

# RECORD OF PROCEEDINGS

Minutes of

Meeting

## Etna Township Trustees Special Meeting

GOVERNMENT FORMS &amp; SUPPLIES 844-224-3338 FORM NO. 10148

Held \_\_\_\_\_ October 28, \_\_\_\_\_ 20 \_\_\_\_\_ 2020

The Etna Township Board of Trustees met on Wednesday, October 28, 2020 at the Etna Township Garage for the purpose of conducting a special meeting. The meeting was called to order at 6:00 p.m. by President Carlisle. Jeff Johnson led the invocation and John Carlisle led The Pledge of Allegiance. Trustee Carlisle read the Public Hearing Requirements. Roll call showed Trustees Jeff Johnson, Randy Foor, John Carlisle, and Fiscal Officer Walter Rogers present.

Trustee Johnson moved to adopt the agenda as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

### **PUBLIC HEARING AT 6:00 P.M.**

Trustee Carlisle opened public hearing for the application submitted by Pulte Homes of Ohio for 155.281 acres located on 14141, 14097, and 13541 Palmer Road owned by Charles L. Hagy Trustee; to rezone from Agricultural District (AG) with PRCO Overlay to Planned Mixed-Use Development District (PMUD). The Trustees explained the process for the public hearing, public comments, and the application process.

Tom Hart representing the applicant, Pulte Homes, introduced Matt Callahan with Pulte Homes and they will present together. He provided handouts for the board. The applicant had a slide presentation. Also present were AJ Weber from Pulte and their Landscape Architect Joe Looby.

Tom Hart stated the Licking County Planning Commission provided a non-binding recommendation of approval with conditions and the Etna Township Zoning Commission recommended approval with conditions. The applicant provided a slide presentation covering an overview and context of Zoning Law. The Zoning Code is the law where the Comprehensive Plan is a guide. The applicant feels this rezoning request meets with the Zoning and the Comprehensive Plan for Etna Township. The Comprehensive Plan is old and there is sewer available now on this property. A Planned Mixed Use Development allows for negotiation. It is up to the Trustees to determine what the best development plan is for this property. The development standards for the PRCO Zoning were discussed. The Pulte amenity package would not be available in a PRCO Zoning District. The RS Zoning was discussed which is most like New England Acres. The yield for this type of development would be three hundred and thirty units. Tom Hart does not feel a subdivision like this would be allowed and economically feasible with today's standards.

Matt Callahan presented for Pulte regarding Site Plan Design. The proposal is for two types of housing with a large amount of open space. The two types of homes are Patio Homes for Empty Nesters and Conventional Single-Family Homes. The lots are smaller with larger open space and common use areas. This meets today's market demand. This plan proposes a multi use path for the development. The wooded area on the eastern edge of the development is preserved along with wetlands when not mitigated. The original plan has been modified to accommodate different requests. The changes made to meet the requests of the Zoning Commission are the number of lots were reduced by 11 lots from 376 to 365, the density was reduced to under 3.0 to 2.96, the lot reduction supports increased buffering of existing neighboring properties to the east and south, and the updated plan commits to a 75' minimum perimeter buffering along the east and south to support privacy and rural character. Also per the request from the Zoning Commission the lot widths were widened on the traditional single-family lots and a minimum of fifty percent of all the single-family lots will have a minimum width of sixty-four feet at the building line which will allow for more three car garages. The side yards setbacks will all be fifteen feet with the flexibility to configure at a minimum of six feet on one side and nine feet on the other. The open space remains at fifty-seven acres and thirty-seven percent of the site. After the New England Acres Civic Association meetings they are making the following modifications to increase the square footage minimums to 1,800 square feet for Single-Family Homes and minimum of 1,400 square feet for Patio Homes. The limits on the second floor of the Patio Home are fifty percent of the finished first floor. The open space will be conveyed to the township but the HOA will still maintain it. The seasonal lawn services and fees for the Patio Homes will be part of the HOA fees. The Hagy Development will fund sidewalks for the New England Acres Subdivision in Etna Township.

