

Zoning Commission

Route 23 Corridor Overlay District Application #RCOD-20-02

January 5, 2021

LEGAL NOTICE

Notice is hereby given that the Orange Township Zoning Commission will hold a special meeting on Tuesday, January 5, 2021 at 7:00 p.m. to consider the following application:

Route 23 Corridor Overlay District Application #RCOD-20-02, TBM Investments, Ltd., Requesting a final development plan on Owenfield Drive, having parcel numbers 318-324-11-007-004 and 318-324-11-007-005. The development proposed includes townhomes and multi-family residential units to be known as Cheswick Village.

The meeting will be held virtually using electronic means and can be accessed by the public on the internet on the Orange Township Youtube channel at: https://www.youtube.com/channel/UCIBwuLlPzVT0PPx3xF1M7iQ

To help in limiting the spread of the Coronavirus (COVID-19), residents are urged to contact our office at 740-548-5430 or orangezoning@orangetwp.org to review the application and plans.

After the conclusion of the hearing, the matter will be submitted to the Orange Township Board of Township Trustees for its action.

Adam Pychewicz, Chairperson
Michele Boni, Orange Township Zoning

Publish one time on or before Monday, January 4, 2021 in the Delaware Gazette.

Roll Call: Adam Pychewicz, Christine Trebellas, Todd Dove, Dennis McNulty, Leslie Pierce

Township Officials Present: Michele Boni, Development and Zoning Director

Ms. Boni read the Legal Notice. Note for the record, this is a public meeting, however, there's no public comment, so if anyone who tunes in on our YouTube page has any comments, we will include our email address in the chat room, and we will pass those comments along to the Board of Trustees for their hearing. Since this is the first meeting of the year, we can either hold off or we can decide now, but we need to discuss how we want to elect a new Chair and Vice Chair, so if the Commission wants to act on that now, I don't see why we couldn't get it started for the year, but if they want to hold off, I'm just asking the Board as a whole.

Mr. Pychewicz: I think we can go ahead and discuss it now just so we have it set.

MOTION TO ELECT THE CHAIR FOR THE ORANGE TOWNSHIP ZONING COMMISSION FOR 2021

Mr. McNulty made a motion to elect Adam Pychewicz as Chair of the Orange Township Zoning Commission for 2021; seconded by Mr. Pierce.

Vote on Motion: Mr. Pychewicz-yes, Ms. Trebellas-yes, Mr. Dove-yes, Mr. McNulty-yes, Mr. Pierce-yes
Motion carried

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### MOTION TO ELECT THE VICE CHAIR FOR THE ORANGE TOWNSHIP ZONING COMMISSION FOR 2021

Ms. Trebellas made a motion to elect Dennis McNulty as Vice Chair for the Orange Township Zoning Commission for 2021; seconded by Mr. Pychewicz.

Vote on Motion: Mr. Pychewicz-yes, Ms. Trebellas-yes, Mr. Dove-yes, Mr. McNulty-yes, Mr. Pierce-yes  
Motion carried

Ms. Boni: We just have this one application. This is on the property south of Home Depot. In the past year we've had several inquiries on this site, and we're finally seeing something come to fruition. If the applicant is interested in giving a brief overview, we can go from there and then take comments from the Board.

### APPLICANT PRESENTATION/COMMISSION QUESTIONS & COMMENTS

Todd Faris, Faris Planning and Design, 243 N. 5<sup>th</sup> Street, Columbus, Ohio 43215. Tonight we have Tom Bell, the developer, as well as Mike Shade, the attorney, and Anna Vagetties with Faris Planning and Design. I know you guys have seen this many times before, and this is probably the least dense you've ever seen this and only two stories. We met informally and got comments from you folks. Hopefully you have seen in the packet that we have responded to and incorporated those into the package. I know there are other comments we received from the staff that in general we're in agreement with. The only thing we have to work out is the sidewalk connection along the private internal roadway that services the Steak 'N Shake, car wash and Home Depot. Everything we do here has to have Home Depot's approval as well, and we have not been able to run that by them yet to get a determination. We will do that after this meeting and see what other comments we might have so we can give them a package with everything in it at once because we can only go to them so many times before they stop listening to us. We have two story townhomes, 56 units on this site. Generally I think we're complying with most of the requirements. We are asking for a few divergences which staff has noted that I'm sure we'll go through tonight, but there's nothing egregious on the site plan.

