

Zoning Commission Meeting Minutes June 7, 2018

1. Zoning Commission Meeting was called to order at 7:00pm. (Cass Chairperson).
2. Everyone stood for the Pledge of Allegiance.
3. Roll Call taken:
 - a. Cass Birchbauer (present)
 - b. Stacey Hartman (present)
 - c. Becca Maurer (present)
 - d. Rick Shumaker (present)
 - e. Jerry Hodge (not present –will be out of town for work June, July, August)
4. Everyone was asked to turn off their cell phones or put them on vibrate.
5. AGENDA was previewed:
 - a. We will open with the Business portion of our meeting - no public comments during that section.
 - b. We had planned to go into a brief Executive Session and then come back on the record (but did not).
 - c. Then go into the Public Input portion of the meeting.
 - d. Then into a Working Session where the Public could stay and observe but not participate.

BUSINESS SECTION

6. From our last meeting, the Fiscal Officer was going to check with the Assistant Prosecutor about Jerry being able to participate telephonically since he will be out of town the next 12 weeks on business. The Fiscal Officer was not present but had advised Cass Jerry could participate by phone but could not vote. Jerry was unavailable tonight.
7. Cass gave recognition thanking Jeff Heath for the awesome job he did on getting the grounds ready for the Memorial Day celebration. Fantastic job. And she mentioned that our Fire Dept. needs some new equipment. If you haven't donated, please do. They badly need some new equipment and are doing quite a few fundraisers.
8. Secretary, Becca Maurer, distributed the minutes from our first meeting which started with the Organizational Meeting and then was followed by our Business Meeting and then Public Input. It was held on May 17th.
 - a. Motion was made to accept the minutes by Cass.
 - b. Seconded by Stacey.
 - c. Roll Call vote taken:
 - i. Cass Birchbauer (affirmative)
 - ii. Stacey Hartman (affirmative)
 - iii. Becca Maurer (affirmative)
 - iv. Rick Shumaker (affirmative)
 - v. Jerry Hodge (not present)

Meeting minutes were signed and Cass will post them on the [new Sullivan Township Zoning Facebook page.](#)

9. Regarding the Zoning Resolution Amendment presented to the Zoning Commission at the May 17th meeting:
 - a. Cass xeroxed copies of the materials Mr. & Mrs. Crow provided on the Biosolid Zoning Resolution Amendment and provided the full packet to each Zoning Commission member.
 - b. Cass also provided a copy to the Fiscal Officer for the public records.
 - c. And the packet was sent to the Ashland Planning Department as required with a cover note asking for their comments no later than June 16th which gave them the 20 days they are permitted to have to provide any comments.
 - d. The public hearing on that matter is ***scheduled for Tuesday June 19th*** here at the Township Hall at 7pm and Donna has made sure we comply with the 10 day public notice in the newspaper and we have asked Trustee Jenkins to make sure that gets posted on the Twp Trustee Facebook page as well. As required, we will have a stenographer here for that meeting as well. At the Trustee meeting this past Monday night the Trustees suggested a security personnel be at the meeting which they indicated is common.

10. The Zoning Commission did not go into Executive Session as originally planned to discuss a previous topic regarding Marijuana where a legal opinion was rendered and something was to have been entered into the Zoning laws with the Trustees but that may not have happened. The Fiscal Officer was not present at the meeting. We will follow up with her.
11. Cass asked Zoning Inspector Marshall Goff if there was any report from Zoning:
- a. Marshall asked the Zoning Commission in particular to consider looking into high intensity vs. low intensity definitions. Questioned why is low intensity in a separate building required to pay \$ 1,000 for a permit when the identical exposure in the residence is not charged? Should the fee be more around high intensity (traffic) vs low intensity (lower traffic) and not the distinction between in the same building? Discussion took place and will continue to be discussed.
 - b. Discussion of people living in sheds. Difficult to determine.
 - c. Discussion of why road frontage is on Marshall's form but only lot width is in our book.
 - d. Question of whether current residence size of 1,390 square feet is too large for older people to maintain as they get older as well as the 3 acre lot size. Zoning Commission took this discussion up later in their work session.
 - e. Question was raised on golf course land that may be coming up for sale again. Appears there was "spot zoning" as that is commercial but is on township roads where most commercial zoning is on state routes. It is the only piece zoned commercial in that situation. Zoning Commission to research this.
12. Cass opened it up to the Zoning Commission members for any open items and there were none. Motion was made by Cass to adjourn the Business Section and move to the Public Input Portion of the meeting at 7:15pm:
- a. Seconded by Becca.
 - b. Roll Call vote taken:
 - i. Cass Birchbauer (affirmative)
 - ii. Stacey Hartman (affirmative)
 - iii. Becca Maurer (affirmative)
 - iv. Rick Shumaker (affirmative)
 - v. Jerry Hodge (not present)

