

Zoning Commission

1 **US 23 Overlay District**

February 19, 2020

2
3 **LEGAL NOTICE**
4

5 Notice is hereby given that the Orange Township Zoning Commission will hold a public hearing on
6 Wednesday, February 19, 2020 beginning at 7:00pm to discuss the following:

7 Introduction of the US23 Overlay District presented by Delaware County Economic
8 Development.

9 Discussion on legal representation and usage for Zoning Commission application reviews and
10 procedures.

11 The meeting will be held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio
12 43035.

13 Michele Boni, Planning and Zoning Director is the person responsible for giving notice of the hearing
14 by publication.

15 *Mark Duell, Chairperson*
16 *Michele Boni, Orange Township Zoning*
17

18 *Publish one time on or before Sunday, February 9, 2020 in the Delaware Gazette.*
19

20 Mr. Duell called the meeting to order at 7:00 p.m.
21

22 Roll: Mark Duell, Adam Pychewicz, Todd Dove, Dennis McNulty, Dustin Doherty
23

24 Township Official Present: Michele Boni, Planning & Zoning Director
25 Jeff Beard, Zoning Enforcement Officer
26

27 Ms. Boni read the Legal Notice. We have representatives from the County's Economic Development
28 team and they have a presentation on the US 23 Overlay District.
29

30 Bob Lamb, 101 N. Sandusky Street, Delaware, Ohio 43015, Delaware County's Economic Development
31 Director. I just want to go through what our philosophy is and the services we're providing to the County
32 and those Townships within the County. Especially here in Orange Township, you've seen a lot of growth
33 and have had to work hard to accommodate much of that growth, but not only are we quickly growing
34 within the Central Ohio community, we also have very high income levels. Our lead household income is
35 \$103,000, 52.5% of our residents have bachelor's degrees, and when we increase that to an associate's, it
36 becomes 60%. We're approximately 3 times the national average for education past the high school level,
37 and we've seen about 15% population growth since 2000. From a County standpoint, we're at 214,000
38 today. When you look at the MORPC numbers, we're as high as 280,000 by 2040-2050. Some of the
39 State numbers have us at 300,000 by the 2050 mark, so we know we're going to continue to grow, that
40 it's going to continue to be something our communities have to face. Our unemployment rate is 2.8%, we
41 are Triple A bond rated, not only at the County level but at the sanitary sewer district level, and about
42 only 11 other jurisdictions in the Country have a Triple A bond rating for utilities, so we're well
43 capitalized to be able to undertake the infrastructure needs that are facing us. However, those needs are
44 very heavy and though we can meet on the sanitary sewer front, we are not as well capitalized when
45 looking at transportation or other key items we need to undertake as a community as we continue to grow.
46 In 2018, we saw 3211 jobs; we're still waiting on the 2019 final job numbers. From a direct affect from
47 my office's standpoint with the County, about 1100 jobs is directly what our office worked with in 2018

Zoning Commission

48 and about 916 jobs for 2019, so we'll see how that number correlates with the overall job growth within
49 the County when those numbers are finalized by the Federal government. We share a common mission.
50 One Delaware, Delaware County, Delaware County Township Association and Delaware County Finance
51 Authority are the entities being employed by the County Commissioners, but also the others we work
52 with on a very regular basis to try to encourage commercial investment throughout the County, so smart
53 growth is what we try for and what smart growth is looking at as we define it is trying to diversify the tax
54 base within the community while bringing new jobs to the community and respect the heritage of the
55 Townships and Villages that we work with. So quality, collaborative and control are the key items that we
56 look at. And what can that lead to? It can lead to a lot of great projects within a community that develop
57 but of course means we have to work closely with the different partners to recognize what their needs are
58 so we can properly address it as we go forward. We want development that improves the quality of life
59 and diversifies that tax base. One of the biggest challenges our community faces is the tax base. Right
60 now, Olentangy Schools has about 97% of their revenue coming from single family homes. That means
61 that as they need to look at other revenue sources, they come back to the single family home owners. We
62 work closely with Olentangy Schools; it's our goal to help bring commercial investment to the
63 community. We can't stop the need to pursue future levies but hopefully we can help bring down how
64 much those levies need to be. Increased home values support our schools. Increase the tax base and
65 minimize commute times; minimized commute times is probably one of the most important things. Right
66 now our average commute time is 42 minutes for a resident in Delaware County; that's the longest time in
67 Central Ohio and we're a premier community. But as our population increases, what happens to us being
68 a premier community if that 42 minutes turns into an hour or an hour and fifteen. So we're a partner,
69 we're here to be a resource as to the direction of the County Commissioners to my office. My office is
70 assigned to serve as staff to the Delaware County Finance Authority as well as a partnership effort, so our
71 goal is to go into the communities and find out how we can be of better service to all of you. We're trying
72 to do that through zoning endeavors, infrastructure and incentives because those are the three legs
73 economic development stands upon. When you look at incentives, a lot of people have angst about it. I
74 fully understand that. Other communities in Central Ohio are doing it, so if we want to be competitive for
75 commercial investments, we need to also be willing to look at it but we need to be smart about how we do
76 it and leverage it in a way that's going to develop infrastructure that we have in this County so that we
77 can address the commute issues and other issues we face as we continue to grow, so using those dollars to
78 put back into roads, sewer and other critical infrastructure. How we look at supporting tools, tax exempt
79 and sales tax, so not all of our incentives are actually going to redirect tax dollars. Financing for
80 infrastructure, grant loans and PACE financing. PACE is Property Assessed Clean Energy that's actually
81 working with a developer to help restructure a different financing package that can help move a project
82 forward. Tax increment financing and CRA's affect how much tax dollars are flowing to schools and
83 other entities within the County. At this point I'd like to head back to the 23 Corridor Study; I believe all
84 of you have been shared a copy of that study. I'm happy to go through it a little more in depth or I can just
85 hit on it very generally or answer questions that you may have related to that study. Following that, I'd
86 like to quickly go over the partnership that we have formed with Orange Township regarding the 23
87 Corridor Zoning Overlay.

88

89 Mr. Duell: Who funded the study?

90

91 Mr. Lamb: The study was founded by a partnership; One Delaware, it was Delaware Now at that time
92 with two of its members. They raised about \$25,000, the Delaware County Finance Authority matched
93 that \$25,000, those two groups came to the County Commissioners, and the Commissioners put \$50,000
94 into the project.

95

96 Mr. Duell: What is One Delaware?

97

Zoning Commission

98 Mr. Lamb: A non-profit group that was formed by local business owners and property owners to help
99 encourage economic development in the County.

