

The Williamsburg Township Board of Trustees

April 11, 2005

The Williamsburg Township Board of Trustees met on Monday April 11, 2005 to transact business. Chairman Danbury called the meeting to order at 7:00 PM for the zoning hearing, and all joined in the Pledge of Allegiance to the Flag. James Danbury, Bari Henning and Jim Taylor answered the roll call. Also present were Clerk, Gregory W. Carson, Fred Matthis, Marlyn Matthis, Roy Abrams, Yvonne Malott, Ron Finkledey, Bert Yeary, Ed Boll, Vicky Wright, Earl Whiteman and Richard Malott.

Mr. Danbury called ZC 2-05 hearing to order. Mr. Carson read the details for ZC 2-05, which is requesting a zone change from Agricultural – 1 to Planned Unit Development (PUD) on parcel #52-35-09F-005, parcel # 52-35-09F-044 & parcel #52-35-09F-050. located on State Route 276 and Mathis Road near the State Route 32 overpass. Mr. Finkledey showed a plat of this property of his proposed Settlements of Kain Run Subdivision. He gave an explanation of the minor changes that he has made since he showed his original proposal to the neighboring property owners. He said that he has worked with the zoning administrator and the fire department to address any concerns that they had regarding the proposed subdivision. Vicki Wright, who lives on St. Rt. 276, asked what type of homes he was going to have in this subdivision and she said that he had told her that he was going to put it in writing. He said that the PUD addresses what type of homes will be in this subdivision and he said that he is prepared to put it in writing that these will be stick built homes only and not modular. Mr. Henning read what was in writing on the proposal for the subdivision and it described the different type of homes that would be in the subdivision. Mr. Finkledey said that there will be a homeowner's association with rules and regulations for the subdivision that will be created. Mr. Taylor asked if it is a PUD if it will have to follow our current zoning requirements. Mr. Abrams said that it will follow the zoning requirements and the PUD requirements. Mr. Taylor feels that the cost per lot in this type of development would be cost prohibitive for anyone that would want to put in a modular home. Mr. Finkledey said that he feels the lowest cost home in this subdivision will be around \$140,000 with ranges mostly from \$160,000 to \$220,000. Mr. Taylor said that the plat shows two entrances and exits and he wanted to know which entrance is the primary one and Mr. Finkledey said that Mathis Road is going to be the primary entrance/exit with the sign for the subdivision and decorative lighting, etc. Mr. Yeary said that he is concerned that Mr. Finkledey hasn't put anything in writing yet stating that there are no modular homes, because this is a very high profile subdivision since it is our first PUD for the township and it will be seen from the highway. Mr. Danbury said that we can not legally demand something in writing stating this, but he commends Mr. Finkledey for agreeing to do it on his own. Mr. Yeary said that Mr. Finkledey had agreed to do this at the zoning board hearing. Mr. Finkledey said that he will gladly sign a document stating this, but it will also be covered in the subdivision rules and regulations of the homeowner's association. Mr. Yeary said that he believes Mr. Finkledey will go through with what he has said and is a man of his word, but he fears that if Mr. Finkledey only develops part of the PUD and then sells part of it, then whoever buys what he sells may not honor Mr. Finkledey's terms. Mr. Taylor said that the subdivision regulations and plat, etc. will be filed with the county and most of this will be addressed in that document and will be a legally binding document. Mr. Danbury said that there is a statement of compliance in the original zoning PUD application and he doesn't think that it can change later. Mr. Taylor said that he believes that the county and either the trustees or the zoning board must approve of the homeowner's association rules and regulations and he feels that the rules and regulations will be much more restrictive than our zoning rules. Mr. Henning said that he would like to make sure that we can legally require him to have a homeowner's association. Mr. Finkledey said that we need to approve this change before he can set up the homeowner's association and rules and regulations. Mr. Danbury said that any minor changes that come up later have to be taken to the zoning administrator and any major changes have to be taken to the zoning commission. Mr. Taylor said that he will need to set up the homeowner's association before lots are sold, because if he owns all of the lots, then he is 100% of the homeowner's association and he loses a percentage of that every time he sells a lot. Mr. Henning said that he sees a lot of things in the application for PUD that he likes, but he said that he wants to make sure that the homeowner's association takes care of all common areas and facilities and not just common facilities as stated in his application. Mr. Henning said that the application said that some of the houses would have a minimum of five feet to the property line on the sides with 15 feet between houses and he wanted to know how many is "some". Mr. Finkledey said that the developer would not allow many, but he is sure that there will be an occasional house that will fall less than ten feet to the property line, which is what we would like to see, but it will be a very rare occurrence. Mr. Henning said that the application said that most lots will be 75 feet wide and he asked how many is "some". Mr. Finkledey said that there is a provision in the PUD requirements that allow for 15% to be less than 75 feet and he said that it will fall under the 15%. Mr. Finkledey said that he views this subdivision as a "higher" end subdivision with higher priced homes and he wants to start the first phase that way to set the tone for the rest of the subdivision. Mr. Henning said that the application says that the lots will be generally more than 30 feet deep and he wonders what "generally" means. Mr. Finkledey said that there are not lots under 30 feet deep, so that is not a concern. Mr. Danbury asked if there were any more concerns from the audience and there were none.

