

Held _____ 20_____

The Etna Township Zoning Commission met on February 2nd, 2011 in the Etna Township Administration Building for the purpose of conducting a regular meeting. The meeting was audio recorded for the township records. The meeting was called to order at 7:00 p.m. by Chairman Stepp. The Pledge of Allegiance was recited. Roll call showed the following members present: Randy Snider, Freddie Latella, Trent Stepp, Bill Young, Robert Essex, and clerk Laura Brown. For the record alternates Mike Kerner and Jim Van Dyne were in attendance.

Bill Young moved to adopt the agenda. The motion was seconded by Freddie Latella and passed without objection.

Zoning Commission Announcements and Comments

Bill Young announced the Comprehensive Planning Committee meeting is scheduled for February 8th, 2011 at 6:00 p.m.

Trent Stepp announced the meeting organized by Mark Schaff regarding the Etna Township aquifers is scheduled for Monday, February 7th, 2011 from 3:00 to 4:30 p.m. at the Etna Township Administration Building.

Bill Young moved to waive the public reading and approve the minutes from the January 19th, 2011 meeting. The motion was seconded by Randy Snider and passed without objection.

Public Hearing at 7:05 p.m.

Trent Stepp explained the process to the public regarding speaking at the public hearing and requested they sign in if they would like to speak.

Bill Young moved to re-open and continue the public hearing from January 5th, 2011 for the ~~text~~ *Zoning Amendment Submitted by Connie Klema* amendment submitted by the Zoning Commission for Article 9 – District Regulations Section 910 by Connie Professional-Research-Office (PRO) and Section 912 General Business District (GB) regarding NAICS *Klema* code 561730. The motion was seconded by Freddie Latella and the roll call was as follows: Randy Snider, yes; Freddie Latella, yes; Trent Stepp, yes; Bill Young, yes; and Robert Essex, yes. The motion passed 5-0. *JAS*

Chris Harkness reviewed the changes presented by the applicant Connie Klema.

Connie Klema presented the new plan. The commercial area has been expanded. The only residential uses are now for senior or age restricting uses. This addresses the density concerns. The NAICS Codes noted are the only uses now permitted for this development. Chris Harkness and Connie Klema explained the recommendation from Eric Fox, Licking County Prosecutor's Office regarding the use of NAICS codes and deed restrictions. Connie Klema discussed the plan for the private roads. Chris Harkness discussed the requirements from Licking County Planning Commission with Brad Mercer and the private roads will have the same requirements as public roads. Connie Klema reviewed the Preliminary Development Plan that was provided.

Public Comments

Jim VanDyne of 7173 Refugee Road is basically in agreement with the plan. He is not in favor of the private streets. He would like to see restrictions to protect the township if the roads are ever petitioned by the property owner to be taken over by the township that they are repaved prior to being taken over by the township.

David Weber of 232 Purple Finch Loop is happy that they have worked toward the deed restrictions. Residential uses on the east side lacked the NAICS Codes as copied on the West side. The deed restrictions can be enforced via civil action by a neighbor if needed. He has concerns with the requirements from the fire department or Licking County after this development is approved. He made suggestions regarding open space and the usable spaces. He would like the walk ways in these areas to be lighted for safety. He would like to see light pollution text added and suggested after hours they be decreased. He suggested the pond areas be aerated and also lighted usable areas. He requested that the lighted areas be maintained and enforceable. He requested the exit going into Cameron Drive be only for emergency vehicles only. He would like to see livestock uses be prohibited.

Connie Klema stated the deed restriction issues are not a problem. She explained the open space issues and has addressed the concerns with usable space for residents.

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Trent Stepp addressed the agricultural concerns. The Ohio Revised Code protects agriculture uses for 5 acres and larger plots of land. The township has very little enforcement for these areas. The areas of the Zoning Resolution that are not specifically required in the Planned Mixed Use Development will be regulated by the Zoning Resolution. Trent Stepp would like to see the Article 16 Buffering section be the base line for the development. The Zoning Commission may want to require more than Article 16 requires.

Robert Essex verified if the current code requires the fully shielded lighting restrictions. Chris Harkness stated the Zoning Commission will need to have specific restrictions. The shorter pole lights do not have the shielded lighting restrictions.

Mike Kerner of 8623 Watkins Road is happy regarding the density and age restrictions but does not like the 4 units per acres. He would like a maximum number of residences to come in compliance with the Comprehensive Plan. He discussed the square footage regarding the roofed porches and roofed terraces. He discussed the requirement of when the Homeowners Association will be required.