Tom Hart discussed page sixty-three of the Etna Township Comprehensive Plan regarding different types of residential development. There is an importance of large contiguous open space. This development falls into the low to medium density category. Tom Hart provided a summary on the Comprehensive Plan Compliance and feels this site will comply with the Comprehensive Plan.

Tom Hart discussed protecting the property values in the area and discussed the price points for this development and feels these properties will be comparable to the neighboring properties. Matt Callahan discussed the property values provided in the presentation. The values of the single family homes in New England Acres portion of Licking County that have an auditors average of \$188,000. The values from the Fairfield Auditors website for Chevington Woods are an auditor's average of \$226,000. The resale value for Chevington Woods is \$253,000 and New England Acres \$263,000 from actual sales. The homes selling in other Pulte Developments are average is \$319,000 and they project on the Hagy Tract \$312,000

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The homes selling in other Pulte Developments are average is \$319,000 and they project on the Hagy Tract \$312,000 for single-family homes. For the Patio Homes they are selling for an average of \$354,000 and they project for the Hagy Tract \$339,000. Based on these projected price points this development will bring value to the surrounding communities.

Tom Hart reviewed the benefits of the character of the area and the upgrades that Pulte will be making to the roads, storm water, and property values. He feels the key purpose of Zoning Law is to protect the property values. A fair comparison needs to take in to affect the projected open space. A comparison of the Hagy buffer and the New England Acres lots was discussed. There will be two hundred and sixteen feet between homes with the seventy-five foot buffer.

### Public Comments

The applicant will respond to concerns at the end of the public comments at one time that they feel need to be addressed or clarified. The Trustees will keep a list of any questions that they have.

Adelle Glandin of 122 Old North Church Road gave Mark Evans her three minutes.

Mark Evans of 91 Old North Church is the President of the New England Acres Civic Association. The attorney for the Civic Association was in negotiations with Pulte, Trustee John Carlisle was also present. It was reported back to him that Pulte was not budging on lot size or lot numbers. Mark Evans stated the Licking County Planning Commission Staff Report had conditions with the approval. Condition three was to align the lot standards with the character of the area and the Comprehensive Plan. Mark Evans read the staff report. Trustee Carlisle clarified that he was the facilitator and did not negotiate. The New England Acres Civic Association held a meeting and voted this development down with only one resident in favor of the development. Mark Evans feels this is a bad plan, suggested it be developed under the PRCD Standards, and requested the plan not be passed.

Wes Johnson of 13932 Cape Code Way is in Violet Township and provided a hand out to the Trustees. He agrees that anyone has the right to request a rezoning of their property. This does not mean that it has to happen. The Comprehensive Plan was created for a reason and the entire plan needs to be applied. That property has a Planned Conservation Overlay District. That requires fifty percent open space which would allow for two hundred and fifty houses on this property. This was Wes Johnson's interpretation of the PRCD. The density is designed for 1.2 which would make the house count one hundred and forty seven homes.

Darwin Bruce of 13752 Nantucket Avenue feels their development was not designed for the amount of traffic from this density. He has concerns with the safety of the pedestrians on the roads in their development. He also discussed the drainage ditches in his part of New England Acres.

Kandee Engle of 177 Trail East is the President of the Southwest Licking Local School Board. She discussed the school board and the need for the Trustees to work with them on the growth and the impact on the schools. The District responded to Pulte with their concerns for the schools and this density.

Dan Gerbus of 13914 Olde Post Road is concerned with the access to the roads through New England Acres and does not feel the streets are designed for the traffic.

John Giannaris of 13521 Palmer Road lives right next door to this project. They chose to move to Etna Township because it was rural and want to keep it this way. His property is half an acre and does not agree with the proposed lot size, density, or proposed square footage of the homes.

