

February 24, 2004

Held \_\_\_\_\_

**Opening of Meeting**

Mr. Fiedeldey called the meeting to order 7:00 p.m. Mr. Corman arrived at 7:35 p.m. and Ms. Mohr was not in attendance.

A motion was made by Mrs. Rielage and seconded by Mr. Fiedeldey to appoint Mr. Reuter as acting Clerk for the purpose of recording the minutes.

Mrs. Rielage. "Aye"

Mr. Fiedeldey. "Aye"

Reverend Dean Griffith, St Paul United Church of Christ, led the invocation and the posting of the colors was from Boy Scout Troop 641, St John the Baptist School.

**Presentation**

Chief Smith introduced Mr. Crost, Director of Clinical Studies of the University Medical Center Polyheme Study who explained the study to the Board. Mr. Crost said three communities within Ohio have been selected to participate in this study, Colerain Township being one of them. This product, protein based with oxygen substitutes, has to be refrigerated and has a shelf life of 30-days. The sponsor of the product will supply refrigerators to the squads.

Chief Smith explained that the Department has been researching this program for some time and will be used on only the most severely injured patients. Discussion was had on informing the Township's insurance carrier of the study and requesting their approval prior to moving forward. The manufacture will indemnify any third party community involved. It was added that the City of Cincinnati is a participant in the study and had to obtain an indemnification statement from the sponsor.

Mr. Crost explained that there is hope that the military, as well as hospitals, will use polyheme for their treatment. It was added that using this product, there is a decreased risk of multi-system organ failure, which comes with the red blood transfusions. The manufacture wants to go into non-trauma hospital uses and is looking to reduce costs by volume. The study is expected to last approximately 18 months with the manufacturer and 12 months.

The Board will delay decision until indemnity issue has been determined.

**Approval of Minutes:**

Mr. Fiedeldey requested that the minutes of the January 27, 2004 meeting be amended to include at appointment of Board President and Vice-President that Mr. Fiedeldey declined the nomination of President as he felt that position should be held for at least two years as Mrs. Rielage had held, and would like to see Mr. Corman retain that position for the second year. Mr. Fiedeldey said that he would be glad to accept the position in the future.

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A motion was made by Mrs. Rielage to approve the amendment to the minutes of the January 27, 2004 meeting and to approve the February 10, 2004 minutes as submitted. Mr. Corman seconded the motion. The roll was called.

Mrs. Rielage. "Aye"  
Mr. Corman. "Aye"  
Mr. Fiedeldey. "Aye"

**Sheriffs Report**

**Sgt Scudder** presented the Board with the February statistics as reported by the County. He highlighted criminal investigation cases, stolen property recovery, traffic citations and dui and curfew reporting.

**Trustees Reports**

**Trustee Diana Lynn Rielage**

**Letters of Appreciation.** Mrs. Rielage mentioned that the Colerain Township Fire Department received the following letters of appreciation: from the Superintendent of the Hamilton County Board of Mental Retardation & Developmental Disabilities, thanking them for their quick response, professionalism and willingness to help during a recent flood at the Breyer School; from Ms. Shelly Argo who was assisted by Robin Broxterman, Phil Klug, Chris Listerman and Carl Murray during a diabetic attack at Outback Restaurant; from Shelby Loudon, EMS Coordinator for Mercy Franciscan Mt.-Airy for excellent patient care Mr. Bootes received from Jim Knisley, Chris Azure, Robert Brown and Travis Worrell; and from Pastor Kallaher, of St. John the Baptist Church, for assistance the Department provided their parish during recent flooding from a broken pipe in the church.

**Forum on Aging** will be held at the Sharonville Convention Center and Sr. Canter Director Kay Klosterman will lead discussion on Senior Center - Image is Everything.

**Easter Egg Hunt** will be held at Colerain Park on April 3, 2004 from 10:00 a.m. to 2:00 p.m. This event is sponsored by Girl Scout Amanda Bertram, cousin of Drew Campbell, a township resident, who was tragically killed last Easter.

