

RECORD OF PROCEEDINGS

Minutes of MIAMI TOWNSHIP BOARD OF TRUSTEES SPECIAL MEETING Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

April 13, 2022

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The Miami Township Board of Trustees met in a special meeting, on Wednesday, April 13, 2022 for the purpose of hearing Case #581, Bockman Property – Beaver Creek Site Management (Rezoning from "I" Planned Industrial District to "R-1" Residence District with PUD overlay), and any other business to come before the Board. Mr. Schulte called the meeting to order and led the Pledge of Allegiance. Ms. Pegg called the roll and Mark Schulte and Mary Makley Wolff, were in attendance.

The common rules of conduct were read by Ms. Pegg.

Public hearings: #581, Bockman Property – Beaver Creek Site Management, LLC (Rezoning from "I" Planned Industrial District to "R-1" Residence District with PUD overlay), 142.09 acres, located at State Route 131 and Deerfield Road, parcels 1824048B028, 182404C016 (part), 182404C040, 182404H153 ("location") was called and the notice of public hearing was read.

Township Planning & Zoning Administrator Brian Elliff informed the Board that the Clermont County Regional Planning Commission reviewed the case on February 22, 2022, and entered a recommendation for approval with the two conditions presented by Staff.

1. A payment in lieu of sidewalks shall be made to Miami Township equivalent to the cost of the sidewalk span waived for the portion of State Route 131 that adjoins the Location.
2. All amenities and landscaping shall be timely installed relative to permits being issued by section.

The plan characteristics were reviewed by Mr. Elliff as follows: 213 Single Family Units on the 142.09 acres which allows for a gross density of 1.5 units per acre (maximum allowed 2.18 UPA) and 60.61 acres of open space (42.6%, 20% required). Lots 1-130 will offer a 70 ft maximum lot width and 10,000 sq ft lot size while lots 131-213 will offer an 80 ft maximum lot width and 12,000 sq ft lot size. The setbacks will be 40 ft for the front yard, 7.5 ft for side yards and 30 ft for rear yards.

Mr. Elliff reviewed the applicants site plan and provided an aerial drone view of the property. The more relevant findings in the plan, include pedestrian circulation to include the required sidewalks, a waiver has been requested for sidewalks along State Route 131 where the subdivision adjoins the roadway and walking paths with seating areas around retention basins to provide a walking amenity within the subdivision. The site plan demonstrates good landscaping at the subdivision entry points as well as throughout the subdivision and includes a street tree on each lot. The site plan shows accessibility from all lots to open green space. The plan notes that "open spaces, entry features and stormwater management basins shall be maintained by a Homeowners Association.

Mr. Rick Paolo, from Aronoff, Rosen & Hunt, attorney for Beaver Creek site management, spoke on their behalf. He noted that this plan is consistent with the Township Land Use Plan and all utility requirements and road improvements requested by Clermont County will be followed as soon as they are finalized. Mr. Paolo addressed correspondence from a property owner at 1729 State Route 131 regarding his concerns with the development and his horse farm which is located adjacent to the proposed development on State Route 131 and stated that they have been working with him and will keep an open line of communication as this is a private issue and not part of the zoning discussion.

Mr. James Watson of McGill, Smith & Punshon addressed concerns brought up in previous meetings regarding drainage, landscaping and walking paths. The plan calls for 8 detention ponds, one of which is four acres in size. The landscaping will include street trees and landscaping features at both entry ways. Also included will be seven thousand ft of interior sidewalk, not including the street sidewalks, which will be constructed majorly of concrete, but mulch trails will be added as needed that will be maintained by the HOA. A Playground area, benches and a centrally located mailbox facility round out the amenities. The development will include a streetlight district.

Mr. Schulte called for any correspondence received for Case #581. Ms. Pegg presented a letter from Bernard and Susan Hutzler, 1836 State Route 131, Milford OH 45150, stating their concern of

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stormwater drainage on their adjoining parcel (302906A038) if proper draining containment is not provided when developing the property. She also presented a letter from Matthew Arand, 1792 State Route 131, Milford OH 45150. He and his wife purchased the property in June 2021 to be used as a horse boarding facility and stated a number of concerns, which he also sent over to Beaver Creek Site Management. They are in ongoing discussions to work out the private issues.

Mr. Schulte asked for any public comments. Chip Shaw, 5603 Wild Rose Lane, posed several questions to the developer, all of which were addressed. He also asked what payment in lieu of sidewalks meant. Mr. Schulte noted that the developer will make a contribution to the Township for the section of sidewalk that will not be installed on State Route 131.

Mr. Matthew Arand noted that his initial concerns had all been addressed in discussions with the developer and they are willing to work with one another. He feels it will be a positive experience for both as long as the lines of communication are open.

Mr. Schulte asked for the recommendation of the Planning & Zoning Administrator. Mr. Elliff noted that there were some very good comments about traffic and runoff. He noted the traffic on Deerfield will be reviewed by Clermont County/ODOT and he doubts they will require the widening of Deerfield Road. The state courts don't prohibit consideration of traffic impact, but they say you cannot limit or deny a development based entirely on traffic impacts. So, this board is very limited as to what they can do as far as that is concerned. He also noted that the county requires a great deal of information on plans for storm water runoff from the developer.

The Staff recommendation is that the Board of Trustees approve the zoning change with the following conditions.

1. A payment in lieu of sidewalks shall be made to Miami Township equivalent to the cost of the sidewalk span waived for the portion of State Route 131 that adjoins the Location.
2. All amenities and landscaping shall be timely installed relative to permits being issued by section.

Ms. Wolff made a motion to close the open portion of the meeting, seconded by Mr. Schulte with all voting "AYE".

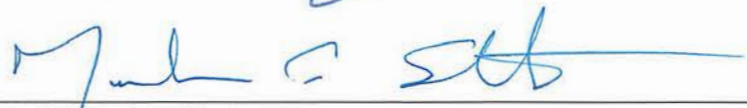
The Board held discussion. Ms. Wolff made a motion in Case 581 to approve the application with the two conditions as outlined in the staff report, seconded by Mr. Schulte with all voting "AYE".

CASE 581 – APPROVED WITH CONDITIONS.

With no further business to come before the Board, the meeting was adjourned at 7:40 p.m.

ATTEST:


 Eric Ferry, Fiscal Officer


 Mark Schulte, Chairperson