CITY OF FAIRBORN
PLANNING BOARD FORMAL SESSION
April 14, 2026 - 4:00 p.m.

Chair Gayheart called the meeting to order at 4:00 p.m.

BOARD MEMBERS	**Present**	**Absent**
Pam Gayheart, Chair	☒	☐
Kevin Knepp, Vice Chair	☒	☐
Bradley Clough, Board Member	☒	☐
Amy Davenport, Board Member	☒	☐
Jeannette Jack, Board Member	☒	☐
Gary Siembab, Board Member	☒	☐
Tim Steininger, Board Member	☒	☐

Mrs. Gayheart led the Pledge of Allegiance.

STAFF MEMBERS PRESENT
Kathleen Riggs, City Planner, Manuel Jacobs, City Engineer, Haley Myers, Assistant City Engineer, Cherise Schell, Development Services Director, Marie Gay, Planning Board Secretary

CITIZENS PRESENT
Greg Berling, Amy Trimble, Corey Burge, Mike Skaggs, Laura Powers, Tyler Williams, Peter Buswinka, Cullen Farrar, Haruka Farrar, Paula DeLucca

APPROVAL OF AGENDA
A motion was made by Mr. Siembab, seconded by Ms. Davenport and carried to approve the agenda for the April 14, 2026, Planning Board meeting.

Bradley Clough	Yes	Ms. Jack	Yes
Ms. Davenport	Yes	Mr. Knepp	Yes
Mrs. Gayheart	Yes	Mr. Siembab	Yes
		Mr. Steininger	Yes

APPROVAL OF MINUTES
A motion was made by Mr. Steininger, seconded by Mr. Knepp, and carried to approve the minutes for the March 10, 2026, Planning Board meeting.

Bradley Clough	Yes	Ms. Jack	Yes
Ms. Davenport	Yes	Mr. Knepp	Yes
Mrs. Gayheart	Yes	Mr. Siembab	Yes
		Mr. Steininger	Yes

OLD BUSINESS
None

NEW BUSINESS
CASE #2026-05
An application has been received by the Planning Board Request approval for a Preliminary Planned Unit Development (PUD) Modification Plan for the final phase of development of the

Arden Place residential subdivision located at 1479 Trebein Rd. in a PUD Planned Unit Development Zoning District.

Applicant: Greg Berling
Bob Krongold
Commerce Center Development Company

Ms. Riggs said this is the Preliminary PUD Modification Plan for the final phase of development of Arden Place. She reviewed the aerial and zoning maps with the Board and stated the zoning is Planned Unit Development, surrounded by additional Planned Unit Development for residential and commercial uses as you can see in the aerial maps to the south and east is the Candlelite subdivision and The Bluffs subdivision and Fairborn High School and Middle School to the west.

Ms. Riggs said Arden Place Preliminary Plan was last modified in 2022; this modification that is proposed today keeps the overall acreage the same, which is 84 acres, but does change a couple things. She said this proposal goes from 200 to 184 dwelling lots. She said while Windemere Grove is extended, it will no longer connect with Trebein Road; after much review, the developers are not able to connect to Trebein Rd and could not provide the line of site needed to provide a safe intersection with Trebein Rd as originally proposed and approval from Greene County Engineer Stephanie Goff. She stated there will be a ROW easement that will be placed in the open space on the plat for the Final PUD Plan. She said this is requirement of the Fire Code and Fire Department who has approved this plan and the reason for the additional condition. Ms. Riggs stated there is an increase in open Space from 21 to 25 acres and most of the added open space will create a buffer along Trebein Road. She said the details will be provided in the Final Development Plan which will come back to you for approval once the applicant receives approval of the Preliminary Plan. Ms. Riggs reviewed the existing detention pond associated with Phase Five and the future detention pond added to the final phase and stated there will be walking path connections through the site.