**Earth Day Celebration**, sponsored by Girl Scout Troops, will be held on April 24, 2004 from 10:00 a.m. – 2:00 p.m. at Colerain Park. There are many sponsors and booths supplying information on recycling activities. Everyone is welcome to attend.

**Safety Fair** will be held at Colerain Park on July 17, 2004 from 10:00 a.m. – 2:00 p.m. This will be an event for children and parents on various summer related safety issues such as bike safety, self defense for children, and playground safety.

**Honoring Obergiesing Germany.** Obergiesing, Germany has notified the Township that they will be honoring Colerain by naming some item or area in their community after the Township. Mrs. Rielage will be visiting Germany in April, and it might be fitting for the Township to show appreciation by honoring Obergiesing. Discussion was had on possibly naming something in the new park after them, perhaps ball-fields suggested by Mr. Corman or the dedicated

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soccer fields at Dravo Park, suggested by Mr. Fiedeldey. The Board will consider the ideas and discuss at the next meeting.

**Trustee Bernard A. Fiedeldey, Jr.**

**Fernald Records of Decision.** Mr. Fiedeldey mentioned that the Township has received correspondence from Hamilton County Commissioner Todd Portune requesting support to keep in place the Fernald Records of Decision. Years ago there was a draft document that organizations/entities agreed to, now the Department of Energy wants to change the section dealing with contaminated water they are taking out of the aquafier without purification and dump it in the river. Doing so just spreads further. The Department of Energy did not follow their end of the decision in the first place.

Mr. Fiedeldey read proposed Resolution #10-04 to support the records of decision and added that there was an article in the *Cincinnati Enquirer* against dumping water into the Great Miami River.

A motion was made by Mr. Fiedeldey and seconded by Mrs. Rielage to approve Resolution #10-04 supporting Fernald Records of Decision. The roll was called.

Mr. Fiedeldey        "Aye"  
Mrs. Rielage        "Aye"  
Mr. Corman         "Aye"

**Land Use Planning / Hamilton County Regional Planning.** Mr. Fiedeldey reported that approximately 1-2 years ago, Colerain Township took control of Township land use planning and there has been conflict with Hamilton County Regional Planning ever since. There was an Attorney General's opinion that stated Colerain Township could have its own plan and Hamilton County Regional Planning could have their plan with Colerain Township's overriding that of the County. A strong letter was sent to Hamilton County Regional Planning Commission and their response was that they would consider the Township requests at their March meeting. Mr. Fiedeldey added that the Board of County Commissioners appoints Hamilton County Regional Planning Commission and they have no power. It is an insult and Mr. Fiedeldey is tired of the letter game. He questioned what other members think, as the Ohio Attorney General opinion was clear. How do we resolve this situation? Mr. Corman stated that we want to participate in Hamilton County, but have to control our own destiny. The Commissioners are trying to take power over our community.

Mr. Foglesong commented on the letter made by the County and Mr. Fiedeldey added that saying they would consider our concerns is pointless. Mr. Foglesong stated that he would attend the March County Commission meeting. Mr. Fiedeldey said that he would attend as well as he is well versed in this topic and would represent the Township well.

**Cranbrook Drive Sewers.** Mr. Fiedeldey explained that approximately 4-5 months ago Cranbrook Drive residents came to the Board upset about the cost of sewer installation in their neighborhood. He has researched their concerns and wonders why they would want sewers; however, on the resident's behalf, Mr. Fiedeldey appeared before the Hamilton County Commissioners and the request was tabled until the Commissioners could find a more economical solution for sewer installation.

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History of the resident's requests for sewage, the opinions of the Health Commission, sewer maintenance and septic system standards was mentioned. Mr. Fiedeldey further explained that he had met with Commissioner Dowlin, who was helpful, and the Health Commission to discuss this situation. There appears to be approximately 10 years left on the street, and is it possible that the Township, when time to recap the street occurs, pay half and the residents assessed the other half, or possibly, all parties involved can contribute and take some of the cost burden off the property owners as the cost has increased from an original estimate of \$6,000.00 per house to \$15,000 per house.

