

The Board of Trustees of Sugarcreek Township, Greene County, Ohio, met in Regular Session on January 4, 2016 at 7:00 p.m., at 2090 Ferry Road, Bellbrook, Ohio 45305

Prior to the meeting, Trustee Carolyn L. Destefani was sworn in by Mr. Rick Perales.

1. Mr. Pittman called the session to order at 7:00 p.m.
2. Mr. Hodson called the roll with Board Members Mike Pittman, Carolyn Destefani, and Mrs. Daugherty being present. In addition to Mr. Barry Tiffany, Township Administrator, others who signed in, were Jim Martin, Barbara Burson, Denise Moore, Donna Hellmann, Todd Foley, Sheila Titer, Dave Liette, Charlie Rulick, Paul Metzger, and Shawn Goodwin.
3. All rose and recited the Pledge of Allegiance to the Flag.

4. Oath of Office Jeffrey Leaming - Fire Chief

Ohio Representative Rick Perales, 73rd House District, came forward to speak. He said life, health, and safety issues are all major issues being discussed at the State House. He spoke about issues that will be in the forefront, like prescription drug abuse. On safety he said there will be issues regarding eliminating the front vehicle license plate. He said the other is gun control and Second Amendment rights. He encouraged everyone to get involved.

Mr. Tiffany said he would like equity for townships under the law, especially annexation and property rights. He said township life needs to be preserved.

Mr. Perales said he was willing to meet with Jim Butler, Oakwood State Representative and Mr. Tiffany to discuss this issue further.

Mr. Leaming came forward to be sworn in by Mr. Perales. Mr. Perales said he has known Mr. Leaming for a long time and gave an overview of his experience. Mr. Perales said Mr. Leaming's experience and enthusiasm will be an asset for the township.

Mr. Perales conducted the Oath of Office for the new Fire Chief, Jeffrey Leaming.

Mr. Leaming's wife, father, children, and other family members and friends were present for the pinning of his badge. He thanked his friends and family for being present, thanked the township trustees for the opportunity, and Chief Pavlak for laying the groundwork. Pictures were taken.

5. Appointment of Full-Time Police Officer Gregory M. Williams.

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2016.01.04.01**

IN RE: Appointment of Full-Time Police Officer Gregory M. Williams

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Police Department; and,

WHEREAS, a vacancy exists within the classification of full-time Police Officer; and,

WHEREAS, the vacancy has been posted for application in accordance with township policy and the current labor contract; and,

WHEREAS, an assessment center was conducted which included testing in basic exercises, review board and personal interviews with the Chief of Police; and,

WHEREAS, after a review of all the candidates, Police Chief Michael A. Brown recommends this appointment, and confirms that there are funds available for this position in the 2016 operating budget,

NOW THEREFORE, BE IT RESOLVED, that Gregory M. Williams is hereby appointed as full-time Police Officer effective January 4, 2016, at a pay rate of \$21.21 per hour, payable on a bi-weekly basis, and subject to a one (1) year probationary period ending January 4, 2017.

Mrs. Daugherty moved to accept the Resolution as presented. Mrs. Destefani seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty -Yes

Police Chief Brown swore in Gregory M. Williams. Mr. William's family and friends were present. Pictures were taken.

6. Reclassification of Fire Department Personnel Bryan Deis.

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2016.01.04.04**

IN RE: Reclassification of Fire Department Personnel – Bryan Deis

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, this need is met through the periodic reclassification of Fire Department employees and volunteers; and,

WHEREAS, Assistant Fire Chief, Joann Zimmerman requests the reclassification of Bryan Deis from Volunteer Firefighter to part-time Firefighter II/EMT-B, in accordance with the reorganization of the Table of Organization of the Sugarcreek Township Fire Department;

NOW THEREFORE, BE IT RESOLVED, that this Board of Trustees approves the reclassification of Bryan Deis to the position of part-time Firefighter II/EMT-B at the pay rate of \$12.36 per hour payable on a bi-weekly basis.

FURTHER BE IT RESOLVED, this reclassification shall have an effective date of January 4, 2016, and are subject to a one (1) year probationary period ending January 4, 2017.

