

**The Board of Trustees of Sugarcreek Township, Greene County, Ohio, in Regular Session on September 16, 2024, at 7:00PM.**

**1) Mr. Moeller called the session to order at 7.00pm.**

**2) Mr. Tiffany called the roll with Board Members, Mr. Moeller, Mr. Cramer, and Mrs. Destefani in attendance.** Also, in attendance were Mr. Windsor, Chief Doug Buffenbarger, Chief Mike Brown, Louie Schatzberg, Donna Hellmann, Byron Stephens, Nick Tanner, Jim McGinley, Adam Black, Mark Black, Jeff Puthoff, Emily Wheller, Don Tate, Stephen Miller, Sophia Adlock, Neil Hughes, and Greg Blatt.

**3) All in attendance stood for the Pledge of Allegiance.**

**4) ZC Case 02-2024: Request for Map Amendment from A-1 (Agricultural) / WPAC (Wilmington Pike Area Corridor Overlay) District to B-2 PUD (Residential Planned Unit Development) / WPAC (Wilmington Pike Area Corridor Overlay) District and Preliminary Development Plan Approval for a proposed Sheetz restaurant/convenience store/fueling station – 2024.09.16.01**

Mr. Moeller opened the public hearing for ZC Case 02-2024. He asked Mrs. Tilford to provide the Staff Report. Applicant, Skilken Gold Real Estate Development is requesting a map amendment to the Sugarcreek Township Zoning Resolution to rezone 10.937 acres from A-1 (Agricultural)/B-2 (General Business)/WPAC (Wilmington Pike Area Corridor Overlay) District to B-2 PUD (General Business Planned Unit Development)/WPAC (Wilmington Pike Area Corridor Overlay) District. The subject parcel is 5980 Wilmington Pike, can be further identified by parcel number L32000100020005100 and L32000100030013000 is owned by Christ Evangelical United Brethren Church (9.5520 acres) and Hope United Methodist Church (1.3850 acres). The applicant is also requesting preliminary development plan approval under Article 5 of the Sugarcreek Township Zoning Resolution for a proposed Sheetz restaurant/convenience store/fueling station.

There was no one present to provide public comments.

Hearing no other comments, Mrs. Destefani made a motion to close the public portion of the hearing. Mr. Cramer seconded.

Mr. Moeller – Yes  
Mr. Cramer – Yes  
Mrs. Destefani – Yes

After the trustees discussed the Zoning Commission’s recommendations, Mrs. Destefani made a motion to accept ZC Case 02-2024 as proposed, with the stated conditions. Mr. Cramer seconded.

Mr. Moeller – Yes  
Mr. Cramer - Yes  
Mrs. Destefani – Yes

**5) CZ Case 03-2024: Request for Final Development Plan Approval for the Feedwire Farm subdivision, containing 80 lots – 2024.09.16.02**

Mr. Moeller opened the public hearing for ZC Case 03-2024. He asked Mrs. Tilford to provide the Staff Report. Applicant, Feedwire Farm JV, LLC, is requesting final development plan approval under Article 5 of the Sugarcreek Township Zoning Resolution for the proposed Feedwire Farm subdivision. The subject property is 3634 Feedwire Road, can be further identified by parcel numbers L32000100130000300 and L32000100130053800, contains approximately 58.2 acres and is owned by Feedwire Farm JV, LLC (39.932 acres) and RJ Real Estate Properties, LLC (18.349 acres). The subject property is located in the PUD-R (Residential Planned Unit Development) District.

Mr. Hughes came forward to discuss Feedwire Farm and expressed his enthusiasm for the project. He has thoroughly reviewed the Zoning Commission's recommendations and is pleased to implement them.

Mr. Moeller asked if anyone wished to speak in favor of Feedwire Farm.

None.

Mr. Moeller asked if anyone wished to speak in opposition to Feedwire Farm.

None.

Mr. Moller asked if anyone wished to speak neutrally on Feedwire Farm.

