

July 28,

2020

Held \_\_\_\_\_ 20 \_\_\_\_\_

The Etna Township Zoning Commission met on July 28, 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.

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

**Zoning Commission Announcements and Comments –**

The books with the public hearing information for the upcoming hearings were provided to the members.

**Minutes**

The minutes from the July 14, 2020 meeting were tabled and will be approved at the next meeting.

**Public Hearing**

Chairman DiYanni re-opened the public hearing at 6:06 p.m. that was recessed on July 14, 2020 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).

The Zoning Commission reviewed the updated text that was submitted by the applicant.

Tom Hart at 2 Miranova Place is the Zoning Attorney for Pulte Homes and he introduced Matt Callahan and AJ Weber with Pulte Homes, and Joe Looby the Landscape Architect and Planning Professional. Together they will present for Pulte Homes. Tom Hart reviewed the modifications to the text and plans which came from John Singleton, Licking County Planning Commission, and the last Zoning Commission Public Hearing.

Overall the plan itself has not changed appreciably. Pulte has detailed some items and made some commitments. The traffic analysis will take place during the zoning consideration. They have updated a couple of commitments in the text. There are different ways to calm and limit traffic with the stub connections to the existing communities. Connection to those stubs are required by Licking County. There are traffic calming devices that can discourage cut thru traffic and this is addressed on page nine of the updated text amendment. This can be bump outs at the curbs to funnel traffic and slow it down, speed tables, and other visual and perception type traffic calming devices that are used to make people feel they should go another way. The Traffic Impact Study will go through Licking County and the Board of Trustees.

The side yard setbacks have been widened to have fourteen feet between each home with a one foot allowance for encroachment for above grade items such as architectural projections. Modifying the side yard setbacks to seven feet changed the open space calculation slightly to 36.4%, this detail is found on page eleven. They clarified the front yard setbacks will have an allowance for a five foot encroachment for the front porch.

They added text to clarify the open space and delineated in the site plan the different grass types and how it will be maintained. They committed to additional tree plantings in the perimeter buffer. This site has a fifty foot perimeter buffer on three sides with a different buffer along Palmer Road. The Homeowner's Association will maintain the fifty foot boundary overtime, the developer will establish the trees and prairie grass in those areas. This grass is designed to be natural and will be mowed several times a year. This is found on page six in the text and is detailed on the plan exhibit. They are proposing a play ground and tot lot. The walking path through the community is 1.8 miles. The site is fully sidewalked as well. The existing woods will be preserved and the hazard trees will be maintained and handled by the Homeowner's Association.

They have detailed the temporary and permanent signage on page ten.

The developer believes they will have a positive impact on the drainage and storm water issues. They have done preliminary work on this issue. Any new development is required by the County to hold the water and slowly release it. There are Licking County Storm Water Regulations that they will have to comply with. They will also work with the Violet Township Trustees and the Fairfield County Engineers regarding storm water and share their documents with them. The law requires them to control the water coming off of the site.

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Chairman DiYanni explained how the public comments will be conducted. The questions will be addressed to the board and Pulte will answer all the questions at one time. The board is aware of concerns with traffic, density, safety, property values, crime, impact on the neighborhoods, and impact on the schools. It was requested to bring new concerns to the board. Comments will be limited to one time per person and the time limit of five minute per person will be enforced.

**Public Comments**

Dana Burd of 478 Nantucket Avenue wanted to address the perimeter and the maintenance of the trees behind his house. He would like to see more of a barrier between the property lines and does not like the proposed density.

John Giannndris of 13521 Palmer Road discussed the square footage of the proposed homes, density, acreage, and lot size. He does not feel this is conforming to the neighboring developments. He discussed all the flooding and the water across Palmer Road from the Taylor property. He also discussed police services and crime.

