

EXECUTIVE COMMITTEE
REGIONAL PLANNING AND
COORDINATING COMMISSION

The Executive Committee meeting of the Regional Planning and Coordinating Commission of Greene County was held on **Tuesday, January 19, 2016 at 1:30 p.m.** in the second floor conference room at 651 Dayton-Xenia Road, Xenia, Ohio.

The meeting was called to order by President Campbell at 1:34 p.m. He asked for self-introductions.

MEMBERS PRESENT

Tom Pitstick
Mark Klingler
Mike Pittman
Kent Campbell
Chris Mucher, Alternate

STAFF PRESENT

Ken LeBlanc
Tamara Ennist
Rhonda Painter

MEMBERS ABSENT

Tom Koogler

OTHERS PRESENT

Greg Smith, Oberer Development Co.
Greg O'Conner, McNamee & McNamee
Tim Slifcak, Citizen
Rod Fisher, Citizen
Ed Amrhein, Beaver Creek Township
Rob Arnold, Arnold Development Co.

Mr. Pittman moved, second by Mr. Klingler, to approve the minutes of the Executive Committee for December 23, 2015. Motion passed 3-0 with two abstentions.

Payment of Vouchers

Mr. Mucher moved, second by Mr. Pitstick, to approve the vouchers listed below. Motion passed 5-0 as Resolution #16-1-19-1E. Mr. Mucher noted the public official insurance provider has rates that seem too high. He suggested contacting Reichley Insurance for a quote.

<u>NUMBER</u>	<u>CODE</u>	<u>FOR</u>	<u>AMOUNT</u>
16-0021807	5432	CCAO Planning Directors Association Dues	\$ 85.00
16-0021806	5203	GC Sanitary- Additional Postage (1/1 – 12/31)	42.68
15-0009940	5203	GC Services- Postage – Dec 2015	13.98
15-0014313	5305	GC Services- Copier – 4 th Qtr. Oct – Dec 2015	545.39
15-0014313	5305	Rhonda Painter – Contract Services 12/15-12/31	620.00
15-0009937	5203	Office Depot – Office Supplies	98.24
TOTAL			\$1,405.29

Preliminary Design Plan and Final Plan–Nathaniel's Grove, Section One–Beaver Creek Township

Ms. Ennist presented the staff report for Nathaniel's Grove. This plan was tabled at the December 23, 2015 meeting until a landscaping issue could be resolved. Mr. Klingler moved, second by Mr. Pitstick to reopen the discussion. Motion passed unanimously 4-0. The applicant is Oberer Land Developers and the engineer is VanAtta. The property is along the east of Beaver Valley Road just north of Kemp Road in Beaver Creek Township. Section 1 is 33.1444 acres and will have 26 building lots, 20.8919 acres in open space and 2.89 acres in right-of-way. Ingress and egress will be on Beaver Valley Road. Substantive issues are storm water management into

the Beaver Creek watershed corridor, one hundred year flood plain, public property owned by ODNR and wetlands. Mounding was requested by neighboring property owners Slifcak and Fisher, but the consent decree drawings did not it. The proposed lots adjacent to the two property owners are too small to allow for mounding without redesigning the plan. RPCC staff recommends conditional approval subject to the conditions of the staff report.

Mr. Smith said he was unable to answer the question of additional mounding at the last meeting without going back to his superiors. To get a desirable slope, a four foot mound would have a 24-foot base. The landscape plan from the 2006 plan showed a substantial number of trees for buffering in the disputed area. The plan could include a variety of trees and denser planting if the zoning commission gives flexibility to the landscape plan. His stated his position at this time is he researched the issue per the request of the commission and can commit to trees before the release of bonds. He would be willing to trade evergreens for shade trees if the property owners prefer. Mr. Mucher asked if this was approved by the court? Mr. Smith replied the plan was approved by the Beaver Creek Township Trustees.