Ms. Riggs reviewed the maps of the waterways and wetlands according to the surface waters and wetlands inventory. She said there are no waterways shown on this site, but it does show on the properties nearby. She said you have requested wetland information in the past, so I wanted to include it in my presentation; I believe this data is from the US Fish and Wildlife Service or may have been downloaded from the State of Ohio Website.

Ms. Riggs stated the elevations of the homes will be the same as the existing homes. She said the proposed Preliminary Plan Modification complies with the PUD Review Criteria specifically: the proposed development complies with the prior Preliminary PUD Plan outside of the few changes, the site plan includes appropriate buffering, access utility connections and building design and the use maintains compatibility with surrounding residential uses and provides adequate access and infrastructure.

Ms. Riggs stated feedback was received and is listed below.

A resident was informed when purchasing his property that no development would take place behind his property, which that was never the plan, but unfortunately this information impacted their decisions. She said I have connected them with the development team to see if there was

a solution, but I don't think anything has been reached at this point; there was a letter provided in your packet from this resident.

Concern about not currently having school zone signs in the neighborhood, they will be added prior to the opening of the middle school.

Ms. Riggs said city departments, such as fire, police, water and engineering have reviewed the application and all comments have been addressed or accounted for in the conditions.

ALTERNATIVES:
1. Approve the proposed Preliminary PUD Modification Plan as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that they are consistent with the general criteria for approval.

2. Conditionally approve the proposed Preliminary PUD Modification Plan as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that, with the following conditions, they are consistent with the general criteria for approval:

> 1. Construction work hour operations should consider adjacent communities and residences' welfare. Infrastructure and home building work involving heavy operating equipment should not begin or extend beyond the hours of 7:00 a.m. and 8:00 p.m. on Monday through Friday, 8:00 a.m. and 6:00 p.m. on Saturday, and 9:00 a.m. and 6:00 p.m. on Sunday except in case of weather delays or other unexpected circumstances, and then only with approval from the City Engineer and or the Chief Building Official.
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> 2. Two (2) durable Mylar copies of the approved document shall be submitted to the City for signatures: both copies shall be signed and subsequently stamped as recorded within nine (9) months of City Council approval and one (1) Mylar copy shall be returned to the City of Fairborn's Engineering Division.
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> 3. All remaining and unaffected provisions, restrictions, and requirements of Resolution No. 60-22 shall remain in full force and effect.

3. Deny the proposed Preliminary PUD Modification Plan as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that they are inconsistent with the general criteria for approval.

Staff Recommends Alternative 2

Board Questions
Mr. Clough asked if this is the same developer through the whole process that started in Arden or has the developer changed. Ms. Riggs stated this is the same developer that received approval in 2020, originally it was Inverness who came with a proposal in 2018 and received approval; this development team came back in 2020 with some changes and they have been involved with this since the building of houses in Arden Place. Mr. Clough said and based on the 2020 approval this has been the plan from the beginning. Ms. Riggs said yes as far as residential development; there have been some additions of land over time, originally, they were at 163 homes then increased to 200 homes and now back to 184 homes. Mr. Clough asked if they had planned to develop this from the beginning and Ms. Riggs said they had.

Mr. Knepp asked if individual parcels were purchased at different or was this one large purchase then developed in phases. Ms. Riggs the developer can answer that a little better but what I recall in the prior approvals there were roughly 65 acres purchased and that number could be wrong but there was a section of this farm that was purchased to develop residential lots, they did add some additional land when they acquired that second access point to Commerce Center Boulevard, originally there was one access pint to Commerce Center and one to Trebein Road and then the site was expanded to a second access point on Commerce Center so there was additional time acquired during that process in 2022 and associated with phase three and four.

Public Hearing

A motion was made by Mr. Knepp, seconded by Ms. Davenport and carried to open the Public Hearing at 4:16 pm.

