



**BUTLER COUNTY
PLANNING COMMISSION
Meeting Minutes**

MEETING: Tuesday, June 12, 2012; 3:00 p.m.

ROLL CALL:

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

Absent: Lynn Nevel
Shirley Wiant

Staff present: Peter Z. Acuff, Planning Administrator
David Fehr, AICP, Director of Development
Lee Margraf, Administrative Secretary
Kevin Fall, Soil & Water Conservation
Constance Kepner, Water & Sewer
Eric Pottenger, Butler County Engineers Office

APPROVAL OF MINUTES:

Meeting Minutes from May 8, 2012

Mr. Brown made a motion to approve the May 8, 2012 Meeting Minutes as submitted. Mr. Potter seconded the motion.

AYES: Brown, Potter, Barnes, Bullington

NAYES: None

ABSTAIN: Cooney

ZONE CHANGES: None

PRELIMINARY PLATS:

**Millikin Estates
Section 3, Town 3, Range 3
Liberty Township**

Mr. Acuff showed an aerial map of the property and said it is located on the north side of Millikin Road in Liberty Township and showed its proximity to Falling Water Subdivision and State Route 4 (S.R. 4).

Mr. Acuff said the applicant is proposing a single street down the center here (as shown in plat map) with lots on both sides. Mr. Acuff said staff has reviewed the plat and Staff Comments are listed in the Staff Report as presented.

Mr. Acuff highlighted a few of the comments in the Staff Report and said staff does recommend approval.

Mr. Bullington if and where would the easement/walking path connect to Falling Water Subdivision.

Mr. Acuff said we envision it connecting along the line right here (pointed to on plat map) along the lot line by the cul-de-sac to the existing path.

Ms. Etta Reed Bayer and Becker, said on behalf of the developer, the developer does not have a concern with putting the path in but their biggest concern however is the Falling Water Subdivision has a Home Owners Association (HOA), whereas Millikin Estates does not have an HOA, and the concern is the homeowners in Falling Water are paying for the maintenance for the path, whereas the Millikin Estates people are basically being invited in to the path that they are not maintaining and the concern is about the potential issue that may arise because you are connecting an HOA subdivision's path with a non-HOA subdivision and they are willing to do that, but their concern is how is it going to be addressed and they do not want any condition that the developer has to make the connection, in case they cannot resolve that issue.

Mr. Potter said then he sees it that any bike path there would have to be maintained by the individuals or whoever owns the property where the path goes through and would be their responsibility, so that is a concern as well and this subdivision might be imposing on its neighbor and one property owner may be forced to maintain something.

Ms. Reed said unless it is a corner lot, most people would not want a bunch of people walking through their yard and those are some of the concerns we have.

Mr. Potter asked if the hiker biker path will run right along the property line.

Mr. Acuff said probably not – we're looking at six or seven feet away from the line.

Mr. Potter said Ms. Reed has made a good point, and if the bike trail is not contiguous then there might be a gap.

Mr. Fehr said all we are asking is for the developer to consider it as it seems to us it would be a shame to have two (2) subdivisions within 80 feet from each other and not have the ability to walk

between them, and we feel it is an excellent opportunity for two (2) developers to work together to make both subdivisions a little nicer and we are not requiring it just asking them to work together and try to get people to drive less and we are only talking about 80 – 90 feet and hope they can work together on it, and if they choose not to do that, that is fine as we are not requiring them to do so, it's just a good opportunity. Kids are going to walk through the side yards anyway so why not formalize it and put in a nice path that everyone can enjoy, but it is not a requirement.

Mr. Brown commented if we leave it as is, and approve it per staff comments then they do not have to do it.

Mr. Fehr replied we cannot make them do it, but want to bring it to their attention and it is an excellent opportunity to make both subdivisions a little better and hope they will pursue it but we cannot enforce it.

Mr. Potter made a motion to approve the preliminary plat for Millikin Estates, Section 3, Town 3, Range 3, Liberty Township, subject to staff comments. Mr. Cooney seconded the motion. Motion carried 5-0.

