

The regular meeting of the Green Township Board of Trustees held on June 24, 2013 was called to order at 5:00 p.m. with the Pledge of Allegiance.

Roll Call: Chairman Boiman, excused; Trustee Rosiello, present; Trustee Linnenberg, present; Fiscal Officer Straus, present.

Trustee Linnenberg moved to approve the minutes for the regular meeting of June 10, 2013. Trustee Rosiello seconded the motion. All voted Aye.

Mr. Tony Upton was present to discuss soccer field fees. Mr. Upton introduced Joe Willis, District Representative for the Oak Hills Soccer Association. Mr. Willis stated that the new fee for use of the soccer fields at Green Township parks will negatively affect the soccer association. Mr. Willis stated that soccer fees were set back in March, 2013 and at that time he was unaware of the new fee for field usage. The fee will cost the soccer association approximately \$1,800 for the year. Mr. Willis asked the Board that the fees for field usage be delayed until 2014 to give districts time to build that fee into their budgets and collect that money as part of the soccer fees. Trustee Linnenberg stated that there was sufficient notice given at several Board meetings and was also published in the Western Hills Press and Cincinnati Enquirer. Trustee Linnenberg stated that the policy is in place and fees from other groups have already been collected. Director of Public Services, Joe Lambing, stated that the information has also been on the Township website for quite some time. Trustee Rosiello stated that fees from other groups have already been collected and it would not be right to extend the deadline for one group. Trustee Rosiello and Trustee Linnenberg agreed that it would not be right to grant an exemption or extension to the Oak Hills Soccer Association.

RESOLUTION #13-0624-A

Trustee Linnenberg moved to pass a resolution accepting and approving the financial reports as submitted. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Excused.

RESOLUTION #13-0624-B

Trustee Linnenberg moved to pass a resolution to approve the bid of \$39,263.00 from Walnut Grove Construction, Inc. for the playground surfacing contract. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Excused.

RESOLUTION #13-0624-C

Trustee Rosiello moved to pass a resolution requesting that the Board of County Commissioners transfer public right-of-way along Westwood-Northern Boulevard to the control of Green Township. Trustee Linnenberg seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Excused.

Township Attorney Frank Hyle stated that the above property is a small triangle of property in the right-of-way along Westwood-Northern Blvd. Previously the Board passed a resolution recommending that Hamilton County vacate the property. The County is now recommending that they vacate the property and then turn the title over to Green Township so that the Township can decide what to do with it. At that time the property could be sold to Mr. Niehaus.

RESOLUTION #12-1210-D

The following properties were declared as nuisances. The Township Attorney was directed to notify the owners of the properties listed below of this resolution:

1. 3211 Basswood Lane (550-0080-0206), Motion made by Trustee Linnenberg and seconded by Trustee Rosiello. All voted Aye.
2. Hickory Place Drive (550-0203-0181), (550-0203-0182), (550-0203-0183), (550-0203-0184), (550-0203-0220), Motion made by Trustee Linnenberg and seconded by Trustee Rosiello. All voted Aye.
3. 6117, 6137, 6138 Rose Petal Drive (550-0202-0154), (550-0202-0159), (550-0202-0164), (550-0202-0166), Motion made by Trustee Linnenberg and seconded by Trustee Rosiello. All voted Aye.
4. 5175 Sidney Road (550-0041-0310), Motion made by Trustee Linnenberg and seconded by Trustee Rosiello. All voted Aye.
5. 4490 West Fork Road (550-0102-0007), Motion made by Trustee Rosiello and seconded by Trustee Linnenberg. All voted Aye.
6. 5010 Western Hills Avenue (550-0041-0165), Motion made by Trustee Linnenberg and seconded by Trustee Rosiello. All voted Aye.

