

Hamilton Township Trustee Meeting

July 6, 2022

Trustee Board Chairman, Joe Rozzi, called the meeting to order at 6:00 p.m. Mr. Rozzi, Mr. Sousa and Mr. Cordrey were present.

The *Pledge of Allegiance* was recited by all.

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve the clerk's journal and accept the tapes as the Official Meeting Minutes of the June 15, 2022, Trustee Meeting.

Roll call as follows:	Mark Sousa	Yes
	Darryl Cordrey	Yes
	Joe Rozzi	Yes

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve the bills as presented before the Board.

Roll call as follows:	Darryl Cordrey	Yes
	Joe Rozzi	Yes
	Mark Sousa	Yes

Presentations

Warren County Court Update was given by Honorable Judge Gary Loxley and Honorable Judge Rob Fischer. They reviewed annual court case numbers for 2019 and 2021, discussed current issues such as bail reform, mentioned their different programs, and lastly explained their community outreach.

Next, Mr. Centers presented our parks updates stating that our Board of Trustees budgeted \$250,000 for improvements throughout all parks. Those improvements included debris removal at Marr Park; lighting upgrades, trail paving, pickleball court, and playground equipment upgrades at Testerman Park; parking lot, trail markers, chip/seal, and playground equipment at Mounts Park; new signage at the Dog Park to match the rest of the Township signs; and lastly planting areas, plaques, and benches for a Memorial Garden. Out of the \$250,000 allocated, we have \$81.07 that has not been spent.

Public Comments

Mr. Rozzi opened the floor to public comments at 6:32pm.

Ms. Sherrie Jansen stepped forward and then realized that her comments would be better received during the scheduled public hearing.

Ms. Gloria Cook asked if the Maineville Cemetery could be spruced up.

Mr. Rozzi closed the public comments portion of the meeting at 6:36pm.

Public Hearing

Assistant Law Director, Mr. Brodi Conover explained the hearing procedure and swore in all persons wishing to give testimony during the hearing.

Zoning Administrator, Ms. Lindsey Gehring stated that our hearing this evening was for consideration of a Stage 1 PUD Sketch Plan for Tribute Hamilton Township. The property owner is Wal-Mart Stores East. Our applicant is Lee and Associates Commercial Real Estate Services

and our spokesperson this evening would be Mr. George Flynn. The subject parcel IDs are 1605251038 and 1605277016 located on Towne Center Boulevard. Legal notice was published in the Sunday, June 26th edition of the *Pulse Journal of Warren County* as well as sent to neighboring property owners within 200 feet.

The applicant is proposing a mixed-use development which will encompass an amenity driven residential community of approximately 312 up-scale multi-family units. The multi-family buildings will be 4-story buildings with elevators and will be of up-scale, urban design. The amenities will include a clubhouse, pool, and sidewalks both throughout the development and around the green space and retention pond. The commercial aspect of the project will consist of 4 lots including a convenience store, a fast casual restaurant, an oil change store, and a national bank branch. The project is in keeping with the Hamilton Township Comprehensive Plan 2020 as described on pages 50 and 51. In addition, the development will be the catalyst for additional commercial development both across the street and to the south and east as it will provide additional access as described in the Hoptown 2010 Access Management Plan.

The site aerial was reviewed. There is a total of just under 27 acres between the residential piece and the commercial piece. Lot 1 which is the larger parcel, is currently zoned B-2 General Business with a PUD. Lot 2 is B-2 General Business. Zoning to the north is B-2 and M-1, B-1, B-2, and R-3 to the south, to the east is B-2 and R-1 and to the west is M-1. The Future Land Use plan shows this general area as mixed-use. The Warren County Thoroughfare Plan for the Hoptown Access Management shows that there is a required road leading from Towne Center Blvd. to the west and continuing north to Grandin Road. The site plan does show that the developer is planning to construct that road.

Access to the commercial lots will be from Towne Center Blvd. while access to the residential portion will be from the proposed 'Road A'. A second access to the residential portion is proposed to the north from Riversbend Dr. There will be two designated open space areas for the residential proposal; open space 1 will be 4.0266 acres and open space 2 will be 2.1498 acres. That puts them at 27.7% of open space which does exceed the minimum requirement of 20%. The commercial proposal will have .8746 acres which exceeds the minimum requirement of 15%. Mailboxes will be located in cluster units in the lobby of each building. The applicant is proposing 618 parking spaces. Two-thirds (208 units) will be two bedroom and 104 units will be one bedroom.

