

RECORD OF PROCEEDINGS  
MINUTES OF THE KINGSTON TOWNSHIP BOARD  
OF TRUSTEES MEETING  
"Special" Board Meeting  
Comprehensive Plan  
May 28, 2008 7:30 p.m.

The Kingston Township Board of Trustees meeting was called to order by Vice-Chairman Fink.

ROLL CALL: Akers-absent; Fink-yea; Shively-yea; Talbott-yea; Stites-yea

ZONING BOARD: Doug Harsany spoke on behalf of the Kingston Township Board of Zoning. The purpose of the Comprehensive Plan was discussed as well as the Vision Statement of the Plan and other items outlined in the Kingston Township Comprehensive Plan.

PUBLIC INPUT: Floor opened for public comment. None

Motion to adjourn by Fink with a second by Shively. Vote-Fink-yea; and Shively-yea.

Minutes approved this <sup>4<sup>th</sup></sup> ~~2<sup>nd</sup>~~ day of <sup>August</sup> ~~June~~ 2008

Chairman Akers abstain

Vice-Chairperson-Fink 

Trustee Shively 

Fiscal Officer Roy 

\* See attached Public Hearing Transcript dated 5/28/2008

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BEFORE THE KINGSTON TOWNSHIP

BOARD OF TRUSTEES

PUBLIC HEARING

- - -

IN RE: :

Kingston Township Draft :  
Comprehensive Plan :

- - -

Proceedings before Chairman John Fink and  
Member Bill Shively taken at The Kingston Township  
Hall, 9899 State Route 521, Sunbury, Ohio, on  
Thursday, May 28, 2008, at 7:30 p.m.

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Kingston Zoning

JUN 13 2008

Received

## P R O C E E D I N G S

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2  
3 CHAIRMAN FINK: I've got 7:30 so we'll  
4 bring the meeting to order. I'll be chairing  
5 tonight. Dewey Akers, the Chair, had to go out of  
6 town.

7 We'll start with roll call.

8 MR. ROY: Akers?

9 Fink?

10 CHAIRMAN FINK: Here.

11 MR. ROY: Shively?

12 MEMBER SHIVELY: Here.

13 MR. ROY: Talbott?

14 MR. TALBOTT: Here.

15 MR. ROY: Stites?

16 MR. STITES: Here.

17 MR. ROY: Thank you.

18 CHAIRMAN FINK: Okay. And at this time,  
19 the floor recognizes Doug Harsany and he'll give us  
20 a little information on --

21 MR. STITES: John, how about if we let  
22 Kathy swear in anybody that's going to testify?

23 CHAIRMAN FINK: That's fine.

24 (All sworn.)

1 MR. STITES: Thank you.

2 MR. HARSANY: For those of you who have  
3 your plans, you might turn to paragraph 3.3 on page  
4 21.

5 MR. TALBOTT: What page, Doug?

6 MR. HARSANY: Page 21.

7 First of all, I'd like to thank the  
8 honorable trustees for the opportunity to present  
9 this this evening. And I'd like to thank the  
10 citizens who have chosen to be here this evening.

11 The first thing I'd like to ask is what is  
12 the purpose of the comprehensive plan, and the plan  
13 itself attempts to answer that question. As you see  
14 in paragraph 3.3, which I refer to, it says, The  
15 comprehensive plan is a set of policies, goals and  
16 recommended land use map for the future development  
17 of the township. However, as a plan, it has no  
18 direct power under Ohio law. The township must  
19 adopt zoning which implements these policies and  
20 visions. Zoning is the police power that guides and  
21 enforces the township's development. It is the  
22 intention of the township to adopt a comprehensive  
23 plan that is descriptive of its vision of the  
24 future. The township must subsequently amend its

1 zoning to implement these policies and visions.

2 And then it goes over some values of the  
3 comprehensive plan. For example, it says, Citizen  
4 participation leads to better interaction between  
5 government and citizens. The comprehensive plan  
6 allows government to describe appropriate long-range  
7 goals prior to the zoning process. The  
8 comprehensive plan contains valuable information on  
9 land use, natural resources, environmental concerns,  
10 housing, traffic analysis, et cetera, and serves as  
11 a policy guide for all land use decisions.

12 The comprehensive plan is based on a  
13 consensus of citizens, and is a strong projection  
14 against legal challenges for inappropriate land use.  
15 And finally, the comprehensive plan contains a  
16 record of existing and proposed land uses.

17 For the purpose of promoting health,  
18 safety, welfare and morals, the township trustees  
19 may, in accordance with a comprehensive plan,  
20 regulate the location, height, bulk, number of  
21 stories and size of buildings and other structures.

