

VILLAGE OF YELLOW SPRINGS  
PLANNING COMMISSION  
REGULAR MEETING

Council Chambers

Tuesday, April 14, 2026 @ 6PM.

The Village of Yellow Springs Planning Commission will meet in regular session on Tuesday, April 14, 2026 @ 6PM. The meeting will be broadcast live via Channel 5 Community Access cable station, which is simultaneously shown on the Village's "Community Access Yellow Springs" YouTube station. For any questions, contact the Council Clerk at [clerk@yso.com](mailto:clerk@yso.com) or at 937-767-9126.

**CALL TO ORDER**

**ROLL CALL**

**REVIEW OF AGENDA**

**REVIEW OF MINUTES**

1. Minutes of March 10, 2026 Regular Meeting

**COMMUNICATIONS**

The Clerk will receive and file:

Wishart/Wilson re: Support for Conditional Use  
Taylor and Alex Sharp re: Support for Conditional Use  
Mychael Roberts re: Support for Conditional Use  
Mattie Fitch re: Support for Conditional Use  
Steve Sikes-Gilbert & Sarah Gemzer re: Support for Conditional Use  
Carly Perkins re: Support for Conditional Use  
Donna Haller re: Support for Conditional Use  
Aaron & Emily Gray re: Support for Conditional Use  
Meagan Verbillion re: Support for Conditional Use  
Julia Lee re: Support for Conditional Use  
Jason & Esther Laveck re: Support for Conditional Use  
Caryn Diamond re: Support for Conditional Use  
Chelsey Harlow re: Support for Conditional Use  
Aida Merhemic and Bob Barcus re: Support for Conditional Use  
Emily Foubert re: Support for Conditional Use  
Laura Hamilton re: Support for Conditional Use  
Trent Kline re: Support for Conditional Use  
Nancy Lineburgh re: Support for Conditional Use  
Liz Cameron re: Support for Conditional Use  
Lesley & Mark Obstalecki re: Support for Conditional Use  
Heather McGee re: Support for Conditional Use  
Kelly Carpe re: Support for Conditional Use  
Tiffany Ward re: Support for Conditional Use  
Laryssa Ingebo-Blanzky re: Support for Conditional Use  
Lauren De Guzman re: Support for Conditional Use  
Sammy Saber & Dorothee Bouquet re: Support for Conditional Use  
Simone Demarzi re: Support for Conditional Use  
Margi Gay re: Support for Conditional Use  
David Hyde re: Support for Conditional Use  
Bret Knickerbocker re: Support for Conditional Use  
Colette Palamar re: Support for Conditional Use

Kelli Leingang Pitrone re: Support for Conditional Use  
Erin & Alisha Ritter re: Support for Conditional Use  
Liz Stacy re: Support for Conditional Use  
Alison Kline re: Support for Conditional Use  
Nancy Knickerbocker re: Support for Conditional Use  
Johanna Northway re: Support for Conditional Use  
Tom Knickerbocker re: Support for Conditional Use  
Anne Kleinhenz re: Support for Conditional Use  
Tatiana Daugherty re: Support for Conditional Use  
Patricia Schneider & Andrew Junker re: Opposition to Conditional Use  
Kathryn Van der Heiden re: Opposition to Conditional Use  
Ruth Lapp re: Opposition to Conditional Use  
Hank Lapp re: Opposition to Conditional Use  
Sandra Jessen re: Opposition to Conditional Use  
Scott and Jeanine Clark re: Opposition to Conditional Use  
Lindsey & Aaron Engler re: Opposition to Conditional Use  
Marcia Sutherland re: Opposition to Conditional Use  
Philip King re: Opposition to Conditional Use  
Donna Caslin re: Opposition to Conditional Use  
Susan Mitchell re: Opposition to Conditional Use  
William Mitchell re: Opposition to Conditional Use  
Petition re: Opposition to Conditional Use

#### **COUNCIL AND COMMITTEE REPORTS**

Active Transportation Committee  
Council

#### **CITIZEN COMMENTS**

#### **PUBLIC HEARINGS**

**Conditional Use Request** – R-A; Low Density Residential District—1333 President St. Nicole Gay, applicant, has submitted a Conditional Use application for Group Daycare Chapter 1262.03(b) Conditional Use General Standards. Greene County Parcel #F1900000160005600

#### **OLD BUSINESS**

#### **NEW BUSINESS**

#### **AGENDA PLANNING**

#### **ADJOURNMENT**

## **Planning Commission Regular Meeting Minutes**

**In Council Chambers @ 6:00pm**

**Tuesday, March 10, 2026**

### **CALL TO ORDER**

The meeting was called to order at 6:01 P.M.

### **ROLL CALL**

Planning Commission members present were Susan Stiles, Chair, Stephen Green, Gary Zaremsky, Gavin DeVore Leonard and Scott Osterholm. Also present were Liz Fields, McBride Dale Clarion, serving as Interim Planning and Zoning Administrator, and Aaron Arellano, Planning and Economic Development Assistant

### **NOMINATIONS AND VOTE FOR CHAIR**

Osterholm NOMINATED Stiles as Chair. Green SECONDED.

Zaremsky NOMINATED Zaremsky for Chair. Green SECONDED.

The Clerk CALLED THE VOTE on Stiles as CHAIR. The MOTION PASSED 4-1 with Zaremsky voting against.

There was no vote called on the second nomination.

### **NOMINATIONS AND VOTE FOR VICE-CHAIR**

Stiles NOMINATED Zaremsky as Vice-Chair. Zaremsky SECONDED.

There being no further nominations, the Clerk CALLED THE VOTE on Zaremsky as VICE-CHAIR. The MOTION PASSED 5-0.

### **REVIEW OF AGENDA**

There were no changes made.

### **REVIEW OF MINUTES**

1. Minutes of November 11, 2025 Regular Meeting

Zaremsky MOVED TO APPROVE the Minutes of the November 11, 2025 Regular Planning Commission meeting. DeVore Leonard SECONDED, and the MOTION PASSED 5-0 ON A VOICE VOTE.

### **COMMUNICATIONS**

Sue Pfeiffer re: Purchase of Lot

Stiles reviewed communications. She noted that purchase of property was not within PC's jurisdiction.

### **COUNCIL AND COMMITTEE REPORTS**

**Active Transportation Committee.** Zaremsky stated that there has not been an AT meeting since the last report provided.

**Council.** DeVore Leonard presented Council information as follows:

1/5/26: Council elected Gavin DeVore Leonard Council President and Angie Hsu Vice President as three new Council members were seated. Hsu, Stephanie Pearce and Senay Semere join Carmen Brown and DeVore Leonard. Liaisons for PC remain the same.

1/20/26: Council engaged in a Work Session on Short Street prior to the regular meeting.

1/23/26: Council held a retreat aimed at discussing goals and vision for a new Council. DeVore Leonard encouraged PC members to view the retreat if they are interested in Council's approach to goals.

2/2/26: Council adopted the 2025 Greene County Natural Hazard Mitigation Plan; Council authorized the VM to apply for loans of up to \$100,000 from the EPA to conduct a sewer capacity study; A presentation on the Short Street project was presented, and, following extensive discussion, Council voted against continuation of the project, citing concern regarding identification of funding sources.

3/2/26: DeVore Leonard noted identification of a Smoke Shop Moratorium as a key goal originating with PC, and was told that this effort would resume following the filling of the open Planning and Zoning Director position.

Stiles expressed concern that an article in the YS News stated that Council had not identified Housing as a goal.

DeVore Leonard responded that this is not the case, but that specific housing goals will be identified following a Housing Retreat scheduled for April 9<sup>th</sup>.

## **CITIZEN COMMENTS**

There were no comments made.

## **PUBLIC HEARINGS**

**Replat:** Kim Baldwin on behalf of the Robert Baldwin Family Trust, property owner of 126-138 Dayton Street, Yellow Springs, has submitted an application for a replat. Zoning district B-1, Central Business District. Greene County Parcel IDs: #F19000100110022800, -22900, -23300, -23400, -23500, -30600.

Fields displayed the graphic of the lots as currently platted, noting that there are currently six lots, two of which are unbuildable because they are so oddly shaped. The proposed replat reconfigures the lots into three lots, all of which are of a conforming shape and size.

Fields noted that uncommon lot configurations must be reviewed for replat by Planning Commission, hence the need for a hearing.

Fields walked PC members through her findings for applicable code Section 1226.06 Design Standards, noting the following:

Adequate access to such lots is provided and poses no nuisance to adjoining lots. Adequate access shall accommodate emergency needs, parking and any other requirements specific to the location.

Findings: The replat is proposed to rectify an existing uncommon lot configuration to create three lots, each of which have access to Dayton Street and provide adequate access. It is not anticipated that the replat will pose a nuisance to adjoining lots.

The relation to the adjoining lots is acceptable in that required setbacks can be maintained, adequate privacy is preserved and apparent nuisances (light, noise) are avoided.

Findings: The replat will result in the creation of lots that are further in line with the configuration of adjoining lots without having an impact on the privacy of adjoining lots or creating a nuisance.

A minimum frontage of twenty feet shall be required for all lots.

Findings: The lots all provide a minimum frontage of twenty feet.

Stiles asked whether there would be any change to businesses located within the replat area.

Kim Baldwin, co-trustee of the Robert F. Baldwin Jr. Trust described the businesses located in the area, three of which are located in one structure, one of which is in a separate building. The replat locates the two structures and the parking lot to the rear each in their own lot. This is the way she thinks of the area, Baldwin said, and it makes sense to clean up the properties to reflect this.

Green and Zaremsky asked whether the GIS photo shown is accurate, since it shows the property line extending into Dayton Street.

Baldwin opined that it is the photo that is inaccurate and the property boundaries do not extend into the roadway.

DeVore Leonard received confirmation that Baldwin had engaged the engineering firm that provided the replat information.

Stiles OPENED THE PUBLIC HEARING.

Ellen Hoover, who identified herself as part of a neighborhood group located in the vicinity, stated that she had questions regarding the purpose of the replat and future plans regarding the businesses located within the replat. She asked how the replat provided advantage to the property owner.

Stiles CLOSED THE PUBLIC HEARING.

Stiles invited Baldwin to address Hoover's questions.

Baldwin stated that the auditor had requested a site survey when the Robert F. Baldwin Jr. Trust was activated, since the Trust required separation of two properties. In order for the two properties—126 and 128 Dayton Street, respectively—to be placed into a separate trust (the 128 Dayton Street Trust), a survey needed to be conducted and submitted.

At some future point, Baldwin said, the properties are likely to be sold, and at that point it needs to be clear what lot the property is located upon.

Stiles asked when Baldwin thought the properties might be sold.

Baldwin responded that the terms for 126 and 128 Dayton Street are more involved than for other properties in the trust, so while some properties will be sold in the next 4-6 years, she anticipates that 126 and 128 will be held longer. She added that the structure containing three businesses may be put on the market at any point, depending upon whether a good proposal is brought forth.

DeVore Leonard commented that he had not heard anything further about the properties in question.

Zaremsky cautioned that speculation regarding any future use of the property is outside of the scope of Planning Commission, which is tasked solely with review and decision regarding the replat request.

Arellano provided information as to next steps for the applicant if the replat is approved.

Osterholm MOVED TO APPROVE THE REPLAT APPLICATION. Green SECONDED, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Stiles asked that Council consider tax abatement for the Spring Meadows Phase Two.

#### **OLD BUSINESS**

There was no Old Business.

#### **NEW BUSINESS**

There was no New Business.

#### **AGENDA PLANNING**

DeVore Leonard asked that a goal prioritization discussion be placed on the agenda for the next meeting. He stated that Council will be prioritizing their goals in an upcoming meeting which may provide some direction to PC.

Zaremsky commented that PC is more a responsive body than an directive body, but added that they could identify some projects.

Arellano noted a Conditional Use for a daycare in R-A, and a Conditional Use for an ADU, pending a variance approval from BZA.

DeVore Leonard stated that following a Council goals prioritization session set for April 20<sup>th</sup>, he will bring any relevant goals back to PC for consideration.

#### **ADJOURNMENT**

At 6:33pm, Stiles MOVED and Osterholm SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 ON A VOICE VOTE.

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Susan Stiles, Chair

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Attest: Judy Kintner, Clerk



# The Village of **YELLOW SPRINGS**

## — PLANNING & ECONOMIC DEVELOPMENT —

937-767-3402

aaron.arellano@yellowsprings.gov  
100 Dayton St. Yellow Springs, OH 45387

TO: Planning Commission  
FROM: Aaron Arellano, Planning & Economic Development Coordinator  
REPORT DATE: Friday, April 10, 2026  
MEETING DATE: Tuesday April 14, 2026  
RE: **PC03-2026 – Conditional Use for Group Daycare – 1333 President St. – Nicole Gay**

### SUMMARY

Nicole Gay, applicant, submitted a Conditional Use application (Exhibit A) to operate a licensed in-home Group Daycare at 1333 President St, an existing single-family dwelling in the R-A (Low Density Residential) district.

Group daycare is a conditional use in this zoning district and is defined in Section 1248.02 of the Yellow Springs Zoning Code as the following: “**Day care, group.** A private home in which seven, but not more than 12 minor children are given care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption.”

The applicant would like to operate a group daycare out of the existing single-family home. There are no planned changes to the exterior of the building itself although changes will be made to the basement level of the structure to accommodate the planned daycare. A portion of the first floor will accommodate a multi-use space for dining and parent group meetings.

The daycare as proposed will operate between the hours of 8:00am and 5:00pm, Monday through Friday. Specifically, morning arrival will be from 8:00am-9:00am and pickup between 3:00pm-4:00pm. A maximum of three families regularly pay for extended care, which ends at 5pm.

The applicant is requesting modification of parking requirements based on the provided pick up/drop off plan proposal.

Total number of children, per code, will not exceed a maximum of 12 preschool age students.

As part of the applicant’s updated contracts with families, they will be required to follow strict procedures regarding scheduled drop-off/pick-up times, driveway protocol, and posted speed limits. Those in breach of that contract will be at risk of dismissal from the program.

Licensing from the Ohio Department of Children and Youth (DCY) has been obtained to operate the daycare. The application meets the requirements of the Zoning Code for a group daycare in an R-A district.

#### Motor Vehicle Parking Modification

Per Village Code 1264.02, the parking standard for the proposed use is “1 per 350 sq. ft. of UFA, plus 1 per employee. Sufficient area shall be designated for drop-off of children or adults in a safe manner that will not result in traffic disruptions”. Based solely on the Useable Floor Area (UFA) of 1,326 square feet in the basement area for the classroom, 4 parking spaces plus one per employee are required for this use category.

The applicant is requesting modification of the required minimum off-street parking spaces based upon the nature of the use, which requires a brief drop-off and brief pick-up during two distinct periods of the day, am and pm, respectively. Because the property has a large U-shaped driveway, neither drop-off nor pick-up is anticipated to require parking. Two parking spaces are available for the residents of the home in the garage adjacent to the home. The residents of the home are the only employees of the proposed daycare.



Vicinity Map

## PROJECT DESCRIPTION

**ZONING DISTRICT:** Low Density Residential (R-A)

**APPLICANT:** Nicole Gay

**PROPERTY OWNER:** Matthew Morgan

**REQUESTED ACTION:** Conditional Use – Group Daycare

**PARCEL ID:** F19-0001-0016-0-0056-00

**PUBLIC NOTICE:** Adjoining property owners were mailed a notice on March 31, 2026 (Exhibit B), signs were posted on the property on April 3, 2026 (Exhibit C), and a notice was published in the YS News on April 3, 2026 (Exhibit D).

## **APPLICABLE CODE & STAFF FINDINGS**

1262.03 GENERAL STANDARDS. Any request for a conditional use shall only be approved upon a finding that each of the following general standards is satisfied, in addition to any applicable requirements pertaining to the specific use:

(a) The proposed use will be consistent with the intent and purposes of this zoning code and the vision, goals and recommendations of the Comprehensive Plan and Vision: Yellow Springs and Miami Township.

*Finding: As proposed, the group daycare use may be found to be consistent with the intent and purpose of the zoning code in that it is included as a conditional use in the R-A Low Density Residential District.*

(b) The proposed use will comply with all applicable requirements of this code, except as specifically altered in the approved conditional use.

*Finding: As requested, the proposed use may be found to comply with all applicable requirements of the zoning code dependent upon the findings of Planning Commission*

(c) The proposed use will be compatible with the character of the general vicinity.

*Finding: If operated as described by the applicant the proposed in-home childcare may be found to be compatible with the character of the general vicinity of the existing single-family dwelling.*

(d) The area and proposed use will be adequately served by essential public facilities and services, as applicable, such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewers, and schools. The applicant or landowner will be required to install public utilities, streets or other public infrastructure as required by the Village, State or other agencies to applicable specifications. Dedication of said public infrastructure may be required.

*Finding: Essential services are already provided to the property and exist today. No new public infrastructure is required for the proposed change of use. The site is adequately served by existing utilities, roads, and emergency services, and there is no need for additional infrastructure improvements.*

(e) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the zoning district.

*Finding: The daycare will operate with limited children and staff, generating a maximum of 12 cars worth of traffic. Pick-up and drop-off times will be scheduled at specific times as an official pick-up and drop-off plan will be submitted prior to opening. Hours of operation will be limited from 8:00am to 5:00pm Monday through Friday, with the exception of occasional events (held on some Saturdays).*

(f) The proposed use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

*Finding: The proposed use will not impede on normal and orderly development of the surrounding properties since it will be located in a dwelling that already exists on a property and the existing u-shaped driveway will provide sufficient entry and exit for pick-up and drop-off times.*

(g) The proposed use will not block sight lines from the right-of-way to existing signs or windows on the front or side of a building.

*Finding: The proposed use will not block any sight lines from the right-of-way to existing signs or windows.*

#### 1264.02 OFF STREET PARKING & LOADING, GENERAL REQUIREMENTS

(d) Modification of Parking Requirements. The Planning Commission may reduce the parking space requirements of this chapter for any use, based upon a finding that other forms of travel are available and likely to be used and, in particular, the site design will incorporate both bicycle parking facilities and pedestrian connections. In addition, one or more of the following conditions shall also be met:

(1) Shared parking by multiple uses where there will be a high proportion of multi-purpose visits or where uses have peak parking demands during differing times of the day or days of the week and meeting the following requirements:

A. Pedestrian connections shall be maintained between the uses.

B. For separate lots, shared parking areas shall be adjacent to each other, with pedestrian and vehicular connections maintained between the lots.

C. Unless the multiple uses all are within a unified business center, office park or industrial park all under the same ownership, shared parking agreements shall be filed with the Clerk of Council after approval by the Planning Commission.

(2) Convenient municipal off-street parking or on-street spaces are located adjacent to the subject property.

(3) Expectation of walk-in trade is reasonable due to sidewalk connections to adjacent residential neighborhoods or employment centers. To allow for a parking space reduction, the site design shall incorporate pedestrian connections to the site and on-site pedestrian circulation, providing safe and convenient access to the building entrance.

(4) Where the applicant has provided a parking study, conducted by a qualified traffic engineer, demonstrating that another standard would be more appropriate based on actual number of employees, expected level of customer traffic, or actual counts at a similar establishment.

(5) The Planning Commission may require a parking study to document that any one or more of the criteria in subsections (d)(1) through (4) above would be met.

*Finding: The proposed use may warrant a parking reduction due to the large U-Shaped driveway on the property in conjunction with a contractually required pick-up and drop-off procedure.*

## **RECOMMENDATION**

Planning Commission shall consider the application (Exhibit A) with the requirements outlined in Section 1262.03. Staff provides a neutral recommendation. Should Planning Commission decide to approve the application, staff recommends the following conditions:

### **CONDITIONS OF APPROVAL:**

1. Provide a schedule and protocol for drop-off and pick-up and ensure all families are required to comply with the schedule and protocol
2. Obtain Certificate of Occupancy
3. Prior to installation of any sign, obtain Sign Permit approval

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Arellano', with a stylized flourish at the end.

**Aaron Arellano**

Planning & Economic Development Coordinator  
Village of Yellow Springs

### **EXHIBIT LIST:**

- Exhibit A – Application
- Exhibit B – Neighbor Notice
- Exhibit C – Yard Sign Posting
- Exhibit D – YS Newspaper Notice
- Exhibit E – Letter of Agency
- Exhibit F – Description of Drop-off/Pick-up Plan
- Exhibit G – Applicant Letter from Nicole and Bryan Gay



Planning Commission  
Hearing Request:  
Conditional Use

Planning & Zoning Department  
100 Dayton St, 2<sup>nd</sup> Floor  
Yellow Springs, OH 45387  
(937) 767-1702

(FOR OFFICE USE ONLY)

Case #: PC03-2026

Hearing Date: April 14, 2026

Applicant Information

|                   |                                                 |        |                     |                                          |
|-------------------|-------------------------------------------------|--------|---------------------|------------------------------------------|
| Property Address: | 1333 President Street, Yellow Springs, OH 45387 |        |                     | ↓ <u>Craig Mesure (point of contact)</u> |
| Property Owner:   | Matthew Morgan                                  | Phone: | <u>937-708-0559</u> | Email: <u>matt.morgan.mail@gmail.com</u> |
| Applicant Name:   | Nicole Gay                                      | Phone: | <u>937-602-1032</u> | Email: <u>openairvillage@gmail.com</u>   |
| Mailing Address:  | 1333 President Street, Yellow Springs, OH 45387 |        |                     |                                          |

Project Information

Current Use: Single Family Home (rental)

Proposed Project/Use: Licensed In-Home child care for 6-12 individual preschool aged students, Monday through Friday. (Licensing by Ohio Department of Children and Youth/ DCY)

Total off-street parking accommodation, (If Applicable) Off-street parking should not be needed, as the large U-shaped driveway can accommodate all vehicles during scheduled drop-off and pick-up times.