Sandra Backus of 13986 Olde Post Road discussed the Taylor Farm and if they have submitted for a rezoning. The Taylor Property has already been rezoned to R-1. She was concerned with this rezoning setting precedence. She moved to her house for the location and the community. She discussed property values, the community, and wanted to know what the advantage is to the existing property owners. She has concerns with connecting onto their roads because they are not wide enough and does not feel the roads were developed for the additional traffic. She does not want them to connect into their development.

Sharon Heckathorn of 8864 Indian Mound Road has concerns with the flooding and wanted to know if the meetings regarding the storm water are open to the public. She has concerns with water during the construction phase.

Tom Wilson of 13617 Nantucket Avenue wanted the streets identified on the map that go into New England Acres and does not want the developments connected because of concerns with cut thru traffic.

Steven Paul of 76 Nantucket Avenue discussed the Etna Township Future Land Use Plan and feels the Zoning Commission is charged with protecting the community and the developer. The township removed the R-3 Zoning years ago. He has concerns with water retention and drainage. He requested the developer do an impact study prior to proposing a development.

Mark Evans of 91 Olde North Church Road is the President of The New England Acres Subdivision and requested a copy of the application for the rezoning. He did not see a statement on how the proposed rezoning meets the Etna Township Comprehensive Plan per the requirements in Section 603 of the Etna Township Zoning Resolution. Mark Evans discussed why the Zoning Commission recessed the hearing last time and whether the modifications violated the ten day requirement for public viewing. The website is still showing the July 14, 2020 application. The proposed traffic calming of speed humps was not permitted for their community, New England Acres. Their community is preparing to petition for a referendum for a public vote.

John Laake of 71 Beechwood Drive does not believe this development complies with the Etna Township Comprehensive Plan. He discussed road improvement that will be needed in the area, water and sewage improvements, what happens to the other farms in the area, and inquired on the process and who approves the plan. Josh DiYanni explained that the Zoning Commission will make a recommendation to the Board of Trustees and they will make the final decision.

Dave Erwin of 140 Nantucket Avenue has concerns with what could go in on the farm and the existing issues with drainage and traffic.

Jim Sandhofer of 13937 Olde Post Road has concerns with dead trees and old rusted fences in the fifty foot easement. He has concerns with the size of the lots, safety, traffic, safety with the ponds, and group mailboxes.

Ron Santavicca of 184 Nantucket Avenue discussed the rain last night and the flooding in the area and feels Licking County needs to address the water issues.

RECORD OF PROCEEDINGS

0229

Minutes of

Meeting

Etna Township Zoning Commission

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Matt Shonkwiler of 13948 Stone Henge Circle is a member of their Home Owners Association board. They have concerns with traffic, safety, property values, and drainage/flooding. He inquired if the lot sizes are in compliance with the current Zoning Regulations. He verified that the developer will comply with all of the county regulations and if it is possible for the drainage regulations to be modified. He discussed the timing of the rezoning because of Covid-19 and requested the meetings be postponed because of the demographics of the community and their residents have been diligent to protect themselves from the virus. He also inquired on the advantage to other communities. He wanted to also inquire if the timing of the amendment was in compliance.

Darlene Gaines of 13854 Nantucket Avenue discussed the drainage on her property and the traffic. She discussed the traffic and how it will flow in front of her house along with who will be paying for the road improvements and maintenance of their roads. She does not want the road connected into their development.

Joyce Black of 13398 Palmer Road has concerns with traffic and safety on Palmer Road.

David Kos of 13549 Carriage Lane suggested the developer eliminate the walk way so they can reduce the proposed high density and use sidewalks.

