

## **MINUTES**

**October 3, 2017**

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

Presiding: Bill Yaple, President

Present: Betsy Alt, Todd Edwards, Jim Hochradel, Charles Hockman, Kent Huston, Doug Ingram, Harry Myers, John Snook, Phil Stringer, Ira Weiss, Jeff White, Dave Levacy (County Commissioner), Carri Brown (County Administrator), Rick Szabrak (Economic Development Director), Loudan Klein (Executive Director), James Mako (Assistant Director), and Gail Beck (Adm. Asst.).

### **ITEM 1. MINUTES**

The Minutes of the September 5, 2017, Fairfield County Regional Planning Commission meeting were presented for approval. Ira Weiss made a motion for approval of the minutes. Todd Edwards seconded the motion. Motion passed.

### **ITEM 2. PRESIDENT'S REPORT**

Bill Yaple welcomed everyone to the meeting and also welcomed back James Mako as the RPC Assistant Director.

### **ITEM 3. SUBDIVISION ACTIVITIES**

Loudan Klein presented the following report:

**ITEM 3a). Subdivision:** Pheasant Ridge Phase 1 - Replat of Lots 1 and 2

**Owner/Developer:** Ron Eisnaugle

**Engineer:** Watcon

**Location and Description:** The Pheasant Ridge Phase 1 Subdivision is location in Bloom Township along Alspach Road, Section 26, Township 14, Range 20. The applicant is proposing to adjust the lot line between lots 2 and 3 to have it follow the center line of the existing creek. The applicant is also proposing to adjust the drainage easement to be centered on the centerline of the creek. The plat was originally recorded in 1994.

Subdivision: Pheasant Ridge Phase 1 - Replat of Lots 1 and 2 – Continued

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

1. Lot 2 is currently an existing non-conforming lot according to Section 701.1 of the Bloom Township Zoning Code which requires a minimum of two acres in the Rural Residential (R-R) district. Since an adjustment to this lot is being made, this replat must be approved by Bloom Township prior to recording. RPC Staff is working with Bloom Township and the applicant to assist in this approval.
2. Drainage maintenance district language incorrectly states Violet Meadows. Should this language be adjusted to match the recorded plat?
3. Sanitary easement and utility and sanitary language can be removed from the plat.
4. The sanitary engineer signature is not required. This should be replaced by the Fairfield County Health Department.
5. The zoning inspector signature line incorrectly states Violet Township.
6. A signature line must be added for the County Engineer.
7. The replat must be revised to comply with the requirements of the Technical Review Committee, County Engineer, GIS Department, and Bloom Township.

A motion was made by Harry Myers to approve the Subdivision Regulations Committee recommendation. Doug Ingram seconded the motion. Motion passed.

Loudan Klein presented the following report:

**ITEM 3b). Subdivision:** N.R. Baker Subdivision

**Owner/Developer:** Daniel Robert Inc./ Jason Heitmeyer

**Engineer:** Cassell & Associates LLC

**Location and Description:** Located in Violet Township, Sections 25 and 26, Township 16, Range 20 off of Pickerington Road. The original plat was recorded in November of 1975. The plat consists of 6 lots in total. Lots 1-3 are all under the same ownership currently. The applicant is proposing to adjust the lot lines between lots 1-3, and plat Lot 2 as a reserve. This is being done to accommodate additional spacing on lot 1 for the construction of a barn. Access to this subdivision is currently from Pickerington Road, and is serviced by on-site septic and well.

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

1. The Health Department has indicated there is adequate spacing for a replacement area on Lot 1.

Subdivision: N.R. Baker Subdivision – Continued

2. For Lot 2, if it is to be platted as a reserve, the following language must be added to the plat:  
“Reserve A shall remain open space until such time public sewer is made available. Maintenance of this open space shall be the responsibility of the owner of Lot 1. In order to make this as a buildable lot when public sewer does become available, this area will have to be replatted through the Regional Planning Commission.”
3. The 10’ ingress/egress easement to Reserve A (Lot 2) must be increased around the corners to avoid tracking on Lot 1.
4. “Drainage easement” and “utility and sanitary easement” language is not required on the plat. Sanitary easement language can remain.
5. The no access restriction should be noted by a symbol and referenced in separate location on the plat.
6. Please remove proposed notation on the sanitary easement on the rear of Lot 3 and Reserve A.
7. Under Reserve A, please make note “Formerly Lot 2”.
8. The replat must include a signature for the Health Department.
9. Tony Vogel is the Fairfield County Sanitary Engineer.
10. Please revise the replat to comply with the requirements of the Technical Review Committee, County Engineer, County Utilities, Fairfield Soil and Water Conservation District, GIS Department, Health Department, and Violet Township.