Do you plan to install a sign(s), (If Applicable) small signage to indicate driveway entrance

Site Plan Attached (Required): ☒ Stormwater Mitigation Plan Attached: ☐

I understand that approval of this application does not imply approval for any administrative review, conditional use permit, variance, or exception from any other Village regulations which are not specifically the subject of this application. I understand that I remain responsible for satisfying requirements of any easements or private restrictions or covenants affecting the property.

I understand that the Village is not responsible for inaccuracies in information I have presented, and that inaccuracies may result in the revocation of any Zoning permit as determined by the Village. I further certify that I am an owner, or lessee, or agent fully authorized by the owner to make this application. I understand any statements made to me about the time required to process this application are general estimates and not binding. Further, I understand that it may be necessary for the Village to request additional information and clarification after I have submitted this application and accompanying documentation.

I understand this application is a public record and the property will be posted with signage by Village staff prior to any public hearings and that I am responsible for the cost of repair or replacement if such signage is damaged or removed by non-Village personnel.

I hereby certify under penalty of perjury that I am the applicant and the information and statements I have given on this application, drawings, and specifications are, to the best of my knowledge, true and correct.

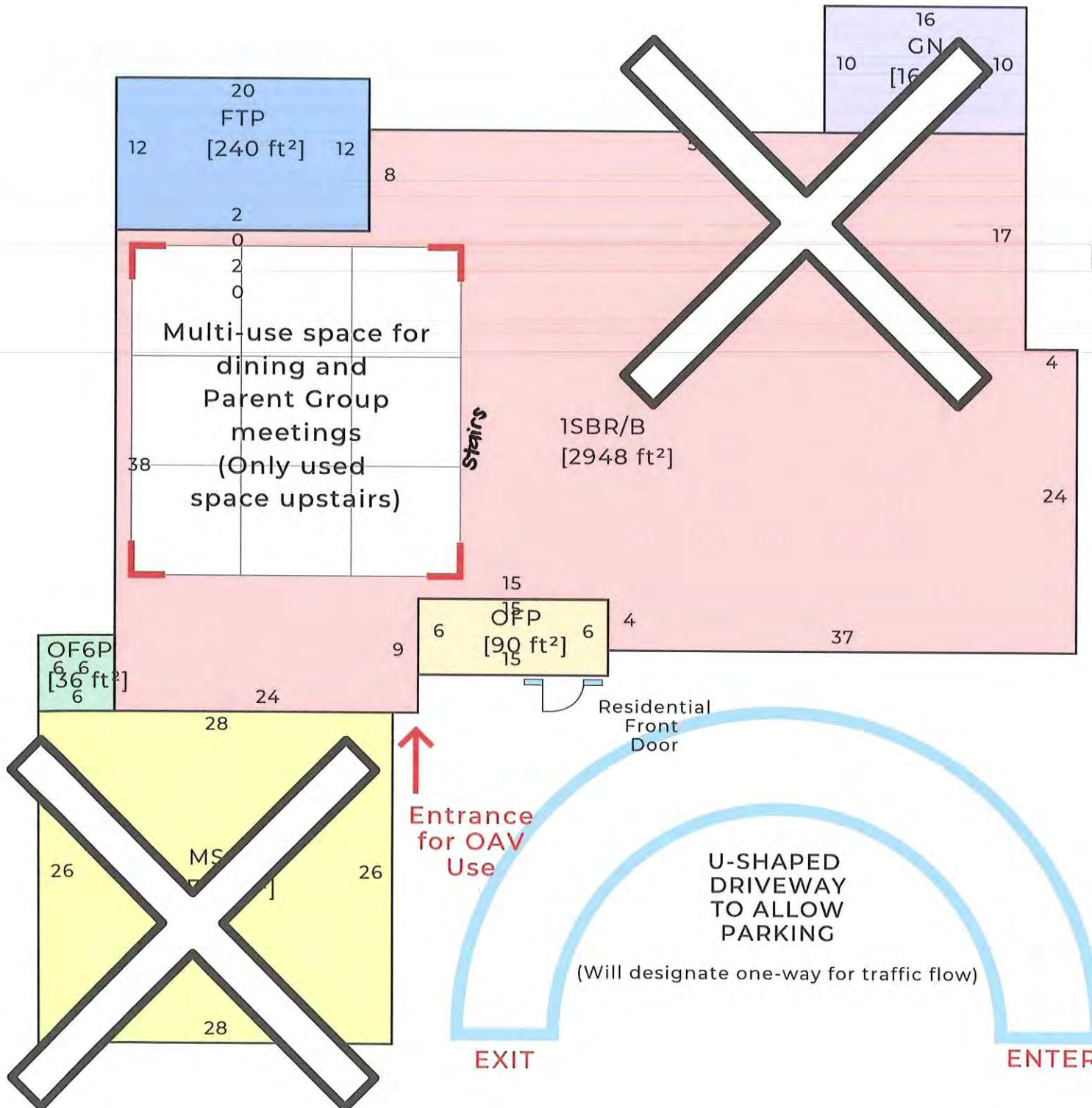
Owner Signature: Matthew Elias Morgan Date: \_\_\_\_\_  
Applicant Signature: Nicole Gay Date: 3-2-26

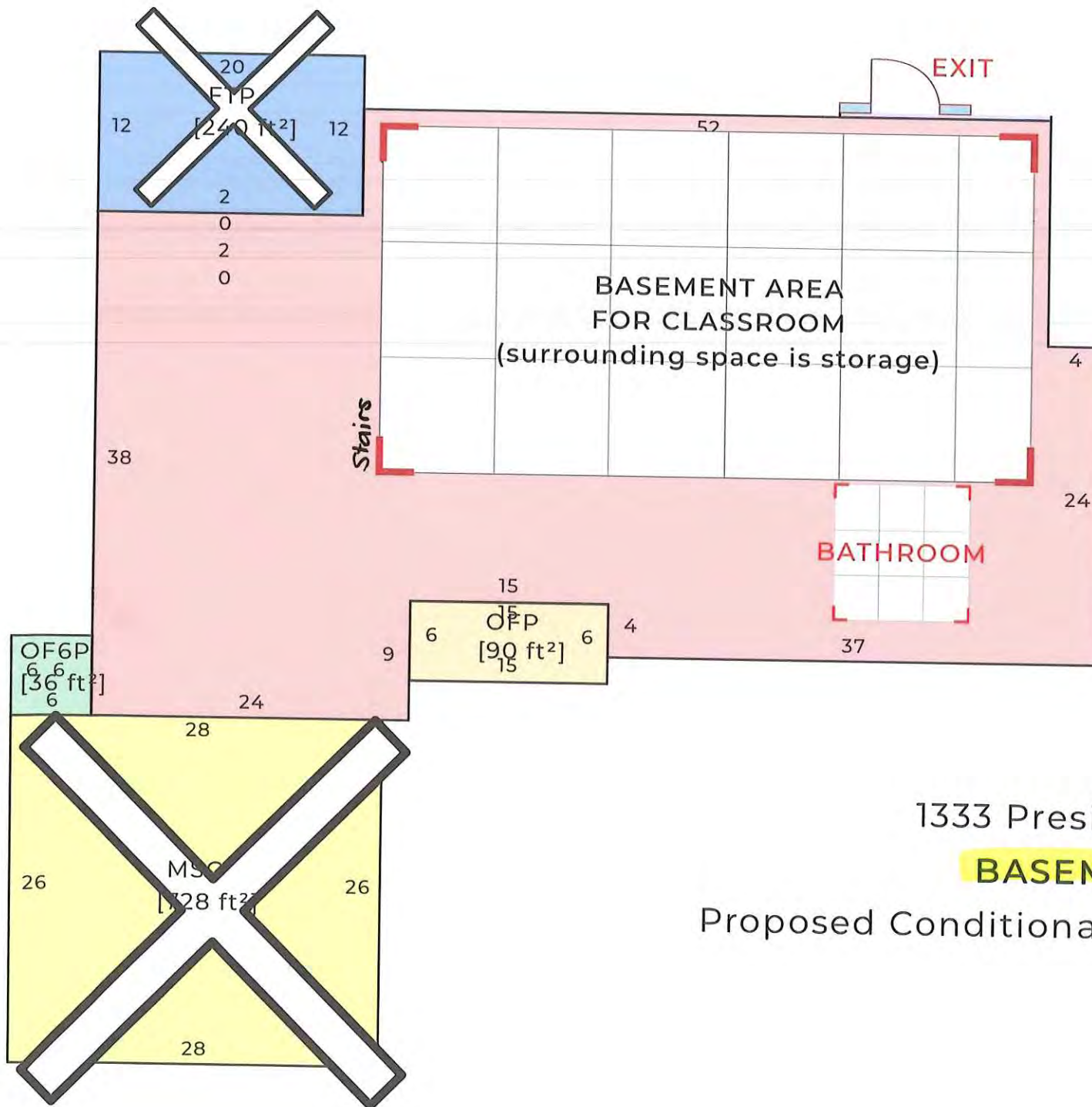
| FOR OFFICE USE ONLY       |                                                                                                                         |                                                                     |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Zoning Fee: \$ <u>200</u> | Payment Type: <input checked="" type="checkbox"/> Check   <input type="checkbox"/> Cash   <input type="checkbox"/> Card | Approved <input type="checkbox"/>   Denied <input type="checkbox"/> |
| Other fees: \$ _____      | Zoning District: <u>R-A</u>                                                                                             | Permit Number: _____                                                |
| <u>Paid 3/3 AS</u>        |                                                                                                                         |                                                                     |
| Total \$ <u>200</u>       | Zoning Official Name and Title                                                                                          | Date                                                                |

1333 President St.

1st Floor

Proposed Conditional  
Use for Child Care





1333 President St.

**BASEMENT**

Proposed Conditional Use for Child Care





**-Public Notice-**

**PUBLIC HEARING**

**VILLAGE OF YELLOW SPRINGS PLANNING COMMISSION**

Notice is hereby given that:

**Conditional Use Request** – R-A; Low Density Residential District—1333 President St. Nicole Gay, applicant, has submitted a Conditional Use application for Group Daycare Chapter 1262.03(b) Conditional Use General Standards. Greene County Parcel #F1900000160005600



**A PUBLIC HEARING WILL BE HELD ON THIS PETITION BY THE  
VILLAGE OF YELLOW SPRINGS PLANNING COMMISSION ON:**

**DATE: Tuesday, April 14<sup>th</sup>, 2026**

**TIME: 6:00 p.m.**

**LOCATION: John Bryan Center, Second Floor – Council Chambers  
100 Dayton St.**

This notice provides you and every other interested party the opportunity to have input at the hearing. You may express your views in writing for inclusion in the record of the hearing by providing a copy to the Clerk of Council at [clerk@yellowsprings.gov](mailto:clerk@yellowsprings.gov), or by calling 937-767-9126. Please submit your letter by no later than **Thursday, April 9, 2026 for inclusion in the Commission packet: however, all letters received any time prior to the hearing will be provided to Commission members and the Zoning Administrator.** The applications, as prepared by the petitioners, may be examined at the office of the Zoning Administrator on the 2<sup>nd</sup> floor of the Bryan Community Center, 100 Dayton Street, Yellow Springs, Ohio 45387 or on the Village website at [www.yellowspring.gov](http://www.yellowspring.gov) after Friday, April 10<sup>th</sup>, 2026. Questions regarding the applications, zoning code or procedures may be directed to the Planning & Economic Development Coordinator Aaron Arellano, phone (937) 767-3401 or by email to [aaron.arellano@yellowsprings.gov](mailto:aaron.arellano@yellowsprings.gov) .

**A CONDITIONAL USE  
REQUEST INVOLVING  
THIS PROPERTY  
WILL BE HEARD**

**APRIL 14 6:00 PM**

**LIVE on CHANNEL 5 & [WWW.YSO.COM](http://WWW.YSO.COM)**

**CALL (937) 767-9126**

— **Public Notice** —

# PUBLIC HEARING PLANNING COMMISSION

VILLAGE OF YELLOW SPRINGS, OHIO

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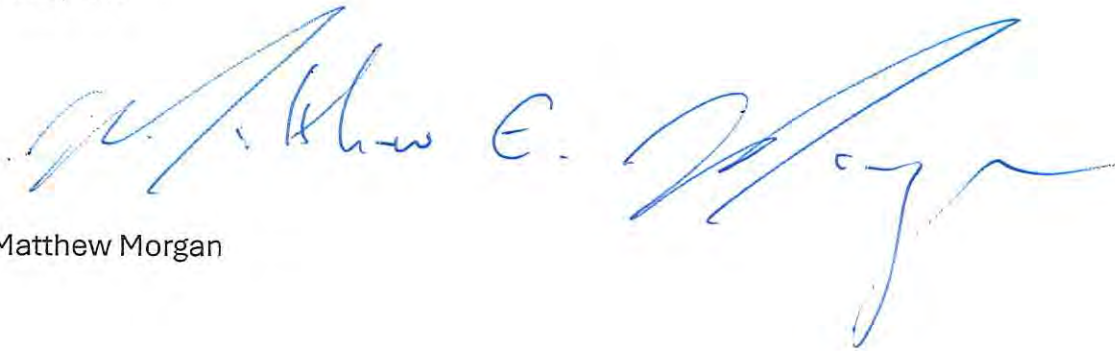
—Aaron Arellano, *Planning and Economic Development Coordinator*

4/8/2026

To whom it may concern,

I, Matthew Morgan, have been made aware in regards to the application made by Nicole Gay, to seek a conditional use to operate a licensed in home daycare for 6-12 children at my property, located at 1333 President Street, Yellow Springs, Ohio. I have no vested interest regarding the Planning Commission's decision. I will support whatever decision results from the meeting on April 14<sup>th</sup>, 2026.

Sincerely,

A handwritten signature in blue ink that reads "Matthew E. Morgan". The signature is fluid and cursive, with the first name "Matthew" and last name "Morgan" being more legible than the middle initial "E.". The signature is written in a single line.

Matthew Morgan

**Proposed Traffic and Parking Plan  
Open Air Village  
1333 President St, YS**

8:00 am - 8:20 am: 4 cars  
8:20 am - 8:40 am: 4 cars  
8:40 am - 9:00 am: 4 cars

12:00 pm: 4 cars (AM only students)  
2:40 pm: MLS school bus drop-off  
3:00 - 3:30: 4 cars  
3:30 - 4:00: 4 cars  
4:00 - 5:00: 4 cars

- Average of 1 car per 5 minutes from 8:00 am - 9:00 am
- Average of 1 car per 10 minutes from 3:00 pm - 5:00 pm
- Average of 4 cars at 12:00 pm for AM only student pick-up
- 2:30 pm, school bus drop-off (already in use by our own children) with an average of 4 after-school elementary children. The amount of after-school students depends on how many AM only students leave at 12pm, as the maximum number of children we may serve at any given time is 12. This is the smallest piece of our program. Most of the after-school students are siblings of preschoolers, meaning only one car for both.
- Some drop-offs and pick-ups are by bike or on foot.
- Siblings are in the program, meaning even less cars.
- The road is already a cut through for Corry/Hyde Rd.
- U-shaped driveway alleviates any road congestion, with families required to park completely to the north end of the driveway.
- The entrance will be designated at the North side of the driveway, the exit will be at the south end.
- OAV families sign contracts adhering to policies at the beginning of the year. New policies will be added to the handbook with strict compliance enforced.
- **(See draft on following page)**



### EXAMPLE

**Arrival and Departure Section of Handbook to be amended:**

In order to be mindful neighbors on President Street, Open Air Village has agreed to set forth the following policies to ensure safe and efficient traffic flow. As with all safety policies, failure to adhere to the following may result in dismissal from the program. Those with a repeated pattern of tardiness with arrivals or pick-ups will be asked to conference with the director to help remedy the situation.

**Make sure to give yourself time to follow these simple safety policies.**

- The speed limit on President St. is 25 mph. With how close President Street is to the beginning of Allen St, there should be no reason to reach the speed limit. Please be cautious and proceed slowly.
- Pedestrians and bicyclists always have the right of way. Do not pass with another vehicle approaching head on.
- Street parking is not allowed in front of the home. The U-shaped driveway can accommodate all vehicles during drop-off and pick-up.
- **You must arrive at your assigned drop-off and pick-up time in order to ensure no congestion in the driveway and limit traffic flow on the street.**
- Cars must enter through the designated south side entrance. **The driveway is ONE WAY.**
- Pull completely forward and to the right side of the driveway to ensure cars leaving can go around your parked car.
- Children may not be left unattended while arriving or leaving. Do not allow children to go into the front yard at arrival or dismissal.

Your family's designated arrival time is: 8:00 8:20 8:40 9:00  
(one will be circled)

Your family's designated pick-up time is: 3:00      3:20      3:40      4:00  
(one will be circled)

I understand and agree to the following traffic and safety policies and understand that failure to maintain compliance can result in dismissal from the program. I will also ensure that anyone dropping off or picking up my child (grandparent, friend, etc.) will also adhere to the policies in place.

Sign

date

April 9, 2026

Dear Members of the Zoning Board,

Thank you for the opportunity to be considered for conditional use approval to operate a small, home-based childcare program at our residence on President Street.

Since founding Open Air Village in 2020, our work has centered on creating a calm, nurturing environment where young children learn through play, exploration, and meaningful daily experiences. We focus on helping children build confidence, independence, and strong social-emotional skills through hands-on learning in a nurturing environment.

Open Air Village is a family-run program, inspired by our own children and the kind of childhood we hoped to create for them. We care for each child in our program as an extension of our own family. Just as we raise our own children to be respectful and aware of others, we guide the children in our care to be thoughtful and respectful of their surroundings and neighbors.

In a home-based model, our program will be smaller than our current size, serving no more than 12 children at a time. We are willing to downsize in order to ensure 1) DYS licensure compliance and 2) we maintain a quiet, focused atmosphere where children can remain engaged, “working,” and learning naturally through play.

As we transition to this model, we have developed a clear and thoughtful plan to ensure minimal impact on our neighbors and the surrounding area:

- **No street parking:** All arrivals and departures will take place within our u-shaped driveway, keeping vehicles entirely off President Street.
- **Staggered scheduling:** Drop-off and pick-up times will be scheduled in advance to prevent congestion and ensure a smooth flow of traffic.
- **Clear family policies:** Our parent handbook will include strict expectations regarding safe, slow, and attentive driving on President Street, reinforcing respect for the neighborhood at all times. Those in breach of contract will be grounds for dismissal from the program— same as other safety requirements we take seriously.

This approach will allow us to continue offering consistent, high-quality childcare while maintaining a peaceful environment both inside the home and in the surrounding neighborhood.

Throughout our six years in Yellow Springs, we have operated in settings with much closer proximity to others than this home will have. At Sontag Fels, we were surrounded by neighboring residences and did not receive complaints. More recently, while sharing McGregor Hall at Antioch College during active class sessions, we also operated without issue. In fact, faculty and students expressed that they enjoyed the presence of children and the sense of fresh, young life in the building. These experiences reflect the care we take in being considerate and respectful in shared spaces. We take pride in being good neighbors.

We understand that some neighbors have concerns, and we want to acknowledge those with care and respect. We have made sincere efforts to engage in open dialogue, including offering opportunities for mediation, in hopes of working collaboratively toward understanding. While the offers for group mediation were not taken, we remain committed to approaching this process with kindness. We will continue to be thoughtful and respectful neighbors, and we hope to build trust over time by demonstrating that this program will operate quietly, safely, and with consideration for those around us.

Keeping our program within the village will allow us to continue serving local families who rely on consistent, quality childcare close to home. It will also allow us to remain active participants in the community—taking part in events such as PorchFest, Earth Day celebrations, and Mills Lawn PTO activities. We believe that supporting young families in this way helps strengthen our community and contributes to the neighborhood character— not damage it as suggested by the opposing parties.

We are grateful for the opportunity to share our intentions and respectfully ask for your support. Thank you for your time, care, and consideration.

Warmly,  
Nicole and Bryan Gay  
Owners/Founders/Teachers  
Open Air Village

**From:** [Alison Kline](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Attn: Judy Kintner, Re: 1333 President St.  
**Date:** Thursday, April 9, 2026 2:59:05 PM

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You don't often get email from [alison.n.kline@gmail.com](mailto:alison.n.kline@gmail.com). [Learn why this is important](#)

Dear Clerk of Council,

I am writing in support of the Open Air Village Conditional Use application to allow a group daycare facility for up to 12 children at 1333 President Street.

I have 3 daughters ages 8, 6, and 3. They have collectively attended Open Air Village for the last 5 years. We found Open Air completely by chance, and I have been so thankful for their presence in our lives every day since. We looked at 3 other preschools in Beavercreek, where we live, before we found Open Air. I knew their approach of play-based, child-led education in an outdoor setting was special. My faith in their approach, my trust in their ability to care for my children's social emotional wellbeing as well as safety, has never wavered since.

It has been my immense pleasure to get to know Nicole and Bryan Gay as people, to watch them work as educators, to witness them grow and adapt their business to many challenges. From COVID, to struggles with building maintenance, to becoming a peanut free school (for the sake of my daughter's safety), to managing staffing changes, to moving buildings midyear, they have proven their ability to tackle the unknown, to learn and grow, and to creatively problem solve any challenge that comes their way.

I am confident Nicole and Bryan want only to do good in their community. I ask the council to take my word as a testament to Nicole & Bryan's character. They are exceptionally kind, conscientious, and intelligent people. Their dedication to providing early childhood education that serves the children, their families, and the community as a whole is unparalleled. I feel certain they will strive to cooperate with their neighbors and maintain a positive relationship that only adds to the neighborhood's character. If something isn't working, they change it. If something is not safe, they swiftly correct it. If someone has a concern, they open their doors and hearts to hearing them out and working together toward a solution.