Mr. Dove: Will you have approval from Home Depot before you go in front of the Trustees?

Mr. Faris: Yes. We have approval for this site plan the way it is but in case you guys come up with something else tonight other than that 5' sidewalk, we want to make sure we can get in front of them with everything before the Trustees.

Ms. Boni: We had our technical review meeting December 29, 2020, and Regional Planning; our planning consultant, Holly Mattei; the staff from the Fire Department and Zoning Office provided several comments from the meeting, and the following day we met with the applicant to go over each one of these comments. We asked them to provide a response as Todd Faris said, and they do agree to comply with the majority of these. The only thing outstanding as Todd mentioned was the connectivity. Our office requested more of a pedestrian connection among the adjacent uses. We know Home Depot has specific things they want, so there might be a barrier to do connectivity there, but at least have some connectivity to the Steak 'N Shake and other commercial uses around, so the applicant seems to be working on that. We have heard some public comments, and I did forward you one that we got in writing a few hours ago, but I think we'll start with the Commission's comments first. I don't know if the Commission members have any comments from the technical review. There were some technical issues that we noticed were inconsistent that need to be addressed and there were a few extra divergences added after reviewing the text, but the staff doesn't believe any of them are substantial. I think the biggest thing we asked for the applicant to provide prior to this meeting tonight is a sight line diagram as it does about a residential

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102 district and those residents have reached out to us, so I think having this diagram showing the type of  
103 screening will be beneficial.

104

105 Mr. Faris: We have two conditions on the site. The mound is the top section and the bottom section is  
106 where the existing stream and wooded area are, so we provided both of these so we can see what's in  
107 there and comments we received from one citizen which we can go over later addresses that bottom  
108 section.

109

110 Ms. Boni: I haven't been on the site so I haven't seen it, but his concern is that the mound isn't con-  
111 sistentlly the same size throughout and some of the trees haven't fully bloomed over the years. Are all the  
112 homes along this property going to have the full screening as what's proposed here?

113

114 Mr. McNulty: Why wouldn't that be the same screening that was required of Home Depot?

115

116 Mr. Faris: It is the same screening because it exists there today. The mound doesn't extend all the way to  
117 the south. I don't know the history of that but I think it's because there was an existing wooded area  
118 because that's where it stops.

119

120 Mr. McNulty: There were a lot of demands placed on Home Depot for that mound, although Home Depot  
121 would have trucks and a lot more traffic and a lot more lights than this potentially would have, but I  
122 remember that was an issue.

123

124 Mr. Faris: That 8' fence extends down there. I think one concern of the resident was it needs some care  
125 which we're going to take care of, repair it. There are some downed trees on the property that we need to  
126 deal with too, and they've asked if there's a possibility for some additional screening along that southeast  
127 corner of our site. I want to reach out to that resident directly and maybe go out in the next day or so so  
128 we can figure out the best way of doing it. They're thinking maybe evergreen trees, fencing, but I want to  
129 be on site before I commit to any of that.

130

131 Mr. McNulty: What are the traffic limitations for Owenfield Drive, for just a service road? This  
132 community probably wouldn't have as much traffic as the retail along Owenfield.

133

134 Mr. Faris: Not even close. Multi-family is one of the lowest uses for traffic generation; even less than  
135 single family and commercial. If this site had 80,000 square feet of retail on it, that would have been a lot  
136 of traffic compared to 56 units. Owenfield is a large, collector size street, so there's plenty of capacity on  
137 Owenfield Drive.