Jim McGinley asked to hear from the township representatives on the impact of the development. How will it affect the infrastructure, public safety departments, schools, and the tax base? What are the key benefits, and do they outweigh the potential costs?

Mr. Tiffany answered that the superintendent has stated that the development will have minimal impact on the schools, with no issues regarding capacity or staffing. The subdivision won't significantly increase the call load for police or EMS services, as it will attract younger families, with fewer needs for emergency services. New roads are being built to last longer, with improved standards to minimize future maintenance. Mr. Tiffany further noted that as for costs, these higher-value homes will generate enough tax revenue to cover the services provided, exceeding the typical cost-to-revenue ratio for Ohio communities.

Mark Black noted that they had agreed to align the fence along the north property line with the HOA-approved metal fence, with a few remaining details to be settled. He also referenced his discussion with Mr. Tiffany at the last Zoning Commission meeting, where he requested that the cemetery be relocated to a pioneer cemetery. Mr. Black inquired about the drainage in the northwest corner of the development.

Jeff Puthoff explained that in the northwest corner, there is currently a culvert that will either be removed or upgraded, ensuring drainage stays intact.

Neil Hughes added that the main change in the design is that instead of seven acres draining toward the property and going to Glory, only about one acre will remain. This will greatly reduce water flow toward the next subdivision, with the rest redirected to the other side.

Don Tate seeks clarification on a few points regarding the fence's maintenance and placement. Who

will be responsible for its upkeep? He prefers the fence to be installed just inside the developments property line, rather than directly on it. Additionally, he asked whether a secondary fence for privacy will be permitted.

Mr. Hughes explained that the anodized aluminum fence should last longer with minimal upkeep. The fence will be placed just inside the property line with no overlap and maintained by the each homeowner. This will also be outlined in the HOA documents and tied to the property title. As to secondary fences, homeowners are not permitted to add privacy fences.

Hearing no other comments, Mr. Cramer made a motion to close the public portion of the hearing. Mrs. Destefani seconded.

Mr. Moeller – Yes  
Mr. Cramer - Yes  
Mrs. Destefani – Yes

Mr. Cramer made a motion to accept ZC Case 03-2024 as proposed. Mrs. Destefani seconded.

Mr. Moeller – Yes  
Mr. Cramer - Yes  
Mrs. Destefani – Yes

## **6) Reports**

### **Administrator**

Mr. Tiffany had nothing to add to his report.

### **Assistant Administrator/Zoning**

Mrs. Tilford had nothing to add to her report.

### **Fiscal Officer**

Mr. Demko had nothing to add to his report. Mr. Demko mentioned he received the audit last week and will provide the trustees with an overview before the next meeting.

### **Fire**

Chief Buffenbarger had nothing to add to his report. Chief Buffenbarger mentioned that he submitted a State Homeland Security Grant application for six tornado sirens, totaling \$200,000. Mr. Moeller asked if Chief Buffenbarger received the information on the federal grant for fire gear. Chief Buffenbarger answered yes.

### **Police**

Chief Brown had nothing to add to his report.

### **Roads and Services**

Mr. Windsor had nothing to add to his report. Mr. Moeller mentioned the county installed road signs on Middle Run Road indicating an upcoming intersection after a steep dip in the road.

### **Information Technology**

Mr. Tiffany had nothing to add to his report. Mr. Tiffany mentioned they applied for \$20,000 for project assistance from the State of Ohio for IT projects.

**Trustees**

Mrs. Destefani asked if a location had been selected for the tree gifted by the City of Centerville and suggested the Veterans Memorial as a possible spot for planting. Mrs. Destefani will be attending an event on October 7<sup>th</sup>, and they’ve asked if the trustees could prepare a proclamation to present. Additionally, Mrs. Destefani noticed the save the date for the Miami Valley Zoning Workshop in December and would be interested in attending. Mrs. Destefani inquired whether the township will be adding its logo to the Chamber of Commerce City Map. Mrs. Destefani inquired if anything could be done about a complaint she received regarding a company dumping dirt into a river during property clearing, which could potentially cause drainage issues. Mr. Tiffany suggested sending Ken Middleton, an urban technician at the Soil and Water Conservation District, to investigate the situation, but clarified that the township can not intervene in the easement dispute.

