

**WEST CHESTER TOWNSHIP  
ZONING COMMISSION  
January 25, 2016**

MEMBERS PRESENT: Susan Hendel, Jim Hahn, Jim Williams  
Doug Rinnert, Art Hupp

MEMBERS ABSENT: Bruce Fisher

STAFF PRESENT: Timothy Dawson, Township Planner  
Beverly Worley, Administrative Assistant

LOCATION: Township Hall

CALL TO ORDER: 6:30 p.m.

ADJOURNMENT: 7:32 p.m.

Mr. Hahn called the meeting to order. Mr. Dawson called the roll.

Minutes were presented from the Zoning Commission meeting from December 21, 2015 and approved as submitted.

Mr. Dawson was sworn in by Mr. Hahn.  
Mr. Dawson swore in case participants.

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**Beckmark III – 7200 Tylersville Rd FDP, 12-15-A**

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The applicant is Dr. Scott Meuselbach. He is requesting a multi-tenant, one-story medical or dental office.

The subject property is located along the north side of Tylersville Road, approximately 680' west of Wetherington Drive.

The property owner is Beckmark Inc. The subject property consists of 1.51 acres having approximately 197 feet of frontage on Tylersville Road. The site is characterized as flat along Tylersville Road and gradually rolling from east to west in the north portion. The site is vegetated with mature trees along the northern portion and the east property line, and consists of a vacant residential dwelling and accessory structure, open space, and an existing curb cut along Tylersville Road for access.

The West Chester Township Land Use Committee approved a land use amendment to the West Chester Comprehensive Land Use Plan on May 26, 2015, which reclassified the properties at 7164, 7172, 7182, and 7200 Tylersville Road from the 'Suburban Single-Family' land use classification to the 'General Office' land use classification with conditions.

On June 16, 2015, Beckmark Inc. submitted an application requesting a Zoning Map Amendment for 4.49 acres from R-1 (Suburban Residence District) and R-2 (Single Family Residence District) to C-PUD (Commercial Planned Unit Development District) with a Preliminary Development Plan.

On August 25, 2015, The West Chester Township Board of Trustees approved the aforesaid application for a Zoning Map Amendment and Preliminary Development with conditions. The subject property was rezoned from R-1 (Suburban Residence District) to C-PUD (Commercial Planned Unit Development District) and a Preliminary Development Plan was approved for a 4,800 sf, single-story with basement, Medical or Dental Office land use.

The applicant is proposing a 6,220 sf multi-tenant, one-story medical or dental office building. The building is comprised of 2 tenant units with 4,000 sf medical/dental office use and a 2,620 sf future medical or dental office use.

The applicant is proposing 20 parking spaces where 18 are required. The proposed future parking spaces will be 13 spaces as required. This a total of 33 proposed where 31 are required.

48% open space for the entire site is provided where 15% is required.

The preliminary development plan was approved for one, two-story with basement office building and one, single-story with basement office building; totaling 14,400 sf.

The subject property was approved for 4,800 sf at 7200 Tylersville Road. It was also approved for 24 parking spaces and 47% open space for the site.

#### **STAFF CONSIDERATIONS:**

The West Chester Land Use Planning Committee approved an amendment to the Comprehensive Land Use Plan on May 26, 2015 to reclassify the subject property from 'Suburban Single Family' to the 'General Office' classification with conditions. The conditions stipulated that the architectural design have a "residential look" to provide a transition to the adjacent residential districts. As shown on the Final Development Plan, the proposed land uses and architectural design conform to Comprehensive Land Use Plan's recommendation of the 'General Office' land use classification and the condition to provide a transition to the adjacent residential districts.

The approved Trustee Resolution No. 18-2015 rezoned the property and defined the permitted uses for the overall C-PUD. As shown on the Preliminary Development Plan, the intent was to provide General Office uses that utilize a residential character of architectural design to provide transition to the adjacent residential districts. The proposed Final Development Plan maintains the intent of the approved Trustee Resolution and Preliminary Development Plan.

The applicant shall meet all requirements of the Butler County Engineer's Office and the Butler County Soil and Water District pertaining to storm drainage prior to issuance of a Final Zoning Certificate.

The 5' concrete sidewalk within the Tylersville Road right-of-way shall meet all requirements of the Butler County Engineer's Office and the West Chester Community Development Department prior to issuance of a Final Zoning Certificate.

