

## RECORD OF PROCEEDINGS

Minutes of MIAMI TOWNSHIP BOARD OF TRUSTEES SPECIAL MEETING Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

JUNE 7, 2021

20

The Miami Township Board of Trustees met in a special meeting, on Monday, June 7, 2021, for the purpose of hearing Case #578, MI Homes – Lamorna Cove Addition (a re-zoning from R-2 to R-PUD), Case #579, Brookstone Homes – Primrose Creek (a re-zoning from R-1 to R-PUD), and any other business to come before the Board. Ms. Wolff called the meeting to order and led the Pledge of Allegiance. Mr. Ferry called the roll and Mary Makley Wolff, Karl Schultz and Ken Tracy were in attendance.

The common rules of conduct were waived.

Public hearings: Case #578 MI Homes – Lamorna Cove Addition (a re-zoning from R-2 to R-PUD) was called and the notice of public hearing was read.

Township Planning & Zoning Administrator Brian Elliff informed the Board that the Clermont County Regional Planning Commission held a hearing on April 27, 2021, on this case and entered a recommendation for approval (without conditions).

Mr. Elliff next reported on the recommendation from the Zoning Commission which met May 6, 2021, whereby an approval was recommended with the condition that the developer submit a fire hydrant and water main location plan that the zoning and fire departments would approve.

Mr. Elliff next gave a PowerPoint presentation of the Explanation by the Planning & Zoning Administrator for Case #578. He reported the applicant requested re-zoning from R-2 Residence to R-PUD. He reviewed that the 25.64 acres is bordered by Deerfield Road and Woodville Pike. Maps of the surrounding zoning and land uses were shown.

Mr. Elliff provided a summary of the applicant's request stating that the parcel is 25.64 acres, the gross density proposed as 2.1 units per acre, there would be 6 acres of open space, and one area to the north and west where trees exist would be preserved and include detention. The lots are proposed as single-family residential and sized at approximately a quarter acre with a few being larger sized lots. Setbacks are proposed at 30 in the front and 7.5 feet on the side with a minimum of 70 feet wide.

Mr. Elliff next reviewed the site plan with landscaping shown. He pointed out the connection to the existing Lamorna Cove. A video and aerial photo of the property was shown to view the existing conditions. A rendering of the housing product was shown. He next shared supplementation information that included a report on the water pressure and noted the rate was at 53 psi which was normal.

Applicant Brad Austin with MI Homes, 9349 Waterstone Boulevard, spoke on the second phase of Lamorna Cove and shared that the first phase was quite successful and well received in the Township. He provided history on their company including their activity in the Cincinnati region since 1988.

Mr. Austin continued with his PowerPoint presentation that included the site plan of the existing and new phases of Lamorna Cove. He highlighted the monument on Woodville Pike would be duplicated on Deerfield Road. Technical drawings of the landscape, entryway and lighting plans were shown. He shared photos of the housing product and stated the base price of the homes would be \$350,000 and customizations could increase it to \$420,000.

Mr. Austin displayed a water pressure slide and stated he worked with Lyle Bloom at Clermont County to prepare it. Mr. Austin stated that essentially there were a few residents concerned about water pressure. He stated that in this area the water psi ranges from 40 to 80. It was noted that due to topography, the existing water pressure was 53 psi in Lamorna Cove. Mr. Austin stated that the situation will improve with the connection to Deerfield.

There was no correspondence received.

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There were no persons present wishing to speak.

Mr. Elliff provided the recommendation of the Zoning & Planning Administrator. He recommended for Case 578 that a motion be adopted to approve the request and include one condition from the Zoning Commission that the developer submit a fire hydrant and water main location plan to the Miami Township zoning staff and Fire Department for approval.

Mr. Schultz made a motion to close the open portion of the meeting, seconded by Mr. Tracy with all voting "AYE".

The Board held discussion. Mr. Tracy made a motion in Case 578 to approve the re-zoning request and adoption of the submitted R-PUD plan, including the condition from the Zoning Commission that the developer submit a fire hydrant and water main location plan to the Miami Township zoning staff and Fire Department for approval, seconded by Mr. Schultz with all voting "AYE".

#### CASE 578 – APPROVED WITH CONDITIONS.

Case #579, Brookstone Homes – Primrose Creek, (Re-Zone R-1 to R-PUD), 14.85 acres, located on Branch Hill Guinea Pike, approximately 440' south of Hollow Lane, situated west of BHGP between Hollow Lane and Arborcrest Road, was called and the notice of public hearing was read.

Mr. Ferry read the Common Rules of Conduct.

