

July 14,

2020

Held

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The Etna Township Zoning Commission met on July 14, 2020 in the Etna Township Garage for the purpose of conducting a regular meeting. The meeting was audio recorded for the township records. The meeting was called to order at 6:03 p.m. by Chairman DiYanni. The Pledge of Allegiance was recited. Roll call showed the following members present: Roger Hayes, Alesia Zacher, Josh DiYanni, Dave Olson, Litichia McIntyre, and clerk Laura Brown.

Dave Olson moved to adopt the agenda. The motion was seconded by Litichia McIntyre and passed without objection.

#### **Zoning Commission Announcements and Comments –**

The township has three rezoning hearings at LCPC for July and they will come to us in August.

#### **Minutes**

Roger Hayes moved to waive the public reading and to approve the June 23, 2020 minutes. The motion was seconded by Dave Olson and passed without objection.

#### **Public Hearing**

Chairman DiYanni opened the public hearing at 6:08 p.m. for application AM-20-03 Zoning Map and Zoning Text Amendments 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 PRCD Overlay to Planned Mixed-Use Development District (PMUD).

Chairman DiYanni reviewed the history of the application. The Licking County Planning Commission provided a non-binding recommendation to conditionally approve the Zoning Map and Zoning Text Amendment.

John Singleton provided a written staff report. The applicant is requesting a rezoning to Planned Mixed-Use Development utilizing residential and recreational uses for all of the properties.

The Licking County Planning Commission and staff both provided a non-binding recommendation to approve the zoning amendment with conditions. The conditions were to develop a zoning text that is a stand-alone document that provides sufficient and reasonable standards, remove references and descriptions of the development plan as regulatory and design standards, align the lot standards and size with the character of the area and the comprehensive plan, and consider the comments and recommendations in this report and the LCPC staff comments in the attached text amendment dated June 8, 2020.

The development is planned for 376 residential units consisting of 209 detached traditional single family dwellings, 167 detached patio homes, plus recreational areas. The gross density is 2.4+/- dwelling units per acre and 37% of the development will be open space areas consisting of natural and improved open space areas. The plans are showing a 50' buffer between this property and the east, west, and south property lines, this is larger than the required buffer. There will be 5 access points into the development. 2 access points from Palmer Rd., 1 from Faneuil Hall Rd. stub, 1 from the Cape Cod Way stub, and 1 from the Olde Post Rd. stub. Street lights and sidewalks will be installed throughout the development in accordance to the required standards. There will be walking paths and trails within the green space throughout the development.

The two main concerns of the staff are the side yard setbacks of 6' allowing up to a 1' foot encroachment and the front yard setback allowing up to a 10' encroachment for porches.

Tom Hart, who is the Zoning Attorney for Pulte Homes, introduced the team from Pulte; Matt Callahan, AJ Weber, and Joe Looby. Matt will present the site plan and Joe is the Landscape Architect and Land Planner for the project.

Matt Calahan works in land development for Pulte Homes. This development will have a variety of house types. This proposal is roughly one half single family homes and one half patio style homes. The patio homes are geared more for the empty nesters having a first floor living space design. This type home will have less impact on the schools, infrastructure, and traffic. The patio homes are planned for the western side of the development. The eastern side of the development is planned for the more conventional family style homes. The site has 37% open space. The majority of the lots back up to open space. Pulte provides common maintenance. The yards on the family style lots are larger. There is a bike/pedestrian path system through the site. The proposal is to connect to all of the roadway connections available and provided a future stub to the west. The area on the eastern side of the property is wooded and the plan is to preserve as much of the woods as possible. There is a buffer around the entire site.

RECORD OF PROCEEDINGS

0223

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Etna Township Zoning Commission

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DAYTON LEGAL BLANK, INC., FORM NO. 1014#

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**Public Comments**

Jeremiah Upp, Fairfield County Engineer, of 1800 Sugar Grove Road, stated he was here to represent the residents of Violet Township and Fairfield County. He discussed concerns with drainage issues that they have been addressing with the property owners in the subdivision south of this property and any help they could have to relieve the water from this property would be appreciated.

