



## Village of Galena ZONING AND PLANNING COMMISSION

### *MINUTES OF THE MEETING OF FEBRUARY 21, 2018*

The Zoning and Planning Commission of the Village of Galena met on Wednesday February 21, 2018 in the Council Chambers of the Village Hall at 109 Harrison Street, Galena, Ohio. Present were members; President Tom Hopper, Mark Brooks, Kathy Krupa, Alison Cherubini-Hillyer and Stan Swisher. Also present were Village Zoning Inspector David LaValle, Deputy Zoning Inspector & Code Compliance Assistant Kenneth Levi Koehler, and Zoning Clerk Suzanne Rease. Visitors included Greg Comfort and Bob Long representing Arrowhead Lake Estates. Also present were Jim Lipnos and Linda Menerey representing Homewood Corporation who are developing the Miller Farms Subdivision. Additionally, many members of the community were present including Jane Jackson, Mark & Kim Donaldson, Mark Magraen, Julia Keller, Susan Phillips, Matthew Moore, Mike Smith, and Dave Walker. Court Reporter Cathy Cathell of Spectrum Reporting were also in attendance. The meeting was officially called to order at 7:05 PM.

Copies of the minutes from the meeting on January 23, 2018 had been distributed to all members by the Clerk. A motion to approve the minutes, as presented, was made by Alison Cherubini-Hillyer, seconded by Mark Brooks, and passed unanimously.

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A hearing was held on the application of Homewood Corporation, for an amendment to the approved development plan to change the layout of the subdivision located in a Planned Residential District (PRD) east of Sunbury Rd. south and east of Vans Valley Rd. and west of Trenton Rd. for the following described property:

Situated in the Village of Galena, in the Township of Berkshire, in the County of Delaware, and the State of Ohio, the following:

Being known as “The Miller Farm”, and being parts of Farm Lots 21, 22 and 23 in Section 4, Township 4, Range 17, United States Military Lands as the same is numbered and shown at the Delaware County Recorder’s Office, Delaware, Ohio.

The hearing was called to order at 7:08 p.m., and everyone who planned to speak was sworn in by the court reporter. Mr. Lipnos, representing Homewood Corporation, stated that the Miller Farm development plan was originally approved in 2007. Water and Sanitary sewer have been secured. The amendments to the development plan included larger estate lots in Sub Area B, the central park area was moved toward the front of the development. All lot sizes will remain the same except the larger estate lots, this will result in the number of single family lots being reduced from 316 to 299. The 17 lot difference is encompassed in the 7 larger estate lots. Open space in the development will be increased to 42 acres, some fencing and landscape were added to the plan. Homewood Corporation agreed to all the conditions set by Mr. LaValle.

Once Mr. Lipnos was finished speaking the audience members who were sworn in were encouraged to speak. Susan Phillips was deeply concerned about the safety of the area given that the development entrance/exit is on Sunbury Rd. She stated that the speed in the area was too high and the additional traffic from the development would certainly increase the chances for accidents. Mayor Hopper explained that we, The Village, do not have any say on the speed limits of any road. The road speed limits are controlled by the county engineer. Additionally, the final development plan will need to be reviewed by the county engineer and safety of the exit will be examined by them at the time of the final plat. Susan Phillips argued that it was irresponsible for the commission to approve the development given speeds travelled on Sunbury Rd. She also stated that the mayor had a responsibility for the safety of the residents of Galena, and that he should lobby state officials to get the speed limit of Sunbury Rd. lowered.

Next to speak was Matt Moore, he too was concerned about the speed in the area. He lives on the curve and is concerned about the danger of cars exiting Vans Valley onto Sunbury Rd. Mayor Hopper reiterated that the safety issues would be addressed by the county engineer when the final plat was approved.

Mike Smith spoke next and said that he was in favor of the changes, but was worried about storm water runoff. Mayor Hopper explained that because of storm water management rules, his property will not experience any more or any less run off than it does at the current time.

Robert Kraft questioned if Homewood actually owned the large estate lots, and was assured that at the current time, Homewood was the owner of record. He did not understand the past and future drawings, but once the difference was explained he too was in favor of the change.

Mr. Lipnos interjected that they were almost at the final engineering stage so final traffic and storm water studies will be complete soon. Any changes will come from final engineering and at the recommendation of the county engineer.

Mark Donaldson was the last to speak and questioned, again, how the commission could approve so many homes without knowing if the traffic and watershed issues are safe. He also was concerned about the large amount of development in the area, and stated he moved to Galena to be out in the country. The Mayor noted that he bought his property after the Miller Farm Development was approved in 2007. The Mayor conceded that development is coming and like it or not we have to deal with it in the best way we can, and yes, the only way to avoid it is to move farther away from it.

Mark Brooks made a motion to close the hearing, and it was seconded by Stan Swisher. A roll call vote was taken.

