

# **Minutes**

## **Clark County Planning Commission**

Regular Meeting ~ 2:00 pm.  
Wednesday, March 2, 2016

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

Mrs. Elaine Stevenson, Vice-Chairperson of the Clark County Planning Commission, called the meeting to order at 2:10 pm. and asked for the Roll Call.

Present For Roll Call: Mr. Jim Burkhardt, Mr. David Minard, Mrs. Nora Parker, Mrs. Charlene Roberge, Mr. Mark Scholl, Mrs. Elaine Stevenson, Mr. Don Wallace, Commissioner Detrick, Commissioner Herier and Commissioner Lohnes.

Absent For Roll Call: Ms. Jo Anderson.

Vice-Chairperson Stevenson asked if there are any comments regarding the minutes. Hearing none, she asked for a motion.

### **Approval of the November 4, 2015 Minutes**

Motion by Mrs. Roberge, seconded by Mr. Minard, to **Approve** the minutes as presented.

**VOTE: Yes:** Mrs. Roberge, Mr. Minard, Mr. School, Commissioner Detrick, Commissioner Herier and Commissioner Lohnes.

**No:** None.

**Abstain:** Mr. Burkhardt, Mrs. Parker, Mrs. Stevenson and Mr. Wallace.

***Motion carried.***

### **Approval of the December 2, 2015 Minutes**

Motion by Mr. Burkhardt, seconded by Mrs. Parker, to **Approve** the minutes as presented.

**VOTE: Yes:** Mr. Burkhardt, Mrs. Parker, Mr. Minard, Mrs. Stevenson, Commissioner Detrick, Commissioner Herier and Commissioner Lohnes.

**No:** None.

**Abstain:** Mrs. Roberge, Mr. Scholl and Mr. Wallace.

***Motion carried.***

### **Approval of the January 6, 2016 Minutes**

Motion by Mrs. Roberge, seconded by Mrs. Parker, to **Approve** the minutes as presented.

**VOTE: Yes:** Mrs. Roberge, Mrs. Parker, Mr. Burkhardt, Mr. Minard, Mr. Wallace, Commissioner Herier and Commissioner Lohnes.

**No:** None.

**Abstain:** Mr. Scholl, Mrs. Stevenson, and Commissioner Detrick.

***Motion carried.***

Vice-Chairperson Stevenson explained how the meeting will be held and that this a public meeting, not a public hearing. The public hearing will be held next week March 9, 2016 at the Rural Zoning Committee Meeting.

### **Case #Z-2016-01 ~ Rezoning ~ Property Owner/Applicant: William and Cheryl Herrmann ~ Location 5372 and 5370 Hunter Road ~ 70.06 acres from A-1 (Agricultural District ) to R-1 (Rural Residence District ) ~ Bethel Township**

Vice-Chairperson Stevenson asked Mr. Neimayer for the Staff Report.

Mr. Neimayer stated the Property Owners/Agents are William and Cheryl Herrmann and the Agent is Steve Butler, Community Civil Engineers. The subject property is located at 5372 and 5370 Hunter Road in Mad River Township. This is a request to rezone 70.06 acres from A-1 to R-1 with the intent to develop as a single family subdivision. Mr. Neimayer explained that the Applicants own four separate parcels: two of them in Mad River Township and the other two within the Village of Enon. He clearly stated this rezoning request is only for the two parcels within the Township.

Mr. Neimayer explained the CROSSROADS Land Use Plan and that the proposed development would follow the plan. He then spoke how the Thoroughfare Plan identifies different classifications of roads and identifies future right-of-way needs. Following the Thoroughfare Plan, there may be a need for additional right-a-way on Hunter Road and Fairfield Pike, which will be reviewed in more detail as part of the subdivision review process.

Mr. Neimayer showed the Board a conceptual subdivision layout that he requested to assist the Technical Review Committee (TRC) in their review of the rezoning request and providing comments to the Board. Mr. Neimayer reviewed the layout pointing out potential access from Hunter Road and Fairfield Pike and identifying the floodplain associated with Mud Creek.

Mr. Neimayer noted the comments from the TRC are included with the staff report. The general flow of storm water is towards the north in the direction of Mud Creek. The County Engineers Office will not approve any stormwater basins in the Flood Plain.

Commissioner Lohnes asked to see the Flood Plain again. Vice-Chairperson Stevenson asked what was in the hatched area. Mr. Neimayer explained the hatched area is the floodway.

The proposed development is intended to be served by public water and sanitary sewer. The extension of those lines would be the responsibility of the developer. Engineer plans would be submitted for review and approval as part of the subdivision review process.

The Soil and Water Conservation District commented on soil conditions of the subject property and their prior work with area residents on drainage complaints.

### **Staff Comments**

As noted in the attached comment letters of the Technical Review committee, the existing natural conditions of the subject property will present challenges to any development of the subject property. The requirements of the county's subdivision regulations, along with the storm water management regulations, exist to ensure a proper and safe development. Staff recommends the Applicants request to rezone the subject 70.06-acre property from A-1 to R-1 be approved as presented.