Next, Ms. Gehring reviewed *HTZC Chapter 5.5.4*. which explains the PUD Sketch Plan Review Procedure. She also explained that any permitted use may be included within a PUD regardless of the underlying zoning per *HTZC Chapter 5.6.1*.

Warren County Regional Planning Commission heard this development at their April 28, 2022, Executive Committee meeting. Their staff could not provide a recommendation as they stated that there were details missing within the application such as a base zoning. Ultimately the WCRPC committee voted to recommend approval.

Additionally, this development was also heard at the Hamilton Township Zoning Commission meeting on June 13, 2022. They voted 3-1 to approve a positive recommendation for the PUD Stage 1 Sketch Plan with the following conditions: compliance with all regulations of the Hamilton Township Zoning Code, Compliance with all Warren County Partner Organizations, Compliance with ODOT and Compliance with all Ohio EPA conditions.

The applicant was very receptive to the feedback that was given at the Zoning Commission meeting and therefore has made a few revisions to their original plan. The concerns were in relation to foot and vehicle traffic, as well as light and noise pollution from the development. To address these concerns, the applicant is proposing a change to the access point for the residential proposal to instead be located from Towne Center Boulevard and not from 'Road A'. The applicant also proposed to eliminate the walking trail around the pond to address the concerns for privacy and foot traffic, however Township staff requested that the walking trail remain to contribute toward the active open space for the development. While there are some residents that

currently encroach over the property line for this development, it hasn't been an issue thus far; however, the applicant does have the right to address it as they wish. The developer is hoping by proposing new access points, it will alleviate the lighting concerns for the residents to the south for cars pulling in and out of the property. With the revision of switching the placement of the clubhouse and one of the apartment buildings, the opportunity came to lengthen a building and add 8 units, increasing the total number of apartment units from 312 to 320.

Based on all of the details presented, staff is recommending approval of the Stage 1 PUD sketch plan for parcel ids 1605251038 and 1605277016 with the following conditions: compliance with the Hamilton Township Zoning Code, compliance with recommendations from WCRPC, and compliance with all Warren County Partner Organization requirements.

Mr. Sousa questioned the property encroachments and how that will be resolved. Ms. Gehring replied that the applicant could speak to that question as she had not gotten those details.

Mr. Cordrey asked if there were any protections in our zoning code that would prevent the applicant from changing to have a 3-bedroom unit and marketing towards adding more students to our schools.

Mr. Centers responded that what the Board votes on tonight, will be what the developer has to work with. If approved as presented, the plans encompass one- and two-bedroom units. The applicant has been very understanding that we do not wish to add a significant burden to our schools.

Mr. Rozzi asked about open space requirements. Ms. Gehring stated that they have several open space areas to include internal walking paths, pocket parks with benches and the walking trail around the pond. Landscaping will be addressed at a later stage of review.

Mr. Rozzi invited the applicant to speak.

George Flynn introduced himself and thanked the Board for their time. He also introduced the development team and gave a background description of how the property was initially going to be developed as a Wal-Mart Super Center. This proposal will be a \$75 million development/investment into Hamilton Township. He gave a general description of the development details and stated that they want to be good neighbors and therefore changed the plans to try to accommodate the neighbors to the south and their concerns. All water runoff concerns will be reviewed by the respective department, and they will mitigate as necessary. All buildings will be sprinklered and they will meet all of the Fire Department requirements as well.

Michael Copfer is the Vice President of Land Acquisition for Hills Properties. He gave a brief summary of projects that his company has developed and how they build legacy properties. He referenced Pal Mara in Deerfield Township and Savoy in West Chester and the renter by choice market. Hills will remain the management company and will not sell the development off. Hills properties also does not build 3-bedroom units. They like to cater to empty-nesters and young professionals.

Mr. Sousa asked about the timeline to start the project should the approvals move forward.

Mr. Copfer explained that they would like to break ground in 6 months if possible, building will start in approximately one year and within 2.5 years the apartments would be complete.

Mr. Cordrey asked if the developer could have some sort of vegetation/buffer between the walking trail around the pond and the residents.