The Board has received many complaints on the sewer system and run-off to streams in this Cranbrook area and is in agreement that the Township, through the Public Works Director, should pursue various costs for the most economical solution.

**Trustee Keith N. Corman**

**New Baltimore Bridge Repair.** Mr. Corman reported that he originally gave his report to Mr. Snyder because he was not sure on the time he would arrive at the meeting, but did report that he had spoken with Crosby Township regarding tree preservation near the bridge at New Baltimore.

**CITIZEN ADDRESS**

**Mr. Karen Whitcomb, 11739 Elkgrove Court,** distributed copies of the article to the Trustees and Colerain Twp. These are the February 13, 2004 article to Cincinnati Enquirer referencing the Lexington Subdivision in Butler County. Steve Reininger is the manager. Decisions will be made in the near future, either Rumpke or a site in Dayton. There is 40 mg of lead per. It would be treated by sulfite and made nonhazardous before it is delivered.

She was concerned that if it goes to Rumpke, the citizens would be jeopardized and wonders why, if soil is not contaminated or hazardous, is it not kept on construction site. If toxic soil, why is it permitted at the landfill.

The Board understood that Rumpke was not to accept hazardous waste, but was told by Ms. Whitcomb, as told by Rumpke Manager, that it would not be hazardous after rx treatment. The Township would like answers to the hazardous waste in Rumpke, and if the EPA says material is not hazardous, who is to be contacted to determine if the material is in fact hazardous. Perhaps the Health Department would be the agency to monitor the EPA. Mr. Foglesong will contact the USEPA for their opinion/input.

**UNFINISHED BUSINESS**

**Police Department, Chief Steven Sarver** reported that during the January 27, 2004 meeting, the Board of Trustees approved the creation of Lieutenants positions for the Department. He provided the Board with the salary recommendations as well as job descriptions. Starting salary at a rate of \$61,510.00, 6.5% above the Sergeant pay scales. After probation the rate would raise to \$65,264.00. The Sergeant's position would earn no overtime. The signing of a letter of understanding would be tabled at this time.

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A motion was made by Mrs Rielage and seconded by Mr. Fiedeldey to proceed with the creation of Lieutenant positions. Discussion on the letter of understanding followed. Chief Sarver assured the Board that discipline would occur only for cause. Cut backs ok. The roll was called.

Mrs Rielage "Aye"  
Mr Fiedeldey "Aye"  
Mr Corman "Aye"

#### Fire Department, Chief Smith

**Change order.** Chief Smith requested approval from the Board for a change order requested by Turner in the amount of \$1,004.28 for Cinfab Plumbing. Chief Smith mentioned that the explanation letter was received the day of the meeting and distributed to the Board mailboxes the same day.

A motion was made by Mrs. Rielage to approve the change order for Cinfab Plumbing as requested. Mr. Fiedeldey seconded the motion. Mr. Fiedeldey stated that he will ask to table consideration. Discussion followed on the Board's concerns with the Construction Manager, the lack of time (less than one week) to review the change orders, the understanding that the Township would not have overruns because of Construction Managers overseeing the project, incidents that the Construction Manager did not stay on top of (tension lines), the amount of time Chief Smith, Mr. Foglesong and Mr. Chapman have spent on the project when the idea of a Construction Manager was sold on the basis that it would not require much time of Township personnel, loading and hauling soils when the land was to be a balanced site.

Discussion continued on the soil and the fact that the soil excavated from utilities is never put back into the ground leaving spoils to be stockpiled. The Contractors said they are not responsible and the Contract Manager reminded them they were responsible for piling on site. If the civil engineer, in conjunction with the architect, had shot correct levels, this change would have been included in the original planning and the material would have been planned for placement on the site and not on adjoining property that the Township does not own yet. Additional spoils from MSD sewer excavations are permitted on the adjacent property. Moving spoils to adjacent property by Township saves on paying contractor rates. The Board, during discussion, expressed displeasure with the Construction Manager.