PUBLIC INPUT SECTION

13. In addition to guests, the Zoning Inspector was in attendance. Cass went around the room to each person and asked if anyone wanted to speak. Everyone declined.
- a. Stacey asked one individual to identify himself. He said he was Attorney Love.
 - b. Stacey then asked him if he was the attorney for the Diaz's. He affirmed that he was.
14. Cass motioned that we end the Public Input Portion of our meeting at 7:16. Advised residents they were welcome to stay and listen as the Zoning Commission goes into their their "Work Session".
- a. Seconded by Becca.
 - b. Roll Call vote taken:
 - i. Cass Birchbauer (affirmative)
 - ii. Stacey Hartman (affirmative)
 - iii. Becca Maurer (affirmative)
 - iv. Rick Shumaker (affirmative)
 - v. Jerry Hodge (not present)

WORKING SESSION – ZONING COMMISSION ONLY PARTICIPATING

15. Cass suggested we consider a “comprehensive plan” for where we think our community may want to move towards. Zoning should have this so we aren’t making decisions “one off” or that are disjointed. We would have some idea of what we are zoning “towards” as we make decisions.
 - a. Several samples (pages 5 & 6) were handed out by Cas. Members should review and come back to continue to discuss. This will take many months to flesh out-- to continue discussions and then engage the community.
 - b. EXAMPLE:
 - i. The Dollar Store is very convenient for residents. Viewed as a positive. But if that were closer to the center of town, would that be okay? Or do we want the center of town to remain “quaint” and let some “conveniences” come in but keep them a certain distance from town? Those kinds of ideas.
 - ii. Small businesses. Do we want our zoning to encourage more small businesses even outside of town as long as they don’t become “high intensity”? For example we talked about Kidron and how the interesting shops bring in visitors and revenue and tax dollars that could help fund a stronger community. No decisions were made—just that we should be thinking about getting resident inputs on a longer-term plan for the community and make sure our zoning permits and supports the longer-term plan.

16. We identified some areas in the current zoning we want to put on our list to discuss and over time, maybe clarify in a comprehensive update to the 2015 zoning book:
 - a. At the next meeting, everyone will bring a definition of “junk” just to see what ideas we have to tighten the current definitions on pages 18 and 43 of the current 2015 zoning book.
 - b. Discussed that the definition of “nuisance” on pages 21 and 38 may need looked at.
 - c. Definition of prohibited incidental businesses on page 46 could be looked at.
 - d. Already identified to look at is “residential enterprise” high intensity/low intensity pages 22, 45, 51.
 - e. Concern of people living in sheds has been raised recently.
 - f. The commercially “spot zoned” golf course.
 - g. Lot sizes and set backs vs. lot widths.
 - h. Square footage requirement of 1,390. Is that too big?
 - i. Shooting range (topic from prior meeting).
 - j. Marijuana farm (topic from prior meeting).
 - k. Cass is to call Ashland to find out why only the 2008 zoning guide is on-line—not the 2015 version.