I would like to address some of the concerns that neighbors have raised.

In terms of traffic and pedestrian safety, Nicole and Bryan have already proposed staggered drop off and pick up times in their u-shaped driveway to eliminate any backups on the street and to mitigate safety risk from multiple cars coming and going at a time. I can attest to a time when Nicole and Bryan became aware of a parent driving much too fast in the parking lot at our former location. They swiftly sent out a firm message to all parents indicating that unsafe driving on school grounds would not be tolerated. Their concern for safety does not stop with their students and families. I know that concern extends to the community as a whole. I would remind you that this is also their neighborhood, where they live, drive, and walk with their two children.

In response to concerns for noise, I have witnessed Open Air's outdoor presence for 5 years. While dropping my child off and picking her up today, I also consciously considered the noise level of roughly 10-12 children in the play yard. It was not excessive, it was barely even noticeable. Perhaps some concerned neighbors are picturing an outdoor preschool as a bunch

of children running wild like Lord of the Flies with no consequences to their actions. I can assure you, that is not the type of school the Gays run. They have clear rules, they maintain structure, and they hold boundaries. Never have I gone to pick up my children from school and felt that they were running wild or being excessively loud. The sounds of children playing pales in comparison to a multitude of other common sources of noise in any neighborhood on any given day.

The opposition to this application asks who wants to live next to a daycare? Possibly a family with young children who hear of the outstanding reputation of Open Air Village and want to live within walking distance to uniquely excellent, affordable early childhood education. While it was not realistic for my family to uproot and move from Beavercreek to Yellow Springs, I have looked at homes for sale in walking distance to OAV's former locations and fantasized about moving into them. For a parent of 3 young kids who has to load them into car seats and drive them to our ideal preschool, that would be the dream!

Open Air's whole philosophy has always been and always will be 'it takes a village.' And from what I have seen in the last 6 years, there is no greater village than Yellow Springs. It is my understanding they focus on progress and unity. Making space for young families will allow the village to progress for years to come. And unity is not a goal that any individual can reach. It takes all of us to be willing. Willing to be neighborly, to get curious, to open up our minds to new things, new people, and new situations. Nicole and Bryan have offered these opportunities, and I would ask that anyone with concerns take them up on it. Come see the school, come talk to the families, come watch the way Nicole and Bryan teach.

Open Air Village is so much more than a business. It is the Gays' whole heart, their livelihood, and a home to many families over the last 6 years. I truly believe they make a positive difference in the world with each child and each family they serve. If that's not worth protecting and supporting in this community, then I don't know what is. I ask you to please approve their application to provide licensed in-home care to 12 children, to 12 families who will be better off for having them as their village. Thank you for your time and your consideration.

Sincerely,

Alison Kline

**From:** [Bouquet Saber](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** RE: Letter of Support — Open Air Village Conditional Zoning Approval, President Street  
**Date:** Wednesday, April 8, 2026 2:12:08 PM

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You don't often get email from bouquet.saber@gmail.com. [Learn why this is important](#)

Judy,

Could you please share this email with the members of the Planning Commission? Thank you!

**To the members of the Yellow Springs Planning Commission,**

Our family has lived in this village for 12 years. Our son attended Open Air Village in 2021 and 2022, and Nicole and Bryan Gay made a real difference in our family's life. We are writing because when we heard they were facing opposition to bringing their program to President Street, we felt like we had to say something.

At Open Air Village, our son got to grow and learn under the compassionate and safe supervision of attentive teachers. It wasn't just childcare: the Gays supported us as we navigated an autism diagnosis for our child. The Gays are warm, professional, and deeply thoughtful educators, and we are lucky to have them in our community. In fact, they have been named Five Rivers MetroParks OUTstanding Teachers of the Year for Early Childhood Education for 2026. Their 6th Annual OAV Family Picnic this April speaks to six years of consistent, dedicated service. They found a home that perfectly fits their mission (an acre of land, garden beds, walking distance to Glen Helen) and they deserve the chance to keep doing this work here.

An opposition letter we came across (see attachment) referred to 48 (potential) vehicle "passes" per day as alarming, but those passes happen in two brief, structured windows (morning drop-off and afternoon pick-up) with the street quiet the rest of the day. Nicole and Bryan have already committed to procedures for safe traffic flow and parking. That's more organization than most residential streets ever see. As for pedestrian safety: President Street's narrow width and lack of sidewalks are pre-existing conditions, not something this daycare would create. If that's a genuine concern, the solution is sidewalks, not denying a childcare permit.

Yes, preschool children playing outside make noise. They do so on weekdays between 8am and 4pm, under constant adult supervision. That's about as ordinary as neighborhood sounds get. The opposition's framing of supervised outdoor play as a violation of residents' "peaceful environment" sets a standard that no neighborhood with children, or lawnmowers, or delivery trucks could ever meet.

The opposition warned in bold that property values "MAY DECREASE." They offered no evidence. The peer-reviewed research actually points in the opposite direction. A 2022 study in the journal *Economies* (Bergantino et al., University of Bari) analyzed 14 years of housing transactions across eleven cities and found that proximity to early childhood facilities has a statistically significant positive effect on home prices. A separate study by Theisen & Emblem (2018, *Journal of Property Research*) examining over 15,000 home sales found that kindergarten proximity is one of the most important positive locational factors for families with young children. Quality early childhood care makes neighborhoods more attractive to families, which is exactly the demographic that supports home values.

Conditional use approvals are evaluated case by case. Approving Open Air Village doesn't automatically approve every future applicant: it means this family, with this track record, on this property, has met the standard. And as for neighborhood character: Nicole and Bryan live here. Their

children attend our public school system. Their program is rooted in the same natural environment (Glen Helen) that defines this community. Open Air Village doesn't threaten the character of this neighborhood; it reflects it.

We need childcare in this village, and we have a chance to keep one of the best early childhood programs in the region right here. The concerns raised in opposition are either overstated or unsupported by evidence. Please approve this conditional use request and let Open Air Village come home.

Sincerely,

Sammy Saber & Dorothée Bouquet

480 Polecat Rd

Yellow Springs, OH 45387

[bouquet.saber@gmail.com](mailto:bouquet.saber@gmail.com)

## References

Bergantino, A. S., Biscione, A., de Felice, A., Porcelli, F., & Zagaria, R. (2022). Kindergarten proximity and the housing market price in Italy. *Economies*, 10(9), 222. <https://doi.org/10.3390/economies10090222>

Theisen, T., & Emblem, A. W. (2018). House prices and proximity to kindergarten — costs of distance and external effects? *Journal of Property Research*, 35(4), 321–343. <https://doi.org/10.1080/09599916.2018.1516450>

Dear Ms. Kintner,

I am writing in strong support of Open Air Village's Conditional Use Request.

My wife and I live just south of Yellow Springs on Sutton Road, and we have been part of this community since 2019, including time living within the village itself. We are raising our two young children here—our four-year-old daughter, Reya, and our almost two-year-old son, Jonah—and are invested in Yellow Springs as a place to live and raise a family. Reya has attended Open Air Village for the past two years and will be attending Mills Lawn this fall. Our son hopes to attend in the future. Open Air Village has been a consistent and important part of our family's routine.

This request is reasonable and appropriate. Open Air Village is a small, established childcare program with a strong track record, and the proposed home-based model is well-aligned with what conditional use approvals are designed to accommodate.

There are several key reasons this request should be approved:

First, this is a low-impact residential use. The program operates on a small scale, with a limited number of children and predictable daily routines. Activity is concentrated during short drop-off and pick-up windows, and much of the day is spent off-site. As a result, traffic is limited to brief, predictable periods comparable to normal residential activity, and overall intensity of use remains modest and consistent with neighborhood expectations.

Second, the proposed model represents a reduction in scale. The program is moving from a larger group to a maximum of approximately twelve children, which lowers overall intensity and further supports compatibility with a residential setting.

Third, the operators have demonstrated reliability and sound judgment over time. Nicole and Bryan have built a program that families trust because they are consistent, responsible, and professional. In a home-based setting, the quality of the operators is critical, and in this case, that has already been clearly established.

Fourth, this type of small-scale, home-based childcare is a well-established and commonly permitted use in residential areas. This request is not introducing a novel or untested model, but rather applying a familiar framework to a program that has already proven itself locally.

Fifth, the program addresses a real need. Access to dependable, high-quality childcare remains limited, and programs with a strong track record are not easily replaced. The availability of childcare directly affects families' ability to remain in and contribute to the community.

Sixth, Open Air Village's nature-based approach is consistent with the character of Yellow Springs. Its emphasis on outdoor activity, independence, and connection to the local environment reflects values that are widely shared in the community.

Seventh, denial of this request would create a meaningful disruption for the families who rely on the program. The loss of a stable and trusted childcare option would require families to make difficult and immediate adjustments, with no clear equivalent alternative.

Finally, this is an appropriate use of the conditional approval process. Approval does not remove oversight—it creates a structured framework for accountability. The Village retains the ability to establish clear conditions around scale and operations, ensuring compatibility with the surrounding neighborhood while allowing a proven program to continue.

For these reasons, I respectfully support approval of the request.

Sincerely,

A handwritten signature in black ink, appearing to read "Bret Knickerbocker". The signature is fluid and cursive, with the first name "Bret" being more legible than the last name "Knickerbocker".

Bret Knickerbocker

Knickerbocker Pools and Spas

Attorney

## Judy Kintner, Clerk of Council

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**From:** Liz Cameron <lizlasleycameron@gmail.com>  
**Sent:** Thursday, April 9, 2026 11:49 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Letter to support OAV

You don't often get email from lizlasleycameron@gmail.com. [Learn why this is important](#)

To whom it may concern:

I am writing to support the Open Air Village moving their daily operations to their home on President Street.

Nicole and Bryan believe deeply in this community and value connections with their neighbors; they've taught me a lot about what it means to be a part of this village. They support others and constantly consider the needs of the people around them, so I have no doubt that Nicole and Bryan will bring this same conscientious spirit of neighborliness to their home-based preschool.

My daughter was lucky enough to attend OAV for two years of preschool and then aftercare during kindergarten. Thanks to the generous and loving environment Nicole and Bryan created at OAV, my daughter thinks of them as part of the family. They've done more than just run a preschool and childcare; they've nurtured a thriving community that positively impacts the kids, but also connects parents and strengthens our sense of community in Yellow Springs as a whole.

As a resident on the south side of town, I walk on President street almost every single day. I would have every reason to be concerned and personally affected if there were traffic increases in that area. I do not, however, have concerns about the traffic that would accompany the addition of OAV on that street. It sounds like the new OAV home-based model is limited to 12 kids, which won't lead to a level of traffic that would threaten the peaceful nature of President Street and the surrounding area.

I know there is concern about noise levels and I can sympathize with that concern, but I would not expect there to be any significant noise issues associated with OAV's programming. First, 12 kids playing on an acre-sized lot is not going to create a cacophony of noise that would disrupt the tranquility of the neighborhood. Secondly, nature-based learning doesn't lend itself to the eruptions of energy often heard on playgrounds from traditional seat-bound school children, running off to play with an explosion of stored up energy after spending hours sedentary in a seat. In contrast, OAV students are nature-nourished and much more regulated due to the fact they are able to more actively and consistently explore their environment and feed their curiosities throughout the learning day.

It would be a shame to lose this nature-based learning opportunity in Yellow Springs and I know Nicole and Bryan have been struggling to find a permanent location. The President street house offers the appropriate indoor space (the walkout basement) and large lot needed for a home-based preschool.

Open Air Village has become an important part of what makes the Yellow Springs community so special. Allowing Nicole and Bryan to run this program from their home gives us the chance to keep them here in Yellow Springs and continue to enrich our community for many years to come.

Sincerely,  
Liz Cameron  
Resident of Miami Drive, Yellow Springs

**From:** [Kelly Carpe](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Support for Open Air Village conditional use zoning approval  
**Date:** Wednesday, April 8, 2026 11:05:07 PM

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Hello,

I am writing to give support to Open Air Village in their appeal for conditional zoning approval to operate an in-home daycare on their new property. Bryan and Nicole Gay are extraordinary business owners and community members, on top of being outstanding caregivers to the village children that are lucky enough to attend Open Air Village. Having OAV available when I needed care for my young daughter allowed me to support my household as a single parent in Yellow Springs.

Bryan and Nicole are incredibly responsible, and I am sure that whatever concerns neighbors may have will be fully addressed by them. OAV will be a welcome addition to any neighborhood in Yellow Springs.

Thank you,  
Kelly (and Mira!) Carpe

## Judy Kintner, Clerk of Council

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**From:** Donna Caslin <rcaslin@woh.rr.com>  
**Sent:** Wednesday, April 8, 2026 9:36 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Daycare in a residential neighborhood

[You don't often get email from rcaslin@woh.rr.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Sent from my iPhone For anyone who knows the President Street neighborhood, it is filled with senior citizens, a small street size-wise & it is very quiet. People walk on this street with their pets daily. To have a daycare with 3-5 year olds who spend much of their time outdoors, 12 of them, on this street there is unfair to the kids & the residents!! Whose idea was this? Those children deserve a place where they can make as much noise as they want outdoors without disturbing the quiet neighborhood. There must be another location in or near Yellow Springs that would suit this Open Air Daycare situation much better than a house on President Street! And the residents of the President Street & surrounding neighborhood area do not feel that anyone has listened to their concerns on this matter. Please think this through!! D Caslin( retired public school teacher Rice Road resident) Thank you!!

To: Yellow Springs Planning Commission

From: Scott and Jeanine Clark

Address: 1300 President St. YS

Date: April 9, 2026

Re: Planning Commission Hearing Request: Conditional Use. Case #PC03-2026

Hearing Date: April 14, 2026

We are writing to object to granting the applicant conditional use of a licensed in-home child care for 12 preschool aged students, Monday through Friday.

We have lived at 1300 President St. for 19 years, and before that next door at 322 Allen St. for 13 years. (Scott grew up in town.) We chose to live in this area because of the nature of the neighborhood.

Our residential neighborhood is a quiet, peaceful area. Our street is narrow with no sidewalks. Our stretch of President St. is used by walkers, dog walkers, joggers, and cyclists as a path to and from Allen St. There is a natural deer crossing. There are 23 retirees surrounding the 1333 President St. location.



The in-home child care proposal from Open Air Village:

- They have stated in the YS News that there will be up to 12 children, ages 3-5, from 8am to 4pm. We don't know whether they will have 2 half day sessions of up to 12 children or may have them in the future, or if they will also have their after-school program. The application itself does not have any information on operating hours.
- They have stated in an email to us that "In contrast from a typical "day care," our philosophy revolves around Nature-Based Education, meaning **our children are primarily busy at work outdoors. When we aren't on walking trips to Glen Helen or Antioch farm, you'll find our children digging in sand pits, moving and building together, as well as getting involved in gardening projects.**"
- Their email says, "we will schedule staggered drop-off and Pick-up times to ensure families use the driveway rather than street parking."

#### Our concerns:

- **Traffic and pedestrian safety:** the proposed day care states that they will have 12 children. That means 12 family cars could pass by us on this stretch of President, at least twice a day for drop off and pick up (and if there are 2 half day sessions there could be 12 car visits 4 times a day.) The result for one session would be 24 passes to drop off (to the house, from the house) and 24 passes for pick up. **That's a total of 48 car passes from Allen St. to 1333 President.** Staggered drop-off and pick-up times would not address the number of cars coming and going. When cars pass each other, one car pulls slightly off the road. When cars pass pedestrians, the pedestrians step off the street, into a yard, sometimes a ditch. There is a real concern for their safety (we are pedestrians too!) The deer crossing adds another element of risk for the cars and the deer. Between 4 and 12 deer cross President St. between our house and across the street, at least twice daily.
- **Noise:** The proposal states that the children will be outdoors much of the time, between **8am and 4pm** (operating hours stated in the YS new article.) **The 23 retirees are frequently at home** during these hours. Preschool children are naturally loud and **12 children playing outside even 4 hours a day** would seriously disturb the quiet nature of our neighborhood. The traffic would also add noise.
- **The conditional ordinances requirements Chapter 1262:**
  - YS 1262.01 Purpose: the approval considers whether "due to unique operational characteristics, may not be desirable or compatible in all locations within the district. Factors such as **traffic, hours of operation, noise, .....evaluated relative to its appropriateness...**"

- o YS 1262.03 General Standards:
  - (c) The proposed use will be compatible with the character of the general vicinity.
  - (e) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, ...or other characteristic not comparable to the uses permitted in the zoning district.
- o YS 1262.04 Conditions of Approval,
  - (c) Protect natural resources; the health, safety, and welfare; and the social and economic well being of those who will use the land use or activity under consideration; residents, .... immediately adjacent to the proposed use or activity; and the community as a whole.
- o **OPEN AIR VILLAGE (IN HOME CHILD CARE BUSINESS) WOULD SIGNIFICANTLY CHANGE THE CHARACTER OF THE NEIGHBORHOOD.**
- o **IT IS DETRIMENTAL TO THE RESIDENTS OF THE NEIGHBORHOOD DUE TO EXCESSIVE TRAFFIC AND NOISE.**
- o **IT DOES NOT MEET THE CONDITIONAL REQUIREMENTS FOR ACCEPTANCE.**

**Attorney analysis:**

We are attaching the attorney analysis which also looked at our ordinances and the applicant's (Open Air Village) submitted application. He had the same conclusion; that the child care business does not meet the conditional requirements.

**They have other options!**

Finally, YS article (<https://ysnews.com/news/2026/03/open-air-village-eyes-home-based-move>) states that when the applicants found out that they needed a different location "offers came quickly and generously: potential farm space, properties near nature preserves, other buildings in town."

**PLEASE REJECT THIS CONDITIONAL USE REQUEST.**

## **ATTORNEY WORK PRODUCT/PRIVILEGE**

**To: William Mitchell, et al**

Fr: Scott Davies

Date: 3/30/26

### **RE: Conditional Use Application for 12 child in-home day care**

#### **Executive Summary**

The strongest reason to deny the requested conditional use is that the Planning Commission can only approve the application if it can clearly determine that each general standard in Yellow Springs Codified Ordinances § 1262.03 is met, and this record does not support those determinations.

- This property is located in the R-A Low Density Residential District. In that district, “Day care, group” is not permitted by right; it is allowed only as a conditional use if the requirements of Chapter 1262 are met. Yellow Springs Codified Ordinances § 1248.01(a); § 1248.02 (Table 1248.02, “Day care, group” = conditional use in R-A).
- The application itself confirms that the proposed use is a licensed in-home child-care operation for 6 to 12 preschool-aged children, Monday through Friday, at a site presently used as a single-family rental home. The application further states that off-street parking “should not be needed,” because the large U-shaped driveway can accommodate vehicles during scheduled drop-off and pick-up times. (Planning Commission Hearing Request: Conditional Use, Case No. PC03-2026, page 1.)
- Those conclusory statements are not enough to satisfy the Village’s ordinance standards concerning compatibility, adequate street service, and absence of detrimental traffic and noise impacts. (Yellow Springs Codified Ordinances § 1262.03(c), (d), and (e).)
- The record instead indicates a site-specific incompatibility issue: a weekday business operation serving up to 12 preschool children on a residential street, with concentrated drop-off and pickup traffic, regular outdoor play, and no detailed traffic, circulation, or noise-mitigation analysis.

The applicant’s own materials highlight outdoor, nature-based programming and mainly depend on a large driveway and staggered scheduling for mitigation. The applicant has provided no legitimate information beyond self-serving statements that “it shouldn’t be a problem.” There is

no detail about the timing of staggered transportation, noise mitigation, a traffic study, or even whether they have discussed these issues with the appropriate public safety personnel.

Because the code requires affirmative findings, the lack of concrete proof is significant. The Commission is not obligated to approve first and hope conditions will resolve the issue later. If the evidence is inadequate to support the necessary findings under § 1262.03, the request should be denied.

## **Detailed Hearing Argument**

### **I. Governing standard under the current Yellow Springs code**

The Village's publicly posted current codified ordinances identify Part Twelve, Planning and Zoning Code, including Chapter 1248 (Residential Districts) and Chapter 1262 (Conditional Use Requirements), as part of the current code set labeled "2024 S-17 (current)." Chapter 1248 states that the R-A district is intended to accommodate single-family residential subdivision and infill development at densities of up to six units per acre, along with related uses. (Yellow Springs Codified Ordinances § 1248.01(a).)

Chapter 1248 also provides that "Day care, group" is a conditional use in the R-A district. It is therefore not a by-right residential use. Instead, it may be permitted only if conditional use approval is granted upon a finding that the general requirements of Chapter 1262 are met. (Yellow Springs Codified Ordinances § 1248.02).

Chapter 1262 is explicit: any request for a conditional use shall only be approved upon a finding that each general standard is satisfied. Yellow Springs Codified Ordinances § 1262.03. The relevant standards here are: compatibility with the character of the general vicinity, adequate service by streets and other public facilities, and the absence of detrimental effects from excessive traffic, noise, or other operational characteristics not comparable to uses permitted in the district. (Yellow Springs Codified Ordinances § 1262.03(c), (d), and (e)).

That framework matters. The question is not whether child care is beneficial in the abstract, but whether this applicant has shown that this use at this site satisfies the Village's conditional-use standards in this low-density residential setting.

### **II. What the application actually proposes**

The Planning Commission application identifies the property as 1333 President Street, Yellow Springs, Ohio, and identifies the current use as a "Single Family Home (rental)." Planning Commission Hearing Request: Conditional Use, page 1.

The proposed project/use is stated as: “Licensed In-Home child care for 6-12 individual preschool aged students, Monday through Friday. (Licensing by Ohio Department of Children and Youth/DCY).” Id.

The same application states, under off-street parking accommodation, that off-street parking “should not be needed, as the large U-shaped driveway can accommodate all vehicles during scheduled drop-off and pick-up times.” Id.

