

**SUGARCREEK TOWNSHIP
BOARD OF ZONING COMMISSION
TUESDAY, OCTOBER 2, 2018**

This regular meeting of the Sugarcreek Township Board of Zoning Commission was held on Tuesday, October 2, 2018 at the Sugarcreek Township Administration Office, 2090 Ferry Road, Sugarcreek Township, Ohio at 7:00 p.m.

Everyone present stood for the Pledge of Allegiance.

Mrs. Hellmann asked Mrs. Tilford to take roll. Upon call of the roll, the vote resulted in the following:

Mr. Betz-present
Ms. Baldino- present
Ms. Moore-present
Mrs. Hellmann-present
Mr. Schleich-present

For the record, alternates Dr. Mathews and Mrs. Gallagher, were also in attendance.

Mrs. Hellmann noted that the Election of Officers will not be held tonight.

Mrs. Hellmann reviewed for those in attendance the format of the meeting, noting that comments would be limited to three minutes per person so that everyone has an opportunity to be heard and asking that comments not become repetitive. She explained that it is acceptable to note concurrence with previous speakers. Finally, she thanked those in attendance for coming.

Mrs. Hellmann noted that the first case on the agenda is BZC07-2018. HPA Development Group, Inc. is requesting a map amendment to the Sugarcreek Township Zoning Resolution to rezone 4775 Swigart Road from A-1 (Agricultural) District to PUD-R (Residential Planned Unit Development) District. The subject property contains 66.135 acres, can be further identified by parcel number L32000100140000100, and is owned by Ralph D. Black, Inc. HPA Development Group, Inc. is also requesting preliminary development plan approval under Article 5 of the Sugarcreek Township Zoning Resolution for approval of the preliminary plan for a residential subdivision containing 189 lots.

Mrs. Tilford reviewed the Staff Report noting that the Regional Planning and Coordinating Commission did recommend approval.

Mr. Graham Parlin came forward representing the applicant, HPA Development. He introduced Doug Herald, his business partner, Kimpton Williams, realtor, Jim Watson, engineer with McGill Smith Punshon and David Montgomery, attorney with Pickrel Schaeffer and Ebeling. He noted he has never been in front of this Commission. HPA was founded in 2006 and focuses on residential land development. He noted that they are a small organization and they do acquisition, zoning approval and development themselves. He noted that they have been interested in this property for years. He explained that the property was listed in May, they

submitted an offer and it was accepted. Since then they have been working with staff to put together a land plan. He noted they have been through four plan variations before settling on this one. Modifications have included moving access points around. He explained that the county advised them that what had been a thoroughfare plan recommendation to bring Darst through the property is no longer planned and adjusted their plan accordingly. He noted that they wish to make cutting through the neighborhood as onerous as possible. He stated that they began with one product type. He noted that working with staff that has evolved into two product types; 62 single-story patio homes and 127 typical one and two-story single-family homes are now proposed. He noted that they have relocated open space parcels to make them more centralized and more accessible, provided open space at the end of cul-de-sacs to make snow removal more efficient, extended buffer areas along Swigart and Darst with planned landscaping to screen homes from those roads with the hopes of mounding (dependent upon final grading). Green amenities are also proposed like the planned community garden. He noted that they have exceeded the targeted 25% open space requirement and identified the most sensitive natural resource areas on the property; the ravines and wooded areas on the west side of the property are intended to remain undisturbed with the exception of where retention needs to occur. He noted that one of the things through this process that they try to communicate is what their vision is for the property and it is difficult to put that on paper. He noted that they intend to have a development with two buyer types; the empty nester, young professionals and the family. He noted that the empty nester will be a huge part of their market; the patio homes will be truly maintenance free as owners won't cut grass, shovel snow, etc. For those people not wanting that yet, we will have the traditional lots with ranch products. He noted that they truly believe that landscaping drives everything in their world. He noted at the Final Development Plan stage this will be shown. Street trees, landscaping along Swigart and Darst, boulevard islands landscaped, irrigation at the entries, annual flowers, and limited lighting knowing the township's desire to comply with dark sky will be incorporated. He noted the open space areas will be mowed and maintained by the HOA with the exception of wooded areas; a tot lot and playground will be incorporated. This project will not be low end starter homes and he cautioned about being fooled by the lot sizes. He noted that they are paying a lot of money for the ground and that drives the prices of the homes; he also noted it is very expensive to develop in Greene County with all utilities required under the street. He noted that prices will start at \$325,000; high quality building materials will be used, vinyl siding will be prohibited, as will sheds and above ground pools. From a fencing perspective, one type of fence will be permitted in the neighborhood. In conclusion, he noted all the time and efforts put in working with township staff and he noted that their proposal is consistent with the township's land use plan. He also noted that they support and are agreeable to all conditions outlined by staff.