138

139 Mr. McNulty: One thing I see just from living here and using Owenfield is that traffic most days bottles  
140 up at the entrance to Meijer from the traffic light at 23 and the entrance to Meijer and Owenfield in both  
141 directions. Your community is just to the north of that slightly, so that will be added to, so that's going to  
142 be for somebody to decide if that's going to need a traffic light because already it can be in bad shape.

143

144 Mr. Faris: In this location they're able to use the exit north of Home Depot as well as the one at Meijer  
145 and the one down on Powell Road as well if they go south down there.

146

147 Mr. Dove: Then you have the right only next to Panera that takes you straight out to 23.

148

149 Mr. McNulty: Owenfield is a Delaware County road, correct?

150

151 Ms. Boni: Yes, it's a public road.

152

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153 Mr. McNulty: But with respect to someone deciding if something with regard to traffic would be needed,  
154 whose decision would that be, Delaware County?

155  
156 Mr. Faris: Yes.

157  
158 Ms. Boni: We rely on the Delaware County Engineer for traffic study review.

159  
160 Ms. Mattei: There was a Traffic Impact Study submitted with this, correct?

161  
162 Ms. Boni: Yes.

163  
164 Tom Bell, developer, I believe Powell Road is a State highway; and therefore it would be subject to  
165 review by ODOT also.

166  
167 Mr. Faris: We submitted traffic exhibits and we met with Mike Love because originally we had our  
168 entrance on Owenfield Drive because that's where Home Depot wanted it, and they said absolutely not,  
169 you have to use that service road, but as far as traffic counts on this, it's pretty miniscule for peak hour.

170  
171 Mr. Dove: Can we go back to the sight line drawing, and this is probably more for future because I think  
172 this is the best option we've seen on this parcel since I've been on the Zoning Commission and like Todd  
173 said, we've had many come through here at 10 units per acre. Is the single family home shown a ranch or  
174 a two story?

175  
176 Mr. McNulty: The single stories back there are typically two stories.

177  
178 Mr. Faris: They would actually be taller than that; they'd be the same height as ours would be then.

179  
180 Mr. Dove: So moving forward since you do a lot of presentations and applications, it would probably be  
181 good to represent what's actually there. I know the resident we got information from that Michele  
182 forwarded today was a ranch home but if we're actually going to represent what's there and what's being  
183 seen, it would probably be good to represent that.

184  
185 Mr. Boni: Todd Faris, would you be able to modify that to show a two story home for the Trustees?

186  
187 Mr. Faris: Yes.

188  
189 Mr. Dove: We've heard before we see the lights from the car wash from our second floor. It would be  
190 good just to prove, probably not in the summer because of the trees, but in the winter you probably can.

191  
192 Mr. McNulty: There were a lot of issues with Home Depot putting up the mound and building it higher  
193 and that was built 10 years ago.

194  
195 Mr. Dove: Regarding the fence and visibility, you talked about potentially fixing the parts that have been  
196 destroyed by trees. Is there any mention of raising the height of that fence so it's consistent across that  
197 mound?

198  
199 Mr. Faris: We had not contemplated that. An 8' fence is pretty tall as it is. Any taller than that we'd  
200 probably need to get a structural engineer involved just from a wind loading standpoint, and I don't know  
201 what the Township allows.

202

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203 Ms. Trebellas: There is a ravine and creek in the southeast portion of the property, and I thought there was  
204 a no build fill/no build protected area on that ravine.

205  
206 Mr. Faris: There is.

207  
208 Ms. Trebellas: I know the resident's concern about access there but I'm not sure how you can put a  
209 mound and fence through a ravine.

210  
211 Mr. Faris: I think we're probably talking more of some physical barrier. They're talking about evergreen  
212 trees or a fence that almost follows that pathway because I can't go farther south because there is a stream  
213 and a stream protection zone.

214  
215 Ms. Trebellas: If you meet with the property owner, you might want to remind them that a mound and  
216 fence is not appropriate in that area. You might be able to put in some landscaping but that's going to  
217 depend on the topography and what it allows you to do. I would definitely not recommend alternate  
218 topography for that projected creek bed.