President Campbell asked if there were any additional questions or comments. Mr. Slifcak said per the landscape plan drawing, there is a 2,200 foot long shared boundary between the development and his and Mr. Fisher's land, but the drawing provides for only 50 trees. He feels this is a step in the right direction, however is inadequate. He said the landscaping plan was not approved by the consent decree and not presented to the property owners, can anything be done? If this goes forward, he is asking for a strong recommendation for additional buffer. Other PUDs have a 25' preservation easement along property lines to give protection. This will likely be enforced by the homeowners association and not township zoning. Mr. Fisher asked if the mounding was out of the question. PUD #761 provided mounding. If it is not an option, he asked, what is in place so that the trees will be maintained? He runs cattle in the summer. If the trees are on the fence line the cattle will eat the leaves. A resolution by the Beaver Creek Township Trustees dated October 10, 2006 states further development will conform to mylars signed by the Trustees. Are they the same thing?

Mr. Mucher asked Mr. LeBlanc what the options were for the executive committee. Mr. LeBlanc said the board can recommend the landscape area be in an easement. Mr. Smith said that can only be done with the consent of the developer and he is not willing to give the consent. He has complied with the zoning. There have been other incidences with dead trees. The trees shown on the plan are required to be maintained indefinitely. He is not willing to take away 25' from rear yards and not in a position to move streets. He has done the research the commission requested. This is a zoning issue not a planning issue.

Mr. Pittman asked if Mr. Smith would be willing to increase the number of trees. At 50 trees there is room to grow. Shade trees will need more space than spruce. The trees will have to be moved off the property line. Mr. Campbell said there are two issues. If the trees are a buffer, they need to be off the fence line and not a variety poisonous to cattle. Mr. Amhrein said north of Spring Ridge there is a 25' boundary which is a no-cut zone and controlled by the homeowners association. It was an easement created at the request of neighboring Fairborn residents of Fawn Ridge. Mr. Smith said he is not in a position to sacrifice rear yard for future residents. It would damage value of the lots. Mr. Slifcak disagreed by saying a barrier to agriculture uses could be a positive value. Mr. Pittman said he would like to see additional trees, or a commitment for more buffer. Mr. Smith said he is not in a position to offer any more.

Mr. Amhrein advised the Trustees were meeting about this issue in Beaver Creek Township. The specific site plan has been submitted and approved. In 2006 the Zoning Commission recommended to the Trustees to consider additional buffering, but did not specify what kind.

The Trustees did not do so. The plan was approved. The number of trees is arbitrary based on the kind of tree. The township zoning resolution, as well as the consent decree, grant authority to approve to the township zoning administrator. The Trustees are meeting and will be considering whether or not to approach the developer for additional buffering. The executive committee could move this to the full commission to give an additional week. The arrangement of lots, streets, etc. is a function of the consent decree. We cannot adjust the number of lots or streets unless it is needed for something like drainage. The request for additional buffering is under advisement, and we will know what direction to go by next Tuesday. Mr. LeBlanc suggested letting the landscaping plan in and go ahead with the staff report without the township requiring landscaping. The executive committee has no authority in this action. Mr. Pitstick agreed the executive committee has done all it can, and this issue falls to the Trustees. There was further discussion about the approved mylars, and subject of the vote. Mr. LeBlanc further suggested recommending approval of the plan pending the outcome of the Trustee's discussion. Mr. Amhrein pointed out that condition #3 requires the conservation easement between Siebenthaler and the Beaver Creek Township Trustees be executed and recorded before the site plan is approved. Mr. Mucher moved, second by Mr. Pitstick, to recommend conditional approval per the staff report to the full commission, pending information from the Beaver Creek Township Trustees. Motion passed 5-0 as Resolution #16-1-19-2E and #16-1-19-3E. At this time, Mr. Klinger left the meeting.