17. Cass asked members if there were any other topics to bring up before we adjourned the meeting:
 - a. Stacey handed out and asked the members to review case L-90-164. Perry vs Providence Township (1991). Court of Appeals decision in Lucas County, Ohio where banning application of sludge to land in Providence Township was viewed as not enforceable. Stacey is concerned that we should not approve any ban on biosolids if it is not legally enforceable. She said she was not advocating for or against the issue but wanted to make sure the decision made is legally defensible since so many in our current zoning book do not seem to be and we have trouble defending zoning cases. She asked members to review in advance of the June 19th hearing on this matter.
 - b. Stacey asked two members about health concerns they had expressed previously regarding biosolids:
 - i. Rick indicated he has had headaches since 3 days after the first spreading of the biosolids across from his residence.
 - ii. Becca indicated she and her family (5 children) have had headaches and respiratory issues since the first spreading of biosolids next to her residence. Until this started, her family has always been very healthy. Her son in particular is effected the worst. Also the smell is so strong with mold/mildew, they can’t be outdoors for cookouts or fires.

18. Cass motioned to adjourn the meeting at 8:32pm.
 - a. Seconded by Stacey
 - b. Roll Call vote taken:
 - i. Cass Birchbauer (affirmative)
 - ii. Stacey Hartman (affirmative)
 - iii. Becca Maurer (affirmative)
 - iv. Rick Shumaker (affirmative)
 - v. Jerry Hodge (not present)

APPROVAL OF ZONING COMMISSION MEETING MINUTES for June 7, 2018.



Cassandra Birchbauer, Chairperson

6/21/2018



Stacey Hartman, Vice Chairperson

6/21/18



Becca Maurer, Secretary

6/21/18



Rick Shumaker, Zoning Commission

6-21-18

NOT PRESENT

Jerry Hodges, Zoning Commission

(CASS HANDED OUT TWO EXAMPLES TO BRAINSTORM FROM)

Elements of a Comprehensive Plan

Community Planning and Zoning July 11, 2013

The Elements of a Comprehensive Plan

What does the comprehensive plan contain? In some states the contents of a comprehensive plan are mandated by enabling legislation, while in others the contents are within the discretion of the local government. While every comprehensive plan is unique, in general, all address four topics: (1) existing conditions, (2) goals and objectives, (3) implementation strategies and (4) the future land-use map.

The **existing conditions** section is an accurate description of the community's current status. It will be made up of several elements and make extensive use of charts, graphs and maps. The elements commonly addressed in most plans are demographics, economy, housing, transportation, public services, environmental conditions and existing land uses.

The **demographics** element of the plan typically contains information about the community's population by age, gender and racial characteristics, average household size, total number of households, birth and death rates, migration rates and distribution on the landscape. It will also contain population projections for the next 10 to 20 years, based on current demographic trends. Demographic analysis and projections are the heart of the plan because many other plan elements depend on the population projections found in this section.

The **economy** element provides an inventory of the economic conditions of a community and will reveal how people in the community earn a living as well as the kinds of businesses and industries the community needs and could support. Information commonly found in this section can include workforce (adults age 15 to 64) characteristics such as education level and occupations; unemployment rates, places of employment, per capita income, community tax rates and property tax base, community debts and special assessments.

The **housing** element will address the total number and condition of the existing housing stock, home prices, building permit data, vacancy rates and owner-occupied housing versus renter-occupied as a percentage of total housing stock. It will assess **future housing needs** based on demographic projections.

The **transportation** element will review the volume and usage of existing roadways, the existence and utilization of airports, transit services, rail lines, and trails, and project future volumes based on development patterns. The transportation element should also assess the current physical condition of these systems.

The **public facilities and services** section generally includes an analysis of water and sanitary sewer facilities, police and fire services, parks and recreation facilities; other land, buildings and facilities owned by the local government; social services and others as deemed important to the planning effort. Along with the transportation system, these facilities comprise the essential service provision network of the community.

The environmental conditions section will include a general description of the community's major environmental resources, such as soil types, slopes, climate conditions, mineral resources, water resources; and critical areas such as wetlands, watersheds and special geologic features. An inventory of the environmental resources (green infrastructure or special and unique areas) can help the community identify areas that are suitable for development, other areas where only limited development should take place, and areas that should be protected from development.

The section on **existing land uses** describes, in map form, current development patterns, including the locations of the five major land-use classifications (residential, commercial, industrial, agricultural and public), residential densities, and commercial and industrial uses of special concern.

