

## Zoning Commission

1 **Zoning Application #ZON-19-03**

February 11, 2020

2  
3 **Zoning Application #ZON-19-03, Evans Farm Development Co. LLC.** The application is an  
4 amendment to the currently effective zoning development plan for +/- 425.4 acres within the Evans Farm  
5 Single Family Planned Residential (SFPRD) District, approved under applications #15-0105 and #ZON-  
6 17-07 of Evans Farm Land Development Co. LLC.

7  
8 Roll: Mark Duell-absent, Adam Pychewicz, Christine Trebellas, Dennis McNulty, Barrett Ault

9  
10 Township Officials Present: Michael McCarthy                      Legal Counsel  
11    Michele Boni                      Planning & Zoning Director

12  
13 Ms. Boni: Mr. Duell did indicate that he would not be able to attend this evening, and he didn't have any  
14 comments. I believe he reviewed the motion that was drafted for this evening.

15  
16 Mr. McCarthy: He indicated to me that he had no issues with the motion as it sat at that point.

### 17 18 **MOTION TO RETURN FROM RECESS FOR ZONING APPLICATION #ZON-19-03**

19  
20 Ms. Trebellas made a motion to return from recess for Zoning Application #ZON-19-03, Evans Farm  
21 Development Co., LLC; seconded by Mr. McNulty.

22  
23 Vote on Motion: Mr. Pychewicz-yes, Ms. Trebellas-yes, Mr. McNulty-yes, Ms. Ault-yes

### 24 25 **APPLICANT PRESENTATION/COMMISSION QUESTIONS & COMMENTS**

26  
27 Tony Eyerman, Evans Farm Land Development, 1550 Lewis Center Road, Lewis Center, Ohio. On  
28 January 30, we submitted a response to Mr. McCarthy's notes from the last meeting, and I just wanted to  
29 go through those and answer any questions as we go. Following that, there's another list of items that we  
30 can go through as well. Item #1 from the letter of January 30, provide a listing of the individual lot  
31 owners who have joined into the zoning application. We will provide that to the Township Trustees.  
32 There's one builder who refuses to participate, and he has the right to refuse, but we're still chasing a few  
33 people but we have probably 90% of all the lot owners in Phase 1. We'll keep working on that. Item #2,  
34 as regards to Open Space A, provide specific details as to all buildings and structures to be permitted  
35 together with renderings and a scaled plan of the same. Include specific details of the kitchen facilities.  
36 We provided a set of the scaled drawings as well as 11x17's of the elevations. Sub-Area B, provide a  
37 scaled plan as to the ball field lighting, indicating specifics as to the details of the location of the lighting.  
38 We have that as a larger print as to the foot candle projections. If we get an approval tonight, we'll  
39 probably chop that larger sheet up and enlarge it to a larger scale so it's a little bit more legible but the  
40 content will remain the same. Item #3, in the development text, limit the commercial activity in parks and  
41 open space to Open Space Area A. On Page 41 of the amended development text we said that limiting the  
42 concessions only to Open Space A. Item #4, as regards to lot coverage percentages, provide that as to lots  
43 having a minimum lot width of 65' or greater, primary structure only having one story may have a  
44 maximum lot coverage of 40%, excluding garages and porches. We did that and on Page 46 of our text  
45 we included one a statement as to excluding porches and garages and other non-heated areas of the  
46 residence. The reason for that phrase is we have one residence already building a greenhouse. It's  
47 included as the 50% lot projection but it's a non-heated area for compliance, and I know of at least one  
48 other residence that is going to have a greenhouse and without being contrary to the Zoning Text, we  
49 wanted to include that. It still fits within the 50% lot coverage but that's why that's in there.

50  
51 Ms. Trebellas: Do you mean non-heated or non-conditioned?

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52 Mr. Eyerman: To me they're synonymous, but I know they're not synonymous. If you want to have it as  
53 non-heated, non-conditioned, that's fine.

54

55 Ms. Trebellas: I would prefer that. In the north, I think I know what you mean by non-heated, but in the  
56 south with air conditioning, it would be non-conditioned as in no heating, no cooling.

57

58 Mr. McCarthy: I believe we've had this discussion on non-heated areas before, but my recollection was  
59 Mark was not too happy about that which is why we stuck to garages and porches.

