

**BOARD OF TRUSTEES JOURNAL OF ACTIONS
FROM REGULAR MEETING HELD JANUARY 19, 2021
ORANGE TOWNSHIP - DELAWARE COUNTY**

The electronic recordings of this meeting serve as the official meeting minutes.

A full and accurate account of this meeting's audio and video can be found at www.orangetwp.org

Mr. Grumbles called the meeting to order at 6:03 p.m.

PRESENT: Ben Grumbles, Chair
Deborah Taranto, Vice-Chair
Ryan Rivers, Trustee
Lisa Kraft, Fiscal Officer

ALSO PRESENT: Bill Cowan, Director of Operations
Scott Rice, Fire Chief
Michele Boni, Development and Zoning Director
Andrew King, Township Administrator

RES.21- 034 APPROVAL OF A DEVELOPMENT PLAN PER THE RCOD SECTION 20.04(g) OF THE ORANGE TOWNSHIP ZONING RESOLUTION – CHESWICK VILLAGE

Mr Grumbles Moved the adoption of the following Resolution:

WHEREAS, per Resolution 20 – 345, the Board of Township Trustees of Orange Township, Delaware County, Ohio, on October 5, 2020, adopted Article XX, the Route 23 Corridor Overlay District (RCOD), as part of the Orange Township Zoning Resolution and said district became effective on November 4, 2020; and

WHEREAS, TMB Investments, Ltd. submitted an application on December 22, 2020 for development plan approval per Section 20.04 of the Orange Township Zoning Resolution for 11.486 acres described as lots 7521 and 7522 on the High Park Center Replat of Lot 4924, Lots 6609 & 6612, Division 1 plat submitted with application and attached hereto as Attachment A; and

WHEREAS, per Section 20.04, the applicant is also requesting divergences to the RCOD Overlay requirements as listed and attached hereto as Attachment B; and

WHEREAS, per Section 20.04(f) the Zoning Commission held a Working Session on January 5, 2021 to provide informal feedback on said application; and

WHEREAS, the applicant provided updated information to its application on January 8, 2021; and

WHEREAS, the Township Zoning Inspector has reviewed the proposed development plan and provided a written staff report, which includes the informal comments received at the Zoning Commission Work Session on January 5, 2021; and

WHEREAS, after the Township Zoning Inspector completed their staff report, further modifications were requested and the applicant provided updated information to its application on January 19, 2021; and

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WHEREAS, per Section 20.04(g), the Board has conducted a public hearing on said development plan on this 19th day of January, 2021 and said meeting was duly advertised in accordance with 20.04(g) of the Orange Township Zoning Resolution; and

NOW THEREFORE BE IT RESOLVED that:

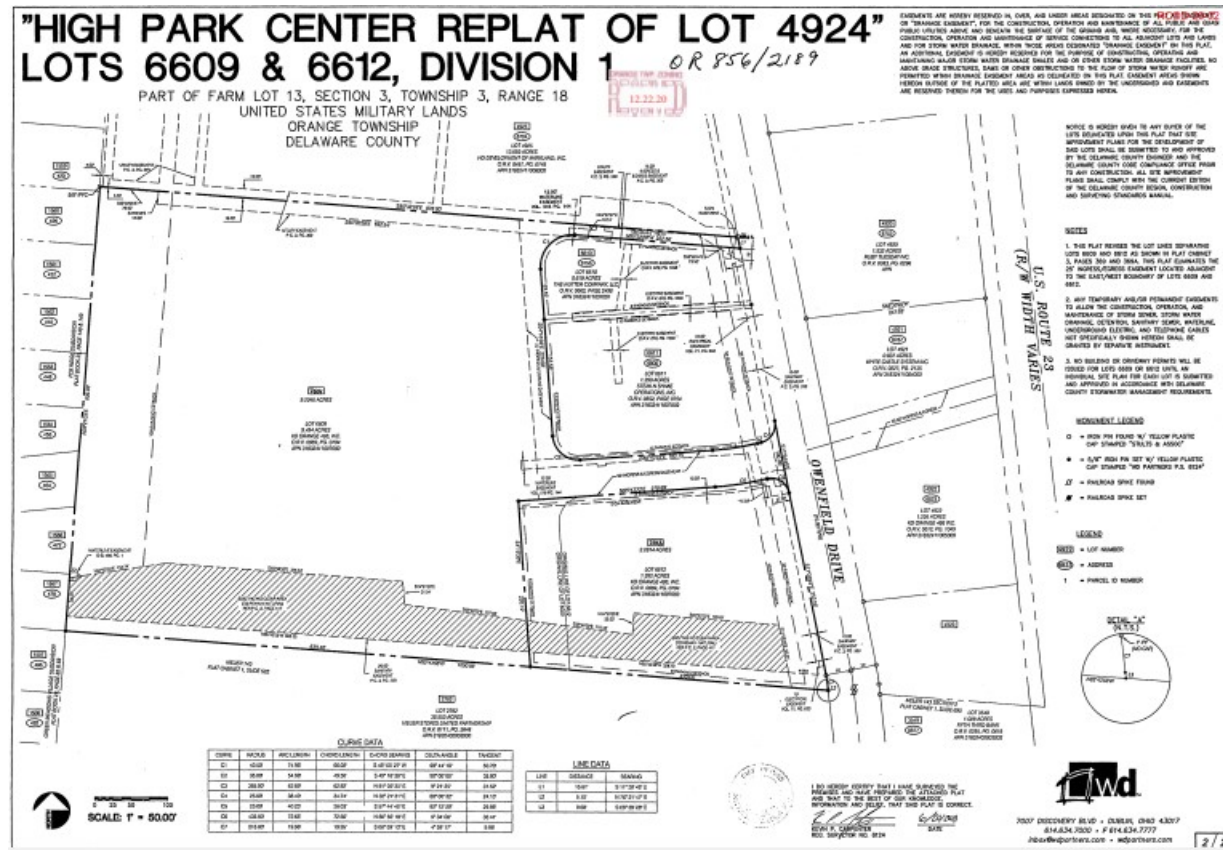
Section 1. The Board hereby approves the development plan submitted per Section 20.04 for the property described in Attachment A including all divergences listed in Attachment B.

Section 2. The Board hereby authorizes the Zoning Inspector to change the Zoning Map so that any other zoning district that applied to said property described in Attachment A no longer applies to said property. The removal of the prior zoning district from the Zoning Map is a ministerial act and shall not be considered to be an amendment to the Township Zoning Resolution for the purposes of Section 519.12 of the Revised Code.

Motion second by: Mr. Rivers

VOTE: Grumbles – Yes Taranto – Yes Rivers – Yes

Attachment A



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Divergences –

1. Right-of-Way Setback, Section 20.09(i)

Right-of-Way Setback (Collector Road): 40' maximum setback for townhomes

It is requested that the setback maximum be expanded to 50'. The plat for the proposed development indicates that a 50' setback is required, while the RCOD code states that a 40' maximum setback is required per road classification of Owenfield Drive. Requesting a divergence for a 50' setback will satisfy the plat requirements and the code requirements.

2. Dry Detention Basin, Section 20.10(b)(ii)

Dry detention basins are prohibited in all subareas. All stormwater basins shall be wet basins and aeration devices may be required.

It is requested that the existing dry detention basin on the property be allowed to remain, because the stormwater structure is already in place for a dry basin.

3. Screening Between Uses, Section 20.10(b)(ii)(4)

A continuous planting hedge and tree combination to provide screening between non-residential uses shall be installed. The required planting hedge and tree combination shall be a minimum of five (5) feet in height at the time of installation. Mounding may be used to achieve the required height and fencing may be incorporated to provide additional screening.

It is requested that the screening requirement be waived for the northwest corner of the site. The combination of the 8' hgt. wood fence, proposed pathway, and the existing steep grading makes the addition of landscape difficult in that area.

4. Privacy Fence, Section 20.10(d)(i)(2)

The following fences are permitted only when providing the required screening per Section 20.10(b)(4) and they do not exceed five (5) feet in height: privacy fences

It is requested that the privacy fence used for screening along the north and east sides of the property be allowed to be 6' in height instead of 5'. The applicant would like to increase the height to 6' to make sure that the townhomes are properly screened from Home Depot.