Mr. Copfer commented that they could do landscaping, or they would be open to eliminating it as well.

Mr. Centers reminded that Mr. Copfer was speaking to the apartments, so the timeline he gave does not include the commercial lots.

Mr. Rozzi invited those in favor of the development to step forward to speak.

Ms. Sherrie Jansen stated that she is neutral party for this development. She stated that she is passionate about the health, safety, and welfare of her community. She questioned a watershed assessment. She spoke about the existing retention basin and the potential for flooding concerns for neighbors. She also mentioned impervious parking lots and requested that additional retention basins be installed.

Mr. Centers explained that those details would come at a later stage of the review process.

Mr. Rozzi invited those in opposition to speak.

Several neighboring residents spoke about concerns relating to privacy with the walking trail, business hours, landscaping, traffic, and water runoff.

Mr. George Flynn addressed the watershed comments stating that they will work with Warren County and vet everything. This will all be done prior to final stages.

Mr. Rozzi closed public comments at 7:48pm.

Mr. Sousa commented on Letters on Intent and stated that it would be nice to have businesses with reasonable hours closer to the residential properties to the south.

Mr. Cordrey asked if the trail is a final decision tonight or could they see where the landscaping proposals lie with the trail in place?

Mr. Centers explained that they could, however it would be beneficial to the developer to know if it is in or out. We discussed the importance of walkability within the whole Hoptown plan. A sidewalk around the pond would be a very nice feature, however the Board has to weigh in all of the concerns as well.

Mr. Cordrey and Mr. Sousa are not fond of the trail completely encompassing the pond.

Mr. Rozzi would like to leave vegetation and reconfigure the pond.

Mr. Copfer spoke on the trail and explained that if they do not construct the trail, the existing vegetation would remain. If they do construct the trail, it will be closer to the southern property line and more landscaping would need to occur.

Mr. Weber spoke on the stormwater management and stated that all proposals will be evaluated.

Mr. Cordrey and Mr. Rozzi discussed covenants and restrictions on the property set by Wal-Mart and stated that the Board has to decide what the best development for this area is.

Mr. Sousa commented that those are valid points. He also mentioned responsible growth and how it affects the schools.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve the PUD Stage 1 Sketch Plan Application for parcel id's 1605251098 and 1605277016 subject to the following conditions:

- Compliance with the Hamilton Township Zoning Code
- Compliance with the recommendations from WCRPC
- Compliance with all Warren County Partner Organization Requirements
- Removal of the walking trail from the south side and the west side of the retention pond leaving the existing vegetation in place.

Roll call as follows: Joe Rozzi Yes
Mark Sousa Yes
Darryl Cordrey Yes

Mr. Rozzi asked for a brief recess at 8:11pm.

Board resumes from recess at 8:19pm.

Human Resources

Mr. Centers requested a motion to approve the following deed within the Maineville Addition, lot 153, graves 1 and 2 are being purchased by Gary and Jeannette Tedesco.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve the above-mentioned cemetery purchase.

Roll call as follows: Mark Sousa Yes
Darryl Cordrey Yes
Joe Rozzi Yes

Next, Mr. Centers requested a motion to update the Hamilton Township roster with the following: remove Allison Hampton effective July 5, 2022, move Part-time Firefighter Jesse Sturm to Full Time pending completion of the hiring requirements.

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve the changes as indicated above.

Roll call as follows: Darryl Cordrey Yes
Joe Rozzi Yes
Mark Sousa Yes

Lastly, Mr. Centers requested a motion to enter into contract with Kenny Hickey for services as the Public Works Director.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve the above-mentioned cemetery purchase.

Roll call as follows: Mark Sousa Yes
Joe Rozzi Yes
Darryl Cordrey Yes

New Business

- Motion: Utilizing the Economic Development fund to assist in stream mitigation fees for the development at 6426 State Route 48, Maineville, OH 45039

Mr. Centers gave the background on this motion. The Myers Y. Cooper development just south of Shooters, came across a water way that they have to move in order to make this development work. The cost is about \$90,000 and was not expected by the developers. They came to the Township and asked if we could help offset that cost. The Board has implemented the Economic Development Fund for scenarios like this as we haven't used it yet. Mr. Centers let them know that we had means of helping but being local government, our contribution should be the smallest. Each landowner came off of their sale price and the developer pitched in the remainder leaving the total of \$20,000. Therefore, we are requesting the Board's opinion of if they would like to utilize the fund for this.

