



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, August 27, 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 July 30, 2009 RPC Minutes
- Executive Committee Minutes of August 19, 2009
- Statement of Policy

II. VARIANCES

05-05.V The Estates at Sherman Lakes – Berlin Twp. – requesting additional extension variance

III. ZONING MAP/TEXT AMENDMENTS

IV. SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary (none)

Preliminary/Final (none)

Final (none)

T=TABLED, W=WITHDRAWN

V. EXTENSIONS

05-05 The Estates at Sherman Lakes – Berlin Twp. – 39 lots / 40.709 acres

VI. OTHER BUSINESS (none)

VII. POLICY / EDUCATION DISCUSSION

- Consideration for Approval: DCRPC Personnel Handbook amendments

VIII. RPC STAFF AND MEMBER NEWS (none)

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff Gorge, Rick Sedlacek, Fred Fowler, Tommy Thompson, Ken O'Brien, Steve Burke, Chad Antle, David Andrian, Dave Stites, Holly Foust, Hal Clase, Dick Gladman, Bill Thurston, Marvin Miller, Eric Fischer, Yvonne Clippinger, Tom Zalewski, Bonnie Newland, Mike Dattilo and Doug Price. *Alternates:* Doug Riedle. *Arrived after roll call:* Carolyn Van Brimmer. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the July 30, 2009 RPC Minutes**

Mr. Miller made a motion to approve the minutes from the July 30th RPC meeting. Me. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **August 19, 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, Ken O'Brien and Lloyd Shoaf. Staff present: Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes from July 22, 2009

Mr. Gladman made a motion to approve the minutes from the July 22, 2009 Executive Committee meeting. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. New Business

a. Financial / Activity Reports for July 2009

REGIONAL PLANNING RECEIPTS		JULY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$820.00	\$2,460.00
Fees A (Site Review)	(4202)		\$400.00
Insp. Fees (Lot Line Transfer)	(4203)		\$900.00
Membership Fees	(4204)		\$231,851.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$2,537.55	\$11,696.59
Assoc. Membership	(4206)		\$0.00
General Sales	(4220)		\$621.05
Charges for Serv. A (Prel. Appl.)	(4230)	\$2,300.00	\$13,641.80
Charges for Serv. B (Final. Appl.)	(4231)	\$3,500.00	\$13,780.30
Charges for Serv. C (Ext. Fee)	(4232)		\$450.00
Charges for Serv. D (Table Fee)	(4233)		\$800.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$600.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$300.00	\$900.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$960.00
Soil & Water Fees	(4243)	\$200.00	\$950.00

MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$2,404.00
Other Reimbursements A			\$0.00
Other Misc. Revenue (GIS maps)	(4730)	\$20.00	\$342.40
Misc. Non Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		\$1,421.00
TOTAL RECEIPTS		\$9,677.55	\$284,178.14

Balance after receipts **\$148,803.64**
Expenditures **- \$ 44,557.51**
End of July balance **\$104,246.13**

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

- b. August RPC Preliminary Agenda – includes 1 variance and 1 extension.
- c. Director's Report
 - 1.) Contract billing to date:

Twp.	Contract amount	Free hours remaining	Billed to date	Remaining on contract
Berlin	\$10,000.00	0	\$4,588.85	\$5,411.15
Genoa	\$10,000.00	55	\$1454.55	\$8,545.45
Kingston	\$8,000.00	0	\$1,992.40	\$6,007.60
Orange	\$18,000.00	34.32	\$3,615.43	\$14,384.57

Berlin (CP) – continuing to work on background chapters

Orange (CP) – presenting a new draft of all work done to date at the next meeting, will begin the recommendations chapter soon.

Genoa (ZC) – meeting with Joe Clase Friday on next areas to work on

Kingston (ZC) – continue work, meeting tonight

- d. Proposed Amendments to the Employee Handbook –
 - 1.) Bonus Policy – this policy was previously adopted by the Commission but not added to the handbook. It will be added as Appendix A.
 - 2.) Holidays – Washington Lincoln was changed to President's Day, Columbus Day was removed since the Day after Thanksgiving was added as a paid holiday, Christmas Eve and New Year's Eve were added in the text of the days that are 4 hour holidays (these days are not new but just added to the text).
 - 3.) Tuition Assistance – this policy was previously adopted by the Commission but not added to the handbook. It will be added as Appendix B.
 - 4.) Sick Leave Donation - this policy was previously adopted by the Commission but not added to the handbook. It will be added as Appendix C.
 - 5.) Travel – the section regarding dollar amounts and approval requirements was deleted since that information is included in the Seminar Reimbursement policy, which was previously adopted. It has been added as Appendix D.
 - 6.) Mileage reimbursement rate – added “as defined by the IRS standard mileage rate”.

- 7.) Driving County Vehicles on DCRPC Business – this section was added at the request of the State Auditor.
- 8.) Credit Card Policy – this section was added at the request of the State Auditor.
- 9.) Bonus Policy – added the following sentence, “In the event a year-end bonus is not awarded, all comp time for the year in which time was accrued must be taken within the first three months of the following year in which the bonus would have been paid.”

Mr. O’Brien questioned the penalty of a one-time bonus with regards to PERS. Mrs. Matlack will ask the Auditors Fiscal office for information.

