



Meeting Minutes

MEETING: Tuesday, September 13, 2011; 3:00 p.m.

ROLL CALL:

Present: Charles Bullington, Chair
Kevin Cooney, Vice-Chair
Steven Brown
G. Coe Potter
Shirley Wiant

Absent: Christopher Flaig
Lynn Nevel

Staff Present: David Fehr, AICP, Planning Director
Lee Margraf, Administrative Secretary
Kevin Fall, Butler Soils & Water Conservation
Constance Kepner, Water & Sewer Department

APPROVAL OF MINUTES:

August 23, 2011 Minutes

Mr. Potter made a motion to approve the August 23, 2011 Meeting Minutes as submitted. Mr. Brown seconded the motion. Motion carried.

AYES: Potter, Brown, Cooney, Wiant, Bullington

NAYES: None

ZONE CHANGES:

None

PRELIMINARY PLATS:

**Falling Water, Section 5
Section 3, Town 2, Range 3
Liberty Township**

Mr. Fehr showed an aerial image of the property and said a copy of it had been mailed out to the Board members prior to the meeting and this property is a preliminary plat request and will include an extension of Sugar Maple Run which currently ends here (shown on map) and the street will go toward the south and wrap around as a cul-de-sac street and this will be the last phase of this development.

Mr. Fehr said we saw the final plat for the extension of Rachel 's View Drive in this area a couple of months ago. The property is a PUD and is on public water and sewer, with sidewalks and also a walking path that will connect around the detention pond throughout the subdivision and that path will be continued in the next phase.

Mr. Fehr showed a copy of the plat and said there will be a few lots off a shared private drive in this vicinity (pointed to on map) and the staff comments are in the packet. Mr. Fehr highlighted a couple of the Additional Requirements (Items 7 through 22) included in the staff comments.

Regarding Item 13 of Staff Comments, Mr. Fehr asked Mr. Jon West, Liberty Township Zoning, if the final PUD had been approved yet.

Mr. West replied yes.

Mr. Fehr said Item 15, the developer is showing a street name of Paradise Cove and staff felt that since this is basically a continuation of Sugar Maple Run it would be less confusing just to continue that street name as it is; not really two (2) streets.

The applicant, Mr. Todd Hall, 7791 Joan Drive, West Chester, Ohio introduced himself and thanked the Board for the opportunity to speak and said this has been a very successful part of the community in Liberty Township and said he would answer any questions.

No questions or comments posed to the applicant.

Ms. Wiant made a motion to approve preliminary plat for Falling Water, Section 5, Section 3, Town 2, Range 3. Mr. Brown seconded the motion. Motion approved.

AYES: Wiant, Brown, Cooney, Potter, Bullington

NAYES: None

Resolution: #11.30

Request to Extend Preliminary Plat approval period from 2 to 3 years

Falling Water, Section 5,
Section 3, Town 2, Range 3
Liberty Township

Mr. Bullington said along with the preliminary plat approval is a request to extend the Preliminary Plat approval period from two (2) years to three (3) years. Mr. Potter made a motion to approve the request to extend the Plat Approval Period as requested for Falling Water, Section 5, Section 3, Town 2, Range 3, Liberty Township. Ms. Wiant seconded the motion. Motion carried.

AYES: Potter, Wiant, Brown, Cooney, Bullington

NAYES: None

Resolution: #11.31

FINAL PLATS:

**Fort Hamilton Estates, Replat Lots 28 & 29
Section 31, Town 3, Range 3
Wayne Township**

Mr. Fehr showed an aerial map of the property and said this property is located in Wayne Township off of Eaton Road in a little older subdivision. Currently the property owner owns two (2) lots (outlined in blue) and said there is an existing house on one (1) lot, the second piece of property is vacant and was never built on. The owner owns both lots and receive separate tax bills for each piece of property and the second lot is too small to build on, and both combined pieces are just a little bit over an acre and the applicant is requesting to combine the two (2) lots, Lots #28 & 29 into one (1) lot. He added staff does recommend approval.