Tom Hart addressed density, lot size, and value. The single family homes are starting out at a \$300,000 dollar price point. The patio homes are starting at a \$340,000 dollar price point. They have to have the density they are requesting to keep these home values. The developer is buying the open space and will be replacing all the old fences and dead trees. They will be doing off site traffic improvements. The cost to do all the improvements, bike path amenities, along with sidewalks, and storm water will require the home values. The development does comply with the Etna Township Comprehensive Plan. Zoning is a property right and the new development will have to pay for the traffic impact. Tom Hart provided page 63 from the Etna Township Comprehensive Plan which under residential addresses density and conservation subdivision neighborhoods. Tom Hart also provided documents showing the homes values and lots sizes between Chevington Woods and New England Acres along with recent sales and values from the auditors website. Their development will exceed what the home values are in this area. The lot size is not the only item that provides property value in a community.

Tom Hart stated that Pulte will clean up the perimeter buffer and will maintain it. The development is proposed under a Mixed Use Development and there are not any required lot sizes or densities to meet. He feels this development does meet with the character of the area. The developer has to meet the storm water regulations and will not be changing any storm water regulations. They will be required to handle the water coming from the property across the street on Palmer Road. If they get approved for zoning then they will do the final engineering, this is done once you have the right to develop. Their final engineering will be part of the Final Development Approval. Those meetings are all public meetings. The developer will make improvements to the roads in the area based on the traffic impact, Trustees, ODOT, and the County Engineers. The pond will be required to have a safety ledge which is a company practice anyway. The pools will be required to have fencing. The post office is now requiring a common postal box location on the site. The post master will control this. Each home will accommodate four cars and will have two car garages along with driveways. This development does comply with regulations and all the standards of Etna Township and Licking County. The Developer will be required to handle all traffic impact from this development. On the back of Tab 6 in the binder there is a traffic study that has been provided. Both the eastern and western entrances on Palmer Road will have required turn lanes. They could be required to do additional improvements. The turn lanes will go in with the initial houses. The right turns will be required once they reach fifty turns per hour, which will probable happen in Phase One. They will study the other intersections in the area and will have to help with a proportionate share of the improvements to those intersections. The traffic impact will be reviewed by Licking and Fairfield County Engineers offices because this affects both counties.

Roger Hayes moved to close the public hearing at 7:50 p.m. The motion was seconded by Litichia McIntyre and passed by unanimous affirmative vote.

Roger Hayes would like to see a larger lot size with a reduction in density. He suggested a five foot side yard setback on one side and ten foot on the other side. Etna Township does have dedicated Licking County Deputies and have discussed hiring additional deputies for this area.

The public hearing was closed and the public was not permitted to speak at this time. The deputy had to remove a member of the audience. The Zoning Commission members are appointed by the Board of Trustees and are not elected positions.

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Dave Olson agrees with Roger Hayes and would like to see bigger lots and fewer of them. Litichia McIntyre would like to see more space between the lots. The Zoning Commission discussed what was previously recommended with the five on one side and ten on the other giving fifteen between the houses. The commission discussed a reduction in the density. The drainage issues should be solved because of the requirements on storm water requirements. The Zoning Commission discussed meeting some of the public's concerns with density.

Matt Callahan with Pulte discussed the modifications made on the site plan in respect to the lot sizes creating an increase in the overall lot area. They want to accommodate larger homes and three car garages. The minimum lot size is 60x140 but the average lot size will be 62-63 which will allow for 64-65 on some lots. The larger lots will accommodate three car garages. This is a big change in the overall all open space percentage. This is with the fourteen feet setbacks between homes. The density helps to pay for the amenities such as playgrounds. The density is needed to meet the business plan. The side yards with the five on one side and ten on the other side could be modified giving a home owner ten between the two houses.

Tom Hart said if the Zoning Commission wants to make a recommendation on the density to the Trustees that is fine, the developer can reorganize the plan based on the recommendation.

Josh DiYanni moved to recommend to the Board of Trustees to approve 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) subject to the following modifications and recommendations: 1. Minimum space between the homes of fifteen feet and 2. To reduce the density by ten percent. The motion was seconded by Dave Olson. The motion passed by unanimous affirmative vote.

**New Business - None**

**Old Business - None**

**Public Comments - None**

Litichia McIntyre moved to adjourn at 8:06 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