

BOARD OF TRUSTEES OF HARRISON TOWNSHIP  
LICKING COUNTY, OHIO  
MINUTES OF PUBLIC HEARING JUNE 28, 2021

The Harrison Township Trustees held a Public Hearing on June 28, 2021 at the Township Hall. The meeting was called to order at 7:00 p.m. by the Chairman, Mark Van Buren. The purpose of this hearing is to review an application submitted by DR Horton. The applicant is seeking approval for a Planned Unit Development Residential Subdivision, Buckhorn Place. The development is located on the east side of York Road between Blacks Road and Beaver Run Road and plans are for 97 lots on 52.96 acres.

The following members and guests were in attendance.

Trustee	Mark Van Buren
Trustee	Eric Smith
Trustee	Ray Foor
Fiscal Officer	Carolyn Elder
Zoning Inspector	Valerie Hans
Guest	Peggy & Marshall Williams, 6252 Beaver Run Road
Guest	Tony Sharp
Guest	Dave Dozer, DR Horton
Guest	Patrick West
Guest	Ryan Badger, 88 W. Church St., Newark
Guest	Rob Little, DR Horton
Guest	Lyn King, 1470 Sedgefield
Guest	Vickie Noble, Zoning Secretary
Guest	Kevin & Lisa Nixon, 7094 York Road SW
Guest	Kyle Seitz, LCSWCD
Guest	Theresa Jeffers, 107 Castleton
Guest	Jack Mautino, Division President DR Horton
Guest	Terry Andrews, DR Horton
Guest	Laney McLaughlin, 4906 Outville, Road, Granville
Guest	Dana T. Lance, 113 Covington Lane

Marilyn Martin, court reporter with Anderson Reporting Services was in attendance. Chairman Mark Van Buren ask the court reporter to swear in anyone wishing to speak at the public hearing.

The Chairman introduced the applicate and their attorney, Connie Klema. Connie Klema proceeded to explain the Buckhorn Place PUD. She referenced the Buckhorn Project Timeline that was a handout to attendees. She stated that in 2003 the text, plan and PUD zoning was approved. Plans can expire but the PUD zoning does not expire. In 2014 there were a few changes to the plans and two lots were lost. Today

they are submitting the plan for approval with no changes.

From the floor – Peggy Williams, 6252 Beaver Run Road

Mrs. Williams read the following statement:

My name is Peggy Williams and with my husband Marshall Williams, own property on York, Beaver Run and Refugee Road in Harrison Township.

I am aware the planned Buckhorn PUD development was approved prior to the current regulations. However, the lot sizes are 30% smaller than the current zoning code of 15000 square feet and the houses are 300 square feet below the current code of 1800 square feet. This housing density is a significant concern. In the Harrison Township Comprehensive Plan the mission was to “have new development blend well with the agricultural heritage of the area”. Housing unit density as of last year was 105 units per square mile with only Reynoldsburg, Pataskala and Etna Township having higher housing density. The 2019 population density is 291 people per square mile. The population of Harrison Township continues to increase and was recorded as 7949 people on the 2019 Census. The population also has more than 50% of the adults still in child bearing years which point to an increase in school requirements to educate the youth of this population.

South West Licking School’s website shows 4251 students with 1172 students enrolled at Watkins Memorial High School and 935 middle school students in the 2021 school year. The new school being built on Smoke and National Roads and renovation to the old high school is designed to accommodate 1078 middle school students. The schools will be over their designed capacity before they open with the continued increase in population. Several other residential developments are currently in process in the South West School district, which will require addition school funding and buildings.

As a property owner in Harrison Township, I am concerned about continued residential subdivision development. Such developments require community services in excess of their taxable revenue. The usual tax revenue from a median value home in Harrison Township of \$222,000 is \$4000 per year which is not enough to provide the community services required. Residential property actually costs \$1.16 for each dollar of tax revenue generated. Businesses and agricultural uses provide a surplus of tax revenue as they require only 27-36 cents from each dollar of tax revenue generated.

The area of the proposed residential development also has an area of wetland, is predisposed to flooding along the creek and has severe limitations for housing with basements. Such factors add additional concern for the density of the proposed housing subdivision and would indicate its current agricultural use as the “best” land use.

We ask for your careful consideration for these concerns in your decision.

Respectfully submitted, Peggy and Marshall Williams

From the floor – Dave Dozer, DR Horton

Mr. Dozer stated that the homes in Ellington Village have square footage of 1583 to 1858 with an average price of \$335,000 to \$455,000.

From the floor – Ryan Badger, ADR

Mr. Badger introduced himself and stated that he was here to answer questions.