22 This is a reading from the Ohio Revised  
23 Code, Chapter 519. So the comprehensive plan is  
24 mentioned there and it does have a purpose.

1                   There are 18 townships in Delaware County.  
2           Eleven of them have completed plans; three have  
3           plans under development; and four have no plans.

4                   One of those four is the township  
5           contained in the City of Delaware, which fills the  
6           majority of land within the township and has a  
7           comprehensive plan. The other three townships are  
8           on the far northwest corner of the county where  
9           development pressures are less. All of the  
10          townships on the east side of the county already  
11          have plans or their plans are in process.

12                   A lot of people have worked hard over the  
13          past several years in the development of this plan.  
14          Many of them are listed on page 2, which I suggest  
15          you take a look at.

16                   There has also been a lot of citizen input  
17          along the way. There have been any number of  
18          interruptions in this process due to an increase in  
19          development pressure and the zoning commission has  
20          had to repeatedly interrupt its work on the plan to  
21          consider development proposals and to conduct other  
22          business.

23                   As you can see, the plan before you is  
24          called the 2006 Kingston Township Comprehensive

1 Plan, even though it is 2008. Toward the end of  
2 last year, the decision was made to not attempt to  
3 revise all of the dates and the data in this plan,  
4 as multiple revisions have already slowed down the  
5 process. Instead, the zoning commission has tried  
6 to ensure that the vision and goals of the plan are  
7 consistent with the desires of this township's  
8 citizens, and is recommending that the county adopt  
9 this plan with the existing, though somewhat  
10 outdated dates and data.

11 This information will become outdated soon  
12 enough anyways, and it is the belief of this  
13 commission that this document, once adopted, should  
14 be a work in progress with sections of this plan  
15 revised and updated as new information becomes  
16 available and as time allows. There will therefore  
17 be further opportunities for public input as this  
18 plan is refined and updated over time.

19 The Delaware County Regional Planning  
20 Commission voted in March and issued preliminary  
21 approval for this document. Several text change  
22 recommendations have been incorporated into the  
23 document and they are in the process of revising 14  
24 maps located in Chapter 7 and 8.

1                   Are those maps --

2                   MR. STITES: They are done. They are in  
3 there, Doug.

4                   The maps are revised. They're in the plan  
5 that everyone is looking at.

6                   MR. HARSANY: Thank you.

7                   So, what is the vision for Kingston  
8 Township as presented in this plan?

9                   I'd like to start by reading the vision  
10 statement on page 6.

11                   Ultimately we would like Kingston Township  
12 to be a community that retains large lots and a low  
13 residential density (generally less than one unit  
14 per two acres) in a rural setting with agriculture  
15 and significant permanent open space.

16                   The rural character of the township will  
17 be maintained with a concerted effort to preserve  
18 open space, natural features of land, and farmland  
19 preservation with an emphasis on large residential  
20 lots. Rural roads would, for the most part, remain  
21 narrow, two-lane roads, yet safely carry local  
22 traffic. They would have a rough edge, with fencing  
23 that reminds us of the rural past, and mature  
24 landscaping to replace fence/tree rows if they are



1 removed as part of planned developments.

2 Primary conservation features must be  
3 prioritized as restricted, permanent open space and  
4 preserved as the township developments in this  
5 order: No. 1, woodlands; No. 2, wildlife habitats;  
6 No. 3, quality wetland buffers; and No. 4, riparian  
7 zones.

8 Secondary conservation features, including  
9 floodways, scenic views and vistas, and sloping land  
10 must also be considered as restricted, permanent  
11 open space. Prime farmland and cultural resources  
12 (historic, archeological or of cultural value) that  
13 give a sense of our heritage should be preserved as  
14 part of all new developments.

15 There should be a variety of housing  
16 choices and price ranges, and adequate  
17 infrastructure to serve new development. We would  
18 like to see a diversity of housing types to meet  
19 different housing needs. For example, older adults,  
20 empty-nesters, individuals and families. There  
21 should be a balance of commercial, residential and  
22 recreational areas; commercial should be developed  
23 for a broader tax base, but should be in very few  
24 select areas buffered from exclusively residential

1 areas.

2 We want to live in a community where  
3 growth is balanced with the conservation and  
4 enhancement of rural landscapes, agriculture,  
5 cultural and heritage resources, and the  
6 environment.