Mrs. Destefani moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty -Yes

Mr. Pittman acknowledged Mr. Deis' continuing his education and wished him well in this position. Mr. Deis came forward and pictures were taken.

7. Appointment of Part-time Firefighter I/EMT-B Nicholas Johnson.

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2016.01.04.05**

IN RE: Appointment of Part-time Firefighter I/EMT-B Nicholas Johnson

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, vacancies exist within the classification of part-time Firefighter I/EMT-B; and,

WHEREAS, Nicholas Johnson has the necessary qualifications to serve in the capacity of part-time Firefighter I/EMT-B for the Sugarcreek Township Fire Department; and,

WHEREAS, Assistant Chief Joann Zimmerman, in her December 28, 2015, correspondence to the Township Administrator, has recommended the appointment of this candidate; and,

WHEREAS, funds are available for this purpose within the Fire Department's 2016 Operating Budget.

NOW THEREFORE, BE IT RESOLVED, that Nicholas Johnson shall be appointed to the position of part-time Firefighter I/EMT-B within the Sugarcreek Township Fire Department effective January 4, 2016, at the pay rate of \$11.88 per hour, payable on a bi-weekly basis, and subject to a one (1) year probationary period ending January 4, 2017.

Mrs. Daugherty moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

Mr. Johnson was present. He thanked the Board for this opportunity.

8. Appointment of Volunteer Firefighter Carter Fowler.

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2016.01.04.06**

IN RE: Appointment of Volunteer Firefighter Carter Fowler

WHEREAS, the continuing need exists to maintain proper staffing within the Sugarcreek Township Fire Department; and,

WHEREAS, vacancies exist within the classification of Volunteer Firefighter; and,

WHEREAS, Carter Fowler has the necessary qualifications to serve in the capacity of Volunteer Firefighter for the Sugarcreek Township Fire Department; and,

WHEREAS, Assistant Fire Chief Joann Zimmerman, in her December 28, 2015, correspondence to the Township Administrator, has recommended the appointment of this candidate; and,

WHEREAS, funds are available for this purpose within the Fire Department's 2016 Operating Budget,

NOW THEREFORE, BE IT RESOLVED, that Carter Fowler shall be appointed to the position of Volunteer Firefighter within the Sugarcreek Township Fire Department effective January 4, 2016.

Mrs. Destefani moved to accept the Resolution as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

Mr. Fowler was present along with his family. Pictures were taken. Mr. Pittman said volunteer firefighters are very important to the Fire Department.

9. Community Activities - None.

10. Public Hearing.

Mr. Pittman motioned to open the Public Hearing on Case ZC10-2015. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

Mrs. Tilford had a power point presentation and provided an overview of her report. The applicant Miller Valentine Residential Development, LLC has submitted an application for the approval of the Final Development Plan for Waterford at Sugarcreek, a multi-family development containing 231 units. The subject properties are 4700 and 4704 Feedwire Road, parcels L32000100020006500 and L32000100020000700, containing approximately 24.5 acres. The staff report will be appended to the permanent record.

Mr. Pittman asked about safety for pedestrians crossing over to Sweet Arrow Park.

Mrs. Destefani asked if a Up and Over could be build. Mr. Tiffany said an up and over would be costly. Mrs. Destefani asked about the traffic study. Mrs. Tilford said the traffic study was completed and the speed limit will be 35 to 40 mph.

Mr. Charles Rulick from Miller Valentine gave a brief overview of the development from the power point presentation Mrs. Tilford used. Mr. Rulick pointed out all of the amenities, as well as the dog park area.

Mr. Todd Foley came forward and spoke briefly regarding the landscaping plan for the development.

Mrs. Daugherty asked the size of the dog park. Mr. Foley said it would be between 1500 and 2000 sq feet. He said the dog park will be located near the maintenance building.

Mr. Greg Sanderford asked how tall are the trees. Mr. Foley said they are 2 1/2" caliper which is standard and 16-20 feet tall depending on the species. He said these dimensions provide a successful growth rate.

