

THORN TOWNSHIP ZONING COMMISSION PRD PUBLIC HEARING MINUTES

Date: 8/15/2022

Meeting Type: PRD Public Hearing

Meeting Location: Thorn Township Building, 13780 Zion Road, Thornville, Ohio

Board Members Present: Wayne Gniewkowski, Brad Blain, Jim Hay, Mark Huggins, Mark Becker, Mary Alice Stidham (Alternate)

Zoning Department Members Present: Ed Corns, Zoning Inspector, and Deborah Morgan, Zoning Secretary

Thorn Township Consulting Representatives Present: Gary Smith, G2 Planning, Pete Griggs, Brosious, Johnson, & Griggs

Guests Present: Todd & Mary K Brune, Dick & Lena Bowman, Margie Hampton, Rhonda Stevens, Susan Bowersock, Dan Rozzo, Lena Bowman, Jennifer Black, Brian Simpson, Duck Daley, Jeff Baker, Bob Edgington, Peggie Johns, Richard (Skip) Johnson, John Santo, Sandy Davis, Suzanne Cox, Jeff Zemolung, Nancy Stover, Jackie Devaney, Ronald Bonnette, Garrett Smith, Anthony Marple, Debbie Matesich, Marnita Swickard, Rick Cox, Kyle Sayler, Aaron Locke, Dave Douglas, Rebecca Bell, Julie Deck, Danny Hendry, Candice Hendry, Robert Faugnaugh, Melissa Ward, Joe Ward, Jeff Ritter, Don Waller, TJ Edwards, Craig Wheller, Bobbie Hummel, John Spencer, Thomas Phillips, Chris Phillips, Jen Helfer, Chip McNeer, Bob Coleman, Jason Foltz, David Ours, T.P. Jenkins

Chairperson Wayne Gniewkowski opened the PRD Public hearing at 6:30 p.m. Chairperson Gniewkowski went over the agenda for the public hearing and requested that visitors keep comments brief, due to the number of visitors. Chairperson Gniewkowski also stated that no decisions would be made tonight as there were last minute documents provided by the applicant and the board would need time to review those.

Chairperson Gniewkowski announced that this public hearing was being held to discuss more information on the PRD Application "The Nest at Buckeye Lake". Chairperson Gniewkowski introduced Gary Smith from G2 Planning, consultant for the Township. Mr. Smith gave a recap of what has taken place with the previous applications for this PRD and also briefly explained some of the issues with the applications. Mr. Smith stated that the applicant has been working hard on fixing previous issues and he feels the big picture items have been addressed. A requested divergence was supplied, by the applicant, at this meeting and Mr. Smith did have time to review and he stated that he is comfortable with that from a planning standpoint. Mr. Smith gave some further explanation on the divergence. Mr. Smith stated that the items left to discuss were items that was over shadowed by some of the bigger picture items. All items that had been pointed out have been addressed. Mr. Smith requested that the applicant provide a new, fresh, clean copy of the complete PRD Plan/Application with all of the new and final changes. Currently we have a mix of the older application along with the new information.

Attorney Pete Griggs, representing the Township, spoke and stated that he had nothing else to add. Mr. Griggs stated that the divergence had been an issue, however, that was presented today.

PRD Applicant Representative D.J. Falcowski spoke to the board and visitors, providing an update for the PRD plans. Todd Ferris, Landscape Designer for the project spoke about what is included in the development and where the canals are going to connect to Buckeye Lake. The items Mr. Ferris spoke about were: The townhomes, condos, development amenities, group mail boxes, canals, landscaping, and signage. D.J. Falcowski stated that a traffic study was completed and it did show that according to the submitted plans, no lights would be needed. It does show that as the development moves on there may be additions. Mr. Falcowski stated that the Thorn Township Fire Department has sent a signed letter approving the space that is provided in the development plans for fire trucks. It was reported that this project will be a mix of condos and townhomes and all will be maintained through condo/townhome fees. There will be 40 townhomes and 155 condos, for a total of 195 unites. Mr. Greg Miller, the project architect, described the style of the units. Mr. D.J. Falcowski discussed the agreement with The Village of Thornville in regards to sewer taps. Discussion was held previously and the application for this project was previously rescinded due to information received from Thornville Administrator Traci Sturgill, stating that the Village of Thornville would not be able to provide the amount of sewer taps needed for the project. Since that time Mr. Falcowski reported that he has received a letter from Administrator Traci Sturgill stating that the Village of Thornville will be able to provide the necessary amount of sewer taps. The letter was read aloud for the board and visitors.