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Mr. Taylor motioned to adopt ZC 2-05 zone change from Agricultural (A-1) to Planned Unit Development (PUD) for parcel #'s 52-35-09F-044, 52-35-09F-005 and 52-35-09F-050 as presented with the additional document that Mr. Finkledey volunteered to add to the application that says there will only be conventionally built homes. Mr. Henning second. All yeas.

Mr. Danbury closed the zoning hearing for ZC-05 and to open regularly scheduled trustee meeting at approximately 8:05 p.m.

Mr. Henning motioned to approve the minutes of the last meeting. Mr. Danbury second. All yeas. Mr. Carson presented a financial report, including a comprehensive account of expenditures and receipts and the trustees accepted it.

Receipts of the meeting:

Total Receipts: \$21,079.95

Mr. Taylor motioned to pay the following bills. Mr. Henning second. All yeas.

Total Bills: \$36,092.67

Cemetery & Maintenance Report:

Mr. Whiteman said that he would like to bring Daniel Bolender back to work part-time pretty soon, because he has plenty of work available. Mr. Whiteman said that they are working on Island Trail to try to correct the water problems on the road to make it flow better. He said that they have pipes to put in our Musgrove and Happy Hollow. Mr. Danbury said that Mrs. Glass is concerned about ditches on Hibbs Road, because of the added traffic with the new houses. Mr. Whiteman said that we won't have problems with the current housing that is going in, but there could be some problems if they decide to put in a big subdivision on the big farm on the road. He said that they have had a lot of funerals recently. He said that all of the equipment is running and road signs are ok. Mr. Danbury said that he noticed about 10 long distance phone calls from the cemetery phone and the township hall phone to a Springfield, Ohio phone and he is concerned that it is not for township business and he asked Mr. Whiteman to check with his guys about it to see who they called and if it was for township business. Mr. Danbury said that the county sent a proposed resolution expressing our concern for a speed limit reduction on Cain Run Road. Mr. Henning motioned to adopt this resolution. Mr. Taylor second. All yeas. Mr. Henning said that the residents along Hennings Mill Road were very thankful for the sign that we put up. Mr. Danbury said that Mr. Taylor talked to Adams-Clermont Solid Waste District about tire disposal and they agree to take 3 tires per resident for free, but we are supposed to charge for all tires over 3 that we take from each resident. Adams-Clermont Solid Waste District gave a list of the prices to charge per tire. Mr. Danbury suggested that we word the newsletter exactly like the letter from Adams-Clermont Solid Waste District says. After much discussion, Mr. Henning suggested that we contact Adams-Clermont Solid Waste District again to make sure we understand what we are supposed to accept for free and what we are supposed to charge for. Mr. Whiteman said that he will put in the newsletter that the County Engineer will take anything with refrigeration for free.

