

Minutes: Russell Township Zoning Commission
Russell Fire-Rescue Station
May 23, 2012

Present: Richard E. Snyder, Chairman
Bruce Murphy
Ben Kotowski
Donna Weiss Carson
Tom Warren
Diana Steffen, Secretary

Also in attendance: One student resident as shown.

The Chairman called the meeting to order at 7:45 p.m., and amended the agenda by adding approval of the minutes of the last meeting as the first item. He also added 'Environmental Issues' after the discussion of Survey Questions as part of Item #VII, Land Use Guide Plan Update.

MINUTES OF APRIL 25, 2012 – *Mr. Murphy moved to accept the minutes as presented, Mr. Kotowski seconded and the motion passed unanimously.*

AMENDMENT #2012 -1 – PUBLIC HEARING

Ms. Weiss Carson moved to open the public hearing for Amendment #2012-1, Mr. Kotowski seconded and the motion passed unanimously.

Mr. Snyder explained that this amendment adds language to Section 5.2.B at the third asterisk in order to clarify that the side yard fronting on a street shall be subject to the same restrictions as a front yard. Mr. Snyder read aloud the full text. Text of the amendment is attached to these minutes as Amendment #2012-1 Exhibit A, as if fully rewritten.

There being no comments from the audience, *Mr. Kotowski moved to close the public hearing, Mr. Murphy seconded and the motion passed unanimously.*

In order to consider the recommendation from the Geauga County Planning Commission (G.C.P.C.), *Mr. Murphy moved to re-open the public hearing, Mr. Kotowski seconded, and the motion passed unanimously.*

The Commission considered the recommendation from the G.C.P.C., contained in its letter of May 9, 2012, in which it stated that it had voted to recommend approval of the amendment at its meeting on May 8, 2012.

Mr. Warren moved to close the public hearing, Mr. Murphy seconded and the motion passed unanimously.

Mr. Murphy made the motion that the Russell Township Zoning Commission recommends approval of proposed Amendment #2012-1 to the Russell Township Zoning Resolution, Mr. Kotowski seconded and upon roll call the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously by 5-0.

AMENDMENT #2012-2 – PUBLIC HEARING

Mr. Warren moved to open the public hearing for Amendment #2012-2, Mr. Kotowski seconded and the motion passed unanimously.

Mr. Snyder explained that this amendment will allow the Zoning Inspector to review a lot split before transfer at the County level, which should avoid a nonconforming lot being created. The language used is from a section in the County Model Zoning Resolution. Mr. Snyder read aloud the full text. Text of the amendment is attached to these minutes as Amendment #2012-2 Exhibit A, as if fully rewritten.

The Commission considered the recommendation from the G.C.P.C., contained in its letter of May 9, 2012, in which it stated that it had voted to recommend approval of the amendment at its meeting on May 8, 2012.

There being no comments from the audience, Mr. Murphy moved to close the public hearing, Mr. Kotowski seconded and the motion passed unanimously.

Ms. Weiss Carson made the motion that the Russell Township Zoning Commission recommends approval of proposed Amendment #2012-2 to the Russell Township Zoning Resolution, Mr. Kotowski seconded and upon roll call vote the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously by 5-0.

AMENDMENT #2012-3 – PUBLIC HEARING

Mr. Kotowski moved to open the public hearing for Amendment #2012-3, Mr. Murphy seconded and the motion passed unanimously.

Mr. Snyder explained that this amendment will provide guidance to the Board of Zoning Appeals when considering a conditional use application, in situations where traffic impact studies may be appropriate. Text of the amendment is attached to these minutes as Amendment #2012-3 Exhibit A, as if fully rewritten.

The Commission considered the recommendation from the G.C.P.C., contained in its letter of May 9, 2012, in which it stated that it had voted to recommend approval of the amendment at its meeting on May 8, 2012. Mr. Snyder said that the approval was subject to one comment, "Recommend a condition should be considered that an ODOT entrance permit shall be secured by the applicant if the proposed use is to have ingress/egress to a state route." David Dietrich had suggested this as part of his informal comments prior to the amendment being initiated, and the Commission had decided at that time not to include the extra requirement. Upon discussion it was agreed that this requirement is not used anywhere else in the Zoning Resolution, that this is not a zoning issue, and that people must obtain entrance permits if they build on a state route regardless of whether they apply to the B.Z.A. for a conditional use. After considering the G.C.P.C.'s comment the Commission elected to proceed with the language as currently written.