Bradley Clough	Yes	Ms. Jack	Yes
Ms. Davenport	Yes	Mr. Knepp	Yes
Mrs. Gayheart	Yes	Mr. Siembab	Yes
		Mr. Steininger	Yes

Applicant

Applicant Greg Berling said before I give my presentation, I wanted to clarify the question that Mr. Knepp had; we purchased the property from Inverness Homes, they had purchased the property and received approval and did not start development. He said we purchased the property and brought a modified plan for approval and started development, so we have been a part of this process since the beginning of development. He said we did have an opportunity to purchase property from Oberer Development which is the connection that connects onto Commerce Center and develop a number of lots there around 20 acres and that accomplished access to sewer from that section for phase six without having to have a pump station. He said that was a big deal for the city not to maintain a pump station or the HOA to maintain so we could have gravity sewer. He said we are the same developer that started the site work on the project; we bought large acreage from Inverness and the smaller piece from Oberer on Commerce Center, so it was two land purchases.

Mr. Berling thanked staff and stated we have had a number of meetings to work through the small modifications and is was very helpful meeting with all the different departments and getting their feedback. He reviewed the site plan and said the original design from 2019-2020 included a connection to Trebein Road but did not include the Catford and Heathgate connection; we developed our first phase and second phase and were able to start on Catford Court and the second connection to Commerce Center. He said as we were developing this section we are working on our plans for phases four and five and what we found after more studies by our soils engineers and there are some ground water issues. He said on the original design Heathgate was closer to the detention basin but the ground water issue with water coming from Commerce Center and the ground water issues cause significant issues on the development side. Mr. Berling said when had the Catford and Heathgate approvals we were able to account for the groundwater issues, we had to raise the grade of the houses and one of the results of that is we required more cut and more dirt to bring that street out which threw our dirt balance out and we also have the same problem in phase six. He said the design that you see shows that we have pulled the street upslope and are filling these lots to bring them out of the issues we are having with the ground water; it is not an issue with the storm water but with the houses it was needed to bring those out of there. He said as we were working through the

study on the Trebein connection and line of sight was becoming an issue; we have met with Greene County and the City and that was a major problem making that connection. He said the conditions with the original approval are still in place, the only changes are we will have sixteen less lots; we had to work through the issues with the site, but we were able to create some really nice lots that back up to open space on both sides. He said the open space will become standard open space that will have trees planted and grass that is maintained by the HOA. He said one hiking path is in place and there will be another path added that will run along the dam of the detention basin and connect to provide a loop for the residents.

Board Questions
Mr. Knepp asked if the proposed future access that the Fire Department requested is a trick to alleviate an issue with the Fire Department or is it an issue of not connecting to Trebein or what is the purpose of the access road for the future. Ms. Riggs said that was a requirement of the Fire Department for the Ohio Fire Code and according to our Fire Marshal with this access easement meets the requirements for a section of the Fire Code. Ms. Riggs provided the code to the Board. Ms. Riggs stated that page one is code language from the Ohio Fire Code and details D107 which states the number of dwelling units on a single fire apparatus access shall not be increased unless fire apparatus access roads will connect to future development as determined by the Fire Code Official. She said this access road meets that qualification according to our Fire Marshal and that was stipulated in his email. Mr. Knepp said that land is part of the Fairborn Cement so are they going to traverse over rough land to have access? Ms. Riggs said the access associated with Arden Place has been provided and this is what the Fire Marshal needed based on the Fire Code to approve the request.

Mr. Steininger asked if the land that Fairborn Cement has is developable. Ms. Riggs said I have received no plans at this time but most land is developable at a cost. Mr. Steininger said that would be the potential entrance to the development if it were developed. Ms. Riggs said it is very similar to Hillside Meadows where there is one access point, but they do have future access to Cliffside Drive.

Proponents
None

Opponents
Amy Temple 1263 Heathgate Way – Concerns about detention ponds not draining and mowing not taking place.

Corey Burge 1201 Heathgate Way– Was told the land behind his house would not be developed by Fischer Homes and has done extensive rear yard development including a pool, access gate at the rear and maintains beyond the rear property line. Concerned about fire access.