7 There are a number of goals and objectives  
8 laid out on pages 7 through 11 of the plan. These  
9 goals cover the preservation of natural resources  
10 and agriculture; provide guidance for orderly  
11 residential development, and for limited commercial  
12 development; encourage increased recreational  
13 opportunities; provide guidance on the provision of  
14 township services; and guide planning for zoning,  
15 transportation needs, and citizen participation.

16 There is also a comprehensive plan map on  
17 page 12 which divides the townships up into  
18 sub-areas as follows: If you'd take a look at that  
19 with me.

20 No. 1, the Upper Alum Creek area which  
21 gives special consideration to the effects of  
22 development on Alum Creek watershed.

23 No. 2, the Agricultural Heartland which  
24 encourages the preservation of agriculture.

1           No. 3, the Estate Transition District  
2           which provides for a transition area between the  
3           higher densities in Berkshire Township and the more  
4           agricultural and environmentally sensitive areas in  
5           the remainder of Kingston Township.

6           And finally, Little Walnut District which  
7           provides special protection for the protection of  
8           Little Walnut Creek and the more rugged topography  
9           of this area.

10           Again, the zoning commission is  
11           recommending this comprehensive plan to the trustees  
12           and we hope that you find it to your liking and that  
13           it can ultimately be adopted as a useful document  
14           for this township's purposes.

15           Thank you.

16           CHAIRMAN FINK: Thank you, Doug.

17           At this time, do we have any input from  
18           the citizens or other board members that are here?

19           Zoning inspector or secretary?

20           MR. COPE: Just a comment. It would be  
21           good to get one because that's the first question  
22           they ask at Regional Planning, is do they have a  
23           stand-alone comprehensive plan. It would have been  
24           nice to have had it when we were going through the

1 Weiler -- the two Weiler developments.

2 CHAIRMAN FINK: Okay.

3 Any questions, Bill?

4 MEMBER SHIVELY: No.

5 No. It looks -- do you have any  
6 questions, Mrs. Swagler?

7 MRS. SWAGLER: Not right now, I can't  
8 think of one.

9 MEMBER SHIVELY: Okay.

10 MRS. SWAGLER: That might change, but then  
11 it might be too late I suppose.

12 CHAIRMAN FINK: Well, we're going to hear  
13 this again on the -- June 2nd at our regular  
14 trustee's meeting. So that you'll have an  
15 opportunity to evening also for input at that time.  
16 That will give you some additional time.

17 I think at this time if there's no other  
18 input or anything, I'll entertain a motion to  
19 adjourn.

20 MEMBER SHIVELY: I'll second the motion.

21 MS. BURRELL: Do you need a motion to  
22 continue?

23 CHAIRMAN FINK: No. Because it's already  
24 posted and we'll have it at the regular meeting, so

1 we can adjourn tonight.

2 MEMBER SHIVELY: I just want to thank  
3 everybody.

4 CHAIRMAN FINK: Thank you for coming out.  
5 We appreciate it.

6 MEMBER SHIVELY: We have a little more  
7 attendance tonight. Everybody seems to be happy  
8 with it.

9 MR. TALBOTT: Consultants charge townships  
10 40, \$50,000 to write these things. So having these  
11 people do this saved us a heck of a lot of money.  
12 We had an unsolicited proposal from some engineering  
13 firm and that's approximately what they wanted.

14 MEMBER SHIVELY: We had a good start. We  
15 had regional planning help us out immensely in the  
16 beginning and we just fine-tuned it, so that helped.

17 MR. STITES: They're still supportive.

18 MEMBER SHIVELY: They'll always be. It's  
19 not going to change.

20 CHAIRMAN FINK: Call roll?

21 MR. ROY: Fink?

22 CHAIRMAN FINK: Yes.

23 MR. ROY: Shively?

24 MEMBER SHIVELY: Yes.

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CHAIRMAN FINK: Thanks everybody.

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Thereupon, the public hearing concluded at  
approximately 7:46 p.m.

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C E R T I F I C A T E

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THE STATE OF OHIO:

SS:

COUNTY OF FRANKLIN:

I, Kathryn E. Cathell, a Registered Professional Reporter and Notary Public in and for the State of Ohio, do hereby certify that I reported the foregoing proceedings and that the foregoing transcript of such proceedings is a full, true and correct transcript of my stenotypy notes as so taken.

I do further certify that I am not an attorney for or relative of either party and have no interest whatsoever in the event of this litigation;

That I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of office at Columbus, Ohio, this 6th day of June, 2008.

*Kathryn E. Cathell*  
Kathryn E. Cathell, RPR  
Notary Public, State of Ohio

My Commission Expires: December 11, 2009.

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