The first-floor plan shows proposed child-care use on the first floor, including a multi-use space for dining and parent-group meetings, while the basement plan shows “Basement Area for Classroom.” Application materials, pages 2-3.

The neighborhood correspondence and news summary (<https://ysnews.com/news/2026/03/open-air-village-eyes-home-based-move>) indicate that the applicants describe Open Air Village as a nature-based program centered on outdoor activity and open-ended play for children ages 3 to 5, and that the President Street home is attractive because of the backyard, the walkout basement, and its suitability for a home-based version of the program.

### **III. The application does not support the findings required by § 1262.03(c), (d), and (e)**

The first and strongest point is compatibility. Section 1262.03(c) requires a finding that the proposed use will be compatible with the character of the general vicinity. This block is zoned R-A, which is intended primarily for low-density single-family residential use. The current use of the property is a single-family residence. The proposed use is a weekday child-care operation serving up to 12 preschool-aged children, with repeated non-resident vehicle trips and regular outdoor group activity. That is materially different from ordinary residential use.

The applicant’s own materials emphasize that outdoor activity is a key part of the program, not just an afterthought. The submitted summary describes the children engaging in outdoor activities such as purposeful play, exploration, gardening, and similar pursuits. The new site is considered desirable because “the backyard is awesome,” and the operation is expected to run on weekdays from around 8:00 a.m. to 4:00 p.m.

Section 1262.03(d) separately requires a finding that the area and proposed use will be adequately served by streets and other facilities. Yet the application offers no traffic study, no circulation diagram for entering and exiting vehicles, no written stacking plan, no one-way driveway management plan, and no professional assessment addressing sight lines, pedestrian interaction, or spillover conditions on President Street. Instead, the application simply asserts that the U-shaped driveway can handle vehicles during scheduled drop-off and pick-up times. (Application, page 1).

This is woefully short of the requirements. Section 1262.03(e) requires more: the proposed use must not involve conditions of operation, including hours of operation, that will be detrimental by reason of excessive traffic, noise, or other characteristics not comparable to uses permitted in the zoning district. The proposed child-care operation would result in traffic twice a day, pedestrian safety concerns on a narrow street without sidewalks, year-round weekday activity, deer crossings, and noise from 12 children ages 3 to 5 playing outdoors five days a week.

Even if the Commission concludes that some of these concerns could theoretically be mitigated, the current record still does not establish that the required findings can be made now.

Conditional-use approval requires evidence, not assumptions.

#### **IV. Why the lack of specific “group day care” conditions in Chapter 1262 matters**

The code’s structure is important. Table 1248.02 lists “Day care, group” as a conditional use in RA, R-B, and R-C, but Chapter 1262.08 does not appear to provide a day-care-specific set of supplemental conditions comparable to those imposed on some other conditional uses. That means this case turns heavily on the general standards in § 1262.03 and the Commission’s authority under § 1262.04.

That does not lower the applicant’s burden. It raises the importance of the general standards.

Because there is no detailed, use-specific checklist for group day care in the ordinance materials reviewed, the Commission must take care not to fill gaps with speculation. If the applicant wants approval, the applicant should supply enough site-specific evidence to support the mandatory findings on compatibility, safety, traffic, and noise.

The absence of day-care-specific standards makes a thin record more problematic, not less. Where the ordinance does provide detailed standards for other conditional uses, it frequently demands site-specific plans addressing traffic, circulation, screening, parking, and operations. That overall code pattern reinforces the need for concrete proof.

#### **V. The code itself shows how seriously Yellow Springs treats traffic, access, and neighborhood impact**

Chapter 1262.04 permits reasonable conditions to ensure public services can handle increased demand, that use aligns with neighboring land uses, and that the health, safety, and welfare of nearby residents and the community are safeguarded. Yellow Springs Codified Ordinances § 1262.04(a)-(e).

But conditions are not a replacement for proof. Section 1262.04 assumes an otherwise approvable use; it does not relieve the Commission of its obligation to make the necessary threshold findings as required by § 1262.03.

The current code's handling of other conditional uses shows that traffic and neighborhood compatibility are key concerns in Yellow Springs zoning practices. For example, some uses need operation plans, traffic controls, stacking requirements, setbacks, and screening. Although these specific provisions are not directly applicable here, they show that the Village typically expects detailed, site-specific operational plans when a conditional use may impact nearby residential property. (See, e.g., Yellow Springs Codified Ordinances § 1262.08).

Against that background, this application is quite sparse. It lacks the analysis needed for the Commission to confidently determine that a weekday group child-care operation at this location would be compatible with the surrounding neighborhood and not cause harm.

#### **VI. Home-occupation standards provide a useful comparison, even if they are not directly controlling**

Although "Day care, group" is not governed by the home-occupation provisions, those provisions provide a useful benchmark for what the Village considers ordinarily tolerable home-based activity in residential districts.

The current code materials show that home occupations are restricted in ways meant to maintain the residential character: they may not modify the property's residential appearance; outdoor activities are not allowed; offensive noise that can be heard at or beyond the property line is prohibited; traffic must be consistent with what is typical in a residential area; parking must be on the driveway; and the use cannot have more than eight client visits daily or forty weekly. (Yellow Springs Codified Ordinances § 1262.08(e)(5), as shown in the submitted code documents.)

These provisions do not directly govern this application, but they help illustrate why the neighbors' concerns are valid. A group day-care using up to 12 preschool-aged children, with twice-daily parent traffic and regular outdoor activity, has a more intensive operational profile than what the code usually allows for typical home-based commercial activity in residential neighborhoods.

#### **VII. Summary**

The commission is required to be bound to their mandate to enforce local codes to maintain community standards as clearly stated in [yellowsprings.gov](http://yellowsprings.gov) website.

The operation of this daycare will clearly produce excessive traffic and noise that violates the rightful character of a peaceful and quiet residential neighborhood. (Yellow Springs Codified ordinance 1262.03(c), (d), (e).).

Accordingly, the proper decision is denial of the application.

**From:** [Tatiana Daugherty](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Open Air Village  
**Date:** Thursday, April 9, 2026 5:24:30 PM

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You don't often get email from [tatianadevoogd@gmail.com](mailto:tatianadevoogd@gmail.com). [Learn why this is important](#)

Just wanted to send a quick message in regards to Open Air Village school and how much we have enjoyed having our daughter attend for the last 15 months! She has grown immensely in her time at school and loves to be with her teachers and friends! As OAV has had challenges at Antioch's campus, it seems like their home based solution would be a perfect fit for everyone involved! We love that Nicole and Brian spend so much time nurturing the kids love for the outdoors and making sure the children have autonomy while being safe and having fun all at once!

We hope that the planning commission sees what an asset OAV is to the community and to the families and children who enjoy every day a little bit more because of their time at OAV.

Thank you for your time,  
The Daugherty family

## Judy Kintner, Clerk of Council

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**From:** Lauren De Guzman <lauren.deguzman0207@gmail.com>  
**Sent:** Wednesday, April 8, 2026 7:44 PM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Open Air Village Zoning  
**Attachments:** Open Air Village.docx

You don't often get email from lauren.deguzman0207@gmail.com. [Learn why this is important](#)

Dear Judy,

I have attached a short letter to be included in the Planning Commision packet in regards to the zoning for Open Air Village to be discussed this upcoming week.

Thank you,  
Lauren De Guzman

To the Village of Yellow Springs,

I am writing to you today, in hopes that you will approve the zoning for Open Air Village to operate from their home. My son is completing his first year of preschool with Open Air Village this upcoming May, and I hope he can continue next year, in their home setting, followed by his younger sister in the upcoming years.

I can remember just a few, short months ago my husband and I were dropping off a shy, learning to play and interact with other children, young boy. This same child has turned into a more confident, well rounded child who is excited to go to school in the morning and always comes home with a smile and stories to tell about his day. Nicole and Bryan, along with the other teachers, do so well with the children while at the same time step back and let the children figure out things on their own through play and interactions with each other within their small class size. With the small class size, you are able to get to know the other children and parents. All of whom, seem to have the best intentions and safety for the children, children's peers, and the surrounding area/property that Open Air Village occupies.

When my husband and I started looking into preschools we knew the nature play aspect was very important to us. Unfortunately, there are not many of those programs in this area. We were so pleased with Nicole and Bryan's approach to the schooling aspect of early childhood and their preschool regimen as well as our family feeling welcomed immediately with open arms when we first spoke with them and toured the area that we decided the roughly thirty-minute drive to have our son partake in Open Air Village is worth it. Their new home, with the larger amount of space in the backyard as well as raised garden/flower beds is the perfect setting for them to continue their vision and help to serve particularly Yellow Springs community's youth. These children are amazing at using their imagination, which helps to minimize the typical preschool playground "equipment" and instead utilize their natural surroundings and play with what the environment has provided. When not outside, their indoor space, with a separate entrance to help alleviate traffic or congestion makes for quiet play time after meals or on a rainy day.

With my personal story and the amazing ground work that Nicole and Bryan have created to sustain Open Air Village I hope you take into consideration approving the zoning for their beautiful home to become the next step for this amazing preschool. Allowing this home to be a welcoming starting point for many more young children within this area and close by.

Thank you,  
Open Air Village Family Member

Dear Clerk of Council,

4/8/2026

I am writing a letter in support of the Daycare asking for a zoning variance on President Street. I happened to get a copy of the petition going around the neighborhood the other day (I do not live in that neighborhood). First, I'd like to say what a sad situation that has been created by some neighbors about this proposal. I am a long-time childcare provider myself and have much experience in this field, have run Daycare centers and a home program and am now retired. I have helped the Gays with their program by mentoring some teachers, giving parenting classes and helping create a Parent Child Program. I would like to address the bullets on the petition one by one.

**Traffic:** There are many new houses in this neighborhood and traffic is increasing all over Yellow Springs. Many streets are narrow, and many people drive too fast on our streets. If increased traffic is a concern, perhaps a petition could be started to develop more sidewalks on the streets that get a lot of pedestrian traffic? The houses in this neighborhood are very large and have many bedrooms (Built for big families), so as people move (mostly older redescents now) and young families move in, more cars will appear naturally...I've seen up to four cars in some driveways...are these neighbors that are signing the petition suggesting (setting a precedent) that traffic be restricted in certain neighborhoods to a certain number of cars per day? Adding a Home Daycare center in a neighborhood will not really change the traffic flow as children are dropped off at different times (have you ever tried to get a toddler out the door on time?). There won't be 12 cars arriving all at once. The pickup times will vary for each family, so it will only be a gradual flow of cars. These are respectful drivers, not racing down the street. The parking for the home program will be off street, as the house has a large circular driveway to get cars off the road. Children will not attend every day, some families will have siblings enrolled, some families will be able to walk to the program (possibly, how wonderful to have a daycare in your neighborhood if you're a young family!), so 48 passes by your house is a huge over-estimation only created to induce fear and negativity towards this award winning program.

**Noise:** Oh my gosh...really? Children playing is noise that people want to avoid? If you own a house and live in a neighborhood, there will be certain noises you can not avoid...like children playing! May of these neighbors are elderly and have raised their children here. Not one told their children they could not play outside or to be quiet and not bother the neighbors. This neighborhood has a very large population of people that have ordered Landscaping services (every time I drive down this street, I see trucks parked in the street(!) where workers are making LOTS OF NOISE with their mowers and blowers and trimmers

etc. Lets pass a noise ordinance against this kind of noise, not Children playing. Another part of this noise complaint is that this program is advertised as a program that is conducted outside. The reality is that children will come inside for meals and naptime and for some of their activities like crafts or cooking. They will go on walks away from the house regularly and only be outside this home during particular times during the day, not from 8-4. Perhaps a schedule of outdoor time can be delivered to the neighbors so they can close their windows and turn up their TVs or music during that time to minimize the noise of children impacting them? Or could they run their errands during that time? If children playing really bothers people, perhaps they should be thinking of moving to a "village" where only people over 55 can live? I know the median age in YS is 55, but as far as I know children are allowed to live here and play outside. I would say that all the landscaping trucks create much more excessive noise than children playing and violates residents' rights for a peaceful and quiet environment.

Property values will not change due to this facility. There is no new construction. The house will remain as it is, it will be well cared for as a rental. Young families moving into this neighborhood as the elders move away will delight in a center close by! It's not like a huge center is being built with parking lots etc. This is a Home Program, with 12 children at any given moment (or less, kids do get sick or go on trips, so attendance is varied each day), in a beautiful home. How does that change property values? What can affect these values is if there are many more rentals in a neighborhood that are allowed to deteriorate due to tenants not caring for their property or landlords that don't keep things up. This wording is created and aggressive to induce fear and negativity towards this award winning program.

The continued aggressive wording of this part of the petition is despicable. "Who wants to live next to a Daycare?" Seriously? There are many people who would like to live close to an award-winning program that models what is most needed in our world right now with respect for nature, for raising children in a healthy environments, and being of great importance to many families in our village. Many people in Yellow Springs are of the, "Not in my backyard" notion. This is so concerning and very selfish. Just because this program is asking for variance, does not mean that Home Daycares will be springing up all over town. Creating a successful Home Daycare program takes extensive work and preparation, dedicated people, classes and training to achieve a license, and most importantly it takes a long time to gather enrollment (it usually takes a few years to have full enrollment). Yellow Springs does not have the population for "future Daycare programs" all over town. Again, this was created on the petition only to induce fear and negativity towards this award-winning program.

The ending sentence, "If this variance passes the next day care might be RIGHT

NEXT DOOR TO YOU!" Is so appalling, so gaslighting, so bullying... I have no words...This document was created by a few to convince the neighbors into agreeing to such a twisted concept with no input from the Gays as to their concerns. This is so sad and tragic that it comes from villagers of Yellow Springs. It's embarrassing to think elders in our community feel this way about children. This is an award-winning program that impacts many families in our village in a positive healthy way. By denying this variance you are forcing this family to only have 6 children to care for, causing great hardship for those families sent away. The results are that there will have to be other income sources for the Gays, so they will create other programs that will happen which don't need variances and they will run a program that needs no accountability to the state. The program will remain an excellent program and not deteriorate in quality if the enrollment goes to 6.( I felt a need to point that out.) I think the better option is to allow 12 children in the program. Why did the neighbors deny a meeting with a mediator offered by the Gays multiple times to figure this out? Why are they hiding behind a petition that is so aggressive and full of fear and frankly is very bullying?

Lastly, I am in full support of this program continuing on President Street and am very concerned that the neighbors have been so convinced otherwise by a few and are not willing to come together as neighbors to discuss this face-to-face. I am absolutely positive that once this program gets running with its 12 children that the neighbors will not be impacted negatively as stated in the petition, and they will see this overtime. Please do give this variance and allow this award-winning program to go forward and support these families in such a positive manner.



Simone Demarzi  
sdemarzi@gmail.com  
916-802-2242

## Judy Kintner, Clerk of Council

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**From:** Caryn Diamond <cfoxdiamond@gmail.com>  
**Sent:** Tuesday, April 7, 2026 5:53 PM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Support for Open Air Village

You don't often get email from cfoxdiamond@gmail.com. [Learn why this is important](#)

Dear Judy,

I'm writing this letter in support of Nicole and Bryan Gay's business, Open Air Village child care, to operate from their home on President St. I have worked for Nicole and Bryan since they opened OAV in 2020. I have witnessed a level of professionalism and compassion in their interactions with the children that they care for, the employees, the parents, and the community as a whole in Yellow Springs. They strive to keep their employers continually educated in the child care field, they work tirelessly to make sure they are following licensing rules, and they offer parenting events and classes to the community. It has not been a walk in the park for them on the Antioch campus. They were met with set back after set back in terms of their space- leaking roofs time and again to name the primary concern. Nevertheless, they persevered and left the space a better place than when they arrived- they planted native plant species around the play areas and took down invasives. Their commitment to a child's well being in a natural environment is evident in that they have been recognized for the past two years as excellent outdoor educators by other local Dayton outdoor education organizations. This year they have won the "Five Rivers Metroparks 2026 OUTstanding Teacher of the Year" award. The reasons they are recognized as the excellent educators that they are is because they are sincere and good people doing good for our village. There will be a plan in place to ensure safety, traffic flow, and parking making things as least disruptive as possible. Nicole and Bryan are true exemplars of the kind of people we want in our community. May we all be so lucky to have such kind and concientious neighbors.

Thank you for your time,  
Caryn Diamond

## Judy Kintner, Clerk of Council

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**From:** Lindsey Engler <lindseyengler@icloud.com>  
**Sent:** Thursday, April 9, 2026 8:57 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Variance request for 1333 President st.

[You don't often get email from lindseyengler@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To the Yellow Springs Village Council :

We, the neighboring residents, respectfully ask the Village Council/ Planning Commission to deny the proposed conditional use approval for a 12-child group daycare at 1333 President St., or in the alternative impose strict conditions to protect the surrounding residential neighborhood.

Our concern is not with child care in general. Our concern is the impact of a 12-child daycare operation at this specific property and on this specific street.

This is a quiet residential neighborhood with many older residents, limited driveway capacity, and a street pattern that may not safely accommodate the increased traffic associated with regular drop-off and pickup activity. A group daycare of this size is likely to generate repeated vehicle trips during concentrated morning and afternoon hours, with resulting risks related to congestion, on-street parking, blocked driveways, impaired visibility, and pedestrian safety.

We are also concerned about the effect of this use on the quiet enjoyment and residential character of the neighborhood, including noise from outdoor play, activity levels throughout the day, and the overall intensity of use at a rented single-family home.

We ask the Commission to carefully consider whether this proposed use is truly compatible with the surrounding residential area and whether the property can safely and adequately support the traffic, parking, supervision, and operational demands of a 12-child daycare.

If the Commission is inclined to approve the application, we request that it impose meaningful conditions, including at minimum:

1. A strict cap on the number of children permitted on site
2. Clearly defined drop-off and pickup procedures that prevent on-street queuing
3. A requirement that all daycare-related parking and loading occur on the property
4. Limits on hours of operation
5. Limits on outdoor play times and locations
6. Compliance with all applicable licensing, safety, and occupancy requirements

Thank you for your consideration and for protecting the safety and residential character of our neighborhood.

Sincerely,

Lindsey & Aaron Engler  
1365 Rice Rd.

Mattie Fitch  
4449 E. Enon Rd  
Yellow Springs, OH 45387  
937-232-4279  
[mattie.fitch@gmail.com](mailto:mattie.fitch@gmail.com)

April 6, 2026

Dear Members of the Planning Commission,

I am writing this letter in support of the zoning request submitted by Brian and Nicole Gay for their nature-based education program, Open Air Village. My family has been part of the Open Air Village community for the past two years, since my daughter began attending at age three. We consider ourselves to be incredibly fortunate that our daughter has had this opportunity and look forward to our son's time there when he is old enough to attend. Brian and Nicole deserve all the support the Yellow Springs community can provide to them because the education that they offer is exceptional. They are an asset to families living in our village. We are so grateful to be part of Open Air Village and we want to ensure that it will be an option for our family and other families for many years to come.

Brian, Nicole, and the other teachers are all unfailingly nurturing, engaged, and thoughtful. I cannot imagine a better educational experience for my pre-schoolers. Open Air Village is entirely focused on their growth and development as kids and as individuals. The kids are provided with enriching opportunities to play inside and outside each day, allowing them to explore the natural world and their own interests. My daughter feels a close connection to her teachers and the other children, who are now her best friends. I trust Brian and Nicole to always make decisions with the best welfare of my child at heart. They truly know her and care for her.

I would like to reassure any neighbors at the new Open Air Village location, once they have relocated from the Antioch College campus to their residence, that Brian and Nicole also feel a deep sense of responsibility for the community around them. They named their education program Open Air Village intentionally, because they contribute to the community. They are often out in the community, with excursions to the Glen, the library, and the Antioch farm. People from the community come to Open Air Village to provide enrichment opportunities, such as local beekeepers and musicians. Given my experience as a parent and someone who lives in Yellow Springs, I would be delighted to have Open Air Village as a neighbor. Far from being a detriment to the neighborhood, they will benefit and enhance their surrounding community through their presence. Brian and Nicole are incredibly conscientious. They communicate daily with parents to make sure that we are all being good stewards of the educational, parking, and natural facilities used by the children and families. Pick-up and drop-off have been well coordinated to ensure there are no disruptions to neighborhood traffic. Nicole and Brian provide a balance of structured activities and independent play opportunities that are facilitated through carefully chosen toys and materials. This means that Open Air Village is never a free-for-all. Instead, the children are focused and earnest. It is within a very intentional structure provided by Nicole and Brian that the children have the ability to play independently. They will not cause any disruptions during the day. At

Antioch, they have been directly around the corner from college classrooms while classes were in session without causing a disturbance. Quite the opposite; other members of the Antioch community have been glad to see the kids playing there.

I strongly urge you to support Brian and Nicole and the whole Open Air Village community. Please approve their zoning request so that children and families in Yellow Springs can continue to have access to this incredible educational opportunity. Please do not hesitate to contact me with any questions or for any further information.

Best wishes,

Mattie Fitch

Open Air Village parent

## Judy Kintner, Clerk of Council

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**From:** Emily Foubert <fouberte@gmail.com>  
**Sent:** Wednesday, April 8, 2026 5:09 PM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Open Air Village Zoning Request

You don't often get email from fouberte@gmail.com. [Learn why this is important](#)

To whom it may concern,

I'm writing today to give my resounding support for Open Air Village to open their doors on President St. I grew up just around the corner in the neighborhood and it is such a beautiful place to grow up. It's a quiet and safe neighborhood with so much wildlife to explore and soak up. The children will benefit greatly from the space. I love hearing children's laughter coming from their current location on Antioch College campus. My childhood neighborhood would be lucky to have the presence of those same children.

