

MINUTES

July 2, 2019

The minutes of the Regional Planning Commission meeting held at the Fairfield County Courthouse, 210 E. Main Street, Third Floor, Lancaster, Ohio.

Presiding: Phil Stringer, President

Present: Betsy Alt, Todd Edwards, Craig Getz, Charles Hockman, Kent Huston, Chad Lester, Darrin Monhollen, Larry Neeley, Jerry Rainey, Ira Weiss, Bill Yapple, Dave Levacy (County Commissioner), Rick Szabrak (County Economic Development Director), Tony Vogel, (County Sanitary Engineer), Loudan Klein (Executive Director), James Mako (Assistant Director), and Gail Beck (Adm. Asst.).

ITEM 1. MINUTES

The Minutes of the June 4, 2019, Fairfield County Regional Planning Commission meeting were presented for approval. Bill Yapple made a motion for approval of the minutes. Kent Huston seconded the motion. Motion passed.

ITEM 2. PRESIDENT'S REPORT

Phil Stringer welcomed everyone to the meeting.

ITEM 3. PUBLIC HEARING

Proposed Subdivision Regulations Revision: Section 6.6 (Maintenance Bond)

Description: Based on feedback received from business stakeholders (including developers, contractors, and builders in general) about concerns raised with multiple rules and regulations, there is evidence within the market and experience to support an administrative recommendation for a shorter time frame. The current regulation is a 5-year period with most counties requiring one- and two-year periods, with a few requiring longer than two. Prior to 2001, the regulation was for a one-year period at 5% of the cost of the improvements. This was changed in 2002 to a 5-year requirement at 10% of the cost. The change was requested due to road and sewer failures after the one-year period. The County has since increased the pavement standards after the 5-year regulation was put in place.

PUBLIC HEARING - Continued

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION: The Subdivision Regulations Committee recommends approval of the revision with the comments below:

1. The revision will only apply to plats recorded after January 1st, 2020 when the regulation goes into effect. All current platted subdivision under a maintenance bond will be subject to the existing 5-year requirement.
2. When commenting on plats, the TRC encouraged RPC staff to include the number of lots needed to obtain final acceptance and reach the 80% so the actual lot number is documented.
3. In instances where 80% of the total lots results in a fraction should be rounded up. (Example: 44 lots x 80% = 35.2 lots. In this case the required number of lots occupied to receive final acceptance would be **36**.) This language should be included in the proposed revision.

6.6 MAINTENANCE BOND.

Prior to acceptance of any improvements within a phase of a subdivision, the developer shall furnish the County Commission a maintenance bond, certified check, or other acceptable guarantee that shall be held for a **minimum of three (3) after conditional acceptance is granted** and no longer than five (5) years to ensure that the improvements are in satisfactory condition. **The maintenance guarantee will only be released between years 3 and 5 once the applicable section or phase (of which the guarantee applies) has reached eighty (80) percent lot occupancy*. Occupancy will be defined as an issued Certificate of Occupancy (COO) by the township zoning inspector. In townships where a COO does not apply, a certificate of zoning compliance or similar form may be accepted. For non-residential subdivisions, the maintenance period will be no longer than 3 years.** If within said period defects appear in the improvements which are determined by the County Inspectors to be the fault of the contractor or developer said defects shall be repaired to the satisfaction of the County Inspectors at the expense of the developer. In the event the developer fails to make required maintenance within a reasonable time of a request to do so, the above-mentioned guarantee shall be forfeit. Said guarantee shall be ten (10) percent of the total improvement cost of that phase. **Subdivisions receiving conditional acceptance prior to January 1, 2020 will be subject to a five (5) year maintenance period.**

If succeeding phases of an approved subdivision will be using an existing road in that subdivision for access and that is the only entrance to that phase, an additional maintenance bond, certified check, or other acceptable guarantee will be required to cover any damage to the public improvements in the preceding phase. The County Inspector shall determine the adequacy of an additional guarantee. This additional guarantee will not be required if the maintenance guarantee(s) for the applicable preceding phase(s) do(es) not expire prior to the acceptance of the public improvements for the additional phase(s) using the existing road in that subdivision.

PUBLIC HEARING - Continued

The County Engineer shall make an evaluation of the existing road prior to the start of construction activities in the succeeding phases. An evaluation may be made at the completion of each succeeding phase to determine damage.

** In instances where 80% of the total lots results in a fraction should be rounded up. (Example: 44 lots x 80% = 35.2 lots. In this case the required number of lots occupied to receive final acceptance would be 36.)*

A motion was made by Tony Vogel to approve the proposed Subdivision Regulations Revision: Section 6.6 (Maintenance Bonds). Ira Weiss seconded the motion. Discussion: Betsy Alt asked how this benefits Fairfield County residents. Loudan Klein responded that the hope is this makes Fairfield County a better place to develop so we continue to see investment and growth in our county. Motion passed with Betsy Alt opposing and Dave Levacy abstaining.