60

61 Mr. Eyerman: Item #4, further provide that in no event lot coverage shall exceed 50%. On Page 46 of the  
62 amended development text we addressed that part that was in italics above it. Item #5, as regards to the  
63 temporary Open House signs in the Evans Farm Single Family Planned Residential District in Orange  
64 Township, provide that the temporary Open House signs shall be outside of the right-of-way of streets  
65 and roads, and specify in the development text the permitted locations on such signs. Item a) and b) we  
66 provided on Page 50A and 50B of the amended development text. On the electronic version I think the  
67 previous detail got snuck in there, it's my mistake and I'll scan it again and have it addressed before the  
68 Trustees' hearing, but the printed copy is exactly what we're going for. It meets all the requests from the  
69 previous meeting we had. Item #6, on Page 42, substitute the following for the last paragraph of the reply  
70 titled the uses within the open space. Just prior to ownership and maintenance responsibilities, and the  
71 italics portion is what we inserted in and was completed. Item #7, modify the 17<sup>th</sup> paragraph on lighting.  
72 The italics two paragraphs we inserted in place. Item #8, label the open space ball field lighting plan  
73 photometric plan, and light fixture data is referenced on Page 21, and the plans have been labeled and will  
74 be added to the tab for the development plan. There are a number of these afterwards that were a lack of  
75 my pdf/Microsoft Word prowess. On Page 18, separate those two paragraphs, which we did. On Page 24,  
76 the fourth paragraph, community trails, separate the last sentence, which we did. Item #11, the bottom of  
77 Page 24, the section titled community trails, delete the following which we removed that and that's  
78 completed. Item #12 on Page 28, modify the third bullet item to read: Section 10.06 b)4), lighting, and the  
79 paragraph that follows that, and we did. Item #13 at the bottom of Page 31, modify parking areas to read  
80 "d. marked parking areas" and we re-lettered everything following that. Item #14, Page 43, the chart  
81 included in Section 10.07 c), lot width, we hit a return on that that set everything up as it should be, so  
82 that's completed. On Page 44 in the chart included in the reply in Section 10.07 e), side yard setback, we  
83 addressed that. Item #16 on Page 59 under reply to Section 21.08, the response to that section shall be  
84 separate from the template language; we did that and it was all re-lettered. On 17 on Page 59, modify the  
85 first paragraph which we did. On Page 62 on Item #18, modify the fourth paragraph to read for the ball  
86 field only, the maximum LED color temperature shall be 5700 Kelvin. Dimmers shall be installed with all  
87 LED lighting; that was completed. Items 19 and 20 are pretty much the same, they're both on Illustration  
88 2. We amended the Note 3 on each of those per direction given, and both #19 and #20 are completed as  
89 well. Going to notes that were given to us yesterday, the Statement of Stipulations that was provided to  
90 us, Item #1 is provide a listing of the Evans Farm Delaware LLC and the other individual lot owners who  
91 have joined in this zoning application which we have. Item #2, I read through this four times and the only  
92 thing I can see in the difference between our text and the note here is bullet points versus the letters.

93

94 Mr. McCarthy: Yes. I went back to the original and really we're bringing the 15-0105 forward with  
95 subject to these amendments, so I wanted to make sure it matched up.

96

97 Mr. Eyerman: Item #3, Page 45 and 46, the highlighted portion of that says primary structures having  
98 only one story are permitted a maximum lot coverage of 40% excluding porches and garages. Our text  
99 had read other non-heated or non-conditioned areas of the residences and that was specific to uses like a  
100 greenhouse while we still have to comply with the 50%, it still allows us some flexibility on the non-  
101 heated, non-conditioned portion of a residence. Item #4 on Page 50 of the development text, modify the

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102 reply to Section 10.07 j) to read parking off street, and when comparing them, the only thing I saw was  
103 the letter b) on see Section 10.06 b)14)?

104

105 Mr. McCarthy: Yes.

106

107 Mr. Eyerman: We'll take care of all these things. Item #5, on Page 50A of the development text, title  
108 signage detail depicting the models open signs, delete the indicated scale and substitute NTS which we  
109 shall do while maintaining indicated dimensions on the drawing. Additionally, insert the correct drawing  
110 on Page 50A in the electronic version and we'll get that fixed as well. Item #6, we will correct the  
111 spellings, there's two of them, there's pollution on the original 2013 had three l's and beyond had no d on  
112 it. Item #7, clarify the development text for Open Space A on the ball field lighting plan photometric plan  
113 the manner in which the parking lot lighting is presented in that plan. I didn't know what you meant.

114

115 Mr. McCarthy: It was unclear to me. I think the shortest pole was 60' but then I saw 15' and 60'; does  
116 that mean part of the parking lot is going on the 60-footer?

117

118 John Coffman, Musko Lighting: We are using some of the field lighting poles for the parking as well.  
119 We're trying to limit the number of poles so we're using them where we can.

120

121 Mr. Eyerman: We'll clarify that in the resubmittal. Item #8, in the planting plan, add a headlight buffer  
122 along Shanahan Road, which we'll do. We'll also provide a full size scaled version of that plan and label  
123 the pavilion which is currently labeled shelter and concessions. Item #'s 9 and 10, the renderings that  
124 were provided, my architect agreed that they had mistakenly put the wrong label on the orientation and  
125 we will have those fixed and in the submission to the Trustees.

