



Delaware County Regional Planning Commission

109 N. Sandusky Street, Delaware, Ohio, 43015
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www.dcrpc.org

Scott B. Sanders, AICP, Executive Director

MINUTES

Thursday, September 27, 2007 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 August 30, 2007 RPC Minutes
- Executive Committee Minutes of September 12, 2007
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS *(none)*

IV. SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary

11-07	Big Bear Farms, Sec. 10, Lot# 4615, Div.# 1	Liberty	07 lots / 26.89 acres
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Preliminary/Final *(none)*

Final

08-06	Alexander Way	Concord	04 lots / 07.95 acres
05-07	The Reserve at Duncan Run	Harlem	04 lots / 21.98 acres
10-06	W Orange Centre	Orange	06 lots / 59.20 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS

VI. OTHER BUSINESS

- 2007 and 2008 RPC Budget considerations
- Request for Representative and Alternate email addresses
- Consideration for Advisory Committee to review By-laws

VII. POLICY / EDUCATION DISCUSSION

VIII. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Bill Berry, Rick Sedlacek, Dale Johnson, Gary Spanner, Jim Ward, Steve Burke, Sharon Hough, Gary Gunderman, Susan Dorsch, Holly Foust, Dick Gladman, Larry Crile, Marvin Miller, Eric Fischer, Lloyd Shoaf, and Mike Datillo. *Alternates:* Doug Riedel. *Arrived after roll call:* Kris Jordan (R). *Staff:* Scott Sanders, Paul Deel, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the August 30, 2007 RPC Minutes**

Mr. Shoaf made a motion to approve the minutes of the August RPC meeting. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **September 12, 2007 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, Jim Ward and Lloyd Shoaf. Staff present: Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes

- a. August 22, 2007 – *Mr. Gladman made a motion to approve the minutes of the August meeting. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

3. Old Business

4. New Business

- a. Financial / Activity Reports for August 2007

REGIONAL PLANNING RECEIPTS		AUGUST	YTD TOTAL
General Fees (Lot Split)	(4201)	\$410.00	\$6,970.00
Fees A (Site Review)	(4202)	\$200.00	\$1,100.00
Insp. Fees (Lot Line Transfer)	(4203)	\$60.00	\$340.00
Membership Fees	(4204)		\$235,269.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,662.77	\$9,298.24
Assoc. Membership	(4206)		\$1,500.00
General Sales	(4220)	\$148.50	\$860.50
Charges for Serv. A (Prel. Appl.)	(4230)	\$3,107.60	\$26,177.76
Charges for Serv. B (Final. Appl.)	(4231)	\$4,140.09	\$41,994.61
Charges for Serv. C (Ext. Fee)	(4232)		\$1,840.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$1,600.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$900.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$730.00	\$2,340.00
Soil & Water Fees	(4243)	\$500.00	\$2,975.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		

Other Misc. Revenue (GIS maps)	(4730)	\$40.00	\$1,171.00
Misc. Non Revenue Receipts	(4733)		
TOTAL RECEIPTS		\$11,198.96	\$334,336.11

Balance after receipts \$179,678.47
 Expenditures - \$ 44,377.32
 End of August balance \$135,301.15

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

- b. September RPC Preliminary Agenda – includes 1 preliminary application and 2 final applications
- c. 2008 Budget – The Executive Committee was presented with the first draft of the proposed 2008 Budget. Mrs. Matlack explained that the Committee would need to make a recommendation to the full Commission at the November RPC meeting. The Commission would receive a copy of the proposed budget prior to the November vote. There were no major anticipated expenditures proposed in the draft. The Committee reviewed the anticipated revenues and expenditures for the remainder of 2007 and those projected for 2008. The Committee agreed to eliminate the ORC and Zoning Law publication (est. \$828) since both were available online. Mrs. Matlack added \$2500.00 for audit expenses, which would take place in the Spring of 2008. Mr. Shoaf and Chairwoman Foust suggested that legal fees be projected at \$15,000 for 2008.

At 10:10 a.m., Mr. Ward made a motion to go into Executive Session. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

At 10:50 a.m., Chairwoman Foust made a motion to close the Executive Session and resume the regular meeting. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The Committee asked that two scenarios be prepared for the next meeting (to be held Monday September 24, 2008 at 8:30 a.m.).

The Committee agreed that the requirement that a revised or expired preliminary or final application must submit fees be enforced. In the past, if an application were amending their application, it was common practice to only pay the administrative \$400 fee. The Committee agreed that the application should pay all required application fees including the per lot fee.