#### Police Department, Chief Steven Sarver

**Vehicle Replacement.** Chief Sarver requested approval from the Board to purchase two police vehicles from the State Cooperative Purchasing Program in the amount of \$19,002.00. This purchase will replace two vehicles being removed from service. All useable equipment will be transferred from the discontinued vehicles to the new.

A motion was made by Mrs. Rielage and seconded by Mr. Fiedeldey to approve the purchase of two police cruisers. The roll was called.

Mrs Rielage "Aye"  
Mr. Fiedeldey "Aye"  
Mr Corman "Aye"

**Pay Journalization** Chief Sarver reported pay journalization for Officer Joe Redmond from Step 2 to Step 3

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**Acknowledgement** and congratulations were given to Sergeant Dan Meloy and Sergeant Mark Unger for receiving the designation of CLE. There are only 100 total certifications in the State of Ohio, and Colerain Township holds three of them.

**Public Works Department, Mr. Dennis Chapman**

**Handicap Parking Zone.** Mr. Chapman presented a recommendation for a handicap parking zone, pursuant to ORC. The zone would provide parking near the residence of a permanently disabled man. The current parking zone is no parking from 8:00 a.m. to 4:00 p.m. on school days and it is recommended to replace 20' of this zone with no parking handicapped which would not comprise the current no parking zone. It is understood by the requestor that anybody with handicapped sticker is permitted to park in this location.

A motion was made by Mrs. Rielage and seconded by Mr. Fiedeldey to approve the installation of handicap parking zone as requested. 20' distance is sufficient for this request.

Mrs. Rielage "Aye"  
Mr. Fiedeldey "Aye"  
Mr. Corman "Aye"

**Vehicle Equipment.** As information, Mr. Chapman informed the Board that the one ton truck purchased needs a special order replacement bench seat with bucket for a cost of \$200.00.

A motion was made by Mrs. Rielage and seconded by Mr. Fiedeldey to approve the purchase of a bench seat with bucket. The roll was called.

Mrs. Rielage "Aye"  
Mr. Fiedeldey "Aye"  
Mr. Corman "Aye"

**PARKS AND SERVICES DEPARTMENT, MR. GREG SNYDER**

**Shelter Reservations** will be accepted for Colerain Park Shelters 1 and 2 beginning March 1, 2004. The cost is \$35.00 and renters are being warned about the cicadas.

**Safety Town** committee was formed of Township personnel to research the possibility of constructing one for Colerain Township. This small model community, made of wood structure, aids children in instruction of many safety aspects. Suggested location would be Northgate Mall with potential sponsorship funding the project. More information will follow.

**Crosby Bridge Restoration.** Mr. Snyder met with Crosby Township Board of Trustees about saving the old New Baltimore Bridge. The estimated demolition cost from Hamilton County Engineer would be \$180,000.00, although Mr. Fiedeldey has information that cost would be \$250,000.00. It is not decided at this time how costs, if any, would be divided amongst the communities. Mr. Fiedeldey suggested that the \$250,000.00 amount be used as an endowment to collect interest for maintenance costs. Four members from each community have formed a committee to investigate potential grant money available to save the structure. Mr. Snyder recommended Mr. Larry Shad for membership and Mrs. Rielage added that members of the Greenspace Committee were also

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interested. Hamilton County Engineer's Office has been contacted regarding bridge restoration.

#### ZONING DEPARTMENT, MR. OTIS SPRIGGS

Board of Zoning Appeals will meet February 25, 2004 to hear an appeal submitted by Home Depot to erect a temporary structure in front of their lot for seasonal storage for temporary garden structure until August, 2004. Mr. Fiedeldey stated that junk is stored there year round and we should not give them this permit until that area is cleaned up.

#### ADMINISTRATION DEPARTMENT, MR. FOGLESONG

Technical Committee, for Colerain Township, chaired by Mr. Birkenhauer, Assistant Administrator has requested that the Board approve an audit of our computer system, by Productivity Masters, needed to review our installation and current provider at a cost not to exceed \$3,750.00.