219  
220 Mr. Faris: No, we can't. And with the Olentangy watershed standards, no matter what kind of stream it's  
221 defined to be, is a non-disturbance.

222  
223 Ms. Boni: I think this is a really good point to bring up to the community because if there are concerns of  
224 the screening and there are limitations from a State level.

225  
226 Ms. Trebellas: The property owner might not be aware of why he can't put a fence there, and in the  
227 property owner's letter he noted concern about the sanitary sewer lines going over that creek bed, so he's  
228 aware that's a protected area but I guess he didn't put two and two together. I too question the sanitary  
229 sewer. I can't believe you had to go all the way to Meijer to hook up to a manhole for a sanitary line and  
230 there isn't something at Home Depot or by Steak 'N Shake to tie into.

231  
232 Mr. Faris: Right near where the tributary area is to the south, so if we have to go over there and grab  
233 those, it will be minimal disturbance but then we have to restore and mitigate with very minimal impact.

234  
235 Ms. Boni: Do you recall what the distance from the stream is? Is there a buffer that is no build?

236  
237 Mr. Faris: 30' minimum from the centerline, both sides.

238  
239 Ms. Boni: 30' from both sides of the stream that there can't be anything built, so no fencing or mounding.

240  
241 Mr. Faris: There's a no build zone down there too but it doesn't follow the stream. We don't know  
242 exactly how that got defined.

243  
244 Mr. Pierce: Was the mound originally put there by Home Depot?

245  
246 Mr. Faris: I think so; I don't think it was here before Home Depot.

247  
248 Mr. Pierce: I don't know if it was required to be a certain height, but just through time is there a need to  
249 restore it to a certain height, is that part of the plan or something that's not necessarily looked into?

250  
251 Mr. Faris: I don't have an answer for you on that. I know the 8' fence is still there and that's a very  
252 significant mound, so I'm going on the reliance that it met the zoning when it was installed.

253

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254 Mr. Pierce: I don't know if it served its purposes that the neighbors had originally but just over time it  
255 eroded and whether or not there was a value in restoring it, whether or not it had to be a certain height.

256  
257 Mr. Faris: It looks pretty well grassed, so I don't think it's lost any height and the trees on it as the  
258 neighbor points out have gotten fairly large because some people have decided they need to cut them  
259 down because they were too big. My guess is that it is still what it was supposed to be, but that's  
260 conjecture.

261  
262 Mr. Pychewicz: Touching on what the resident's letter stated, anything existing that you're planning on  
263 keeping, whether it's the 8' fence or evergreens for screening, if it's in disrepair or needs fixed or  
264 replaced, you guys are willing to do those things as needed. If there are dead trees, that will be cleaned up  
265 if it's being used as part of a buffer or screening or something along those lines.

266  
267 Mr. Faris: Correct.

268  
269 Mr. Pychewicz: In the staff letter you also responded that you're fine with painting the chain link fence  
270 that surrounds the detention basin black but if there's any damaged portions, that would obviously be  
271 repaired.

272  
273 Ms. Trebellas: Since you brought up the detention basin, I think maybe there's some verification needed  
274 you have calculations for water runoff that your Storm Water Engineer provided that seem like it didn't  
275 all add up, and the letter from the County Engineer seemed to imply that you're going to have to modify  
276 that detention basin anyway because right now it just accommodates the Steak 'N Shake and that area,  
277 and it doesn't take into account your new paved surface and your new impervious surface through your  
278 site improvements with the houses and townhouses. So if you have to modify that detention pond anyway  
279 and our Township Zoning does not approve of chain link fences, aren't you going to have to replace  
280 portions of that fence? If you're going to have to replace portions of the fence, perhaps it should be  
281 replaced per Zoning.

282  
283 Mr. Faris: If we have to get in there and mess with it, I don't disagree with that, and Tom could probably  
284 answer this more than I can, but I think the shortfall on detention we're proposing to do with underground  
285 chambers on our site and deal with it in that direction.

