

Pierce Township Zoning Commission
Meeting Minutes

January 6, 2015 6:30 p.m.

The Zoning Commission of Pierce Township, Clermont County, Ohio met in Public Hearing at 6:30 p.m., on Tuesday January 6, 2015, at the Pierce Township Administration Building, 950 Locust Corner Road.

CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Chairman Paul Houston called the meeting to order. Board members answering roll call: Mr. Jeff Stitt, Mr. Paul Houston, Mr. Dick Schuler, Ms. Karen Rebori, Mr. Tom Sill and Mr. Stan Shadwell. Township personnel who were also present: Mr. Tim Hershner, Township Administrator, Mr. Tom Keating, Township Legal Counsel and Ms. Laura Bassett, Administrative Assistant.

The meeting began with the Pledge of Allegiance.

Approval of Minutes – October 6, 2014

Mr. Shadwell made a motion, seconded by Mr. Stitt to approve the minutes of the October 6, 2014 Regular meeting of the Zoning Commission as submitted. Roll call on motion: All aye

Approval of Minutes – October 14, 2014

Mr. Stitt made a motion, seconded by Mr. Schuler to approve the minutes of the October 14, 2014 Regular meeting of the Zoning Commission as submitted. Roll call on motion: All aye

ZONING COMMISSION BUSINESS – Z2014-003 Bradbury Farms, Hunt & Nobis Properties

Mr. Houston states this is a continuation of the public hearing from October 6, 2014 on zoning case Z2014-003. Mr. Hershner talks about the meeting they had with the family's attorney and developers and the letter received by Jen Chamberlain which was dated September 30, 2014. Mr. Hershner stated Jen Chamberlain letter was read into record on October 6, 2014 public hearing. Mr. Hershner explains why he has not moved forward with the letter from Jen Chamberlain due to the family wanted to hold off on the zone change.

Mr. Hershner talks about Mr. Bockenstette analysis he had put together for the family with the three options. Mr. Hershner goes over the presentation of Mr. Bockenstette analysis that he prepared and the Zoning Commission received a copy of the analysis. Mr. Shadwell asked for Mr. Hershner to show the Duke power line on the three properties.

Mr. Stitt asked what type of PUD was Mr. Bockenstette suggested and Mr. Hershner stated a PUD-MU but Mr. Bockenstette stated on the hand out as a PUD-R.

Mr. Shadwell asked Mr. Hershner about the separate parcel would have to be separate from the PUD due to the bisecting of roads. Mr. Hershner talks about option B 1st drawing which shows the parcel would be separate from the PUD.

Mr. Houston asked Mr. Hershner to go back to the 1st drawing on the existing zoning and explain what would happen if a developer would come in to get a permit. Mr. Houston then asked for Mr. Hershner to explain option B-1 conservation drawing.

Mr. Stitt asked about the separate parcel 272809F034. 9.6 acres would not be included in the PUD; it would have to be separate due to the roads that bisect the parcel (see notes on option B)

Questions from the Board:

Mr. Houston talks about the drawings that Mr. Bockenstette prepared and he feels he would not be able to prepare crucial elements with the analysis prepared by Mr. Bockenstette.

Mr. Hershner talks about the development from Tennessee and what would have to be prepared to set crucial elements and yield plan.

Mr. Stitt asked if the owner has a meeting with another developer and Mr. Hershner stated a developer has asked for a meeting with the owner to show what they could develop on the properties.

Ms. Rebori asked has the developers seen the drawings from Mr. Bockenstette and Mr. Hershner stated no they have not.

Mr. Stitt asked about the developer who has asked for the meeting and what have they expressed to develop and Mr. Hershner gives a brief statement on what the developer has expressed.

Mr. Keating asked Mr. Hershner to explain the math on how many homes can be put on the properties by all the drawings from Mr. Bockenstette. Mr. Hershner explains the difference between current zoning and conservation zoning. Current zoning – 20,000 sq. ft. / 350 homes = 700 lots minus roads, streets, etc... Conservation zoning – 50 % GreenSpace reduce lots = 693 lots.

Mr. Stitt asked Mr. Hershner has anyone expressed the develop of the properties as a PUD-MC and Mr. Hershner stated no but talks about why he went with the PUD-MU because of the Ferguson property

Mr. Schuler asked did Mr. Bockenstette prepare both handouts and Mr. Hershner stated yes Mr. Bockenstette prepared all the handouts on the analysis.

Mr. Houston states Mr. Bockenstette is a retired architect and he prepared the analysis on his own. Mr. Hershner states if anyone would like a copy please give him their email or call and request a copy.

Ms. Rebori asked have they seen about the slopes, power lines, and roads and Mr. Hershner stated he gave a developer a tour of the property.