126

127 Mr. McCarthy: There is a new #11 and that was in the reflection of the pavilion which I think merited  
128 some discussion, but it would reduce the height of all buildings, including cupolas, etc. in this zoning  
129 district, to a maximum of 35' height in this SFPRD; right now, you're around 47'.

130

131 Mr. Eyerman: I had a #11 and #12, and that was #11. On Page 11 of the approved Zoning Text, we'll  
132 comply with the building heights. It's Single Family Residential, but this is a Planned Single Family  
133 Residential area; we'll comply with the building heights as outlined on Page 11 of the Zoning Text. And  
134 Item #12, just for clarification, on Page 42 of the amended Zoning Text we described the permitted uses  
135 of the structures within the parks and among the things in there. The supporting facilities and supporting  
136 uses are not permanent commercial uses but rather supporting uses associated solely with and supporting  
137 the athletic, recreational and community uses associated with the regional community park. Likewise,  
138 structures such as picnic shelters may be rented for other group events. In talking with Michele, it may be  
139 wise for us to add in there parties and anything else you might like.

140

141 Mr. McCarthy: You changed commercial activity to concessions activity.

142

143 Mr. Eyerman: And there are other commercial uses permitted in there.

144

145 Mr. McCarthy: You're going to have, and this should probably be discussed, an over 14,000 square foot  
146 enclosed building that has stored batting nets, so I assume that's going to be used year round?

147

148 Mr. Eyerman: It's really not enclosed.

149

150 Mr. McCarthy: The glass doors I assume are thermal.

151

152 Mr. Eyerman: It could be. To answer your question, yes there will be instruction in there.

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153 Mr. McCarthy: And they're going to get paid for the instruction?  
154  
155 Mr. Eyerman: I'm not saying they will but they could be.  
156  
157 Mr. McCarthy: That's in Sub-Area A. We can talk about the pavilion, but the thing is, we are also  
158 allowing rental of the shelters, just so you're aware. "Concessions" are going to be limited to A but  
159 rentals can occur anywhere apparently and that there's a shelter.  
160  
161 Mr. Eyerman: And it would be no different than the Township use in your parks because I assume you  
162 rent your picnic shelters out for parties.  
163  
164 Mr. McCarthy: The last I knew they did.  
165  
166 Mr. Eyerman: The community park, similar to Whestone Park in Columbus or any number of community  
167 parks like that, I've been to probably a handful of wedding and birthday parties in the picnic shelters; it's  
168 really no different than that.  
169  
170 Mr. McCarthy: From the descriptions we've had, I did not envision a 14,000 square foot enclosed year  
171 round structure. Will they have indoor soccer?  
172  
173 Mr. Eyerman: No.  
174  
175 Mr. McCarthy: So this will be strictly baseball or will there be other rentals?  
176  
177 Mr. Eyerman: As far as uses inside that, yes.  
178  
179 Mr. McCarthy: It's there. If you're good with it, that's fine, and it's been raised. It caught me by surprise.  
180  
181 Ms. Trebellas: One thing that doesn't necessarily bother me but it might bother other people, do the  
182 concessions include alcohol and do the wedding and other parties include alcohol because generally a lot  
183 of public parks do not allow alcohol on the premises.  
184  
185 Mr. McCarthy: Public parks we can regulate, but I believe liquor control has its own rules, they don't  
186 look at what you call it. If you have a commercial area, you cannot prohibit the sale of alcohol.  
187  
188 Ms. Ault: We don't allow it when you rent the Township Hall or the space at the pool.  
189  
190 Mr. McCarthy: No, because we have statutory authority to prohibit it.  
191  
192 Ms. Trebellas: Public parks have that authority to prohibit it but private parks do not.  
193  
194 Mr. McCarthy: We don't have the authority to prohibit it, the owner can prohibit it.  
195  
196 Ms. Trebellas: But that's why I brought it up. Like I said, it doesn't bother me, but if it does bother  
197 people, speak now.  
198  
199 Mr. McCarthy: I'll be happy to double check it for the Trustees, but that's my recollection; if you're in a  
200 commercial use, you cannot through zoning prohibit the sale and consumption of alcohol.  
201  
202 Ms. Ault: I was not here for the first round of Jennings Park and what was discussed as far as the large  
203 door on this building. Is that something that you always thought was happening?

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204 Mr. McCarthy: There were a couple of issues as I recall on the table. One was a possible donation to the  
205 Township. Ultimately, that did not pan out, the Township did not want to pursue that. At that point I think  
206 it was really kind of fuzzy. I know the developer was going to own it but I think the language also says  
207 successors and assigns, so that does prohibit transfer; we don't do that. But, like I said, it caught me by  
208 surprise when I saw the size of it, so I think that it's something I would look at as probably a request or  
209 clarification. What's there that would go behind your traditional shelters and restrooms and what not.