Mr. Elliff presented the County Regional Planning Commission report. He shared that the County's Community and Economic Development Department commented that the applicant will need to decide which option for vacating the existing rights of way found throughout the proposed project area. There is unknown ownership of parcel O16P located at the southern project boundary. The proposed roadway will need shifted so as not to encroach on the neighbor's parcel. The County Regional Planning Commission met and heard the case on April 27, 2021 and voted to recommend approve with three conditions which Mr. Elliff next presented in the staff recommendation.

Next, Mr. Elliff presented the recommendation of the Miami Township Zoning Commission. He reported that on May 6, 2021, the Zoning Commission met and recommended approval with four conditions:

1. Current "paper street" right of way must be vacated by Clermont County.
2. Necessary easements subject to staff approval must be recorded on the record plat to allow access to the open space lots 34 and 36 for maintenance purposes.
3. Increase of rear yard setbacks for Lots 5 and 6 to a minimum of 15'.
4. Adjustment of the entrance drive taper to not encroach on the adjoining property owner.

Mr. Elliff gave a PowerPoint presentation to the Board to convey the explanation of the Township Planning & Zoning Administrator. The request is to re-zone 14.5 acres from R-1 to R-PUD. He reviewed the parcel map and also a map of the surrounding zoning. He noted it was surrounded by R-1 zoning and some R-2. He shared that mostly residential is the land use of this area, while there is also institutional use nearby.

Mr. Elliff reviewed the characteristics of the proposal. The property is 8.5 acres with the density being proposed at 2.15 units. Approximately 4.5 acres will be open space. There will be 32 residential lots, ranging in 9,500 square feet to approximately 18,800. A 40-foot front yard setback is proposed with a 30-foot rear yard in most cases and a 10-foot side yard.

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Mr. Elliff shared an aerial photo of the property noting it is wooded. He pointed out where the subdivision would be situated. Photos of Arborcrest and Hollow Lane were shown to convey existing conditions.

Mr. Elliff stated that the Zoning Commission raised a few questions that he would like to review with the Board. He commented that residents expressed concern on the stormwater, environmental conditions, and sanitary sewer lift station capacity.

Mr. Elliff stated that the Clermont County Water Resources Department provided comment on the question of whether the Hollow Lane lift station has capacity for an additional 30 single family homes. It was confirmed that sewer capacity exists. He stated that as residents informed the Zoning Commission during their hearing on this case, the County confirmed that there is no emergency power back up for the lift station. The County commented that if power is lost for an extended period, the lift station must either be pumped out manually by truck or install a portable pump or portable generator. Mr. Elliff stated the County is aware of what they need to do in a power emergency.

As to stormwater, Mr. Elliff shared and read from the County response on stormwater concerns, referencing that existing stormwater drainage throughout the site will have to be maintained and hopefully be improved with the development. Stormwater maintenance should also improve the downstream flow by retaining stormwater in the retention/detention areas. Mr. Elliff clarified that the runoff volume and velocity has to be the same post development. He reviewed responses from the County regarding wetlands which also have requirements to be met.

Pat Manger, Brookstone Homes, introduced himself as the developer and builder. He mentioned another development of theirs in the area—Celestial Estates. He next reviewed the previously established lot layout for Hollow Lane and the development and vacation process that occurred in the 1900s which is very similar to what they are proposing. He commented that the proposed development finishes the transformation of the plat in what the community desires. He stated the housing product, lot sizes and density provide a nice transition from the homes that exist on Hollow Lane. He noted the development also responds to the community demand for this type of housing.

Mr. Manger concluded by sharing that Brookstone Homes is a custom builder and they are excited about the opportunity in this highly desirable location. He affirmed they are also aware and amenable to the conditions for this application.

Mr. Schultz inquired about the fall of the surface water. Mr. Manger reviewed the planned basin and buffer areas in this regard.

There was no correspondence. Mr. Elliff stated that a letter sent to the Zoning Commission was also provided in the Board's meeting packets for their reference.

Ms. Wolff called for any persons present wishing to speak on the application.

Eric Hansford, 6542 Arborcrest Road, spoke about poor drainage on his property and expressed concern for water runoff and natural woodland preservation. He shared that he has invested \$5,000 in drain tile on his property in order to drain the water off of it. He also expressed concern for the capacity for the sewer lift station and increased traffic. He made a request for the issues to be investigated further.

Ms. Wolff explained that the stormwater runoff and sewer capacity is the responsibility of Clermont County which they have addressed. She inquired if it has been confirmed whether there are any true wetlands on the property.

Mr. Manger reported that there is an area in the front that could be wetlands and the road was placed to avoid the area. He next explained that the sewer capacity may be a misconception that it was built only for 30 homes as it has been evaluated by the County whereby it was confirmed

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capacity could support the proposed development. He reviewed that the traffic and stormwater plans have also been reviewed by the County and the development meets requirements.