AYES: Potter, Cooney, Barnes, Brown, Bullington

NAYES: None

RESOLUTION #: 12.30

**Winding Creek (Carriage Hill), Sections Four and Five
Section 32, Town 3, Range 3
Liberty Township**

Mr. Acuff showed a plat map and said this is a preliminary plat for the next two (2) sections of Carriage Hill (a.k.a Winding Creek) subdivision and showed the proximity to sections 1A and 2 of the subdivision.

Mr. Acuff said staff has reviewed this and comments are in the Staff Comments as listed on the report distributed to the Board. Mr. Acuff highlighted the staff comments, including the need to show the subdivision name as "Winding Creek" in Sections 4 and 5 otherwise they would need to restart the numbers of Carriage Hill as Section 1 and Lot 1.

Mr. Acuff said staff recommends approval.

Mr. Potter said some of these things are really quantified and are more administrative items drawn to our attention but not really have to be considered.

Mr. Bullington asked what the differences are in these knuckles.

Mr. Pottenger said the typical knuckle is 90 degrees where as these are more along the lines of a curve, more like bump outs or extensions and is not something we have in our standard details in our Subdivision Regulations. In talking with the Township there were some concerns about snow

and ice removal, they are not actual separate streets and we typically see our knuckles between 70 and 120 degrees.

Mr. Bullington asked if these diameters are smaller or larger than usual.

Mr. Pottenger said, diameter-wise, he thinks these are a little larger or about the same size, the issue is their offset from the main street so that was a concern.

Mr. Bullington said it appears there are basically three (3) lots on each of the knuckles and once you put the drives in there won't be much parking area.

Mr. Pottenger said parking may be an issue, but also snow and ice removal may be as well in that there won't be any space to put it in this area.

Mr. Brown asked if that area (pointed to) on the top will be smoothed out on the top side as it starts to come in to the knuckle, both sides of the opening is what he was asking.

Mr. Pottenger said there is actually an offset here before they start the radius and mainly just frontage.

Mr. Andrew Meyer, Liberty Township Zoning, said the township does not see snow removal as an issue and it does meet the Township frontage requirements and any snow will be able to be pushed to the side.

Mr. Pottenger said that area will be smoothed out before and after the knuckle. He added there a tangent before the knuckle to get more frontage.

Mr. Barnes asked what the amount of frontage is.

Mr. Meyer said 40 feet of frontage for each lot on a knuckle or cul-de-sac.

Mr. Bullington made a motion to approval the preliminary plat for Winding Creek (a.k.a Carriage Hill), Sections Four and Five, Section 32, Town 3, Range 3, Liberty Township including the knuckles as they are drawn so long as Liberty Township has no problem with it, and subject to staff comments. Mr. Potter seconded the motion. Motion carried 5-0.

AYES: Bullington, Potter, Barnes, Cooney, Brown

NAYES: None

RESOLUTION#: 12.31

**Request for Modification to Sidewalks
Winding Creek (Carriage Hill), Sections Four and Five
Section 32, Town 3, Range 3
Liberty Township**

Mr. Acuff said the next item is to modify the sidewalk requirements for Winding Creek (Carriage Hill), Sections Four and Five, Section 32, Town 3, Range 3, Liberty Township.

Mr. Acuff said the county standard is for five foot (5') concrete sidewalks on both sides of a street in subdivisions, and they are asking for a waiver to be consistent with the other sections of the development that already exist with and opt for a four foot (4') sidewalk will be provided on both sides of the street in cul-de-sacs; six foot (6') sidewalks will be required on one (1) side of the street on the main roadways and there is also an eight foot (8') path throughout the open space area that connects to the sidewalk system throughout the development and that asphalt path would provide links to the section to the west; public access to the path will also be included on the record plat and they have requested the sidewalk system be five foot (5') as a standard.

Mr. Potter asked Mr. Acuff for his personal input.

Mr. Acuff replied he feels it is nice to have sidewalks on both sides of the street, but since it would be consistent with the rest of the development you would have to cross the street to get to the sidewalk.

Mr. Potter asked who would maintain the asphalt paths.

Mr. Acuff said that would be by the HOA.