The cross-access easements have been provided for the adjacent, future development to the west illustrated on the Final Development Plan, granting legal access to both lots. The maintenance responsibilities shall be clearly defined. This easement shall be recorded, but before it is recorded, it shall first meet the approval of the West Chester Community Development Department.

The proposed building elevations demonstrate that a quality exterior design with a minimum of 50% brick/ masonry is being utilized throughout, ensuring a transition to the adjacent residential districts.

The proposed floor plan depicts a two-unit layout with the west unit depicted as a Medical or Dental Office or Clinic use and the east unit depicted only as "Future Rental." The east unit's "Future Rental" use shall be consistent with the approved Preliminary Development Plan, pursuant to Article 26.152 of the West Chester Township Zoning Resolution prior to issuance of a Final Zoning Certificate.

The common open space shall be held in private ownership and maintained by the property owner.

The appropriate easements shall be provided for any common element that is located on private property and the maintenance of these features shall be clearly defined and recorded prior to the issuance of a Final Zoning Certificate.

A detailed landscape plan has been submitted. All landscaping shall be installed and all major landscaping areas shall be irrigated with a permanent system prior to the issuance of a Final Zoning Certificate.

No sign locations or details were submitted on the Final Development Plan. Therefore, the West Chester Community Development Department staff shall be authorized to approve minimal revisions to the approved FDP for any future proposed signage to determine the sign applications to be an appropriate size and constructed with quality building materials. All signage shall meet the West Chester Township Zoning Resolution, Articles 10 and 17.

The applicant shall meet all other agencies' requirements for the submittal to the Zoning Commission for the Final Development Plan.

#### **OTHER AGENCIES COMMENTS:**

##### West Chester Township Fire Department:

- Construct with all applicable codes and standards
- All structures shall be within 400' of a fire hydrant

**ACTION:**

The Zoning Commission is to approve, approve with modifications, or deny the submitted Final Development Plan, unless additional information is deemed necessary to make an informed decision.

**Applicant: Dr. Scott Meuselbach  
7113 Hamilton-Mason Rd.  
West Chester, OH 45069**

He showed a new rendering of how the building will look. It was passed around to the board to view.

**Questions:**

No questions from the Board

**Proponents: None**

**Opponents: None**

**Neutral: None**

**Deliberations**

Ms. Hendel – I like it. It will be a better situation for the applicant and the area.

Mr. Hupp – I agree.

Mr. Williams – I also agree. Everything was properly done.

Mr. Hahn – I agree too. It's a great project.

Mr. Rinnert – Nice project; it will help the area.

**Mr. Williams made a motion to approve Case # 12-15-A Beckmark III – 7200 Tylersville Road – FDP; with the minimum conditions as recommended by staff and other agencies and the revisions as shown. Mr. Rinnert seconds it.**

**Aye: Ms. Hendel, Mr. Hupp, Mr. Hahn, Mr. Williams, Mr. Rinnert**

**Nay:**

Motion carries 5 – 0

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## Oaks of West Chester Section 3 – FDP, 12-15-B

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The applicant is Rhein Gundler, LLC. They are requesting a Final Development Plan for 13 single-family residential lots.

The subject properties are located along Oakcrest Way, approximately 830 feet east of Barrett Road within the development. The property is owned by Lawrence W. Gundler.

The subject property consists of 7.17 acres for the proposed 13 lots. The site is characterized rolling, partially vegetated with mature trees along the side and rear property line and consists of vacant, open space with a partial improved private street for access to the Section.

The subject property was rezoned by the West Chester Township Board of Trustees on July 8, 2008 from A-1 (Agricultural District) to R-PUD (Residential Planned Unit Development District), in conjunction with a Preliminary Development Plan containing 114 single-family, residential lots, clubhouse with a pool, and reserved open space areas.

On March 22, 2011, the West Chester Township Board of Trustees granted a time limit extension for the Preliminary Development Plan from July 8, 2011 to July 8, 2014.

On January 27, 2014, the West Chester Zoning Commission granted Final Development Plan approval of Section One of the residential development, which included 26 single-family, residential lots (25 new lots plus one lot for existing residence), miscellaneous open space lots, portions of the pedestrian pathway, storm water facilities, and related utilities.