Mr. Potter made a motion to approve the final plat for Fort Hamilton Estates, Replat Lots 28 & 29, Section 31, Town 3, Range 3, Wayne Township. Ms. Wiant seconded the motion. Motion carried.

AYES: Potter, Wiant, Cooney, Brown, Bullington

NAYES: None

Resolution: #11.32

**Logsdons Woods, Section 2, Block A, Replat Lot 41
Section 7, Town 2, Range 3
Liberty Township**

Mr. Fehr showed an aerial map of the property and said this property is in Liberty Township and is located off a private drive called East Chase Run, and is Parcel 28. The applicant is requesting to move the original building setback line and the reason for that is the existing setback line pushes the house a little too close to the creek that runs along the property and the applicant has concerns about that and would push it up closer to the street a little more.

Mr. Fehr showed the plat and identified the existing setback line and the location of where the applicant would like to move it to. The new setback line still meets the Liberty Township's zoning requirement.

Mr. Fehr showed the aerial map again and said it will more in line with the setback line on lots across the street and be closer to what the other homes on that street are at.

Mr. Fehr said staff does recommend approval of the replat to change the setback line.

Mr. Potter asked Mr. Fehr if this setback is strictly regulated by the subdivision, not the Township.

Mr. Fehr said that is correct and he is not sure why it was pushed as far back in the first place other than maybe an architectural design.

Ms. Wiant made a motion to approve final plat for Logsdons Woods, Block A, Replat Lot 41, Section 7, Town 2, Range 3, Liberty Township. Mr. Potter seconded the motion. Motion carried.

AYES: Wiant, Potter, Cooney, Brown, Bullington

NAYES: None

Resolution: #11.33

**West Chester Station, Section 8, Block B, Replat Lots 456 & 466
Section 21, Town 3, Range 2
West Chester Township**

Mr. Fehr showed an aerial map of the property and said this property is located in West Chester Township and the reason for the replat is the existing home owner has encroached on to their neighbor's property (pointed the location on the map).

Mr. Fehr said there will be a land swap between the owners, kind of a pie-shaped wedge coming from the street to the back property line, a very small sliver of ground which they will have a conveyance between owners and the owner of the existing house wants to replat this into one (1) piece in order to meet the zoning requirements.

Mr. Fehr said there is an easement on the property and that will not change and staff does recommend approval of the replat.

Mr. Brown made a motion to approve the replat for West Chester Station, Section 8, Block B, Replat Lots 456 & 466, Section 21, Town 3, Range 2, West Chester Township. Mr. Cooney seconded the motion. Motion carried.

AYES: Brown, Cooney, Wiant, Potter, Bullington

NAYES: None

Resolution: #11.34

**Ross Trails, Section 2, Replat Lots 57, 58, and 59
Section 28, Town 3, Range 2
Ross Township**

Mr. Fehr showed an aerial map of the property and said the three (3) properties in questions are vacant properties (identified as Parcels 38, 37 and 36) have not been built on and there is an existing drainage easement to the rear of the property and looking at the area requirement for that retention area, the Butler County Engineer's Office has reviewed the calculations and it is a little bit oversized compared to what is needed so the applicant is requesting that the drainage easement line be reduced a little bit to give more of a building pad area. Mr. Fehr said Mr. Eric Pottenger, Butler County Engineer's Office, has already reviewed the drainage calculations and does not have any issues with it so the easement will stay but will be reduced in area. Staff is ok with this and does recommend approval.

Mr. Bullington asked if the retention area is in the middle of the back yard.

Mr. Pottenger said there is a little bit of a slope at the rear yard but it is in the back half of the property. The issue is when it was originally designed there was ten (10) acres of offsite drainage area coming in but that did not happen, an offsite property owner redirected the flow away from the basin so that water does not get there at all.