I don't know anyone more community minded than Nicole and Bryan to bring this forward. They have done such painstaking work to make sure that they communicate with everyone involved on the process and procedures, and are willing to work with anyone in such a thoughtful manner. Without a doubt I know that they will be good stewards of the land and the neighborhood. Their steady, caring, and passionate personalities, along with their values of community, support, and service make them more than suited to receive an approval from the zoning commission.

All the best,

Emily Foubert  
(937) 475-2759

## Judy Kintner, Clerk of Council

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**From:** Emily Gray <emily.gray25@gmail.com>  
**Sent:** Tuesday, April 7, 2026 1:44 PM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** 1333 President Street Zoning Request

You don't often get email from emily.gray25@gmail.com. [Learn why this is important](#)

To Whom it May Concern:

We are Aaron and Emily Gray, we live at 1420 Pagosa Way, in Yellow Springs. We are writing in support of Nicole and Bryan Gay of Open Air Village and their "conditional use" request for 1333 President Street.

Open Air Village provides a crucial service to the families of Yellow Springs and the surrounding area. Both of our children have attended Open Air Village and have received outstanding care, above and beyond a standard "Daycare." A unique approach to early care, like the curriculum provided by Open Air Village, is something that draws young families to choose Yellow Springs as their home. It also benefits our local schools, as the children in their care are learning cognitive and social-emotional skills that lay the foundation for academic success.

Our family lives on the South side of Yellow Springs. We use President Street almost daily to get to and from town. We drive, bike, and walk right by 1333 President Street. We do not feel that the small increase in weekday traffic will be a concern.

Please consider approving the zoning request for 1333 President Street. We are available at [emily.gray25@gmail.com](mailto:emily.gray25@gmail.com) or 419-852-2378 if you have further questions.

Sincerely,

Aaron and Emily Gray

## Judy Kintner, Clerk of Council

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**From:** Donna Pitstick Haller <dphaller1@gmail.com>  
**Sent:** Tuesday, April 7, 2026 10:25 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Open Air Village

You don't often get email from dphaller1@gmail.com. [Learn why this is important](#)

As a grandmother of two former students of Open Air Village and a substitute teacher at the preschool, I would like to request that permission be granted for Bryan and Nicole Gay to operate their nature-based school program out of their home in Yellow Springs.

Bryan and Nicole are fastidious about the rules and protocols of running a daycare and preschool and keeping children safe. The school is small, so there won't be lots of cars and parents visiting the premises throughout the day. Yes, kids can be noisy, but they are happy sounds, and any neighbors would be lucky to have this school close by. Finally, the Yellow Springs community always benefits from our excellent schools and teachers, and Open Air Village is no exception.

Please consider passing the conditional use request for this property and this preschool.

Thank you,

Donna Haller

Dear Village Council Members,

I am writing this letter in support of the zoning variance requested by Open Air Village founders Nicole and Bryan Gay.

First, I want to express my gratitude for the abundance of nature inherent to the landscape of Yellow Springs. The diversity of wildlife and rich ecosystems strongly influenced my family's decision to move to the Village. Equally influential, the access to local, nature-based education offered by Open Air Village was a key factor in calling Yellow Springs home. Our daughter Holly, now four years old, has attended OAV's preschool program since fall of 2024. OAV's values of curiosity, play-based learning, and nature immersion have deeply enriched our family's understanding of community and the natural world. Nature walks, hikes to Glen Helen, and playing outdoors in all-weather have helped shape a childhood for our daughter that is grounded, slow, and present. I am deeply thankful for that.

Second, I want to advocate for the presence of children in the Village. I believe that children bring out the best in us - tenderness, silliness, hope, curiosity, innocence, strength, bravery. As a village, we pride ourselves in welcoming everyone. Let's welcome children. Let's celebrate childhood. Let's allow children to be present, seen, and heard. I believe we will all be better for it.

Respectfully,

Laura Hamilton

(937) 629-1511

I am opposed to the conditional use application for daycare at 1333 President St.

I live directly across the street from 1333 President. Their driveway exits points at our house. I have three main objections to the application. We have lived here over 30 years and the neighborhood has been quiet. I am not wanting to suffer with the constant noise associated with the outdoor daycare. A few kids playing infrequently is lovely but this situation will be very stressful. There are no noise barriers and when I walk our dog on the bike path, I can hear the Children's Center children blocks away – it carries even with their solid noise barrier. These children could be outside up to 40 hours a week. We have a dog; there are a total of 5 dogs on properties that directly abut 1333 President. The dogs are all enclosed in fenced areas and are quiet unless stimulated. The kids will be only tens of feet from four of the dogs with no solid visual or sound barrier. We are retired and enjoy spending significant time outside. The variance application does not address this.

My second issue is the traffic. President is a narrow street for passing cars (18' and a typical 2 car garage door is 16' so there is not much safety margin). There is no shoulder on the east side from our house to Allen St. I currently walk with a cane and am not very stable if I need to exit into the ditch. When walking our dog at 7:30 AM and 4:00 PM I might have one car pass. I can get off the road if I am walking into traffic going North but not going South. If the proposed application is approved, I will be confronted with cars going both ways so there is no escape to safety if walking South. I don't trust my hearing so don't feel safe not facing traffic when I walk. If vehicles park on the berm on the West side, they cut off my safety escape option. At the 8AM and 4PM times there are kids going to and from school, dogs being walked, human walkers, and bikers that will be confronted with this safety issue.

We asked a local realtor who has sold properties on President St what they believe would be the effects of this specific conditional use. Their comment was "in a traditionally high value residential neighborhood the presence of a preschool operating in/at one of the properties would affect the values of nearby homes – in my experience as a longtime realtor in multiple markets. The answer is yes. Similar to the way high value residential properties are impacted by the presence of apartment buildings or retail establishments, a preschool operating in the confines of a particular subdivision would bring increased noise along with vehicular and pedestrian traffic, which works to degrade the single-family residential property values in suburban areas like Yellow Springs." The application does not address this.

In summary I believe the decision comes down to two issues. One is the economic benefit to having a preschool in your home. According to the YS New article, the school was offered multiple other potential farm spaces, properties near nature preserves and other buildings in town. This is countered against the potential but significant economic hit to the neighbors. The second issue is the educational benefit of the children being able to walk to the Glen and

Antioch farm. They have options near other nature preserves. This needs to be weighed against the neighborhood noise and traffic issues.

This conditional use increased the quality of life of the child care providers but significantly reduces the neighborhoods quality of life. Please don't grant this variance.

Hank Lapp 1340 President St

## Judy Kintner, Clerk of Council

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**From:** Chelsey Harlow <chelsey11harlow@gmail.com>  
**Sent:** Wednesday, April 8, 2026 10:52 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** OAV

You don't often get email from chelsey11harlow@gmail.com. [Learn why this is important](#)

Hello Ms. Kintner,

I'm writing to you on behalf of Nicole & Bryan Gay & their plans to move OAV to their residential property. I am not a current neighbor to the Gays so I will not personally be affected by this, however I am a previous attendant to their village. My daughter attended OAV in 2023/24 & 2024/25 & I cannot say enough about the positive impact they are making on our children. My daughter loved attending school with them & thoroughly enjoyed all the outdoor time & classroom without walls. It was always a pleasure walking up & hearing the laughter & squeals of happy children! The original OAV location was also in a heavy traffic/pedestrian area on a more narrow street, due to cars able to park on both sides of street, and the Wellness Center. Often times when I was dropping/picking up my daughter I wld have to yield pedestrians & oncoming traffic between parked cars & crosswalks. Never was there any issues or problems or ever a back up of traffic/cars. The Gays are proposing for 12 children which is significantly less than when my daughter attended, which means much less traffic. If there were no issues before, there definitely will not be with less children attending & no wellness center or parked cars to yield. I would not be taking the time to write on OAV's behalf if I did not have full confidence in their ability to bring a beautiful classroom wherever they are! Nicole & Bryan's love for what they do shines bright & I have confidence the community will see this as well! Thank you for taking time to hear my voice.

Chelsey Harlow

**From:** David  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** The Public Hearing  
**Date:** Tuesday, April 7, 2026 9:56:15 PM

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You don't often get email from galactron@aol.com. Learn why this is important  
<<https://aka.ms/LearnAboutSenderIdentification>>

To the Clerk of Council,

This pertains to the public hearing which is scheduled for next Tuesday the 14th.

My wife Susan and I live on President Street. I believe that a day care center would be a great addition to our neighborhood. Our neighborhood is old and getting older. This town is old and getting older. Children are a tremendous blessing. We really need them.

Our family has been in this neighborhood since 1962. My parents build the house in which we are now living. My sisters and I grew up here. In 1989 Susan and I purchased this house from my parents. Our children grew up here as well.

I am a graduate of Yellow Springs High School. So are two of my sisters and all four of our children. Most graduates of YSHS do not stay in Yellow Springs. This is an expensive place, and there aren't many jobs, with Vernet now gone and the college shrinking. In order to live here and be able to pay the bills, one has to have a talent and a vision. I believe that talent and vision are what make Yellow Springs what it is. If someone has talent and a vision, we should do all that we can to support them. The Gays have talent and a vision.

A few years ago we had a precinct-specific ballot initiative. The issue was whether alcohol could be served in our precinct. I had some ambivalence about it. I don't drink. There are plenty of places downtown where people can get alcohol. I didn't want to see a repeat of what happened with Com's (remember Com's?). I decided that, if serving alcohol made the difference between Dona Margarota's surviving or not, I would support the initiative. I did. The initiative passed, and Dona Margarota's thrived for many years. May the Gays thrive for many years.

Yours truly,

David E. Hyde  
1405 President Street  
937-767-7756

**From:** [Laryssa Ingebo-Blanz](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Cc:** [openairvillage@gmail.com](mailto:openairvillage@gmail.com)  
**Subject:** Attn: Judy Kintner - Re: Conditional Use Request - President St.  
**Date:** Thursday, April 9, 2026 12:31:46 PM  
**Attachments:** [Outlook-qiqbcq5v.png](#)

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You don't often get email from rootedinritual@outlook.com. [Learn why this is important](#)

Dear Members of the Zoning Board,

I am writing as a parent in strong support of the proposed home-based childcare program led by Nicole and Brian Gay.

Our family has already experienced this program firsthand, as our child has been enrolled since the beginning of this past school year. What began as a thoughtful and, at times, nerve-wracking decision to send our child to school for the first time has become something we are deeply grateful for. Because of the care, intention, and environment Nicole and Brian have created, we are not only confident in our choice—we fully intend to send our second child as well.

Their program is intentionally small, relationship-centered, and rooted in a deep understanding of early childhood development. Their outdoor, play-based approach fosters resilience, emotional regulation, creativity, and confidence. This is not a high-volume or disruptive model and is deeply intentional in its design.

I would like to respectfully address the concerns that have been raised regarding traffic and safety. What stands out to me is that Nicole and Brian have been proactive in anticipating and addressing these concerns. At a recent parent meeting, they took the time to walk us through potential neighborhood considerations—including traffic flow and parking—and clearly outlined expectations for safe, respectful behavior.

As a family who lives on a south-side street frequently used as a cut-through, where speeding is already a concern, we are highly attuned to these issues and share the priority of keeping neighborhoods safe for children and all community members. It was reassuring to see that this is a shared value. Furthermore, as a family who also lives and moves through this very neighborhood daily, walking and biking with our children, we share and deeply value the same low-traffic, low-noise, and safe environment that neighbors are seeking to preserve. The families in this program are conscientious and aware, and we have been given clear guidance to ensure that drop-offs and pick-ups are handled responsibly. Nicole and Brian have proactively prepared transitions are structured, staggered, and limited to specific windows during the day, ensuring that there is no sustained congestion or disruption. This is a small program with thoughtful procedures in place—not a high-traffic operation.

Having visited the proposed home space, I can also attest that it is exceptionally well suited for this type of learning environment. This transition does not change the character of the program—it strengthens it, allowing the environment to more fully reflect the “home away from home” that Nicole and Brian have always intended to create.

This program is also something quite unique and increasingly in demand among families seeking a more connected, nature-based, and developmentally appropriate early childhood experience. Rather than detracting from the neighborhood, it contributes to its character—reflecting a community that values children, relationships, and thoughtful education.

Nicole and Brian have demonstrated themselves to be responsible, collaborative, and deeply invested in the wellbeing of both the children they serve and the broader community. Their intention is not only to care for children, but to be a positive and respectful presence within the neighborhood they are part of.

For these reasons, I strongly support the approval of this zoning request and respectfully urge the board to allow this important work to continue.

Thank you for your time and consideration.

Sincerely,

Laryssa Ingebo-Blanzzy



## Judy Kintner, Clerk of Council

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**From:** Sandra Jessen <syjpom@sbcglobal.net>  
**Sent:** Wednesday, April 8, 2026 5:51 PM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Concerns of a Daycare in a Residential Neighborhood

You don't often get email from syjpom@sbcglobal.net. [Learn why this is important](#)

To Whom it May Concern,

I am opposed to the establishment of daycares in residential areas. Many of the reasons for this opposition are expressed in a circulating petition. I'm aware that there may be NIMBY-type complaints. However, sometimes it's a matter of having choices. Some people move to an area knowing ahead of time that the area is likely to be filled with activity and noise. Others invest in, and occupy areas, where they hope to live a peaceful, contemplative life, and can enjoy such things as the sounds of Nature while reading or meditating, or whatever. Please don't reply that that's what places like Glen Helen are for. I volunteered for Glen Helen for several years before the pandemic closed everything for a while. There were many outside visitors who disrespected the rules of the Glen. They often complained of things like there being no picnic tables where they could hold family picnics, not enough garbage cans for their trash, and so on. No amount of gentle explaining to them that Glen Helen is a Nature Preserve, that there are plenty of other nearby areas for those types of activities, etc., were effective. The more we experience human over-population, the more difficult it is to retain a variety of choices. Assuming that all people truly matter, reserving having choices is an important aspect of living.

Sandra Jessen

**From:** [patricias](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Conditional Use hearing for 1333 President Street on April 14  
**Date:** Tuesday, April 7, 2026 3:35:55 PM

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You don't often get email from [patricia@brainfingers.com](mailto:patricia@brainfingers.com). [Learn why this is important](#)

Greetings.

We, my husband Andrew Junker and myself, moved into our home at 1350 President Street 26 years ago.

We previously lived at 139 East Davis Street. We have lived in the Village since 1980, having raised our children and helping raise some of our grandchildren here.

In 2000 we found the perfect property, our home on President Street, after years of searching for a quiet residential street with some land and trees. We were excited when we finally found 1350 as it was a dream come true.

Recently we were disturbed to hear that there is a Conditional Use application for a home day care center across the street from our home. We have several concerns, and hope that you will hear them and hear our request to not grant this Conditional Use for daycare center.

Traffic: Foremost is the traffic on our quiet little street. We specifically chose President Street for its quiet and peaceful ambiance. If there are 12 children permitted for 5 days a week that is 24 cars in and out per day, assuming that the 12 children will be coming to and from the home for the full 8am to 4pm day. If there are 12 children coming to 2 sessions a day that would be up to 48 cars in and out per day. Please hear how disturbing this feels to all the neighbors who have signed the petition which will be presented at the 4/14 meeting. President Street is a lovely, walking street with many elders using it for exercise daily. The increased traffic will increase the possibility for injury to walkers, bikers, and dog walkers as there are no sidewalks.

Noise: We chose to live here because of the very quiet and peaceful nature of the street. As the concept talked about for the daycare involves hours of play each day, we are concerned about the noise level from 12 children will impact the quality of our lives.

Property Values: We have heard that having a commercial business in a very residential street can/will negatively impact property values. We are concerned about this.

We respectfully ask that the Open Air Village not be granted Conditional Use for 1333 President Street.

Thank you.

Patricia Schneider and Andrew Junker  
Patricia Schneider Andrew Junker  
1350 President St. 1350 President St.

## Judy Kintner, Clerk of Council

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**From:** pkingdream@aol.com  
**Sent:** Saturday, April 4, 2026 6:47 PM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** rezoning request for property at 1333 President Street - date correction

You don't often get email from pkingdream@aol.com. [Learn why this is important](#)

Sat, Apr 4 at 11:50 AM

To: Yellow Springs Village Planning Commission

From: Philip King

I am writing to oppose the rezoning of the property at 1333 President Street, which would allow a preschool / day care operation there.

While I am all for pre-schools in general and love kids (volunteering as a reading tutor in kindergarten through third grades at Mills Lawn School, Antioch School and Kailua Elementary School in Hawaii over the past two decades) the current proposal poses significant problems.

First, although my back yard at 1350 Rice Road is contiguous with the 1333 President Street property's back yard / garden, the renters - proprietors of Open Air Village - have never contacted me (nor my neighbors on Rice Road) about their proposed plans. I believe, however, that the presence and activities of twelve small children in their back yard would likely present significant noise problems for myself and other Rice Road and President Street neighbors.

Moreover, the increased vehicular traffic on President Street from the dropping off and picking up of twelve children per day (12 cars x 4 car passings x 5 days per week = 240 car passings per week for some homes) would pose a noise and safety risk, as there are no sidewalks on President Street, which is used by cyclists, walkers and joggers.

My parents built my Rice Road house in 1952 and raised our family there. In retirement I bought it back, in 2005. Never to my knowledge in seventy-five years has the neighborhood (Birch One) had business enterprises operating within it. This should not change. It would set a bad precedent.

I wish Open Air Village continuing success in establishing and operating their worthy school elsewhere in town, but not in residential neighborhoods.

**From:** [Anne Kleinhenz](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Support For Open Air Village Conditional Use Request  
**Date:** Thursday, April 9, 2026 4:31:39 PM

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You don't often get email from kleinham@gmail.com. [Learn why this is important](#)

Apr 9, 2026

Dear Yellow Springs Planning Commission,

I strongly support the approval of the conditional use request of Open Air Village (OAV). This move will provide a more stable and suitable school environment for the future children, and citizens, of Yellow Springs and surrounding communities. As a parent with a child currently attending OAV and another hoping to enroll next school year, I believe this move is essential. I would like to address some of the likely concerns that residents near their proposed new site have, including safety, increased congestion, noise pollution, and potential impacts on property values.

With my daughter's second year at OAV drawing to an end I can confidently say that OAV parents are conscientious, safe drivers. We have little kids of our own and know the importance of safe driving, especially in a neighborhood. We will not be making the streets more dangerous. Drop-off and pick-up only have an hour window each, and on average, it takes me 10 minutes to pick up my child and leave. We park where we are told and try to get in and out as quickly as possible.

Finally, OAV offers a very unique and in-demand program that will increase the neighborhood's character, not be a nuisance. The school is a nature-based preschool where children learn about being individuals and good stewards of Mother Nature. This philosophy directly impacts our daily environment. The children focus on exploration and outdoor learning. This generates a much softer, more organic level of noise compared to traditional schools with concrete playgrounds, loud whistles, or PA systems. Furthermore, having a high-quality, niche preschool within walking distance actually makes a neighborhood more desirable for young, professional families, which is excellent for local property values. For these reasons, I respectfully ask you to approve OAV's permit application.

Sincerely,  
Anne Kleinhenz-Ott

**From:** [Trent Kline](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Attn: Judy Kintner RE: Zoning Variance on President St.  
**Date:** Thursday, April 9, 2026 1:56:58 PM

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You don't often get email from kline.trent@gmail.com. [Learn why this is important](#)

Dear Clerk of Council,

I am writing in support of the Open Air Village Conditional Use application to allow a Group Daycare facility for up to 12 children at 1333 President Street. Open Air Village is an award winning daycare center that has undergone significant hardship over the past year as to where they conduct business. Open Air Village provides a friendly environment for children to learn through play based education. Play based education has been heavily researched, and its efficacy has been proven in early childhood education. Personally, two of my children have gone through Pre-School and Pre-K at Open Air Village and have moved onto traditional schooling with great success. My third child is currently enrolled at Open Air, and we have seen her vocal and social skills blossom substantially since her enrollment.

Nicole and Bryan Gay have extensive experience in childhood education, dating back to even before they opened Open Air Village. They are incredibly kind and caring people, always willing to work with families to figure out a situation that works best in each case. They have shown a tremendous amount of resilience over their careers and throughout the life of Open Air Village. They have been displaced by previous landlords and faced many hardships, but they always focus on families, children, and community first when coming to solutions.

It is my understanding that Nicole and Bryan have reached out to those in the village who have started a petition in opposition to this application to discuss the plan and try to come to an agreement on what would work best for everyone. It is also my understanding that there has been no response to this outreach. There has been no willingness from those in opposition to this plan to come together and discuss the viewpoints from the petition with Nicole or Bryan. This petition uses over the top language in an attempt to paint Open Air Village in an unflattering, and untrue, fashion. I will address the complaints in the petition.

**Traffic:** This application is for approval to operate a group daycare facility for up to 12 children. Without this application, Open Air Village will still be able to operate with 6 children. The children get dropped off at school and picked up. The address on President Street has a large half circle driveway where cars can pull in and park to drop off and pick up children. Cars will not need to be street parked, and will only be at the location for a few minutes twice a day. The complaint in the petition grossly inflates these numbers in an attempt to scare local residents into complying with their viewpoint.

**Pedestrian Safety:** Again, cars will be able to pull into a driveway and park to pick up children. It seems highly unlikely, based on parents' schedules and housing locations, that all twelve children will be picked up and dropped off at exactly the same time. The speed limit on both Allen Street and President street is 25 miles per hour. As in any case with pedestrians or bikers on a residential street, it is the driver's responsibility to ensure that they go around safely. President street is wide enough for a pedestrian to stand on the side of the street while the vehicle moves around them safely.