Laura Powers 1528 Yellow Rose Ct.– Wanted to clarify the pump lift station will no longer be needed or built near the property. Asked for clarification where Shewman Lane terminates. Asked about the land behind her house will have the trees remaining.

Mike Skaggs 1561 Trebein Rd.- Concerned about water runoff, GPS issues with delivery drivers trying to gain access to Heathgate. Concerned about the layout of Lot 12 and how the house will be placed on the lot. Had to connect to city water and pay for water main to be moved and connection, wants clarification on the water connection from Trebein Road and will this eliminate his payment toward the water main.

Paula DeLuca 1555 Arden Bend – Concerned about how Fischer Homes has left the properties after the sale regarding the landscaping at the rear of the properties and common area consisting of weeds and rocks. Concerned about the playground not being accessible and drainage.

Tyler Williams 1257 Heathgate Way – Was told by Fischer Homes the tree line would remain and now it will be developed, paid a premium for the lot.

Applicant

Greg Berling stated to be clear the Commerce Center Development Company is not affiliated with Fischer Homes we just develop the sites and the purchase of the lot and home is made through Fischer Homes. He said I did not communicate with Fischer or with any homeowners that this site would not be developed; the detention ponds designed by an engineer are submitted to the city and reviewed by the city engineer and then we build according to the plan. He said I can't speak to the classification of the detention ponds, but they were inspected and approved by the city. He said there were questions about Lot 32, he said these number of lots have not changed in the configuration between the first approval and now so that has never changed; the lots shown were public record before the purchase of the home; I can't speak to what was said by Fischer Homes but as the developer I have not told Fischer Homes that this would not be developed and I do not know why Fischer Homes would have that view because there has been an approved plan and also I have been under contract with Fischer Homes for them to purchase these lots since 2020. Mr. Berling said access to Mr. Burges gate at the rear of the property, this was always a future developed lot and I do not know why he was told to put the fence and gate access onto private property. He said there was a question about the easement for the future connection, we do not have this property under contract, but it could be developed in the future and that would be the access from that development into Arden Place. He said the lift station was going to be installed but is no longer the case; Shewman Lane was the ingress and egress for two properties and will remain for one property; he said with the redesign of Heathgate we created a dead-end right-of-way to that property line but the connection to Heathgate for connection will remain on Shewman Lane through an easement and it cannot be modified or block access to the property. Mr. Berling reviewed the open space areas maintained by the HOA. Mr. Berling addressed Mr. Skaggs water issues and stated our engineer will monitor and account for that through our storm system and the city will review that and be part of the calculations and design for approval. He said there was also a question about Lot 12 and how the house will line up and the rear of the lot will face the open space and should not impact Mr. Skaggs. He said currently there is no design for a water main to come from Shewman or Trebein, there will be a loop designed and will need approval from Fairborn. Mr. Berling said the issues with Fischer and the quality, I am the developer and sell to Fischer and certainly will bring this up to Fischer with your concerns and I know they have a process for the one-year punch list and completion of punch lists and that is when those situations are dealt with. He said the concern about lot grading, when we develop the site we rough grade the site and provide a finished grade for the builder to build and then grade. He said Tyler Williams' property next to the pond sold as an uninhibited tree line and paid a premium, I can't speak to the premiums that were paid or what they are for, I sell lots to the builder for a fixed price and then they assign a price to the lots. Mr. Berling reviewed the site plan and stated the tree line or most of it will remain, and the detention basin is up above that and then there are lots above that. He said these plans have been public record since 2019 with further revisions in 2022 so I can't speak to what the owners are told but before they purchased the home this would have been public record for them.