210  
211 Ms. Ault: But that's not a shelter; it's an indoor sports complex which are two different things.

212  
213 Mr. Eyerman: If you look at it three seasons of the year as a shelter. Having three daughters who played  
214 travel ball and talking to a lot of friends who have baseball, softball and soccer, if there's a rain, they head  
215 for the shelters, and we don't have a lot of shelters. We're not electing to do this, but we could have  
216 divided it and had three different shelters located around there. We decided to have one. It's more  
217 associated with a larger parking lot in the center, it tends to disburse north to the soccer and south to the  
218 ball diamonds. So for three seasons of the year, it's intended to be a picnic shelter. The glass contains it  
219 for security reasons during the non-use times but over the winter, it seals it up. Then if they want to hang  
220 nets inside it for pitching and hitting, they can do that.

221  
222 Mr. McCarthy: Will it have heating?

223  
224 Mr. Eyerman: I suspect in some form or another it will, whether it's a torpedo heater or something in the  
225 ceiling, I don't know.

226  
227 Mr. McCarthy: The question raised in my mind is are we creating a 12 month a year continuous  
228 commercial use? I don't remember that being within the original intent. It was nothing anyone talked  
229 about.

230  
231 Mr. Eyerman: It was pretty much undefined as just a regional community park.

232  
233 Mr. McCarthy: That I remember, and you talked about the league and other possible users.

234  
235 Mr. Eyerman: I remember over the course as long as it took us to go through zoning, it was frequent that  
236 there were three little league ball associations that....

237  
238 Mr. McCarthy: They were pursuing you.

239  
240 Mr. Eyerman: There was the OYAA, and with this, it wasn't just baseball, baseball and softball and  
241 multiple age groups. This facility was always intended to address all of them. OYAA I don't think did,  
242 but each of the little leagues asked us to control it all and we said no, it's not going to be driven that way,  
243 so doing it this way works out really well, whether that's addressing instruction in hitting and pitching in  
244 the winter months. I can tell you being a softball pitching coach, you deal with one or two kids at a time,  
245 so the use of the park is practically non-existent. You're going to have a parking lot that's full of nothing  
246 most of the winter.

247  
248 Mr. McNulty: So anybody could come in and use this facility in the winter. It's not a contract or nobody's  
249 going to own it or rent it out or....

250  
251 Mr. Eyerman: It's similar to the ball diamonds; if no one is using it, then it's available, but if it's in use,  
252 you have to rent it, and it's usually done by the hour.

253  
254 Mr. Pychewicz: Is there a program for what's on the second story of this pavilion?

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255 Ms. Trebellas: I don't see stairs on the plan, so is there even a second floor?  
256

257 Mr. Eyerman: I think we've allowed ourselves the opportunity to come in with seating up there but that's  
258 as far as it is.  
259

260 Ms. Trebellas: There's no stairs on your plan and there's no second floor plan because one of my  
261 questions then was why is the building so tall if there's no second floor?  
262

263 Mr. Eyerman: Part of the reason the building was so tall is that it takes on the image of a barn and as  
264 Evans Farm with the look of a barn, and that's where the cupolas came in, that was the look. The roof  
265 over the top of the seating area, that I don't know, but the barn itself is where the height is and it's at  
266 about 39'. We're going to lower that down to 35', so that's the requirement on Page 11 in the Zoning  
267 Text.  
268

269 Ms. Trebellas: There's currently on your floor plan no stairs going to your second floor, why do you have  
270 a second floor? A barn doesn't have to be 2 stories; it can be 1-1/2.  
271

272 Mr. Eyerman: In the original zoning we had the old, re-purposed barn in there. We're going to be in the  
273 exact same application from this as we are when it goes over to the oval.  
274

275 Ms. Ault: So you're still doing that?  
276

277 Mr. Eyerman: Our intentions are still to use that mound. Our challenge is if we're going to re-purpose that  
278 barn, we're going to have to find a barn that's only 35' high and that's going to be tough, so I may have to  
279 come back and ask for a variance on that. We don't have one identified yet, it's a little bit premature. We  
280 did have one in contract and I was inside it one day during a 15 mph wind; the entire barn was going like  
281 this so we let the contract go. Unfortunately that one didn't work out but we're still looking for a really  
282 nice attractive one. If we can, and it's important to me, that it's a local barn. The one we were looking at  
283 was the White's barn and it just wasn't safe. I wanted it in a bad way but we had our consultant look at it  
284 and he said we needed to let that one go, so we had to pay to have it cleared even though it wasn't our  
285 site. But we're still looking at that, and that's going to be the exact same issue, the same application on  
286 that; that's going to be a community building as well. I think it will be privately owned; I think the NCA  
287 or the Evans Farm will own that.  
288