A motion was made by Mrs. Rielage and seconded by Mr. Fiedeldey to approve an audit of our current computer system. Other companies had been considered. In response to Mr. Fiedeldey's concern that the consultant should be directed toward a solution, as \$80,000.00 was spent last year with no result, Mr. Foglesong added that their job would be to evaluate our current provider to see if we are getting maximum service out of the equipment we have. The roll was called.

Mrs. Rielage        "Aye"  
Mr. Fiedeldey     "Aye"  
Mr. Corman        "Aye"

#### CLERK'S REPORT

Clerk Kathy Mohr – Mr. Foglesong reported, in Ms. Mohr's absence, that a letter was received from the Ohio Police and Fire Pension Fund stating that Ohio Revised Code 742.31 required a Resolution supporting a pre-tax pick-up of retirement costs. The Board of Trustees would pick-up zero through payroll deduction and this pickup will not be included in gross income.

Mrs. Rielage motioned to approve the request of Ohio Police and Fire Pension Fund and read Resolution 11-04 supporting the pre-tax pick-up plan. Mr. Fiedeldey seconded the motion. The roll was called.

Mrs. Rielage        "Aye"  
Mr. Fiedeldey     "Aye"  
Mr. Corman        "Aye"

Mr. Foglesong reported that he had no additional report of the Clerk but mentioned that the report of payment of bills, payroll, and receipts are usually reported the first meeting of the month.

The following receipts were recorded by the Clerk:

<u>REC</u>	<u>VENDOR</u>	<u>FOR</u>	<u>AMOUNT</u>
70-04	Sr. & Community Center	fees, don, lunch	135.50
71-04	Frank Birkenhauer	Cell call reimbursement	4.32
72-04	Dusty Rhodes	Lodging tax 4 <sup>th</sup> qtr 03	2,085.83
73-04	Dusty Rhodes	Estate tax - Jan	126,300.00
74-04	Council on Aging	COA - Jan	1,003.22

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75-04	Sr. & Community Center	fees, rent, don, lunch, refresh	1,060.75
76-04	Public Works Department	snow removal	2,182.20
77-04	Fire & EMS Department	EMS billing, signs, other	7,243.33
78-04	Betty Montgomery	HMGP grant	208,580.00
79-04	Sr. & Community Center	Prog fees, don, lunch	149.00
80-04	Time Warner Cable	Franchise fees for Dec	74,497.25
81-04	Frank Birkenhauer	Travel reimbursement	112.00
82-04	Sr. & Community Center	Prog fees, rent, don, lunch	994.00
83-04	Police Department	reports	17.45
84-04	Public Works Department	snow removal	1,654.40
85-04	Administration	Historical books	20.00
86-04	Sr. & Community Center	Fees, rent, don, lunch	369.00
87-04	Public Works Department	Snow removal	1,067.08
88-04	Police Department	Court reimbursements	48.00
89-04	Fire & EMS Department	Reimbursement, report	460.00
90-04	Fire & EMS Department	EMS billing	208.87
91-04	United States Treasury	941 Refund	4.72
92-04	Sr. & Community Center	crafts, fees, don, lunch, refresh	511.60
93-04	Zoning Department	Certificates, amendments	2,211.00
94-04	Fire & EMS Department	Memo receipt	
95-04	Dusty Rhodes	M Court fines, perm. vehicle	39,170.60
96-04	Sr. & Community Center	Crafts, prog. fees, lunch	196.70
97-04	Kevin Kelsey	Medicare backpay repayment	542.10
98-04	Administration	Historical books	30.00
99-04	Fire & EMS Department	Plan review	75.00
100-04	Police Department	Fee - Jan.	70.00
101-04	Sr. & Community Center	Prog fees, don, lunch	128.00
102-04	Dusty Rhodes	Sif & Rev Feb, Veh Reg-Jan	155,176.67

Before moving to Public Hearing, Mrs. Klosterman, Senior Center Director, stated that she did not have any business to come before the Board.