**Noise:** Open Air Village is an outdoor focused education center, that much is true. The

location on President Street has a large backyard for children to play in, with a significant number of trees and bushes to block some of the sound. Children make noise, but they are much quieter than leaf blowers, construction equipment, lawn mowers, barking dogs, or a multitude of other things that happen in these neighborhoods on a daily basis. Open Air Village also operates on a schedule. There are set times each day that could be provided to the neighborhood residents (if they were willing to actually speak with Nicole and Bryan Gay) to communicate what times the children will be outside.

Property Values: The location for this application is a lovely home, and the outdoor focused education provides opportunities for Nicole and Bryan and the children to develop the outdoor space further with a variety of beautiful plants. This property is not undergoing any kind of construction project or anything else that would negatively impact the home value. Lastly, this property is in Yellow Springs. Yellow Springs is one of the most desirable neighborhoods in the area (for families or otherwise) and the current property values reflect that statement. An at home daycare facility is not going to change that fact.

Yellow Springs broadcasts itself as a welcoming place that is inclusive to all. Open Air Village attracts parents of like minded attitudes to bring their children to Yellow Springs to learn and grow in a caring and inclusive environment. When evaluated on merit, the petition against this application does not stand up to logic. All of this could be easily solved by some face to face communication between both parties, rather than this "Not In My Back Yard" petition. Denying this application WILL lead to hardships for local families as childcare costs grow more expensive and inclusive, progressive education centers become harder and harder to find.

Finally, I am fully in support of this application. I strongly believe that this program will be a resounding success, and that it will not negatively impact the neighborhood. Please support families and allow this award winning outdoor education program to move forward.

Thank you,  
Trent Kline

Dear Commissioners,

I am writing in support of Bryan and Nicole Gay and their request for a conditional use for their home as Open Air Village. I am a parent of a child who has been at Open Air for 2+ years now. Our family has firsthand experience with the program in great detail. I have personally seen the impact the OAV program has had on our son's development over the past two years and it is because of this, I believe that OAV should be able to operate from their home.

I'm not entirely sure how one gauges the impact of a preschool program, but I have seen our son develop and excel exponentially. Incrementally over his time at OAV, I've noticed him become more confident socially. He has been more verbal and communicative as he's progressed through the program. I've watched him become more independent and insist on doing more things on his own at such an early age. It's very evident that he is more comfortable outside and that aspect of an outdoor nature-based preschool has even helped him regulate his emotions better and more efficiently. He comes home talking about what he explored, built, discovered, and observed in nature in a way we had not seen before. I cannot say enough about the good things this program does for young children.

I cannot emphasize enough how valuable and unique of an asset OAV is to the Yellow Springs Community. The amount of detail that these folks have put into the curriculum is a testament to how deeply they care about the children in the community and their growth as little human beings. Their attention to the details of being child-led and nature based really drew us in to the program. We

believe this type of learning is much needed in not just Yellow Springs, but our society as a whole.

After experiencing multiple relocations due to facility issues outside of their control, a home-based setting offers the kind of continuity and stability that is especially important for young children. I believe this is extremely important in your consideration. I believe this is reasonable and small scale enough that it will not impact the neighbors or neighborhood in any negative ways. Most importantly, it will give the children routine, familiarity and consistency.

I understand that neighbors in the area of the proposed location may have concerns. Reasonable conditions can address practical concerns. In my experience, Open Air Village has been operated thoughtfully and responsibly. The broader community benefit to families and children is substantial.

I respectfully urge the Zoning Commission to approve this variance and allow Open Air Village to continue serving the children of this community.

Thank you for your time and consideration.

Jason + Esther Laveck

545 Fairfield Pike

Yellow Springs, OH 45387

## Judy Kintner, Clerk of Council

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**From:** Julia Lee <juliamlee1@gmail.com>  
**Sent:** Wednesday, April 8, 2026 7:38 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Re: Open Air conditional zoning approval

One additional point to my email below. Programs like the ones at Open Air do not have a mad rush at drop-off and pick up like the elementary, middle and high school. Open Air's is usually a slow roll of people, with flexibility baked into the program. I never once experienced a rush at Open Air. Usually it was only one (two max) other parent dropping off or picking up at the same time as me.

Julia M. Lee

*cell: 937.367.7000*

On Tue, Apr 7, 2026, 8:12 PM Julia Lee <[juliamlee1@gmail.com](mailto:juliamlee1@gmail.com)> wrote:  
Planning Commission,

I live at 1415 Birch St. in Yellow Springs. My family travels on President Street several times a day, right past the house Open Air is requesting to operate out of.

All 3 of our children have attended Open Air in a variety of their programs - preschool, summer care, and after school care.

When I first heard their proposal, my first thought was, "How will drop off and pick up work in our residential area?" My second thought was, "I have no doubt Nicole and Brian have thought it through. I trust them to make good decisions." Then I saw the house and I knew it was perfect.

I'm sure many in YS feel whatever area of YS they live in is special. I feel this way about the south side. It glitters. To be able to share this special part of YS with young children as they develop is a wonderful thing to be able to offer.

I support Nicole and Brian's request as both a neighbor, Open Air alumni and community member. They are excellent at turning dreams into reality in ways that respect stakeholders, parents, community and the children they serve. They are thoughtful, compassionate, smart, committed, diligent....I could go on and on. Bottom line, I know they got this. And they will do it with care and respect. They love YS and they operate with an ethos to do no harm.

Please let more children experience the south side!

Julia M. Lee

*cell: 937.367.7000*

**To: Judy Kitner, Clerk of Council**

**Further support for Open Air Village:**

**My hope is that, even if neighbors feel the preschool will make some changes on their street, they will see that the value of having a preschool like Open Air Village in Yellow Springs far outweighs any convenience.**

**Nancy Lineburgh**

**Form music teacher for Open Air Village**

**[lineburgh@gmail.com](mailto:lineburgh@gmail.com)**

**(330)618-0892**

To: Judy Kitner, Clerk of Council

I am writing in support of Open Air Village moving to the property at 1333 President Street. This property appears to be the perfect solution for keeping the amazing preschool Nicole and Bryan Gay have developed in Yellow Springs. The philosophy of the school certainly aligns with the community spirit of the town. Not many properties would provide the kind of outdoor experience Open Air Village has been providing for its students where they were located in the Sontag-Fels building.

Nicole and Bryan are responsible people. They have provided solutions for the traffic problem neighbors are fearing by staggering the schedule for the students and choosing a property with a circular driveway.

I can attest to the fact that the noise generated by the children will not be a problem. I taught music classes at the Sontag-Fels location. After I would park and be walking toward the building past the play yard, I often wondered if school had been cancelled because I really didn't hear the children who were playing, they were so quiet. The children are busily engaged in activities at Open Air Village.

Although I no longer live in Yellow Springs, my property was on Allen Street near the proposed President Street location. If I still lived in the neighborhood, I would be in full support of having the preschool nearby.

This President Street property seems to be the best solution that will allow Open Air Village to continue to provide a superior preschool for children in the community. I hope that the community and the council will see the value in doing what they can to support Open Air Village by approving the necessary zoning for the President Street property so it can operate as a small, but very important and special preschool option for Yellow Springs.

Nancy Lineburgh

Formerly of 202 Allen Street, Yellow Springs

Currently of 6010 Buckboard Lane, Solon, OH 44139

[lineburgh@gmail.com](mailto:lineburgh@gmail.com)

(330)618-0892

## Judy Kintner, Clerk of Council

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**From:** Heather McGee <herobi87@gmail.com>  
**Sent:** Thursday, April 9, 2026 7:48 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Fwd: Support for Open Air Village Conditional Use Request

You don't often get email from herobi87@gmail.com. [Learn why this is important](#)

Dear Ms. Kintner,

I am writing to express my strong support for the conditional use request for Open Air Village.

Our family has firsthand experience with the program, and it has been one of the most meaningful early childhood experiences we've had. The approach—centered on outdoor learning, exploration, and relationships—builds confidence, independence, and a genuine love of learning in a way that is hard to replicate in traditional settings.

We are hoping to continue with the program for our younger child, which is why this matters so much to us.

Beyond our personal experience, Open Air Village fills an important need in the Yellow Springs community. It offers a thoughtful, developmentally appropriate early childhood program that supports children socially, emotionally, and physically—not just academically. Programs like this are not easy to find, and families actively seek them out.

I also want to respectfully address concerns about neighborhood impact. In my experience, families in the program are conscientious and respectful. Drop-off and pick-up are structured and occur at specific times, and I have never observed them to create congestion or safety concerns. This is a small, well-managed program—not one that brings ongoing traffic or disruption.

Most importantly, Open Air Village adds to the character of Yellow Springs. It reflects the values that make this community unique—connection, education, and respect for children and the natural world. It is not a nuisance; it is an asset.

I strongly encourage you to support this request so that families like ours—and many others—can continue to benefit from this program.

Thank you for your time and consideration.

Sincerely,

Thank you,  
Heather McGee  
937-215-8460  
[herobi87@gmail.com](mailto:herobi87@gmail.com)

## Judy Kintner, Clerk of Council

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**From:** aida merhemic <aidamerhemic@gmail.com>  
**Sent:** Wednesday, April 8, 2026 11:31 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Open Air preschool

You don't often get email from aidamerhemic@gmail.com. [Learn why this is important](#)

Dear Clerk of Council,

As a neighbor of the proposed preschool on President St we wanted to let you know we are in support of their application for conditional use. We have lived here, in the neighborhood, since the early 90's, what has been lacking is children growing up here. Thank goodness for the Antioch School across the way. The sound of active children delighting in being outside and making education an adventure is vital to our children, to our community and maybe even to the world at large.

We imagine and hope for the same for the children arriving at Open Air. The proposed site is spacious, has substantial interior and exterior space and seems like it will easily accommodate the interests and needs of the 6-12 kids enrolled there, without intruding on the immediate neighbors.

The Gays are offering another local education opportunity to families, our community and most importantly to our young children!! We are wholeheartedly in support of that.

Aida Merhemic and Bob Barcus  
1310 Rice Rd  
YSO

**From:** [Margi Gay](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Letter of Support – Conditional Use Request for Open Air Village Preschool  
**Date:** Wednesday, April 8, 2026 1:50:07 PM  
**Attachments:** [image001.png](#)

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Hi Judy

Dear Members of Council,

I am writing in support of the conditional use request for Open Air Village to operate a small, nature-based preschool from their home on President Street.

While I am personally connected as a family member of the owners, my support is also shaped by direct experience. I have volunteered at Open Air Village and have seen firsthand the care, intention, and thoughtfulness that goes into the program each day. What stands out most is the balance between learning and curiosity—meeting each child at their own stage of development while encouraging exploration, independence, and connection to the natural world.

It is important to note that Open Air Village is a preschool, not a traditional daycare. The program is structured around early childhood education, with a focus on developmental learning, outdoor exploration, and social-emotional growth—not extended-hour childcare. This distinction contributes to both the nature of the program and its overall impact.

Over the years, I have witnessed not only very happy children, but also deeply appreciative families who feel connected to this program in a meaningful way. Even outside of the school setting, I have heard consistent, positive feedback from families in the community who value what Open Air Village provides. It is clear this is more than childcare—it is a place where children feel safe, engaged, and genuinely excited to learn.

Open Air Village has been part of the Yellow Springs community since 2020, offering a thoughtful, nature-based approach to early childhood

education. This proposed home setting continues that same mission in a way that is intentionally small and low impact, with a maximum of 12 children to maintain a calm and manageable environment.

I understand and respect that some neighbors have concerns regarding traffic, pedestrian safety, and noise. These are important considerations. However, based on the structure of this program and the property itself, the impact to neighbors should be minimal:

- The small enrollment size naturally limits traffic volume
- Staggered arrival and departure times reduce congestion
- The horseshoe driveway allows for safe, off-road drop-off and pick-up
- The one-acre lot, along with similarly sized surrounding properties, provides space and natural buffering

In addition, the outdoor, nature-based format tends to create a quieter, more spread-out environment compared to traditional childcare centers. At its heart, this request reflects something many communities strive for: a place where children can grow, families can connect, and education happens in a way that is both thoughtful and grounded in the environment around them.

From what I have personally seen and experienced, Open Air Village brings real value to families and to the broader community. I respectfully believe this is an appropriate, well-considered use of the property and one that aligns with the character and values of Yellow Springs.

Open Air Village also deserves the opportunity to establish a stable, long-term home. After being required to leave their previous location due to circumstances outside their control, including the ongoing uncertainty surrounding Antioch College, they have shown resilience and commitment to continuing to serve local families. Providing a consistent, secure environment is not only important for the sustainability of the program, but also for the children and families who rely on that continuity during these critical early years.

I encourage the Council to approve this conditional use request.

Thank you for your time and consideration.

Sincerely,  
Margi Gay

**Margi Gay**

**ELECTROSHIELD**

708 S High St YSO 45387

Tel: (937) 374-5238

Cell: (937) 768-5036 (call or text, EST)

Email: [margig@electroshield.com](mailto:margig@electroshield.com)



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**From:** [Nancy Knickerbocker](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Conditional Use Request of 1333 President St.  
**Date:** Thursday, April 9, 2026 3:16:53 PM

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You don't often get email from nancyk2012@gmail.com. [Learn why this is important](#)

Dear Sirs,

I respectfully ask that you approve Nicole and Brian's request to operate their preschool, Open Air, from their residence. I have known Nicole and Brian for two years in the time that my granddaughter has attended their school, and they are the epitome of upstanding citizens, parents and business owners in the community.

Given the hard times at Antioch College, where they have rented space up until now, some grace would seem appropriate to help keep good things like Open Air and preschool education moving forward in the community.

Please let me know if you have any questions.

Thank you for your time,

Nancy Knickerbocker  
Knickerbocker Pools & Spas  
Cell: (937) 477-1321  
2000 N. U.S. 68  
Xenia, Oh. 45385



## **Judy Kintner, Clerk of Council**

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**From:** Johanna Northway <joannorthway@gmail.com>  
**Sent:** Friday, April 10, 2026 11:19 AM  
**To:** Judy Kintner, Clerk of Council; Judy Kintner, Clerk of Council; Judy Kintner, Clerk of Council  
**Subject:** Planning Commission

To the commission members,

The back yard of 1333 President Street would be perfect space for the Open Air Village group. It is large has established fruit and berry patches perfect for little hands grazing. The front circular drive would make for easy safe drop off and pick up. The weekday\ workday hours make it less likely to be a disturbance to the neighbor hood. They run a marvelous active and enriching program that should be encouraged in Yellow Springs. I hope you will agree with me and approve this request.

Thank you Joan Northway

Dear Members of the Village Council,

We are writing to express our wholehearted support for the proposed relocation of Open Air Village to 1333 President St., Yellow Springs. Open Air is an invaluable cornerstone of the Yellow Springs community, fostering a love of outdoor education and providing a safe, nurturing environment for our community's children.

Our family joined Open Air Village in June, 2025. Our son, Magnus, attended four days a week for the 10 week summer session and loved every minute. It wasn't a matter of "am I going to school today?" Magnus would, and still continues to, ask if he "gets to go to Open Air today?" The variety of activities, planned outings, and close knit community are all reasons Magnus has thrived and enjoyed Open Air so much. Magnus has continued to attend Open Air on Mondays throughout the 2025-2026 school year, supplementing his public preschool. Mondays are his favorite day of the week. We are planning to enroll our youngest son, Augustus, for the upcoming summer session along with Magnus.

We believe that Open Air Village has positively shaped the lives of Mangus and his Open Air friends. We sincerely hope that Nicole and Bryan are given the opportunity to continue to provide their above-and-beyond preschool at the new location. Our kids are certainly looking forward to seeing Miss Nicole and Mr. Bryan at Open Air Village in June!

Thank you for your time,

Lesley & Mark Obstalecki

## Judy Kintner, Clerk of Council

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**From:** Urban Baby Bonnets <love@urbanbabybonnets.com>  
**Sent:** Wednesday, April 8, 2026 2:12 PM  
**To:** Nicole and Bryan Gay; Judy Kintner, Clerk of Council  
**Subject:** New OAV Location

You don't often get email from love@urbanbabybonnets.com. [Learn why this is important](#)

I am pleased to write this letter of support for Open Air Village.

My son, Nio, attended OAV since he was 3, and he is now in Kindergarten at Mills Lawn. We had a wonderful experience as part of OAV. I literally couldn't say enough good things.

It has come to my attention that not everyone celebrates the joyousness of children's voices and the excellence of outdoor-based education. Thus, I've addressed some main points of potential contention below.

A. Crazy Drivers: Won't these silly parents just come racing their racey cars through our neighborhood? NO! They won't! In my experience walking Nio across the parking lot to our car while other parents are coming and going and everyone is super-cautious. We all have children and responsible driving is part of looking out for each other's kids. I've never experienced even one case in which an OAV parent wasn't driving cautiously.

B. Obnoxious Drop off and Pick up: Drop off and pickup were thankfully always very chill. It was not like the drop off situation at Mills Lawn with cars spiraling everywhere and kids dashing across the street. Instead, drop-off and pick-up were orderly and naturally staggered as OAV has a much longer drop-off window than the 10 minutes Mills Lawn allows. Because of this, parents and kids arrive within a general window but not all at the same time. As a parent, I was thankful for this because it made drop-off and pick-up much less stressful than they could have been.

C. Too many Preschools already: OAV's program is not duplicated anywhere in town or even in the Miami Valley. A nature centered, child led curriculum is rare! And in demand! Even the Antioch School, perhaps the closest analogue, is still a far cry from what Nicole and Bryan are offering. OAV's curriculum combines nature centered, child-led learning with clear behavioural standards and goals, something the Antioch School lacks. I'd be a concerned neighbor of the Antioch School knowing that they never rein in student behavior whereas Nicole and Bryan uphold both academic and behavioral standards.

OAV is hands down the best school we've had experience with and we are very hopeful that they will be permitted to continue to offer a valuable service in helping to grow the next generation of leaders-- and yellow springers!

Please feel free to contact me if you have any questions or would like to discuss any of these points in greater detail.

Warmly,

Colette Palamar  
Nio's Mom



## Judy Kintner, Clerk of Council

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**From:** Carly Perkins <carlyperkins@gmail.com>  
**Sent:** Tuesday, April 7, 2026 10:16 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Open Air Village

[You don't often get email from carlyperkins@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

From:  
Carly Perkins  
4533 Burchdale St.  
Kettering, OH 45440

Judy Kintner, Clerk of Council  
Yellow Springs, Ohio

Dear Ms. Kintner,  
I am writing to express my support for the owners of Open Air Village to be permitted to operate their childcare facility at their home.

Having trusted Nicole and Bryan Gay with the care of my child, and knowing them since I was a child myself, I can attest to their level of dedication to their students and their community. We were fortunate to have my daughter attend preschool at Open Air Village at their previous location for two years. During her time at OAV, she thrived developmentally, socially, and emotionally. Nicole and Bryan provide a level of care, patience, and nurturing that is sadly missing from many childcare facilities. We chose OAV for our daughter's early education because they truly care about their mission and put their hearts into helping develop strong, happy and healthy children.

Nicole and Bryan have worked hard to establish themselves as a pillar of the Yellow Springs community, and I believe they should be granted permission to operate this wonderful and much-needed facility from their home and remain an important source of learning and growth for years to come.

Thank you for your consideration.

Sincerely,  
Carly Perkins

To Whom It May Concern,

I am writing in strong support of the zoning approval request for Open Air Village in Yellow Springs, Ohio. Our children have attended Open Air Village since 2022 and it has been an incredibly positive experience for our family. They have grown in confidence, independence, and a genuine love of learning through the program's thoughtful, nature-based approach.

Just as importantly, in our time there, the school operated in a way that was respectful of neighbors and the surrounding community. The program is small, intentional, and well-managed, with a calm daily rhythm that does not create disruption. The focus on outdoor, nature-based play is structured and purposeful—not chaotic—and was consistently conducted with awareness of the shared environment.

Open Air Village provides a unique and valuable educational option for local families, and transitioning to a home-based model supports the kind of nurturing, low-impact setting that benefits both children and the community.

I strongly encourage approval of this request so that this meaningful program can continue to serve families in Yellow Springs.

Sincerely,  
Kelli Leigang Pitman

3/2/2026

Erin and Alisha Ritter  
1467 William and Mary Ct  
Yellow Springs, OH 45387

Re: Letter of Support for Open Air Village (OAV) – Proposed Zoning Change

Yellow Springs Planning Commission:

Thank you for taking your time and consideration to review our letter of support for OAV as you make a decision regarding the necessary zoning changes for their center to move forward in a new direction.

The word “center” feels right here, because OAV has really served as a center for our son and family for the past five years. At the end of 2020 we started the process of building our house, in our new home, Yellow Springs. Becoming a part of this community was important to us, even before we had the privilege of calling it our home. Finding a place that could be that point for us, and provide a nurturing, safe, educational space for our child was exactly what we found in OAV when we enrolled our then three-year-old son into their program at the end of Summer 2021. How has time moved so fast?!

As a family with two full-time working parents, having that reliability and knowing we could trust that our son was/is safe has been invaluable. My wife and I always knew that Nicole and Bryan had/has our son’s best interest and growth at heart and that means everything. There is so much care and love given to the kids, the programming, and the staff.

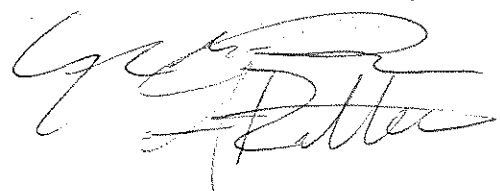
Our son was with OAV for two years of preschool and then moved into after-care once he became a Mills Lawn Bulldog (now a 2<sup>nd</sup> grader). By the time we moved into our completed home, again a privilege, we had already established relationships and felt a part of our new community. Our son has wonderful friends (so do we) because of OAV and he genuinely loves being there. Knowing we had continuity with after-care, and summer care, has been such a blessing for our family.

