

Minutes Goshen Township Zoning Commission Meeting

7:00PM Township Hall September 6, 2005

The Public Hearing for Case 220 of the Goshen Township Zoning Commission was called to order by Chairperson Nancy Middleton. Members present were as follows: Nancy Middleton, Jim Poe, Andy Pyott, Matt Powers and Scott Chasteen. Members absent were: Wendy Moeller.

Case 220: The applicant, Rosebud Development Company, LLC. is requesting a zone change from "A" Agricultural District to "PD" Planned Development District with R-6 as the underlying Zone District. The property in question is located on the northern and southern side of Huntley Road, approximately 1000 feet west of the present point of vacation and just north of O'Bannon Creek in north-central Goshen Township. The proposed land use is 34 detached single-family dwellings.

Tracy Minger read the staff report from the Clermont County Planning Commission, which recommended approval with modifications and the Goshen Township staff findings, which also recommended approval of the requested change from Agricultural to PD.

Eric Lutz, representative Rosebud, LLC.-The minimum house size would be 1800 square feet. The average lot width would be 80 feet. The lots on the cul-de-sac would be a little smaller. The side yard set back would typically be 10 feet, unless someone wanted a larger home. For larger homes the side yard set back would be 7 feet.

To help with snow removal, there will be a landscaped central island in the cul-de-sac. Snow can then be pushed in towards the island and away from people's driveways.

We have an agreement with the Aerodrome residents to allow the transfer of real property to the Aerodrome for entrance and landscaping care. The owners of the lots didn't have any major issues with the safety during our work sessions.

Regarding the conservation easement, I spoke with Bill Hopple. The county wants to keep the existing trees and the conservation easement would help with enforcement. If the area is maintained by a Home Owner's Association, there could be problems with ensuring that the trees would not be torn down.

Clermont County recommended the removal of lots based on information received from the Ohio Department of Transportation. If there is a safety issue, we can address it. I had a meeting with Cory Wright and we discussed removing one or two lots to create an 80-foot no build zone. This would allow for a "runway protection zone".

I am asking for approval with the knowledge that there would only be some slight changes in the number of lots. Some of the building line widths may have to be reduced from the required 80 feet to 75 feet. I may ask for some lots to be accessed from Huntley Road.

Andy Pyott-What's the water main size?

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Eric Lutz-The water main is a 12 inch pipe run by Clermont County Sewer and Water.

Jim Poe-Explain the HOA.

Eric Lutz-The only purpose of the HOA would be to maintain the conservation easement, but I would rather transfer this to the Goshen Park District, the Nature Center or some other agency to keep the open space from being changed.

Jim Poe-So, you are asking for no HOA?

Eric Lutz-Yes.

Nancy Middleton-Not having the HOA is not an option. I would prefer that you come back to the Board with something more concrete. I don't like voting on what might be.

Tracy Minger-I would like to remind the Board that this would come back to you after the preliminary approval for final approval.

Public Portion

Kevin McMullin, 6820 Gaynor Road-I think that some of these lots are misleading. It actually comes out to over 3 houses per acre if you add it up. Also, traffic would increase on this small Road. This area here (pointing to area on site plan) is a landslide. If you put 20 houses here and figure two cars per house and then factor in the school buses, this will be a problem. The road has been patched and patched. This green space is at the base of a landslide and would be dangerous for the kids. The sewer line would be above the houses. You would need a lift station to pump it uphill.

Eric Lutz-The sewer is lower than the property.

Scott Chasteen-What does the County say about the sewer?

Jim Poe-Does the sewer run under the creek?

Eric Lutz-The sewer does not run under the creek. The County has found that the sewer is adequate to handle the increase.

Jim Tarter, 6936 Gaynor Road-I think this is an environmentally sensitive area. Also, the PD says that portions of the open space have to be accessible to the handicapped and 50% of the open space is too steep. I have put up with construction trucks with the building of the Aerodrome. Gaynor is a 1.5 lane road and that is the way we want it. This is not good for the public.

Cyndi Moore, 6955 Gaynor Road-The ODNR has done a report on the creek about trying to prevent erosion. It found that the creek historically wants to move 50 feet in either direction. This is a high risk flood plain area. The creek used to be clear, but now it is muddy and brown.

Dave Hunt, Cincinnati Nature Center-I have prepared a statement. (see attachment to minutes)

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Eric has done a great job with the greenspace, but still needs to create a land buffer of a minimum of 200 ft. Forested land is more useful in preventing erosion. The land should be owned by Goshen and have a conservation easement. Who enforces conservation easements?