Ms. Wolff took time to reiterate the County's role in stormwater and sewer service management and the Township's desire to advocate for its residents to ensure positive outcomes.

Eric Hansford, 6542 Arborcrest Road, restated his question was related to the slope being toward the streets, which will create a high point. He explained he has only a one-inch drop on his property for drainage. He pointed out the creek on the map and asked if the creek would be removed for the creation of the detention pond. He stated that the changes to the topography would impact two areas in his opinion.

Mr. Tracy responded that he would like Mr. Hansford to receive answers to all of his questions and clarified the County has reviewed a plan that will bring the water runoff forward toward the front of the property and not backward toward Mr. Hansford's property. He then invited Mr. Mark Walker to address the question further.

Mr. Walker reviewed points on the map where catch basins would be installed to collect any runoff from the road and property line. He added that the water is piped underground and there are swales in the backyards planned. Mr. Walker affirmed the stormwater plan is designed to capture all water from the development to keep it from going to adjacent properties.

The Board continued discussion regarding the regulations the County is responsible for in conjunction with this type of development as it relates to stormwater and traffic impact.

Mr. Schultz asked Mr. Manger to discuss further how the area being referred to as wetlands fits into the development plan. It was clarified this area would not be disturbed and would remain as-is.

Ms. Wolff added an overall comment that the Township is one of the members of the Transportation Improvement District at the County level. She stated the Township has committed over half a million dollars per year, since 2005, toward improvement of all of the roadways within Miami Township and the County. She shared some example-of improvements projects. She stated that Branch Hill Guinea is a roadway for improvement. She also explained the Township's involvement with the Ohio-Kentucky-Indiana Regional Council of Governments and being active in these agencies assists the Township in leveraging state and federal dollars for road improvements as well as working on infrastructure needs in the region.

Virginia Chasteen, 6542 Hollow Lane, spoke about her concerns for water runoff onto her property which she stated already holds water. She shared her previous experience related to sewer and water when she lived on Cornell Road as development was active. She commented in regard to the lift station currently servicing her neighborhood and that she did not want sewage in her basement if there isn't sufficient capacity or the station were to fail. She also referred to poor restoration to her yard from the County accessing the lift station area.

Ms. Wolff invited Mark Walker to point out the catch basins in the area adjacent to Ms. Chasteen's property to manage water runoff from the development. Discussion was held in regard to the lift station capacity and Township staff assisting Ms. Chasteen via discussion with Mr. Bloom at Clermont County to review the restoration work that occurred in addition to her lift station concerns.

Norman Hardesty, 6566 Hollow Lane, reported a pothole in the road near the lift station and also inquired about the location of pipes to be installed to connect to the sewer lift station.

Debbie Sharkey, 6513 Arborcrest, spoke about preservation of greenspace and inquired as to how much would be undisturbed. She also had the path of the creek pointed out to her on the map along with the 50-to-60-foot buffer.

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Ms. Wolff took time to acknowledge the concerns of residents facing new development in an area that has remained undisturbed for a long time. She referenced her subdivision was previous farmland and noted examples of wildlife activity throughout the neighborhood. She also talked about the role of the Board and the rights of each property owner to utilize or sell their property for its highest and best use.

Additional discussion was held by the Board with Ms. Sharkey regarding wildlife and the urbanization of the Township.

Mr. Elliff presented the recommendation of the Planning & Zoning Administrator. He reported that staff recommended in Case 579 to adopt a motion to approve the request to re-zone and adoption of the R-PUD plan including the four conditions recommended by the Miami Township Zoning Commission as cited in the staff report.

There being no additional persons present to speak on the application, Mr. Tracy made a motion to close the public portion of the meeting, seconded by Mr. Schultz with all voting "AYE".


After the Board held discussion, Mr. Schultz made a motion to approve the re-zoning request in Case #579 and adopt the R-PUD plan including the four conditions recommended by the Zoning Commission and stated in the staff report, seconded by Mr. Tracy with all voting "AYE". The four conditions are referenced as follows:

1. Current "paper street" right of way must be vacated by Clermont County.
2. Necessary easements subject to staff approval must be recorded on the record plat to allow access to the open space lots 34 and 36 for maintenance purposes.
3. Increase of rear yard setbacks for Lots 5 and 6 to a minimum of 15'.
4. Adjustment of the entrance drive taper to not encroach on the adjoining property owner.

CASE 579 – APPROVED WITH CONDITIONS.

With no further business to come before the Board, the meeting was adjourned at 8:35 p.m.

ATTEST:

  
Eric Ferry, Fiscal Officer

  
Mary Makley Wolff, Chairperson