Mr. Cramer mentioned that he will be attending the get-together hosted by the Community Support Center on October 17<sup>th</sup>, they will be discussing plans for their upcoming Valentine’s Day Gala. Mr. Cramer will also attend the Chamber of Commerce Executive Meeting on Thursday, where they will vote for a new director as the current director is stepping down.

Mr. Moeller asked about the progress of the sign. Mr. Tiffany answered no and explained he is seeking more information from Jodi regarding the grant money. Mr. Moeller attended the Greene County Township Association meeting last week, where the sanitation department gave an insightful presentation on how they plan to improve water quality.

**7) Public Comments**

None.

**8) Old Business**

None.

**9) Consent to Agenda Items**

- A) Payment of Bills
- B) Minutes
- C) Transfer of Appropriations – 2024.09.16.03
- D) Accepting Amounts and Rates – 2024.09.16.04
- E) Resignation of Fire Department Staff – Noah Silo – 2024.09.16.05

**RESOLUTION NO. 2024.09.16.01**

IN RE: ZC Case 02-2024: Request for Map Amendment from A-1 (Agricultural)/WPAC (Wilmington Pike Area Corridor Overlay) Districts to B-2 PUD (Residential Planned Unit Development)/WPAC (Wilmington Pike Area Corridor Overlay) Districts and Preliminary Development Plan Approval for a proposed Sheetz restaurant/convenience store/fueling station.

WHEREAS, a public hearing was held by the Sugarcreek Township Zoning Commission on Tuesday, July 6, 2024 at 7:00 p.m. on the following application:

WHEREAS, Applicant, Skilken Gold Real Estate Development, is requesting a Map Amendment from A-1 (Agricultural)/WPAC (Wilmington Pike Area Corridor Overlay) Districts to B-2 PUD (Residential Planned Unit Development)/WPAC (Wilmington Pike Area Corridor

Overlay) Districts and Preliminary Development Plan Approval for a proposed Sheetz restaurant/convenience store/fueling station;

WHEREAS, the subject property is 5980 Wilmington Pike, parcel L32000100020005100 and L32000100030013000, containing 9.5520 acres; and

WHEREAS, the Greene County Regional Planning and Coordinating Commission recommended approval of the applicant's request during their July meeting cycle; and

WHEREAS, The Sugarcreek Township Zoning Commission held a Public Hearing on August 6, 2024 and recommended approval subject to the following conditions:

1. Final design shall be subject to approval of the Greene County Engineer's Office. The Final Development Plan shall reflect any improvements deemed necessary to serve the subject site stemming from the TIS.
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. The applicant shall meet all federal, state, and local requirements and comply with recommendations from the SWCD and GCEO with respect to the drainage.
4. Final design shall be subject to approval of Sugarcreek Township Fire Department.
5. Miami Valley Drive will be extended to Access Drive "A" prior to the opening of the business.
6. Property Owner's Association documents must be submitted with an application for Final Development Plan approval.
7. Conforming elevations, landscaping, photometric and sign plans must be submitted with an application for Final Development Plan approval.
8. The applicant shall be limited to a total of 40 parking spaces. Aisle widths serving two-way traffic must meet the 24' standard.
9. Details on the outdoor seating/café area will be reviewed and approved at the Final Development Plan stage.
10. Approval for the use/layout of the "Proposed Parcel" shall be handled through the PUD modification process (modified Preliminary, followed by an FDP process).
11. An evaluation of the primary access drive to make the turn into the drive-through lane easier to navigate will be completed.
12. An evaluation of landscape not hardscape adjacent to the pick-up window will be completed.
13. Landscaping around the transformer and the air machine shown on the plan will be depicted on the landscaping plan submitted with the Final Development Plan application.