Mrs. Destefani asked about the distance between existing trees and the trees that would be planted. Mr. Foley said there would be no project work in the 100 year old flood plain, with the exception of some utility work. He said there is also a preservation area that will be left. Mr. Tiffany explained that other Miller Valentine developments were respectful of the conservation areas.

Mrs. Destefani asked about the impact of this development on the school system. Mr. Rulick said a similar community in Springboro, the general statistics showed 0.3 children per unit.

Any other questions - None

Mr. Pittman opened the public hearing to comment.

Those Wishing to Speak in Favor: No one spoke in favor.

Those Wishing to Speak Against: No one spoke against.

Neutral Parties wishing to speak: Mr. Greg Sanderford, 4041 Sugar Ridge, Bellbrook, asked for the exact measurement from his house to the apartment complex. Mrs. Tilford said 300.3 ft. He asked about getting more trees for the common area. Mr. Rulick said that is not in the present plans.

Mr. Pittman motioned to close the public hearing. Mrs. Daugherty seconded. Roll was called with vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

Mrs. Daugherty complimented Miller Valentine for their professionalism and cooperation working with the staff of Sugarcreek Township. Mr. Pittman agreed.

Mr. Tiffany said there is a difference between light bleed or the transfer of measurable light, and seeing a light. He said he does not want to give the impression that people will not see lights. they will see them, but not the shedding of them onto the outside of their property. He said the light is coming down, but you may be able to see up into the fixture and see the actual light. He does not want any unreasonable expectation to be placed upon Miller Valentine.

Mr. Pittman asked about the 10' path to cross the Little Sugar Creek. Mr. Rulick pointed out the path and how it goes up to the intersection of Feedwire road. Mr. Pittman thanked Miller Valentine and asked if they could speak with Mr. Sanderford to alleviate his concerns on the number of trees in the common area. Mr. Rulick said they have increased the number of trees, but would be willing to speak with Mr. Sanderford. Mr. Pittman appreciated their willingness, and stated it is not a condition for final approval of the development.

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2016.01.04.02**

IN RE: Approval of the Final Development Plan for
Waterford at Sugarcreek, approximately 24.5 acres

WHEREAS, MV Residential Development, LLC has submitted an application for the approval of the Final Development Plan for Waterford at Sugarcreek, a multi-family development containing 231 units. The subject properties are 4700 and 4704 Feedwire Road, parcels L32000100020006500 and L32000100020000700, containing approximately 24.5 acres; and

WHEREAS, the Sugarcreek Township Zoning Commission held a Public Hearing on December 8, 2015, deliberated on the application, and recommended approval of the Final Development Plan for Waterford at Sugarcreek subject to the following conditions:

1. Final design of the right-of-way, entries within the development and any other engineering related items shall be subject to approval of the Greene County Engineer's Office.
2. Final design of the sanitary sewer system shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. Final design of the water main system shall be subject to approval of the City of Bellbrook Water Department.
4. The development shall comply with the recommendations of the Greene Soil and Water Conservation District in regards to the National Pollutant Discharge Elimination Systems (NPDES) and Best Management Practices (BMPs).
5. Final design of all Fire Department related items shall be subject to approval of Sugarcreek Township Fire Department.