Administrator Celarek made the following announcements:

1. The Hamilton County Board of Zoning Appeals will hold a public hearing on July 10, 2013 at 1:00 p.m. in Room 805, Hamilton County Administration Building, 138 East Court Street, to hear the following cases:
 - a. Case Green #2013-07, Atlantic Sign Company, applicant and United Dairy Farmers, owner, 5571 Bridgetown Road, for approval of a new freestanding pole sign with less setback than required.
 - b. Case Green #2013-08, American Home Design, applicant and Greg Miller, owner, 5384 Laured Place, for approval of the construction of a patio cover with less side yard setback than required.
 - c. Case Green #2013-09, Stephen Smith, applicant and Archbishop of Cincinnati, owner, 1500 Linneman, for approval of a Conditional Use Certificate for the construction of a double sided electronic message board on church property.
 - d. Case Green #2013-10, Triumph Signs, applicant, Trevor Gorman and Tire Discounters, owner, 6293 Glenway, for approval to construct two additional sets of wall signs with channel letters and requesting that the signs be located on three sides of a single frontage property where wall signs are only permitted on one side of the building.
 - e. Case Green #2013-11, Emily Seale, applicant and owner, 2843 Chardale, for approval of the construction of a four foot high picket fence to be located in the front and side yard of subject property.

Fiscal Officer, Tom Straus, reported that so far this year the Township has received approximately \$21.7 million dollars and expended approximately \$17.3 million dollars. The Township's General Fund is currently up by approximately \$1 million dollars.

Township Attorney, Frank Hyle, stated that he had nothing to report.

Township Administrator, Kevin Celarek, reported that the Green Township Community Blood Drive that was scheduled for June 28, 2013 has been cancelled due to lack of enough pre sign-ups.

Director of Public Services, Joe Lambing, reminded everyone that the Concert and Fireworks event is scheduled for Wednesday, July 3, 2013. Concerts begin at 6:00 p.m. with Blue Fish followed by Sullivan & Janszen. Fireworks will begin at 10:00 p.m. Shuttle bus service begins at 5:30 p.m. from Dulles Elementary and Our Lady of Visitation. Kuliga Park and Faith Fellowship Church are reserved for handicap/permit parking only. Various community groups will be selling plenty of food and drinks.

Asst. Chief Scott Souders reported in the absence of Fire/EMS Chief, Doug Witsken. Asst. Chief Souders stated that Mack Fire, Inc. held their annual raffle recently and raised approximately \$13,000 to purchase items on the Fire Department's wish list. This year the funds will be applied toward purchasing a Fire Simulation Program which will enhance training.

Trustee Rosiello thanked Mack Fire, Inc. for their generous donation.

Trustee Linnenberg stated that before the meeting this evening a lady came to the Board to thank the Fire and Police Departments for their efforts at a recent emergency scene.

Police Chief, Bart West, reported that on June 12, 2013 he conducted a School Safety training program at Diamond Oaks. There were principals from Northwest Schools, Diamond Oaks, Oak Hills, Covedale and a representative from every single parochial school in Green Township and Delhi Township. The program was very well received and was a good opportunity for those schools to come together to discuss school safety issues and to keep their schools as safe as possible.

Director of Development, Adam Goetzman, reported that on Wednesday, June 19, 2013, he attended a Public Staff Conference for the property on Harrison Avenue by Lee Court, which is the Neyer Development proposal. The first phase will be a retail development. Dewey's Pizza and Graeter's have signed letters of intent with the developer to be tenants. To proceed with the project, Neyer will need a zone change. They have applied for a zone change application, which puts them on the August cycle of meetings, so the Board of Trustees should be hearing that zone change case in August

after the Regional Planning Commission reviews the project.

Director of Development, Adam Goetzman, stated that in early June there was a Public Staff Conference for the Beau Vita project on Edgewood Drive. That project is also moving through Hamilton County Regional Planning and will come before the Board of Trustees next month after the Planning Commission has reviewed the case.

Mr. Goetzman noted that there will be five zoning matters on the agenda for the next Trustees Meeting with the BeauVita case and four Board of Zoning Appeals cases.