There being no further general business to come before the Board, Mrs. Rielage motioned for a brief recess before the start of the Public Hearing. Mr. Fiedeldej seconded the motion.

Mrs. Rielage "Aye"  
Mr. Fiedeldej "Aye"  
Mr. Corman "Aye"

The meeting resumed at 9:24 p.m.

**PUBLIC HEARING**

Public Hearing- Monte Vista 2003-05 Request from "A" Residence District to "A" C.U.P. for 47 single-family lots on 27.3 gross acres. Time: 9:24 PM:

Mr. Spriggs gave staff presentation and the staff report findings.

Applicant: Mr. Tom Tepe introduced Mike Collins of Ameritek Custom Homes, and Tom Abercrombie, Engineer; Commented that Mr. Spriggs did a good job. We are asking for a Community Unit Plan; this is the type of property for which the C.U.P. was written for. We are putting up few houses than "A" Zoning Classification will allow. The C.U.P. allows us to use the ridge and create a buffer; this plan guarantees open space that would not otherwise be required.

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BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD OHIO

Form 6101

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**Public Input:**

**Jeff Erdman, 6767 Mullen Rd** , Requested the slide showing his house be shown. My house is 70 ft from the development on a private drive that goes all the way up the hill; they show the buffer zone, it is pretty far in on my property. There are two homes built on the original Subdivision; my house is 75 ft. from where the greenspace would start. The developers will clear-cut everything; only place they will leave green space is that the slope is 28 to 30 percent. My concern is the small amount of greenspace they are leaving. There is nothing protecting my property.

Mr. Erdman added that in the Green Township development approval, there was supposed to be a ten foot buffer easement, that hasn't happened yet. There is an inch of dirt in my pool every day. These are endangered hillsides that Hamilton County Rural Zoning allowed them to build on the slopes. The rock creeks have turned into silt creeks.

Mr. Fiedeldey requested Staff to put up the slope map. Mr. Spriggs explained the color legend and stated that dark area represents 30 percent slopes. Mr. Fiedeldey stated that approximately 65 percent of the site is steep slope.

Mr. Erdman continued and stated that this is probably in a Hillside Overlay District;

Mr. Corman asked which lot is closest to Mr. Erdman's. Mr. Spriggs stated Lot 74 is shown on drawings closest. Mr. Erdman concluded that water runoff and the loss of greenspace would be his biggest concerns.

**Mr. Scott Bruno, 6689 Mullen Rd.** , stated that his property comprises of 2 parcels with 6 acres and a 1.3 acre parcel north of the development. Commented that neither his home nor any of the homes along Mullen Road were shown on the slides. Stated that there are steep slopes near his home. Asked how many retention ponds are planned. Stated that there is one pond, which will use a drainage draw between his property and Mr. Oberman's property.

Mr. Abercrombie stated that there are two new retention ponds. Mr. Bruno stated that looking at Hamilton County Regulations, no diversion of storm water will be permitted; but all the water will be funneled down into one single creek, which runs between his property and Mr. Oberman's property. In last meeting Mr. Abercrombie said erosion is caused by velocity not volume of water. I can't believe that it may be legal to do this without property owner's permission to take all the extra water. I have spoke with an engineer who has concerns over the plans, and he cannot evaluate the potential for problems without knowing the amount of water already flowing, future amounts, and velocity. My wife and I moved in 8 months ago, and we incurred property taxes, a cistern, etc. I will not be able to enjoy the natural beautiful surroundings. Please don't let this become another generic Cincinnati subdivision. I would like to have the numbers as to how much water, will be going into the pond and the rate.

**Mr. Walter Oberman 6667 Mullen Rd.** , commented about an ordinance that states impeding natural drainage. Use eminent domain if you think the use of the draw running between my property and my neighbors benefits the public.

Mr. Oberman stated that the Board probably has reviewed this in executive session. That's a good thing, good organizations do this; delay a decision until

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BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

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we can take it to Hamilton County. It is a County matter, because it is really appropriation of private property. Give us a delay so we can address Hamilton County about the ordinance.