Board Questions

Ms. Davenport said you had mentioned the water situation, and you had built it up because of that, after it is built up, what is the follow-up to make sure that works because many people have said there is a river in there yards. Mr. Berling said the rough grade is done and the lots have to drain correctly into the storm basin and then Fischer goes in and builds the house and should follow the drainage plan. Ms. Davenport said if it is not draining then that would be a Fischer Homes issue or a developer issue. Mr. Berling said that would be between the owner and the builder Fischer. He said we do not do finish grades once the lot is sold, when they are sold the lots properly drain and if there are issues, they are brought up during inspection before the lots are sold; if the city finds issues we would have to remedy those prior to the sale and there are also bonding requirements and inspections terms and warranty terms that are provided on the public infrastructure so in that time period it would be brought to my attention but once Fischer starts building and they modify the grading incorrectly that would be between the owner and Fischer or they could contact the city to see if it was done incorrectly.

Ms. Jack said some questions were brought up about the detention pond draining and also the accessible playground, could you let us know who is responsible. Mr. Berling stated the playground would be my responsibility and I took notes for that; it has been turned over the HOA but until I leave this development, I will maintain that. He said the pathway the upper pathway has been turned over to the HOA for maintenance and if there are maintenance issues there is a separate HOA management company that takes care of everything and I will contact them; but to clarify the open areas have been turned over to the HOA and once this section is developed it will be turned over as well.

Ms. Gayheart said it appears there is some confusion about what the HOA handles. Mr. Berling said they should talk to the HOA representative with the management company that handles this community and they should have been given contact information from Fischer Homes when the house was purchased.

Mr. Knepp said when is the transition to an HOA from the developer or builder, is there a transitional company that takes up the HOA until it is given to the residents. Mr. Berling said when we purchase the property, we will file a declaration which establishes the HOA on the whole property, as new sections are brought in, they are platted and those lots are brought into the HOA. He said developer is required to be the declarant which is the one who establishes the HOA and then as open spaces are established and inspected by the HOA they are then turned over for maintenance throughout the site development process. Mr. Knepp said this HOA is not the owner's association that will have this in the end it is some sort of intermediary, correct? Mr. Berling said the manager is separate so it is not an intermediary it goes from the Declarant which would be Commerce Center Development Company to the homeowners, that is when the last lot is completed in the subdivision and then turned over to the homeowners. Mr. Knepp said so right now the last lot is not developed and you are still responsible for these open areas yet several times you said you have transferred them through the people to maintain but yet your last lot is not completed. Mr. Berling said I am not the HOA, it is the homeowners that are in the neighborhood, I am the Declarant and this is separate; I created the HOA, but the homeowners are part of the HOA. Mr. Knepp said I am still not understanding, you said you have given stuff to the HOA and then earlier you said you don't have the HOA until the last lot is built. Mr. Berling said the management of the HOA is turned over to the homeowners when the last lot is sold. Mr. Clough asked who the management company is and Mr. Berling stated it is Turner Property. Mr. Siembab said then the people who live in the neighborhood choose a president and treasurer. Mr. Berling stated that is how it is done in most developments, once the last lot is

developed and the open space is turned over to the HOA the homeowners come into control of the HOA, they vote on a president and officers and they can either continue with Turner Property or they can elect to find another management company. Mr. Knepp said we have issues with our audience here that does not concern you, but this management company is not taking care of the property. Mr. Berling said Turner has been hired to manage the property, so it is up to me to go to them and see what these issues with the common space and what they are doing wrong.

Manuel Jacobs said to speak of the prior storm water management for Arden, it was submitted as a detention pond, given the groundwater in the area and how it is functioning it is still adequately controlling runoff water and releasing it, this is a question of maintenance and ownership on how to keep the detention pond from causing mosquito issues and vegetation being maintained. He said the Engineering Department has been focusing on this issue and following up with maintenance agreements for all open water basins are up to date or established in the years that were missing so generally a basin for a subdivision like this would be the HOA responsibility but the city still comes to an agreement with the HOA in establishing the stormwater system and maintenance and the level of care needed whether in terms of landscaping, we can give them helping hand on how to maintain a system and that is well kept. He said we are still working on these and Arden is one of them that we will be taking the opportunity during this last phase to make sure our ownership and maintenance agreement for the overall development is in place and effective so the HOA has a good standing and if there is anything we can do at this time to work with the developer to make sure the existing stormwater system is good we can do that. He said as far as the new development and the new basin I do not have much to speak on that as the stormwater plans were submitted yesterday and generally we do not receive those until the development is fully approved; once Council gives final approval and they can move forward that is generally when we will see final engineering being processed with a final submittal. He said there is a stormwater management plan received but I have not had time to review those plans; we will definitely take into consideration the existing characteristics of the site and the obvious grade differences and how it will adequately work.