Kyle Perry of 13896 Wayside Drive inquired on the number of homes that can be built with the existing PRCD Zoning. When they moved here they intentionally picked New England Acres because of the lot size and the beauty of the development. He has concerns with the additional traffic and feels this type of development does not fit.

John Lake of 71 Beechwood Drive feels the Comprehensive Plan was put together for a reason and it needs to be followed. He is against this development. He asked if there would be restrictions on the homes to fifty-five and older. If the zoning is approved he requested in writing the reasons for approving this zoning.

Roger Digel-Barrett of 533 Ballman Road feels the Trustees are doing a good job. He served on the committee that approved the Comprehensive Plan and discussed how it was approved.

Len Adzima of 40 Faneuil Hall Road likes living in New England Acres because of the lot sizes. He is concerned with additional traffic and density. He feels the traffic should only access Palmer Road. He discussed how tight it is in Lake Forest which is another Pulte Development.



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John Backus of 13986 Olde Post Road discussed the pedestrians and a resident using the road with his wheel chair. He also discussed the width of the road during trash pickup and the additional traffic.

Judy Carter of 14391 Palmer Road discussed the Trustees being here to serve the community. She has concerns with the impact on the schools, police, fire, water system, and the traffic.

Blair Maloney of 72 Bunker Hill Court concurs with the previous residents. She reviewed the duties of the Trustees. She and her husband oppose this rezoning. They chose this development because of the lot size. She feels there is a majority of opposition against this rezoning.

Maura Vander Veen of 279 Nantucket Avenue discussed the formulas that Mark Evans and Wes Johnson presented. At the end of this meeting she would like the Trustees to confirm the accuracy of the formulas. She is also opposed to the development.

Scott Feil of 196 Wendell Court feels that Russell Heights will also be impacted by this development. He has concerns with the density of the project and increased traffic. He does not feel there were any negotiations on the part of Pulte.

William Halblaub of 87 Beechwood Drive discussed the traffic and impact on Russell Heights currently from Amazon.

Ryan Davis of 8807 Watkins Road feels this will set a precedent in the township and is concerned on how this will affect Etna Township in the future. He discussed the size of these homes and when HOA's dissolve. He requested that the Trustees deny the rezoning unless it conforms to the Comprehensive Plan.

Glenn Lamb of 13778 Olde Post Road inquired on what could develop on the property under PRCD. There are other options under the PRCD then just Single-Family Homes. The Trustees have to legally accept a development that meets the PRCD requirements.

Jeff Hall of 79 Roma Court agrees with most of the previous comments. He inquired on the width shown on a lot in a previous diagram, sixty to sixty-four feet wide, and he does not feel that lot is sixty-four foot wide. He also has concerns with additional crime in the area.

Jean Griggs of 13775 Olde Post Road in Violet Township has concerns with the traffic connecting into her development. She does not feel the roads are wide enough in their development.

Trina Gardinier of 113 Bunker Hill Court moved into New England Acres because of the size of the lots and opposes this development.

Steven Paul of 76 Nantucket Avenue stated he spoke with the Licking County Prosecutor's Office and stated the township's conversations are client privileged. He discussed the extension of Faneuil Hall Road. Trustee Carlisle explained that Mr. Hagy made a request to the Zoning Inspector who forwarded it to him. Mr. Carlisle discussed the request with the Prosecutor's Office. Mr. Paul asked what the status of the unfinished road was and if it was a paper road, abandoned, or plated road on January 23, 1973 and never developed. He asked why all of a sudden this had to be done at the tax payers' expense. He asked if the township has been collecting money on this road. Trustee Carlisle will find out if the township has been receiving money for this part of the road. Mr. Paul explained a paper road is something that is platted on the map but was never built. This usually happens in unincorporated areas. Mr. Paul discussed this road, the approval process, and Ohio Revised Code. The township followed the Licking County Prosecutor's Office legal advice which is attorney-client privilege. Mr. Paul presented the Trustees with a list of questions and requested the Trustees answer them in writing. He discussed complaints filed against Pulte Homes.