Zoning Board Member Mark Huggins had concerns with the density, stating that it is a lot to pack in to the development. Mr. Huggins also had questions on the width of the road ways.

Mr. Falcowski stated that parking on the roads in the development will be discouraged and parking will only be permitted in designated areas. Each home will have 2 spots in each garage and 2 additional spots directly in front of each garage. Board Member Huggins questioned the turning radius for fire trucks at the cul-de-sacs. Mr. Falcowski stated that this was addressed with the fire department and they approved the project plans in regards to all aspects of fire truck travel through the proposed development.

Zoning Board Member Brad Blain had questions on turn lanes on Honey Creek Road. Mr. Falcowski stated that the traffic study completed states that this issue would be reviewed in phases as the development would move forward. Questions were also raised concerning the impact the development would have on Twp. Rd. 496. Mr. Falcowski stated that every unit will be 2 feet above flood elevation and that Twp. Rd. 496 would be replaced and would meet all requirements. Mr. Falcowski also stated that they would be meeting all FEMA elevation requirements. The flood plain elevation from FEMA would be used.

Chairperson Gniewkowski wanted to know what the cost of these units would be, what is the high and low price point. Mr. Falcowski stated that he will not state what prices will be as there is a lot of things still to factor in, they do not know at this point.

It was reported that V3 Engineering, the Thorn Township's contract engineer firm, have reviewed all the documents regarding the flood plain and stated it was satisfactory. Mr. Falcowski stated that the plans are currently conceptual and the final plan would be reviewed by the County (Storm Water Management).

Public Questions

Dan Rozzo of Twp. Rd. 403 had questions on the proposed canals, are they being constructed by the developers. It was stated that they will and that they will not access Honeycreek. Mr. Rozzo stated that they should not ignore Honeycreek, and explained issues with fallen trees in Honeycreek. Mr. Rozzo also had concerns with the development raising the elevation. The concern is that it would run into Honeycreek and cause more flooding to the surrounding properties. Mr. Falcowski stated that the portion of Honeycreek that is owned by the applicant will be maintained and the plan is to clean the side of Honeycreek. They are also bringing in an arborist to review all existing trees, etc.

Ronald Bonnette of Rustic Lane requested a copy of the traffic study, he has concerns with traffic congestion, water backup concerns, algae issues in canal, and sediment concerns for Buckeye Lake.

Marnita Swickard from Buckeye Lake for Tomorrow questioned parking on the roads and suggested that developers work with Buckeye Lake for Tomorrow on ideas to control the blue green algae.

Jeff Ritters from Bike Buckeye Lake suggested an addition of a multi-use trail and went on to explain the benefits of biking and the addition of biking/walking paths.

Randy Lutes stated that he would prefer that the area mentioned by Mr. Ritters for a bike path be left alone for nature. More animals would be displaced and he would rather see the nature areas than a bike path.

Chip McNeer wanted to know if the current plan is not approved, what could be approved. It was reported single family homes, if it meets the current zoning code. Mr. Falcowski stated that they originally investigated that kind of development and they could build 86 homes without the need to request a PRD approval. Mr. Falcowski stated that he presented this idea of 86 homes at a previous meeting and due to comments, that came out of a meeting with the BLRC the idea of green space, amenities, etc., were wanted so the idea of the PRD was developed.

Don Waller questioned Mr. Falcowski on what the price of these units will be. Mr. Falcowski stated that due to many changes he is not comfortable and will not throw numbers out, as they may change. Mr. Waller wanted to know about the phases of this project. Mr. Falcowski stated that phase one would start as soon as possible and then 5 years for the other two phases to be completed. Mr. Waller also wanted to know if the roads would be private, the answer was yes. Would there be any HOA fees, the answer was yes. Was ODOT contacted for the impact of traffic, the answer was; since the development is not on a state route, no.

Ronald Bonnette questioned the tap fees and costs. Chairperson Gniewkowski stated that those are not issues for the Township and the Zoning Board. Attorney Griggs stated that the code provides that they show they can provide sewer service. They have now provided that, via the letter from the Administrator of the Village of Thornville.

Questions were raised at why the Village of Thornville had previously stated there were no taps available and then now there is. Chairperson Gniewkowski stated that the Zoning Board and Thorn Township could not answer that question, it is a question for Thornville Village Administrator Traci Sturgill.

Lena Bowman of Twp. Rd. 403 had questions on erosion of creekbanks with all the dirt flowing into the lake. Mr. Falcowski stated that they will do whatever the Army Corp. of Engineer's state is necessary.

Don Waller stated that he wants to review the traffic study. It was stated that a PDF version of the traffic study will be placed on the township's website for residents to view.