286  
287 Ms. Trebellas: Where are the underground chambers going to go?

288  
289 Mr. Faris: On the north in that green space between Home Depot and those units.

290  
291 Mr. Pychewicz: That's going to be some type of isolator row that they're putting underground?

292  
293 Mr. Faris: Yes.

294  
295 Ms. Trebellas: You said you were using part of it, that you had another three acres but it looked like you  
296 were missing three or four acres of storm water drainage based on your calculations, so I assumed that  
297 had to be accounted for somewhere and the County Engineer implied you're going to have to modify your  
298 detention then because I do not fully support fixing up and spray painting the chain link fence. I don't  
299 think that would be an asset to this green space that you have this nice little walking path on. I question  
300 keeping the chain link fence and not replacing it with something more appropriate.

301  
302 Mr. Faris: I don't disagree with you. We're kind of dealt that hand by the County; it's their requirement to  
303 begin with. We actually wanted to get rid of that because that was one of the first comments we received  
304 from your Board, and we approached them and they said it's got to stay.

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305 Ms. Trebellas: I understand in some cases they're necessary for safety purposes so people don't wander  
306 into a water area like that, but there are a lot more attractive examples in the Township than chain link  
307 and a walking path bordering a chain link fence; I don't know that's that inviting.

308  
309 Ms. Mattei: One question we asked during the initial review was what does the County Engineer's Office  
310 require? What is the height, the type. I'm not sure that we ever got an answer, so does it have to be chain  
311 link fence or is there something else that the County Engineer will accept?

312  
313 Mr. Faris: I don't know if Tom has an answer to that because he's been dealing with that; I know I don't.

314  
315 Mr. Bell: I don't know the answer either. We would like to eliminate the fence but we're told that the  
316 Maintenance Department at Delaware County will not permit it.

317  
318 Mr. Faris: We can follow up with them to ask if they'll accept something different. Spray painting it black  
319 is obviously the bottom of the totem pole.

320  
321 Ms. Boni: If you do have to do some storm water improvements and you have to take down the fence and  
322 put it back up, does it have to be that black chain link or could it be something else that's a little more  
323 aesthetically pleasing?

324  
325 Mr. Faris: Or if it has to be chain link, would they let us put in a vinyl coated one so it looks a little better  
326 than spray paint.

327  
328 Ms. Boni: I don't know that we'll have that answer by the Trustee meeting or if they do have to tear down  
329 the fence or not, is that something we can have in the stipulations or if the fence is taken down by any  
330 means, it will just have to comply with our standards.

331  
332 Ms. Mattei: I hope that the Engineer's Office could give us an answer that if it does have to be torn down,  
333 it can be this type of fence or these are the choices of fences you can have and this is the height it has to  
334 be, and then we can incorporate that into the stipulations approved by the Trustees.

335  
336 Ms. Trebellas: I can't imagine their requirement being chain link because it's contrary to our Zoning  
337 Code, so there's got to be some kind of middle ground. Your parking, parking numbers and parking  
338 counts, I couldn't quite figure it out. It looks like these are townhomes and they have a one car garage,  
339 and they have a parking spot on the driveway in front of the garage so each home basically has two  
340 parking spots and then there's guest spots, but when I counted, it didn't add up to what your number was,  
341 so I want you to double check it. We need to make sure there's enough visitor parking.

342  
343 Mr. Faris: We have these roads at 26'. We have talked to the Fire Department, and they will only allow  
344 parking on one side of the street.

345  
346 Ms. Trebellas: Make sure there are signs that say you can or you can't park here because I don't want any  
347 people parking in the street and not having EMS being able to get through.

348  
349 Ms. Boni: One of our comments in the tech review was to show on the development plan what's required  
350 to what's proposed for parking too, so that might clarify things too.

351  
352 Ms. Trebellas: I was going to recommend that one of the site plans show the counts of what you're  
353 providing, how many at each house or townhouse, how many public/guest spaces, how many the street  
354 can accommodate, and if you're going to park on the one side of the street, make sure it's marked  
355 properly with signage. It seemed like Home Depot was worried about it, some of the neighbors might be

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356 worried about the overflow parking, but I can't imagine someone parking at Home Depot and hiking to  
357 one of these places.