Mrs. Hellmann asked the board members if they had any questions at this point.

Mr. Schleich asked about Darst. He noted it is very dangerous now how the corner comes to an odd angle. The curve is very dangerous. He would like to see Darst go through the property as was planned a long time ago.

Mr. Parlin stated that the feedback received from the county agencies and township staff was that was not planned anymore.

Mrs. Tilford confirmed for the board that after meeting with Regional Planning and the Engineer's Office about that project, the consensus was that the project was no longer planned.

Mrs. Hellmann asked if there is anything that can be done to lessen the curve.

Mr. Tiffany stated the curve is primarily in the City of Beavercreek. There is an update proposed to the Thoroughfare Plan and that was probably something that was brought up during the update process. It is something that needs to be addressed north of the border.

Ms. Moore asked about the five basins in the development and if they would all have water features.

Mr. Parlin stated that without going into detailed engineering it is impossible to confirm. He noted their intent is to have them all have water features and serve as amenities.

Ms. Moore stated that their application alluded to attracting empty nesters and a lesser impact to the schools. She asked if the developer had an idea of what their impact on the schools would be.

Mr. Parlin indicated that they did not.

Ms. Moore stated a concern that sheds will not be permitted. She is worried that garages will be full of lawn tractors and the like forcing cars to the street. She asked what the width of the street would be.

Mr. Parlin stated 27' back of curb to back of curb.

Ms. Moore asked if there would be two HOAs.

Mr. Parlin indicated concurrence.

Mrs. Moore asked about irrigation.

Mr. Parlin stated it would be included at the centralized open spaces too.

Mr. Schleich asked if guest parking would be provided or if on-street parking would be prohibited.

Mr. Parlin indicated that they are not planning guest parking.

Mr. Watson came forward and stated that with a 27' wide street there is room for on street parking and traffic flow.

Discussion ensued on parking.

Mrs. Hellmann opened the floor to public comments. She asked for comments in favor. No one came forward.

She asked for comments in opposition.

Mr. Peter Land, 502 Land Drive, came forward. He noted that he developed the Land Subdivision. He noted that he attended the RPCC Meetings and has a handout for the board members to consider. He noted he has sent letters to the township and county. He stated that the people he has dealt with at the township and county have been courteous and provided information as requested. He noted that the open space is ravines and undevelopable land. He noted that the actual density here is 4.1 homes per acre. He showed a contour map and explained that the ravine that runs into Land Subdivision has already caused problems. He noted there is a 27" culvert under the road and a ravine that runs into the catch basin, the water runs into a neighbor's property.

Mrs. Hellman noted he was about out of time.

Mr. Land requested more time. He noted he is concerned with the wells.

Mrs. Hellmann asked for a summary of his points.

Mr. Land stated that this is too much, it robs the aquifer of water, they are building catch basins that will run off onto us, and traffic backs up on Feedwire already and this will make it worse.

Mr. Robert Moore came forward. He noted that he lives in the Wagner Hill subdivision. He stated at two to two-and-a-half cars per household you are talking about adding 100-200 additional cars in the morning onto Darst and Swigart. He wants to know what road improvements are being done and who is paying for them. If none are proposed, the development should not be approved. He asked if there has been a sophisticated hydrology study done. He noted Wagner Hill has a five acre pond, it is an amenity. If flow is reduced of water quality is impacted they will end up with a hole. He wants to know what the impact will be to the Sweet Arrow Reserve. The township will need to build a bigger parking lot. He questioned the sizes of the homes proposed. He stated this will impact the entire community. He stated we have police and fire department issues. He noted his school district taxes will be impacted. He stated if he is going to have to pay more that's not okay. He noted this should be a wash. Whatever impact this development will have should be paid for by the developer.

