b>

*Mr. Gladman made a motion to approve the financial reports as presented. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- b. February RPC Preliminary Agenda – includes 1 text amendment, along with several other business items.
- c. Contract and Project updates
  - 1) Genoa Township Zoning Code – Completed formatting/reorganization and forwarded to Township (Phase 1 complete, more to come)
  - 2) Orange Township Comprehensive Plan – Contract finalized, on this month’s agenda, first meeting March 5.
  - 3) Berlin Township Comprehensive Plan – Contract finalized, on this month’s agenda, first meeting March 10.
  - 4) Kingston Township Zoning Code – Contract finalized, on this month’s agenda, general intro meeting Feb. 18.
  - 5) Safe Routes to School (Olentangy received grant) – attending first informational meeting February 19

To date, contract or contract-related hours worked in 2009 – approx. 62.25, not counting prep work on Orange GIS data.

**5. Other Business**

- a. Consideration for recommendation of approval: Contract for Kingston Township Zoning Resolution update (up to \$8,000.00)

*Mr. Gladman made a motion to recommend Approval of the contract for Kingston Township Zoning Resolution update. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- b. Consideration for recommendation of approval: Contract for Orange Township Comprehensive Plan update (up to \$15,000.00)

*Mr. Gladman made a motion to recommend Approval of the contract for Orange Township Comprehensive Plan update. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- c. Consideration for recommendation of approval: Contract for Berlin Township Comprehensive Plan update (up to \$10,000.00)

*Mr. Gladman made a motion to recommend Approval of the contract for Berlin Township Comprehensive Plan update. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- d. Consideration for recommendation of approval: Liability Insurance, \$7,984.00

Chairwoman Foust questioned the increase for insurance premium from the rate quoted during the budget

process. Mrs. Matlack explained that the quote did not include the RPC vehicle. The vehicle is at the service center and is being prepared to be placed on the County's auction site this week. After the vehicle is sold, the insurance carrier will be contacted and an adjustment will be made at that time.

**Mr. Gladman made a motion to recommend Approval for the liability insurance for 2009 for \$7,984.00. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**6. Personnel** (none)

**7. Adjourn – Mr. Shoaf made a motion to adjourn the meeting at 9:40 a.m. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

*The next regular Executive Committee meeting will be Wednesday, March 18, 2009 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.*

• **Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted an opportunity to make their formal presentation. The audience will then be granted an opportunity to speak, at which time the chair will allow questions from the members of the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration. The Chairperson may limit repetitive debate.

**II. VARIANCES** (none)

**III. ZONING MAP/TEXT AMENDMENTS**

**04-09 ZON Berlin Township Zoning Commission – text amendments**

**I. Introduction**

Recent changes to the Ohio Revised Code have changed the number of Township Trustees needed to deny or amend a recommendation by the Zoning Commission. Specifically, decisions made by the Zoning Commission previously required a unanimous vote of the Township Trustees to overturn a decision. It now takes a majority of the Trustees to deny or modify.

The Berlin Township Zoning Commission has initiated an amendment in its code, **Section 27.01 – Amendments**, to comply with this change. Rather than specifically make the change from “unanimous” to “majority”, the Commission has chosen to keep the language non-specific with the following:

“Within twenty (20) days after such public hearing the Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof, pursuant to Section 519.12 of the Ohio Revised Code.”

**Staff recommends that all townships review their code and make a similar change as soon as possible.** Failure to update a township code does not affect the fact that the ORC has changed the process, although conflicting regulations could generate a problem for townships.

**II. Staff Recommendation**

Staff recommends **Approval** for the proposed text changes in the township's zoning code to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Trustees.

***Commission / Public Comments***

***Mr. Miller made a motion to recommend Approval of the text amendments to Berlin Township Zoning Resolution. Mr. Blayney seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**IV. SUBDIVISION PROJECTS**

**Preliminary** (none)

**Preliminary/Final** (none)

**CONSENT AGENDA**

**Final** (none)

**V. EXTENSIONS** (none)

**VI. OTHER BUSINESS**

- Consideration for Approval: Contract for Kingston Township Zoning Resolution update

***Mr. Sedlacek made a motion to Approve the contract for the Kingston Township Zoning Resolution update. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Stites). Motion carried.***

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- Consideration for Approval: Contract for Orange Township Comprehensive Plan update

***Mr. Blayney made a motion to Approve the contract for the Orange Township Comprehensive Plan update. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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- Consideration for Approval: Contract for Berlin Township Comprehensive Plan update

***Mr. Gladman made a motion to Approve the contract for the Berlin Township Comprehensive Plan update. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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- **Consideration for Approval: Liability Insurance, \$7,984.00**

*Mr. Blayney made a motion to Approve the payment of \$7,984.00 for liability insurance for 2009. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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- **Appoint Nominating Committee for Executive Committee members**

Chairwoman Foust asked for volunteers for the Nominating Committee for Executive Committee members. She explained that the Committee would present names of those interested in serving on the Executive Committee at the next RPC meeting on March 26, 2009. Additional names may also be presented at that meeting.

Mr. Pat Blayney, Mr. Joe Clase and Mr. Dave Jackson volunteered to be on the Nominating Committee.

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- **Genoa Township letter requesting PRD fees be reimbursed**

Chairwoman Foust read a letter from Joe Clase, Genoa Township Assistant Administrator / Development & Zoning Director regarding a PRD zoning application submitted by Mathew Drayer. Mr. Drayer submitted a PRD rezoning application to Genoa Township which was then forward to the RPC office January 16, 2009 along with a \$300 check written to the DCRPC. After review from RPC staff member Paul Deel, it was determined that the Township needed to determine if the application were a major or a minor amendment. If it were a minor amendment, then the RPC review would not be required. Mr. Drayer contacted the RPC office to request the refund but was told of the “no refund” policy. Mr. Clase stated that Genoa Township has already refunded their fee to Mr. Drayer.

Mr. Stites asked if the fee is for a review and a review was conducted then he does not see how a refund could be issued. Chairwoman Foust agreed that enough of a review had been completed to know that the application should be handled differently.

Mr. Miller stated that he doesn’t see how a refund could be provided since the subdivision regulations state that there are no refunds issued.

*Mr. Sedlacek made a motion to deny the request to refund Mr. Drayer \$300 for a PRD rezoning review. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**VII. POLICY / EDUCATION DISCUSSION** *(none)*

## VIII. RPC STAFF AND MEMBER NEWS

- Gary Spanner read from an email he received regarding possible reallocation from the Road and Bridge Fund and also funding for the Sawmill Parkway. The Commission generally discussed the issue. Chairwoman Foust explained that any further questions or concerns should be directed to the County Commissioners or the County Engineer.

Mr. Spanner also informed the Commission that after over 21 years on the Commission he would be stepping down as Representative as he would be spending more of his time in Florida. He thanked the RPC members for their service to the County by attending the meetings and work Planning does for the County. The Commission thanked Mr. Spanner for his years of service to the Commission and wished him well.

***Having no further business, Mr. Miller made a motion to adjourn the meeting at 7:45 p.m. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

***The next meeting of the Delaware County Regional Planning Commission will be Thursday, March 26, 2009, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.***

*Stephanie Matlack*

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Holly Foust, Chairperson

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Stephanie Matlack, Executive Administrative Assistant