289 Ms. Trebellas: The difference with that is that is an existing structure you're confined by if you do  
290 salvage something like that. This is something you're building new from scratch, something that may or  
291 may not have a second floor because it doesn't have stairs, it doesn't have a plan, it doesn't have a  
292 programmed purpose, so that's why I'm questioning why does it have to be so high.  
293

294 Mr. Eyerman: It's going to be 35'.  
295

296 Ms. Boni: And that's 35' from the....  
297

298 Mr. Eyerman: Tip.  
299

300 Mr. McCarthy: You're much higher than that now.  
301

302 Mr. Eyerman: The cupolas, finials and chimneys are not included in the height; that is what was  
303 approved.  
304

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305 Mr. McCarthy: That's what I want to get in the record because her office needs to know. So 39' to the  
306 peak of the roof.

307  
308 Mr. Eyerman: 35' to the peak of the roof.  
309

310 Ms. Trebellas: It will be 35' to the peak and then generally church spires, chimneys, weather vanes,  
311 whatever is on top, we don't include.

312  
313 Ms. Boni: So we need to modify Stipulation #11.  
314

315 Mr. Pychewicz: One thing I noticed in the concession building and press box, the black and white  
316 elevations have an elevation marker at 42' to the top of pole and the renderings are showing these taller  
317 poles that come up from that screen at the top. Which one is right and what's the intent if those four poles  
318 are to go up to 42'? SD 3 and SD 4 show four poles that continue up.

319  
320 Ms. Boni: That's called out on the elevation C1 and C2 but it's not shown.  
321

322 Mr. Eyerman: When we resubmit the height of all the buildings, we'll not exceed 35'. We'll make the  
323 corrections. To answer your question, I don't know.

324  
325 Ms. Trebellas: I assumed those were light poles from the field behind it.  
326

327 Mr. Eyerman: That's kind of what they look like but from the scale perspective, I think you're right, but  
328 we'll get that cleared up. So our 35' max will apply.  
329

330 Mr. Pychewicz: Going back to the pavilion, I don't necessarily have any issues with the building. Does  
331 anyone have any comments on that pavilion, the use?  
332

333 Mr. McNulty: It certainly has expanded from what we originally thought because I think we just talked  
334 about ball diamonds and use for the community. Now we've got a professional sports complex with other  
335 facilities to go along with it. So it's going to be bigger, but if it's going to be bigger, it needs to be  
336 complete, which I think it is. If that was its intention; it's just different than what we thought.  
337

338 Ms. Trebellas: When we were originally doing the zoning application, it was a little fuzzy and some of  
339 our minds, at least mine in particular, it was going to be like the Westerville Park where they have that  
340 one pavilion and the various field, but this is twice the height of that at least, but by the same token, it's  
341 either that or you have to split it up into each little area because of all the fields.  
342

343 Mr. McNulty: It's a bigger endeavor for the whole complex thing and now he's clearing it out. I'm okay  
344 with it because it will at least be taken care of with respect to that as far as concessions and who is going  
345 to own it and who is going to organize it. Because of that organization and planning and ownership I  
346 think that's what's going to make it work. If that wasn't in place, I think it comes apart very quickly.  
347

348 Ms. Trebellas: I think it's better to have it in one building than split up into various segments of the park,  
349 and judging by the size of all the fields, you are going to need that large of a concession. I'm not happy  
350 with the size, but I'm willing to go along with it out of necessity.  
351

352 Mr. McNulty: The big picture as Evans Farm walked in here, I wasn't here originally, but I've taken a  
353 look at everything they intended to do and this was always going to change as time went along. I like your  
354 project; I think it's absolutely awesome but what you're attempting to do here, we need to work with you

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355 to get this done because you're trying to do lots of things, the apartments, small houses, stores,  
356 restaurants, great stuff.

357  
358 Mr. Eyerman: To put it a little bit into context, and I'm not trying to downsize the size of the barn, from a  
359 height standpoint, the houses across the street on the east side of Piatt Road sit about 3' above the road.  
360 This side won't, and those are restricted by the same height restrictions, so those will be comparable to  
361 the peak of the barn. Now the masking of the barn I can't deal with but height-wise, there's a  
362 possibility/probability, depending on what's designed across the street, that the houses sit a little bit  
363 higher. Not by much, maybe 3', higher than the barn.

364  
365 Mr. McNulty: What do you think the population of Evans Farm will be completed; best guess?

366  
367 Mr. Eyerman: In Evans Farm we have 2182 single family lots, almost 900 multi-family units, so there's  
368 3000, so conservatively if you say 3 people per household and that would include a lot of empty nesters,  
369 young families, it might be a little higher than that but that's 9,000-10,000 people.

370  
371 Mr. McNulty: I think this sports facility for that level of population is going to serve them very well; we  
372 have to keep in mind how big this is.

373  
374 Ms. Trebellas: Not all that's for the whole community.