Mr. Leonard Rak, 3405 Stutsman Road, came forward. He noted that he moved from Beaver creek to Sugar creek Township. He owns two six acre parcels. His taxes have gone from \$2800 a year in 2005 to \$7200 a year today. He stated that the proposed development isn't supposed to have an undue burden on police, fire and other services. He noted he does not want his taxes going up.

Mr. Ken Shelton, 420 Darst Road, came forward. He noted the curve is his. He noted that he bought in 1987. He stated his kids played on Darst Road. He stated when he built Walnut Grove was not there. He got a storm pipe and curbs and gutters running into his property. He noted his basement flooded after Walnut Grove came in and Beaver creek would not do anything for him. He complained about a sink hole on Sunbeam, noting he called Beaver creek two months ago. He noted he wasn't going to speak until last weekend; he explained on Saturday pulling out of

his driveway there was a big road rage issue. He stated a traffic study is necessary. He went to the Engineer's Office and they know nothing about this.

Mrs. Hellmann summed up he's concerned about drainage, the curve and traffic.

He stated that was correct.

Ms. Cathy Hochadel came forward noting she was from the dreaded Beaver creek location. She stated she moved into her house on Sunbeam in 2004. Her son rode his bicycle, they would sled ride but less than fifteen years later it is terrible. Everyone comes from Darst or off of Wagner and uses Sunbeam as a cut through. She stated hers will be the first street impacted by this subdivision. When those cars turn left and head up Sunbeam they are headed for Grand Vista. The residents on Grand Vista are inundated with cars driving too fast.

Mrs. Hellmann asked that Ms. Hochadel address the board.

Ms. Hochadel stated that the board could hear her just fine. She stated there are lots of cars going through her subdivision that don't belong there. She asked what the Board is going to do to keep her street from becoming Sugar creek Township's shortcut.

Mrs. Hellmann noted that there will be a traffic impact study. The board understands that there are concerns about traffic. She reminded the audience that this is a development proposed in Sugar creek Township and we cannot fix issues that are the responsibility of Beaver creek to fix.

Bob Long, 4286 Sunbeam, came forward. He stated he appreciates everyone else's comments with respect to traffic. He noted they have wells on Sunbeam. The aquifer question is significant to him. The aquifer has no relevancy to the jurisdictional boundary line.

Mrs. Hellmann noted that this plan is being reviewed by all Greene County agencies.

Mrs. Tilford noted that she has not had the opportunity to speak with Mr. Long so she was not aware of his well concern but she has had the opportunity to speak on a number of occasions with Mr. Land about his concern with respect to his well. She noted that she reached out to Mark Isaacson with the Greene County Combined Health District to talk about Mr. Land's concerns. Mr. Isaacson explained that the Black farm is the most visible ground water recharge property in the area, but it is not the only ground water recharge property in the area. He also pointed out that the development is proposed with 30% open space, but outside of that area, it will not all be impervious; infiltration will still occur. Mr. Isaacson is not a geologist, but he could not make a determination that this project would result in well issues.

Mr. Long noted that communication between jurisdictions would be helpful. He heard Mrs. Hellmann's comment that this is Sugar creek not Beaver creek but this impacts everyone.

Mrs. Lisa Heil, 510 Wayside Drive, came forward. She noted she lives in Sugar creek Township. She stated that she has lived there almost 40 years. She stated traffic is so bad that during rush hour, they have issues getting out of their driveway. She also has a well and is concerned about that.

Mr. Rick Gremling, 205 Darst Road, came forward. He noted he is one of those Beaver Creek guys. He's lived there for thirty years. He calls it Darst Speedway. It is a parade of dump trucks and cement mixers. It will just be one long string of those. He asked if this is approved can it be brought in front of the entire Greene County for a vote.

Mrs. Tilford explained that state law dictates that it can't. There is a provision for a referendum of a local zoning change but only by Sugar Creek Township constituents.

Mr. Gremling asked if this approved how long until they are under construction.

Mr. Tiffany stated late spring of 2019.

Mr. Jonathan Winkler, 4501 Wagner Road, came forward. He stated that the township has been under immense development pressure and noted that success has been had with respect to the Land Use Plan. He noted concern with adding another 189 homes. He urged a no vote. He stated traffic on Swigart and Wagner are a concern. There are 43 acres in Beaver Creek slated for 118 homes if and when development occurs there. In order to do that the City would require Swigart be realigned. If it matters there it should matter here. Traffic on Wagner is concern too. The county planning team determined it was not a concern but it is. Wagner is a backway to the Greene. Archaeological studies have shown a mound and Native American remains in the area. He has spoken with staff and is assured that the developer is aware of this non-trivial risk and is satisfied it is being taken seriously.