Terry Dunlap, Chairman of the Violet Township Trustees, of 7155 Basil Western Road, discussed concerns with drainage and provided two pictures of the first house in Chevington Woods. This happens when we get a two inch rain. Anything that can be done to retain the water would be appreciated.

Sharon Heckathorn of 8864 Indian Mound Road is a resident of Chevington Woods. She provided photos of the water coming from this property and has concerns with drainage. She feels this is not a normal situation with the water from this property and requested that Licking County works with Fairfield County so this water issue doesn't get worse. The pictures were returned to Sharon after the Zoning Commission reviewed them. This water issue has been going on for over fifteen years.

Thomas Paine of 13941 Cape Cod Way stated his principle concern is connecting the road from this development to Cape Cod Way. He also discussed property values, safety concerns with additional traffic, crime, and civil services such as fire, police, water and sewer.

Lynn Dheel of 332 Nantucket Avenue does not want the rezoning approved and discussed the size of the homes, traffic, and safety. She feels 376 homes is ridiculous in her opinion.

Wes Johnson of 13932 Cape Cod Way stated one of the conditions said it had to reflect on the surrounding neighborhood; the average house is a 24,000 sq foot piece of property. He also has concerns with density, traffic, and safety. His neighborhood does not have sidewalks. He discussed how many lots were proposed and has concerns with that many homes and the impact on their neighborhood.

Terry Cooper of 13724 Nantucket Avenue discussed their property values and the value of the homes being built.

Elizabeth Mahaffey of 13982 Cape Cod Way stated she is the first property next to this one. She already has drainage issues, there are already issues with traffic, the safety of the children because they do not have sidewalks and they ride bikes and skateboards in the street, the size of lots, and the infrastructure. This is a family oriented neighborhood. They have half acre lots and one acre lost on the west side of the development. She would like more green space on her side of the proposed development.

Ron Santavica of 184 Nantucket Ave discussed the woods adjacent to his house; he has concerns with the drainage and has water on his property now. He discussed traffic and safety. He would like more police presence in the neighborhood. He has concerns with the high density and is against the proposal as proposed.

John Backus of 13986 Olde Post Road has concerns with additional traffic and drainage because he already has water issues on his property. He does not support connecting to Olde Post Road and would like this development to use Palmer Road only.

Doug Baden of 398 Nantucket Ave also has concerns with traffic and drainage. His main concern is the distance between the houses and concerns with fire. This is higher density then the surrounding developments.

John King of 8849 Indian Mound Road discussed drainage issues in Chevington Woods and provided a picture. He has concerns with the water that is already coming from this property.

Katarina Sanchez of 9900 Mink Street is against this development. She has concerns with drainage in all of Etna Township. She inquired on the notification process and who gets notified. Previously she asked to split her property to build a house and was not permitted to do so. She wanted to have two homes on nine acres. Her property is zoned agriculture. She discussed safety concerns with the traffic at the Palmer Road/Mink Road intersection and the speed limit on Mink Street in this area.

Jim Shriner of 124 Eswine Drive owns the property just west of this property and he has no problem with the development.

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Amelia Meyer of 11725 Palmer Road stated Pulte does wonderful developments. She discussed the high density proposed for this development and has concerns with traffic, taxes, school district, and law enforcement. She has concerns with the impact on the community.

Mark Evans of 91 Olde North Church is the president of the Home Owner's Association and discussed the density, small lot size, traffic, and street lights. New England Acres does not have sidewalks. They would like more police presence. He inquired if connecting into New England Acres was required and requested the entrances only be on Palmer Road. The square footage of this development does not fit with the character of their development.

Steven James of 13541 Nantucket Avenue discussed traffic, lot size, drainage, and safety. They purchased their house recently because of the lot sizes.