358

359 Mr. Faris: They want a fence between us and them; they requested it.

360

361 Ms. Trebellas: I think the fence is a good idea in terms of privacy. My only concern would be the first  
362 units right by Owenfield; they might not be as premium and more difficult to lease or purchase because I  
363 wasn't sure what the ownership was of this.

364

365 Mr. Faris: There's that creek, so I think they'll do fine there.

366

367 Ms. Boni: There is some silt fencing; it's 3' but there's some landscaping too. It's not as significant as by  
368 the residential.

369

370 Mr. Faris: We have a front face to it. We have a little window so you can see us but we do have the  
371 evergreen trees and mounding.

372

373 Ms. Trebellas: And it's not 23, so it could be worse. It's what I consider a feeder road or a service road  
374 but I don't see it as being as feasible or as available as the other one based on the location.

375

376 Mr. Faris: That's why the manager will be in one of those.

377

378 Ms. Trebellas: There is a request for a temporary marketing sign be allowed to remain for the duration of  
379 the lease out period for this development. How long do they anticipate that will take?

380

381 Mr. Faris: We didn't talk about that; we just said we were going to use the same language Schottenstein  
382 was going to use.

383

384 Ms. Trebellas: I don't want to have a permanent for sale or for lease sign on Owenfield Drive like you see  
385 in some areas of the City.

386

387 Ms. Boni: This language supports what our current Zoning Resolution says, so they can have a temporary  
388 sign permit that's valid for 6 months and it's up to staff's discretion to renew it, and typically we would  
389 stop allowing the renewals if it's fully developed.

390

391 Ms. Trebellas: As long as there's a mechanism to say enough is enough and as long as Michele is  
392 comfortable with the language and it's enforceable, then I'm happy. But there didn't seem to be a  
393 duration, it just asked for a semi-permanent sign.

394

395 Mr. Faris: There's a duration with the one that we're utilizing from Schottenstein's.

396

397 Ms. Boni: I noticed another thing for the monument sign. The text calls that it has to be setback a  
398 minimum of 20' from the right-of-way, which it does, and then it also has to be setback within 50' of the  
399 edge of pavement to the entrance of the parcel. I'm going to guess this is larger than 50'.

400

401 Mr. Faris: I don't know but we'll check. We can move that over and just adjust that fence a little if we  
402 have to have a view corridor. So it has to be 50' off that incoming roadway is what you're saying?

403

404 Ms. Boni: Yes.

405

406 Mr. Faris: My guess is it's about 30' just looking at it, but we'll double check.

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407 Mr. Pychewicz: There's one thing in the staff comments that I have a hard time seeing the hardship here  
408 but it's in regard to this access point and the requirement of it being 200' from another access point or  
409 Owenfield Drive. It's a 25' distance and I get the response you had that they're trying to center that up  
410 against the two access points across the street with the Steak 'N Shake, but I don't see where it would  
411 really have a significant impact if that was to go 25' further to the west and as far as where that would  
412 come into the site; you're still going to be in between those two access points, just not as centered as it's  
413 shown. Help me understand why that's a divergence when I don't think it seems like it would have a huge  
414 impact on the plan if that was to shift over.

415  
416 Mr. Faris: Typically we try and center things in between the two curb cuts but the 25', if that's what  
417 everybody is looking for. It really doesn't change anything for us. It does make that one driveway a little  
418 longer, that one unit, but we're still under 150', so Fire's fine. I've looked at it from that standpoint. If  
419 there's that strong of a desire for 200', we can certainly move it.

420  
421 Mr. Pychewicz: I think the reason for that is more of a safety concern of having access points too close to  
422 a drive and having someone pulling out; I just think that 200' seems like an unnecessary divergence and  
423 just one thing less that you'd have to ask for.