From the floor – Lisa Nixon, 7094 York Road SW

Mrs. Nixon read the following statement from Megan Scott who was not able to attend the public hearing as follows:

I wish to let the record reflect that we, Michael & Megan Scott, property owners of 7130 York Rd. disagree with the zoning committee's recommendation to approve DR Horton's application and plans for PUD subdivision, Buckhorn Place. We would like for the trustees to deny development based on the following concerns:

1. Buckhorn Place PUD application, notes the conceptual overview is "a result of the interests and concerns set forth by the Township in its PUD regulations" yet the property deed and preliminary plans are not compatible with surrounding developments. First and foremost we would like for the developer to partner with the community, and agree to resubmit updated plans using current zoning regulations.
  - a. No other housing developments existed on York Rd. when the application originated; since then several new developments have gone up. The permitted density, lot width, buffer regulations, etc. do not conform to the standards that have been set by other subdivisions. We see no benefits under the proposed development that would justify deviation from current standards.
  - b. Research of current market shows that a 1,500 sq. ft. home on less than a quarter acre for a base price of \$325,000 is below market standard in size and above market median on price per sq. ft. Furthermore, it is not comparable within Harrison Township or surrounding communities. We seriously question if the houses will actually sell for the said base price and it is our concern that development under this plan will ultimately have a negative effect on existing property values which should be protected by PUD regulations.
2. The EMH&T Preliminary Investigation attached to the application is severely outdated and we would like to see an updated investigation. We believe there to be drastic difference in the stream flow, drainage, and watershed since 2003 based on flooding frequency and noticeable land erosion likely caused by other developments having gone up. Allowing this to go through and be addressed at the county level is negligent and does not advance the general health, safety, and morals of Harrison Township as stated in the criteria for approval within the former and current PUD regulations.
3. The traffic study attached to the application is severely outdated. It notes "no other subdivisions along York Rd." and "assumes no impact". There has been a drastic increase in the number of accidents occurring on York Rd. within the last five years. We believe the traffic saturation has increased due to other subdivisions that now exist and would like to see an updated study of current conditions, measurements, and recommendations. Allowing this to go through and be addressed at the county level fails to confirm the development will not create overcrowding and traffic hazards on existing roads and intersections as stated in the criteria for approval within the former and current PUD regulations.

- a. Furthermore, the traffic study notes a turn lane will be required. This, at minimum, will be a requirement under a new study and we would like to know where the turn lane will be located and where the 50 foot radius will come from.

Respectfully, Megan Scott

Lisa Nixon ask how will this benefit the township.

Connie Klema stated that the zoning cannot be changed. This question was answered in 2003. Chairman Mark Van Buren stated that we are here to review the plans and map to see if it fits in Harrison Township.

Lisa Nixon stated that she has researched the builder/developer and there are issues in other developments that they have built, her example was the development on Broad Street.

Chairman Mark Van Buren stated that they have been good to work with on Ellington Village. Kevin Nixon (sworn in by court reporter) stated that they live diagonal from the PUD since 2000. His concerns are with more accidents happening going south and with the tracks there will be even more.

From the floor – Theresa Jeffers, 107 Castleton

Ms. Jeffers stated that she was new to the area and wondered if there would be a new traffic study required. Chairman Mark Van Buren replied that an updated traffic study would be required.

From the floor – Jack Mautino, Division President DR Horton

Mr. Mautino introduced himself and said that he has been with Westport Homes for fifteen years and is here to answer questions. He stated that homes are not sold to investors and that the leadership team has not changed.

From the floor – Terry Andrews, DR Horton

Mr. Andrews introduced himself and stated that he is here to answer questions.

From the floor – Laney McLaughlin, 4906 Outville Road, Granville

Mrs. McLaughlin stated that she owns farm ground that backs up to Beech Wood Trails. She advises the developer to have a large buffer/barrier between farm land and the houses. She explained how they spray and homeowners just extend their yard into farm fields. Every year she picks up Christmas trees, trash cans, trash from home owners and some plant their gardens into the farm fields. She stated again that the buffer should be higher than you can throw items.

From the floor – Lisa Nixon, 7094 York Road SW

Mrs. Nixon is still concerned with the after effects and the construction quality of the builders. She is concerned with investors buying up homes and making them rental homes. She recommended that the trustees research the builders because she knows of a law suit.

Trustee Smith read a letter from Debra Moore, Southwest Licking School Board Member who was not able to attend the public hearing as follows:

I'd like to begin by thanking the Harrison Township Trustees for allowing the Southwest Licking Local School board to submit testimony in reference to the application submitted by DR Horton requesting approval of the PUD of the residential subdivision, Buckhorn place. I apologize for not attending in person, as I am with my family on vacation and am writing this testimony on behalf of the SWL school district.