Final Subdivision Plan – American Pride Plat – Beaver Creek Township

Ms. Ennist presented the plan for American Pride Plat. The owner is K4 Properties and the engineer is Mitch Cosler. The plat consists of two parcels on the east side of Orchard and Valley behind the Circle K. The developer would like to replat the two parcels together into one. There are currently store-and-locks on one parcel and they would like to build more. The developer also plans to vacate the easement. There is no dedication of right-of-way or storm sewer because it is private. There is a small detention pond on site. Staff recommends conditional approval subject to a landscaping condition that no invasive species are planted. Mr. Pitstick moved, second by Mr. Pittman, to recommend conditional approval per the staff report. Motion passed 4-0 as Resolution #16-1-19-4E.

River Reserve, Section One, Preliminary and Final, Beaver Creek Township

Ms. Ennist presented the plan for River Reserve. The developer is Arnold Development Company and the engineer is Jeff VanAtta. The developer Rob Arnold is present. This development is on the south side of Indian Ripple Road next to the Narrows Park, and across from Russ Research Center. It consists of 18.299 acres, 42 building lots, 4.9614 acres of common open space and 3.9519 acres of right of way. A storm water management plan and yard and street catch basins will be used to direct runoff to a water quality pond before being released. It will outlet into the Indian Ripple Road ditch as long as the County Engineer allows it. Ingress and egress will be off Indian Ripple Road, with a boulevard type entrance. A major substantive issue is storm water drainage due to proximity to the Narrows, especially in future sections. It is recommended the developer work with SWCD, ODNR, and Greene County Parks & Trails to resolve runoff and erosion issues. The staff report recommends conditional approval for the preliminary and final plans.

Discussion followed about whether or not future residents will have direct access to the Narrows. County Parks & Trails does not want uncontrolled access and will seek fencing at the rear of those lots adjacent to the park. Mr. Arnold said he would like connectivity. Mr. Amhrein said steepness and erosion are issues. At one time there was a suggestion of a multi-use trail along Indian Ripple Road, but that has been removed. Beaver Creek Township is not willing to take on the maintenance of that trail. Mr. Mucher moved, second by Mr. Pittman, to recommend

conditional approval for the preliminary and final plans per the staff reports. Motion passed 4-0 as Resolution #16-1-19-5E and #16-16-1-19-6E.

Approval of 2015 Fourth Quarter Audit Committee Report

Mr. LeBlanc explained an overview of the 4th quarter budget activities. RPCC brought in more fees than projected due to increase in both subdivision fees and activity. There was a discussion about the revenue and expenses for the last quarter of 2015. Mr. Pitstick moved, second by Mr. Pittman to approve the 4th quarter Audit Report. Motion passed 4-0 as Resolution #16-1-19-7E.

RPCC Nominating Committee

Mr. Pittman opened discussion for nominations for Chair and Vice Chair of the Executive Committee. According to the recent bylaws amendments, one of the members must be from a municipality. Therefore, someone currently on the board must resign if the membership number remains at five. He spoke with Ms. Wintrow from Yellow Springs Village and she said she would be willing to be the municipal representative. Mr. Pittman said he would be willing to resign. However, if he resigns, the largest townships will not be represented. Another option would be to amend the bylaws so the board would consist of seven members. Currently there are five and one alternate. Mr. Campbell asked about the procedures to amend the bylaws. Mr. LeBlanc explained the procedure. If the executive committee would initiate the amendment, it would be forwarded to the full commission and they would vote on it at the February meeting. Mr. Pitstick moved, second by Mr. Mucher to amend the bylaws to add one member to the executive committee, so there will be six members and one alternate. The proposed amendment will be on the February agenda. Motion passed 4-0 as Resolution #16-1-19-8E.

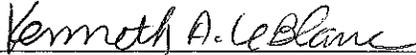
Other Business

Mr. LeBlanc gave a presentation about changes to the RPCC website. Subdivision applications and ancillary documents are now posted. The zoning fees, zoning resolutions and permit applications will be available on the website soon for each township. There was no other business. The next Executive Committee meeting will be held Tuesday, February 16.

Mr. Mucher moved, second by Mr. Pittman to adjourn the meeting. Meeting adjourned at 3:32 p.m.



Kent Campbell
President



Kenneth A. LeBlanc
Secretary