6. The use of vinyl and aluminum lap siding shall be prohibited. Vinyl or aluminum may be used for fascia and soffits. Vinyl or aluminum for similar minor architectural or structural elements may be used if approved by the Zoning Compliance Officer.
7. A total of 462 trees shall be provided (the landscaping plan shall be modified to provide a total of 462 trees).
8. A bond or a letter of credit in favor of the township shall be provided to the Sugarcreek Township Board of Trustees for any incomplete open space improvements along Feedwire Road prior to occupancy of the first residential building.
9. A bond or letter of credit in favor of the township shall be provided to the Sugarcreek Township Board of Trustees for pedestrian paths and landscaping not in place on a building by building basis prior to occupancy of each building.
10. A bond or a letter of credit in favor of the township shall be provided to the Sugarcreek Township Board of Trustees prior to the construction of the private streets pursuant to Section 7.07 of the Sugarcreek Township Zoning Resolution.
11. The procedures outlined in Section 7.07 H. regarding certification of a licensed professional engineer with respect to construction of the private streets shall be followed.
12. The hiker biker trail adjacent to Feedwire Road shall be constructed to township specifications. If not constructed prior to occupancy of the first residential building, then a bond or letter of credit in favor of the township shall be provided to the Sugarcreek Township Board of Trustees to ensure completion.
13. The developer shall remove the existing 6' path located along Feedwire Road in Sugar Ridge, Phase 1 and replace it with a 10' wide asphalt path in place of the current 6' wide path) terminating at the eastern property line and where topography becomes severe adjacent to the Little Sugar Creek. The path shall be constructed to township specifications. If not constructed prior to occupancy of the first residential building, then a bond or letter of credit in favor of the township shall be provided to the Sugarcreek Township Board of Trustees to ensure completion.
14. The developer shall provide easements to the township covering all 10' hiker biker path to allow for public access, use and maintenance (including the Sugar Ridge, Phase 1 path) prior to occupancy of the first building. Details will be finalized with legal counsel.
15. The developer shall provide an easement to the township to allow for the construction of a 10' bridge crossing adjacent to Feedwire Road to connect to the two path sections prior to occupancy of the first building. Details will be finalized with legal counsel.
16. Consistency with the submitted building elevations shall be required.
17. Chimneys shall be constructed as identified on the chimney layout provided by the developer.
18. The developer shall work with the Fire Department on appropriate address identification for each building and each unit. Final determination on address identification shall be made by the Fire Department.

19. The compactor screen shall be full stone veneer to match the building elevations (gate only may incorporate the siding material utilized and shall not be white vinyl).
20. All lighting shall be dark sky compliant and shall be incorporated into the photometric plan submitted and subject to the township's light spillage requirements (Table 7-2).
21. All plantings shall meet ANSI A300 Part 6 and ANSI Z60.1.
22. If the monument sign is externally illuminated, then the fixture shall be shielded so as to direct light only onto the sign surface.

WHEREAS, the Sugarcreek Township Board of Trustees held a Public Hearing on January 4, 2016, and deliberated on the application,

NOW THEREFORE BE IT RESOLVED, that this Board of Trustees does hereby approve the Final Development Plan for Waterford at Sugarcreek subject to the conditions recommended by the Zoning Commission, with the exception of #7 which has been addressed by the applicant (revised landscaping plan submitted).

Mr. Pittman moved to accept the Resolution as presented. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

11. Public Hearing.

Mr. Pittman motioned to open the Public Hearing on Case ZC11-2015. Mrs. Destefani seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

Mrs. Tilford had a power point presentation and provided an overview of the text amendments. The Text Amendments to the Sugarcreek Township Zoning Resolution included the proposed text amendments to Section 4.11 C. 11. to add text allowing fences up to 48" in height on double frontage lots if they are located to the rear of the structure (subject to all other provisions governing fences including those established for front yard fences in Section 7.04 B.1.), modifications to Section 10.04 D. 2. a. to establish that plant materials shall conform to ANSI A300 Part 6 and ANSI Z60.1 standards (strike American Association of Nurserymen standards), and modifications to Article 8: Signage to establish that fixtures used in the external illumination of signs must be shielded so as to direct light only onto sign surfaces (Sections 8.09 A. 1., 8.09 B., 8.10 B., and 8.10 C. impacted). The staff report will be appended to the permanent record.

Mr. Tiffany asked for clarification on the fencing, in particular the exclusion of solid fencing panels. Mrs. Tilford said this issue was discussed with the Zoning Board and the concern was how that type of fencing would look from the road. Mr. Pittman agreed with not allowing for solid fencing type panels.

Mr. Pittman asked about the landscaping and said the ANSI standard were more specific and current. Mrs. Hellmann said the ANSI standards will allow the landscaping to have maximum success. Mr. Pittman said the Homeowners Association will need to address the fencing issue and decide on what type of fence will be permitted and put that language in writing.

Those Wishing to Speak in Favor: No one came forward to speak.

Those Wishing to Speak Against: No one came forward.

Neutral parties wishing to speak: None.