424  
425 Mike Shade, Shade & Shade, 41 N. Sandusky Street, Delaware, Ohio 43015, attorney for the applicant.  
426 One concern I had that came up during the staff comments and I thought you could do it either way, is  
427 cars that are traveling from the north and coming around that curve, your sight distance, the closer you get  
428 to that curve, there's potentially an accident that could occur. A car could be turning and can't see any-  
429 body coming down the road and all of a sudden they're right on top of them. I understand the balancing  
430 issue between the two and generally your rule is not harsh, but because of the curvature of the road, where  
431 it is right now you've got great sight distance either way, but you move it a little further to the west, and  
432 I'm concerned about the safety factor there. You've got a lot of people coming out of Home Depot and  
433 most drivers follow the path of least resistance, and down in that area, and I think probably all of us have  
434 experienced that, some of the people that travel within those shopping areas travel at a lot greater speed  
435 than they probably should be.

436  
437 Ms. Mattei: When we talked about this between the staff and applicant, we did talk about that curve, and  
438 from my perspective, it was the curve that caused us to say we supported the divergence more than it was  
439 centering between the two driveways. But it is 25' and it can go either way, but it was the curve that  
440 pushed my opinion over toward the divergence.

441  
442 Mr. Pychewicz: I appreciate that explanation. I have been in the area and moving it closer to that curve  
443 may be more dangerous than where it sits from Owenfield Drive, so I think I'm good with it staying  
444 where it's at.

445  
446 Ms. Trebellas: I have no issues with where road is because I don't think that's a heavily used path  
447 currently from Home Depot but with this development it could be and I agree that not everybody off of  
448 Owenfield obeys traffic laws, so I would say that the divergence is not for it to be centered but more of a  
449 safety factor. I would write that in your application, that it's for safety and not for design aesthetics.

450  
451 Mr. Dove: On D-5, there's the gate detail for the emergency access which shows the 5' within an adjacent  
452 5' fence. Is that the case or is that where the split rail is?

453  
454 Mr. Faris: That gate, the Fire Department wants us to make that look like that, so in that area it is a 6'  
455 high privacy fence.

456  
457 Mr. Dove: 6' or 5'?

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458 Mr. Faris: 6'; we're asking for a divergence from 5' to 6' for that between us and Home Depot.  
459  
460 Mr. Dove: You're calling out 5' on the detail. So for extending it, I'm okay. If it was just freestanding, I  
461 think it'd look a little goofy.  
462  
463 Mr. Faris: Again, the Fire Department wants that to fully open like 2 huge wings or a gate, so we're going  
464 to build it out of steel and attach the vinyl on the front of that.  
465  
466 Mr. Dove: And then we'll add the Knox box so only the Fire Department has access?  
467  
468 Mr. Faris: Yes.  
469  
470 Ms. Boni: I don't think we've talked about the 6' fence; just make sure to clarify that in the divergence  
471 request.  
472  
473 Mr. Dove: I think in the staff review there was talk about the building height that's really not called out  
474 with what the max height is. I'm assuming it's under the 50'.  
475  
476 Mr. Faris: Yes. It's under 35'. I'm surprised that didn't show up on the architectural details, but we'll put  
477 it on the drawings as well.  
478  
479 Mr. Dove: I know you're not doing trash dumpsters, but is there going to be some sort of language in the  
480 requirements that trash cans are not to be in the public view?  
481  
482 Mr. Faris: Yes, that's a policy that their management enforces. Do you have Mark Freeman's email or  
483 phone number so I can call him tomorrow so we can go out and meet with him?  
484  
485 Ms. Boni: Yes.  
486  
487 Mr. Faris: I definitely want to meet with him because we've got to see it from his position; he's much  
488 lower and then show him where we can put stuff. Just looking at it on the plan, I think we can make him  
489 much happier on a whole lot of stuff.  
490  
491 Ms. Boni: I will forward you his contact information and I spoke with him on the phone yesterday, and he  
492 had interest in going to the site with somebody. And speaking of Mark, I know you're tuning into the  
493 YouTube chat and I see your comments. I will save those and pass them along to the applicant and  
494 Trustees. And for anyone else that's been on the YouTube chat room, again this meeting was not open for  
495 public comment, however we'll take all the comments and pass them along to the Board members. And if  
496 you have any questions you want addressed before the hearing, you can email us.  
497  
498 Mr. Dove: Is there any way the Zoning Commission can see those as well or get a copy of them?  
499  
500 Ms. Boni; I will pass them along to the Board members.  
501  
502 Mr. Dove: This is just a new process and it would be nice to see what the public is saying as well.  
503  
504 Ms. Mattei: Can you let the public know when the Trustees' meeting will be so if they want to attend that  
505 and provide input at that meeting, they can do so?  
506  
507 Ms. Boni: The Trustee hearing for this application will be Tuesday, January 19 at 6:00 p.m. and you can  
508 tune into the same YouTube channel that you're watching now.