Mr. Neimayer received a letter and photos from Jennifer Horner and Charles Sides that was in the Board's packets. They oppose the rezoning request siting flooding of the area.

Mr. Neimayer stated he would answer questions the Board may have at this time.

Commission Lohnes asked Mr. Neimayer to point out where the Horner/Sides property is located.

Mrs. Roberge stated if this is not approved then the water issues they have will never get addressed. If the rezoning is approved and they move forward with the subdivision, they will be required to address this storm water run-off. She stated that this complaint sounded like the water is coming from the current property and coming on to theirs.

Vice-Chairperson Stevenson said however do we not need to know where the run off is coming from because it may be off site. She asked if someone from the County Engineer's Office was present.

Mr. Thomas Bender, County Engineer's Office, addressed the Board.

Vice-Chairperson Stevenson asked if this has been an issue why has it not been addressed before. Mr. Bender stated that the county does not go on private property.

Vice-Chairperson Stevenson asked have you been aware of this. Mr. Bender said he was not personally aware of this.

Vice-Chairperson Stevenson said her concern is that regardless of what happens to this development this needs to be addressed. She asked if the County Engineer's Department had any knowledge of it and if so do they have knowledge of where the run-off is coming from. Mr. Bender stated that he personally did not have knowledge of it, but they are open to being of assistance and helping out, giving advice or looking into a situation. Once you start going into repairing, remediating problems that is a much bigger issue there.

Mr. Lohnes asked about the drainage problems separate in South Enon and in Mad River Township outside the jurisdiction of the County Engineer's Office. Mr. Bender stated every draining area has flooding issues. As far as the development, we would do our best to manage it as they try to development it. As far as remediating all drainage in the area, he does not know if we could address that with simply the development.

Mrs. Roberge stated if it is the water run off that is causing this issue for the neighbors adjacent to the subject property, obviously the subdivision development would help that problem. Mr. Bender stated it would improve that unless the problem is coming from off-site. As our regulations are written it would be the developers responsibility. We would do our best to improve that.

Vice-Chairperson Stevenson asked where the retention pond is planned in the northern part of property. Does it appear the two ponds are going to be relocated into that retention pond or will they remain. Mr. Neimayer stated he would like to see the ponds incorporated throughout the site.

Mrs. Roberge stated again they will be required to follow all subdivision rules and regulations. They are going to have to follow ever guideline and rule put on them as they develop their site.

Mrs. Parker asked if the rezoning allows them to start the planning. Mr. Neimayer said yes.

Vice-Chairperson Stevenson asked at what point does the actual plat come into play. Mr. Neimayer stated as soon as the zoning gets approved there will be a preliminary subdivision plan submitted for review. Mrs. Roberge said that basically nobody would do all that work if we don't approve the subdivision.

Mr. Wallace asked to see a contour map of the site. Mr. Neimayer showed the contour information from the GIS. In general, it is flowing from the south to the north towards Mud Creek.

Hearing no further questions or comments from the Board, Vice-Chairperson Stevenson asked for a motion.

**Case #Z-2016-01 ~ Rezoning ~ Property Owner/Applicant: William and Cheryl Herrmann  
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R-1 (Rural Residence District ) ~ Bethel Township**

Motion by Mrs. Roberge, seconded by Mr. Minard to recommend **Approval** with the understanding that developer will look at and handle the runoff issues.

Ms. Parker said do we want to limit this to just the storm water. Mrs. Roberge said that she was just emphasizing the stormwater. They will have to follow all of the Subdivision Regulations. Vice-Chairperson Stevenson said that the plotting would have to be addressed later, so right now we are looking at whether the Commission is favorable of the rezoning.

**VOTE: Yes:** Mrs. Roberge, Mr. Minard, Mr. Burkhardt, Mrs. Parker, Mr. Scholl, Mr. Wallace, Commissioner Detrick, Commissioner Herier and Commissioner Lohnes.

**No:** None.

***Motion carried.***

Commissioner Detrick provided comments on the Greenon School District. He stated Mad River, Green, Moorefield and a bit of Springfield townships are the most developable townships we have. Commissioner Detrick said he is glad to see someone moving forward with developing assuming they stay within the guidelines. New housing will be a positive move for the area.

Vice-Chairperson Stevenson said that our schools are important to our tax base and new housing is necessary. However, as a lifelong resident of this county, I know we have water problems and hope this will enhance and help the residents that border this property.

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## **Clark County Planning Commission**

### **Staff Comments**

Mr. Neimayer stated the next scheduled meeting is Wednesday April 6, 2016.

Vice-Chairperson Stevenson asked about the status of prior cases that came before the Board. Mr. Neimayer gave an update.

### **Adjournment**

Motion by Mrs. Roberge, seconded by Mrs. Parker, to adjourn.

**VOTE: Motion carried unanimously.**

The meeting was adjourned at 3:35 pm.

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Mrs. Elaine Stevenson, Vice-Chairperson

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Mr. Thomas A. Hale, Secretary