100

101 Mr. Duell: Are there developers that are members of One Delaware?

102

103 Mr. Lamb: Yes. On the 23 Corridor Study, the study looked at traffic patterns and what needed to be done
104 within that corridor. A lot of key issues arose, one was creating a zoning overlay. This study looked at the
105 very southern end of Delaware County to the very northern end, covering four Townships and the City of
106 Delaware. We believe the overlay zoning is the right approach to encourage both new investment and
107 reinvestment throughout the corridor. We looked at advanced traffic improvements, what could we do to
108 help make sure traffic continues to flow on 23. We know already it can be a bear for residences that have
109 to deal with it on a day to day basis, but that's today; what happens when there's another 50, 80, 1,000
110 residents in the community? How can we work to keep it at what it is today, maybe improve it at certain
111 key locations? That's what we're looking to do through traffic improvements. We have been working
112 with ODOT on signals, how do we work with local communities to put in auxiliary roads, also work with
113 the County Engineer's Office? How do we put in better turn lane locations and are there different right-
114 in/right-outs or full access spots that we can close down to help improve traffic flow? Closing an existing
115 access point is probably one of the hardest things to do, but are there those opportunities? Produce
116 economic development incentives. Layout a policy that is acceptable to each local community, so it may
117 differ between each community based on what they want to see brought to that location and form that
118 policy in a manner and way in which we can help attract commercial activity that that specific community
119 wants to see. And then marketing by business corridor, so speak with a common voice and let everyone
120 know what 23 is and what you want to see coming to 23. That way we're not wasting the residents' time
121 having to oppose projects they don't want, we're not wasting your time by bringing projects you don't
122 want coming forward asking for variances for other zoning policies, and we're not wasting the time of the
123 private sector on pursuing projects that either the community doesn't want. Community communication
124 tool kit, how do we get out to the local businesses, the property owners to hear back from them because
125 everything we're undertaking needs to be driven by their expectations and desires for these types of
126 projects. That's probably one reason I'm so excited about the partnership we've entered into with Orange
127 Township. We're going to work with the Zoning and Planning Department very closely to develop its
128 draft plan that will come forward to all of you for your comments and review. We are not the drivers of
129 this; we are the support tool for this endeavor, but the great thing with this partnership is the County has
130 resources that are not available to the Townships, whether it's my staff, the consultants we have on the
131 planning, financing and engineering side, so we're able to bring these resources to each of the
132 communities to help draft these overlays, looking at the multitude of issues that affect the success or
133 viability of that overlay and making those resources available to each of the local zoning leaders so that
134 they can make their decisions with that input added into the equation.

135

136 Mr. Dove: How do you fold into what the community, the residents want?

137

138 Mr. Lamb: For Orange Township, we're going forward with the stakeholder series of meetings and also
139 public meetings so we can gain feedback from residents. From a US 23 Corridor standpoint, we're doing
140 the same but also releasing surveys that residents can fill out and provide input. It's important for us to
141 provide opportunities for residents, businesses, landowners to be able to provide feedback. We use that
142 feedback to create that first draft of a plan and then that's brought forward to you or the appointed
143 representatives of the community, and that plan will also be weighed in by the elected officials before it
144 moves forward for adoption.

145

146 Mr. Duell: Why do we need zoning overlays?

147

Zoning Commission

148 Mr. Lamb: Zoning overlays better position an area so a community can have an area develop in a manner
149 that it deems fit.

150

151 Mr. Duell: What's a zoning overlay going to do that we can't already do now without an extra layer of
152 rules on top of it?

153

154 Mr. Lamb: Say I'm an agricultural piece of land. It would just have that agricultural zoning with no other
155 guiding policies on it that are legal in a zoning matter. An overlay lets you go forward and places on top
156 of it through a cloud-type mechanism the type of zoning and development you would like to see occur on
157 that site but you don't change the underlying zoning of that location, so you're expanding what a
158 developer or a business can look at, to how they can develop that site.

159

160 Mr. Duell: Our Comprehensive Plan already basically does that.

161

162 Mr. Lamb: It's not a legal change though to the available zoning, to have that standard development set
163 tight.

164

165 Mr. Duell: Why are we going to put a legal change on somebody's property without their request?

166

167 Mr. Lamb: We've actually had a lot of requests by different property owners along the 23 corridor for
168 this. Not all, but a show of interest.

169

170 Mr. Duell: Why don't they just go through the normal zoning process?

171

172 Mr. Lamb: When you go through with the zoning policy, you actually change the taxable value of that
173 land. An overlay doesn't until an individual property owner reaches up and pulls that zoning down in the
174 cloud onto it and changes what the use of that property is. The tax base doesn't change, so it's a really
175 important tool for those using their land for agricultural type uses.

176

177 Mr. Duell: Who is writing the zoning overlay?

178

179 Mr. Lamb: It will be written in partnership with the Planning and Zoning Director for Orange Township,
180 we have a consultant on...

181

182 Mr. Duell: Who is the consultant?

183

184 Mr. Lamb: Holly Matteis.

185

186 Mr. Duell: Who pays the consultant?

187

188 Mr. Lamb: It is paid through the Delaware County Finance Authority as part of the partnership
189 agreement. I think the point you were trying to get at in how's it paid, our office is here as a tool for
190 Orange Township and we will be following the direction of Orange Township, we'll be submitting back
191 to Michele for review on all documents so that she can weigh in before anything is shared with the
192 Zoning Commission or elected officials. We are assisting her in this endeavor.

193

194 Mr. Pychewicz: Adjacent Townships, such as Berlin and Liberty, what's the status of their involvement in
195 this overlay?

196

197 Mr. Lamb: On the 23 corridor overlay, right now my office is working with Berlin on 36/37; we're
198 probably going to wrap that up before looking at 23. Right now we are talking with Liberty Township

Zoning Commission

199 about coming to a similar agreement to what Orange Township has adopted. They have not gone forward
200 with authorizing that agreement at this time. We're actually going to focus on a PACE project and setting
201 up a PACE District in the next few months in Liberty Township if the Trustees move forward with that
202 endeavor because there's a project occurring right now in Liberty that wants to enact a PACE District.
203 Just because of resources and timing, we're going to focus on that PACE District over the next few
204 months and then hopefully in May or June we can go into the overlay conversation with them, though
205 their overlay conversation will mostly address Sawmill Parkway, but we'll be happy to assist them on 23.
206

207 Mr. McNulty: How will this directly affect what's already been done and how the Zoning Commission
208 already works? What would be the restrictions if a developer wants to do this in a particular property on
209 23?
210

211 Mr. Lamb: How this will affect the Zoning Commission will come down to how the overlay is written
212 and what are the rules and policies set forth in the overlay. There's a multitude of different ways to do
213 that. The Ohio Revised Code allows you to develop an Architecture Design Review Standard Board, so
214 that's one thing the Township could consider putting in place if it so chooses to adopt an overlay. It's not
215 required; Berlin Township is looking at that option. I can't give you a hard answer how it will exactly
216 affect you because you have to write the rules of how it will. As to how it affects existing properties, one
217 of the things especially important for Orange is looking at not just new development that occurred on the
218 Creekfield site but also what are the opportunities going to be available for redevelopment on sites that
219 have already seen commercial development and what are the trends moving toward in commercial
220 development that could affect the viability of those sites in the future and how do you want to position
221 existing sites of a commercial nature for reinvestment opportunities.
222