Tracy Minger-We (Goshen Township) don't enforce them at all. Cory Wright stated that they are usually enforced privately.

Eric Lutz-A portion of the open space will be accessible to the physically impaired. The houses are not being built on a flood plain. A 200 foot buffer is a little much.

Nancy Middleton-How far away from the creek are the homes?

Eric Lutz-Over 100 feet right now. Sediment control will be in place. Clermont County Soil and Water enforces that.

Sandra Meyer, 6868 Gaynor Road-I commend Eric for the open space, but I am concerned that the creek is getting muddier and that the run off from the creek will get worse. It is necessary to have a conservation easement, but one that is not controlled by an HOA. Also, how will the water pressure be affected?

Eric Lutz-I can't really answer the question about the water pressure. It shouldn't be a problem. Concerning run off, a bean field is the worse thing for run off next to pavement. The added grass in the area will help reduce the run off.

Jim Poe-You are not going to get the mud with a grassy area that you get from the bean field.

Eric Lutz-Meadows cause less run off than bean fields. There will be some storm water control.

Kevin McMullin, 6820 Gaynor Road-The water will come off the houses like a fire hose. Right now the water is dispersed in the field.

Jim Poe-The County would not let this happen, right?

Mike Devanney, 1698 Huntley Road-I was told by the County that there is a water tower planned at the corner of Gibson and State Route 48.

Elben Miller, 1856 Davin Drive-Eric has done a fine job in working with everyone. There is one correction I would like to make, however. We are concerned with the safety of the over-flight area, but we are trusting that Eric Lutz will do the right thing

Kevin McMullin, 6820 Gaynor Road-Gaynor Road is barely 1.5 lanes from State Route 28 to Gibson Road. School buses and pick up trucks make you go into the ditch right now. I moved here for the peace and quiet. I am not against development, but make it smaller. One-fourth acre lots are too small. What is that going to do to my property value?

Steven Clark, 1010 Blue Sky Drive-We negotiated our position with Eric personally. We dealt

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with Eric, because he was willing to deal with us. The land is going to be developed at some point. We are pleased to work with someone who is willing to work with us.

Matt Powers-Is the overall consensus of the airport community favorable?

Steven Clark, 1030 Blue Sky Drive-We are okay with it. I wouldn't want my house under an airfield, but if that's what he wants to do, he has addressed our concerns. Eric has met with almost the whole association.

Matt Powers-Elben, would you like to add anything?

Elben Miller, 1856 Davin Drive -What Steven said is mostly accurate. We have come to an agreement on most things. I am not going to say anything about the County's recommendation. How wide did they say for the protection zone?

Eric Lutz-Eighty feet, the same as your runway plan.

Elben Miller, 1856 Davin Drive -Again, we do have concerns, but I am not here to hurt Eric. He has negotiated with us.

Jim Poe-Is it etched in stone that the Cincinnati Nature Center will remain the Cincinnati Nature Center?

Dave Hunt, Cincinnati Nature Center-We have 99.9 years from the charter establishment.

Mike Devanney, 1698 Huntley Road-It was my understanding that the land given to the Nature Center would remain "Long branch Farm" unless there was financial hardship.

Tracy Minger-If we approved this "as is" with the 80 foot wide flight protection strip, the Board could deny if the plans come back later on without it.

Nancy Middleton-The County says that this fits in with the area. It really doesn't fit in here. I have some reservations about taking a vote right now. Who is going to be the builder? What will the houses look like? I am also concerned with the run off. I would like to see what you are going to do.

Scott Chasteen-I would like to see the changes in permanent form.

Tracy Minger- (to Eric) If you continue, you can come back to the Board with a more permanent plan. If you request a decision, the case goes to the Trustees whether or not the Zoning Commission recommends approval. If they recommend denial, you would need to get approval from all three of the Trustees.

Jim Poe-I would like to see pictures of the homes. You have done a great job, but there are still some changes needed.

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Applicant requested to continue until the next Zoning Commission meeting.

***Matt Powers made the motion to grant a continuance to Case 220 at the applicant's request to be held at the next Zoning Commission meeting on September 20, 2005 at 7:00PM. Scott Chasteen second-motion carried.

Zoning Commission Member

Respectfully Submitted,

Sandra Graham, Secretary