

The Williamsburg Township Board of Trustees

August 7, 2006

The Williamsburg Township Board of Trustees met on Monday August 7, 2006 to transact business. Chairman Henning called the meeting to order at 7:30 PM, 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 Fiscal Officer, Gregory W. Carson, Yvonne Malott, Merv Humphries, Jan Humphries, Barbara Mueller, David Burgess, Ken Craig, Joyce Craig, Bert Yeary, Donna Yapp, Charles Yapp, Mike Watson, N.J. Fiscus, Tony Watson and Susan Burgess.

Mr. Henning said that this is a special meeting to hear ZC3-06 and ZC4-06. ZC3-06 is a proposed zone change from agricultural to a planned unit development off of St. Rt. 32 of parcel #52-35-15F-010. ZC4-06 is a proposed zone change from agricultural to B-1 (Community Business District) on the NE corner of St. Rt. 133 and St. Rt. 32 for parcel #52-35-09H-137A and 52-35-09H-130A.

Mark Burgess from the Fischer Group said that he is here to present a PUD that was approved by the zoning board and is seeking the township trustee's approval. He gave a history of Fischer Homes. He said that the division of Fischer Homes that would be building in this PUD would be Maple Street Homes. He gave a synopsis of style of homes, character of homes, color schemes, street characteristics, trees, etc, which included open spaces. He said that this PUD will be called North Point Trails. He showed the trustees the proposed drawing of the number of homes, open spaces, play ground, streets, buffer areas, etc. He said that they agreed to make a 50 foot buffer area instead of a 25 buffer near the back of the property. He said that on lots 112-116, they would like to move the set back from the front of the property five feet closer to the road to allow more room in the back. He said that the PUD rules state that up to 18 homes can have less than 12,000 square feet, but they are only using 12. He said that there will be a homeowners association that will take care of the landscaping entry way, etc. He said that there would be sidewalks throughout the subdivision. He said that they don't have mailboxes in front of the houses, because mailboxes are clumped together in certain areas. He said that the houses will range from \$130,000 to \$180,000, which is their hometown collection. He said that the increased tax revenue for the schools, township, county combined would be approximately \$318,000/year, with approximately \$45,000 going to the township. He showed the trustees an aerial view of the existing property. He said that the zoning commission asked for the wording to state that Maple Street Homes be the only homes allowed in the subdivision, but he asked that homes of equivalent value and size be built in case Maple Street doesn't succeed, the Fischer Group could come in with a possible other division, because Maple Street is just a division of Fischer. He said that the county asked for a side road be put in, but he wants to do some type of easement instead, because he feels the county didn't realize that it wouldn't work with that area, but they were just following county specifications. The trustees agree that the extra road doesn't make sense. Mark Burgess gave a copy of the covenants and restrictions for the proposed subdivision, which all homeowners will have to abide by. He said that there are a couple of lots where they want to move the houses farther back. Ken Craig asked if an out building could be built on the property and take away from the buffer. Mrs. Malott said that the buildings would be subject to zoning regulations. Mr. Craig asked if a homeowner could cut down trees, etc on their property if they are in the "buffer area". Mr. Taylor said that this type of stuff is covered by the homeowner's association and also zoning regulations. Mr. Craig asked who controls adding another street, because he doesn't want a street to be added in a few years. Mr. Henning explained that this would have to be approved by our zoning laws and the County Planning Commission. Mr. Craig asked who could come in and build later if Maple Street doesn't succeed. Mark Burgess said that the Fischer Group would decide who would build, but they would be the same value or better. Joyce Craig said that she has lived around this property for around 60 years and she remembers the water problems over the years on this property. Mark Burgess said that the next phase of the process would address the storm water management issues and the county has control over that and the developer must adhere to their rules and regulations. He said that there are detention basins, etc in place that covers these issues. Jan Humphries asked how much tax revenue would be generated. Mark Burgess said that the county auditor helped to project a \$19,000,000 value with a total tax revenue increase of approximately \$318,000. Jan Humphries said that she feels the trustees should budget for the increase in liabilities in fire, roads, etc. and the school expenses would exceed the school revenue. She asked if the township is ready to cover the increased expenses, which will exceed the revenue generated and wants to know if the trustees have prepared for this so that there isn't a tax levy on the ballot in a couple of years to cover these increased expenses, because the trustees haven't budgeted this now. Bert Yeary asked how the owners will know what the buffer area is on their property. Mark Burgess said that it will be noted on the property owner's deed so they know what is on their property so they know what they can and can't do. Mark Burgess said that the homeowner's association would determine if trees are dead and if they need replaced. Bert Yeary said that all of this stuff should be put in the plan and not just in the homeowner's association laws, because the homeowner's association could go away some day. Bert Yeary said that the zoning board recommended an easement rather than a stub road. He said that he is a little concerned about the idea of a future developer coming in without bringing the plans to the township and Mark Burgess said that he will incorporate that into the plan so it has to come back to the township for approval. Merv Humphries asked who had control over the open spaces.