## Zoning Commission

509 Mr. Dove: I saw today the Trustees are looking to have meetings at 10:00 a.m. again?

510

511 Ms. Boni: I know they're considering changing the day of the week of the meetings; they may move it to  
512 Wednesdays.

513

514 Mr. Dove: I saw where they were going to try and go back to 10:00 a.m. which I didn't think was going to  
515 be a thing but if it is, I hope we don't have these zonings at 10:00 a.m., that they're at the evening  
516 sessions.

517

518 Ms. Trebellas: I would agree with Todd that that would limit our capability to attend those meetings.

519

520 Ms. Boni: I will pass those concerns along to the Trustees tomorrow; we're having our organizational  
521 meeting. I'm looking at our agenda and it still proposes the first and third Monday at 6:00 p.m. unless  
522 there's something new. I'll let you know.

523

524 Mr. Faris: I take it you had questions about our lighting plan. We've taken a look at that and there were a  
525 couple of different things that happened on that. They used your multi-family code which is very, very  
526 extensive for the amount of light and everything else compared to the commercial overlay district here, so  
527 there was a difference on that. Then Number 2, Tom usually gets his electricity installed and provided by  
528 AEP, and they provide and install the lights. We can't use theirs because the lumens on their fixtures are  
529 too great. They use high pressure sodium, so we're going to go with an LED fixture to deal with this. Do  
530 you have a preference for the Kelvin? Right now they're saying 2700?

531

532 Ms. Trebellas: I think Michele just pulled up our code where it's around 3000, so we basically want warm  
533 LED's.

534

535 Mr. Faris: We're looking at 2700 and much less light fixtures, so it should make everybody happier. We  
536 will make sure we have that degree Kelvin as it's called for in the Code.

537

538 Ms. Boni: If you tuned into the Trustee meeting for the first 23 application, I did include all of your  
539 comments in the Staff Report that I shared with the Trustees, and they seemed to like that and again, your  
540 voices are passed along, so we appreciate your time reviewing these. We will expect public comment for  
541 the Trustee meeting.

542

543 Meeting adjourned at 8:00 p.m.

544 Minutes prepared by Cindy Davis, Zoning Secretary

545

546 At their March 16, 2021 meeting, Mr. McNulty made a motion to approve the January 5, 2021 meeting  
547 minutes of the Orange Township Zoning Commission for Route 23 Corridor Overlay District Application  
548 #RCOD-20-02, TBM Investments, LLC with the following corrections:

549

- 550 • Line 68: correct the spelling of the last name of Anna Vaggeties
- 551 • Line 373: correct the spelling of Ms. Trebellas' last name
- 552 • Line 373 should read: "And it's not 23, so it could be worse. It's what I consider a feeder road or  
553 a service road, but I don't see it as being feasible or as available as the other based on the  
554 location".

555

556 Seconded by Ms. Trebellas

557 Vote on Motion: Mr. Pychewicz-yes, Mr. McNulty-yes, Ms. Trebellas-yes, Mr. Pierce-yes, Ms. Harris-  
558 yes

559 Motion carried