Buildings and space are limited in Yellow Springs, especially for a family-owned center without an open-ended budget. This family home for the Gays that has the flexibility of a space that can also provide a home for OAV seems serendipitous.

We ask that you recommend that zoning be changed to allow OAV to operate in this space. Your vote will support a local family managing this business, but also the many families who rely on them to care for their children, and all those that will come in the future.

Gratefully,

Erin and Alisha Ritter

A handwritten signature in black ink, appearing to be a cursive combination of the names Erin and Alisha Ritter.

## Judy Kintner, Clerk of Council

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**From:** M <mychaelnroberts@gmail.com>  
**Sent:** Monday, April 6, 2026 10:24 PM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Support for Open Air Village

You don't often get email from mychaelnroberts@gmail.com. [Learn why this is important](#)

My letter of support for Open Air Village:

As a first time mom, sending your baby off to school for the first time can be so nerve-wracking. I knew my daughter was ready, but I wasn't sure if I was. When my daughter and I met Nicole for the first time, it felt like such a sigh of relief. She was warm, welcoming, and really expressed her love for the amazing program her and her husband created.

This is our second year at OAV and my daughter has loved every moment. It's not just a preschool, it's so much more than that. It's a little village, and they are helping grow and nurture the youth of our community. They are structured, organized, and intentional with everything they do, and you can tell how much time and effort they put into it for OUR kids and OUR community.

This isn't just a "daycare." Nicole has a degree in Early Childhood Education, has been working in nature-based education since 2016, Bryan designed their entire outdoor classroom himself and they were just awarded Five Rivers MetroParks 2026 Teachers of the Year. They are also parents themselves, so they truly get it — and it shows in everything they do.

I feel so lucky that my daughter gets to experience the care and love they bring every day. Because of Nicole and Bryan, she is excited to be around her friends and teachers. She wants to learn, play, and grow, and because of OAV, she is so ready for kindergarten next year.

Please consider approving this relocation. They have put so much into OAV and into this community. We are so lucky to have them.

Thank you,

Mychael Roberts

# To Yellow Springs Planning Commission

From Ruth Lapp

Address 1340 President St.

Yellow Springs, Ohio 45387

April 9, 2026

Re: Planning Commission Hearing Request: Conditional Use Case #PC03-2026

Hearing Date April 14, 2026

I live at 1340 President Street directly across from the entrance/exit to the proposed childcare of 12 preschool children for Open Air Village. I am opposed to this use in a R1 A residential low density district.

I believe Open Air Village presents significant issues of traffic, safety, noise and economic well-being and is not compatible with the character of the neighborhood. According to the Yellow Springs Newspaper article they had offers from other locations that welcomed them.

While a home in R 1 A district has a right for a day care setting in their home it is for 6 children. There is no right for the case of up to 12 children. Open Air Village will disrupt the ambience and tranquility of the neighborhood.

The issue of traffic on President Street is not addressed by the applicant but in fact is a significant issue as it will generate twice if not 4 times more traffic than a 6 person daycare. President Street currently has 0- 3 cars driving on it between 7-8 am when I am walking my dog. I have been monitoring traffic since March 20 between 7-8 AM and 3 is the maximum number of cars and that is quite unusual. I rarely pass even one car in the morning and in the afternoon 1 a day is typical. A school with 12 students will generate 24 car trips in the morning and 24 car trips in the afternoon for a total of 48 extra cars on the road.

The application does not address the lack of shoulders for pedestrians, runners and dog walkers and bicyclists. The fact that it will be dark a good part of the year either in the morning or evening is also of concern. The street is 18 feet wide and two cars passing dangerously crowd pedestrians. When cars pass each other a pedestrian on the east side of the street must move into a ditch and on the west they can hopefully go into a yard. People who do drive often exceed the speed limit.

There are herds of 4-9 deer who wander through the area crossing the road in front of our house presenting a hazard for drivers and pedestrians.

As I am an early morning and late afternoon dog walker safety is important especially when it does not get light til after 8 and gets dark before 5 for several months of the year. There is also the issue of ice and snow piled on the sides of the road making it more narrow and dangerous when cars are passing pedestrians.

This definitely disrupts my safety and the safety of those who enjoy walking on our open tree lined street. I cannot avoid the traffic that is generated by this use. It is unknown if there would be additional traffic generated by the day care such as employees or vendors.

Under their license from the state the Gay's may choose to run a morning and an afternoon session resulting in 96 car visits per day year round if this is approved.

The plan submitted does not explain how such a rural road with no curbs and no shoulders would be safe when the traffic is so heavily increased. It only cursorily addresses on street parking for which there is no room. No detailing of traffic patterns.

My second concern involves the noise and activity in the yard.

Open Air Village is unlike the typical day care where 6 children would be indoors most of the time with brief periods of outdoor activity. Open Air Village prides itself that the outdoors is its classroom. Living next door to 12 pre-schoolers outdoors in an adjacent yard many hours each week year round is a definite change in the character of the neighborhood and peacefulness no matter how well managed the children are. As a homeowner and neighbor I am relying on the planning commission to recognize that this is " not compatible with the character of the general vicinity" .(1262.03 c ) or with the neighborhood or the safety of the pedestrians, dog walkers and bicyclists who use President Street. Imagine working quietly in your yard or garden listening to birds enjoying the surrounding nature with continuous talking and group activity almost in your own yard for most of the day. Even a privacy fence does not mitigate the continuous background of human activity. How will the dogs in adjacent properties react to nearby voices and activity? Will they add to the disruption with barking? What sort of mitigation will remediate this?

While the zoning regulations give a great deal of detail to preserve the character and ambience of surrounding neighborhoods it is lacking when it comes to day care as our lawyer Scott Davies, Law Director of the City of Germantown, Ohio, indicated. (See the attachment)Perhaps it is because they did not anticipate an all day outdoor program adjacent to homeowners who value the tranquillity and privacy of their yards. It seems clear that most residents in the immediate surrounding area most affected by this change value the current character of our neighborhood as they have signed a petition to deny this use. Therefore the issues presented by neighbors sets a high bar as to what is allowed and concrete proof is needed to mitigate our concerns.

Finally the economic impact of lower property values is of concern and consultation with local

realtors are saying that "in a traditional -value residential neighborhood the presence of a pre-school operating at/in one of the properties would negatively affect the value of nearby homes."

According to 1262.04 under conditions of approval include "protect...economic wellbeing of those who use the land ..residents...landowners immediately adjacent to proposed use"

For these and other reasons this application should be denied as it is not compatible with the character of the general vicinity

## **ATTORNEY WORK PRODUCT/PRIVILEGE**

**To: William Mitchell, et al**

**Fr: Scott Davies**

**Date: 3/30/26**

**RE: Conditional Use Application for 12 child in-home day care**

### **Executive Summary**

The strongest reason to deny the requested conditional use is that the Planning Commission can only approve the application if it can clearly determine that each general standard in Yellow Springs Codified Ordinances § 1262.03 is met, and this record does not support those determinations.

- This property is located in the R-A Low Density Residential District. In that district, “Day care, group” is not permitted by right; it is allowed only as a conditional use if the requirements of Chapter 1262 are met. Yellow Springs Codified Ordinances § 1248.01(a); § 1248.02 (Table 1248.02, “Day care, group” = conditional use in R-A).
- The application itself confirms that the proposed use is a licensed in-home child-care operation for 6 to 12 preschool-aged children, Monday through Friday, at a site presently used as a single-family rental home. The application further states that off-street parking “should not be needed,” because the large U-shaped driveway can accommodate vehicles during scheduled drop-off and pick-up times. (Planning Commission Hearing Request: Conditional Use, Case No. PC03-2026, page 1.)
- Those conclusory statements are not enough to satisfy the Village’s ordinance standards concerning compatibility, adequate street service, and absence of detrimental traffic and noise impacts. (Yellow Springs Codified Ordinances § 1262.03(c), (d), and (e).)
- The record instead indicates a site-specific incompatibility issue: a weekday business operation serving up to 12 preschool children on a residential street, with concentrated drop-off and pickup traffic, regular outdoor play, and no detailed traffic, circulation, or noise-mitigation analysis.

The applicant’s own materials highlight outdoor, nature-based programming and mainly depend on a large driveway and

staggered scheduling for mitigation. The applicant has provided no legitimate information beyond self-serving statements that “it shouldn’t be a problem.” There is no detail about the timing of staggered transportation, noise mitigation, a traffic study, or even whether they have discussed these issues with the appropriate public safety personnel.

Because the code requires affirmative findings, the lack of concrete proof is significant. The Commission is not obligated to approve first and hope conditions will resolve the issue later. If the evidence is inadequate to support the necessary findings under § 1262.03, the request should be denied.

### **Detailed Hearing Argument**

#### **I. Governing standard under the current Yellow Springs code**

The Village’s publicly posted current codified ordinances identify Part Twelve, Planning and Zoning Code, including Chapter 1248 (Residential Districts) and Chapter 1262 (Conditional Use Requirements), as part of the current code set labeled “2024 S-17 (current).” Chapter 1248 states that the R-A district is intended to accommodate single-family residential subdivision and infill development at densities of up to six units per acre, along with related uses. (Yellow Springs Codified Ordinances § 1248.01(a).)

Chapter 1248 also provides that “Day care, group” is a conditional use in the R-A district. It is therefore not a by-right residential use. Instead, it may be permitted only if conditional use approval is granted upon a finding that the general requirements of Chapter 1262 are met. (Yellow Springs Codified Ordinances § 1248.02).

Chapter 1262 is explicit: any request for a conditional use shall only be approved upon a finding that each general standard is satisfied. Yellow Springs Codified Ordinances § 1262.03. The relevant standards here are: compatibility with the character of the general vicinity, adequate service by streets and other public facilities, and the absence of detrimental effects from excessive traffic, noise, or other operational characteristics not comparable to uses permitted in the district. (Yellow Springs Codified Ordinances § 1262.03(c), (d), and (e)).

That framework matters. The question is not whether child care is beneficial in the abstract, but whether this applicant has shown that this use at this site satisfies the Village’s conditional-use standards in this low-density residential setting.

## **II. What the application actually proposes**

The Planning Commission application identifies the property as 1333 President Street, Yellow Springs, Ohio, and identifies the current use as a "Single Family Home (rental)." Planning Commission Hearing Request: Conditional Use, page 1.

The proposed project/use is stated as: "Licensed In-Home child care for 6-12 individual preschool aged students, Monday through Friday. (Licensing by Ohio Department of Children and Youth/DCY)." Id.

The same application states, under off-street parking accommodation, that off-street parking "should not be needed, as the large U-shaped driveway can accommodate all vehicles during scheduled drop-off and pick-up times." Id.

The first-floor plan shows proposed child-care use on the first floor, including a multi-use space for dining and parent-group meetings, while the basement plan shows "Basement Area for Classroom." Application materials, pages 2-3.

The neighborhood correspondence and news summary (<https://ysnews.com/news/2026/03/open-air-village-eyes-home-based-move>) indicate that the applicants describe Open Air Village as a nature-based program centered on outdoor activity and open-ended play for children ages 3 to 5, and that the President Street home is attractive because of the backyard, the walkout basement, and its suitability for a home-based version of the program.

## **III. The application does not support the findings required by § 1262.03(c), (d), and (e)**

The first and strongest point is compatibility. Section 1262.03(c) requires a finding that the proposed use will be compatible with the character of the general vicinity. This block is zoned R-A, which is intended primarily for low-density single-family residential use. The current use of the property is a single-family residence. The proposed use is a weekday child-care operation serving up to 12 preschool-aged children, with repeated non-resident vehicle trips and regular outdoor group activity. That is materially different from ordinary residential use.

The applicant's own materials emphasize that outdoor activity is a key part of the program, not just an afterthought. The submitted summary describes the children engaging in outdoor activities such as purposeful play, exploration, gardening, and similar pursuits. The new site is considered desirable because "the backyard is awesome," and the operation is expected to run

on weekdays from around 8:00 a.m. to 4:00 p.m.

Section 1262.03(d) separately requires a finding that the area and proposed use will be adequately served by streets and other facilities. Yet the application offers no traffic study, no circulation diagram for entering and exiting vehicles, no written stacking plan, no one-way driveway management plan, and no professional assessment addressing sight lines, pedestrian interaction, or spillover conditions on President Street. Instead, the application simply asserts that the U-shaped driveway can handle vehicles during scheduled drop-off and pick-up times. (Application, page 1).

This is woefully short of the requirements. Section 1262.03(e) requires more: the proposed use must not involve conditions of operation, including hours of operation, that will be detrimental by reason of excessive traffic, noise, or other characteristics not comparable to uses permitted in the zoning district. The proposed child-care operation would result in traffic twice a day, pedestrian safety concerns on a narrow street without sidewalks, year-round weekday activity, deer crossings, and noise from 12 children ages 3 to 5 playing outdoors five days a week.

Even if the Commission concludes that some of these concerns could theoretically be mitigated, the current record still does not establish that the required findings can be made now.

Conditional-use approval requires evidence, not assumptions.

#### **IV. Why the lack of specific “group day care” conditions in Chapter 1262 matters**

The code’s structure is important. Table 1248.02 lists “Day care, group” as a conditional use in RA, R-B, and R-C, but Chapter 1262.08 does not appear to provide a day-care-specific set of supplemental conditions comparable to those imposed on some other conditional uses. That means this case turns heavily on the general standards in § 1262.03 and the Commission’s authority under § 1262.04.

That does not lower the applicant’s burden. It raises the importance of the general standards.

Because there is no detailed, use-specific checklist for group day care in the ordinance materials reviewed, the Commission must take care not to fill gaps with speculation. If the applicant wants approval, the applicant should supply enough site-specific evidence to support the mandatory findings on compatibility, safety, traffic, and noise.

The absence of day-care-specific standards makes a thin record

more problematic, not less. Where the ordinance does provide detailed standards for other conditional uses, it frequently demands site-specific plans addressing traffic, circulation, screening, parking, and operations. That overall code pattern reinforces the need for concrete proof.

#### **V. The code itself shows how seriously Yellow Springs treats traffic, access, and neighborhood impact**

Chapter 1262.04 permits reasonable conditions to ensure public services can handle increased demand, that use aligns with neighboring land uses, and that the health, safety, and welfare of nearby residents and the community are safeguarded. Yellow Springs Codified Ordinances § 1262.04(a)-(e).

But conditions are not a replacement for proof. Section 1262.04 assumes an otherwise approvable use; it does not relieve the Commission of its obligation to make the necessary threshold findings as required by § 1262.03.

The current code's handling of other conditional uses shows that traffic and neighborhood compatibility are key concerns in Yellow Springs zoning practices. For example, some uses need operation plans, traffic controls, stacking requirements, setbacks, and screening. Although these specific provisions are not directly applicable here, they show that the Village typically expects detailed, site-specific operational plans when a conditional use may impact nearby residential property. (See, e.g., Yellow Springs Codified Ordinances § 1262.08).

Against that background, this application is quite sparse. It lacks the analysis needed for the Commission to confidently determine that a weekday group child-care operation at this location would be compatible with the surrounding neighborhood and not cause harm.

#### **VI. Home-occupation standards provide a useful comparison, even if they are not directly controlling**

Although "Day care, group" is not governed by the home-occupation provisions, those provisions provide a useful benchmark for what the Village considers ordinarily tolerable home-based activity in residential districts.

The current code materials show that home occupations are restricted in ways meant to maintain the residential character: they may not modify the property's residential appearance; outdoor activities are not allowed; offensive noise that can be heard at or beyond the property line is prohibited; traffic must be consistent with what is typical in a residential area; parking must

be on the driveway; and the use cannot have more than eight client visits daily or forty weekly. (Yellow Springs Codified Ordinances § 1262.08(e)(5), as shown in the submitted code documents.)

These provisions do not directly govern this application, but they help illustrate why the neighbors' concerns are valid. A group day-care using up to 12 preschool-aged children, with twice-daily parent traffic and regular outdoor activity, has a more intensive operational profile than what the code usually allows for typical home-based commercial activity in residential neighborhoods.

## **VII. Summary**

The commission is required to be bound to their mandate to enforce local codes to maintain community standards as clearly stated in [yellowsprings.gov](http://yellowsprings.gov) website.

The operation of this daycare will clearly produce excessive traffic and noise that violates the rightful character of a peaceful and quiet residential neighborhood. (Yellow Springs Codified ordinance 1262.03(c), (d), (e).).

Accordingly, the proper decision is denial of the application.

**From:** [Taylor Waldorf](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Open Air Village  
**Date:** Monday, April 6, 2026 10:49:13 PM

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[You don't often get email from taywaldorf@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Hello,

My name is Taylor Sharp and my husband and I are writing this email in support of Bryan and Nicole Gay operating their preschool, Open Air Village, on President St. My daughter began attending last fall and has flourished under their care. We came to Open Air seeking a supportive environment for our daughter, who was feeling lost in the crowd at a previous preschool and who also seemed to not enjoy the outdoors. And was afraid of bugs. We took a chance, and we have seen such a positive change in her little life. Even through a move mid-year, the Gays made sure the children still had a routine and most importantly, warmth. We have a younger daughter who we are also hoping to send to Open Air Village in the coming year. We believe that Bryan and Nicole will continue to provide a warm and supportive environment for preschoolers at their new home and we are confident that they will make sure the preschool is not disruptive to any neighbors. I know that my daughter sees preschool as a second home- as I'm sure many of the students do- and I believe that approving the home for preschool is a positive addition for YS.

Thank you for taking the time to read our email.

Taylor and Alex Sharp

Sent from my iPhone

To Whom It May Concern:

We are writing in support of Open Air Village (OAV). Our daughter attended OAV full-time from pre-school through pre-k and currently attends their after-school program as a kindergartner two days a week. We cannot overemphasize how invaluable they have been to us as a family and, most importantly, to our daughter's growth.

We moved to Yellow Springs in 2020. I (Steve) grew up here, and my wife and I wanted to move here when it was time to raise kids, so they could experience all the positives of growing up in the village. A big part of that decision was obviously based on the impact the schools here had on me and my upbringing. I attended YSCCC, The Antioch School, Mills Lawn, and YSHS, so I have a deep appreciation for all opportunities here.

When we were exploring options for schooling and/or care for our daughter, we had specific needs. We both work full-time, and Sarah is a nurse at The James Cancer Hospital in Columbus, OH, so her schedule is a bit atypical in terms of days and hours. 2022 was also a unique time to start pre-school, coming on the heels of the pandemic and the difficulties with childcare during that time. At our daughter's age, she had a few options: YSCCC, The Antioch School, and a somewhat newer option we heard about called Open Air Village.

YSCCC had a waitlist, and The Antioch School did not quite meet our summer care needs for two parents who work full-time. So, we were pleased there was another option in town. When we started researching OAV, we quickly realized that a nephew attended the after-school program there, and our family had nothing but good things to say about it. That was enough for us to pursue it as an option. Upon visiting, we pegged it as a great fit for our daughter and for us.

Our daughter, typically a shy and pensive person, immediately took to the self-driven, hands-on learning and outdoor education elements of OAV, as well as to the teachers and her fellow students. Her social and academic growth was noticeable almost immediately, and, as parents, we felt comfortable and confident just as quickly. I could go on but simply put: Those trends continued throughout her journey and growth at OAV. She entered Kindergarten at Mills Lawn this year fully prepared socially and academically. OAV played a

significant role in that, and we will be forever grateful for their hand in her journey from such a young age.

We believe it's incredibly important to have OAV in town as an option for kids and parents seeking experiential, hands-on, nature-driven learning. It invites a diverse group of children to learn and play in a space that embodies everything Yellow Springs has always claimed to be, as far as I can remember. It's also important to consider how meaningful their summer program and after-school care are to families who need such care. We should be embracing such institutions and doing everything we can to keep them around, especially at a time when it feels like efforts are being made to quell alternative elements of learning and education. We hope this letter helps drive the support they need and deserve moving forward.

Sincerely,

Steve Sikes-Gilbert and Sarah Gemzer

April 7, 2026

To the Clerk of Courts,

I am writing to express my strong support for Open Air Village, and its owners Bryan and Nicole Gay, as they seek approval to relocate their nature-based preschool program to 1333 President St. While I understand that I am not a resident within the village and therefore do not have a formal vote in this matter, I feel compelled to share my perspectives as a parent whose child has directly benefited from this program.

Open Air Village is not a typical preschool. It is a thoughtful, intentional, and deeply enriching environment where children learn through nature, exploration, and meaningful connection. Bryan and Nicole provide an experience that is increasingly rare. Their program prioritizes outdoor learning, creativity, emotional development, and respect for the natural world. These are not just educational ideals. They are lived daily through hands on activities that foster independence, resilience, and curiosity in young children. I think that it is worth noting that Bryan and Nicole have been chosen as the recipients of this year's Five Rivers Metro Parks Early Childhood Educators of the year.

I believe that it is also important to recognize the circumstances that have led to this request. Antioch College's decisions have placed the program in a very difficult position, leaving the teachers to find a way to continue serving families and children without interruption. Their proposal to operate from their home is a practical and thoughtful solution that allows them to preserve the integrity of their program while maintaining stability for the children they serve.

Keeping this preschool in the village is essential to preserving what makes it so extraordinary. With easy access to Glen Helen, Antioch Farm, the library, and the many community resources Yellow Springs offers, children can learn through real-world experiences every single day. This connection to nature and community is the foundation of the program. Moving it outside of the village would take away those daily opportunities and diminish the thing that makes it so special.

From my experience, this preschool operates with a high level of care, professionalism, and respect for the children, for families, and for the surrounding environment. The idea that it would negatively impact a neighborhood does not align with what I have witnessed. On the contrary, programs like these tend to enhance communities by fostering connection, stewardship, and a shared sense of purpose.