Goals and objectives

The heart of the comprehensive plan is the community's goals for itself. The goals and objectives are a direct expression of the desires of the community. A goal is a general statement of a **future condition** towards which actions are aimed. An objective is a statement of measurable activity, a benchmark, to be reached in pursuit of the goal. Goals and objectives develop with extensive citizen input and are shaped and refined by the information gleaned from the collected data. They provide the necessary focus for long-range policies and action programs. Goals are sometimes included in the specific section to which they relate, for example, housing goals included in the housing section. Often they are included as a separate section because many goals and objectives cut across several topics. The goals and objectives should be concise statements that point the community in the general direction of its desired future.

Implementation

The implementation section or action plan contains specific, achievable, measurable steps that will be taken to achieve the agreed-upon goals and objectives. Generally, this section identifies the who, what, when, how, and how much necessary to accomplish the goals. This section of the plan acts as the work plan of the legislative body in adopting ordinances, resolutions, programs and other policies, and allocating resources (money and personnel) to carry out the goals and objectives of the plan.

Future Land-Use Map

The future land-use map illustrates future desired land-use classifications, locations, densities and designs, both in developed areas and in areas projected for growth. The map should be developed based on projections in population and employment, housing needs, environmental considerations, and the costs of providing infrastructure to the various geographic areas of the community.

Gary D. Taylor, Iowa State University

(CASS HANDED OUT TWO EXAMPLES TO BRAINSTORM FROM)

SAMPLE: City Goals and Vision Statement (Green, OH)

In order to evaluate the options available to the City, it is first necessary to establish the basic direction desired for the City. From the evaluation of the existing conditions and issues, the following goals have been formulated by the Plan Update Steering Committee to provide a general framework on which the planning objectives and development policies have been based. It is from these goals that the planning policies (Chapter III) and implementation strategies (Chapter IV) have been developed. These goals and vision statements apply to the city as a whole. The Massillon Corridor District section of Chapter III contains a more specific set of goals and visions, which apply specifically to the District.

We envision a mix of industrial/commercial, residential, and agriculture uses that will:

- a. Take advantage of the City's regional location in the Akron-Canton Corridor and promote quality economic development within the City;
- b. Efficiently utilize existing and future infrastructure, such as roads and utilities;
- c. Retain the character of "traditional" Green by protecting selected natural areas and preserving historical features of the community;
- d. Recognize that land is a valuable resource to be used wisely and efficiently for the benefit of both private property owners and the Green community at large; and
- e. Encourage the utilization of mass transit between Green and the surrounding region.

We envision a desired mix of development occurring in an orderly manner which:

- a. Assures high quality development and enhances the physical appearance of Green;
- b. Promotes future economic development which has high quality landscaping, buildings, access and site design, both within the project and around its periphery;
- c. Promotes growth that protects and encourages conservation of natural resources and open space by promoting environmentally sound policies;
- d. Encourages municipal fiscal balance in an effort to minimize taxes through appropriate land use policy; and
- e. Reduces negative impacts between contrasting and potentially incompatible land uses, i.e. retail and residential.

We envision a community that offers a wide range of housing options with respect to type of living environments available and affordability.

We envision a community that is developed with a full range of municipal services and facilities, which reflect the expectations of the residents to have:

- a. Centralized utilities throughout higher density locations;
- b. Exceptional parks and recreation facilities convenient and accessible to all residents;
- c. A superior transportation system to minimize congestion within and through the City; and
- d. A storm water management system to control drainage, protect water quality, and prevent flooding within the City.

We envision a community in which Green is an independent community with its own unique identity:

- a. Through the development of a "town center", which creates a community focal point of civic, retail, and office uses;
- b. Through the provision of quality parks and open spaces, both public and private;
- c. Through the balance of land uses that are available to Green residents;
- d. Through the overall quality of development that occurs in the community;
- e. Through the commitment to linking key corridors, planning areas and neighborhoods providing community connectivity; and
- f. With the goal of a single zipcode covering the 33.5 sq miles of the City.

We envision a community that manages its own destiny while being realistically and appropriately responsive to federal, state, and regional trends and developments that may have an impact on Green.