Mr. Peter Certo, 625 Darst agrees with all the comments thus far. He is probably the most impacted by this. He would like to know more about HPA and their resume. He is concerned about wells. He is concerned Sugar Creek has known about this since May but we got our notices two weeks ago. He asked why Sugar Creek needs to go from farmland to this extreme housing. To find another 189 lots you have to cover 2200 acres. He noted this is excessive and extreme. He stated this is going to support low level housing. The prices are unrealistic.

Mrs. Eileen Pape of Little Sugar Creek Road came forward. She stated she is a four generation Sugar Creek Township family. She stated her creeks dried up when the property adjacent to her was developed. She stated Feedwire is a zoo.

Mr. Teresa Kinney, 4985 Swigart Road, came forward. She questioned the extent of road widening on Swigart. She stated she sits for seven to ten minutes every morning in her driveway trying to get out. She stated Sugar Creek is not following through with what residents want. Residents want open space and land. She stated this is not the way it is supposed to be.

Mr. Tom Nicholson, 585 Carpenter Road, came forward. He stated he has looked at the Long Range Land Use Plan. He asked where the line gets drawn.

Mrs. Tilford noted as background when we went into the 2013 Long Range Land Use Plan update, we had two major annexations that had happened, Cornerstone and Madison's Grant. The goal of the plan was to provide flexibility to allow parcels adjacent to cities to develop thereby removing the development pressure with respect to additional vacant lands not adjacent

to cities. Every single development that we have approved in the last five years has been subject to annexation pressure. This one has too. Beaver Creek has contacted the property owner about annexing into the City of Beaver Creek. She explained that the township feels strongly that the development we will see by keeping the parcel in Sugar Creek Township will be more reflective of the things that our residents value like preserving existing wooded areas, providing open space buffers to the roadway, etc.

Mr. Tiffany added that if it were to be annexed it would still be in Bellbrook Sugar Creek Local Schools and we would see more students and higher density.

Mr. Nicholson asked about the scope of the study and noted Carpenter Road has not been talked about but impact on it should also be considered.

Mrs. Tilford stated the Greene County Engineer's Office will scope that traffic impact study.

Mr. Nicholson asked about the impact on the schools.

Mr. Tiffany noted that as far as his concern about Carpenter Road, the township will request a separate study on that road.

Mr. Doug Cozad, Superintendent of the Bellbrook Sugar Creek Local School District, came forward. He noted that an enrollment study was completed in February and it called for 250 additional students over the next ten years. Obviously, this is not a part of that that. Over the past ten years we have been at 26-27 new students. He noted we are up a little this year. He noted that is 250 total students. That study was done by the School Facilities Commission; it is a state study.

Mrs. Mary Lou Shafer, 4242 Seema Drive, came forward. She stated she loves that her taxes keep going up and thanked the Board for that. She asked if we are retaining the rural character of the community, a goal of the Long Range Land Use Plan. She has a concern about traffic. She talked about how the Long Range Land Use Plan values public input. She noted that she has not heard any comments in favor of the development.

Mrs. Virgilia Lemming, 4053 Sunbeam, came forward. She noted her land backs up to Sugar Creek Township. She is concerned about water and flooding. Water has come up her basement floor and she mentioned concern with the sinkhole on Sunbeam. She asked if inground pools would be permitted because they would impact the water too.

Mr. Joey Hochadel, 4201 Sunbeam, came forward. He stated he laughed when he read an open spaces area when he walked in. He noted he grew up loving nature. There is lots of wildlife in the area. What makes it so diverse is the open area this farmland provides. He noted on the farm there is a part of forest connected to other forest. They are going to cut it down massively. All of the animals he grew up loving and what makes people want to live in the area, these bits of wildlife, are gone. He stated the open space is laughable. He stated you would be wreaking havoc on the biodiversity of Sweet Arrow with this plan.

Mr. Kevin Weaver, 1032 Little Sugarcreek Road, came forward. He stated the density is higher here than the two developments proposed on Little Sugarcreek Road. He stated he is getting tired of development to stave off annexation. He encouraged compromise on both sides.

