

Minutes: Russell Township Zoning Commission
Russell Town Hall
December 17, 2007

Present: Richard E. Snyder, Chairman
Bruce Murphy
Elizabeth Rader
Eileen Rogers
Donna Weiss Carson
Diana Steffen, Secretary

Also in attendance: Ric Machnics, Zoning Inspector, and Jim Dickinson, Chairman of the Board of Trustees.

The Chairman called the meeting to order at 7:33 p.m.

MINUTES OF NOVEMBER 19, 2007 – *Mr. Murphy made the motion to accept the minutes as presented, Ms. Rader seconded and the motion passed unanimously.*

PUBLIC HEARING – AMENDMENT 2007-4 Riparian Setbacks

The Secretary confirmed that a legal notice for this hearing was published in the Chagrin Valley Times and News Herald on 12/6/07 and was posted at the Administration Building. The amendment was available for examination in the Fiscal Officer's Office for ten days prior to the hearing.

Mr. Murphy made the motion to open the public hearing for Amendment 2007-4, Ms. Rader seconded and upon roll call the vote was Mr. Murphy – yes, Ms. Rader – yes, Mrs. Rogers – yes, Ms. Weiss Carson – yes, Mr. Snyder – yes, and the motion passed unanimously.

Mr. Snyder explained the background and purpose of the amendment. Due to the Clean Water Act the Ohio E.P.A. enacted a Stormwater Management Program for urban townships as part of the Phase II requirements. Within this program Minimum Control Measure #5 focuses on best management practices. For the Zoning Commission this involves public education, construction site stormwater runoff and post-construction stormwater management. As part of the Commission's due diligence when considering riparian setbacks, it hosted several public education programs on this topic. Already the Commission has recommended amendments on impervious surface, open space and water management and sediment control for earth disturbing activities; modifying riparian setbacks is another means of protection.

The purpose of this amendment is to reduce flood impacts, slow water flow, and minimize encroachment by buildings and structures in order to reduce potential threats to public health and safety.

**Russell Township Zoning Commission
Modification to Amendment 2007-4
Approved at Public Hearing 12/17/07**

Add comma and replace one word as shown:

Section 4.16 G

1. Crossings of designated watercourses through riparian setbacks with roads, driveways, easements, bridges, culverts, utility service lines (including sanitary sewer, water, septic system, storm sewer, electric, natural gas, telephone, and cable for television and other digital transmission), or other means may be permitted, subject to the other regulations contained in this Resolution and the regulations enforced by the Geauga SWCD and the Geauga County Engineer. If work will occur below the ordinary high water mark of the designated watercourse, proof of compliance with the applicable conditions of a U.S. Army Corps of Engineers Section 404 Permit (either a Nationwide Permit, including the Ohio State Certification Special Conditions and Limitations, or an Individual Permit, including Ohio 401 water quality certification), shall also be provided to the Zoning Inspector. Proof of compliance shall be the following:
 - a. A site plan showing that any proposed ~~erossingproject~~ conforms to the general and special conditions of the applicable Nationwide Permit, or