Prior to May 2017, the children of the SWL school district were receiving their education in less than optimal conditions. Students were forced to be educated in makeshift closets, basements, gym stages or crammed into classrooms or hallways based on our extensive growth within the district. Voters approved a bond in May of 2017 to build new schools and renovate existing schools. The SWL school district partnered with the State of Ohio, who also recognized SWL's desperate need for additional and renovated schools. The State of Ohio projected SWL's future enrollment for the next 10 years to determine the amount they would contribute, along with the size of new needed schools and renovated schools. Sadly, with the High School yet to open, and renovations just starting, we have already exceeded that projected enrollment.

K-12 will see a projected increase of 875 additional students in the next FIVE (5) years. In the next TEN (10) years, the District will see a projected increase of 1590 students. By 2030, Southwest Licking's projected enrollment will be 6013. This is massive growth!

In 2003, SWL's enrollment was 3343, today it is 4421. In 2003, SWL had 37 bus drivers, today, we have 44. In 2003, SWL had 371 employees, today we have 490. To say circumstances have changed since 2003 is a gross underestimate. We request that our Township Trustees recognize that circumstances have changed since 2003, and make decisions based on today's circumstances.

The Southwest Licking Local school board has a passing rate of roughly 33% based on all previous bonds and levies. This is important to note, because we don't have the ability to keep up with massive development in our District. We don't have the ability to quickly return to the voters and get approval for more teachers, more buses or additional schools buildings. It is not possible. We are already faced with overcrowded schools, even with the new buildings and renovations. Looking at our existing buildings, even with new and renovations is as follows:

#### K-3 buildings

2021-2022 will be at 110% capacity

2022-2023 will be at 114% capacity

2023-2024 will be at 111% capacity

#### 4-5 building

2021-2022 will be at 87% capacity

2022-2023 will be at 88% capacity

2023-2024 will be at 95% capacity

#### 6-8 building

2021-2022 will be at 98% capacity

2022-2023 will be at 99% capacity

2023-2024 will be at 102% capacity

#### 9-12 building

2021-2022 will be at 116% capacity

2022-2023 will be at 121% capacity

2023-2024 will be at 126% capacity

All of these numbers are extremely concerning, especially when developers want to use 2003 statistics, traffic studies etc. Good schools create great neighborhoods and communities. The School District is not opposed to growth. We recognized we have desired schools and communities. The District wants open and honest communications with developers to explain how rapid and unplanned growth compromises the District's ability to educate our future. Let me state that again: we are NOT opposed to growth! We are opposed to rapid growth and mass development at the detriment of our students. We are no longer living in 2003, the circumstances have vastly changed.

On behalf of the Southwest Licking Local school board, we request the Township trustee deny the requested application, and adhere to the May 30 2021 standards of minimum lot sizes of 25,000 sq. Ft.

Thank you for the opportunity to submit this testimony

Debra Moore, SWL School Board Member

Trustee Smith read a letter from Matt Jasper who was not able to attend the public hearing as follows:

Good evening,

I have been looking into the new housing division Buckhorn Place and want to voice my concerns and opposition to the application. Adding this subdivision does not better our community and has far greater negative impact than positive. The traffic this will create on blacks and York which is already growing each year will add congestion and unsafe conditions. Our school district is already growing faster than we can build new buildings. This subdivision will raise all our taxes to support new schools. While there are many other reasons to vote this down such as lot sizes and housing market, I will end with: any application submitted in 2003 with decade old studies and guidelines should be immediately dismissed. Approving this project is detrimental to the township and only benefits the builder.

Thank you, Matt Jasper

Trustee Eric Smith read a letter from Richard Seavers who was not able to attend the public hearing as follows:

Please allow the record in tonight's meeting to reflect that myself Richard E. Seavers and my wife Heather R. Seavers of 7020 York Rd SW, Pataskala, OH 43062. While we are not able to attend as we are currently out of state on business we strongly oppose the installation of a new housing development at the aforementioned Buckhorn place. It has been our understanding that Harrison township is a rural community allowing more and more subdivisions to be built will only further us away from being a rural and farming community. There are concerns as far as to watershed, traffic, road constraints, installations of turning lanes on York that has a potential for more incidents because of the limitations to sight of where these would be placed. The standards these plans were developed under are far from being current. The cost at which the lots and homes will be sold for versus size limitations are unsettling. They appear to be too small. Resale will become an issue and possibly even foreclosures. We do not see any value to

which it will bring to property values or the schooling systems. Schools which are already overcrowded. While it is understandable that communities closer to town will need to grow with the growth of the population in the communities we believe it would be more beneficial if all plans were revised along with new watershed and traffic studies prior to any approved plans. Plans that should have larger lot sizes and minimum home size requirements. Allowing fewer homes and larger lots as being done by surrounding developments. The outdated plans are merely a way for the owner and developer to fill their pockets full. Such things were basically stated in the zoning meeting. Signed Richard Seevers.