223 Mr. McNulty: Is this entire project a marketing opportunity for the 23 corridor in Delaware County?
224

225 Mr. Lamb: The 23 Corridor Study absolutely is a marketing opportunity for all of Delaware County and
226 the various Townships and City in it. I don't know if the overlay is specifically a marketing opportunity.
227 If you look at 23, we have the unified business corridor, it speaks with that one voice telling the business
228 community, landowners and developers what it is that the community would like to see developed within
229 its area.
230

231 Mr. McNulty: So it will be used as a marketing tool for those developers for commercial primarily which
232 we already know that is what Orange Township has been lacking, no doubt.
233

234 Mr. Lamb: Right. The overlay will be structured about bringing in commercial. The overlay process
235 won't be a marketing tool of itself but I believe once in place, an overlay is something that can be
236 highlighted to the commercial community to help attract investment.
237

238 Mr. Duell: Most of the land along 23 is already zoned commercial. Why would we need an overlay to
239 drop commercial over top of it?
240

241 Mr. Lamb: There is actually still quite a bit of land throughout the 23 corridor that has not been fully
242 zoned yet and still sits as agriculture. Obviously Orange Township is a little different with the majority of
243 the commercial property on 23 sitting in Orange Township, but a lot of that commercial zoning doesn't
244 actually provide development or design standards or what that needs to look like; it has the existing
245 zoning on it. One of the things with the overlay is that you can establish design standards and
246 development standards along with the zoning.
247

248 Mr. Duell: The Zoning Resolution already has design standards in it.
249

Zoning Commission

250 Mr. Lamb: Only to a certain extent, but you can actually drive much deeper in an overlay zoning than
251 what you can in standard zoning.

252
253 Mr. Duell: Like what?

254
255 Mr. Lamb: You could go into specific lighting patterns. I know you have a lighting plan but you can go a
256 little deeper into those on an overlay. Also with road connections and other things that are not necessarily
257 zoning items, so how do you get from one community to another, you can build that into your overlay
258 plan and lay it out so it's very understandable to that developer looking to make an investment has to do a
259 connection between one property or another, so there are a lot of tools you can bring to the table.

260
261 Mr. Duell: The roadways are typically in the purview of the County Engineer.

262
263 Mr. Lamb: And we'll work with the County Engineer. Your 1200 acres on Powell, obviously most of that
264 north, but when you look at the existing land use plans for the area, you'll see predominantly agricultural.
265 As you look at the existing planned land use, you see 51% still shown as residential; only 17% is
266 commercial and office. We would like to get that 17% number increased throughout the 23 corridor.

267
268 Mr. Dove: What is the border of the corridor?

269
270 Mr. Lamb: The southern border roughly to Powell Road all the way to our most northern end.

271
272 Mr. Dove: Is it just along 23 or how far off 23 are we talking?

273
274 Mr. Lamb: We're looking for each community to tell us how far back they would like that overlay to go.
275 This was the study area here in blue but, with the core focus being on that dark blue area, we don't expect
276 an overlay to extend over all of that. We are looking for a community to tell us what the proper
277 boundaries of that overlay are.

278
279 Mr. Dove: One thing this Board does is try to look at each property separately; what's surrounding it,
280 what's going in. We talked about the community and what the community wants. Every pocket
281 neighborhood doesn't want anything, not in their backyard, so how are we going to deal with the needs
282 and wants of the community with an overlay.

283
284 Mr. Lamb: We're doing this same thing with Berlin. We've gone through a multitude of public hearings
285 on 36/37. I've stood in driveways of residents who had questions regarding the overlay; we're going to
286 continue to do that until we can develop the plan that helps meet the needs of the community. We don't
287 see the overlay as being the same in every area throughout the corridor. We understand that each different
288 area is unique in its own ways. We're going to be looking at that as we develop the overlay and making
289 sure we're looking at what's right for Orangepoint might not be right for Cheshire. We understand that
290 and we want to work with the different groups to lay out that concept in the overlay.

291
292 Mr. Duell: Can't you proceed without the overlays and interfering with the local Zoning Resolutions?

293
294 Mr. Lamb: I believe an overlay is the best approach. It allows you to package it logistically together.

295
296 Mr. Duell: That's not what I asked.

297
298 Mr. Lamb: I don't believe you can in a way that will attract the commercial investment we want.

299
300 Mr. Duell: Why is that?

Zoning Commission

301 Mr. Lamb: Because I don't believe it provides the flexibility to meet different market conditions and I
302 believe every time you ask someone to go through a zoning process, that adds months to years to a
303 project, and time is money for a developer.

304
305 Mr. Dove: How do you marry the three things I hear from residents all the time? 1) traffic is horrible, so
306 we're going to add traffic. 2) our taxes are too high which we're saying obviously commercial will help
307 and 3) just not in my backyard.

308
309 Mr. Lamb: I agree those are the three but I think they can find a way in which to work together. It's not
310 easy on the traffic side by bringing commercial projects that can help fund auxiliary roads. Auxiliary
311 roads take traffic off of 23. They also provide funding so we can undertake improvements on Old State
312 and other locations throughout that corridor area that can help alleviate traffic concerns. I can't tell you
313 that they'll disappear, but we can make smart investments that minimize the traffic as best as possible.
314 We're going to continue to grow as a community, and if we don't try and take proactive steps and create a
315 commercial tax base that helps us drive out toward those improvements, it's only going to continue to get
316 worse without providing the mechanism to secure the funding to make improvements.

317
318 Mr. McNulty: How would these overlays be attractive to the developers and save them time?

319
320 Mr. Lamb: It saves time, it lays out the rules and policies by which the community is set that allows an
321 area to develop. The developer can look at it fairly quickly and know if it works for their project or not. If
322 a community is very clear on its expectations, that can move a developer along in the process or it can tell
323 a developer I don't have to spend 6, 9 months to a year going through a multitude of steps of what would
324 be acceptable to a community. I can look at it today, know it works for my project, build out the cost
325 points to it and know if I can go forward under that system.

326
327 Mr. McNulty: So you're attempting to fine tune what our Zoning Code is, you're going to simplify it to
328 an extent.

329
330 Mr. Lamb: Not the existing Zoning Code, looking at the overlay to be fine tuned and specific to help the
331 traffic commercial investment, but we don't change your existing Zoning Code. This will be separate.

332
333 Mr. Dove: It's more eliminating this process. They don't have to wait a year to see if they're going to get
334 approved and go through stipulations and they basically can say it's zoned for this, here's your
335 requirements, we can do that, let's go.

336
337 Mr. McNulty: So there's still limitations...

338
339 Mr. Dove: If it's written in the overlay.

340
341 Ms. Boni: And there's still going to be public notice requirements, so whether it goes to the Zoning
342 Commission or Trustees on the final development of it, we have to notify all the residents around it and
343 have a hearing.

344
345 Mr. Lamb: And you could also look at the Architectural Board as another point in which you could do a
346 review of the project as well as a site plan has to be reviewed and approved normally designated to the
347 Trustees.