James Sandhofer of 13937 Olde Post Road bought his property in 2001 and discussed crime. He tried to get Violet Township to dead end Olde Post Road and was told they needed access for emergency vehicles. He has the same concerns with traffic, lot size, drainage, safety, along with sewer system overload. He referenced the board as elected officials and it was explained that his board is appointed.

David Erwin of 140 Nantucket Avenue inquired on the construction entrance. It was verified that this was a Pulte Development and is similar to the Lake Forest Pulte Development in Pickerington.

Cindy Brehmer of 398 Nantucket Avenue asked if these homes would be rentals and was told they would not. She has concerns with the number of homes (density), crime, traffic, safety for the children, property values, and the character of the neighborhoods.

Kim Carlisle of 13740 Palmer Road discussed traffic and whether the speed limit could be lowered. She discussed whether there could be a four way stop. She has concerns with the multiple entrances and connecting into the old neighborhoods.

Tim Westall of 13896 Woodsedge Court discussed drainage issues from the field and proposed retention.

Steven Paul of 76 Nantucket Avenue discussed the removal of the R-3 high density zoning in the township in 2001/2002. He also discussed growth with no control, the density of the development, number of retention ponds, price range of the homes, safety and traffic. He feels Pulte does build quality homes. He inquired on whether Pulte would be installing turn lanes. It was discussed that the attorney for Pulte represents the developer. He read the township's mission statement from the website "The purpose of Zoning is to guide and regulate the planning, subdividing, and development of land within the township in order to promote and protect the health, safety, morals, and general welfare of the present and future property owners."

Tom Hart with Pulte stated that traffic is handled outside of zoning and is regulated under the Licking County Engineer for this project as well as O.D.O.T.'s standards. They have completed the initial traffic study. They would be required to add turn lanes at the eastern and western entrances on Palmer with four turn lanes total. Pulte would have to pay for the improvements needed for the development. There would be a study to determine if a traffic signal would be warranted at Mink Street and Palmer Road.

Darlene Gaines of 13854 Nantucket Avenue lives across from Cape Cod Way, on the pie shaped lot on the corner. She has concerns with traffic, safety, density, drainage issues, prices of the homes, and property values. She also spoke about her development not having sidewalks. She feels this development should have to do what they have to do. She does not want this development to connect to Cape Code Way and this is one of her main concerns.

Isaac Paine 13941 Cape Cod Way does have concerns with the same issues as the other residents. He discussed drainage and the flooding that is already happening. He also discussed traffic and safety.

Katarina Sanchez wanted to speak again regarding her concerns and all the issues brought up. She stated this is a money venture, that they are not going to be living there, and the board has a duty to protect the residents and would hope they have not given them any money to have this approved. But she doesn't feel they would. Chairman DiYanni stated "For the record Pulte has not acted unlawfully in anyway shape or form and I would appreciate if no one else would make implications of bribery or impropriety."

Mark Evans spoke again and referenced the Etna Township's Comprehensive Plan and feels this deviates from the plan.



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Mark Kibbey of 22 Bunker Hill Court discussed traffic, police presence, and stated his property is up high and he doesn't have issues with the drainage but requested it be addressed. He feels the township Trustee's are supposed to protect the residence. It was explained that this is the board of Zoning Commission. He requested the zoning remain R-2.

Ron Santavica spoke again regarding the maintenance of the green space and discussed rotten trees near his property. The Homeowner's Association will maintain the green space.

Darlene Gaines spoke again about traffic issues already at SR204.

Terry Cooper spoke again and requested an engineering study regarding drainage and storm water.

Blair Maloney of 72 Bunker Hill Court has concerns with traffic, children playing, and safety. There is an up rise in vehicles going thru the four way stops. She said the streets in New England Acres are the only place for the children to play. She and her husband both oppose the rezoning and the high density.

Lynn Dheel spoke again about the connecting into New England Acres and spoke about parking concerns and safety. She has concerns with the high density.