Mr. Brown asked if part of the detention area had to be filled.

Mr. Pottenger said that will be reconfigured and the slope will be readjusted.

Ms. Wiant made a motion to approve Ross Trails, Section 2, Replat Lots 57, 58 and 59, Section 28, Town 3, Range 2, Ross Township. Mr. Brown seconded the motion. Motion carried.

Resolution: # 11. 35

OTHER BUSINESS:

**Carriage Hill Subdivision – Request to waive sidewalk installations
Liberty Township**

Mr. Fehr said a letter and a map was mailed out to the Board members prior to this meeting for review, however, there has been a slight adjustment to the path location on this and had previously crossed the street mid-block.

Mr. Fehr said we require sidewalks on both sides of all public streets. There is an updated drawing in the binders and they are actually widening the sidewalk from four (4) feet to six (6) feet wide in this vicinity here. The developer is requesting approval to waive the sidewalk construction requirement on both sides of the street for approval for the hiker/biker trail asphalt be brought through the green space area. The area that is blue shows where the new areas of the typical four (4) foot sidewalk would be.

Mr. Fehr said Mr. Jon West, Liberty Township Zoning and the developer are both here and would like to speak. As far as County staff is concerned, we are opposed to the sidewalk waiver request as the main concern is safety – there is a fairly long stretch of road there that children will have to get to an intersection to catch a school bus and he showed the locations of where the buses would likely stop and staff's concern is that the resident's who live in the lots in the middle will be forced to walk in the street or to cross the street mid-block and it is a awfully long stretch of roadway and acts somewhat like a through street in the subdivision and we have put a landscape feature in there to slow the traffic down and feels the walking paths are a wonderful idea and the six (6) foot wide sidewalk is a nice amenity and it will be a nice project but there are safety concerns about doing away with sidewalks on both sides. Mr. Fehr said he does not believe people will walk out in their back yard and down the hill to get down to the intersection, and having children walk in the street will put them in danger.

Mr. Fehr said Mr. West has been working with the developer and the Township is really trying to promote the pathway and feels it is all a tradeoff and they felt this was a tradeoff and they will speak on that.

Mr. Jon West, Liberty Township Zoning, said both the Liberty Zoning Commission and the Township Trustees approved this preliminary PUD plan with the sidewalk configuration waiving them on one (1) side of the street and last night the Zoning Commission approved the final PUD for the first two (2) phases of the PUD with this sidewalk configuration.

Mr. Bullington asked if there would be any possibility of them adding any cross walks in there especially at some locations.

Mr. West replied and said he did not know whether they will stripe it as cross walks but the truncated domes are going to be located at intersections right in here (pointed to on map) and they won't be striped for cross walks but a cross walk will be available. Section 2 which was approved last night with the sidewalk on the south side of the road and we hope as we get into future sections they will have the ability to connect with hiker/biker trails.

Mr. Bullington asked Mr. West if the area where the connection is which he pointed to will also be a cul-de-sac going up.

Mr. West said this will end up being a cul-de-sac and this will be a cul-de-sac. Over here there is no planned entry on to Princeton Road or State Route 747.

Ms. Wiant asked what the reason is for not doing a sidewalk on both sides would be.

Mr. West said because we have the trail system and the six (6) foot sidewalk instead of a four (4) foot and there are a number of homes that will be connected to here and we do not feel it is necessary to have them on both sides and feels they are getting some additional amenities from the open space that it warrants giving the developer some reductions.

Mr. Jose Castrejon, Landscape Architect for McGill Smith Punshon, said they are both the land planner and the engineer on this project with me today is Mr. Randy Terry who is the owner and developer.

Mr. Castrejon said as he stated in the letter, the overall picture of the plan for what they are trying to create is an overall community, not just a subdivision of utilizing the green space, that natural areas and the walkways to interconnect the home sites and obviously this is a small piece of the puzzle as you can see on this marketing piece here (he held up a drawing/plan) and identified the section he is speaking of.