348
349 Mr. McNulty: Are these overlays and venues in other communities successful to attract business?

350

Zoning Commission

351 Mr. Lamb: Yes. A lot of the communities around the Cincinnati area have successfully used overlays.
352 We've also seen success in the Dayton area, Berkshire Township adopted one to help move through the
353 Tanger Outlet. Whether you want to view that as a plus or not, I think there's some mixed feelings by the
354 residents in the area. We're currently undertaking a project in Berlin Township, again, working through a
355 lot of concerns the residents have, hoping to find a middle ground that we can establish to go forward
356 with the adoption of that overlay.

357

358 Mr. Duell: Your plan talks a lot about mixed uses, so mixed uses certainly look like multi-family
359 residential. One thing we hear is we don't want Orange Township to look like Columbus, so why would
360 we want to put an overlay in that opens up 23 to being what has become of Polaris Parkway?

361

362 Mr. Lamb: That is something you can control as you go through the early process. If multi-family is
363 something you have concerns on, you can lay out the framework for where and how that is acceptable and
364 the standards by which you would have to build to be able to meet its need. I think multi-use is almost
365 where we're looking at how and which you can secure office perhaps in the rear behind retail oriented
366 projects and what's the right mix for that in order to make it financeable within the private market.

367

368 Mr. Duell: We still have quite a bit of control about what commercial developments look like, what ends
369 up here, and this just seems like a way to take that control away from the resident Board here as to how
370 commercial endeavors are made. We've had commercial endeavors that have tried to come in that met
371 very strong opposition from local residents. The overlay would seem to take some amount of control
372 away from the citizens to make the decisions about what they want in their community and what they
373 want their community to look like.

374

375 Mr. Lamb: I don't feel an overlay does that. I feel an overlay actually empowers the community to lay the
376 framework for what it wants on each project by being able to position it up front to what it expects.
377 Again, you can even establish that Architectural Design Board which can oversee to make sure that
378 project is meeting the development standards that have been set.

379

380 Mr. Duell: So why set an Architectural Design Board that looks at it after the fact when the Zoning
381 Commission looks at it up front now?

382

383 Mr. Lamb: The Architectural Design Board looks at it to determine if the development is actually meeting
384 the design standards that have been set and laid out by the Trustees through the interaction of....

385

386 Mr. Duell: The Zoning Commission already has the power to review that all up front and make changes
387 as necessary as requested by the applicant.

388

389 Mr. Lamb: As requested by the applicant?

390

391 Mr. Duell: Yes.

392

393 Mr. Lamb: What we're doing is packaging it all up front. I think a lot of individuals who have gone
394 through development projects in Orange would say that anything that helps move that process forward in
395 a quicker, more meaningful manner is a plus and we see overlays do that throughout the State of Ohio, so
396 I think this does it. It's a way you layout the criteria up front, you remove the full zoning process from it
397 but you establish the policies and standards you want up front in a clear focus that seems to move projects
398 along quickly. I understand that you feel that those mechanisms exist today in the Code that's in place and
399 to a certain extent they may or may not, but I don't feel that the development or business community feels
400 that projects often times move forward in a quick enough manner that meets their needs.

401

Zoning Commission

402 Mr. Duell: So we're supposed to just cede some control to the developers.

403

404 Mr. Lamb: Absolutely zero control is being ceded to the developer. Again, you're setting those standards
405 up front in a way in which they can understand and fully appreciate while also establishing that Design
406 Review Board that can help make sure projects move forward in a manner that's acceptable to the
407 community.

408

409 Mr. Dove: How much community involvement do you have with the other communities along 23 because
410 we have half a dozen people at our first meeting, we might have half a dozen people at Trustee meetings,
411 we have two people at our Homeowners'; they don't care until it's already a development or too late
412 because they don't know.

413

414 Mr. Lamb: Is your question on the overlay process or the 23 Corridor Study?

415

416 Mr. Dove: The whole study. We talk about community involvement.

417

418 Mr. Lamb: My office didn't oversee the 23 Corridor Study. It is my understanding that multiple
419 stakeholder meetings were held, that MKSK worked directly with ODOT, County Engineer and other
420 entities as they did the research and development of the plan, but I can't speak to....

421

422 Mr. Duell: They never talked to us; this thing happened unbeknownst to us, so who were they talking to?

423

424 Mr. Lamb: I know they talked to several of the Trustees as they went through the process.

425

426 Mr. Duell: What about us?

427

428 Mr. Lamb: I can't talk to that; it wasn't my office. What I can tell you is that now that the overlay is a
429 partnership effort with my office, I'm here talking to you tonight before we begin that process.

430

431 Mr. Pychewicz: I've worked through a multitude of overlays and maybe this helps a little bit in
432 understanding. I'm not saying I have some knowledge over everybody else, but this is exciting to me
433 because we have the ability here to set the standards for the 23 corridor. I think we can all agree that
434 there's a lot that can go wrong and we can go down these rabbit holes of issues and things that could
435 potentially come out of this, but I think we all need to understand that we're setting those standards that
436 are going to go into place. This isn't something that developers or any outside entity other than the
437 community, which is important to have involved in this, has any input in. We can be as vague in these
438 stipulations we put into this thing. For instance, you mentioned Architectural Review Board. We could
439 say here's a set group of materials that we're not going to allow in the overlay district and we can leave it
440 as vague as that. Or we could say we need to have a base rustication, something that's at the base, and a
441 cornice at the top; we can be as specific as that. Those things are up to us and the community to
442 determine. You mentioned that there's multiple opportunities, whether it's through these meetings or
443 surveys you send out to houses, so I'm assuming you're getting as much input through surveys that
444 you've sent out via mail; not everyone can necessarily make it to these meetings.

445

446 Mr. Lamb: We haven't done the surveys yet; they will go out. I wanted to come here, introduce myself...

447

448 Mr. Pychewicz: I mean in other Townships. Have you done that in Berlin? You said you were further in
449 the process.

450

451 Mr. Lamb: We didn't do a survey of that nature because that wasn't asked. We did a lot of meetings with
452 smaller communities that exist right along that corridor. We were willing to do a survey; it just wasn't the

Zoning Commission

453 approach they wanted to do. It is our intent to do a survey for both the 23 corridor and, if the desire of
454 Orange Township, we will do a survey of the overlay as well. I used the survey process when we did the
455 economic development action plan about 2-1/2 years ago. We had a lot of great responses, we had five
456 public meetings, six stakeholder meetings, so I'm a big believer in getting out in the community, get the
457 feedback and build the plan around that feedback.

458
459 Ms. Boni: The survey is something I suggested when we did the 2018 Comprehensive Land Use Plan. I
460 wanted to have a similar outreach method for that, have the open house and the stakeholder meeting, do a
461 survey and grab the attention of as many people as possible, and we are putting it in our next newsletter,
462 so if there's any part that I will be participating in the most, it's the outreach component because that's
463 very important to me, and I think the community appreciates that too.