375  
376 Mr. McNulty: It's not for the whole community but we need to keep in mind how big this is.

377  
378 Ms. Trebellas: Because we already know there's not enough sports complexes or playing fields up here.

379  
380 Mr. Eyerman: Right now the plans are, and the plans are on our desk, they're artificial turf and lighted  
381 fields, and the intention for the artificial turf isn't to show off money, it's simply to address as many  
382 needs of all the ball associations and the kids in the regional community as we can to get them through  
383 there. Artificial turf allows for fields to be played on shortly after a rain; it allows them to play later in the  
384 season because you don't have mud in fields; there are seven baseball diamonds, six of which are  
385 artificial turf, four of those six are designed to have soccer fields in the outfield, and then there are four  
386 dedicated soccer fields on the north end of the park as well. In theory you could have eight soccer fields  
387 going all at once or you could have seven ball diamonds, and that doesn't include the peripheral uses like  
388 lacrosse for soccer. If soccer fields aren't used in the spring for whatever reason, we might have the  
389 youngest OYAA kids coming out playing softball or baseball on the soccer fields as well. The intention is  
390 to get that facility to help the rest of the regional organized recreational needs of the whole southern tier,  
391 but mostly Orange Township. That's what our intentions have always been. And we'll still have our one  
392 ball diamond that will be open for anybody who wants to come in and play on it. It's outside the leagues  
393 and that with hopefully what is a school deal which we're still planning on. Elementary schools in  
394 Olentangy Schools always had two ball diamonds and we have those planned in there too, so there's the  
395 opportunity for the community as well.

396  
397 Mr. McCarthy: How did you get the County to agree to parallel parking along Piatt Road?

398  
399 Mr. Eyerman: We requested it to be on the east side in front of the houses. They agreed to the parallel  
400 parking and they suggested it go to the west side because of the sight triangles on the intersections and it's  
401 a good point. Our problem is, it's a compromise. Our difficulty was we have approaching maybe 1,000  
402 parking spaces in that park. Parallel parking really never was intended as the park parking lot; it was  
403 always intended as the guests so the people across the street, that's why we wanted them in front of the  
404 houses. The County Engineer allowed us to go to the west side as long as it didn't conflict with the sight  
405 triangle. Our concern is that originally it was to be designed for a 45 mph speed limit and we wrestled and



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406 wrestled trying to explain that we have a population here, a park here and this speedway going through  
407 there. It's not coincidental that it's curvilinear. If you go to Golf Village, the Parkway there was very  
408 curvilinear, and I designed both, and the curves slow people down. It also forces people to be a little bit  
409 more aware because they have to watch the turn. And when they're aware, they see people crossing the  
410 road too. We were able to negotiate with the County, it's designed for a 40 mph speed but it's actually  
411 going to be posted at 35 and then our intentions are to work with the County and Township as it gets  
412 further along having the flashing pedestrian lights, and they come up and push a button and the kids can  
413 cross the street to get to the park. It was at least a year of negotiations.

414  
415 Ms. Boni gave Mr. Eyerman a copy of the most recent motion.  
416

417 Mr. McCarthy: In 10.09 on Page 55, this template is based on a 2013 text that never should have seen the  
418 light of day in my opinion. This is probably in that text. 10.09 is golf course communities. They're not  
419 permitting them; there's a typo in there.

420  
421 Ms. Trebellas: As long as they're not permitting them. And I'm assuming it was a typo in the original text  
422 or just this one?

423  
424 Mr. McCarthy: That one I didn't bother checking; I went by memory. 10.09 a)2), there's a 10.7 and it  
425 should be 10.07. Just an observation, on Page 68 of the same template text, and in 21.14 d) there's  
426 reference to Section 322.06; it's supposed to be 22.06. As far as the planting plan, and I didn't include  
427 this as a stipulation, you have parking at the north end on Shanahan that is pointing straight out.

428  
429 Mr. Eyerman: You had asked for a headlight buffer; that was Item #8 and we agreed with it.  
430

431 Mr. McCarthy: On the pavilion, the board and batten, what material is that made of?  
432

433 Mr. Eyerman: The board and batten is wood or a wood product. It could be made from Hardy plank  
434 which is cementitious but it looks wood. Smart Siding has a board and batten that's a typical wood  
435 product as well.

436  
437 Ms. Boni: Will it comply with the building materials list?  
438

439 Mr. Eyerman: Yes. They do make a board and batten made of vinyl, but all the products that are approved  
440 in the original Zoning Text are still allowable.