Mr. Byron Mc Crabb, 373 Darst Road, came forward. He stated if and when this property is developed, and it will probably have to be, the bend in Darst Road has to come out. There is no way the development should occur without the road coming straight through. He is also concerned about runoff.

Mrs. Elizabeth White, 2150 Stewart Road, came forward. She thanked the members of the Board for their service. She questioned Dr. Cozad's numbers and the impact the proposed development will have on the schools. She also discussed the impact the development will have on taxes overall. She stated this should be 2.5 acre lots, not this urban sprawl proposed.

Mrs. Lucille Pleshek, 438 Silverdale Terrace, came forward. She noted a concern about traffic on Sunbeam.

Mrs. Andy from Grand Vista came forward. She noted that everyone is passionate and saying all the same things. She noted she loves trees and animals. She asked how much development is enough.

Mrs. Kathyne Druffner, 3751 Glory Drive, came forward. She noted a concern about traffic on Carpenter. She also noted a concern about neighborhoods becoming cut-throughs.

Mrs. Betty Frederick, 4081 Sunbeam, came forward. She noted concerns that her evenings on her back porch will be impacted. She is more concerned about the people that abut the bare spot; she abuts the woods.

Mr. Patrick Sullivan, 4149 Wagner Road, noted concern about Swigart's intersection with Wagner Road. He stated the front of his property is all brush; on that hill every winter two or three cars are pulled out because it's curvy. Other drivers go too fast. His driveway comes into Wagner at an acute angle; more cars on the road will make it almost impossible for him to get out. He also has concerns the construction period and debris and noise, etc.

Louis Ballister, of the Wagner Hill subdivision, came forward. He noted that he agrees with all the concerns of his compatriots. He stated he appreciates the developer's plans. Visions are great but the devil is in the details. He noted he received a flyer last weekend about the development. He noted a concern about density. He wants to know what the motivation is for this high density.

There being no other speakers to speak in opposition, Mrs. Hellmann asked for neutral comments.

Mr. Doug Whitehead, 4258 Wagner and 4252 Wagner Hill Drive, came forward. He noted he has lived here for 30+ years. He endorses the concern about annexation. It can't be stopped but we have to try to mitigate it the best we can. He noted he does not trust Centerville, Beaver Creek

or Kettering. Under State law cities have the upper hand. He says amen to what the Board is saying about annexation. Either we allow this on our terms or we will be annexed.

Mrs. Hellmann closed the public portion of the meeting.

Mrs. Hellmann noted they heard a lot of concerns about runoff and wells and hydrology. She asked the developer to address this.

Mr. Jim Watson came forward. He noted that HPA has a geotechnical engineer on board and the wells issue can and most likely will be looked at by them. He noted at Greene County Planning folks stated that they had problems with their wells now. From a logical point of view when I have five bodies of water that will hold water full time, that is a better opportunity to recharge the ground water than to simply allow it to runoff. He noted his expertise is stormwater management.

Mrs. Hellmann stated someone stated something about tile and farm tile.

Mr. Watson stated it is common and there is no chance that farm tile will be saved. It will cease to function. All the runoff from the street ends up in one of the five basins. Rear yards won't all get into the ponds.

Mrs. Hellmann asked about inground pools and how that will impact runoff.

Mr. Watson stated they will have no impact whatsoever.

Mrs. Hellmann moved on to traffic and the ninety degree turn on Darst. She asked if there was anything that could be done to address that.

HPA indicated that they would be happy to discuss the issue with Greene County.

Mrs. Hellmann asked if Sugarcreek can work with Beavercreek on this.

Mr. Tiffany indicated yes we can do that in conjunction with the Greene County Engineer's Office.

Mr. Schleich stated that the curve needs to go all the way through and asked if a condition could be added.

Mr. Tiffany indicated that he didn't know about that and asked Mr. Schleich where he would propose it to go.

Mr. Schleich explained he would suggest a five point round about.

Mr. Betz stated it is hard to not be concerned about traffic. He noted listening to what he has heard he has a difficult time saying that this development will not negatively impact what is going on at Darst. He noted we need to figure out how to lessen impact.

Mr. Tiffany suggested a stop sign but that would be a taking of property.