464
465 Mr. Dove: In terms of a schedule and our feedback as a Zoning Board, does that need to occur during
466 these public meetings because I see we'll probably get a copy of it May 28 when it goes to Regional
467 Planning and then our first meeting is the 17th of June for the Zoning Commission to review it. Is that
468 when we start our conversations or do we do that as part of the community meetings?

469
470 Mr. Lamb: I guess I would extend that to you through whatever the Planning and Zoning Director felt was
471 appropriate. I would be happy to have you at the public meetings to provide feedback as residents of the
472 community but that would be your first scheduled official meeting in which you provide feedback as the
473 Zoning Commission.

474
475 Mr. Dove: June 17th?

476
477 Mr. Lamb: Yes.

478
479 Ms. Boni: And I think the open house that is scheduled for April 9, that welcomes all residents, all
480 business owners, whoever wants to go to that. There will not be a draft plan in place by then but we're
481 just trying to take feedback at that point, but as soon as we get the draft plan, I'll take comments as soon
482 as you'd like to give them to me.

483
484 Mr. Lamb: This is the draft schedule that we have right now, we've set the dates that we're going to try
485 and hit, but in Berlin, I think we took it back to the Zoning Commission three times before they moved it
486 along to the Trustees, and the Trustees just had their first meeting two weeks ago and have re-set their
487 next meeting to hear that on April 9, so this isn't a process that we're saying here's a hard time line; our
488 expectation is to hit it together to work with the community to work with the appointed and elected
489 officials.

PUBLIC COMMENT

490
491
492
493 Dave Eby, 433 Highmeadows Village Drive, Powell, Ohio 43065, I have participated in every board in
494 the Township except the Park Board, and when we talked about overlays years ago, one of the concerns
495 we had was the potential reduction or elimination of the people at large's right to referendum that plan, to
496 move on to a point where too many details were not resolved and then the plan could not be referendomed
497 by the people if in the end it turned out to be something that was not truly desirable. I wanted to make
498 sure that did not happen and I'd like to learn more about exactly what the overlay district does to the
499 property within the overlay district. That really wasn't defined well here in what you were saying. Say
500 I've got farm land in Orange Township and now it falls under the overlay district. What right does that
501 give you to move forward and is that right, that's something that's guaranteed to move through the
502 process or is the Township not going to have any control?

503

Zoning Commission

504 Mr. Lamb: The rights established within the overlay are established by the overlay, so the document will
505 specify what rights exist to the landowner as well as the process by which it moves forward under, so
506 that's why we go through the engagement process with the community, with the appointed and elected
507 leaders, and determine what does that parameter point look like.

508
509 Mr. Eby: We have had years ago zonings where somebody came before the Township with something
510 that was technically compliant with the existing zoning on a piece of land but totally undesirable to the
511 community and we had some uproars on that but we were able to stop those.

512
513 Lisa Knapp, 228 Hideaway Court, Powell, Ohio 43065, I've been watching this Corridor Study for a few
514 months now. I recently was a Trustee for two terms and I believe this process started about 1-1/2 years
515 ago. I was never approached as a Trustee or asked to discuss this, I was never presented this idea. All this
516 time I had no idea what was going on. I heard there was a Corridor Study but to me that involved
517 transportation, not zoning. I thought ODOT was going to improve 23 and we were all going to get around
518 faster, again never presented to me or Trustee Taranto. This project claims it's actually going to assist
519 with traffic issues but I spoke with ODOT two weeks ago, and they have absolutely no plans to improve
520 23 whatsoever. The plan shows really nice graphics of medians and things, and that's what caught my eye
521 because ODOT doesn't like anything in the right-of-way. Their job is simply to get traffic from Point A to
522 Point B, so they said if we did want any improvements, first of all they're hard to get and second of all,
523 we have to pay for all them ourselves. I feel that the concept of this being a Corridor Study, I believe it's
524 actually simply an overlay, high density development plan. There are several key components that are
525 missing. The residents have not been consulted here and they weren't in Berlin either. I went to every
526 single Berlin meeting because I also work there, and I'm speaking as an Orange Township resident now,
527 but it took a lot of them by surprise, just like it's taking Orange Township residents by surprise. I think
528 most people have no idea this is even going on. I feel it's been put together over 1-1/2 years and now all
529 of a sudden it's coming to a head and we're going to push this through, and I don't like the idea of it
530 being hasty. I contacted the County and asked if any economic studies were done, and I was informed that
531 none were done. Is that true, Mr. Lamb?

532
533 Mr. Lamb: It's true. We contracted with Montrose Group to perform the economic study but that was for
534 the 23 corridor but they're not complete.

535
536 Ms. Knapp: So I would suspect that if this is such a great deal for Orange Township and it was going to
537 create so many jobs and so much economic development that we would have already had that done. When
538 I look at finances, I take a look at is it a good thing to do, do my research and create my concept; I look at
539 that part first. In my opinion it will increase traffic even if it ends up bringing some commercial dollars in
540 which is unknown right now or industrial dollars. There will be many tax abatements and TIF's that
541 divert funds, and this will also increase traffic and associated expenses with that, so we're going to have
542 more trucks, more traffic, more residents, more commercial; there is a cost to all that, it's not free. It's
543 not like you get the tax dollars and there's no associated costs. Like Mr. Eby said, one of the big concerns
544 is that this plan would be subject to referendum in the beginning but it would no longer be subject to
545 referendum after the overlay is approved, so we could have a situation like we had with Belmar Suites
546 where 10 years down the road the community no longer desires a certain kind of development, and
547 they're able to push through with absolutely nothing that the residents can do to stop it because this has
548 no expiration date. I've been in zoning, I was an employee from 1998 until 2012, so zoning has kind of
549 been my thing for all these years. I believe also that the Mid-Ohio Regional Planning Commission was
550 not involved in this. Is that correct?

551
552 Mr. Lamb: I believe they were a part of the 23 Corridor Study.

553

Zoning Commission

554 Ms. Knapp: Is there a study I could get a copy of? Did they actually participate in it, give their
555 recommendation?

556
557 Mr. Lamb: I would have to MKSK if they participated.

558
559 Ms. Knapp: Because I thought they did not provide any input just like ODOT.

560
561 Mr. Lamb: ODOT was engaged several times on the 23 Corridor Study; I was in one of the meetings with
562 ODOT.

563
564 Ms. Knapp: They were engaged but they were just there at the meeting.

565
566 Mr. Lamb: It is my understanding that MKSK pulled both ODOT and MORPC information into their
567 study for analysis but, again, I would have to confirm that.

568
569 Ms. Knapp: I spoke with ODOT and with someone at the City of Delaware who said that maybe it was
570 discussed briefly but it was just informational and it was not anyone's intent for them to provide further
571 information or participate.