**Mrs. Jan Nickum, 6689 Mullen Rd.** My husband spoke earlier. I want to bring up designing in the hillside district. We have 8 acres. Their property, built in 1880 by a German immigrant, is on a steep hill, is a 2 room house. They did not think that anything like this could happen. The Zoning Commission suggested that it be put into the contract with the builder that there be no access to Mullen Road and I appreciate this. We have the most to lose, Lots 80 to 92 about our land. We have a bridge over the creek where all the water from this property is going to go.

A motion to close Public Address was made by Mrs. Rielage, 2<sup>nd</sup> by Mr. Fiedeldey.

Mrs. Rielage. "Aye"  
Mr. Fiedeldey "Aye"  
Mr. Corman. "Aye"

Mr. Fiedeldey asked if 4 ft. wide sidewalks will be on all streets? Mr. Collins responded, yes. Will the street be 28 ft. curb to curb, with a 7 ft of tree lawn? Mr. Abercrombie responded, yes. Mr. Fiedeldey also asked if they will install all underground utilities, with coach lights for streetlights? Mr. Collins responded, yes.

Mr. Fiedeldey asked about the species of trees that would break sidewalks? Mr. Meierjohan stated that they installed red maples in front section, and he would probably use the same.

Mr. Fiedeldey stated that the ridge is like a pinecone. The biggest part of this is 30% slopes. Mr. Abercrombie stated that he has the Cagis maps, and it is not as steep. We will take the top of the pinecone off, and putting fill in to the crevices.

Mr. Fiedeldey stated that he has the same issue as neighbors as to how much of the water do you plan to catch. Mr. Abercrombie explained that when you do a ridge top development, roof tops are drained to the street, the rear downspouts go out the back, down the hill into natural drainage courses.

Mr. Fiedeldey questioned if any of the rear is collected. Mr. Abercrombie responded that he is right; not if it is a walkout basement. Mr. Fiedeldey stated that it appears that none of the driveways or the sidewalks are collected.

Mr. Fiedeldey added that he visited another developer's project across the valley from this one, on Kern Road off of Springdale Road, realizing we have storm water dumping down on people below with no consideration.

Mr. Fiedeldey suggested that the developer first, figure out how to contain the water and not dump it over the hill.

The second issue is the "A" C U P, which is for the purpose of mixing up the lots, as Mr. Tepe stated. But when we look at Green Township, there was a 20- ft greenbelt easement; there are none in Colerain Township. Mr. Abercrombie questioned if Mr. Fiedeldey was talking about the 20- ft along the lots, and added that there is open space next to his house.

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Mr. Fiedeldey stated that the idea of the C.U.P. is to allow development on steep ground, etc. But you are just looking for a C.U.P. on a Zoning. He added that when he did the math, taking away the 18 percent and the 9 percent that is unbuildable (greenspace)- the average lot size is only 12,313 sq. ft. A zone change was not asked for; it's still "A" Residence. Therefore, this plan does not comply with our Zoning

Mr. Abercrombie explained that the way he interprets a C.U.P. is that you take the total acreage of the property less the 18 percent. Mr. Tepe stated that they are here for a zone change, and they are asking for a C.U.P. The C.U.P. allows us to protect the unique features of the site. Mr. Spriggs' staff report says that we have met the requirements of Article 33. We could run the lot lines back to the boundaries and get rid of the greenspace, but we don't want to do that.

Mr. Fiedeldey stated that the code says the lot size has to be 20,000 sq. ft. in area (referenced Article 33, Sec 33 1 5). Why do we have a 35 ft set back when zoning calls for 40? Mr. Abercrombie replied that the "A" requirement is 50 ft setback, with the C.U.P. we are giving something and getting something

Mr. Fiedeldey stated that the lots in Green Township are 100- ft. wide minimum. Colerain Township lots are 80- ft. wide. When we go down the ridge, I am willing to be flexible about the setbacks, depth of lot, lot size, but I want the frontage. The lots in Green Township are 100- ft wide, so it's not a matter of marketing.