The current fee schedule was discussed with a \$10 per lot increase for Preliminary and Final applications. The sketch plan fee was suggested to be changed to \$250 (from \$100). Mrs. Matlack will prepare a Proposed 2008 Fee schedule including the suggestions from the Executive Committee along with any proposed changes from the Soil & Water District and the Health Department. The proposed fee schedule would be presented to the Commission along with the budget at the October RPC meeting for the first review.

- 5. Other Business *(none)*
- 6. Personnel *(none)*
- 7. Adjourn

At 11:45 a.m., Mr. Shoaf made a motion to adjourn the meeting. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

There will be special Executive Committee meeting on Monday, September 24, 2007 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015

The next regular Executive Committee meeting will be Wednesday, October 17, 2007 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015

▪ **September 24, 2007 Special Executive Committee Minutes**

1. Call to order

Present: Holly Foust, Dick Gladman, Steve Burke, and Lloyd Shoaf. Mr. Ward was absent. *Staff present:* Scott Sanders and Stephanie Matlack.

2. 2008 Budget – Possible Scenarios

Projected carry forward into 2008 - \$37,965 (Scenario #1 and #2)

Projected Revenue for 2008 - \$439,248

Subtotal \$477,212

- a. Scenario #1 – Included no Planner I or Intern for 2008 along with no salary increase for current employees
Projected expenditures \$427,415 Carry forward into 2009 \$49,798
- b. Scenario #2 – Included no Planner I or Intern for 2008 but allowed for up to a 3% salary increase
Projected expenditures \$435,649 Carry forward into 2009 \$41,563
- c. Scenario #3 – Included no Intern for 2008 and no salary increase for current employees
Projected carry forward for 2008 \$34,790
Projected expenditures \$472,090 Carry forward into 2009 \$1,947

After much discussion of the three possible scenarios, and in consideration of the anticipated continued downturn in revenues from platting fees, the Executive Committee agreed that immediate measures need to be taken to improve the RPC's financial status for the remainder of 2007 and through 2008. Mr. Shoaf made a motion to recommend:

- 1. abolishment of the Planner I and Intern positions effective 11/04/07*
- 2. termination of B. Henson and J. Chin effective 11/04/07*

Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried. Mr. Sanders concurred with the Committee's recommendation.

If the above recommendations are approved by the RPC, then the 2008 annual budget that will be proposed for 2008 does not include any pay increases. The Executive Committee agreed to revisit the financial status of the RPC in detail at the end of the first quarter of 2008 and if possible, raises may be considered for the Director and staff at that time. Any recommendation for raises during the year would be brought to the RPC as a recommendation by the Executive Committee.

Mr. Gladman made a motion to recommend approval of the following fee schedule changes to be effective November 1, 2007:

- 1. increase preliminary and final plat application fees from \$90 to \$100 per lot/acre;*
- 2. increase the RPC's sketch plan review fee from \$100 to \$250; and*
- 3. eliminate the "Amendment to Commission approved – Preliminary or Final Plat" fee of \$400 (the Subdivision Regulations do not call for a reduced application fee for revised applications.)*

(See attached proposed fee schedule). Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

At the October Executive Committee, the budget will be updated to include end of September revenues and expenditures for a more accurate review for the 2008 budget. As required by the By-Laws, the Commission shall vote on the full budget at the November RPC meeting.

3. Adjourn

Having no further business, Mr. Gladman made a motion to adjourn the meeting at 10:15 a.m. Mr. Shoaf seconded the motion. *VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, October 17, 2007 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

IV. SUBDIVISION PROJECTS

Preliminary

11-07 **Big Bear Farms, Sec. 10, Lot# 4615, Div.# 1 – Liberty Twp. - 07 lots / 26.89 acres**

I. Conditions

Applicant: Elford Development Ltd.

Location: South side of Powell Rd between Sawmill Parkway and Old Sawmill Rd

Current Land Use: Vacant

Zoned: Planned Commercial & Office District (PC)

Utilities: Del Co. water and public sewer

School District: Olentangy

Engineer: Bird and Bull

Surrounding Land Use:

To the north: First Citizens National Bank (Big Bear Farms, Section 4)

To the east: Village Communities Condominiums (City of Powell)

To the south: Drug Mart, vacant commercial site (Wedgewood Commerce Center, Section 3)

To the west Donato's, BP Service Station (Big Bear Farms, Section 6A)

II. Request

Big Bear Farms, Section 10, Lot 4615, Division 1 (formerly known as the Shoppes at Liberty Crossing) is a commercial and retail development of 7 lots on 26.89 acres. This site will gain access at four key locations along with two additional secondary points. Access from Powell Road will be opposite Galloway Drive to the north. This access will be limited to right in/right out only. A single full access point (signalized) is provided for Sawmill Parkway approximately 700' south of Powell Road (aligning with the existing Donato's/BP access drive). There are two additional cuts on Sawmill that are restricted access, north and south of the signal. A single access point is also provided to both Sawmill Road and Attucks Drive. The lots range from 0.86 acres to 6.14 acres. Internal streets are private and are contained within a separate reserve lot (Reserve A) totaling 1.86 acres. A second reserve lot (Reserve B) is located in the southeast corner and will be used for stormwater management. All lots will utilize County sewer and Del-Co water.