On April 21, 2014 The West Chester Township Zoning Commission approved a Revised Preliminary and Final Development Plan for modifications of the overall residential development, which included relocating the pedestrian pathway through the subdivision, the demolition of the existing farmhouse, minor changes to the road layout, and reducing the overall lot count from 114 to 112.

On June 15, 2015 The West Chester Township Zoning Commission granted Final Development Plan approval of Section Two of the development, which included 12 single-family, residential lots and one open space lot on Laurel Oaks Drive.

The applicant is proposing a Final Development Plan for Section 3 which is 7.17 acres. It consists of:

- 13 single –family residential lots
- 25' wide private, cul-de-sac street
- 6' wide concrete sidewalk along the public street
- 5' wide concrete sidewalk along the cul-de-sac street
- Corresponding street trees

The overall preliminary development plan was approved for 114 single-family residential lots (1.34 d.u./acre).

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The revised preliminary development plan was approved for:

- overall lot count reduced from 114 units to 112 units (1.32 d.u./acre).
- The 10' wide asphalt multi-purpose path along Barret Road to be relocated through the subdivision with a 6' wide concrete sidewalk.
- The existing farmhouse to be demolished and the intersection with Susan Springs Drive to be aligned with the cul-de-sac street on the opposite side of the road.
- Road width for all cul-de-sac streets to be reduced from 28' to 25'.

#### **STAFF CONSIDERATIONS:**

The proposed residential land use, which includes 13 single-family lots at 1.3 dwelling units per acre, conforms to Comprehensive Land Use Plan's recommendation of the 'Estate Single Family' land use classification as low density single-family housing.

The Trustee Resolution No. 20-2008 rezoned the property with defined conditions concerning the general design standards and amenities. Resolutions No. 14-04 and 14-05 maintained those design standards that were not revised with the original approval. The proposed Final Development Plan maintains the intent of the two previously approved Resolutions.

The applicant shall meet all requirements of the Butler County Engineer's Office and the Butler County Soil and Water Conservation District pertaining to storm drainage and public road improvements prior to issuance of a Final Zoning Certificate.

As shown on the Final Development Plan, the 6' concrete sidewalk along the public street maintains the intent of the recommended pedestrian connection in the West Chester Connections Plan.

The dwellings and garages exterior design shall be consistent with previously approved building elevations presented during the Preliminary Development Plan stage.

The applicant has submitted the Home Owner's Association and Declaration of Covenants, Conditions for the entire Oaks of West Chester development, which was recorded by Butler County on January 12, 2015 as Book 8760 and Page 1048. The applicant shall record Section Three once it is platted, which shall be approved by the West Chester Community Development Department.

A tree preservation plan, including the 30' wide conservation easement along the east property lines and a detailed landscaping plan, including the street trees has been submitted, which maintains the intent of the previous approvals. All landscaping shall be installed and all major landscaping areas shall be irrigated with a permanent system prior to the issuance of a Final Zoning Certificate.

No sign locations or details were submitted on the Final Development Plan. Therefore,

the West Chester Community Development Department Staff shall be authorized to approve minor revisions to the approved Final Development Plan for any future proposed signage if determined to be an appropriate size and constructed with quality building materials.

The applicant shall meet all other agencies' requirements for the submittal to the Zoning Commission for the Final Development Plan.

**OTHER AGENCIES COMMENTS:**

Soil and Water Conservation District:

- A geotechnical study shall be approved for Lots 52 and 53. The results may warrant additional studies prior to issuance of a building permit.

West Chester Township Fire Department:

- Construct with all applicable codes and standards;
- All structures shall be located within 400' of a fire hydrant;

**ACTION:**

The Zoning Commission is to approve, approve with modifications, or deny the submitted Final Development Plan, unless additional information is deemed necessary to make an informed decision.

**Applicant: John Del Verne  
Bayer Becker  
6900 Tylersville Rd  
Mason, Ohio 45040**

We concur with staff recommendations with a couple of minor comments. Tim, I didn't hear you talk about the irrigation requirement but it was in my draft resolution. But we don't have any elaborate landscaping like we have in our entry so there won't be any irrigation in this particular section. 2) We will furnish the geotechnical reports for those fills; lots 52 & 53.

**Questions:**

Mr. Hahn – Are you going to have fill lots in 52 & 53? How much fill?