Chairman DiYanni requested that if the public has already spoken that they allow for the others who have been waiting the opportunity to speak unless the public has something brand new to present.

Amelia Meyer spoke again regarding the housing flooding the school district and asked if the schools have been contacted. She is not for the high density and has concerns with crime, safety, and the house size.

John Backus spoke again with concerns about pedestrians on the road in their community along with bicycles.

Van Konkler of 17 Bunker Hill Court discussed Etna Township wanting the rural look the small lot sizes do not have a rural look. He does not understand why this development will have to connect into New England Acres. He has concerns with safety because they have narrow roads and increased traffic.

It was explained that the Board of Trustees will have a public hearing and will make the final decision.

Terry Myer of 11725 Palmer Road discussed flooding and traffic.

**Pulte Responses**

Tom Hart explained the Planned Unit Development District and that they are trying to cluster lots with open space. The existing communities do not have these buffers. They will have bike and walking paths. This is 37% open space with rural character. This development has a large setback from Palmer Road for a rural character. There is a large demand for smaller lots because the homeowner is downsizing. These homes will be quality homes with value. A key purpose in zoning is to protect property values.

Joe Looby explained this layout was influenced by storm water management and is regulated by the county. In this development there will be two counties, Licking and Fairfield, providing input. The downstream drainage will be better. The storm water will be detained and slowed down.

Matt Callahan stated the construction traffic will enter from Palmer Road and will not impact the neighbors. This development is with Pulte, Centex is a brand that Pulte builds under and all the homes are built under the same national standards or brand. It is anticipated as being branded as Pulte. Someone can purchase the home and use it as a rental property but they are intended for owner occupancy.

The conventional single family homes in Central Ohio are selling in a range of 280-350 thousand dollar price point. This development is anticipated to be low to mid 300's. The empty nester, patio homes, are built around a ranch foundation with a bigger foot print. These homes in Central Ohio are ranging from 290-370's with this development being 325-335.

They have spoken with the schools and nearly half of these homes are projected toward empty nesters and should not have a as many children impacting the schools. This will yield a positive effect on the schools.

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The Homeowner's Association will maintain the open spaces. They use a low maintenance grass so it will only need mowed twice a year. The HOA will also maintain trees and will take care of any clean up if one falls. The HOA will also be responsible for the patio home yard areas also.

This development will allow below ground pools with six foot fencing around the pools. They do not typically allow for fencing around the entire property on the patio homes.

John Singleton explained that Licking County Planning Commission will hold Technical Review meetings with multiple agencies and these meetings will deal with issues. This development will have Southwest Licking Community Water and Sewer District. The fire will be with West Licking Joint Fire District and they have a station located on Mink Street. The Licking County Sheriff's office is in this area and Etna Township does have two deputies and have discussed adding more deputies in the future. The cross access is required by the county.

The commission and developer discussed the cross access and tying into the other developments. The developer is open to some traffic calming measures and working with the county engineer.

The commission discussed the six foot side yard setbacks. If the developer modifies the six foot side yard setbacks then the percentage of open space will change. The concerns with fire were discussed. The township just approved a development with five foot on one side and ten foot on the other side. The front yard setback was also discussed regarding the porch encroaching. The garage will always be a twenty foot minimum from the property line but the porch could encroach and not affect the driveway.

Tom Hart stated they are working on some text modifications that were recommended by the county.

The commission discussed the proposed density. The density is part of the price point and this is the density they are proposing. The details have been required in the text and will be forwarded to the Zoning Commission.

Josh DiYanni moved to recess the public hearing at 6:28 p.m. until July 28, 2020 at 6:00 p.m. The motion was seconded by Dave Olson and passed by unanimous affirmative vote.

**New Business - None**

**Old Business - None**

**Public Comments - None**

Litichia McIntyre moved to adjourn at 8:36 p.m. The motion was seconded by Dave Olson and passed without objection.

  
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Laura Brown, Clerk

  
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Josh DiYanni, Chairman