Mr. Castrejon said last night they got final development approval for this section and this section here (pointed to) and is in the conceptual stages has been redesigned based on some of the concerns brought up earlier, and the development on the Township level they also had concerns about the length of this street, so currently they are proposing that the street come down here in a "T"-shaped intersection so to limit the length of that street as part of Phase 4 and so forth to accommodate and provide for a mid-block crossing or a crossing opportunity for children to get to an intersection for bus pick up.

Mr. Castrejon said long term, the whole vision of the plan is to have interconnectivity for the pedestrian so theoretically you could walk on the hiker/biker to get to the open space or the other amenities (i.e., club house and playground) but at the same time we have Lakota Plains Junior and High School, Van Gorden Junior High School in the rear that theoretically you could have children walk to school, which is a unique thing and the intent is for us to connect into that system to connect from the frontage on State Route 747, via a connection to Princeton Road, and the two (2) schools, so we are looking at the big picture and trying to hierarchy pedestrian spaces and encourage people to utilize the pathway system. Our research has shown that the number 1 amenity in a community that people are looking for are nature trails and paths so we took that to heart in this development. Mr. Castrejon showed a plan of the path they are proposing and said you can see it connects up to the central green space, up to S.R. 747 and comes through the wooded area and it is not just a path through the woods.

Mr. Castrejon said they wanted to take advantage of the natural features and they felt by having that flexibility and allowing us to create a one-sided sidewalk, increasing it to a six (6) foot wide sidewalk, knowing that a four (4) sidewalk does not allow people to walk side-by-side and this is why it is nice to have the six (6) foot sidewalk path that a person can use to jog, push a stroller and we want to encourage people to use that path and we will take some of the comments into consideration to limit the length of streets, provide intersections to slow traffic down and allow for safe crossings and in this case we have taken this into consideration and this phase here we plan to modify that and adjust that long street to accommodate some of those concerns.

Mr. Castrejon said they hope the Board will take into consideration the big picture on their amending the sidewalk on the street and feel they can accommodate the issue concerning connectivity and does not feel it will be a detriment to the public safety and welfare of the public in what they are proposing and feels they are going above and beyond by extending out to the adjacent land uses including schools and additional land uses that exist.

Mr. Randy Terry, owner of the property, said there are a couple things he would like to expand upon which Mr. Castrejon shared. This is a 400 acre development, with over 80 acres of open space, and this is probably one of the most beautiful pieces of property in Butler County with its lakes, streams and woods and provides a great opportunity to maximize the natural beauty of the property within the development plan, so as part of the master development plan and ultimate goal is preserving the natural beauty of the property and one concept that falls within there is the streetscape they create and we build the public facilities, roadways, sidewalks, setbacks for homes, and part of what we are trying to do is stay with the theme of community which is the beauty of the streetscape and natural surroundings and minimize what we call hard surface or impervious surface. There are several communities within Liberty Township that have the six (6) foot wide sidewalk on one (1) side which provides for a much nicer and more enhanced streetscape as you travel down the street surfaces.

Mr. Terry said Mr. Castrejon did an excellent pointing out that the community is designed with this simple corridor eight (8) foot bike path for not only this community but for residents of surrounding neighborhoods through Carriage Hill to the other community and the proposed Town Center on S.R. 747. Certain school connectivity in this community is key and the path structure is clearly designed to take children from the street sidewalks and lead them away from the streets and vehicular traffic and travel them through a safe corridor to all of the amenities of the community and to make it to school safely. So we feel it is not an issue of savings of sidewalk it is an issue of streetscape and maintaining and preserving the nature of the property and to enhance the pedestrian movement.

Mr. Terry said this is being built in phases and calls for a 12 (plus or minus) year period and if we don't take advantage of this opportunity and create the streetscape for the home setting it really will not do it justice for the development.