Mr. Betz stated he has a problem going forward without the results of a traffic study. It has to address the concern with the curve on Darst. He stated he feels if we approve this it will make it worse.

Mr. Parlin stated staff has prepared a report with recommended conditions that a traffic impact study be performed and scoped by the GCEO and the developer must make the improvements identified in that study.

Mr. Schleich stated part of the problem is conditions now aren't great; this will just add to the problem.

Mr. Tiffany stated a developer doesn't have an obligation to fix an existing problem.

Mr. Betz stated that a developer also cannot make it worse.

Mr. Tiffany stated that the TIS will evaluate that. That has to be borne out with the TIS.

Mr. Betz stated he feels that TIS needs to extend past Sunbeam.

Mr. Montgomery stated, from a legal standpoint, for them to be required to go outside jurisdictional boundaries, to address a pre-existing issue that's problematic. Certainly we are responsible for our impact within Sugarcreek Township, but requiring us to go outside of your jurisdiction is problematic.

Mr. Betz questioned that.

Discussion ensued on the developer's obligations to address already failing infrastructure.

Mr. Tiffany noted that this will be something to discuss once the TIS has been completed.

Ms. Moore asked about density. She notes that open space is kind of hidden. She asked if there is an opportunity to reduce the number of homes to open it up more.

Mr. Parlin indicated that they have worked tirelessly to fit into the Sugarcreek Township box. They feel good about this plan.

Ms. Moore asked for clarification about product type.

Mr. Parlin stated the patio homes will all be single-story. The others will be one and two-story.

Mrs. Hellmann asked if they could all be two-story.

Mr. Parlin indicated it would be surprising to see 127 two-story home but it is market driven and possible.

Mrs. Hellmann asked where the developer has other projects.

Mr. Parlin stated Miami Township, Batavia Township, Indian Hill, City of Mason, and Deerfield Township. He indicated that the patio homes are an MI product that they would like to introduce to this market.

Mr. Schleich indicated that he is concerned about parking.

Mrs. Hellmann asked if the developer was open to having two entrances on Swigart and eliminating the entrance on Darst.

Mr. Parlin indicated that they were willing to look at it.

Discussion ensued on bringing Darst through the property as opposed to what is proposed.

Mr. Tiffany stated that a five point intersection does not work. And you would be extending a thoroughfare through their property. He indicated if you bring it to the church a light is needed and that is \$140,000. He stated it is a bad idea for the Zoning Commission to attempt to redesign this project.

Mr. Betz agreed. He noted that he needs to be made comfortable by way of a traffic impact study that a bad traffic situation isn't going to be made worse.

Mr. Parlin stated that the traffic impact study is going to determine what improvements are necessary. There is a county thoroughfare plan and the county has determined that the connection through this property is not desired. This connection has been slated to be eliminated. That decision is guiding our process. We got with the Engineer's Office early on to determine what they wanted to see; this plan is based on that input.

Mrs. Hellmann reiterated a concern with the curve.

Mrs. Tilford stated it may make more sense that we ask the County Engineer to coordinate with Beavercreek, instead of asking the developer to do that.

Mr. Baldino stated that we also need to encourage Beavercreek citizens to take their concerns with respect to their own infrastructure to their city officials. He sees that traffic is going to be evaluated in the traffic impact study that we are requiring and we are requiring coordination with the City of Beavercreek. He feels comfortable with that.

Mr. Parlin indicated he expects the traffic impact study to show what kind of turn lanes they need; very rarely are they required to address infrastructure surrounding the neighborhood. It's unusual that a development would have that kind of impact.

Mr. Betz indicated that the developer raised a good point. He noted a willingness to vote yes but with a real interest in the traffic study. He noted he really likes that plan. He thinks it is a creative plan. He indicated that he doesn't understand why the open space area along Swigart wasn't maintained across the patio homes too.

Mr. Parlin stated when you are looking at those units you are looking at the front of the house. We did not find that offensive at all.

Mr. Betz reiterated that he really likes the buffer and would like it to be continued. He stated he would have encouraged a boulevard entrance.

Mrs. Tilford indicated it would be a boulevard entrance to lot 1.

Mr. Betz asked if the boulevard could be extended up and the corner lots turned.

Mr. Parlin indicated that they could.

Mrs. Hellmann asked about the Indian remains.