Mr Goetzman stated that once the main business portion of this meeting is concluded there will be a hearing on a Northeast Green Township zone change, where the Township Trustees are the ultimate authority in Northeast Green Township. That will be a zone change for property located at 3557 Jessup Road.

Trustee Linnenberg thanked Greg Johnson for his participation in a public meeting at the Nathanael Greene Lodge as well as being the guest speaker at the Monfort Heights/White Oak Community Association.

Trustee Rosiello read a thank you letter.

PUBLIC HEARING - NORTHEAST GREEN TOWNSHIP - ZONE CHANGE AMENDMENT

Case # NEGT2013-01, filed by Jim Ritter, Professional Design Associates, Inc. who is seeking approval for a Zone Change Amendment to permit a 2 phase commercial development for property located at 3557 Jessup Road (550-0081-0047).

Township Attorney, Frank Hyle, swore in any persons who wished to speak during the public hearing.

Trustee Rosiello called the Public Hearing to order.

Development Director Goetzman stated that before the Board is a zone change request from "C" residence to "DD" Planned Retail/Office, for the purpose of converting an existing residence into a commercial office, constructing a shared use commercial parking lot, and constructing a 9,000 square foot two-story office building. The property is an approximately 1.5 acre residential parcel, located on the south side of Jessup Road approximately 200' east of Cheviot Road. The lot is situated between the Crossroads Restaurant and the Coventry Place Condominium project. The existing property has 134+/- feet of frontage on Jessup Road.

Mr. Goetzman explained that this is the third of three hearings associated with the zone change and that this comes to the Trustees for the ultimate decision that would be recorded as a zone map amendment. Initially, the property was reviewed by the Hamilton County Regional Planning Commission in advance of being reviewed by the Northeast Green Township Zoning Commission. The Regional Planning Commission reviewed the zone change request on May 2, 2013 at the Township's request. Mr Goetzman presented a slide showing the Green Township Land Use Plan while providing an overview of the RPC findings.

Mr. Goetzman continued his presentation with an overview of the parcel and development proposal. He indicated that the development would likely be phased, with the first phase consisting of conversion of the existing home on the property to an office use, and the construction of a 54 car mixed-use commercial use parking lot, that will connect with the adjacent Crossroads restaurant. The second phase would include a 2-story office building and additional parking.

Mr. Goetzman explained that during the Zoning Commission hearing held on May 29, 2013 several issues were discussed, the juxtaposition of the existing multi-family buildings and the property which is subject to development, landscaping and buffers, storm-water detention, site layout, and signage were all reviewed by the NEGT Zoning Commission. Mr. Goetzman stated that out of the discussion the Zoning Commission made a recommendations to change the zoning for the subject property from "C" Residence to "DD" Planned retail and Multi-Family, subject to 21 specific conditions.

Mr. Goetzman provided an overview of the conditions, stating that the specific language of the recommendations had been provided to the Trustees in advance. He noted that storm drainage was not a zoning issue, the site would have to meet the standards of the Hamilton County Public Works Department.

James Ritter, Professional Design Associates, 4627 West Fork Road, thanked the Board for hearing this case and stated that he had modified the plan after the hearing to address the issues raised at the Zoning Commission hearing. He noted that several neighboring property owners from the Coventry Place Condominiums were in the audience, specifically he pointed out that landscaping was added to buffer the site from the condominiums.

Mr. Goetzman noted that since the plan submitted after the May 29, 2013 Zoning Commission Hearing addressed several of the issues addressed in the Zoning Commission's resolution concerning setbacks, landscaping, total number of parking spaces and the potential redevelopment of the existing residence on the site. He stated that the applicant also submitted a detailed landscaping plan that is in compliance with the standards that were recommended by the Zoning Commission. Because of the new plans, Mr. Goetzman recommended that the 21 conditions recommended by the Zoning Commission be trimmed to a total of 15 conditions.

Attorney Hyle, stated that the recommendation from the Northeast Green Township Zoning Commission will stand as the Zone Change unless the Board of Trustees, by a majority vote, decides to overrule it or modify it in any way.