Trustee Mark Van Buren read a letter from Kris Hansen that was not able to attend the public hearing as follows:

Good afternoon sirs, I hope you are all doing well.

I have a couple of questions regarding the proposal for a development just south of Broad Street on York Road. While the development is only 100 new single family homes, the access will be off of York. York is a two lane road and adding a development without turn lanes is going to increase the number of accidents (most of the entirely preventable, but they still happen). I am also concerned about what this will mean for the York/Broad intersection. As I am sure you all know, this intersection is a tad convoluted and sometimes down right dangerous. Dropping another 100 houses just south of it will add to the number of cars each day and could make this rough during heavy traffic times.

And finally, I am concerned about the impact on the schools. While 100 houses is small, if you look at what is going on in Etna and Pataskala (and other surrounding areas), I am not sure how much more the schools can take (even taking into account the new builds). The majority of people moved to Pataskala to enjoy the rural feel. While I understand the desire of more people to move here, we need to balance the residential growth with other type that can help support the community. We need a balance of residential with commercial to ensure that the tax burden doesn't only fall onto the residents.

Anyway, I am fine with this as long as we cover our bases to make sure they are not developing and running. Make sure they put in turn lanes. Move the entrance off of York. Maybe add some turn lanes at York and Broad. Make sure they are not overcrowding the schools.

Good luck. Only thing I am sure of is that you guys won't make everyone happy. Thanks for your service to Harrison Township.

Signed Kris Hansen

The Chairman ask if everyone that wanted to speak has done so. Next the trustees will comment and vote.

Trustee Ray Foor stated that it is not fair to the community, the project must be updated.

Trustee Eric Smith stated that he is disappointed with the traffic study and the effect that it will have on the schools. There is a lot of pressure coming our way. When the Board had gone through this in 2019, the Licking County Prosecutor's office advised the township that they

were to deny the existing plans while leaving the PUD zoning intact, in any motion to deny the application for a PUD Plan extension for Buckhorn Place Subdivision. The plan on file expired. The developer was supposed to submit a new plan to move forward.

Connie Klema responded that the PUD is the zoning text.

Trustee Smith stated that the zoning remains a PUD but the text was denied in 2019.

Connie Klema stated that they have a respect for property rights and there has not been a major change.

Ryan Badger stated that the traffic and storm water plans will be updated and reviewed at the TRC meeting.

Trustee Van Buren stated that the property is zoned PUD. The Board is here to talk about the map. He stated that a vote will take place. In 2003 he was a trustee and voted for the PUD zoning. Today he must consider the safety of the township. He stated that he wished that the West Licking Fire District had reviewed the plans. He has concerns about phase two and the T turns. Ryan Badger mentioned that they are temporary. Trustee Van Buren is concerned with economy and that they are temporary. Trustee Van Buren ask Ryan Badger if there is room on York Road to add a turn lane. Ryan Badger responded that they believe so.

Connie Klema ask if the Board agrees that this map is their PUD?

Jack Mautino stated: Do you know the cost of a 10,000 square foot lot? Answer: \$80,000-\$100,000. 97 homes will generate less than 100 kids for the schools. He stated that \$350,000 is an affordable home.

Trustee Van Buren stated that he wished the township could get bigger lots and 18,000 square foot homes.

Jack Mautino stated that they could go to 18,000 square foot homes.

Terry Andrews addressed the temporary turn arounds and said that they are paved until the next phase is built.

Trustee Van Buren stated that he cannot support smaller lots. The township has changed.

Jack Mautino stated that there is 36% open space.

Laney McLaughlin stated that if you keep slicing up farms there will be no rural farms.

Valerie Hans ask if the deed restrictions could state no rentals.

**-Eric Smith moved to deny the application from DR Horton concerning the plans and map for a Planned Unit Development Residential Subdivision, Buckhorn Place. Ray Foor seconded the motion. Roll call: Van Buren YES, Smith YES and Foor YES. The motion passed.**

Being no further business, Chairman Mark Van Buren adjourned the public hearing at 8:10 p.m. Minutes are unofficial until approved by the trustees.

Respectively Submitted,

Carolyn I. Elder  
Harrison Township Fiscal Officer