There being no comments from the audience, Mr. Murphy moved to close the public hearing, Mr. Kotowski seconded and the motion passed unanimously.

Mr. Warren made the motion that the Russell Township Zoning Commission recommends approval of proposed Amendment #2012-3 to the Russell Township Zoning Resolution, Mr. Kotowski seconded and upon roll call vote the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously by 5-0.

AMENDMENT #2012-4 – PUBLIC HEARING

Mr. Murphy moved to open the public hearing for Amendment #2012-4, Ms. Weiss Carson seconded and the motion passed unanimously.

Mr. Snyder explained that this amendment will replace the current definition of 'family' with a more appropriate definition. He read aloud the text of the amendment. Text of the amendment is attached to these minutes as Amendment #2012-4 Exhibit A, as if fully rewritten.

The Commission considered the recommendation from the G.C.P.C., contained in its letter of May 9, 2012, in which it stated that it had voted to recommend approval of the amendment at its meeting on May 8, 2012.

There being no comments from the audience, Mr. Murphy moved to close the public hearing, Mr. Kotowski seconded and the motion passed unanimously.

Mr. Murphy made the motion that the Russell Township Zoning Commission recommends approval of proposed Amendment #2012-4 to the Russell Township Zoning Resolution, Mr. Kotowski seconded and upon roll call vote the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously by 5-0.

AMENDMENT #2012-5 – PUBLIC HEARING

Mr. Warren moved to open the public hearing for Amendment #2012-5, Mr. Murphy seconded and the motion passed unanimously.

Mr. Snyder explained that this amendment replaces the title of 'Clerk' of the Township to 'Fiscal Officer' of the Township in accordance with state law. This change is made twice in Section 2 Definition of Terms, and once each in Section 5.9.5.c, Section 6.1.E.3, Section 6.5.D.21.B, Section 9.11, and Section 10.9.

The Commission considered the recommendation from the G.C.P.C., contained in its letter of May 9, 2012, in which it stated that it had voted to recommend approval of the amendment at its meeting on May 8, 2012.

There being no comments from the audience, *Mr. Warren moved to close the public hearing, Mr. Murphy seconded and the motion passed unanimously.*

Ms. Weiss Carson made the motion that the Russell Township Zoning Commission recommends approval of proposed Amendment #2012-5 to the Russell Township Zoning Resolution, Mr. Kotowski seconded and upon roll call vote the vote was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously by 5-0.

LAND USE GUIDE PLAN UPDATE – Survey Questions – Mr. Snyder said that the Commission will need to decide whether to change or delete some questions from the 1995 survey, and whether to add some new questions in order to develop the proposed survey of residents. The main difference between 1995 and today is that the population of Russell Township is aging, so he asked if the Commission should form some questions as to what land use changes the community may want or need as they age. He noted that a comparison of the Census population figures from 2000 and 2010 shows a loss of 339 people, or six percent. A discussion took place regarding the reasons for the change, the number of vacant homes, the lack of senior services at the Township level, and amenities that would encourage young families to move into Russell. Mr. Snyder suggested asking David Dietrich for advice on how to compile survey questions that would seek opinions about land use issues that may be attractive to young families and about land use changes to meet the needs of senior residents.

The Commission suggested asking questions regarding renewable energy, oil/gas well drilling and mandatory pooling. Mr. Murphy recommended breaking out the respondents into age groups so they can compare data from different age groups.

Action Item: Mr. Snyder to call Mr. Dietrich about compiling survey questions regarding attracting young families, land use changes that may benefit senior residents, alternative energy, oil/gas well issues, and to ask him for some sample questions that might address these issues. Mr. Kotowski to review Census information to see if the three areas that the Census split the Township into have any major differences.

Environmental Issues – Mr. Warren reported that he and Mr. Snyder met with Dr. Yoram Eckstein, who advised that he was available to do work for the Township over the Summer at a rate of \$250 an hour and of \$50 for a graduate student. He could conduct a water quality analysis from 50 randomly distributed wells around the Township, using publicly-accessible wells or private wells as necessary. He can also do an analysis on the contamination risk to the aquifer from oil/gas drilling. Dr. Eckstein said that as a matter of geology, any contamination that happened would be localized and not very relevant, but it would be greatly disruptive to the affected residents. His approach would be to look at how much development the aquifer can sustain, with an analytical model of what will work for the future of the community and what will not work. The overall cost would be between \$30,000 and \$100,000. Mr. Warren said Dr. Eckstein is