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Mark Burgess said that the homeowner's pay yearly fees to maintain the street scapes, landscaping, open spaces, playground, etc. Merv Humphries asked if adjacent property owners could pay the same fees so they have a voice in the decision making process. Mark Burgess said that he doesn't know if this has ever been done before. Merv Humphries asked if the trustees could sit on the homeowner's association to get an outsider's opinion so that the adjacent property owner's rights are protected. Bert Yeary said that he wants to make sure that the trustees control the buffer area and not the homeowner's association. Charlie Yapp asked where the retaining ponds, etc would be and wants to make sure they don't encroach on the green space. Mark Burgess said that Fischer's engineers will design it and it will be approved by the county and he said it could potentially encroach on the green space, but all of this would be addressed to make sure there are no water issues. Joyce Craig said that Williamsburg Township is an agricultural community and these issues are going to come up whenever a developer wants to develop and she thinks all of the buffer zones should be owned by the homeowner's association so that the property owner doesn't have control over what happens to the trees in the buffer areas. Bert Yeary said that it is possible to do that, but he said that this has been discussed and if they do that, it would be part of the open area and there would have to be paths in that area as required by the rules, so then the owners would have paths in their backyards. Mr. Henning said that the lots with the 50 foot buffer area are lots 61 through 73 and he said that he would like to see 35 foot front setbacks on lots 109 through 111 and 30 foot front setbacks on lots 112 through 116 and increase 30 foot rear buffers on lots 74 through 119 and 30 foot front setbacks on lots 7, 8, 12 and 13. Mr. Henning said that if the county agrees to not have a stub street on the east side of the property, Fischer will still agree to run an easement in that same area with all associated utilities. Mr. Henning said that he wants to make sure that the township has control over a new developer if Maple Street doesn't finish the project by putting it in writing that Fischer will bring it back to the township for approval of a new developer. Mr. Taylor said that he would like to see the Ohio State University extension office will have a horticultural expert determine if trees are dead or alive. Mark Burgess said that he will make sure that is in writing.

Mr. Henning motioned to approve the zone change ZC3-06 with the discussed changes. Mr. Taylor second. All yeas.

Mr. Henning read the request again for ZC4-06. Mr. Anderson said that he plans to put in a strip mall with his office on that property and he is a builder. Mrs. Fiscus asked what the plan for this property is. Mr. Anderson explained that there will only be 3 or 4 tenants of which he will be one. Mr. Anderson said that there is an easement to the property in the back. Bert Yeary said that he is concerned about who owns Old State Route 133. Mr. Danbury motioned to approve the zone change ZC4-06 as approved by the zoning board. Mr. Taylor second. All yeas.

Mr. Taylor motioned to adjourn at approximately 9:00 p.m. Mr. Henning second. All yeas.

Fiscal Officer

Chairman