

Minutes: Russell Township Zoning Commission
Russell Fire-Rescue Station
July 28, 2010

Present: Bruce Murphy, Vice-Chairman
Donna Weiss Carson
Wendy Bruzas
Ben Kotowski
Diana Steffen, Secretary

Chairman Richard Snyder was absent due to an emergency, and Zoning Inspector Ric Machnics was out of town.

The Vice-Chairman called the meeting to order at 7:35 p.m.

MINUTES OF JUNE 23, 2010 – *Ms. Weiss Carson made the motion to approve the minutes as written, Mr. Kotowski seconded and the motion passed unanimously by 3-0. Ms. Bruzas abstained due to her absence from that meeting.*

CONSERVATION EASEMENT ZONING – Mrs. Steffen reported that out of 12 letters mailed to owners of properties with conservation easements, four have been returned to date. Today was the requested deadline. Of the four returned, two supported a new conservation zone and rezoning their properties, one supported a new zone but did not think rezoning of their property was applicable, and one was against a new zone and rezoning of his property. Mrs. Steffen said she just learned that the Geauga Park District has conservation easements on its properties, but since those properties are zoned Passive Park District already, she questioned whether a letter should be sent to the G.P.D. The board agreed this was not necessary. Mr. Murphy said he spoke to Ed Meyers, Western Reserve Land Conservancy, who had received one phone call from someone concerned about the tax implications of a rezoning. Currently a donated easement is a charitable donation for tax purposes, and Mr. Meyers advised that as long as any zoning changes are made after the easement is written, this would not be an issue.

Action Item: Mrs. Steffen will report back on any more responses at the next meeting.

FOOD SERVICE OPERATIONS – The board discussed the redrafted section for the buffer zone. Mr. Murphy suggested some changes to the language to simplify the section. He asked about the frontages and widths of lots that could be used for food service.

Action Item: Mr. Kotowski will rewrite the buffer zone paragraphs. Mrs. Steffen will research frontages.

ESTABLISHMENT OF ZONES – Due to Mr. Snyder's absence this subject will be postponed until the next meeting.

LAUREL SCHOOL PROPERTY – Mr. Murphy said he spoke to Trustee Jim Dickinson, who is concerned at the future use of the property. They had discussed the possibility of asking Laurel School for deed restrictions and an easement with development rights transferred to another entity, such as the Western Reserve Land Conservancy. If the property was sold it would be protected from certain types of development. This is not a Zoning Commission issue, but the next time Laurel School asks for a major modification of its Conditional Use that would be the appropriate time for the Trustees to approach the school with some suggestions for future protection of the property.

NOISE ISSUE – Mrs. Steffen explained that last year Mr. Dickinson had asked her to find out if any townships regulate noise under the general welfare legislation. She asked David Dietrich of the Geauga County Planning Commission, who wrote an email to say that no townships in Geauga County have done so, but he sent some examples of other Ohio townships which have done so. He had also said that some townships in Ohio control noise in residentially zoned area under O.R.C. Section 505.172. This is not within the realm of zoning but comes under the board of township trustees. Mrs. Steffen said that this

year two residents have recently complained about noise and asked the Township to create a regulation. It appears that a resolution by the Trustees would be the appropriate avenue rather than via a zoning amendment. Mr. Dickinson is currently reviewing a draft resolution that he will discuss with the other trustees.

Regarding noise from wind turbines, Mr. Murphy said he has researched this, and there is generally less than 50 decibels at peak, and the loudest ones are not more than five decibels over ambient noise. He found that some manufacturers have done studies that show that as wind speed increases the turbine and ambient noise only increase five decibels at speeds up to 60 or 70 mph. Turbines have an automated system that when the wind speed goes too high they shut down. He found that sound from turbines is not significant.

Ms. Bruzas said she had a conversation with someone involved in the Bainbridge controversy, who told her that the turbines are louder than manufacturers claim, and there are concerns about vibration, sleep disturbance, the effect on animals, and possible devaluing of property values. Mr. Murphy said that involves the large commercial turbines and the problems have been addressed by going to a slower speed, but the small residential turbines do not have such problems. He has reviewed information from the American Wind Energy Association that said that for residential use the generating capacity can be between five and 15 kilowatts. He said there are several studies on noise and the recent ones take into account changes that have been made to design in the last 15 years. The noise is much less of an issue than it was 15 years ago.

Action Item: Brett Anderson hopes to attend the next meeting with the results of his research into the wind turbine noise question.

There being no other business, Ms. Weiss Carson moved to adjourn, Ms. Bruzas seconded and the meeting adjourned at 8:35 p.m.

Respectfully submitted,

Diana Steffen
Secretary

Date

Bruce Murphy
Vice-Chairman

Date