Mr. Cordrey commented that this is why the fund was created.

Mr. Rozzi made a motion with a second from Mr. Cordrey to approve the use of the Economic Development Fund in the amount of \$20,000.00 for the Township Plaza development located at 6426 South State Route 48, Maineville, OH 45039.

Roll call as follows: Darryl Cordrey Yes
Mark Sousa Yes
Joe Rozzi Yes

- Resolution 22-0706: Appropriation increase (Fire Department)

This is in relation to EMS Billing. We were overcharged by \$6,000.00 by our uniform supplier this year, so they refunded us that money and by the time we get that money it goes straight into our unencumbered. The Chief can still use that so he would like to reappropriate from the unencumbered back into that line item which is supplies and materials/ uniforms.

Mr. Rozzi asked how we were overcharged?

Mr. Centers replied that it was an administrative error on the company's side.

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve Resolution 22-0706.

Roll call as follows: Joe Rozzi Yes
Mark Sousa Yes
Darryl Cordrey Yes

- Resolution 22-0706A: Appropriation increase (Fire Department)

Mr. Centers explained that this is unique because we typically budget for two of our fire employees to attend Paramedic School. We pay for the school and in return, they give us a 3-year contract to work for us. Other jurisdictions do the same program or similar. We already sent two employees this year, however we hired an employee from Goshen Township full time, and he was in the same program with Goshen. After speaking with Mr. Weber, we thought the cleanest and most auditable approach was to receive an invoice from Goshen and we refund them the \$7,060 for the school and we take on the fees and contract. In doing so, we would only request one to attend Paramedic school next year since this was not planned.

Mr. Weber explained that this was the best and fair way to do it.

A motion was made by Mr. Rozzi, with a second by Mr. Cordrey, to approve Resolution 22-0706A.

Roll call as follows: Mark Sousa Yes
Darryl Cordrey Yes
Joe Rozzi Yes

Administrator's Report

- ARPA Funds have released their second payment, so we are expecting on July 15th to receive \$1.25 million.
- RFP's for the Training Tower have been graded.
- The Fire Department is up 150 runs from this time last year.
- Milling work is being done around the Township. We are resurfacing 7.42 total miles this year. With the Road levy we stated that we would shoot for 6 miles and we are exceeding that again.

- Our Junior Police Academy had 33 students graduate. They loved the program!
- The Freedom Parade and Festival was a great success! We appreciate our partnership with Maineville and all of the work put in by employees and Nicole Earley.
- Reminder that Picnic in the Park is August 6th.

Trustee Comments

Mr. Cordrey led off by thanking the staff for their hard work and attendance at the Parade and Festival; it was great to see everyone and to see Chief Reese and his wife Jane as our Grand Marshal's. He appreciates the partnership and relationship that we have with the Village of Maineville.

Mr. Sousa also echoed that the Parade and Festival were great! Kudos to Nicole on her work for that. He also gave Kudos to the Fire Department and Police Department for their responses to different calls over the holiday weekend. He extended his condolences to the family of the fatality on Zoar Road. Lastly, he thanked the residents that attended the meeting this evening to weigh in on the development.

Mr. Rozzi asked for thoughts for the Goshen Fire Department who suffered storm damage. He also thanked everyone for their attendance this evening.

Executive Session

Mr. Rozzi made a motion with a second from Mr. Cordrey to enter into Executive Session at 8:33pm In reference to O.R.C. 121.22 (G)(1) and (G)(2)

- o (G)(1): To consider the employment, promotion, or compensation of a public employee or official
- o (G)(2): To consider the purchase of property for public purposes

Roll call as follows: Joe Rozzi Yes
 Mark Sousa Yes
 Darryl Cordrey Yes

Mr. Rozzi made a motion with a second from Mr. Cordrey to come out of Executive Session at 9:49pm.

Roll call as follows: Joe Rozzi Yes
 Mark Sousa Yes
 Darryl Cordrey Yes

Adjournment

With no further business to discuss, Mr. Rozzi made a motion, with a second from Mr. Cordrey, to adjourn at 9:49pm.

Roll call as follows: Joe Rozzi Yes
 Mark Sousa Yes
 Darryl Cordrey Yes