Special Beavercreek Trustee's Meeting

Tuesday, December 13, 2011

Mr. Glaser brought the meeting to order at 7:00 p.m.

Present: Ms. Graff; Mr. Stone; Mr. Glaser.

Others: Ann Stalter, Woodrow Willis and Chuck Brackenhoff from the Zoning Commission; Alex Zaharieff, Township Administrator; Robert Surdyk, Legal Counsel; Dan Paxson, Incoming Trustee; Victoria Long, Zoning Inspector/Administrator; Laurie Brown, Clerk III/Zoning.

Mr. Glaser opened the public hearing for the Township Comprehensive Land Use Plan by asking Mr. Brackenhoff, Chair for the Zoning Commission, to focus on what changes had been made from the old document to the new document.

Mr. Glaser stated that, for future reference, the Trustees like to have a red-lined copy, where the language that was removed is red-lined through and what was inserted is highlighted in red.

Ms. Brown noted that the copy she had run off for Mr. Glaser from her copy at the Township office should have the changes marked, although not in red. Mr. Surdyk noted that his copy also had changes marked. Mr. Glaser stated that he and Ms. Graff would share one copy and Mr. Stone could use the other one.

Mr. Brackenhoff reviewed what had occurred since the plan was last before the Trustees. He, Ms. Long, Mr. Anderson and Mr. Surdyk had met on August 11, 2011 to discuss the Trustees' concerns with the land use plan. They went through all of the comments brought up by the Trustees. Mr. Surdyk was asked to provide a letter stating that the land use plan was not too restrictive. The letter, dated September 13, 2011, addressed major legal areas of concern. Based on this letter, the Zoning Commission conducted another review of the document and made further revisions, including removing the word 'policy' wherever possible. Mr. Surdyk was asked to review the revised document and, to Mr. Brackenhoff's understanding, had no concerns with it. Based on this, the Zoning Commission had a final meeting to read through the document. It was approved by the Zoning Commission and that is what is before the Trustees today dated November 2011. Mr. Brackenhoff then thanked staff for putting together Appendix A to document the revision process.

Mr. Surdyk said that he felt Mr. Brackenhoff had given "a good outline of the procedure that was followed to address some of the concerns that you apparently voiced when you read the first draft. I did give my comments, which the board, the commission, did consider and did adhere to and most of my comments were of, the majority of them, dealt with drafting issues, and some of them, while we did try to address some of the concerns, the document may have been perceived as a legislative act more than a policy statement. So, we tried to make it more of a guideline than a statement as to what, how developments are, should in fact, will in fact be approved. So, I think we did our best to meet your concerns as we understood them to be." Mr. Surdyk stated he would be happy to go through the changes with the board.

Mr. Glaser noted he had pulled all the pages that had changes to them and they could go through them one at a time. He directed everyone to p. 19.

Ms. Graff noted the front of her copy said November 2011, but the header said June 2011.

Mr. Glaser noted that p. 19 did not match with the previous draft's p. 19.

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Ms. Long explained, "The final draft on the IPad will not have the same numbering as the other drafts because that has the maps and all of the pictures and all of that; so, this is a final document, so the numbering is a little different."

Mr. Brackenhoff volunteered to guide everyone through the changes. Mr. Glaser said he was looking at the page with 'Scenic River.'

In comparing documents, it was revealed that several different draft versions of the land use plan were being reviewed simultaneously, which only added to the confusion. Mr. Stone noted they were "going through all different documents everywhere."

After some discussion about how to best proceed, Mr. Glaser called a recess at 7:14 p.m. The meeting reconvened at 7:35 p.m.

It was determined that the Trustees could not continue with the review of the land use plan as presented because of the different versions that had been circulated. However, there was some general discussion of how best to the express the intent the Trustees would like to see in the final land use plan document.

Mr. Glaser stated he did not see any of the changes that the Trustees had asked the Zoning Commission to make.

Mr. Brackenhoff assured Mr. Glaser that the Zoning Commission had gone over every issue brought up by the Trustees and addressed it within the document.

Mr. Stone felt the 1.8 density was still too restrictive and that a "range" of densities should be offered.

Mr. Brackenhoff stated the density for the Township had been historically established at 1.8. He reiterated that the language regarding density had been softened to allow for higher density where appropriate. It had been generalized so that if a developer wanted to come before the Zoning Commission with an innovative idea requiring higher density, he could.

Mr. Glaser and Mr. Stone did not view the language as being softer but rather felt that it could be interpreted as limiting development in the Township. Mr. Stone cautioned that the Township had to be careful or it would find itself in court and possibly lose land to annexation.

After further discussion, the Trustees asked the Zoning Commission to make additional revisions to the plan and bring it back to the board.

2011-487 Ms. Graff made a motion to adjourn at 8:12 P.M. Mr. Stone seconded. The Vote: Ms. Graff, yes; Mr. Stone; yes; Mr. Glaser, yes. The motion carried.

Trustee: _____

Fiscal Officer: _____