Mr. Pittman motioned to close the public hearing on Case ZC11-2015. Mrs. Daugherty seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2016.01.04.03**

IN RE: Approval of Text Amendments to the Sugarcreek Township Zoning Resolution

WHEREAS, on November 13, 2015, the Sugarcreek Township Board of Zoning Commission made a motion to initiate text amendments to the Zoning Resolution; and,

WHEREAS, the proposed text amendments include modifications to Section 4.11 C. 11. to add text allowing fences up to 48” in height on double frontage lots if they are located to the rear of the structure (subject to all other provisions governing fences including those established for front yard fences in Section 7.04 B.1.), modifications to Section 10.04 D. 2. a. to establish that plant materials shall conform to ANSI A300 Part 6 and ANSI Z60.1 standards (strike American Association of Nurserymen standards), and modifications to Article 8: Signage to establish that fixtures used in the external illumination of signs must be shielded so as to direct light only onto sign surfaces (Sections 8.09 A. 1., 8.09 B., 8.10 B., and 8.10 C. impacted); and,

WHEREAS, the Board of Zoning Commission held a public hearing on December 8, 2015, for the purpose of considering and deliberating on the proposed text amendments as well as considering the Greene County Regional Planning and Coordinating Commission’s recommendation with respect to the proposed text amendments; and,

WHEREAS, after deliberating on the above mentioned text amendments, the Board of Zoning Commission recommended approval of the proposed text amendments to the Sugarcreek Township Board of Trustees; and,

WHEREAS, the Sugarcreek Township Board of Trustees held a public hearing on January 4, 2016 and deliberated on the application,

NOW THEREFORE, BE IT RESOLVED, the Sugarcreek Township Board of Trustees does hereby approve the above-mentioned text amendments.

Mrs. Daugherty moved to accept the Resolution as presented. Mrs. Destefani seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

12. Reports. Mr. Tiffany suggested skipping Reports, Public Comments and Old Business and move on to New Business in the interest of time.

13. Public Comments. Skipped.

14. Old Business. Skipped.

15. New Business.

- a. Approval of Meeting Minutes
- b. Payment of Bills

Mrs. Daugherty moved to accept the Consent Agenda items, Approval of Minutes and Payment of Bills as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Abstain
Mrs. Daugherty - Yes

c. Resignation of Part-Time Firefighter/EMT P Eric Crusier

**SUGARCREEK TOWNSHIP
RESOLUTION NO. 2016.01.04.07**

IN RE: Resignation of Part-time Firefighter/EMT P Eric Crusier

WHEREAS, Firefighter/EMT P Eric Crusier has indicated his desire to resign from the Sugarcreek Township Fire Department; and,

WHEREAS, Mr. Crusier became a member of the Sugarcreek Township Fire Department as a part-time Firefighter/Paramedic on May 2, 2011; and,

WHEREAS, Assistant Chief Joann Zimmerman recommends we accept the resignation of Eric Crusier.

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees officially accepts the resignation of Eric Crusier effective January 4, 2016.

Mrs. Daugherty moved to accept the Resolution as presented. Mr. Pittman seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

16. Discussion Agenda Items - none

17. Public Comments. Mr. Bill Schieman, 2486 Stewart Rd. would like the trustees to establish a committee of residents and other qualified people to study the connectivity of our bike paths and walkways and to develop a comprehensive plan. He would also like to study the Feedwire Road issue regarding access to Sweet Arrow Park. Mr. Pittman mentioned a tie in to the bike path should be considered as well. Mr. Schieman said the safety of our children and residents is an urgent matter especially on Feedwire Road. Mr. Pittman agreed with Mr. Schieman. Mr. Schieman said access to downtown, to the parks , and other bike paths all need to be considered.

18. Trustee/Staff Discussion. Mr. Pittman announced Mrs. Hellmann as the new Board of Zoning Chairperson.

19. Executive Session.

Mr. Pittman motioned to have an Executive Session in compliance with 121.22 G3 of the O.R.C. regarding some personnel issues. Mrs. Destefani seconded. Roll was called with the vote being as follows:

Mr. Pittman - Yes
Mrs. Destefani - Yes
Mrs. Daugherty - Yes

20. Adjourn. The meeting reconvened, after executive session, with no action taken and promptly adjourned.