Jeff Zemolong had concerns about flooding and what the project will add to the flooding issues in the surrounding areas. He does not think the developers care, they only did what would get by with FEMA. He stated that no one is going to control flooding. Mr. Zemolong had questions on canals, does the development have to pay for dock fees. It was stated that ODNR would govern that. Mr. Zemolong stated that he is ok with a development on that property but not 195 units/homes. It would be too jammed.

Jackie DeVaney had concerns on how the schools would handle the additional students. Chairperson Gniewkowski stated that is not and issue for the zoning board, it would be a question for the school board.

Ralph Faso had questions on canals and how many docks. His concerns were with a lot more boats in the canal, who is going to maintain the damage caused by all the additional boat traffic. Also concerns of over crowding Buckeye Lake was mentioned.

Sandy Davis also voiced concerns of the addition of boats on the lake and who controls the point of when the lake can't handle more boats.

Todd Brune voiced concerns over the density of the project. He felt that 195 units is a concern.

TJ Edwards had questions on the erosion of existing seawalls with more boat traffic.

Joe Ward had concerns on the current lift station and the downed trees in Honeycreek. Mr. Falcowski stated that they would start on the creek as soon as if the project would be approved.

Debbie Matesich stated that she has concerns of the additional traffic on Honeycreek and St. Rt. 13. She stated that it is a great development, however, it is too dense. It needs to be less units.

Craig Wheeler wanted to know how big the condos are, what is the square footage. It was stated that 1000 sq. ft. for the single floor and 1200 sq. ft. for the two story.

Don Waller wanted to know if the owner was in attendance at this meeting. It was stated that the owner was not. Mr. Waller wanted to know if there was a site plan showing less homes. Mr. Falcowski stated that there is not, the original plan that showed 86 homes was discussed with BLRC and there was a lot of positive feedback for the current plan, so the developer pivoted to the current plan.

Ronald Bonnette discussed the subject of health, safety, and general welfare. Mr. Bonnette stated that all things discussed during this meeting is a health, safety, and general welfare issue, therefore the plans should not be approved by the board.

Becky Bell voiced concerns of the additional boat traffic. She stated there should be a traffic study done for boat traffic. She voiced concerns over the point in the canals where the boats meet, this area is already congested with the addition of a previous development of 40 homes. If this development is added it would only cause more congestion in this area.

Tom Jenkins wanted to know who he would contact when over size loads go down the road for this development and tears up his yard.

Sandy Davis wanted to know if a representative from ODNR and the Village of Thornville could be at the next meeting Chairperson Gniewkowski stated that the Township does not have jurisdiction to discuss fixing boat traffic on Buckeye Lake.

Kevin Elder wanted to know if the canals will be built to county standards. The answer was yes. Mr. Elder also had questions on fill concerns. Mr. Falcowski stated that a hydraulic and hydrology study would be performed.

Attorney Pete Griggs reviewed the next process in the PRD application. Mr. Griggs stated that ultimately the Trustees have final say, as they will hold a public hearing as well. Chairperson Gniewkowski wanted to know if there was anymore feedback for the developers from the zoning board. Zoning member Brad Blain stated that he would like to see the density lower, traffic concerns addressed, and a maintenance plan for Honeycreek. Attorney Griggs stated that traffic is dictated by law and by the County Engineer. The township can not force them to do something. If the County Engineer does not require, then the Township can not enforce traffic. Attorney Griggs also stated that traffic in and of itself, is not by law, a reason alone to not approve the application.

Chairperson Gniewkowski stated that density is an issue, Mr. Gniewkowski wanted to know if the developer would be interested in looking at the density concern. Mr. Falcowski stated that they can look at the issue of density.

Jim Hay moved to continue the hearing for 9-12-2022 at 6:30 pm, Mark Huggins seconded the motion. Roll call was taken, the motion passed with Gniewkowski, Hay, Huggins, Stidham voting yes and Blain voting no.

Mr. Falcowski clarified the next steps and after a brief discussion Mr. Falcowski stated that they would need more time to prepare.

Jim Hay moved to revise his previous motion to reflect a new date of the meeting to 10-10-2022 at 6:30 p.m., Mark Huggins seconded the motion. Roll call was taken, the motion passed with Gniewkowski, Hay, Huggins, Stidham voting yes and Blain voting no.

Jim Hay moved to close the public hearing, Mark Huggins seconded the motion and the motion passed by a yes vote of all members.

The public hearing was adjourned at 8:27 p.m.

Respectfully Submitted: Deborah Morgan