Swisher – Yes    Cherubini Hillyer – Yes    Hopper – Yes    Brooks – Yes    Krupa – Yes

The hearing was closed and the court reporter was dismissed.

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A motion was made by Stan Swisher and seconded by Alison Cherubini-Hillyer to approve the amended development plan with the following to be included.

1. That all language regarding the condominiums be generic, and that the condominium portion of the project will be brought before the committee to be approved at a later date.
2. That all of the trail system be added to the development plan.

The motion passed unanimously.

The last item on the agenda was the reconsideration of conditional final plat approval for Arrowhead Lake Estates. Greg Comfort, representing Arrowhead Lake Ventures, LLC, presented the Arrowhead Lake Estates Proposed final plat plan. He stated they are coming back for approval because when they went to Pulte, the approved builder, with the approved plan to contain yard lights, the builder requested street lights, so we are back to the plan Mr. LaValle recommended at first. Second, a wet lands issue was brought to light. Mr. Comfort stated that they did not intentionally keep this issue from the Village, but it was an oversight. According to Mr. Comfort they deal with these wetland issue frequently because of broken field tiles. In the case of this development one area had drainage blocked by an old rail road track and the other area was due to broken field tiles. He is confident that the Army Corp. of Engineers will concur that that is the issue. It will then move to the Ohio E.P.A., where the developer will mitigate, buy those acres from a wetland bank, and then construction will be permitted. The engineering review is 99% complete and they are requesting approval for the final plat of Arrowhead Lake Estates. The developer has received a permit to install (p.t.i.) sewer service, from the Ohio E.P.A. for Phase 1, Section 1, the first 55 units. So the conditions for final conditional plat approval will be as follow. The changes are highlighted.

Conditions of final plat approval

1. Demonstrated assurances are in place and approved by the Village Solicitor for construction of infrastructure.
2. A *Development Agreement* as approved by the Village Solicitor is in place and fully executed
3. Approval is granted by the Delaware County Engineer for connection of Arrowhead Drive to South Old 3-C Highway.

4. That all infrastructure construction subject to Village acceptance and maintenance be inspected by the Village Engineer.
5. That as-built drawings be maintained and provided to the Village
6. That correction is made to the drawings as they may be pointed out by the engineer and the Village staff.
7. That all outstanding fees be paid to the Village
8. That the Developer(s) enter into a New Community Authority
9. That the Grantors listed on the plat are actually the owners of the land
10. That the legal description(s) shall match the proposed take and the proposed record plat.
11. That street lights be included in the condo area the same as for the home owner section.
12. That the Final Subdivision Application submitted shall have the *Total Number of Lots* corrected from 98 as shown to 55 to represent the actual number of lots proposed in Section One of the current plat.
13. That the storm water Control Measure Inspection and Maintenance Agreement must be signed prior to the start of construction. That the US Army Corps of Engineers must provide a Jurisdictional Determination and any wetland/stream impacts must be permitted prior to the start of construction and that an environmental review must be submitted to the satisfaction of the Village and other pertinent regulatory agencies. The engineering plans have been reviewed and are approved barring any changes that may be required by the USACE Jurisdictional Determination (JD) and/or conditions that arise from 401 or 404 permits required by the proposed plan to fill wetlands onsite. After the JD and 401/404 permits are provided to the Village and it is determined that the engineering plans will not need to be updated, the engineering mylars will be signed by appropriate Village officials. If changes are required, appropriate changes to the engineering plans must be incorporated into the plans prior to signing the mylars.

A motion was made by Alison Cherubini-Hillyer, and seconded by Kathy Krupa to approve the final plat and recommended it to Council with the changes to condition number eleven and thirteen.

Swisher – Yes   Cherubini Hillyer – Yes   Hopper – Yes   Brooks – Yes   Krupa – Yes

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The Zoning Inspector's report and recommendation was read by Deputy Zoning Inspector Levi Koehler. Progress on major subdivisions is going as expected, the Estates at Blackhawk Phase-D, 24 lots that backup to Rt. 3 is progressing. Mr. Koehler is anticipating that work will resume on the property maintenance violations now that we are having some good weather days.

The zoning clerk had nothing additional to report.

There was no new business to report.

There was no old business to report.

The next meeting was scheduled for Wednesday, March 21 at 7 p.m.

At 9:01 p.m. Mark Brooks made a motion to adjourn the meeting. Kathy Krupa seconded the motion. Motion passed unanimously. The meeting was adjourned.

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Zoning Clerk

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Chairman

CERTIFICATION

I, Suzanne Rease, Clerk of The Planning & Zoning Commission of the Village of Galena, Ohio do hereby certify that publication of the above MINUTES were duly made by posting true copies thereof at five (5) of the most public places in the Village of Galena as provided for in Resolution No. 2015-18 enacted by the Council of the Village of Galena on November 23, 2015.

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Suzanne Rease, Zoning Clerk