A technical review was held on August 21, 2007, after which the applicant has addressed all of the required changes, except:

- Street names must be submitted to, and approved by the Map Department.
- This site is zoned PCD and requires a final development plan approval prior to platting.

III. Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of **Big Bear Farms, Sec. 10, Lot# 4615, Div.# 1** to the RPC, *subject to resolution of all TRC comments.*

Commission / Public Comments

Mr. Jack Reynolds with Smith & Hale was present to represent the applicant. He explained that the Township has given Preliminary and Final development plan approval on September 4th. He also agreed with Staff comments.

Mr. Miller made a motion for Conditional Preliminary approval of Big Bear Farms, Sec. 10, Lot# 4615, Div.# 1, subject to staff comments. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final *(none)*

CONSENT AGENDA

Final

08-06 **Alexander Way – Concord Twp. - 04 lots / 07.95 acres**

Applicant: AVK Development, LLC
Subdivision Type: Single-family Residential (CAD)
Location: 4604 Hyatts Road, Concord Twp.
Current Land Use: Single family residence
Zoned: Farm Residence District, (FR-1)
Utilities: Del-Co water and individual on-lot treatment systems
School District: Buckeye Valley
Engineer: Patridge Surveying

I. Staff Comments

Alexander Way contains 4 lots on 7.95 acres. An existing house will remain on a 1.85-acre lot along Hyatts Road and will continue to use the existing driveway. A CAD will provide access to the 3 lots to the rear and will be owned by the back lot (2.3 acres). The two other lots are each approximately 1.5 acres. All lots will utilize Del-co water and individual on-lot treatment systems. Surrounding land use is residential with the Scioto Reserve subdivision located to the south.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

II. Staff Recommendation

Staff recommends *Final Approval* of Alexander Way to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Alexander Way. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

05-07 The Reserve at Duncan Run – Harlem Twp. - 04 lots / 21.98 acres

Applicant: Alexandra Building Co./Robert & Joan Moon
Subdivision Type: Single family residential (CAD)
Location: West side of S. County Line Rd. (CR 51), South of Center Village Rd., Harlem Twp.
Current Land Use: Single family residential
Current Zoning: Farm Residential District (FR-1) & Agricultural Residential District (AR-1)
Critical Resources: A stream/drainage course and instances of slopes >20%
Utilities: On-site water and septic systems
School District: Johnstown-Monroe Local School District
Engineer: Scioto Land Surveying Service, Inc.

I. Staff Comments

The Reserve at Duncan Run is proposed as a 4-lot subdivision of 21.99 acres. This site is currently two separate flag lots owned by Alexandra Building Co. (10 acres) and Robert & Joan Moon (11.99 acres). An existing driveway on the Moon property will be utilized as a Common Access Driveway (CAD). The Alexandra tract is divided into 3 lots, ranging in size from 2.5 to 4.5 acres. The Moon lot will remain as an 11.99-acre lot with the possibility of being subdivided in the future into three lots. A variance was approved by the RPC in May 2007 to allow up to 6 lots on the proposed CAD. If the Moon property is to be split in the future, a new preliminary plan for the proposed lots will be required as well as any potential rezoning review by the township.

The site is surrounded by agriculture and large lot residential, zoned AR-1 and FR-1. Duncan Run lies along the west property line. As a condition of the variance approval, the CAD will be 15' wide. A sign post will be located at the entrance with a placard sign stating "Private Drive". Lot addresses will be posted on the entry sign and at each lot's individual driveway off the CAD.

The applicant has presented to the RPC Office a Final Plat signed by the various County agencies, a requirement for Final approval.