Mr. Potter made a motion to grant approval to the request to modify the sidewalk requirements for Winding Creek (Carriage Hill), Sections Four and Five, Section 32, Town 3, Range 3, Liberty Township. Mr. Cooney seconded the motion. Motion carried 5-0.

AYES: Potter, Cooney, Barnes, Brown, Bullington

NAYES: None

RESOLUTION#: 12.32

FINAL PLATS:

**Winding Creek (Carriage Hill), Section Three
Section 32, Town 3, Range 3
Liberty Township**

Mr. Acuff showed a plat map of the property and said this is in the same area that we just looked at and this is Section 3 up here in the northwest corner of the property (pointed to on map).

Mr. Acuff said this has been through preliminary approval and some adjustments have been made, however, there are a number of remaining items from staff comments that need to be addressed and are listed in the staff report.

Mr. Bullington asked if the easements would be built at the time the houses would be built, or do they need to be done at the time of platting.

Mr. Acuff replied no, we would like to see them on the final plat or done before any construction occurs.

Mr. Brown made a motion to approve the final plat for Winding Creek, Section 3, Sections 32, Town 3, Range 3, Liberty Township subject to staff comments. Mr. Cooney seconded the motion. Motion carried 5-0.

AYES: Brown, Cooney, Potter, Barnes, Bullington

NAYES: None

RESOLUTION#: 12.33

**Windsor Estates, Section Two, Block A,
Sections 34 & 28, Town 3, Range 3
Liberty Township**

Mr. Acuff showed an aerial map of the property and said this is the next phase for this development which is located in the northern portion of the Township by Hankins Road and said the first section has been constructed and the next section will be south to this as opposed to the southeast.

Mr. Acuff showed where the earlier section is located and the Section Two, Block A which is being presented today for final plat approval.

Mr. Acuff said Dawson Drive is constructed through here (pointed to on map) so there is a completed road connecting the two (2) parcels.

Mr. Acuff said upon staff review there were a few issues with draining in lots 40 – 42 and they have submitted revised plat and has worked with staff to address our concerns, and those issues which were of concern have been addressed and staff does recommend approval of this final plat with a few comments as noted, including a couple of street names needing to be corrected and relabeled.

Mr. Potter commented the labeling of the street was a little confusing.

Mr. Cooney made a motion to approve the final plat for Windsor Estates, Section Two, Block A, Sections 34 & 28, Town 3, Range 3, Liberty Township subject to staff conditions. Mr. Brown seconded the motion. Motion carried 5-0.

AYES: Cooney, Brown, Potter, Barnes, Bullington

NAYES: None

RESOLUTION: 12.34

OTHER BUSINESS:

**The Milford Township Land Use Plan Presentation
Milford Township**

Mr. Acuff said he came in to this process at the eleventh hour and noted a lot of good work and time was put in by the citizens, Township Trustees, and Mr. Jim Rubenstein of Miami University during the year prior to his involvement with this.

Mr. Acuff said plans for this proposal were distributed to the Board prior to this meeting for their review and said the overall goal of this plan is to preserve the rural character of Milford Township and highlighted the sub goals/sections of the of the proposed plan including promoting growth within the Township but in limited fashion.

Mr. Acuff showed a presentation and map of the proposed Milford Township Land Use Plan to the Board.

Two of the Milford Township Trustees, Mr. Brad Mills and Mr. Gillespie were present to answer questions.

Mr. Jim Rubenstein, Miami University presented to the Board.

Mr. Mills said all three (3) of the Township Trustees are onboard with this and the citizens are behind it as well and thanks Mr. Rubenstein and the others for their work and experience.

Mr. Bullington asked about cluster housing.

Mr. Potter said he applauds the plan and noted the departure from the traditional, geometric plan to a more botanical approach and that this a great move forward.

Mr. Potter recommended approval to adopt the proposed Milford Township Land Use Plan as presented. Mr. Brown seconded the motion. Motion carried 5-0.

AYES: Potter, Brown, Barnes, Cooney, Bullington

NAYES: None

RESOLUTION#: 12.35

ADJOURNMENT:

Mr. Potter made a motion to adjourn, seconded by Mr. Brown. 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
June 12, 2012

Chair

Secretary

Lee Margraf