

Greenfield Township Zoning Commission

Public Hearing Minutes – The Uplands (continuance)

Thursday, March 6, 2025

- **Call to Order**

The Hearing was called to order by Jeff Zech, Chair, at 7:00 p.m. on March 6, 2025, at the Greenfield Township Firehouse Meeting Room. The Pledge of Allegiance was recited at the opening of the Hearing.

- **Roll Call**

The Chair requested a roll call of the Commission:

Jeff Zech, Chair
Patrick Callahan, Vice-Chair
June Queen, Secretary
Jack Barr
David DeLong
Kim Wickham, Alternate – not present

Jeff Williamsen, Greenfield Township Zoning Inspector
Nick Babamov, Property Owner
Bart Overly, Blostein/Overly Architects
Beth Overly
Lindsey Hannah, MAD Scientists, LLC
Dustin Fells, Harral & Stevenson Civil Engineering and Surveying
Shawn Reed, Reed Real Estate Partners
Officer DeVoe, Fairfield County Sheriff's Office

Guests: Alyson Cupp, Bill Moore, Sean Reed, Josie Montalvo, Jessica Gleich, Kyle Gleich, Dustin Sells, Dan Spellman, Connie Spellman, Christin Plummer, Chris Bavamov, Sean Rooney, Karen Rooney, Teri Gilmore, Ted Atkinson, Scott Beesler, Rebecca Page, Bev Cusic, Stephanie Cusic, Robert Shaner, David McPherson, Will Burns, Dawn Wyne, Donna Kosch, Lonnie Kosch, Tom Shafer, Jessica Kull.

Jeff Zech requested all guests to sign in and indicate desire to speak.

Jeff Zech opened the Hearing, welcomed guests, and explained the purpose of the Hearing, which is a continuance from January 28, 2025. He asked guests to please follow rules of procedures and decorum. He explained speakers must sign-in and will be limited to a 3 (three) minute speaking allowance with reasonable time extension. He clarified the Commission's role is to make a recommendation to the Trustees, and the Trustees will make the final decision. He reminded guests that the subject of this Hearing is specific to The Uplands PUD zoning request only. Guests not following rules of decorum will be asked to cease and risk request to leave the meeting. He stated the

decision to deactivate the Greenfield Township Facebook page was not made by the Zoning Commission, thus those questions should be addressed to the Trustees.

The property proposed to be rezoned for The Uplands townhouses development is located on Old Columbus Road, Northwest, Carroll, Ohio, 43112. The parcel numbers are as follows: 0130053700; 0130053760; 0130053781; 0130053782; 013005783 and 0130033780. According to the Fairfield County Auditor's Website, acreage is as follows: 22.35 acre; 1.02 acre; 1.12 acre; 1.32 acre; 1.45 acre and 1.13 acre lots, respectively. Total of 30.00 (thirty) acres. Five parcels currently zoned Rural Residential District (R-1), and one parcel currently zoned Urban Density Residential District (R-3). The request is to rezone to Planned Unit Development District (PUD), residential construction – 36 townhouses plus 2 handicapped accessible flats with a 72-space parking lot.

Guests who indicated desire to speak were sworn in by Jeff Zech.

Jeff Williamsen provided exhibit documents received since the previous Hearing for Commission and guest review:

- Exhibit E: Reply - Overly Architects
- Exhibit F: Plat Not Required
- Exhibit G: Wetlands Designation – Jeff Williamsen stated an official wetland designation was not located.
A guest stated the wetland designation is currently under review with the Army Corp of Engineers.
- Exhibit H: Fairfield County Regional Planning Recommendation/Approval
- Exhibit I: Karen Rooney E-mail – Jeff Williamsen reported he reached out to Tom Shafer, Township Road Supervisor, with request for a road traffic study and posted speed limit for this portion of Old Columbus Road.
- Exhibit J: Greenfield Township Fire Department Recommendations
- Exhibit K: Additional Community Member E-mail

June Queen clarified with Jeff Williamsen that guests and community members may request and receive copies of exhibits via e-mail request: zoning@greenfieldtwp.org . Hard copies may be obtained at the Greenfield Township Office. Jeff Williamsen confirmed this process.