Mr. Fiedeldey stated that he would like some compliance with our Zoning. The average lot is 12,313 sq. ft. You guys went from "A" to "B-2". I am only asking for 100-ft. at the building line; Mr. Corman asked why is there a lack of consistency when we cross the Township line

Mr. Abercrombie stated that 14,335 s.f. is the average lot size.

Mrs. Rielage asked if you could go to "A-2" Residence density under an "A" C.U.P.

Mr. Corman asked again why are lots smaller than those in Green Township. Mr. Collins explained the marketing strategy. Stated that the topography is not as severe in Green Township, so we could get 3-car side entry garages, and can get more for those. He made another point that you add 1000 sq. ft. of concrete to side entry garages.

Mrs. Rielage asked why put the cheaper houses in Colerain Township. Mr. Tepe replied, because the lots are very different topographically. Mr. Fiedeldey stated that's why we need to develop this very carefully, property owners below already have problems.

Mr. Fiedeldey commented that a resident called him about all the silt run off from Monte Vista. Hamilton County Soil and Water told him that Mr. Fiedeldey's costs to developers was too high.

Mr. Abercrombie stated that he agrees we need to address the storm water.

Mr. Fiedeldey stated that it is a known problem there already, and we need to deal with it now.

Mr. Fiedeldey stated that he would like to make a motion to deny the project as presented

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REGULAR

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Minutes of \_\_\_\_\_

Meeting \_\_\_\_\_

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

February 24, 2004

Held \_\_\_\_\_

Mr. Corman asked if they can develop it as "A" Residence without going through this process. Mr. Spriggs responded yes.

Mr. Fiedeldey asked can we agree on 100- ft. lots at the building lines; Mr. Abercrombie replied, no; but, we will control the stormwater.

Mrs. Rielage asked about Lots 121 and 122- is there a different setback. Mr. Abercrombie stated that it matches Green Township's "A" Zoning.

Mr. Fiedeldey asked can we continue the discussion.

Mr. Tepe stated that if we go with 100- ft. lots, we would lose 25% of the lots;

Mrs. Rielage stated to the residents in attendance, she would like to be able to prohibit all development, but the property owners have certain rights.

Mr. Corman added that he is concerned about the stormwater problems in Hamilton County. We have a FEMA partnership and we need to work together to address this with all developments.

A motion was made by Mrs. Rielage to continue the Public Hearing to March 9, 2004.

Mrs. Rielage stated that she needs more information regarding the stormwater detention and issues regarding CUPs. Mr. Fiedeldey seconded the motion. The roll was called.

Mrs. Rielage. "Aye"

Mr. Fiedeldey. "Aye"

Mr. Corman. "Aye"

Mr. Fiedeldey asked if there are innovative ways to put a lot of turf on the hills, because it will slow down the water. He added that the subject property is so close to the property lines, and the applicant should be responsible for slowing down the water.

Mr. Collins commented that the Zoning Commission placed conditions covering the clearing limits, and they will not be clear-cutting down to the property lines.

Mr. Fiedeldey clarified that he is talking about the applicant slowing down the water on their property.

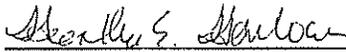
February 24, 2004

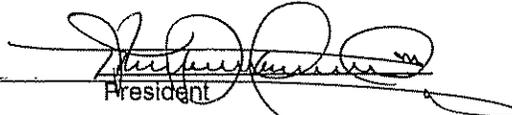
Held \_\_\_\_\_

**AJOURNMENT**

There being no further business to come before the Board, a motion of adjournment was made by Mrs. Rielage and seconded by Mr. Fiedeldey. The roll was called and the meeting adjourned at 11:03 p.m.

Mrs. Rielage. "Aye"  
Mr. Fiedeldey. "Aye"  
Mr. Corman. "Aye"

  
Clerk

  
President

Please see April 13, 2004 minutes for changes in the Approval of Minutes section.