441  
442 Mr. McCarthy: And this is just more of a curiosity, what is a quick coupler?  
443

444 Mr. Eyerman: It's a part of an irrigation system that you can take a hose and it's a brass fitting that you  
445 can pop it and it's a pressurized piece. Having just received this on Item 11, per the approved Zoning  
446 Text, on Page 11 that allows for the heights with the cupolas to exceed above the 35'.  
447

448 Mr. McCarthy: You want to just strike that? I just brought that up for clarification.  
449

450 Mr. Eyerman: If the Zoning Commission would strike including cupolas, it still complies with the  
451 approved Zoning Text. Everything else looks great.

452  
453 Mr. Pychewicz: I'm fine with doing that.

454  
455 Ms. Boni: Then #3 and #11 will be modified.  
456

Zoning Commission

PUBLIC COMMENT

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None.

**MOTION TO RECOMMEND CONDITIONAL APPROVAL OF ZONING APPLICATION #ZON-19-03 REGARDING EVANS FARM SFPRD, WITH STIPULATIONS.**

MOVED by Mr. McNulty to conditionally recommend to the Board of Township Trustees the approval of Zoning Application #ZON-19-03 of Evans Farm Land Development Company LLC, joined in by Evans Farm Delaware LLC and numerous individual lot owners, all being property owners within the area subject of the application, and requesting the amendment of Application #15-0105, as approved in Trustee Resolution 16-185 (adopted March 21, 2016), and modified by Application #ZON-17-07, as approved in Trustee Resolution 17-378 (adopted October 23, 2017).

FURTHER MOVED, that this recommendation is for amendment in accordance with the changes to the Development Text and its Illustration 2 reflected in the revised versions of that text and illustration and in the addition of the *Open Space ‘A’ Ball Field Lighting Plan and Photometric Plan* and light fixture data added to Tab 4 of the Development Plan, all submitted by the applicant in a hard copy binder, the pages of which are stamped RECEIVED with ORANGE TWP. ZONING above and JAN 31 2020 superimposed over RECEIVED by Orange Township Zoning, as modified by those stipulations listed for correction/modification in the *Statement of Stipulations* attached hereto as *Attachment “A”* and incorporated herein by reference, all of which stipulations have been agreed to by the applicant.

FURTHER MOVED that all portions of the previously approved application and Development Plan of Application #15-0105, as modified by Application #ZON-17-07, that are not changed herein shall continue in full force and effect.

Seconded by Ms. Trebellas.

Vote on Motion: Mr. Pychewicz - yes; Ms. Trebellas - yes; Mr. McNulty - yes; Ms. Ault – yes

Motion carried

*Attachment “A”*

**Statement of Stipulations**

**Re: Zoning Application #ZON-19-03 of Evans Farm Land Development Company LLC, joined in by Evans Farm Delaware LLC and numerous individual lot owners, all being property owners within the area subject of the application, and requesting the amendment of Application #15-0105, as modified by Application #ZON-17-07.**

**NOTE: All of the following items are to be addressed prior to the Trustees’ consideration of this zoning application.**

**Zoning Commission**

- 504 1. Provide a listing of Evans Farm Delaware LLC and the other individual lot owners who have  
505 joined into this zoning application.  
506
- 507 2. On page 33 of the Development Text, modify the reply to Section 10.06 b) 14) f. to read:  
508
- 509 f. Location and description of adjacent buildings within two hundred (200) feet from the  
510 boundary of the proposed development.  
511

512 **Starting at the northeastern corner of the Evans Farm/ Orange Township site, and**  
513 **proceeding in a clockwise fashion, the Evans Farm property is located adjacent to, and**  
514 **within two hundred feet, of several single family residential communities. These adjacent**  
515 **single family residential communities include:**

- 516 • Avonlea
- 517 • Hidden Cove
- 518 • Willow Springs North, Section 1
- 519 • Bryn Mawr
- 520 • Meadows of Lewis Center
- 521 • Several private residences located on the south side of Lewis Center Road, including
- 522 the community of Lewis Center, the east and west sides of North Road and the north
- 523 side of Short Street
- 524 • North Farms

525

526 **Additional land uses and buildings within two hundred feet of the Evans Farm property**  
527 **include:**

- 528 • Berlin Presbyterian Church
- 529 • Country Mercantile (Lewis Center – several commercial uses)
- 530 • Lewis Center EMS Station
- 531 • Lewis Center United Methodist Church

- 532
- 533 3. On pages 45 - 46 of the Development Text, modify the reply to Section 10.07 h) to read:  
534

535 h) **Maximum Lot Coverage** – On no lot or parcel in this zoning district shall buildings be  
536 constructed which cover more than twenty-five percent (25%) of the lot area.  
537

<u>Lot Width Classification</u>	<u>Maximum Lot Coverage</u>
538 40' Lot	40%
539 45' Lot	35%
540 50' Lot	35%
541 55' Lot	30%
542 60' Lot	30%
543 65' Lot *	25%
544 70' Lot *	25%
545 80' Lot *	25%
546 90' Lot *	25%
547 100' Lot *	25%

548

549

550 \* - Primary structures having only one story are permitted a maximum lot coverage

**Zoning Commission**

551 of 40%, excluding porches, garages and other non-heated or non-conditioned portions of a  
552 residence.