NOW THEREFORE, BE IT RESOLVED, after the hearing the Board of Trustees deliberated on the above application and passed a motion to approve the Map Amendment and to approve the Preliminary Development Plan as requested by the applicant subject to conditions as recommended by the Zoning Commission.

**RESOLUTION NO. 2024.09.16.02**

IN RE: ZC Case 03-2024: Request for Final Development Plan Approval for the Feedwire Farm subdivision, containing 80 lots.

WHEREAS, Applicant, Feedwire Farm JV, LLC is requesting Final Development Plan Approval for the Feedwire Farm subdivision, containing 80 lots;

WHEREAS, the subject property is 3634 Feedwire Road, parcels L32000100130000300 and L32000100130053800, 58.281 acres; and

WHEREAS, The Sugarcreek Township Zoning Commission held a Public Hearing on September 4, 2024 and recommended approval of the applicant's request subject to the following conditions:

1. Final design shall be subject to approval of the Greene County Engineer's Office
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. The applicant shall meet all federal, state, and local requirements and comply with recommendations from the SWCD and GCEO with respect to the drainage plan developed.
4. Final design shall be subject to approval of Sugarcreek Township Fire Department.
5. Lots 16-21 shall be modified to allow for the hiker/biker trail, landscaping and mounding to be located on an open space lot.
6. The use of vinyl and/or aluminum siding shall be prohibited. First floor brick/stone wraps and side entry garages will be required for all homes constructed within this development. A third car attached front-facing "carriage" garage is permitted provided the garage door height is consistent with the garage door height of the side entry garage.
7. Enclosed accessory buildings, privacy fences and above ground pools shall not be permitted to be constructed within the development. Pergolas constructed of materials complementing the main structure will be permitted up to a maximum size of 200 SF. The HOA documents shall be updated to reflect this prohibition/allowance.
8. Minimum home sizes, as proposed by the developer (2000 for a ranch and 2400 SF for a two-story) will be required.
9. The same home plan will not be permitted to be constructed side by side.
10. All homes backing up to Feedwire Road will be single-story ranch homes.
11. A public access easement shall be provided covering all multi-use path proposed in the development.
12. 4' black anodized aluminum fence shall be the only fence to be utilized development wide.
13. Any fencing/mounding/landscaping agreed upon by the developer and the property owners to the north shall be depicted on a revised landscaping plan. The maintenance responsibility for this fence shall be clearly established on the landscaping plan.
14. The builder shall be required to depict the trees within the no cut zone on each site plan submitted for approval for lots 1-16.
15. Site plans submitted for approval for each individual home must depict two trees to be planted in the front yard (not foundation landscape plantings). HOA documents shall be updated to require that these trees be maintained by individual homeowners.
16. No trees shall be permitted to be removed from the identified no cut zone except the removal of invasive species, dead vegetation, etc. Any trees removed from the no cut zone

and any trees shown on the landscaping plan and approved site plans and subsequently removed due to damage, disease or for any other reason shall be replanted. Any tree larger than six caliper inches DBH removed shall be replaced with two one-and-a-half caliper inch DBH trees. Removals and replanting must be coordinated with the Zoning Compliance Officer.