572
573 Mr. Lamb: I believe they provided the base information used by MKSK, and I can tell you I went to
574 ODOT with the 23 Corridor Study and presented it to them for the head of District 6 and Tom Slack, he's
575 top engineer, and they were both very receptive of the study. Going to the different improvements from a
576 visual standpoint, the medians and the other things you spoke about, they were very acceptable to those,
577 but I agree with you that the burden to pay for those would be on the Township or County which is where
578 I see the commercial investment coming in through TIF's and other mechanisms being able to provide
579 those dollars that could offset or cover those costs from a development purpose

580
581 Ms. Knapp: But they told me there is no plan now to improve or add any lane or any kind of traffic
582 improvements on 23.

583
584 Mr. Lamb: That wasn't the message I got from them. The message I got was that they're focused on
585 improvements that target signalization to improve traffic flow. There are certain areas in which they
586 would consider road improvements but there are no thoughts of adding lanes at this time and even turn
587 lanes in the more heavily congested areas already exist or are cut which is why they would push the
588 County to invest in the auxiliary road.

589
590 Ms. Knapp: But by mentioning ODOT, it appears that this is a study that will actually end up improving
591 the roads and I don't believe it will.

592
593 Mr. Lamb: I think we've always said improve traffic flow or at least maintain where it's at due to the
594 increase in population coming. We're going to see traffic increase.

595
596 Ms. Knapp: Has there been a traffic study done?

597
598 Mr. Lamb: Most commercial properties drive less traffic than your residential neighborhoods unless it's a
599 destination commercial type like at Tanger or in the Polaris area. I don't perceive the office, light
600 industrial type uses that would probably be promoted throughout this area to be those kind of traffic
601 drivers, but absolutely a development is going to increase some traffic. The comment is, what type of
602 development is going to occur because I don't see a stop in development in the community.

603

Zoning Commission

604 Ms. Knapp: But this will end up having an overlay where multiple businesses can come in and there will
605 be no infrastructure improvements whereas now currently with zoning, a development comes in and we
606 end up repairing the roads or building new roads, but this could be a massive influx like we had at
607 Creekside; all of a sudden it's completely full. So we can have this entire corridor filled within two years
608 and we don't, in my opinion, have the infrastructure to make that work.

609
610 Mr. Lamb: I respect that but my address to that concern would be at Creekside we enacted a TIF
611 agreement and the developer actually built out that road network further in the Creekside area and that
612 TIF agreement is going to help provide funds for the Home Road connection.

613
614 Ms. Knapp: And that still brings traffic to the area.

615
616 Mr. Lamb: Absolutely; all development brings new traffic. There's no offset for that.

617
618 Ms. Knapp: I believe that the Township and cities are actually paying for the developer's plans, they're
619 helping them write their own plans; I believe that's what that says. This was mentioned earlier, it is
620 partially funded by Delaware One, Delaware Now; that is basically a somewhat anonymous group. You
621 can't get public records, you can't request who donated what and how much. To me it's a form of an
622 anonymous pact that is helping fund this. I've never heard of developers actually working with
623 governments in this way to try and push their agenda. I'm very suspicious of that just from my years of
624 experience. Are there any studies to show exactly how many employees that these businesses will bring to
625 the area?

626
627 Mr. Lamb: There have been no economic studies and we can't do them until we have a general idea of
628 what the overlay will look like because that's what we use for the basis for the economic analysis.

629
630 Ms. Knapp: Over the last few years I've made it pretty clear that I want the Zoning Commission to hold
631 to our zoning density standards. The apartments on Home Road, I wasn't going to allow that when I was a
632 Trustee any further. I support our zoning plan. I believe this is Plan B. In my opinion, it's an overlay
633 district that developers can pick and chose which parts they want to use, so if they want to pull down the
634 apartments and nothing else, they can do that. There are areas on there that are shown as potential green
635 space that have been zoned commercial. There's no way anyone is going the green space route anytime
636 soon, so to me, after a couple of months of really looking this over, I believe this is simply a way to
637 increase high density development in Orange Township without coming right out and saying it.

638
639 Mr. Duell: We'll recess for five minutes and then get to the second part.

640
641 Mr. Duell called the meeting back to order. The second part of tonight's meeting is to discuss how to
642 handle legal questions in view of the questionable decision to let Mr. McCarthy go.

643
644 Ms. Boni: I have put together a flow chart and this was based on discussions with the Prosecutor's Office
645 as well as a new legal counsel. I have had communications with one firm as of now and I have met with
646 him, and we're just trying to figure out what is the best way for the Zoning Commission's involvement
647 with legal moving forward. I made a flow chart about two years ago and it was at a standstill and some
648 things have changed this year, so I would like the Commission to review this and give any comments they
649 have and I'll be happy to answer any questions. I did ask Trustee Rivers to be present for this because I
650 know this is a big change for the Commission, but we do have faith that we can move forward with
651 applications; we just will not have legal present as much and thoroughly as it used to be.

652
653 Mr. Dove: I know as Chair, Mark relied heavily on Mr. McCarthy and I know we asked him a lot of
654 questions during meetings, applications of his expertise, so starting from the bottom up, one of the

Zoning Commission

655 complaints that we always had was zoning takes too long in Orange Township. So at the end of the
656 meetings we tried to push some things through, the Chairman and our attorney would meet, they would
657 come to some sort of agreement, it would be presented to the Board, we would redraft things so that we
658 didn't have to come back for another meeting. How's all that being handled now?
659

660 Ms. Boni: Staff and legal will work on drafting a recommendation up front, then if there's any
661 stipulations that we need to add, we can add them at the time of the meeting. We looked at an application
662 that I think was done 10 years ago; our recommendation used to be one sentence, so I think we've made it
663 a lot more complex than they need to be according to the Prosecutor's Office.
664

665 Mr. Duell: Part of the problem is applicants are not doing what we tell them to do and they are coming
666 with continuous mistakes, errors or failure to follow stipulations, so the extent they're longer, we're being
667 thorough because everything is being construed against us and the applicants are taking liberties. We're
668 doing everything we can to limit that as much as possible so that the Trustees when they get the
669 application, it should be ready to go. They shouldn't have to be dealing with a bunch of stipulations at the
670 end but, like I said, the applicants are simply not following instructions. You see the errors.
671

672 Ms. Boni: I do but the Commission can make the decision based on they're not following the stipulations.
673

674 Mr. Duell: We can; we can recommend denial but we haven't wanted to do that because it's draconian
675 and the Trustees have the ability to override that. In some instances it probably would make sense and if
676 we don't make all the changes and the Trustees don't catch it, then the mistakes get written into the law
677 and that is no good for anybody.
678

679 Ms. Boni: I understand it's going to be a transition process; it's not going to be easy up front.
680

681 Mr. Duell: I'm just stating why those resolutions have gotten long. Again, it's the applicants taking
682 liberties or their representatives or malpracticing or something is happening. They're just not following
683 instructions.
684

685 Mr. Dove: My question is to Mr. Rivers. Since you're one of the voting members of the Trustees, how do
686 you want these submitted to the Trustees these days? Do you want it with 50 stipulations in a half-baked
687 book or do you want us to spend a few more meetings and get things cleaned up so you don't have to?
688

689 Mr. Rivers: I believe there's a happy middle ground there. If there are a few stipulations, the Board would
690 be okay with that.
691

692 Mr. Dove: And that's kind of what we've done. Eleven I think was our last.
693

694 Mr. Duell: Yes, but we don't like to go into double digits.
695

696 Mr. Rivers: In the same point too, we don't want to have something that has a large number of items.
697

698 Mr. Duell: If we sent you 50 stipulations, the fact that there are 50 in the beginning proves that it's not
699 getting done right in the first place. There's nothing to say they're going to get it right after you get it
700 either, so I'd rather give you much fewer stipulations. Part of that is the applicant's need to follow the
701 instructions.
702

703 Mr. Rivers: What percentage of the applicants would you say are not following the instructions?
704

Zoning Commission

705 Mr. Duell: How many resolutions do you get from us that have a lot of stipulations in them? I would bet
706 there's more now than there was in the past. We try to keep that number down to a reasonable number.