Mr. Brown said he kind of agrees with Mr. Fehr, the homes on the west side of the street there and possibly changing the street above and making it a cul-de-sac and talking about having a safe way for children and he does not feel the kids are going to take the long route even with the path that comes down by the pond there and going three (3) times the distance of walking to a bus stop and at this point in time with the economy, who knows if there will even be school busing, he feels that section is too long and agrees with the fact that kids will be running across the street to get to the other side and does present a problem.

Mr. Bullington said he disagrees a little bit, and by his count there are only about 50 houses beyond that street approximately, and is not sure what the lot frontage is on there – some are around 80 – 100 foot lots and your talking about 1,600 to 1,900 feet and most parents of younger kids would likely watch them walk down the street and get on to the sidewalk.

Mr. Terry said they considered all of the amenities so he does not feel it is uncommon that children do cross streets and so we can't really control that function but we do understand that children will cross the street but based upon the acreage that is served by this development and the streets we have limited speeds and will be connecting the paths systems and all main corridors in the least possible disruption for the children.

Mr. Castrejon said the space you see and the future phases are all cul-de-sacs there so the higher traffic volume will be a primary access going that way, not this way (pointed to on map) and we deliberately put in a lot of intersections to slow people down to minimize cut throughs all the way to S.R. 747 so you can see the way to interconnect in this plan, this is going to be more of a reserve area with no-through traffic and so traffic will slow down and one of the housing developments we used as a guide which we feel is a similar type of products and feel to it is "Trail of Four Bridges", which has sidewalks on one (1) side of the street that are four (4) foot wide and there is a six (6) foot sidewalk on the opposite side and no sidewalks on some sides, so that subdivision is a very popular subdivision in Liberty Township and has nice homes and great open space and it functions well and has a similar feel. Mr. Castrejon showed a drawing of the types and locations of the sidewalks at Trail of Four Bridges Subdivision as well as the sides of streets that have no sidewalk and where the open space is that ties it together. He said they are trying to utilize that same principal and thinks it functions very well. This is what we were looking at for guidance to see how we could work with the hierarchy of pedestrian ways to create a community and not just a subdivision.

Mr. Terry said as part of the design standards for the buildable lots there is a requirement that the lots on the non-sidewalk side do have an increased requirement of landscape to further enhance the streetscape along the non-sidewalk sides and is all in concert with the community.

Mr. Cooney said given the location, he doubts it would involve busing so it is probably a non-issue for those schools; and secondly, it has been his experience that when 2 or 3 children are walking together they can not walk side by side on a sidewalk so they tend to walk in the road so he does understand the safety concerns but is not sure that it is evident here.

Mr. Bullington said he agrees with that and noted they are all cul-de-sac streets up in that area (upper left on drawing) and does not feel there will be that much traffic there except maybe the rush hour in and out.

Mr. Potter said he has a 10-year old granddaughter who lives at Trails of Four Bridges and has lived there for seven years and the parents have never commented on any safety issues so it appears to be working well over there.

Mr. Cooney made a motion to approve the request to waive and modify the sidewalk installations as presented for Carriage Hill Subdivision. Mr. Bullington seconded the motion. Motion carried.

Mr. Potter commented that he feels the amount of discussion about safety concerns raised is obvious and he does not want staff to think that their recommendations were taken lightly.

AYES: Cooney, Bullington, Potter, Brown

NAYES: Wiant

Resolution#: 11.36

ADJOURNMENT:

Ms. Wiant made a motion to adjourn, seconded by Mr. Potter. All in favor. Meeting adjourned.

These minutes represent a summary of these proceedings and do not purport to be the entire record. A complete transcription of these proceedings was taken from an audio tape under supervision of the Secretary by Lee Margraf and may be obtained upon written request. Any charges associated with preparing such transcript shall be borne by the person requesting

Hamilton, Ohio
September 13, 2011

Chair

Secretary

Lee Margraf