17. Installation of street signs shall be the responsibility of the developer.
18. The boulevard entrance open space area needs to be depicted as an open space lot with maintenance responsibility assigned to the HOA.
19. The remains located in the cemetery on site shall be relocated off-site with a preference for a Pioneer Cemetery.
20. Any and all required approvals for the relocation of the identified remains must be followed by the developer. The developer shall keep the township apprised of any work occurring/approvals received.
21. Relocation of bodies shall be completed by the developer prior to any right-of-way dedication.
22. The hiker biker trail adjacent to Feedwire connecting to Deerfield Estates and Bellbrook Middle School shall be installed at the beginning of the development (to be completed prior to the issuance of the fifth Zoning Certificate).
23. Maintenance responsibility for the park area shall be clearly defined and included on the landscaping plan. Any final agreements with the Park District shall be provided (agreement in principle provided).
24. A bond shall be posted to ensure completion of the open space improvements (landscaping, mounding, etc.) not in place prior to the issuance of the fifth Zoning Certificate.
25. No trees (private lots and open space lots) shall be permitted to be placed within the right-of-way with the exception of the boulevard entrance and subject to condition #18.
26. Light fixture details for any lighting to be installed on site or off (on the Middle School property) must comply with Section 7.02 of the Sugarcreek Township Zoning Resolution (12' maximum height from grade and full-cutoff fixture type required).
27. The Cluster Box Unit shall include a pull off area and lighting consistent with Section 7.02 (12' maximum height from grade and full-cutoff fixture type required).
28. To the extent possible, all public utilities shall be screened from public view.
29. The mounding along Feedwire Road shall be increased in height to be a minimum of 4' in height up to 6' in height (and shall undulate).
30. Right-of-way shall be dedicated for a future roundabout at the Middle School entrance (southeast corner of the development site, an approximately a triangle of 45' constituting approximately 0.023 acres).
31. Developer shall appear before the Zoning Commission for final sign approval.

NOW THEREFORE, BE IT RESOLVED, after the hearing the Board of Trustees deliberated on the above application and passed a motion to approve the Map Amendment and to approve the Preliminary Development Plan as requested by the applicant subject to conditions as recommended by the Zoning Commission and amended:

1. Final design shall be subject to approval of the Greene County Engineer's Office
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.

3. The applicant shall meet all federal, state, and local requirements and comply with recommendations from the SWCD and GCEO with respect to the drainage plan developed.
4. Final design shall be subject to approval of Sugar Creek Township Fire Department.
5. The use of vinyl and/or aluminum siding shall be prohibited. First floor brick/stone wraps and side entry garages will be required for all homes constructed within this development. A third car attached front-facing "carriage" garage is permitted provided the garage door height is consistent with the garage door height of the side entry garage.
6. Enclosed accessory buildings, privacy fences and above ground pools shall not be permitted to be constructed within the development. Pergolas constructed of materials complementing the main structure will be permitted up to a maximum size of 200 SF. The HOA documents shall be updated to reflect this prohibition/allowance.
7. Minimum home sizes, as proposed by the developer (2000 for a ranch and 2400 SF for a two-story) will be required.
8. The same home plan will not be permitted to be constructed side by side.
9. All homes backing up to Feedwire Road will be single-story ranch homes.
10. A public access easement shall be provided covering all multi-use path proposed in the development.
11. 4' black anodized aluminum fence shall be the only fence to be utilized development wide.
12. Any fencing/mounding/landscaping agreed upon by the developer and the property owners to the north shall be depicted on a revised landscaping plan. The maintenance responsibility for this fence shall be clearly established on the landscaping plan.
13. The builder shall be required to depict the trees within the no cut zone on each site plan submitted for approval for lots 1-16.
14. Site plans submitted for approval for each individual home must depict two trees to be planted in the front yard (not foundation landscape plantings). HOA documents shall be updated to require that these trees be maintained by individual homeowners.
15. No trees shall be permitted to be removed from the identified no cut zone except the removal of invasive species, dead vegetation, etc. Any trees removed from the no cut zone and any trees shown on the landscaping plan and approved site plans and subsequently removed due to damage, disease or for any other reason shall be replanted. Any tree larger than six caliper inches DBH removed shall be replaced with two one-and-a-half caliper inch DBH trees. Removals and replanting must be coordinated with the Zoning Compliance Officer. The HOA documents shall be updated to include this language.
16. Installation of street signs shall be the responsibility of the developer.
17. The boulevard entrance open space area needs to be depicted as an open space lot with maintenance responsibility assigned to the HOA.
18. The remains located in the cemetery on site shall be relocated off-site with a preference for a Pioneer Cemetery.
19. Any and all required approvals for the relocation of the identified remains must be followed by the developer. The developer shall keep the township apprised of any work occurring/approvals received.
20. Relocation of bodies shall be completed by the developer prior to any right-of-way dedication.
21. The hiker biker trail adjacent to Feedwire connecting to Deerfield Estates and Bellbrook Middle School shall be installed at the beginning of the development (to be completed prior to the issuance of the fifth Zoning Certificate).