707

708 Mr. Dove: I think there's some people that come before us and we've seen them for many applications,
709 and they just don't get it. Then there's some that come in and just want to see how far they can push it.
710 We've talked about a number of meetings and I could probably vote after the third meeting because I
711 have my items; density is too high, if they don't change the density, it's a no for me or whatever the issue
712 is. So I can say here's these things, change a few of them, half of them, but if you don't change these two
713 or three things, I know what my vote is going to be, and I could send it to the Trustees that night and then
714 obviously it is ultimately your decision as to whether you want to accept that or not.

715

716 Ms. Boni: Staff has to step up; we'll admit that. We need to be a lot more heavily involved. We'll do our
717 best to work with the applicant, even if it takes day by day for them to comply with all the stipulations
718 that the Commission provides. I don't want to have a laundry list of stipulations to the Trustees. We're
719 formatting things so hopefully we can address those early on.

720

721 Mr. Rivers: To Mr. Dove's point, I think by the time you get to the second or third meeting, you've got a
722 pretty good idea if the applicant is following the directions. Is there something that can make sense? Are
723 there issues here that we can't move forward?

724

725 Mr. Dove: We also hear though that it's very difficult to get through Orange Township, get approval, and
726 I hate to have them spend thousands of dollars and then the second meeting we go, you're just not
727 following the rules; no. Then that's not giving us a good reputation either, so we try to work with them
728 but it does get frustrating.

729

730 Mr. Duell: I don't know why they think it's difficult to get through because I don't know that we send
731 you a lot of recommendations of denial.

732

733 Mr. Pychewicz: It's more of a timeline that's in question, correct?

734

735 Mr. Dove: Correct.

736

737 Mr. Pychewicz: So it's not getting through, it's the timeframe in getting through; is that what the problem
738 is?

739

740 Mr. Dove: Those are the comments I've heard.

741

742 Ms. Boni: We have a meeting and there's one or two items, there's discussion and we request a tabling to
743 figure things out. Is it possible to figure it out that meeting and write the stipulation in as we're speaking?
744 Those are the kind of things, at least from what I've heard, that cause frustration. We didn't have the
745 exact recommendation ready for that night so we had to do another meeting to type it up.

746

747 Mr. Duell: If there's stipulations that are still hanging out there, that's the applicant's fault.

748

749 Ms. Boni: We have added some too.

750

751 Mr. Duell: We usually don't add any at the last minute unless it's a continuation of something.

752

753 Mr. Beard: The situation that I was with with Little Bear, we added stipulations the day of the meeting. It
754 doesn't typically happen and as part of the process when we spoke with legal counsel....

755

Zoning Commission

756 Mr. Duell: That was also pushed through in just one night.

757

758 Mr. Beard: And that's what we can do now where we can add stipulations that night. You don't have to
759 have a resolution written out which is pretty much what our recommendations were that Mr. McCarthy
760 would do or resolutions that you pretty much had to read the whole thing with those stipulations that he
761 had in it. Now we're going to have a base thing that is pretty much like the Board of Zoning Appeals
762 where someone says I make a motion to approve this application based on these conditions and you list
763 the stipulations. If the applicant is willing to agree to those stipulations....

764

765 Mr. Duell: That's what Mr. McCarthy was preparing.

766

767 Mr. Beard: But you would have it written rather than have those set things where there have been
768 meetings where....

769

770 Mr. Duell: But he was representing specific books; whether that's necessary or not is another question.
771 Being a lawyer, I understand exactly why it was done.

772

773 Mr. McNulty: Mr. McCarthy obviously spent a lot of time creating all those stipulations and the paper
774 that was driving our conversation. Is that still going to be created?

775

776 Ms. Boni: Staff will be reviewing the applications now if it's a minor text amendment. We don't deem it
777 necessary to take it to a legal counsel unless the Zoning Commission requests it, and we're happy to
778 revisit that. If it's a completely new zoning, I'm happy to share that with legal but if there's an
779 amendment to a text like they just want to change the side yard setback, I don't think it's necessary to
780 take it to legal.

781

782 Mr. McNulty: After we have the first meeting, it all gets boiled down and we decide here's what we're
783 asking about, here's what the issues are; Mike wrote all those up. We came into a second meeting and we
784 went through all the stipulations to fine tune the process. I thought we got the process down to something
785 very minimal, and who is going to create that paperwork because that simplified things.

786

787 Ms. Boni: Staff will provide comments now. I don't know if we'll be able to provide that extensive
788 amount of comments Mr. McCarthy did, but we'll check it with legal and make sure we cross all the t's.

789

790 Mr. McNulty: I think that process actually simplified what we do because it put the initial meeting, here's
791 the box we're in, here's the important things out of it, here's what we're talking about, here's what we're
792 discussing, and here's what we've asked the developer to do for this to be approved, and have you done
793 any of that. I thought it was organization. How are we going to exist without that level of organization?

794

795 Ms. Boni: A lot of our neighboring communities do it. Our meeting this evening is not Orange Township
796 against them.

797

798 Mr. Duell: We'll figure it out.

799

800 Mr. Pychewicz: You're still providing us a Staff Report, correct?

801

802 Ms. Boni: Yes.

803

804 Mr. Pychewicz: So we're still getting a report; it's not like that's all going away.

805

Zoning Commission

806 Mr. McNulty: But that second meeting we already knew what took place the first meeting, what was
807 written. You didn't have to remember it once you went through those stipulations; you automatically
808 knew, yes we did talk about these.

809
810 Mr. Pychewicz: So what comes up in the first meeting, obviously you would need documented what they
811 needed to change. So for the second meeting, I agree that running through what we asked them to change
812 is crucial, and that's not changing. Michele, you're not saying that process is changing to say we need you
813 to do A, B and C, do you want to run through how you addressed these comments. That's still happening,
814 that's not changing.

815
816 Ms. Boni: No. My Staff Report will be in more detail and a review will be much more thoroughly done
817 because we did rely on Mr. McCarthy for that. I didn't provide those kind of comments because we
818 already had someone doing that.