Mr. Del Verne – 8' maybe? There's a lot of relief on that side

Mr. Hahn – Is this HomeARama?

Mr. Del Verne – The next cul-de-sac to the south, Section 2 is HomeARama. June 10<sup>th</sup>.

Mr. Dawson – just to address his concerns on the landscaping. The condition states that

all major landscaping areas; we are not considering street trees as major landscaping area.

**Opponents:**           **MaryKay Kenney**  
                              **7172 Forest View Dr**  
                              **West Chester OH**

Last meeting I attended was in April; I missed the June meeting. I abut Laurel Oaks Dr, right at the corner. I was told by all of you that Phase II would not be started until all properties in Phase I was sold. Now we are in Phase III; I thought commonsense would prevail. I'm concerned about the taller trees being cut down. I would suggest a 50' tree line on Phase III. The 2-story houses are going to be able to look into our windows. The detention pond is great; I think it will help my creek but I never thought it would be built up that high. How did Phase II get started when Phase I wasn't sold? Have any of you physically gone up there to see this? It will be a beautiful community but all of us at the bottom will be the ones suffering. So that's why I'm suggesting a 50' tree-line along the East side. We bought the property because it backed up to an 85-acre farm for privacy. If we would have known all of this was going to take place; we may have reconsidered.

**Neutral:**               **Mr. Danny Leach**  
                              **7220 Susan Springs Dr.**  
                              **West Chester, OH**

I more or less have questions – we are more or less going to be in Phase V. I can appreciate the comments on the 30' tree lines. I wanted to confirm that this is a not to scale depiction.

Mr. Hahn – there will be lots that abut your property with that 30' buffer.

Mr. Leach – I would echo what was said about the tree-line. I think we need to be aware that there are trees there and it would benefit home-owners and future home-owners to have some privacy.

Mr. Hahn – can you provide us with some insight where finished floors or elevations would be on lots 52 & 53?

Mr. Del Verne – lower levels are going to be somewhere around 812 – 810 based on the grading plan.

**Deliberations:**

Mr. Williams – the 20' delta we are talking about; the 2<sup>nd</sup> floor would be 40' looking out to the lower properties. I don't think the 50' tree-line would be beneficial.

To reiterate the gentleman's concern on the drainage; any of the drainage will go into the detention pond.

**Mr. Hupp made a motion to approve Case # 12-15-B, The Oaks of West Chester,**

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**Section Three – FDP with the minimum conditions as recommended by staff and other agencies. Mr. Rinnert seconds it.**

**Aye: Ms. Hendel, Mr. Rinnert, Mr. Hahn, Mr. Williams, Mr. Hupp**

**Nay:**

**Motion carries 5 – 0**

**Administrative Matters:**

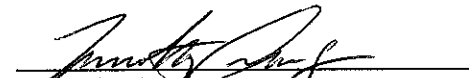
The next meeting is February 22, 2016 @ 6:30 p.m. We have two (2) cases.

Mr. Hahn adjourned the meeting at 7:32 p.m.

Chairman:

  
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James Hahn

Secretary:

  
\_\_\_\_\_  
Timothy Dawson

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 16-1  
BECKMARK III – 7200 TYLERSVILLE ROAD - FDP**

**WHEREAS**, on May 26, 2015 the West Chester Township Land Use Committee approved a land use amendment to the West Chester Comprehensive Land Use Plan, which reclassified the properties at 7164, 7172, 7182, and 7200 Tylersville Road from the existing Suburban Single-Family land use classification to the proposed General Office land use classification with conditions; and,

**WHEREAS**, on June 16, 2015, Beckmark Inc. submitted an application requesting a Zoning Map Amendment for 4.49 acres from R-1 (Suburban Residential District) and R-2 (Single Family Residence District) to C-PUD (Commercial Planned Unit Development District) with a Preliminary Development Plan that included one, single-story with basement, office building and one, two-story with basement, office building at a total of 14,400 sf; and,

**WHEREAS**, on July 14, 2015, the Butler County Planning Commission recommended approval of the said application with conditions; and,

**WHEREAS**, on July 20, 2015, the West Chester Township Zoning Commission conducted a public hearing for the said application and recommended approval with conditions to the West Chester Township Board of Trustees; and;

**WHEREAS**, on August 25, 2015, The West Chester Township Board of Trustees conducted a public hearing and approved the said application for a Zoning Map Amendment and Preliminary Development with conditions;

**WHEREAS**, on December 18, 2015, an application was submitted by Scott Meuselbach requesting Final Development Plan approval of a 6,220 sf, multi-tenant, medical or dental office use; and,

**WHEREAS**, on January 25, 2016, the West Chester Township Zoning Commission conducted a public hearing for said Final Development Plan.