Bart Overly gave a slide presentation summary about The Uplands townhouses project, "30.04" acres along Old Columbus Road, The wetland area is to be maintained as a preserve, and no development work to occur in the wetlands. While this is a PUD, the plan is to closely follow the R-3 guidelines to follow the townhouse pattern for a four-unit building and a two-unit building. The plan is for 36 townhouses plus 2 (two) accessible units flats (total of 28 units).

Bart Overly presented site plan changes since the previous Hearing:

- Include one car garages at the lower level of the townhomes. Number of parking lot paces to remain the same.
- Meeting with Fire Chief, Brad Smith, with decision to expand the parking area by about 4 (four) feet, back closer to the wetlands, to allow a 51-foot turn radius for emergency vehicles. At closest, this will be 15-20 feet from wetland start designation, to vary along the entire site. Grade of drive presented.
- Plan remains as two-story townhomes with lower-level garages and occupied, private roof terraces. Unit building pattern has been rotated back for parking allowance. Exterior palette remains the same as presented in the previous Hearing.

Bart Overly addressed previous concerns about retention solutions and introduced Dustin Fells, Project Civil Engineer.

A guest asked whether water and chemical runoff will be toxic to the wetlands.

Dustin Fells stated storm water will likely be managed by underground chambers under the parking lot to control and treat water quality by particle filtration and temperature regulation, He stated Fairfield Sewer and Water conducts annual inspections, regulated per Environmental Protection Agency (EPA) and Fairfield County standards. Jeff Williamsen stated this will also be managed in the subdivision process by the County.

Zoning Commission Questions:

Jeff Zech: Expressed concerns voiced by community members about primary residence of property owner, Nick Babamov. Mr. Babamov stated he has owned these properties since 2007. Mr. Babamov stated his primary address is North Carolina, he moved there six years ago and maintains a local apartment. Jeff Zech asked whether the project area has been officially designated as a wetlands and/or preserve or flood plain. Jeff Zech asked whether the owner has gone through the process of wetlands designation. Mr. Babamov answered that this area has not been designated as wetlands. Jeff Zech explained that the Zoning Commission has to consider what Fairfield County Regional Planning has designated, which is as a Flood Plain. Mr. Babamov agreed that Flood Plain is the official, current designation. Jeff Zech stated that, per Code, the flood plain cannot be calculated within the plan standard open space unless improved with walking paths and other improvements. Mr. Babamov and Bart Overly confirmed that there are no plans for improvements other than what has been currently presented. Mr. Overly stated there is an existing walking path that can be improved and stated steps to designate as a wetlands have already been taken, however the designation is non-current at this time.

Jeff Zech addressed concerns with children and asked if there is a safe area for play. Mr. Overly answered there are spaces between the buildings and southeast corner,

further away from the wetlands, that can be developed as a playground but is not in the current plan.

Code Section 360.04 – Development Standards

June Queen: Expressed concerns regarding traffic and safety. She stated that the road is narrow and that, with the planned 75-space parking lot, garages, deliveries and visitors, this would notably increase traffic. She asked what plan consideration has been made for these issues, other than the proposed traffic study and speed limit signage (mentioned earlier in the Hearing by Jeff Williamsen). Bart Overly stated that safety is important, and they are happy to work with the township on any recommendations. Jeff Williamsen commented that the County will address those issues including entrance way width as part of the subdivision process.

Code Section 360.03/D – Basis of Approval

Guests expressed concerns about potential widening of the road would result in loss of residential road frontage, damage to the road due to construction equipment, and traffic speed.

Jeff Williamsen stated that, as a township road, it is the road supervisor's and team's responsibility to work closely to resolve issues as they arise.

Jack Barr: Asked whether the developer plans to install sprinkler systems on the garage level. Bart Overly stated they will review the code and feasibility plan for sprinkler system on the garage level. Bart Overly stated there will be fire extinguishers on all levels and Knox boxes for all levels of entry.

Patrick Callahan: Stated that, per Code, a flood plain does not qualify as open space, and that the parking lot and space between buildings also cannot count.

Code Section 360.04 / C – Development Standards

David Delong: Asked whether units will be ADA Compliant. Bart Overly stated that the townhouses do not need to be ADA Compliant, and the 2 (two) flats will be fully accessible and include parking.