Jeff Yuhas of 10472 Tollgate Road agrees with the people before him along with Steven Paul. He requested the Trustees support the community and do the right thing for all the residents.

Van Konkler of 17 Bunker Hill Court objects to the proposed development. Mr. Konkler read from a Newark Advocate article dated October 17, 2017 when John Carlisle and Randy Foor were running for re-election for Trustee. Both spoke about controlling and managing the growth of Etna Township through the implementation of the Comprehensive Land Use Plan. Both were running to represent the residents of the Etna Township. Mr. Konkler has faith in the system and feels the Trustees will do what is right for the people. Mr. Konkler just came up one hundred and sixty homes as a rough number of homes. He did not want the developer to just lower the amount of homes by eleven.

Dana Burd of 478 Nantucket Avenue feels the over whelming response of the people has been negative. He discussed the state of the community this past year and the control of the government. He would like the Trustees to listen to the will of the people.

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Mark Evans, president of the New England Civic Association, discussed fifty-five and older communities. Pulte is currently developing a community in New Albany that is marketed as a fifty-five and older community and this plan lacks what is available in that development. The Licking County Planning Commission report addresses concerns with lot size and stated they are out of character for the area and the Comprehensive Plan. Condition number three of their approval was regarding the Comprehensive Plan. Mark Evans provided the Trustees with calculations and under the PRCD zoning the maximum density is one hundred and forty seven dwelling units. He proposed twenty-four in AG, one hundred and twenty-three in R-1, one hundred and sixty-four in R-2, and three hundred and thirty-four in PRD-2. He explained how he came up with the numbers. He has concerns with flooding the schools with students.

The meeting recessed for five minutes.

Tom Hart requested that they read pages 49 and 63 of the Comprehensive Plan. On page 49, the Southwest Quadrant has an assumption that there will not be centralized sewer to this area and that is why they were going to have this PRCD. He feels they do meet the requirements in the Comprehensive Plan. At least fifty percent of the lots coming out of the Zoning Commission hearing are to be sixty-four foot wide which accommodates a three car garage. Pulte believes the single-family plan is better for this property and they do not build multi-family. Pulte has an application before this board to be acted upon. Pulte is planning to build a suburban development in the three hundred to mid three hundred thousand dollar range. Pulte does not build communities that are high in crime. Tom Hart discussed the need for the Patio Type homes with low maintenance that are empty nester homes. These type homes do not impact the schools. Pulte is willing to meet with the majority of the voting members of the Civic Association but not with just one person. Tom Hart reference the presentation regarding the traffic. A Traffic Impact Study was completed and it is being approved by Licking County. They have proposed traffic calming devices within the subdivision. The developer will try to push the majority of the traffic to the Palmer Road entrances. The developer will have to fund the traffic improvements. Tom Hart provided information for the record regarding contacting the schools. This site should have a positive impact on the schools with the forty-five percent being empty nester homes. The home values are higher than those in the district. Pulte did not hear back from the school to provide their numbers to be used to help with calculating the impact on the schools. The single-family homes will be more for the two person working type families and not a first time buyer home. Matt Callahan stated these homes are more for a first time move up home for growing families or a second move up type home.

Tom Hart agreed to waive the twenty day requirement by statute to render a decision.

Trustee Johnson moved to close the public hearing. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

The Trustees will meet on November 10, 2020 at 5:30 p.m.

### **New Business**

**Resolution 20-10-28-01:** Trustee Carlisle moved "Resolution to Reduce Load Limits on the Following Streets in Etna Township, Licking County Ohio" as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Trustee Johnson moved to pay the bills as presented. The motion was seconded by Trustee Foor and passed by unanimous vote.

Trustee Foor moved to adjourn at 9:09 p.m. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

  
John Carlisle, President

  
Walter Rogers, Fiscal Officer

All the resolutions as presented are on file with the Fiscal Officer.