**NOW THEREFORE BE IT RESOLVED**, that on the basis of the above findings, the West Chester Township Zoning Commission does hereby approve the aforesaid application consistent with the submitted site plan with the following conditions:

- 1.) The proposed land uses and architectural design conform to the Comprehensive Land Use Plan's recommendation of the 'General Office' land use classification and condition to provide a transition to the adjacent residential districts.
- 2.) The proposed Final Development Plan maintains the intent of the originally approved Trustee Resolution (18-2015) and Preliminary Development Plan.

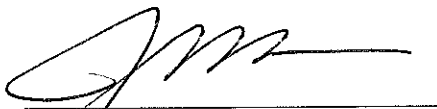
- 3.) The applicant shall meet all requirements of the Butler County Engineer's Office and the Butler County Soil and Water Conservation District pertaining to storm drainage prior to issuance of a Final Zoning Certificate.
- 4.) As shown on the Final Development Plan, the 5' concrete sidewalk along the Tylersville Road right-of-way shall meet all requirements of the Butler County Engineer's Office and the West Chester Community Development Department prior to issuance of a Final Zoning Certificate.
- 5.) The proposed 5' concrete sidewalk within the Tylersville Road frontage shall be installed prior to the issuance of a Final Zoning Certificate.
- 6.) Cross-access easements have been provided for the adjacent, future development to the west illustrated on the Final Development Plan, granting legal access to both lots. The maintenance responsibilities shall be clearly defined. This easement shall be recorded, but before it is recorded, it shall first meet the approval of the West Chester Community Development Department Staff prior to the issuance of a Final Zoning Certificate.
- 7.) The proposed building elevations demonstrate that a quality exterior design with a minimum of 50% brick/ masonry is being utilized throughout, ensuring a transition to the adjacent residential districts.
- 8.) As depicted on the proposed floor plan as "Future Rental," The east unit's "Future" use shall be consistent in contents with the approved Preliminary Development Plan, pursuant to Article 26.152 of the West Chester Township Zoning Resolution prior to issuance of a Final Zoning Certificate.
- 9.) The common open space shall be held in private ownership and maintained by the property owner, which shall be responsible for keeping all open space free from trash and litter and shall be required to maintain all drainage ways and retention/detention basins to perform designated function and all landscape.
- 10.) The appropriate easements shall be provided for any common element that is located on private property and the maintenance of these features shall be clearly defined and recorded prior to the issuance of a Final Zoning Certificate and pursuant to the West Chester Zoning Resolution, Articles 17.05 and 17.051 pertaining to the dumpster enclosure shown on the Final Development Plan.
- 11.) As shown on the Final Development Plan, all landscaping shall be installed and all major landscaping areas shall be irrigated with a permanent system prior to the issuance of a Final Zoning Certificate.

- 12.) No sign locations or details were submitted on the Final Development Plan. Therefore, the West Chester Community Development Department Staff shall be authorized to approve minimal revisions to the approved FDP for any future proposed signage to determine applications to be an appropriate size and constructed with quality building materials. All signage shall meet the West Chester Township Zoning Resolution, Articles 10 and 17.
- 13.) The applicant shall meet all other agencies' requirements for the submittal to the Zoning Commission for the Final Development Plan.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommended approval as modified by this resolution. This action shall take effect this 25<sup>th</sup> day of January 2016.