II. Staff Recommendation

Staff recommends *Approval* of the Final Plat of **The Reserve at Duncan Run** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of The Reserve at Duncan Run. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-06 W Orange Centre - Orange Twp. - 06 lots / 59.20 acres

** This application was withdrawn by the applicant.**

VI. EXTENSIONS (*none*)

VII. OTHER BUSINESS

- 2007 and 2008 RPC Budget considerations

Chairwoman Foust explained that the Executive Committee had a special meeting to discuss the remainder of this year and the budget for 2008. The Committee requested three budget scenarios in order to evaluate the best way to deal with the down turn in platting. Scenario #1 consisted of eliminating the Planner I and Intern position effective November 4, 2007 along with no salary increase for remaining staff. Scenario #2 would also eliminate the Planner I and Intern position effective November 4, 2007 but would provide up to a 3% salary increase for remaining staff. Scenario #3 would eliminate only the Intern position, continue the Planner I position along with current staff for 2008 but allow for no salary increase. Chairwoman Foust said that it takes over \$35,000 per month to operate the office and with a carry-forward of \$1,947 for Scenario #3 the Committee felt that was just not reasonable. The Committee then looked at the difference between Scenario #1 and #2 and felt they could not consider a salary increase if they were letting good employees go and with the budget in this bad shape. The Committee also agreed on a fee increase for Preliminary and Final applications and Sketch Plan review (see proposed fee schedule). The Committee did agree to revisit the issue of staff raises at the end of the first quarter of next year and if it looks like the budget could afford that, the Executive Committee would bring that to the Commission for approval.

Mr. Gunderman asked if the proposed revenue considered the proposed fee increase. Mrs. Matlack said yes.

Chairwoman Foust explained that Scenario #1 and #2 both assume paying Ben Henson unemployment which he is entitled up to 26 weeks. We are not sure if Jae Chin would be eligible so that amount is not calculated in the expenditures or carry-forward estimate. Chairwoman Foust explained that the abolishment and termination of those positions is absolutely no reflection of their performance and the Executive Committee all agreed that they both would receive excellent letters of recommendation.

Mr. Johnson said that the difference (with a raise and without) in the carry-forward is not so great

considering what you would have to do to replace an employee that may not stay. To a certain extent the dedication, sacrifice, etc. is much appreciated and should be rewarded and for a relatively small figure, the Commission could extend their appreciation in the form of a pay increase. Chairwoman Foust said she did not disagree but tried to keep the emotions out of the budget review and look at it as a business decision to try to “keep the company going”.

Mr. Ward said that the Executive Committee took a lot of time to come up with a possible solution. He said that he would also like to give staff a raise but we need to see what comes in the rest of the year and the beginning of next year.

Mr. Shoaf said that you do not get rich going broke. All the Commission knows is they have \$240,000 coming in (2008 dues) and everything else is a guesstimate.

Mr. Berry said that he would have a difficult time voting for a raise when we are eliminating very qualified individuals.

Mr. Sedlacek agreed with Mr. Johnson’s line of thinking but after looking at the whole picture can’t justify raises if there is no money there.

Mr. Spanner asked if there is any outside contract work staff could do to generate revenue. Chairwoman Foust stated that a lot of the contract work has been done. Mr. Sanders stated that staff continues to work on minor zoning and comp. plan updates. He also said that staff has been working and may continue to work in 2008 on Township zoning maps for Morrow County.

Mr. Miller made a motion to adopt Scenario #1, which includes abolishing the Planner I and Intern positions effective 11/04/07 and termination of Ben Henson and Jae Chin effective 11/04/07. Mr. Berry seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Sedlacek made a motion to approve the fee increases as follows, effective November 1, 2007:

- 1. increase preliminary and final plat application fees from \$90 to \$100 per lot/acre;***
- 2. increase the RPC’s sketch plan review fee from \$100 to \$250; and***
- 3. eliminate the “Amendment to Commission approved – Preliminary or Final Plat” fee of \$400.***

Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Sanders explained that legal counsel has suggested that we only have the active positions that we have filled in our position description. He asked if a motion could be made to confirm only the four positions that are currently filled.

Mr. Berry made a motion to abolish all staff positions except the four current employees that we have. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried. (Those positions include Executive Director, Executive Administrative Assistant, Planner III and GIS Analyst/Manager.)

- Request for Representative and Alternate email addresses – Chairwoman asked for the Commission members to provide their email addresses to Mrs. Matlack.

- Consideration for Advisory Committee to review By-laws
Chairwoman Foust explained that there has been a need for quite a while to put a Committee together to review the By-Laws and clean up some items along with possible changes. According to the current By-Laws these types of reviews are done by a Committee. The Executive Committee is willing to be the Advisory Committee if the Commission would like, if not, the Commission needs to appoint one.

Mr. Gunderman made a motion to have the members of the Executive Committee be on the By-Laws Advisory Committee. Mr. Berry seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VIII. POLICY / EDUCATION DISCUSSION

IX. RPC STAFF AND MEMBER NEWS

Mr. Sedlacek made a motion to adjourn the meeting at 7:45 p.m. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, October 25, 2007, 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