It is also requested that the existing 8' hgt. wood privacy fence along the west property line be allowed to remain even though it exceeds the five foot height requirement. The existing wood fence is between the detention basin and the existing trees to the west and serves as a buffer between the proposed development and the existing single family homes. The applicant will also be adding +/- 80' of additional 8' wood privacy fencing, built to match the existing fence, along the multi-use pathway in the southwest corner of the site. This was done to accommodate for neighbor concerns about screening.

5. Connectivity, Section 20.10(e)(iii)

If access roads are utilized to comply with this connectivity requirement, there shall be a minimum distance of 200 feet between intersections. A great distance may be required upon recommendation by the Delaware County Engineer or a consulting engineer to avoid safety concerns.

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It is requested that the entry drive be allowed to be 175' from the access point to Owenfield Drive to keep the entry drive farther way from the bend in the service drive. The bend in the service drive could create visibility issues for people driving in and out of the proposed development. The 175' entry drive placement was done to promote safer traffic patterns on the service drive.

6. Temporary Signs, Section 20.10(g)(v)(3)(c)

Large temporary signs shall not be displayed for more than thirty (30) consecutive days and no more than three (3) times per calendar year. A new permit must be obtained for each thirty (30) day or less period. After said permits have been exhausted, the Zoning Inspector may grant one (1) extension for up to ninety (90) days per sign. No other extensions may be administratively approved.

The temporary marketing sign shall be permitted to be installed upon commencement of construction of the development and shall be permitted to remain in place one year after the final certificate of occupancy of the last building within the development. A sign permit must be obtained for the installation of the temporary sign. The sign permit must be renewed, with permit fee, every six (6) months as long as the sign is in place.

7. Way Finding Signs, Section 20.10(g)(ii)(1)

Way Finding Signs shall be limited to a maximum height of three (3) feet, a maximum area of three (3) square feet per side and shall be located outside of the right-of-way and on the property of the user(s) of which they are identifying the entry or exit.

It is requested that the way finding entry signs that are located on either side of the entrance to the site, be allowed to be 5' in height instead of 3'.

8. Section 20.10 a.iii.5- Exposed Foundations

We would request that the exposed foundations be allowed to be painted to match or complement the siding on that façade (with a pigmented waterproofing product).

This is due to waterproofing system that is used on the foundations since these have basements Areas below grade have a drainage system and water proof material, and exposed foundations have Drylok applied (a paint applied system) that waterproofs the 12" of exposed foundation. The client has talked with the manufacturer and this paint application is not recommended for split face or textured surfaces due to the irregularities and ability to fill all the voids in a textured surface.

9. Section 20.09(I) – Minimum Lot Width

Requesting a divergence to Section 20.09(I) (Townhome Lot Width) to allow a minimum 100 foot lot width which is similar to the multi-family lot width requirements.

APPROVAL OF CONSENT AGENDA

1) IN THE MATTER OF APPROVING THE CONSENT AGENDA FOR JANUARY 19, 2021:

It was moved by Mr. Grumbles, seconded by Ms. Taranto to approve the consent agenda with RES.21-035 and RES.21-036 for January 19, 2021:

Second: Ms. Taranto

VOTE: Grumbles – Yes Taranto – Yes Rivers – Yes

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NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD HEREBY APPROVES THE FOLLOWING CONSENT AGENDA ITEMS FOUND IN LINE ITEMS A) & B)

A) RES.21-035 APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM THE SPECIAL TRUSTEE MEETING HELD DECEMBER 22, 2020 AND THE REGULAR TRUSTEE MEETING HELD ON JANUARY 6, 2021:

WHEREAS, the Board of Trustees for Orange Township, Delaware County, Ohio (the “Board”) met in regular session on January 19, 2021; and

WHEREAS, the Fiscal Officer has certified, pursuant to section 305.11 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the Special Trustee Meeting held on December 22, 2020 and the Regular Trustee Meeting held on January 6, 2021

B) RES.21-036 APPROVING PURCHASE ORDERS, THEN AND NOW PURCHASE ORDERS, AND BLANKET PURCHASE ORDERS AS LISTED:

Vendor	Description	Account	Amount
Kirk Design & Construction	Pay from CARES blanket 206-2020 (2020): Front Office Redesign	2272-490-300-0000 (CARES Fund)	\$41,489.11
TSI Incorporated	Respiratory Fit Tester, Supplies:	2272-490-400-0000 (CARES Fund)	\$19,260.00
Delaware County Regional Planning Commission	Then and Now Annual Membership Fees	1000-130-370-0000 (General)	\$17,680.00
Isaac Whiles Burkholder & Teetor, LLC	Then and Now Legal (2020): Services	2191-110-311-0000 (Fire)	\$17,375.75
Korda/Nemeth Engineering Inc.	Then and Now (2020) for North Road Park Phase 2 Bldg. Design and CA	2901-610-360-0000 – (Parks)	\$22,330.79
Shelly and Sands, Inc.	Then and Now (2020) DEL-TR114-51, Orange Phase 2 Project	2141-760-730-1111 (Roads)	\$197,367.36

RES.21-037 APPOINT CIARA HARRIS AS A REGULAR MEMBER OF THE ORANGE TOWNSHIP ZONING COMMISSION

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Motion by Mr. Grumbles to appoint Ciara Harris as a Regular Member to the Orange Township Zoning Commission to fill an existing term effective on January 19, 2021 and expiring on December 31, 2021

Second: Ms. Taranto

VOTE: Grumbles – Yes Taranto – Yes Rivers – Yes

CON.2021.01.19.1 PROVIDE NEW ZONING APPLICATION INFORMATION TO THE DELAWARE COUNTY SHERIFFS DEPARTMENT

RES.21-038 FIRE PERMIT FEES

Mr. Grumbles moved to set fire permit fees per the fee schedule on file with the Fire Chief.

Seconded by Mr. Rivers

VOTE: Grumbles – Yes Taranto – Yes Rivers – Yes

RES.21-039 AUTHORIZE UP TO A MAXIMUM OF 60 DAYS OF INJURY LEAVE TO FIRE FIGHTER JASON REAY

Motion by Mr. Grumbles to authorize up to a maximum of 60 days of injury leave to Fire Fighter Jason Reay effective January 15, 2021.

Seconded by Mr. Rivers

VOTE: Grumbles – Yes Taranto – Yes Rivers – Yes

RES.21-040 APPROVING A 10-YEAR MASTER PLAN AGREEMENT FOR PARKS, RECREATION, AND TRAILS with BRANDSTETTER CARROLL, INC.

The Board of Trustees of Orange Township, Delaware County, Ohio (“Board”) met in regular session on January 19, 2021 with the following members present:

Ben Grumbles

Deborah Tarnato

Ryan Rivers

Mr. Grumbles moved the adoption of the following Resolution:

PREAMBLE

WHEREAS, the Board desires to approve a 10-Year Master Plan Agreement for Parks, Recreation, and Trails with Brandstetter Carroll, Inc.

RESOLUTION

NOW THEREFORE, BE IT RESOLVED:

A. The Board hereby approves the Agreement.

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B. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

C. The Board authorizes the Orange Township Administrator to sign the Agreement and any other Master Plan related documents.

D. This Resolution shall be in full force and effect immediately upon adoption.

Mr. Rivers seconded the motion.

VOTE: Grumbles – Yes Taranto – Yes Rivers – Yes

Voted on and signed this January 19, 2021 in Orange Township, Delaware County, Ohio.

**BOARD OF TRUSTEES OF
ORANGE TOWNSHIP,
DELAWARE COUNTY, OHIO**

Trustee

Trustee

Trustee

Attest:

Orange Township Fiscal Officer
CERTIFICATE

State of Ohio, Delaware County

I, the undersigned Township Fiscal Officer of Orange Township, Delaware County, Ohio, certify that the foregoing Resolution No.21-040 is taken and copied from the record of proceedings of the Board, and that it has been compared by me with the Resolution on the record and is a true and accurate copy. Further, I certify that the adoption of such Resolution occurred in an open meeting held in compliance with R.C. § 121.22.

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Date: _____

Township Fiscal Officer
Orange Township, Delaware County, Ohio

RES.21-041 MEETING ADJOURNMENT

Motion by Mr. Grumbles to adjourn.

Seconded by Mr. Rivers

VOTE: Grumbles – Yes Taranto – Yes Rivers – Yes

Notice: Copies of documents referred to in this journal can be obtained by contacting the Orange Township Administrator.

Ben Grumbles, Chairman

Deborah Taranto, Vice-Chairman

Ryan Rivers, Trustee

Attest: _____
Lisa Kraft, Fiscal Officer