

Pierce Township Trustees
Public Hearing Meeting
Special Meeting
December 8, 2022

The Board of Trustees of Pierce Township, Clermont County, Ohio met in a Public Hearing Meeting for the purpose of to discuss Case #ZC2022-004 (Davis/Nine Mile Rd.) request for a Zone Map Amendment to rezone the parcel from Planned Unit Development (PUD) to Planned Unit Development Residential (PUD-R) Wednesday, December 8, 2022 at the Pierce Township Administration Building, 950 Locust Corner Road.

CALL TO ORDER:

Chairman Nicholas Kelly called the meeting to order. Chairman Nicholas Kelly, Trustee Allen Freeman and Trustee Pete Kambelos present at roll call. In addition, present Administrator Tim Williams, Attorney Katie Barbieri, Fire Chief Craig Wright, Assistant Fire Chief Jim Watkins, Planning & Zoning Administrator Eddie McCarthy and Fiscal Officer Debbie Schwey.

PLEDGE OF ALLEGIANCE:

Trustee Freeman led everyone in the pledge of allegiance.

INSTRUCTIONS FROM THE CHAIR:

Anyone who wishes to speak during the Public Hearing (applicant, staff and public) must be sworn in.

Chairman Kelly then gave the oath to attendees of the public, applicants and staff.

OPEN PUBLIC HEARING:

Trustee Freeman motion to open the Public Hearing, seconded by Trustee Kambelos. Roll call: All aye.

Planning & Zoning Administrator McCarthy gave an overview of the Zoning Map Amendment, 3805 Nine Mile Rd., Case #ZC2022-004. A zone map amendment to rezone the parcel from Planned Unit Development (PUD) to Planned Unit Development Residential (PUD-R). The applicant (Joe Huesman) is proposing one (1) single family subdivision, to construct 39 single family dwelling units.

Mr. Jeff Flarety, the design engineer, presented his proposal and recommendations, comments from both the zoning board and county planning commission. (attached history).

Mr. Patrick Hughes, attorney for the applicant stated the applicant has met all of the required requirements both of the county planning and township zoning boards.

Mr. Joe Huesman stated he wants to build a better community.

STAFF RECOMMENDATIONS:

Planning & Zoning Administrator McCarthy informed the trustees on October 19, 2022 the zoning commission voted to recommend approval of ZC2022-004 zone map amendment with the following conditions: the applicant removes lots 29 & 27, will work with the fire department to replace lot 39 with a secondary access, resulting in the removal of the stub roadway and consolidation of the trail network south of lots 23 & 25 connect through future lots 28 & 27.

The Clermont Co. Planning Commission recommended approval with the following conditions: conform to all Article 7:7.04 PUD development standards, add detailed cross-section with the product type listed for the proposed hiking trail and all portions of the hiking trail are located within open space, all dedicated open space shall total at least 35% of the proposed site and at least 5% of active open space, easements will be required to be depicted on the record plat and shall state any conditions and restrictions of said easements, wetland assessment and determination must be completed for the subject property due to the presence of hydric soil types, 401/404 EPA permit will need to be obtained, stormwater basins are required to be located within open space lots, not overlapping building lots, and remove all existing structures on the site before development.

PUBLIC COMMENT:

Ms. Terry McCord of Hopper Hill Rd. stated her concerns for more traffic issues and concerns about ½ acre lots.

Mr. Stan Shadwell, member of the zoning commission stated this property has been a PUD-R, zoned SFR (single family residential), has a PUD on top of the SFR.

MOTION TO CLOSE PUBLIC HEARING:

Trustee Kambelos made the motion to close the public hearing at 8:27p.m., seconded by Trustee Freeman. Roll call: All aye.

Chairman Kelly read the recommendation from the Planning & Zoning Commission and Clermont County for approval. (below recommendations)

Chairman Kelly read from October 19, 2022 the zoning commission voted to recommend approval of ZC2022-004 zone map amendment with the following conditions: the applicant removes lots 29 & 27, will work with the fire department replace lot 39 with a secondary access, resulting in the removal of the stub roadway and consolidation of the trail network south of lots 23 & 25 connect through future lots 28 & 27.

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MOTION TO REOPEN THE PUBLIC HEARING:

Trustee Freeman made the motion to reopen the public hearing at 8:40p.m., seconded by Trustee Kambelos. Roll call: All aye.

DELIBERATION:

Chairman Kelly reread the Planning & Zoning Commission and the counties recommendations.

Trustees discussed that PUD's and PUD-R's are a higher standard for housing.

Mr. Patrick Hughes will resubmit everything back to the zoning board. Have complied with both the planning and county commissions. Also agreed to an second access point and meet the needs of the fire department.

MOTION TO CLOSE PUBLIC HEARING:

Trustee Freeman made the motion to close the public hearing at 8:50p.m., seconded by Trustee Kambelos. Roll call: All aye.

MOTION(S) FOR CONSIDERATION:

Recommended motions for resolution, 1.) recommend approval, 2.) recommend approval with modifications or 3) recommend denial.

Trustee Kambelos motion after much discussion by the Trustees to deny request based by the staff's recommendations. Seconded by Trustee Freeman. Roll call: All aye.

ATTESTED:

The Pierce Township Trustees approved the forgoing minutes on: January 11, 2023.

Chairman Nicholas Kelly, Pierce Township Board of Trustees

Debbie Schwey, Pierce Township Fiscal Officer