819
820 Mr. Duell: Are you going to have time to do that?

821
822 Ms. Boni: We have changed responsibilities in Staff.

823
824 Mr. McNulty: Because what this has done is essentially taken this notebook that people come in with and
825 reduced it to a couple of pages.

826
827 Ms. Boni: And if Staff doesn't have time, I will take it to the Trustees and ask for legal to provide their
828 own set of comments for the applications.

829
830 Mr. Duell: We're also going to have to do this even if the recommendation is going to be denial because
831 even if we deny it, they can approve it, and we don't want something slipping through if they have a
832 different opinion. So be careful, even if it's looking like denial from us, we still need to be thorough in
833 case the Trustees have a different opinion.

834
835 Ms. Boni: I agree, and I can't say this enough, it's going to be a learning process and I appreciate
836 everyone's patience. I spoke with the attorney last week and they thought it would take a whole year for
837 us to get comfortable but I'm hoping that's not the case. Fortunately we don't have any new applications
838 right now, but we're working on it.

839
840 Mr. Duell: What's going to be the process to get an answer for a legal question because I can't answer it?

841
842 Ms. Boni: The process we've suggested is, we would prefer before the initial hearing if the Commission
843 does have any questions....

844
845 Mr. Duell: Because they usually come up during discussions.

846
847 Ms. Boni: Then I'll take them back after the initial hearing and share them with legal, whether it's the
848 Prosecutor's Office or our new legal counsel, whoever that will be, and then by the second meeting,
849 you'll have an answer to it. If there is an application that I know will be contentious or there are several
850 questions up front, we will ask for someone to be here.

851
852 Mr. Dove: It's all the Ohio Revised Code stuff.

853
854 Ms. Boni: If we had another Evans Farm come in by any means.

855

Zoning Commission

856 Mr. McNulty: I think the other thing that was overlooked that Mike did, he would go through the
857 submittal in detail and then pick out things himself; now you're missing it.

858
859 Mr. Dove: It's all the precedence. Obviously we'd all review it and would comment, but it was the whole
860 precedence of this is what was approved before.

861
862 Mr. Duell: Yes, 30 years of institutional knowledge.

863
864 Mr. Dove: I know we've been trying to speed up the process; I think three meetings was kind of the goal
865 at one time.

866
867 Ms. Boni: And I feel that we've been fairly successful with that.

868
869 Mr. Dove: If you see an application you feel is not even close to being ready to present to the Board, do
870 you kick it back?

871
872 Mr. Duell: Like this one; it never should have had a first hearing. We might have saved some time if we
873 could have kicked it back.

874
875 Ms. Boni: I have to check legal but from what I understand, when they submit an application and a fee, it
876 has to start the process whether or not they're ready to provide us with all the materials.

877
878 Mr. Dove: Can't you even start the process though?

879
880 Ms. Boni: Yes, I would, and I told the applicant on this, you have nothing, so that's their fault. That's
881 when we started doing tabling fees because if the applicant requests a tabling due to their incompleteness
882 or not complying with or not working with us, then they have to come up with those upfront costs.

883
884 Mr. Dove: I think that goes back to Mark's comment of a lot of time applicants aren't ready and then they
885 blame us because it took six meetings for them to get ready and it's not us.

886
887 Ms. Boni: All I can say is we're going to do our best job.

888
889 Mr. Doherty: With the process. I've heard from developers and consultants that Orange Township is one
890 of the more challenging ones in Central Ohio. It's challenging for reasons that everyone has talked about,
891 partly to the fact that either they're not ready or they don't know our expectations, and I think there just
892 needs to be a little better education and communication between us and them prior to their submittal.

893
894 Mr. Rivers: It's definitely going to be a transition but I can tell you we'll make sure that it's as smooth as
895 possible and provide all the resources you need. If we're going to approve things, we're going to work
896 with everyone, so I'm always available. I'll be meeting with Mark tomorrow and I've spoken with each of
897 you in the past, but I'll be happy to sit back down with you and discuss where we're going and get your
898 thoughts.

899
900 Mr. Dove: Is there anything different you want from this Board?

901
902 Mr. Reynolds: I think everything that's been discussed here tonight is pretty much what the general
903 thoughts are. In the area there has just been so much change. With the discussion of the 23 corridor,
904 there's just a lot compared to the area 20 years ago where it is today. I know everyone just wants to see
905 the right improvements. I think the Comprehensive Plan is a great combination, and we want to keep
906 going forward and make sure we've got the right mission and the right planning.

Zoning Commission

907 Ms. Boni: If anyone has any questions or concerns, feel free to reach out to me. I appreciate your time
908 working on this.

909

910 Mr. Duell: The only other thing, you had requested approval of meeting minutes; do you know if Mr.
911 McCarthy looked at this?

912

913 Ms. Boni: We did not request him to.

914

915 Mr. Duell: Because he was in those and I think he needs to because he's in them to make sure his
916 comments are correct.

917

918 Ms. Boni: I will address those to the Board.

919

920 Mr. Duell: I'm not suggesting that they need to be thoroughly reviewed but I'd hate to approve it if
921 there's something in there that he claims he didn't say.

922

923 Ms. Boni: Let me get something back and we'll table it.

924

925 Mr. Dove: And we're trying to stick to these dates as much as possible for the meetings?

926

927 Ms. Boni: I believe so. I assume this is the Board I would expect for the 23 overlay district review. Ms.
928 Trebellas has opted out of it as she has some things she is working on but the intent is to have the first
929 meeting with the Zoning Commission to review the draft it says June 17, but if you want to keep it on
930 Wednesday in case we have a Tuesday meeting, it's hard to plan that far out. It can be set but if you want
931 me to wait, I will.

932

933 Mr. Dove: I'm just going to block out those days.

934

935 Mr. Duell: Actually it's easier to plan because there's less interference and the date can be blocked out.
936 It's just a matter whether that will be the date or not.

937

938 Ms. Boni: We'll make our best attempt to make it June 17th. Even if it's not the first draft, we'll have
939 something ready to discuss.

940

941 Meeting adjourned at 8:30

942

943 Minutes prepared by Cindy Davis, Zoning Secretary

944

945 On June 2, 2020, Mr. Doherty made a motion to approve the February 19, 2020 meeting minutes of the
946 Orange Township Zoning Commission for the US 23 Overlay District meeting with the following
947 corrections:

948

- 949 • Line 60: "997%" should read "97%"
- 950 • Line 109: "100,000" should read "1,000"
- 951 • Line 184: "Maddy" should read "Matteis"
- 952 • Line 360: "a" should read "of"
- 953 • Line 419: "had" should read "held"
- 954 • Line 434: "radicals" should read "rabbit holes"

955

956 Seconded by Mr. Pychewicz

Zoning Commission

957 Vote on Motion: Mr. Duell-yes, Mr. Pychewicz-yes, Mr. Dove-yes, Mr. McNulty-yes, Mr. Doherty-yes
958 Motion carried
959
960
961