Guests – indicated desire to speak (yes):

- Alyson Cupp – stated her topic of concern has been addressed. She will address with the Trustees at a later date.
- Ted Atkinson - requested to speak and sworn in. He asked about the height of the parking lot in the back.
Bart Overly answered it is 8 (eight) feet above the flood plain and offered to obtain additional information. Nick Babamov answered, "The flood plain is 842."
- Dustin Sells - no questions at this time.
- Christin Plummer – expressed concerns about chemical use, runoff, and light pollution. Additional concerns include potential damage to the road due to construction equipment, dumpsters and trash disposal, neighbor privacy,

nighttime headlight glare impacting resident homes, and townhouse resident monitoring as a responsible landlord/landowner, such as drugs, illicit behavior. She provided the following copies of articles and other information downloaded from the Internet for Commission review: *health effects of light pollution, environmental impacts of road salt/chemicals, urban and stormwater runoff, beauty of wetlands and migratory birds, and stormwater pollution.*

Tom Shafer, Greenfield Township Road and Cemetery Supervisor, stated he will need to discuss with Fairfield County Engineers. He suggested to bond the road and assess developer for damages.

Bart Overly stated plan to use private collection, rollout dumpsters in a screened area at the rear of the development. He stated there will be a stormwater improvement prevention plan pre and post construction per EPA guidelines. He mentioned plan to make streetscape improvements and will look at the alignment for light impact concerns.

Shawn Reef stated tenants undergo strict background checks, past rental history and evictions, and employment history.

- Shawn and Karen Rooney – reside on Columbus Street near the proposed development site, across from the children’s daycare and public library. They described a recent incident where a driver lost control of their car, went left of center, went through a wrought iron fence, totaled their parked car, and landed 10 (ten) feet from their front door. They expressed concerns with speeding traffic, which tends to occur from 4:00-6:00 pm. They stated appreciation of Jeff Williamsen’s and Tom Shafer’s responsiveness to their concerns. They also plan to discuss with the Trustees. Karen Rooney provided photos of the accident site. They are concerned with speeding traffic and children’s safety.

Tom Shafer confirmed the road is not posted (speed limit signage), thus assumed speed limit is 55 MPH. The Trustees have to petition the County Engineers to conduct a traffic study. He explained the County submits findings to Ohio Department of Transportation (ODOT), and ODOT has the final decision on speed limit issues.

Sargent DeVoe stated he will forward speeding traffic concerns to the Fairfield County Community Response Unit and request enforcement action. A guest mentioned traffic speeding concerns on Carroll-Eastern Road in front of the elementary school.

- Rebecca Page – stated she resides next-door to the development area. She asked if the townhouses could ever become Section 8 Housing. The Management Company stated they do not accept Section 8. Ms. Page stated she spoke to the EPA and was told the area is considered as wetlands. She is concerned with electricity load and potential power outages and also privacy issues. She presented an e-mail from, Ashley Raschella, about why wetlands are vital. Ashley Raschella was not present at the meeting.
- Will Burns - recommended review of US Supreme Court Sackett vs. EPA (5/25/2023). He stated this is not federally protected wetlands. If a body being called wetlands is not directly or continuously connected to a larger, major body of water, such as a river, it does not count. He stated these requests are a

restriction on Nick Babamov's property. Argument ensued between Mr. Burns and a guest. Jeff Zech directed arguments to cease. Mr. Burns stated "This is a zoning hearing and not an EPA hearing. Is this good use of the land, or not?"

Jeff Zech announced that the Commission was ready to vote.

Jack Barr made a Motion for the Commission to vote on the PUD rezoning for The Uplands townhouses project. Patrick Callahan seconded the Motion. Patrick Callahan, No; Jeff Zech, No; June Queen, No; Jack Barr, No; David Delong, No. Motion Carried. Recommendation of "NO" - The Uplands PUD zoning request.

Jeff Zech to submit a letter to the Trustees with the Commission's decision.

- **Adjournment**

June Queen made a Motion to Adjourn the Hearing. Jack Barr seconded the Motion. Patrick Callahan, Yes; Jeff Zech, Yes; June Queen, Yes; Jack Barr, Yes; David Delong, Yes. Motion Approved.

Hearing adjourned at 8:13 pm

Respectfully Submitted, June Queen, Commission Secretary