553  
554 For purposes of maximum lot coverage, the percentages, listed above, refer to the primary  
555 structure excluding porches and garages. However, in no event shall the total Maximum  
556 Lot Coverage exceed 50%, inclusive of all buildings and structures, i.e., decks, porches,  
557 garages, primary structure and all other structures.

558  
559 See Section 10.07, Lot Classification, Illustration 2, for the illustration of all lot setbacks  
560 and standards for each lot size. See Section 10.06 b) 12) for Divergences.

561  
562 4. On page 50 of the Development Text, modify the reply to Section 10.07 j) to read:

563  
564 j) **Parking** – Off street parking shall be provided, at the time of construction of the main structure  
565 or building, with adequate provisions for ingress and egress according to the development plan.  
566 In preparing and approving the parking plan the provisions of Article XXI of this Resolution  
567 shall, when appropriate, be incorporated.

568  
569 **All parking shall comply with Article XXI, Section 21.01 of the Orange Township**  
570 **Zoning Resolution. In addition to complying with off street parking provisions, on**  
571 **street parking will be permitted throughout the SFPRD. No on street parking will be**  
572 **permitted on cul-de-sac bulbs through the SFPRD, except as permitted by Resolution**  
573 **of the Orange Township Trustees.**

574  
575 See Section 10.06 b) 14) d. for additional parking standards.

576  
577 5. On page 50-A of the Development Text, titled SIGNAGE DETAIL and depicting the Models  
578 Open signs, delete the indicated scale and substitute “NTS”, while maintaining the indicated  
579 dimensions on the drawing. Additionally, insert the correct drawing as page 50-A in the  
580 electronic .pdf version of the Development Text.

581  
582 6. On page 65 of the Development Text, the chart of MAXIMUM LIGHT POLLUTION  
583 ILLUMINANCES contained in the template zoning resolution text of Section 21.12 g) is  
584 modified to read:

<u><b>MAXIMUM LIGHT POLLUTION ILLUMINANCES</b></u>		
<b>RECEIVING AREA CLASSIFICATION</b>	<b>MAXIMUM HORIZONTAL (FOOTCANDLES) AT GRADE BEYOND THE PROPERTY LINE</b>	<b>MAXIMUM VERTICAL (FOOTCANDLES) AT THE STRUCTURE HEIGHT</b>
Residential	0.4	0.8
Office and Business	2.0	2.0
Industrial	2.0	2.0
Note: when two differing area classifications abut, the lower light level value shall take precedence along the common boundary		

586

## Zoning Commission

- 587 7. Clarify in the Development Text or on the Open Space ‘A’ Ball Field Lighting Plan and  
588 Photometric Plan the manner in which parking lot lighting is presented in that Plan.  
589
- 590 8. In the Planting Plan (Sheet L3.01), add a headlight buffer along Shanahan Road. Also,  
591 provide a full sized scaled version of that Plan and label the Pavilion (currently identified as  
592 “shelter and concessions”).  
593
- 594 9. Review Jennings Park at Evans Farm - Pavilion, Sheet SD-1, to determine whether the  
595 compass indication of north is actually east. Adjust as appropriate.  
596
- 597 10. Review Jennings Park at Evans Farm - Pavilion, Sheet SD-5, to determine whether Detail 1  
598 is actually the south elevation, rather than the north and whether Detail 2 is actually the west  
599 elevation instead of the east. Adjust as appropriate.  
600
- 601 11. Reduce the height of all buildings in this zoning district to the maximum 35’ height permitted  
602 in this SFPRD.  
603
- 604 12. On page 42 of the Development Text, modify the last sentence of the second full paragraph  
605 on that page to read:  
606
- 607 **Likewise, structures, such as the pavilion or a picnic shelter, may be rented for parties,**  
608 **weddings or other group events.**  
609

610 Meeting adjourned at 8:00 p.m.

611 Minutes prepared by Cindy Davis, Zoning Secretary  
612

613 On May 5, 2020, Mr. McNulty made a motion to approve the minutes of the February 11, 2020 meeting  
614 of the Orange Township Zoning Commission for Rezoning Application #ZON-19-03, Evans Farm  
615 Development Co. LLC with the following corrections:  
616

- 617 • Line 88: put space between “3” and “on”
- 618 • Line 91: “jointed” should read “joined”
- 619 • Line 94: “01-105” should read “15-0105”
- 620 • Line 207: should read “...so that does not prohibit transfer”
- 621 • Line 214: “balll” should read “ball”  
622

623 Seconded by Ms. Ault  
624

625 Vote on Motion: Mr. Duell-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Ms. Ault-yes  
626

627 Motion carried  
628