Zoning Report:

Mrs. Malott presented a zoning report.

Emergency Services Report:

Mr. Malott said that someone donated 4 new tires for the Chief's car, but we had to pay to have them mounted and balanced at Fra-Mar Tire. He said that he has been approached by someone asking if we could plant a tree in memory of Dr. Dan Storer because of his devotion to the emergency services and they would like for it to be planted at the emergency services building. He said that he found a place to plant the tree and the Storer family would like to plant a Bradford Pear tree and they agreed to replace it if it ever dies. Mr. Danbury said that Bradford Pears have a tendency to die after about 10 years, but they are very beautiful. The trustees think that this is a good idea and have no objection to it. Mr. Malott said that Judy Morgan is going to be going on medical leave for 3-4 months for cancer treatments. He said that she showed him how to do the medical billings in her absence, but he isn't sure if he can take on any more jobs. Trustees asked if he could find someone to do it temporarily in her absence. He said that she will be going to Chicago sometime in May for treatments. Mr. Henning asked him to ask some of the volunteers if they would like to be hired to replace her temporarily while she is gone and to bring his suggestions to the next meeting. He said that the EMS expo is in New Orleans this year in August. He said that Ken Wylie has attended this conference for several years at his own expense and he would like to see us pay his registration fee. He is going to check to see if anyone else is interested in attending, because the more that go, the lower the cost per person. Mr. Henning said that we have training at our building that will apply towards continuing education credits, but it is poorly attended, but yet some of them want to attend training out of town. Mr. Malott said that this has been an item of discussion at the last fire and EMS meeting and they are addressing this issue. He said that he received a letter stating that Homeland Security is planning a meeting in Columbus and the cost is \$50 and it is July 19th. He said that the fire department wants to send out letters to businesses offering to take our thermal imaging cameras to their businesses and scan

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their electrical wiring for “hot spots”. The trustees agree that this would be a good service to offer. He said that the emergency services building addition dedication ceremony and open house is May 15th at 1:00 p.m. He said that they did some digging around the building getting it ready for landscaping. He said that he got a price of \$1.69/each for landscaping rock to make a wall and to make the 2 tier wall that he would like to see will cost around \$500. He said that they plan to put shrubs in between the wall and the building. He said that he will do some more checking. He said that it is getting harder and harder to find volunteers for the 4 a.m. to 10 a.m. time slot. He said that his only solution is to hire part time people eventually. He said that he still believes that we are going to look at soft billing eventually. Mr. Danbury says that he agrees, but we will have to educate the residents on what soft billing is. The trustees asked him to provide an estimate of what kind of revenue that soft billing could generate. Mr. Danbury gave Mr. Malott a copy of a letter from Ohio EPA telling guidelines on hooking up lights on newer vehicles.

Mr. Danbury read a thank you card from Evalou Jones for naming the emergency services building addition in Paul’s memory and to thank the trustees for attending the visitation, etc.

Mr. Danbury said that Bob Mount looked at Island Trails and East Island Trails and he said that it doesn’t look any worse than it did last year. The trustees all agree that they think that it looks worse. Mr. Danbury said that one road in the cemetery is looking very bad. He thinks that we should look at that road if Island Trail and East Island Trail are the only other roads that we are looking at paving. Mr. Danbury motioned to advertise for bids Island Trail Drive and East Island Trail Drive and the road in the cemetery and to open the bids on May 23 at 7:30 p.m. Mr. Henning second. All yeas.

Mr. Henning said that he talked to Mr. Cadwallader about the Milton property and he said that the EPA visited the Milton property.

Mr. Taylor motioned to adjourn at approximately 10:30 p.m. Mr. Henning second. All yeas.

Clerk

President