I understand that a small group of neighbors have concerns. However, I believe those concerns may stem from a misunderstanding of what Open Air Village truly is. This is not a high traffic, disruptive operation. Pick up's and drop off's are not chaotic. They are extremely efficient and never crowded. There is not one parent in the program that is not mindful. This is a small, intentional, and community-minded program designed around the wellbeing of young children. We are truly like a little family. The idea that this program would be a nuisance is not only inaccurate, but dismissive of the meaningful, intentional work being done.

I respectfully ask the Planning Commission to consider the overwhelming support this program has from the families it serves, and the positive impact it has on both children, and the broader community. Approving this request would allow an exceptional educational program to continue to provide developmentally rich experiences for young children.

Thank you for your time and consideration.

Sincerely,

Liz Stacy

Enon, OH

To: Yellow Spring Planning Commission

Subject: Open-Air's Conditional Use Request on President Street

Date: April 7, 2026

I am opposed to rezoning 1333 President Street to allow a preschool or daycare operation.

First, I want to say that Open Air's request for approval for conditional use was never discussed with me, nor any of my neighbors that I've spoken with. Had that happened, I would have been happy to discuss and provide feedback on their proposal. Since that didn't happen, I am forced to provide that feedback in this manner.

Our neighborhood, which includes Rice Road and President Street is in a low-density residential area of Yellow Springs. As such, allowing a business to be established would substantially change the character and feel of our neighborhood. We chose this area of Yellow Springs to live in specifically for its quiet ambiance. I am at a loss as to the reason why, given all the empty and unused buildings in this village, we are considering putting a business in a residential area. It makes no sense and would set a dangerous precedent.

Open Air's entire business model centers around encouraging as much time outside as possible, which will obviously increase the noise between the hours of 8AM until 4PM beyond what we currently experience. Additional traffic during drop-off and pick-up on a street with no sidewalks presents safety issues for both children and adults. Saying that it shouldn't be a problem doesn't make it so!

I'm not suggesting that the idea for another preschool/daycare in Yellow Springs is a bad idea. I'm saying that establishing a business in a zoned residential area is incompatible with the existing neighborhood.

Sincerely,

Susan Mitchell  
1360 Rice Road  
Yellow Springs, Ohio 45387

## Judy Kintner, Clerk of Council

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**From:** Marcia Sutherland <marcia.sutherland1@gmail.com>  
**Sent:** Thursday, April 9, 2026 1:26 PM  
**To:** Judy Kintner, Clerk of Council  
**Cc:** Marcia Sutherland  
**Subject:** Say No to Proposed Daycare

You don't often get email from marcia.sutherland1@gmail.com. [Learn why this is important](#)

Dear Planning Commission;

Susan Stiles  
Stephen Green  
Gary Zaremsky  
Scott Osterholm  
Gavin DeVore Lenard  
Mark Carr  
Chad Runyan  
Carmen Brown  
MacKenzie Baird  
Clerk  
Judy Kinter  
Clerk

I am writing to share my concerns regarding the potential outdoor daycare proposed for 1333 President Street, located right next to my home at 1345 President Street. I believe this development would be highly disruptive to our neighborhood. The constant noise from 8:00 AM to 4:00 PM is not acceptable. The Gays believe, "There is no bad weather, just bad clothing". The kids are outside in all kinds of weather.

As a Mills Lawn School teacher of special needs children for 30 years I am well aware of the noise levels involved with recess. This is not a 15 minute recess, this is outside all day. My patio is 30 feet away from where these children will be. A quiet cup of morning coffee and a quiet dinner on the patio would be impossible. In addition I have a fish pond which would be hazardous to preschoolers. While there is a fence around the pond a five-year-old could easily breach the gate. There is nothing to keep the children away from my yard.

Every time a car comes in the driveway the headlights shine into my kitchen. Not only is this annoying, it's an invasion of my privacy. I am strongly opposed to this proposal.

Traffic is another problem. Parents dropping off and picking up students is going to elevate the amount of traffic on our quiet street tremendously. There is no sidewalk or burn to walk these preschoolers to the Glen. They will have to walk in the narrow street. This is just too dangerous for three, four and five year olds.

Furthermore, I am concerned about the potential impact an outdoor school would have on my property value. Who wants to live next to 8 hours of screaming, yelling kids?

A realtor friend said,"A preschool operating within the confines of a particular subdivision would bring increased noise along with vehicular and pedestrian traffic, which works to degrade single-family residential property values in suburban areas like Yellow Springs". As a single income person I cannot afford to lose the value of my home. This will make it difficult to sell my house and get full value for it.

Please turn down the appeal that would make this daycare possible. Thank you for your attention to this matter.

Best regards,

Marcia Sutherland

1345 President Street  
Yellow Springs, Ohio  
45387

[Marcia.sutherland1@gmail.com](mailto:Marcia.sutherland1@gmail.com)

937 701-8451

**From:** [Tom Knickerbocker](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Zoning variance letter of recommendation  
**Date:** Thursday, April 9, 2026 4:03:46 PM

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[You don't often get email from knickpool@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Sirs,

I respectfully ask that you approve Nicole and Brian's request to operate their preschool, Open Air, from their residence. I have known Nicole and Brian for two years in the time that my granddaughter has attended their school, and they are the epitome of upstanding citizens, parents and business owners in the community.

Given the hard times at Antioch College, where they have rented space up until now, some grace would seem appropriate to help keep good things like Open Air and preschool education moving forward in the community.

Please let me know if you have any questions.

Thank you for your time,  
Tom Knickerbocker

Sent from my iPhone

To: Yellow Springs Planning committee

From: Kathryn Van der Heiden

Address: 1330 Rice Rd

Date: April 7, 2026

Re: Planning Commission Hearing Request: Conditional Use. Case #PC03-2026

Hearing Date: April 14, 2026

I am writing to object to granting the applicant conditional use of a licensed in-home child care for 12 preschool aged students, Monday through Friday.

I was not contacted about this use of property in my neighborhood. I've talked to other neighbors and very few people were contacted about this. I only found out from my friends, not the applicant. The applicant did not vet this with anyone in the neighborhood. It feels like it's an end run.

I have lived in Yellow Springs for 30+ years. My neighborhood has always been peaceful, restful, quiet. I cannot tolerate loud sounds/noise. The applicants describe their childcare business as being different; the 12 children will be outside much of the day from 8am to 4pm, playing in the yard.

I didn't expect to have to fight for my privacy and the quiet of my property.

*Sincerely yours,  
Kathryn Van der Heiden*

## Judy Kintner, Clerk of Council

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**From:** Meagan Verbillion <meagan.verbillion@gmail.com>  
**Sent:** Wednesday, April 8, 2026 11:28 AM  
**To:** Judy Kintner, Clerk of Council  
**Subject:** Re: Open Air Village

You don't often get email from meagan.verbillion@gmail.com. [Learn why this is important](#)

Hello,

I have been made aware of specific concerns from members of the community regarding parking and pick up/drop off procedures and just wanted to add to my original submission that pick up and drop off is highly coordinated and safety is paramount. Parents/kids safely and swiftly get in/out of the school with minimal delays. With the current location in MacGregor Hall we have to park on the side street and it is never congested, there is always a spot available and everyone drives slowly to ensure safety for all in the neighboring buildings and community. I can understand why these outwardly may seem like they would be a concern to those unfamiliar with OAVs procedures. That said, with the driveway access at the President street address and the protocols already in place by the school to stagger drop offs and keep them efficient this largely seems like a non issue and would not impede the community at large.

Thank you and respectfully,

Meagan Verbillion

On Tue, Apr 7, 2026, 11:13 Judy Kintner, Clerk of Council <[Judy.Kintner@yellowsprings.gov](mailto:Judy.Kintner@yellowsprings.gov)> wrote:

Hello,

This will be in PC's packet for the hearing on April 14<sup>th</sup>.

Thank you,



**Judy Kintner**  
Council Clerk, Village of Yellow Springs

[100 Dayton Street, Yellow Springs, OH 45387](#)

[937-767-9126](tel:937-767-9126) [yellowsprings.gov](http://yellowsprings.gov)



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**From:** Meagan Verbillion <[meagan.verbillion@gmail.com](mailto:meagan.verbillion@gmail.com)>  
**Sent:** Tuesday, April 7, 2026 11:09 AM  
**To:** Judy Kintner, Clerk of Council <[Judy.Kintner@yellowsprings.gov](mailto:Judy.Kintner@yellowsprings.gov)>  
**Subject:** Open Air Village

You don't often get email from [meagan.verbillion@gmail.com](mailto:meagan.verbillion@gmail.com). [Learn why this is important](#)

Hello,

I am writing in support of Open Air Village preschool being granted permission to conditional zoning approval at the President Street address. I grew up in the village and have been embedded in the Yellow Springs community since childhood. The supportive community presence, inclusivity, diversity and safety have been long standing foundations that make the village the perfect place to raise a family. My son has attended Open Air Village since 2023 and the school has helped him grow in so many ways - socially, emotionally and educationally. We intend to start our daughter in the school in the Fall of 2026. Bryan and Nicole Gay have managed to create a safe, all inclusive, fun, supportive nature based learning environment that is unique and embodies everything that the village strives to give to the community at large. It is the perfect learning environment and I have been so grateful to have such a wonderful school so close to me as options are limited in the mad river township/nearby communities for nature based/open-ended learning. I want to express my full support in letting the school move to the Gay's home on President Street. Although the Antioch location has been nice, it is clear that this school is here to stay and I think it would be best for the Gay's, the school, and its students if they were able to put real roots down in a place they can stay for the long term in a location that feels like home and in this case is home for the Gay's. This will allow the school to add opportunities that they may not otherwise have by modifying the home and outdoor space to best serve student education and support the nature-based learning curriculum. The school has been operating for 6 years and despite many adversities, including COVID and the need to uproot and move multiple times, families have stayed at the school and helped move, pack, unpack, and adjust to all of the changes that have occurred because of how important this school and its educational objectives are. There is nothing more precious in this life than children and finding quality, safe, education for them is paramount. The Gay's have managed to break the mold with Open Air Village and I would love to see them be able to continue to grow and bring their vision to life in their new space.

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***Very Respectfully,***

***Meagan Verbillion, DO, FAAEM, FACEP***

[meagan.verbillion@gmail.com](mailto:meagan.verbillion@gmail.com)

937-689-2172

**From:** [Tiffany Ward](#)  
**To:** [Judy Kintner, Clerk of Council](#)  
**Subject:** Open Air Village Letter  
**Date:** Wednesday, April 8, 2026 7:53:38 PM

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You don't often get email from wardta98@gmail.com. [Learn why this is important](#)

To Whom It May Concern,

I have been teaching at Open Air for five years, and I've continued working there due to the amazing community of staff and families. It truly is a village of people coming together with a common goal of helping this next generation be caring and thoughtful people.

Each day, I get to witness children busy with their work (also known as "play"). To give just a few examples, they explore physics concepts while cooperatively building obstacle courses; they express themselves through numerous art mediums, such as loose parts, paint, chalk, mud, etc.; and they engage with our natural environment as they hunt for and count monarch caterpillars in the pollinator garden. Each year, I get to see the class transform from people who've never met to people who are thrilled to see each other every day and who go out of their way to look after one another.

Seeing as there's often a wait list to get into this school, Open Air Village is clearly a valued part of Yellow Springs, as well as the many other towns that people are coming from to be a part of this special place. And I ask you, what better way to grow up than to have a place where you can learn to appreciate the environment that you are a part of, and where you can love and be loved by those around you?

To: Yellow Springs Planning Commission

Subject: Request for Conditional Use of 1355 Presidential Street for Daycare

From: William Mitchell, 1360 Rice Rd, Yellow Springs OH

Date: April 9, 2026

I am opposed to the creation of a Daycare as presented to the Planning Commission Case #PC03-2026.

I am writing to respectfully draw attention to the established mandates and obligations of the Planning Commission as it relates to the review of Conditional Use Applications.

According to the Village of Yellow Springs website, [yellowsprings.gov](http://yellowsprings.gov), the Planning Commission's mandate is to enforce local codes to maintain community standards. In this particular application, the applicates must completely meet ALL standards set forth in Ordinance 1262.03 GENERAL STANDARDS.

The standard in this ordinance explicitly states that the proposed use will not involve excessive traffic and noise. This is a RIGHT of the established neighborhood.

A RIGHT is defined as an entitlement to something. It guarantees protection against interference with enjoyment of life and property.

NOISE: This neighborhood has the RIGHT to a peaceful and quiet neighborhood as stated in the Village Noise Ordinance 634 (attachment A). It states (as RIGHT) that no person, persons shall generate, cause to be generated or permit to be generated such noise, in a manner to such intensity and duration as to create unreasonable noise which causes inconvenience and annoyance to persons of ordinary sensibilities, and/or reasonably, disturbs the peace and quiet of the community.

Preschoolers are inherently loud at play. It's part of their socialization and development. Please see attachment B (Hello, Here's Why Your Child Loves Constantly Shrieking at the TOP OF THEIR LUNGS). **The Daycare would create excessive noise that greatly exceeds the peace and quiet of the community.**

TRAFFIC: The traffic standard by RIGHT established in this residential community is that of a single family with the average of two cars coming and going to work and a trip to a grocery store or a soccer game. **The Daycare would vastly exceed traffic standards of this residential neighborhood** as it requires 12 cars coming and going in the morning and in the afternoon.

So let's review:

Planning Commission's mandate is to enforce local codes to maintain community standards.

\*The applicants must completely meet ALL standards set forth in Ordinance 1262.03 GENERAL STANDARDS.

\*The RIGHT to maintain a peaceful and quiet community cannot be met by the Daycare, which would create excessive noise.

\*The RIGHT to maintain traffic volume comparable to a single resident community cannot be met by the Daycare, which would exceed traffic standards of this residential neighborhood.

**This neighborhood has the RIGHT to maintain its quiet and peaceful character.**

It is my strong belief that based upon our aforementioned peaceful and quiet neighborhood RIGHTS, that the objectively-based Planning Commission will deny this application.

Atchs:

Atch A: Village Noise Ordinance 634 - [Ord2022-34 Repealing Replace Chapter 634 Noise](#)

Atch B: Article – Why Are Children Shrieking All the Time ([Why Are Children Shrieking All The Time? Experts Explain The High Pitched Noise Love](#))

1310 President Street  
Yellow Springs, OH 45387  
March 12, 2026

Planning Commission  
100 Dayton Street  
Yellow Springs, OH 45387

Planning Commission,

We are writing this letter to express our support for the request by Nicole and Bryan Gay for zoning/conditional use approval for in-home childcare at 1333 President Street. As a licensed in-home childcare provider, they will offer nature-based education to a small group of 6 to 12 children, following the Ohio Department of Youth and Children's safety, supervision, and operational standards. Nicole and Bryan have been providing these services on the Antioch College campus since 2020, but the instability of that institution has forced them to seek an alternative venue to offer their innovative, outdoors-oriented program.

We live across the street from 1333 President Street and have no issue with having a dozen children playing and learning at the Asakawa's old residence, which is perfectly designed to offer their nature-based programming, with a greenhouse, ample classroom space, and large front and back lawns. The circular driveway can accommodate at least eight vehicles. Nicole and Bryan are requesting zoning approval for a small-scale childcare program that can be easily accomplished at 1333 President Street with negligible disruption to the neighbors on President Street. In fact, we welcome the sound of children laughing and playing in our neighborhood.

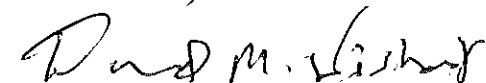
Nicole and Bryan have been great neighbors for the past 5+ years. They are considerate and thoughtful. They will be providing a great service to the community, as Yellow Springs needs more options for caregivers for children. The value of our properties will only increase as more young families are drawn to Yellow Springs because of excellent, innovative childcare options that Nicole and Bryan Gay will provide.

We can be reached at [jwilson@wittenberg.edu](mailto:jwilson@wittenberg.edu) and [dwishart@wittenberg.edu](mailto:dwishart@wittenberg.edu) if you have questions about this letter of support. Thank you!

Sincerely,



Josephine F. Wilson, DDS, PhD



David M. Wishart, PhD

# PETITION

Open Air Village has submitted a Conditional Use application to move their Group Daycare to 1333 President St., the leased home of the Applicant. The proposed use is for Monday through Friday, year-round in-home childcare for 12 children between the hours of 8 am to 4pm. We want Yellow Springs Planning Commission to disapprove this request.

Specific concerns include:

- **Traffic:** The daycare will significantly exceed typical residential traffic on President Street. The child drop-off and pick-up of 12 cars coming and going twice per day equals 48 passes.
- **Traffic/Pedestrian safety:** Increased traffic on President Street will significantly increase the injury risk for pedestrians, dog walkers and cyclists. This street is narrow, with no sidewalks. When a car approaches, the pedestrian must move off the road, into a yard, sometimes a ditch.
- **Noise:** The entire business model for Open Air Village is to have the children outside as much as possible. 12 pre-school children will produce excessive noise that will violate residential rights for a peaceful and quiet environment.

**PASSAGE OF THIS PETITION WILL SIGNIFICANTLY CHANGE THE NATURE OF THE NEIGHBORHOOD AND SET A PRECEDENT TO ALLOW FUTURE DAYCARES.**

# PETITION

**We, the undersigned, do not support the approval of the request for conditional use.**

|     | Name                  | Signature             | Address                              |
|-----|-----------------------|-----------------------|--------------------------------------|
| 1.  | R. Michael Warner     | R. Michael Warner     | 1475 President St                    |
| 2.  | Josephine D. Warner   | Josephine Warner      | 1475 President St.                   |
| 3.  | Ruth Abendroth        | Ruth Abendroth        | 1375 Rice Rd                         |
| 4.  | Susan Abendroth       | Susan Abendroth       | 1375 Rice Rd<br>Yellow Springs 45587 |
| 5.  | Aaron Engler          | Aaron Engler          | 1365 RICE RD.                        |
| 6.  | Susan Mitchell        | Susan Mitchell        | 1360 Rice Rd.<br>Yellow Springs, OH  |
| 7.  | William Mitchell      | W/M                   | 1360 Rice Rd                         |
| 8.  | Jeanine Clark         | Jeanine Clark         | 1300 President St.                   |
| 9.  | Henry Lapp            | Henry Lapp            | 1340 President St                    |
| 10. | Ruth Lapp             | Ruth Lapp             | 1340 President St.                   |
| 11. | Marcia Sutherland     | Marcia A. Sutherland  | 1345 President St                    |
| 12. | <del>Henry Lapp</del> | <del>Henry Lapp</del> | <del>1340 President St</del>         |
| 13. | Patricia Schneider    | Patricia Schneider    | 1350 President St.                   |
| 14. | Andrew Junker         | Andrew Junker         | 1350 President St.                   |
| 15. | STEVE DIEBOLD         | Steve Diebold         | 350 ORTON Rd.                        |
| 16. | KATHRYN Vanderhorst   | Kathryn Vanderhorst   | 1350 Rice Rd.                        |

|     | Name            | Signature       | Address            |
|-----|-----------------|-----------------|--------------------|
| 17. | Donna Caslin    | Donna Caslin    | 1345 Rice Road     |
| 18. | Lindsay Engler  | [Signature]     | 1365 Rice Rd.      |
| 19. | Josh Berning    | [Signature]     | 1340 Rice Rd.      |
| 20. | Shanda Browning | [Signature]     | 1340 Rice Rd       |
| 21. | Scott T. Clark  | [Signature]     | 1300 President     |
| 22. | SANDRA JESSEN   | [Signature]     | 1315 PRESIDENT     |
| 23. | Susan E.M. Hyde | Susan E.M. Hyde | 1405 President St. |
| 24. |                 |                 |                    |
| 25. |                 |                 |                    |
| 26. |                 |                 |                    |
| 27. |                 |                 |                    |
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| 34. |                 |                 |                    |

**CONCERNS OF A DAYCARE IN A RESIDENTIAL NEIGHBORHOOD**  
**DO YOU WANT TO LIVE NEXT DOOR TO A DAYCARE?**

- Open Air Village has submitted a Conditional Use application to move their Group Daycare to 1333 President St., the leased home of the Applicant.
- The proposal is for In-home childcare for 12 children, Monday through Friday year-round. The applicant has suggested that there will be 12 preschool children, ages 3 to 5, from 8am to 4pm.

**SPECIFIC CONCERNS**

- o **Traffic:** Daycare will significantly exceed typical residential traffic on President St. Child drop and pickup of 12 cars coming and going twice a day equals 48 total passes.
- o **Traffic/Pedestrian safety:** Increased traffic on President Street will significantly increase the risk of injury for pedestrians, dog walkers, and cyclists. This street is narrow, with no sidewalks. When a car approaches, the pedestrian must move off the road, into a yard, sometimes a ditch.
- o **Noise:** The whole business model for Open Air Village is to have the children outside as much as possible. 12 preschool children will produce excessive noise that will violate residential rights for a peaceful and quiet environment.

**\*\*YOUR PROPERTY VALUE MAY DECREASE\*\***

(who wants to live next to a daycare?)

***APPROVAL OF THIS CONDITIONAL USE REQUEST WILL SIGNIFICANTLY CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND SET A PRECEDENT TO ALLOW FUTURE DAYCARES.***

**PLEASE EXPRESS YOUR CONCERNS**

**WRITE A LETTER/EMAIL TO THE CLERK NO LATER THAN APRIL 9**

at [clerk@yellowsprings.gov](mailto:clerk@yellowsprings.gov)

Or deliver a copy to the Clerk of Council

**ATTEND THE HEARING**

**TUESDAY, APRIL 14, 2026 AT 6:00PM IN THE JOHN BRYAN CENTER,  
SECOND FLOOR-COUNCIL CHAMBERS 100 DAYTON ST.**

**If this variance passes the next daycare might be RIGHT NEXT DOOR TO YOU!**