22. Maintenance responsibility for the park area shall be clearly defined and included on the landscaping plan. Any final agreements with the Park District shall be provided (agreement in principle provided).
23. A bond shall be posted to ensure completion of the open space improvements (landscaping, mounding, etc.) not in place prior to the issuance of the fifth Zoning Certificate.
24. No trees (private lots and open space lots) shall be permitted to be placed within the right-of-way with the exception of the boulevard entrance and subject to condition #18. The HOA documents shall be updated to include this language.
25. Light fixture details for any lighting to be installed on site or off (on the Middle School property) must comply with Section 7.02 of the Sugarcreek Township Zoning Resolution (12' maximum height from grade and full-cutoff fixture type required).
26. The Cluster Box Unit shall include a pull off area and lighting consistent with Section 7.02 (12' maximum height from grade and full-cutoff fixture type required).
27. To the extent possible, all public utilities shall be screened from public view.
28. The mounding along Feedwire Road shall be increased in height to be a minimum of 4' in height up to 6' in height (and shall undulate).
29. Right-of-way shall be dedicated for a future roundabout at the Middle School entrance (southeast corner of the development site, an approximately a triangle of 45' constituting approximately 0.023 acres).
30. Developer shall appear before the Zoning Commission for final sign approval.

RESOLUTION #: 2024.09.16.03

<u>Debt Fund Number</u>	<u>Account Name</u>	<u>Credit Fund Number</u>	<u>Account Name</u>	<u>Amount</u>
2031-910-910	Transfers – out	2031-820-820	Principal payments – notes	44,000.00
2031-910-910	Transfers- out	2031-830-830	Interest Payments	3,000.00

Explanation of Transfer(s): New hire uniforms. Overage in Dispatch needed in Contracted Services. \_\_\_\_\_

**RESOLUTION NO. 2024.09.16.04**

IN RE: Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor

WHEREAS, the Budget Commission of Greene County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten (10) mill limitation (see Schedule A, attached),

NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees of Sugarcreek Township, Greene County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

BE IT FURTHER RESOLVED, that there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten (10) mill limitation as attached in Schedule A.

**RESOLUTION NO. 2024.09.16.05**

IN RE: Resignation of Fire Department Staff – Noah Silo

WHEREAS, Part-time Firefighter II/EMT, Noah Silo has indicated his desire to resign from the Sugarcreek Township Fire Department; and,

WHEREAS, Noah Silo was hired as a member of the Sugarcreek Township Fire Department on July 12, 2024; and,

WHEREAS, Chief Doug Buffenbarger recommends we accept the resignation of Mr. Silo.

NOW THEREFORE, BE IT RESOLVED that the Board of Sugarcreek Township Trustees officially accepts the resignation of Noah Silo effective September 11, 2024.

Mr. Moeller made a motion to accept all consent agenda items as stated. Mr. Cramer seconded.

Mrs. Destefani – Yes  
Mr. Cramer – Yes  
Mr. Moeller – Yes

**10) Discussion of Agenda Items**

None.

**11) Public Comments**

None.

**12) Trustee/Staff Discussion**

Mr. Moeller asked for an executive session. ORC Section 121.22.G1 To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee.

Mr. Moeller made a motion to convene an executive session. Mrs. Destefani seconded.

Mr. Cramer – Yes  
Mr. Moeller – Yes  
Mrs. Destefani – Yes

Chief Brown was asked to join the executive session.

Mr. Moeller noted the trustees had returned from the executive session and no action was taken at this time.

**13) Adjourn**

Mr. Cramer made a motion to adjourn, which was seconded by Mrs. Destefani. Upon call of the roll, the vote resulted in the following:

Mr. Cramer – Yes  
Mr. Moeller – Yes  
Mrs. Destefani – Yes

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Richard J Demko, Fiscal Officer