Mr. Knepp said this a preliminary and we will see a final plan before things really move along. Ms. Riggs said this is the preliminary plan which you will then provide a recommendation to Council; the applicant plans to come back once they receive Council approval, they will come back with the final development plan for phase six and that will provide the construction drawings, infrastructure, setbacks, a record plan and more detail for the development including landscaping in the open areas. Ms. Riggs said ideally, we would like to keep the tree line along Shewman Lane and those residents in Candlelite would like that as well. She said there will be a final development plan that will come back to the board and then to Council to approve the creation of 32 lots.

Mr. Clough said I support expansion, but I am sympathetic to the concerns of the residents so being that this is a preliminary this is moving process forward and I can still hold reservations, I would like to have Fischer Homes here because a lot of the issues are with them from what I have heard. Ms. Riggs said what you are approving is the overall proposal of how this subdivision is going to develop regardless of who is doing it. She said that is usually why the home builder is not at these meetings just the developer because they are the ones who are laying out the streets and developing the site so you are approving those changes in the overall site development and layout at this stage and knowing that there are 32 lots they are proposing and this is the general layout. She said even at the final development stage it would not include

the home builder. Mr. Cough said my biggest concern is thee are existing problems that should be corrected and to approve expansion would feel like they can continue with what they are doing. Ms. Rigg said I understand that and that there are problems with Fischer Homes and we will have to decide from a zoning perspective where they are not meeting the zoning code or if this is a civil matter between that property owner and Fischer Homes, so I think we have to separate that.

Mr. Siembab said I have a question about retention versus detention; now they are detention ponds, if at some later date we find the water is not being detained but retained, who is responsible then it is the developer, Fischer or the city. Ms. Riggs said it would be the engineering staff that would work with the HOA who will then be responsible for the maintenance of that pond. Mr. Berling said on the stormwater our engineer submits plans to the city for approval, we build it and then the city inspectors perform an inspection on what has been developed and either approve it or tell us to modify it and if it is approved they are approving that it was built to the plans that were approved by the city. He said in the future if something were to happen it would not be because it was built incorrectly. He said to clarify, this is not an expansion, we are reducing the lots.

A motion was made by Mr. Siembab, seconded by Mr. Knepp and carried to close the public hearing at 5:17 pm.

Bradley Clough	Yes	Ms. Jack	Yes
Ms. Davenport	Yes	Mr. Knepp	Yes
Mrs. Gayheart	Yes	Mr. Siembab	Yes
		Mr. Steininger	Yes

Board Action

A motion was made by Mr. Steininger, seconded by Mr. Knepp, and carried to approve Case 2026-05 with conditions.

Bradley Clough	Yes	Ms. Jack	Yes
Ms. Davenport	Yes	Mr. Knepp	Yes
Mrs. Gayheart	Yes	Mr. Siembab	Yes
		Mr. Steininger	Yes

OTHER BUSINESS

Ms. Riggs said there will be 3 to 4 cases to be heard at the May meeting.

ADJOURNMENT

A motion was made by Mr. Steininger, seconded by Ms. Davenport, and carried to adjourn the meeting.

Bradley Clough	Yes	Ms. Jack	Yes
Ms. Davenport	Yes	Mr. Knepp	Yes
Mrs. Gayheart	Yes	Mr. Siembab	Yes
		Mr. Steininger	Yes

The meeting was adjourned at 5:20 p.m.