West Chester Township  
Butler County

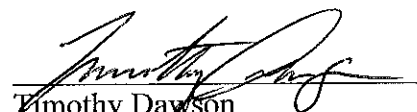
Chairman:



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James Hahn

Secretary:



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Timothy Dawson  
Township Planner

**WEST CHESTER TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 16-2  
THE OAKS OF WEST CHESTER, SECTION THREE – FDP**

**WHEREAS**, on July 8, 2008, the West Chester Township Board of Trustees, through Resolution No. 20-2008, granted approval of a Zoning Map Amendment from “A-1” to “R-PUD” for 85.011 acres of land and a Preliminary Development Plan containing 114 single-family, residential lots, clubhouse with a pool, and reserved open space areas; and,

**WHEREAS**, on March 22, 2011, the West Chester Township Board of Trustees, through Resolution No. 05-2011, granted a time limit extension for the Preliminary Development Plan from July 8, 2011 to July 8, 2014; and,

**WHEREAS**, on January 27, 2014, the West Chester Township Zoning Commission granted Final Development Plan approval of Section One of the residential development, which includes 26 single-family, residential lots (25 new lots plus one lot for existing residence), miscellaneous open space lots, portions of the pedestrian pathway, storm water facilities and related utilities; and,

**WHEREAS**, on April 21, 2014, the West Chester Township Zoning Commission granted Revised Preliminary and Final Development Plan approval for modifications of the overall residential development, which included relocating the pedestrian pathway through the subdivision, the demolition of the existing farmhouse, minor changes to the road layout and reducing the overall lot count from 114 to 112; and,

**WHEREAS**, on June 15, 2015 The West Chester Township Zoning Commission granted Final Development Plan approval of Section Two of the development, which included 12 single-family, residential lots and one open space lot on Laurel Oaks Drive; and,

**WHEREAS**, on December 22, 2015, an application was submitted by Rhein Gundler LLC. requesting Final Development Plan approval of Section Three, which includes 13 single-family, residential lots; and,

**WHEREAS**, on January 25, 2016, the West Chester Township Zoning Commission conducted a public hearing for said Final Development Plan.

**NOW, THEREFORE BE IT RESOLVED**, that the West Chester Township Zoning Commission does hereby approve aforesaid Final Development Plan consistent with the submitted site plan with the following conditions:


- 1.) The proposed residential land use, which includes 13 single-family lots at 1.3 dwelling units per acre, conforms to Comprehensive Land Use Plan's recommendation of the 'Estate Single Family' land use classification as low density single-family housing.
- 2.) The proposed Final Development Plan maintains the intent of the previously approved Resolutions (20-2008/ 14-04/ 14-05).
- 3.) The applicant shall meet all requirements of the Butler County Engineer's Office and the Butler County Soil and Water Conservation District pertaining to storm drainage and public road improvements prior to issuance of a Final Zoning Certificate.
- 4.) As shown on the Final Development Plan, the 6' concrete sidewalk along the public street maintains the intent of the recommended pedestrian connection in the West Chester Connections Plan.
- 5.) As a condition of approval of the zone change to R-PUD, specific requirements were noted in Section 5 of Trustee Resolution 20-2008 with regard to exterior building materials for all primary structures and detached garages. Those exterior building material requirements should apply to all lots.
- 6.) The applicant has submitted the Home Owner's Association and Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for the entire Oaks of West Chester development, which was recorded by Butler County on January 12, 2015 as Book 8760 and Page 1048. The applicant shall record Section Three once it is platted, which shall be approved by the West Chester Community Development Department.
- 7.) A tree preservation plan, including the 30' wide conservation easement along the east property lines and a detailed landscaping plan, including the street trees has been submitted, which maintains the intent of the previous approvals. All landscaping shall be installed and all major landscaping areas shall be irrigated with a permanent system prior to the issuance of a Final Zoning Certificate.
- 8.) No sign locations or details were submitted on the Final Development Plan. Therefore, the West Chester Community Development Department Staff shall be authorized to approve minor revisions to the approved Final Development Plan for any future proposed signage if determined to be an appropriate size and constructed with quality building materials. All signage shall meet the West Chester Township Zoning Resolution, Articles 10 and 11.
- 9.) The applicant shall meet all other agencies' requirements for the submittal to the Zoning Commission for the Final Development Plan.

**BE IT FURTHER RESOLVED**, that all plats, plans, applications, and other data submitted are hereby incorporated in this recommendation of approval. This action shall take effect this 25<sup>th</sup> day of January 2016.

West Chester Township  
Butler County

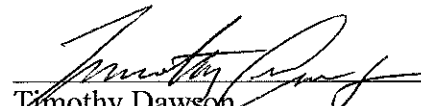
Chairman:

Secretary:



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James Hahn



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Timothy Dawson  
Township Planner