Trustee Rosiello stated that he carefully reviewed this case and is happy with the plan.

Trustee Linnenberg asked Mr. Ritter why they have chosen a single-family residence as their site instead of existing buildings in the area. Mr. Ritter stated this property was available for sale, and others were not. Mr. Ritter recommended tearing down the single-family home and building a new building on the site as the most efficient and cost effective use of the property.

Mr. Linnenberg confirmed that if property becomes a some form of retail use, a Quiznos for example, it would come back before the board for review and approval. Mr. Goetzman acknowledged that the recommendations would require retail uses to be reviewed at a public hearing.

Mr. Goetzman presented a slide containing the the modified 15 conditions as submitted to the Trustees.

RESOLUTION #13-0624-E

Trustee Rosiello moved to pass a resolution recommending approval of Case # NEGT2013-01 for a zone change amendment to permit a two-phase commercial development for property located at 3557 Jessup Road (550-0081-0047) subject to the following conditions:

1. That a lighting plan in compliance with the requirements of the Zoning Resolution shall be submitted and approved prior to the installation of any additional lighting on the site;
2. That Final Zoning Compliance Plans for the second phase of the development within the zone change amendment area shall be reviewed and approved as part of a public hearing by the NEGT Zoning Commission;
3. That all existing out-buildings on the site be removed prior to the construction of any approved improvements on the subject property;
4. That site, parking, buffer and streetscape landscaping be installed in conformance with the Site Landscape Plan submitted;
5. That prior to the issuance of a zoning compliance certificate for any phase of construction on the site, dedication of public right-of-way on Jessup Road meeting the standards of the Hamilton County thoroughfare plan be made;
6. That the minimum side-yard setback for any new structure located on the site shall conform to Table 7-3 Lot Area, Bulk and Yard Requirements in Double Letter Commercial/Multi Residence Districts;
7. That the Phase-2 building shall not exceed 2-stories in height and be constructed with a masonry brick exterior and a pitched roof, with wood, vinyl and metal exterior materials used for trim and architectural detailing only;
8. That the total parking on the site shall not exceed 78 parking spaces unless approved as part of a public hearing by the NEGT Zoning Commission;
9. That the use of the 11 parking spaces immediately south of the existing residence shall be limited to employees and visitors of the office building. There shall be no restaurant parking permitted in this area;
10. That all signage on the site shall conform to the standards of Section 13-11.2 of the Zoning Resolution;
11. Any dumpster located on the site shall meet all applicable location, setback and buffering standards of the Zoning Resolution unless approved as part of a public hearing by the NEGT Zoning Commission;
12. Exterior changes to the existing residence shall be limited to alterations associated directly with the conversion of the structure to a

commercial office use and shall not include additions unless approved as part of a public hearing by the NEGZ Zoning Commission;

13. That the site be permitted to be subdivided as illustrated on the plans submitted;

14. That the subject property be used for offices and commercial parking purposes only unless approved as part of a public hearing by the NEGZ Zoning Commission; and

15. That the existing residential structure on the property may be replaced with a similarly sized new building that meets all applicable front and side yard setback requirements, if constructed with a masonry brick exterior, and a pitched roof, with wood, vinyl and metal exterior materials used for trim and architectural detailing only.

Trustee Linnenberg seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Excused.

Bob Laverio, Coventry Place, asked who Coventry Place residents should address their questions to if they should have any. Development Director, Adam Goetzman, stated that any questions may be directed to him.

Hearing no other questions, Trustee Rosiello closed the Public Hearing.

The next regular meeting of the Board of Trustees will be held on Monday, July 8, 2013 at 5:30 p.m.

Trustee Linnenberg moved to adjourn the meeting. Trustee Rosiello seconded the motion. Trustee Linnenberg: Aye; Trustee Rosiello: Aye; Chairman Boiman: Excused. Meeting was adjourned at 6:25 p.m.

ATTEST: