

**CHARTIERS TOWNSHIP
BOARD OF SUPERVISORS MEETING
March 23, 2021
5:00 p.m.**

EXECUTIVE SESSION ANNOUNCEMENT

Please be advised that the Chartiers Township Board of Supervisors met in executive session on March 15, 2012 from 4:15pm to 5:45pm and March 17, 2021 from 4:15 pm to 7:30 pm for personnel interviews and to receive information and immediately prior to this meeting from 4:15 pm to 4:55 pm to discuss personnel and litigation matters.

ATTENDANCE:

Attending this meeting were Supervisors A. William Kiehl, Bronwyn Kolovich and Mr. Friend. Also present were Jodi L. Noble-Township Manager; James Liekar-Solicitor; Jennifer Slagle-Township Engineer; Adam McGurk, AICP Planning Director; Ed Jeffries, Public Works Director; Jessica Walker, Parks & Recreation Director, Recording Secretary and Jamie Rozzo. ABSENT: Chief of Police; James Horvath

VISITORS TIME

DEVELOPERS TIME

1. A motion was made by Mr. Kiehl and seconded by Mrs. Kolovich to approve the modification request of Ryder Properties, LLC from the requirements of §305-31.A.(2)(b) of the Chartiers Township Code of Ordinances, Subdivision and Land Development, requiring that a portion of any lot be within 800 feet from a point of intersection with a public street for the Stewart Industrial Park Minor Subdivision Plan, conditional on the applicant providing a temporary turn around for emergency vehicles, as recommended by the Planning Commission at their January 19, 2021 meeting. All supervisors voted yes. The motion carried 3-0.
2. Keith Straight gave a quick presentation on the plan. A motion was made by Mr. Kiehl and seconded by Mrs. Kolovich to approve the Stewart Industrial Park Minor Subdivision and Land Development Plan Application subject to the terms and conditions of the Township Planning Department letter dated January 15, 2021, and the satisfaction of the outstanding items in the Township Engineer's letter dated March 17, 2021, as recommended by the Planning Commission at their January 19, 2021 meeting. All supervisors voted yes. The motion carried 3-0.
3. Public Hearing: Moritz Property Tentative PRD Conditional Use Application

The meeting was recessed, and the Public Hearing called to order at 5:05 pm for the Moritz Property Tentative PRD Conditional Use Application.

- The Township Planner, Adam McGurk entered into the record:
- Moritz Property Planned Residential Development conditional use application dated January 8, 2021 including the attached cover letter, PRD plan set, site

location map, narrative, stormwater narrative, traffic impact study, and requests for modifications;

- Revised plans and application materials submitted February 16, 2021 in response to Township Engineer and Planning Department comments including response letter, revised PRD plan set, revised narrative, and revised stormwater narrative;
- Revised plans and application materials submitted March 19, 2021 in response to Township Engineer comments including response letter, revised PRD plan set, and revised stormwater narrative;
- Addendum to the traffic impact study submitted on March 3, 2021 in response to Township Traffic Engineer comments;
- Addendum to the traffic impact study dated March 22, 2021, as submitted on March 23, 2021, in response to Planning Commission comments;
- Township review letters dated February 12, 2021 and March 12, 2021;
- Township Engineer review letters dated February 5, 2021 and March 12, 2021;
- Township Traffic Engineer review letters dated February 12, 2021 and March 15, 2021;
- Chapter 350 of the Chartiers Township Code of Ordinances, "Zoning";
- Chapter 305 of the Chartiers Township Code of Ordinances, "Subdivision and Land Development";
- Chartiers Township Comprehensive Plan adopted May 5, 2009.;
- Public Notices for this hearing as printed in the Observer Reporter on March 9, 2021 and March 16, 2021;
- The neighboring property owner public notice letter, mailing list, and map dated March 3, 2021;
- Property Posting Pictures dated March 3, 2021;
- Planning Commission meeting minutes of January 19, 2021, February 16, 2021 and March 16, 2021 recommending approval of the tentative PRD conditional use application;
- Public hearing time extension and waiver as signed March 11, 2021;

APPLICANTS TESTIMONY: Brian Metzler with T3 Global Strategies Inc., representing Scarmazzi Homes, went over a detailed presentation on the PRD, Development, and modifications for Arabian Meadows Phase 1 & 2. He was also there to answer any questions related to the project. Mr. Metzler advised that the applicant is willing to pay up to the Engineer's estimate for the relocation of Barnickel at Country Club Road, as well as to assess each home a \$100 per home recreation fee to be used by the Township to enhance recreation opportunities.

BOARD OF SUPERVISORS QUESTIONS/COMMENTS: William Kiehl asked if there were going to be two detention ponds, how deep, and asked that they consider doing core borings to determine the depth of the underground mines.

Brian Metzler confirmed they are planning for two detention ponds. They will be approximately 8 feet deep, and a Geotech Engineer will perform the test on the ponds.

PUBLIC COMMENT:

Cynthia Cowie of 231 McClane Farm Road has hopes the flooding is remedied but has doubts. She does not have faith in Scarmazzi Homes due to her previous experiences with them. There are issues with traffic, and safety on McClane Farm Road already and she does not think more traffic should be directed onto McClane Farm Rd. She also believes new town homes will have a negative impact on the value of her home.

Brian Metzler replied that Town Homes are permitted to be built and that Chartiers Township can add stipulations to the homes being built.

Linda Mavilla, 228 McClane Farm Road has issues with the contractors leaving debris and ruts in her yard along with her stone wall being damaged. The traffic on her road and the dust from the construction is hindering her from enjoying her property and the outside. She does not believe the flooding will be remedied with the new culvert.

Adam McGurk, Chartiers Planning and Zoning Director stated it is not acceptable for the construction crew to leave debris laying around in her yard and we would address the situation. If any damage was done by the Contractor, they are responsible for returning the property to its previous condition.

Debbie Brower of 234 McClane Farm Road wants to know who is responsible for the cleanup of their property after construction is complete.

Jen Slagle, the Township Engineer, stated that the contractor is responsible for any disturbance to the property that he has caused. She recommended taking pictures of their homes and property conditions before the project started and pictures after its completion. She also mentioned they should make the contractor aware of the issues, as well as the Engineer, when the issue takes place, so they can deal with the issues in a timely manner.

Dennis Popojas: Mr. and Mrs. Brower's Attorney, asked if an air quality study was going to be performed due to the dust? He would also like to know if the developer is going to set a higher bond agreement for damages that may occur. They are not required to, but are they going to?

Brian Metzler confirmed, this was the first time they were made aware of the dust and air quality concern. The permits they will receive for the construction of the development will have regulations that will have to be followed.

Adam McGurk stated the DEP and Conservation Department are responsible for studies and random checks for the air quality.

Brian Metzler stated that he does not believe the developer is going to set a higher bond for residents. That is a question for the developers and their Attorney.

Donna Dry, 460 Vogliano Rd believes we should keep Chartiers green and preserve agriculture as our survey results reflected. She has concerns for safety, privacy, correct signage for Vogliano St. and Gormley St., and emergency vehicles being able to respond in a timely manner. She would like to know if Vogliano St. will stay a one-way street and was led to believe there would only be one phase of development.

Josh Haydo, Engineer for WOOSTER Traffic, stated the CTVFD will review plans for Emergency Services and there would not be a benefit to change the one-way street on Vogliano St.

Fred Simpson CTVFD Fire Chief agreed that they would review the plans and work with the Township to make any needed changes for safety purposes.

Brian Metzler stated they will develop to Chartiers Township standards and requirements. Also, Vogliano St. is owned by their Homeowners Association and should not change.

Sandy Allen, 246 McClane Farm Road, does not want her road disrupted or the traffic. She believes they need to finish phase one first and fix the flooding issues.

Bernadette Simmoins, 205 Bridle Lane, is concerned over Emergency Vehicles with the traffic and only one way out.

Josh Haydo stated he performed a traffic study not a safety study. However, the new phases will provide multiple points of ingress/egress: Sabino, Bay Ct. and McClane for both safety and traffic distribution.

Brian Metzler assured Bernadette that they are following the requirements and standards given to them from Chartiers Township and CTVFD.

Jennifer and Michael Blair, 1010 Sabino Dr are unhappy with the speeding, traffic, and conditions of the roads. They believe a safety study should be done by and paid for by Chartiers Township. They do not want Scarmazzi to pay for another study. They are concerned for their family and the resident's safety.

Josh Haydo was hired by Scarmazzi Homes to do the traffic study that was conducted. He was not hired to do a safety study. He has a code of ethics that he abides by as an Engineer and assures the residents his traffic study was done to Code and reviewed by the Township traffic engineer

MarAnn Brahs, 455 Vogliano St., believes the roads are too narrow and dangerous for the construction traffic. She would also like to know who owns the Right of Way on McClane Farm Rd.

Josh Haydo mentioned he does not believe all roads are up to current standard. This is his opinion, as he was not hired to conduct a study on the roads.

Brian confirmed Ed Moritz owns the property they are referring to. It will be sold to Scarmazzi homes when Phase Three is started.

Joseph Schroer, 247 McClane Farm Road thinks a traffic study should be done from Main St. to Arabian Meadows due to speeding and traffic.

Willam Kiehl stated a sign will be put up that records the time and speed to help track traffic patterns.

Judy Moran, 109 Bridle Lane stated that Josh Haydo acknowledged the substandard roads. She would like to know how the issue is going to be handled and who is going to remedy this situation. Also, are the roads going to be constructed before building takes place?

Josh Haydo reiterated that he was hired to do a “traffic” study only, as required by ordinance.

Brian Metzler said the permitting process is a long process and therefore, they are trying to resolve any issues before the development begins. They are still early in the process.

Ron and Linda Luisi, 229 McClane Farm Road, said they were told houses were going to be built, not townhomes. The plan they currently live in was supposed to have amenities that they never received. Instead of Scarmazzi Homes making a contribution to Chartiers Parks and Recreation, they would like to know if he would consider buying property for access roads that would relieve the traffic concerns. McClane Farm Road already has a substantial amount of traffic and cannot withstand more. The dust and dirt from construction is horrible and they would like to know who is responsible for the cleanup? Also, were the residents informed there would be multiple phases and when will the Township take over those roads?

Adam McGurk said there will be a connection made to McClane before Phase three. They will not be permitted to build more than the 56 homes in phases I and II of the proposed development without the connection to McClane.

Brian Metzler said Scarmazzi Homes has tried to purchase property for other access roads, but the current property owners are not willing to sell. The Township Engineer went over the traffic study as well as WOOSTER.

William Kiehl mentioned, two people were previously planning on developing this area “Hawks Landing”. They decided not to go through with the development and sold the land to Scarmazzi. Also, The Township Engineers will make sure there are proper entrance and exits for this plan.

Darlene Bryker, 369 McClane Farm Road, loves her home. She would like to know if there is a possibility of them constructing the roads before building to help with traffic flow. She gave the example of Ryan Homes and Piatt Estates.

Adam McGurk stated that Scarmazzi Homes is planning on developing this project in a similar manner to Piatt Estates, and how they installed their streets, reiterating that Phase III can not be built until the connection to McClane is constructed

Thomas Sendek, 219 Bridle Lane would like to know how we were not aware of the dust issue when Scarmazzi had street sweepers on the roads for the dust? Also, how long is phase 2 going to take?

Brian Metzler is hoping development will start early Spring of next year. Each phase will take approximately 1 year. Scarmazzi is required to control / contain water runoff and sediment and the township is trying to address safety issues before the start of this project by having these meetings. The DEP and Conservative District will monitor dust and air quality on the project.

Charolette Strimel, 308 Arthur Road, has requested that the developers and Chartiers Township do not reroute traffic onto Arthur Road. They have had enough traffic from Ryan Homes developments.

Lori Greene, 1028 Sabino Drive, submitted a formal letter on her behalf as well as most of the residents of Arabian Meadows Phase 1. The letter is signed by these residents as well and was submitted to the Chartiers Board Members as well as Planning Director. The residents are not happy with the traffic, speeding, and Bay Court runoff. They ask that the board respectfully read their letter. They believe their traffic is going to get worse along with not being able to enjoy their "forever homes" due to the construction going on around them.

Brian Metzler reiterated they have commitments and requirements through permitting and Chartiers Township that will have to be followed during the building process.

William Miller, 211 Bridle Lane, said he did not expect all of this construction going on around him when he bought his "forever home". This is where he chose to retire and live out the rest of his days. He cannot enjoy peace and quiet with the construction, traffic, speeding vehicles, and dust.

Brian Metzler stated that Wooseter's Josh Hydo was hired by Scarmazzi Homes to do the traffic study and the roads he monitored passed the traffic requirements. Scarmazzi expanded the traffic study area at the Township's requires beyond what was required for the residents.

Josh Hydo explained his process on the study to the residents. It is graded just as a report card is. Every road he was asked to examine passed the test. They also took COVID into consideration in their study, as some people may not be traveling as much as usual.

Mike Jacobetz, 221 Bridle Lane, lives on the corner of Phase 2. He said there is not adequate space for a vehicle to turn around, causing them to drive over the curb. The curb is now breaking because of this issue. He has also installed a filter in his home due to the dust created from construction. Between the traffic, speeding, dust, and dirt he cannot enjoy his forever home that he spent his life savings on. He also has concerns for his health due to all of the dust in the air. He agrees the roads should be constructed before building and that there should be a study performed on Bridle to see how much weight it can handle along with if its wide enough for the traffic. He mentioned signage has also been knocked down on his road.

Josh Haydo stated, Scarmazzi Homes is committed to installing two stop signs.

Brian Metzler confirmed that Chartiers Township would like two ways to exit and a connection to McClane Farm Rd for safety and traffic distribution.

In closing, a garbage truck was driving on brand-new driveways. The residents do not want their driveways destroyed with heavy vehicles.

The Public Hearing adjourned at 7:01 pm to return to the regular Board of Supervisors meeting.

4. A motion was made by Mr. Kiehl and seconded by Mrs. Kolovich to TABLE the Moritz Property Planned Residential Development Request for Modifications, as submitted by the applicant on January 8, 2021, as recommended by the Planning Commission at their March 16, 2021 meeting until the April 27, 2021 meeting at 5:00 pm. All supervisors voted yes. The motion carried 3-0.
5. A motion was made by Mr. Kiehl to TABLE the Moritz Property Tentative Planned Residential Development and Conditional Use Application, subject to the terms and conditions of the Township Planning Department review letter dated March 12, 2021, and the satisfaction of the outstanding items in the Township Engineer's letter dated March 12, 2021, and the Township Traffic Engineer's letter dated March 15, 2021, as recommended by the Planning Commission at their March 16, 2021 meeting until the April 27, 2021 meeting at 5:00 pm.. All supervisors voted yes. The motion carried 3-0.
6. A motion was made by Mr. Kiehl to approve performance security reduction request No. 1 for the Summerfield Woods Phase 2 Subdivision and Land Development, which would reduce the performance security held by Northwest Bank from \$448,139.51 to \$212,258.53, representing a reduction of \$235,880.98, as recommended by the Township Engineer in her letter dated March 19, 2021. All supervisors voted yes. The motion carried 3-0.
7. A motion was made by Mr. Kiehl and seconded by Mrs. Kolovich to approve the Legacy Baptist Church Sewage Planning Module for an unaddressed Pike Street property, also known as Washington County Parcel ID 170-017-05-03-0009-00, and adopt Resolution R-11-2021 accordingly, as recommended by the

Township Engineer in her letter dated January 19, 2021. All supervisors voted yes. The motion carried 3-0.

8. A motion was made by Mr. Kiehl and seconded by Mrs. Kolovich to approve the Development Agreement with Flash Point Partners, LLC for Edward M. Ryan Estates, and adopt Resolution R-##-2021 accordingly, as recommended by the Township Solicitor. All supervisors voted yes. The motion carried 3-0.
9. A motion was made by Mr. Kiehl and seconded by Mrs. Kolovich to approve the Sequestered Account Agreement with Flash Point Partners, LLC and Community Bank, to serve as the financial performance security for Edward M. Ryan Estates, as recommended by the Township Solicitor. All supervisors voted yes. The motion carried 3-0.

APPROVAL OF MINUTES

A motion was made by Mr. Kiehl and seconded by Mrs. Kolovich to approve the minutes for the Regular Meetings of February 9, 2021 and February 23, 2021, as presented. All supervisors voted yes. The motion carried 3-0.

STAFF REPORTS

Fred Simpson: Fire Chief reported the CHVFD has received 68 calls YTD, putting them ahead of last year at this time.

SUPERVISOR REPORTS:

Mrs. Kolovich-No Report
Mr. Kiehl – No Report
Mr. Friend- No Report

OLD BUSINESS:

NEW BUSINESS:

1. A motion was made by Mr. Kiehl and seconded by Mrs. Kolovich to authorize payment of invoices indicated on the attached listing. Invoices to be paid are posted on the bulletin board for review. **GF WASHINGTON CHECKING: \$49,330.83; WASH. LOCAL SERVICES TAX FUND:\$4,060.99;WF-REVENUE GAMING FUND:\$1,407.55;58 WASHINGTON.- COMM.CTR.OPER.FUND:\$180.37;88 SEWER FUND WASH:\$75,038.57;99 W-F-PAYROLL FUND:\$12,274.50; TOTAL CHECK:\$142,292.81** All supervisors voted yes. The motion carried 3-0.

DISCUSSION ITEMS:

1. 2020 Road Program
 - a. Contract C: The township engineer is currently working with the contractor. They plan on fixing the cracks on the road.

2. 2021 Road Program: The bids will be opened on April 7, 2021 and will be on the Agenda for the Townships next meeting.
3. 2021 Sewer Rehab: The Public Works Director and The Township Engineer will schedule a meeting to go over specifications.
4. 2021 Bond Refinancing: The bonds were sold on March 15, 2021. The rates were better than expected and will be closing in the next two weeks.
5. McClane Farm Road Culvert/Grant: The construction is underway. There have been issues with the utility companies that are being ironed out. The Culvert has been extracted and the new culvert is set to be put in place once the utility companies are finished.
6. Barnickel and Country Club Intersection review request: The Alternate Township Engineer is reviewing, and signage is planned for interim mitigation and a permanent relocation to improve sight distance is being sought.
7. Piatt Estates Offsite Sewer Dedication: There were a few items in the DEP application that needed to be added. The Township Engineer will get those items completed and sent over.
8. Arnold Park Field Development: The fencing is complete. The Public Works Director inspected the fence and said they did a beautiful job.
9. Airport and Mulberry Bridges: The contract was awarded by Canton Township. Chartiers Township is responsible for 50%. There will be a pre-construction meeting on March 25, 2021 at 2:30 pm with Canton and Chartiers Township Officials.
10. Ambulance service inquiries: Township Manager; Jodi Noble, Chief of Police; James Horvath, Chartiers Fire Chief; Fred Simpson, and Emergency Services; Ronald Fetti had a meeting on March 19, 2021 to discuss EMS Services. They have contacted Washington County to review the map. If any changes need to be made, the committee will make a recommendation for the Board to consider.

PUBLIC COMMENT:

Cynthia Cowie, 231 McClane Farm Road, reported the contractor for The McClane Farm Rd Culvert Project filled the base with concrete. We had rain the same day which reportedly washed a portion of the cement out of the culvert. She said the contractor installed the base without fixing the situation with the cement.

The board asked if an inspector is on site during the construction process.

The Township Engineer was not made aware of this issue until the meeting, but said she would check with the inspector. She asked the residents to please let them know if they see anything they deem important. The Township Engineer also stated they have

an inspector from Gateway that is checking in on the project. If a task was not performed correctly, the contractor will be held liable and must remedy the issue.

Cynthia Cowie said that it is not her place to let the anyone know, and she will be filing suit against Chartiers Township if flooding occurs again. She expects the Engineers and Chartiers Township to make sure the job is being performed correctly.

Ron Luisi asked, "shouldn't they rectify the cement"?

The Township Engineer said the Culvert is not ready to be set at this time and she will make sure the issue is taken care of and fixed before it is.

ADJOURN

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Time: 7:21 pm

A. William Kiehl
Secretary

Jamie Rozzo, Recording Secretary