A motion was made by Kent Huston to approve the Subdivision Regulations Committee recommendation. Jeff White seconded the motion. Motion passed with Harry Myers abstaining.

Loudan Klein presented the following report:

**ITEM 3c). Subdivision:** Heron Crossing Section 2 - Final Plat - Second Submission

**Owner/Developer:** MI Homes

**Engineer:** Watcon Engineering

**Location and Description:** Located in Violet Township along Refugee Road, Township 16, Section 25, Range 20. Section 2 includes 41 lots on roughly 16 acres. Access to the site is from the newly constructed Heron Crossing Boulevard off Refugee Road with an additional stub proposed to the west.

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

1. The Section 2 Final Plat may not be recorded until such time as the Refugee Road improvements have been substantially completed to the satisfaction of the County Engineer. Additionally, the plat may not be recorded until such time conditional acceptance is granted for Section 1. The County does not want any additional lots to be created until such time the public improvements and inspections have concluded within Section 1. The developer and the County

Subdivision: Heron Crossing Section 2 - Final Plat - Second Submission – Continued

met on-site on 9/22, both parties are optimistic to achieve conditional acceptance in a timely fashion.

2. Sheet 4/6 please label the easements on the rear of Lots 83-86 so the separation between the utility easement and drainage easement is identifiable.
3. Sheet 5/6 please label drainage easement north of Lot 67.
4. Please revise title for Director of Regional Planning to Loudan Klein.
5. Prior to recording of the final plat, a construction assurance in the amount of 100% must be submitted. If enough work has been completed to the satisfaction of the County inspectors, 70% of the total cost estimate may be submitted. Additional, recreation fees must be paid (\$50.00 per dwelling units).
6. Drainage maintenance district assessments once completed by the County Engineers Office, must be filed with the plat when recorded.
7. The final plat must be revised to comply with the requirements of the Technical Review Committee, County Engineer, County Utilities, Fairfield Soil and Water Conservation District, GIS Department, and Violet Township.

A motion was made by Ira Weiss to approve the Subdivision Regulations Committee recommendation. Jeff White seconded the motion. Motion passed with Harry Myers abstaining.

**ITEM 4. 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 5. BILLS**

530005	CONTRACT SERVICES – OTHER	\$ 2,908.75
558000	TRAVEL & EXPENSES	<u>\$ 94.24</u>
	TOTAL	\$ 3,002.99

A motion was made by Doug Ingram to approve the bills for payment. John Snook seconded the motion. Motion passed.

**ITEM 6. OTHER BUSINESS**

Loudan announced that we have received notice that we have been awarded a critical infrastructure grant for \$216,000 for the Village of Baltimore.

OTHER BUSINESS – Continued

Carri Brown announced that there will be a tour of the old jail on October 31, 2017, 4:00-6:00 p.m.

Dave Levacy announced that he has signs available regarding the protective services levy on the November ballot for Children and Elderly.

Loudan Klein discussed the contract with CDC. Loudan stated that since James Mako is back, the RPC will be handling some of the services provided by CDC so the contract needs to be amended. The following is the Amendment to Contract to Provide In-Kind Services:

**AMENDMENT TO CONTRACT TO PROVIDE IN-KIND SERVICES FOR FAIR HOUSING  
ACTIVITIES**

**CONTRACT AMENDMENT 1**

This Amendment to Contract (“Amendment”) is made effective as of the \_\_\_\_ day of \_\_\_\_\_, 2017 by and amongst the Fairfield County Board of Commissioners (“the COUNTY”) with offices located at 210 East Main Street, Lancaster, Ohio 43130, and the Fairfield County Regional Planning Commission (“the RPC”) with offices located at 210 East Main Street, Lancaster, Ohio 43130 and amends that certain agreement previously executed by and amongst the COUNTY, and the RPC signed in 2017, a copy of which is attached hereto and incorporated herein (“the Original Agreement”).