Mr. Tiffany went through the 1914 map and showed burials in the area, not mounds. He noted that the identified areas are south of the intersection, most likely on the church property. There is a creek and it would make more sense that it be there. We have no reason to believe there are burials on this property. We've talked to the developer and they are taking steps to make sure there is no impact.

Mr. Parlin stated that yes there are known grave site south of the property. They are engaging an expert just to make sure there is nothing on this property. They do not want to dig up any burial ground.

Mr. Betz stated we haven't really looked inside the property; we've talked a lot about the roadway.

Mr. Tiffany stated that the Park District does have plans to increase parking at Sweet Arrow Reserve.

Mr. Baldino asked for a review of conditions.

Mrs. Tilford stated that right now we have the installation of a boulevard at the Swigart entrance up to lot 2, with the orientation of lots 1 and 2 being changed to not access from the entry road as well as the GCEO shall coordinate with the City of Beavercreek on the scope of the traffic impact study.

Discussion ensued on patio homes lots 20, 21, 24, 25, 28, 29, 32 and 33.

Mr. Parlin stated they are designed as a pinwheel product; it would not work to just eliminate those lots.

Mr. Schleich indicated that he believes a study is necessary to determine no impact to wells.

Mrs. Tilford noted that legal counsel is advising that may not be an appropriate condition.

Mr. Tiffany indicated that according to Mark Isaacson he doesn't anticipate that kind of impact.

Mrs. Tilford noted that he also noted that he is not a geologist. She noted that during her discussions with Mark Isaacson she did ask him if worst case scenario happened and all the wells along Land Drive ceased functioning upon development do those residents have any other options. She noted that he advised her to speak with Sanitary Engineering. She indicated that she did speak to Sanitary Engineering and they indicated that public water was accessible to Land Drive properties. She noted that she had not heard from any residents located along Sunbeam so she did not have the opportunity to speak to them about those properties too.

Mr. Tiffany noted he doesn't know if you can preclude development because there are wells on adjacent properties; you can't limit their ability to develop because it serves as an aquifer recharge area. He showed a map showing where the floodplain is noting that everything will still discharge the same way. We will still have 50-70% pervious area. He doesn't believe you can preclude development like that.

Mr. Baldino asked about stormwater runoff.

Mrs. Tilford went through the concerns of Soil and Water. At the end of the day, the developer has to follow the law.

Mr. Tiffany stated this will probably improve the conditions there.

Mrs. Tilford reviewed the conditions to include the installation of a boulevard at the Swigart entrance up to lot 2, with the orientation of lots 1 and 2 being changed to not access from the entry road as well as the GCEO shall coordinate with the City of Beavercreek on the scope of the traffic impact study.

Mr. Baldino noted that they still do not have consensus on the patio homes lots 20, 21, 24, 25, 28, 29, 32 and 33.

Mrs. Hellmann stated she and Denise like it how it is.

Mr. Tiffany suggested that a poll be taken.

Mr. Baldino asked Mr. Parlin for his input.

Mr. Parlin stated he doesn't want to reduce the number of patio homes; he believes these will be unique and successful. He would rather work collectively on what that area's buffering will look like than to just change from patio homes to single-family homes as was suggested.

Mr. Betz stated he would want to look out of his house into a mound.

Mr. Baldino stated he prefers to see the front of the patio home than a backyard.

Mr. Schleich and Mr. Baldino stated that they like the plan the way that it is.

Ms. Moore made a motion to approve BZC07-2018 subject to the conditions as recommended by staff subject to the additional two conditions previously reviewed by staff, which was seconded by Mrs. Hellmann.

Upon call of the roll, the vote resulted in the following:

Mr. Betz-yes
Mr. Baldino-yes
Mr. Schleich-no
Mrs. Hellmann-yes
Ms. Moore-yes

Mrs. Hellmann moved to the approval of June 5, 2018 Minutes.

Mrs. Hellmann stated that minutes would be approved at the next meeting.

Ms. Moore reminded everyone about the Fire Levy, no new taxes, please vote on November 6, 2018.

Mrs. Hellmann moved to adjourn, which as seconded by Mr. Baldino. Upon call of the roll, the vote resulted in the following:

Mr. Betz-yes
Mr. Baldino-yes
Mr. Schleich-yes
Mrs. Hellmann-yes
Ms. Moore-yes