Gary Burkholder of 254 Trail East is the President of the Cumberland Trail Homeowner's Association. He has concerns with the densities. He discussed the plan conforming to the Comprehensive Land Use Plan. He discussed the road area requirements. He does not want these left vague. He would like to see the requirements added to the zoning for private and public streets to have the same requirements. He discussed the requirement to contact O.D.O.T. regarding new developments. He has concerns with the larger commercial area. The maximum square footage is 16,250 gross square area per building. The maintenance of the open areas is required in the current text. Gary Burkholder discussed the reserve area on Runkle Drive and opposes any vehicular access in this area. He also has concerns with a proposed road behind the bank and other properties along S.R. 310. He has concerns regarding transportation. He submitted a letter from Connie Klema to the Licking County Commissioner's office regarding access behind the bank to these businesses. He discussed the traffic light and would like the cost of this traffic light be at the cost of the developer.

Freddie Latella asked if the commercial area should be residential instead. Gary Burkholder stated they have concerns with the negative impact of commercial on S.R. 310. He discussed conservation residential or maybe professional uses.

Mike Kerner of 8623 Watkins Road discussed the sidewalks. Connie Klema stated on private streets they are not required to install sidewalks but will address pedestrian traffic with bike paths.

Gilbert Guttentag of 70 Runkle Drive has had conversations with Attorney's regarding representing clients with issues in Etna Township because they are difficult. He discussed the Land Use Plan not conforming to development. He feels we should set standards carefully and have standards that are realistic.

Gary Burkholder of 254 Trail East discussed sidewalks and would like quality developments. He would like to see concrete sidewalks and good pedestrian walkways.

Connie Klema discussed the sidewalks and bike paths or trails. Connie Klema reviewed the plan and discussed the Comprehensive Development Plan. The current plan does not have a vehicle access onto Runkle Drive. She is not aware of an access from this development going behind the bank onto Trail East. The township does not have to accept private streets if they do not want to. This development is being proposed with private streets. She does not have a problem with a lighted walk path or having the lights dimming after 10 p.m. The natural open space will be maintained by the association.

Trent Stepp clarified the restriction regarding emergency access into Cumberland Trail onto Runkle Drive. Chris Harkness explained why he is in favor of the access onto Runkle Drive. Bill Young asked if Licking County would require a stub street access to the Emsweiler property.

Gil Guttentag of 70 Runkle Drive commented on Runkle Drive and feels that allowing this to become a cross access will create traffic onto Runkle Drive and through the senior housing. He does not feel it is an issue for the residents to go onto S.R. 310 to get to the new development.

Freddie Latella stated he feels the second access requirement for Licking County is for emergency purposes.

Neil Ingle of 71 Trail East stated the reason for stub streets was for connecting between residential developments not into commercial developments. This area is a reserve area on Runkle Drive.

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Trent Stepp discussed the zoning issues if this lot was going to be developed as a street.

Gary Burkholder of 254 Trail East stated it is legally a reserve on the plat.

Jim VanDyne of 7173 Refugee Road supports leaving the Runkle Drive access as emergency only.

Bill Young moved to recess and to continue the public hearing until March 2nd, 2011 at 7:15 p.m. future date for the applicant to address the new concerns and to permit the zoning commission to study the information provided. The motion was seconded by Randy Snider. Discussion: Freddie Latella feels that great progress has been made by the applicant and does not see this hearing continuing much longer. Roll call on the motion: Randy Snider, yes; Freddie Latella, yes; Trent Stepp, yes; Bill Young, yes; and Robert Essex, yes; and passed 5-0.

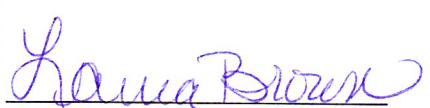
Public Comments –

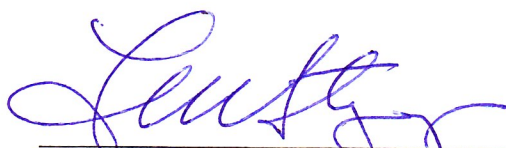
Mark Schaff of 7461 National Road invited the Zoning Commission and the public to the meeting on February 7th, 2011 regarding the Etna aquifer. This is a meeting of citizens and not a governmental meeting. He referenced the panel of speakers, their skills and training.

Chairman Stepp adjourned the meeting at 9:22p.m.

Approved Feb 16, 2011

Approved as corrected/amended _____


Laura Brown, Clerk


Trent Stepp, Chairman