Mr. Gladman made a motion to recommend approval of the amendments to the DCRPC Employee Handbook. Mr. O’Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

4. **Old Business** (none)
5. **Other Business** (none)
6. **Personnel** (none)
7. **Adjourn** – At 9:30 a.m. Mr. Gladman made a motion to adjourn the meeting. Mr. Shoaf seconded the motion. *VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, September 9, 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

05-05.V The Estates at Sherman Lakes – Berlin Twp. – requesting additional extension variance

I. Request

The Estates at Sherman Lakes is a proposed 39-lot single-family residential subdivision on 40.71 acres in Berlin Township. The applicant originally proposed 34 lots with a boat storage area and received Preliminary Approval in January 2005. The revision removed the boat storage and in its place added five single-family lots. This change is in accordance with an approved Development Plan from Township zoning.

There are two passive open space reserve areas totaling 16.285 acres, or 40% of the site. The surrounding single-family subdivisions include Sherman Lakes, Section 1, to the south and Sherman Lakes, Section 2, to the west. Estates at Sherman Lakes access will align with Sherman Lakes, Section 2, across Africa Road to reduce staggered intersections. Other surrounding uses include large-lot single-family residential and agriculture.

II. Facts

1. The Subdivision Regulations allows an approved Preliminary Plan to expire if a plat of at least one Section is not submitted within two years.
2. An approved Preliminary Plan may be extended up to a total of one additional year;
3. Estates at Sherman Lakes (revised) received a Preliminary approval on August 31, 2006, which was valid until August of 2008. The proposal received a 12-month extension on August 28, 2008 to expire August 27, 2009;
4. The applicant seeks a variance for a one-year extension, based on market conditions.

III. Criteria For a Variance

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.
 - **The request would not be detrimental to the public health, safety and welfare, and not injurious to other surrounding property.**
- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.
 - **The request is based on an economic recession that has slowed new housing starts in Delaware County. While this is not unique to the property, it has essentially halted projects that were in the development process.**
- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.

- **Not applicable.**

4.) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

- **The zoning development plan is valid through November 7, 2009.**

IV. Staff recommendation:

DCRPC staff recommends that based on market conditions, the variance request to extend the Preliminary Plan approval until August 2010 for **The Estates at Sherman Lakes** be Approved.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Miller made a motion to Approve the variance request for The Estates at Sherman Lakes. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

III. ZONING MAP/TEXT AMENDMENTS (none)

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final (none)

CONSENT AGENDA

Final (none)

V. EXTENSIONS

05-05 The Estates at Sherman Lakes – Berlin Twp. – 39 lots / 40.709 acres

Applicant: T & R Properties

Engineer: Floyd Browne Group, Robert Priestas

Preliminary approval: 08-31-06

I. Staff Comments

The applicant has requested a 1-year extension in order to obtain final construction approval, based on the variance considered earlier on this agenda.

The original subdivision received approval on January 27, 2005. The Preliminary Plan was later amended and the revised plan received Preliminary approval on August 31, 2006. A one-year extension was granted on August 28, 2008.

II. Staff Recommendation

Should the variance be approved previously in the agenda, staff recommends *Approval* of the 1-year extension for Estates at Sherman Lakes to the RPC and further recommends that this be the last such extension for this project.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Miller made a motion for Conditional Approval of the 1-year extension for The Estates at Sherman Lakes, subject to staff recommendation. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. OTHER BUSINESS (none)

VII. POLICY / EDUCATION DISCUSSION

• Consideration for Approval: DCRPC Personnel Handbook amendments

Mr. Sanders presented the Commission with the proposed amendments to the DCRPC Personnel Handbook as recommended for approval by the Executive Committee:

- 1.) Bonus Policy – this policy was previously adopted by the Commission but not added to the handbook. It will be added as Appendix A.
- 2.) Holidays – Washington Lincoln was changed to President’s Day, Columbus Day was removed since the Day after Thanksgiving was added as a paid holiday, Christmas Eve and New Year’s Eve were added in the text of the days that are 4 hour holidays (these days are not new but just added to the text).
- 3.) Tuition Assistance – this policy was previously adopted by the Commission but not added to the handbook. It will be added as Appendix B.
- 4.) Sick Leave Donation - this policy was previously adopted by the Commission but not added to the handbook. It will be added as Appendix C.
- 5.) Travel – the section regarding dollar amounts and approval requirements was deleted since that information is included in the Seminar Reimbursement policy, which was previously adopted. It has been added as Appendix D.
- 6.) Mileage reimbursement rate – added “as defined by the IRS standard mileage rate”.
- 7.) Driving County Vehicles on DCRPC Business – this section was added at the request of the State Auditor.
- 8.) Credit Card Policy – this section was added at the request of the State Auditor.
- 9.) Bonus Policy – added the following sentence, “In the event a year-end bonus is not awarded, all comp time for the year in which time was accrued must be taken within the first three months of the following year in which the bonus would have been paid.”

Mr. Andrian made a motion to approve the changed to the DCRPC Personnel Handbook. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VIII. RPC STAFF AND MEMBER NEWS *(none)*

Having no further business, Mr. Gladman made a motion to adjourn the meeting, seconded by Mr. O’Brien. VOTE: Unanimously For, 0 Opposed. Motion carried.

Meeting adjourned at 7:15 p.m.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, September 17, 2009, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.

Holly Foust, Chairperson

Stephanie Matlack, Executive Administrative Assistant