ITEM 4. SUBDIVISION ACTIVITIES

Loudan Klein presented the following report:

ITEM 4a). Subdivision: Heron Crossing Section 4 Part 1 - Final Plat

Owner/Developer: MI Homes

Engineer: Watcon

Location and Description: Located in Violet Township along Refugee Road. Section 4 is the last remaining section to be developed with the Heron Crossing Subdivision. Section 4 is accessed from existing Sections 1-3. It includes 46 lots on approximately 22 acres. MI Homes has since requested to split Section 4 into two parts. Part 1 will include 18 lots on 6 acres.

SUBDIVISION REGULATIONS COMMITTEE: The Subdivision Regulations Committee recommends approval of the final plat, subject the following conditions:

1. Prior to recording a bond must be posted in an amount approved by the County. The cost estimate for Section 4 will have to be revised to include part 1 separately. The development agreements for Section 4 will need to be rescinded and redone for parts 1 and 2.
2. Recreation fees must be submitted, the fee is \$50 per lot. This must be submitted at the time of recording.
3. The final plat must be revised to comply with the Technical Review Committee, County Engineer, County Utilities, GIS Department, Fairfield SWCD, and Violet Township.

A motion was made by Bill Yapple to approve the Subdivision Regulations Committee recommendation. Kent Huston seconded the motion. Motion passed with Darrin Monhollen abstaining.

Loudan Klein presented the following report:

ITEM 4b). Subdivision: Rolling Hills Storage – Preliminary Plan

Owner/Developer: Walter Beatty

Engineer: Willis Engineering

Location and Description: The parcel (PN #0140096700) is located along S.R. 158, however, the access to this site will be from Rolling Hills Street in the River Valley Highlands subdivision within the corporation of boundary of Lancaster. The preliminary plan proposes the extension of Rolling Hills Street into the site and build a cul-de-sac. The applicant has rezoned a portion of his property (just over 2 Acres) to Planned Rural Business for 17 individual storage units. There is no plan to extend utilities onto the site, the applicant has discussed onsite septic and or well for the sales office. The preliminary plan was tabled by the applicant at our April 29th Sub. Regs. Committee meeting and has since been revised. ****At the June 4th Regional Planning Commission Meeting, the RPC tabled the proposed preliminary plan due to concerns related to the Greenfield Township zoning approval and related road status and maintenance.**

SUBDIVISION REGULATIONS COMMITTEE RECOMMENDATION: The Subdivision Regulations Committee recommends approval of the preliminary plan, subject to the following conditions:

1. Per Section 3.3 of the Subdivision Regulations, the applicant must acknowledge in writing that there are no plans to develop all adjacent land under ownership within 3 years to permit this land from being absent on the preliminary plan.
2. Additional requirements within Section 3.3.8 (Preliminary Plan Requirements) have still not been met. Please refer to FCEO comments #1 and SWCD #2 for further clarification.
3. Sidewalk dimension should be increased to 5' from 4'. Sidewalks should be extended to the edge of the cul-de-sac bulb.
4. Future sanitary easements will be need to be increased to 20'.
5. The preliminary plan must be revised to comply with the requirements of the Technical Review Committee, County Engineer, GIS Department, and Fairfield SWCD.

A motion was made by Kent Huston to remove the agenda item from the table. Bill Yapple seconded the motion. Motion passed with Betsy Alt, Ira Weiss, Chad Lester and Charles Hockman opposing and Rick Szabrak and Dave Levacy abstaining.

A motion was made by Kent Huston to approve the Subdivision Regulations Committee recommendation. Bill Yapple seconded the motion. Discussion followed regarding the three year restriction. Kelly Prinz was present at the meeting and asked to speak. She stated that she is still very concerned about the safety of children in the neighborhood and also emergency vehicles getting in and out of the subdivision. After discussion, a vote was taken and the motion passed with Dave Levacy abstaining.

ITEM 5. BUILDING DEPARTMENT APPLICATIONS UNDER REVIEW FOR BUILDING PERMITS

RPC staff presented a list of building permit applications under review.

Loudan Klein presented the following bills for payment:

ITEM 6. BILLS

530005	CONTRACT SERVICES – OTHER	\$ 625.00
543000	REPAIR & MAINTENANCE	\$ 67.95
558000	TRAVEL & EXPENSES	<u>\$ 123.48</u>
	TOTAL	\$ 816.43

A motion was made by Todd Edwards to approve the bills for payment. Ira Weiss seconded the motion. Motion passed.

ITEM 7. OTHER BUSINESS

Loudan Klein talked about a new statute that allows the County Prosecutor to represent the RPC. Loudan said that he has met with Kyle Witt and talked to him about an agreement for their office to represent the RPC.

Aaron Dages with the U.S. Census Bureau was present at the meeting and distributed some information about the 2020 Census. He will return to the RPC's August 6, 2019 meeting.

There being no further business, a motion was made to adjourn the meeting by Ira Weiss and seconded by Todd Edwards. Motion passed.

Minutes Approved By:

Phil Stringer, President

Kent Huston, Secretary