**RECITALS**

WHEREAS, the Parties previously entered into the Original Agreement on June 23, 2017 via AA.06.23.2017.b; and

WHEREAS, RPC has recently hired additional staff which will enable RPC to complete additional activities related to fair housing and thus will be compensated for; and

WHEREAS, the Parties now seek to amend the Original Agreement as set forth below.

NOW THEREFORE, for the promises contained herein and other adequate consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, and intending to be legally bound, the Parties to this Amendment do hereby agree as follows:

It is mutually understood and agreed by and amongst the undersigned Parties that the Original Agreement is hereby amended as follows:

1. SECTION 1 of the Original Agreement is agreed to be amended as follows:

OTHER BUSINESS – Continued

1. FAIR HOUSING ACTIVITIES. **The RPC will be responsible for carrying out the COUNTY’S fair housing program. The RPC will advise the COUNTY on required affirmative action program elements and conduct required analysis/surveys to determine impediments to fair housing in Fairfield County. The RPC will also implement the adopted fair housing program including, but not limited to, intake of complaints, conduction training sessions and developing and distributing fair housing information and materials.** The RPC will ~~designate~~ **continue to provide a staff person to be designated as** the Fair Housing Coordinator ~~, which will include the intake of calls regarding Fair Housing complaints and provide technical assistance.~~ **This person is currently Loudan Klein.**
  
2. SECTION 2 of the Original Agreements is agreed to be amended as follows:
  1. ~~While there is no monetary compensation under this Agreement between the parties, RPC has agreed to provide in-kind services listed in Section 1 to the COUNTY. The~~ **COUNTY shall compensate the RPC \$5,000 for said services upon receipt of invoices from the RPC, and upon subsequent receipt or anticipation of receipt, of CDBG funds reserved for the program from the U.S. Treasury of State of Ohio Treasury in accordance with all applicable laws and regulations.**
  
3. This Amendment shall become effective on \_\_\_\_\_, 2017 and shall expire at 11:59 p.m. on October 31, 2018 (“the Amendment Expiration Date”). After the Amendment Expiration Date (a) the terms of this Amendment shall be null and void and no longer be in effect as if this Amendment had never been written, and (b) all of the terms of the Original Agreement shall remain and continue in full force and effect until the termination or expiration of the Original Agreement.

IN WITNESS THEREOF, the parties have executed this CONTRACT at Lancaster, Ohio, on the day and year set forth above.

FAIRFIELD COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Carri Brown, County Administrator

Date: \_\_\_\_\_

FAIRFIELD COUNTY REGIONAL  
PLANNING COMMISSION

\_\_\_\_\_  
Bill Yaple, President

Date: \_\_\_\_\_

OTHER BUSINESS – Continued

CERTIFICATE OF COUNTY'S FINANCIAL OFFICER

ATTEST:

I, Jon A. Slater, Jr., Auditor, Fairfield County, hereby certify that the money to meet this contract has been lawfully appropriated for the purpose of the contract and is in the process of collection to the credit of the appropriate fund free from prior encumbrance.

Auditor

Date

SEAL:

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CERTIFICATE OF COUNTY'S ATTORNEY

ATTEST:

I, the undersigned, \_\_\_\_\_, the duly authorized and acting legal representative of Fairfield County, Ohio, do hereby certify as follows:

I have examined the attached contract and the manner of execution thereof, and I am of the opinion that the aforesaid agreement has been duly executed by the proper parties thereto acting through their duly authorized representatives; that said representatives have full power and authority to execute said agreements on behalf of the respective parties named thereon; and that the foregoing agreements constitute valid and legally binding obligations upon the parties executing the same in accordance with terms, conditions and provisions thereof.

\_\_\_\_\_  
Signature

Assistant Prosecuting Attorney

\_\_\_\_\_  
Date

A motion was made by Bill Yapple to approve the signing of the contract subject to approval by the County Prosecutor's office. Phil Stringer seconded the motion. Motion passed with Carri Brown and Dave Levacy abstaining.

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

Minutes Approved By:

\_\_\_\_\_  
William Yaple, President

\_\_\_\_\_  
Mary K. Snider, Secretary