Residents Questions:

1. Carene Kunkler
 - a. Asked about the conservation zoning which has to be approved by zoning board? Mr. Hershner states yes it does have to be approved by the zoning board. Mr. Shadwell states what about the zoning resolution states about conservation zoning.
2. Jen Chamberlain
 - a. Asked about the resident who are here who are interested in the zone change
 - b. Asked about Ms. Rebori and Mr. Sill
 - c. Asked Mr. Hershner, you stated you are taking off the table of the PUD-MU. Mr. Hershner explains what he actually stated in regards to the PUD-MU. Mr. Houston states to Jen Chamberlain ever since he became a member of the zoning commission he receives alerts on what developers are actually developing and they are building more upscale developments.
 - d. Jen stated she heard the family is wanted to go with the conservation subdivision. Mr. Hershner explains what the family expressed. Mr. Shadwell explains the conservation subdivision 20,000 sq ft. lots 50 % GreenSpace. You are still able to put 620 lots on the remaining 50% of the property. Mr. Hershner talked about the letter received from Mr. Keating in regards to apartments and stated (it's only my opinion) that an apartment could only be approved through a PUD zone change. Mr. Hershner talks about how it needs to be the township, the residents, and the board of trustees to work together and not for the developer.
3. Peter
 - a. Not what's possibly but what's realistic for what can be built on the property. Mr. Houston explains what Mr. Bockenstette was trying to show. Mr. Stitt talks about option A – 421 lots on drawing 354 acres with 770 lots. Mr. Shadwell talks about Fischer Homes wanted to develop the land in the past years. Mr. Houston talks about Legendary Run development. Mr. Schuler talks about Fischer Homes wanted to develop the Bradbury Farm and what a developer would have to get approved by not just the zoning commission but the board of trustees as well.
4. Bill
 - a. Asked about the proposed roads and traffic control. Mr. Hershner explains about the roads. Mr. Schuler states when Fischer came in it was only on the Hoodin Farm and Nobis was not for sale.
5. Donna Cann
 - a. Asked Mr. Hershner about him working with the county and what the county is required for a new subdivision now. Mr. Hershner explains about the roads and what the county would require. He also talks about the county standards and providing connectivity with the roads.

6. Bill
 - a. Infrastructure equals roads, whose responsibility and financial responsibility. Mr. Hershner explains the county engineer of record owns all the roads and they have control of all the roads once the developer gets a permit a study is completed on traffic and roads. Mr. Hershner talks about an old TIF and some of the monies could be used to improve Bradbury road.
7. Jerry Malsh
 - a. PUD-MU was on the table (commercial development) and now it's no longer on the table but now it's back on the table. Mr. Hershner explains how a zone change works; you cannot change the zone change once it's started.
 - b. Apartments (3 story) Fair Housing. Mr. Hershner states he is not familiar with low income housing. Mr. Sill states no, if an apartment (rental) there is not fair housing rule.
8. Larry
 - a. PUD-MU not off the table but if a developer wants a PUD-MU then it could be a PUD-MU. Mr. Hershner states we cannot change the zone change from a PUD-MU and recommend continuing with public hearing until the board of trustees closes the public hearing. Mr. Houston stresses he would like to keep the public hearing open until a developer comes in with a plan.
 - b. Drawings from Mr. Bockenstette were very helpful and the public hearing will be continued for three months. Mr. Hershner stated he would like to continue the public hearing another three months and no this zone change will not go in from of the board of trustees. Mr. Shadwell explains about the right away on the farm and it's three separate farms.
9. Todd Fairbanks
 - a. We have spent a lot of money on our property and we do not want crap here.
 - b. 421 lots and I only see 120 lots. Mr. Sill tries to explain the drawing on option A it does appear to have 421 lots. Mr. Houston talks about what developers are developing in 2014/2015.
 - c. Hope the township is not tying this to the loss of Beckjord
10. Carene Kunkler
 - a. PUD, conservation option, and no control over the conservation approach. Mr. Houston states we are just showing what could be developed on the property by Mr. Bockenstette drawings.
 - b. Any changes to the conservation subdivision. Mr. Shadwell states a developer has a lot of restriction for a conservation development. Mr. Riebel talks about the conservation subdivision and the property on Young road.
 - c. Asked Mr. Riebel, you do not like the conservation subdivision. Mr. Riebel states no, I'm just saying its smaller lots. Mr. Schuler talks more about the conservation subdivision and the zoning resolution when it was created in 1961 and updated 2013, Article 8.

11. Jan

- a. Talks about friends in Anderson and how their homes were condemned because of a slope
- b. Asked about the property. Mr. Hershner explains about the property, sewer, water, and how the family wants to sell their property. Bradbury Farms (top parcel) would be developed first.

12. Jen

- a. Density requirement in the conservation subdivision.

Mr. Houston stated the public hearing is continued until April 7, 2015 at 6:30 p.m.

Public Hearing continued until April 7, 2015 at 6:30 p.m. for zoning case Z2014-003. The meeting was recorded and a copy is available for review.

MOTION

A motion was made by Mr. Stitt, seconded by Ms. Rebori, to thank Mr. Bockenstette for his presentation. Roll call on motion: All aye.

ADJOURNMENT

At 8:38 p.m., Mr. Schuler made a motion, seconded by Mr. Stitt that the meeting be adjourned. Roll call on motion: All aye.

ATTESTED;

The foregoing minutes were approved by the Pierce Township Zoning Commission on:

Paul Houston, Chairman
Pierce Township Zoning Commission

Date