

Minutes: Russell Township Zoning Commission
Russell Fire-Rescue Station
November 30, 2011

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

Also in attendance: Ric Machnics, Zoning Inspector.

MINUTES OF OCTOBER 26, 2011 – *Mr. Murphy made the motion to accept the minutes as submitted, Mr. Madden seconded and the motion passed unanimously.*

CHUCK JOHNS – REPORT ON DAM SAFETY MEETING – Mr. Snyder explained that the agenda was set before he had spoken to Mr. Johns. According to Mr. Johns, there was not much information presented that was pertinent to the Zoning Commission, since the meeting focused on large dams and did not discuss dredging behind the dams. Mr. Snyder said that as a result he did not feel that it would be helpful for Mr. Johns to report on the meeting tonight, and so he did not invite him to attend. However, it was said that a pond that touches on several owners' properties, including a homeowners association and private landowners, is therefore owned collectively by all those entities.

APA PLANNING & ZONING WORKSHOP REPORT – Mr. Snyder and Mr. Murphy had attending the workshop on 11/18/11. Mr. Murphy said they attended sessions on land use guide plans. Cleveland State University, Department of Urban Studies, has a group that focuses on assisting rural areas and townships with low-cost approaches to writing guide plans. For a fee it will guide a township through the process of developing a plan, with the township itself doing the work. Mr. Snyder said that on checking the Zoning Office files of the current plan's process, he noticed that the previous committee recommended allowing four years for the next update. He also said that at the workshop they were told that Cleveland State assisted Southington Township, near Warren, with a guide plan for \$13,000. He explained some zoning issues in Southington.

RETAIL FOOD SERVICE DRAFT AMENDMENT – Mr. Kotowski explained that he had obtained language on traffic impact studies from a number of sources. The Commission approved the language he suggested except for one item, and agreed to insert it into Section 6.4 General Standards for Conditional Uses, as a second paragraph in B.

The Commission reviewed the draft for Retail Food Service, and removed mention of a traffic impact study and the word 'Operation' in two places so as to maintain consistency throughout the regulation.

Mr. Snyder then reviewed the draft to split the two commercial zones, and asked whether the Commission should obtain surveys on the lots involved. Mrs. Steffen referred to Section 3.3 Interpretation of Zone and Overlay District Boundaries, and the Commission agreed that section will suffice for now. Mr. Snyder asked for suggestions for other uses in the C-S districts. The Commission agreed to allow sales and service of bicycles, since that would have little environmental impact. The word "bicycles" will be deleted from Section 4.7.P. Ms. Weiss Carson noted that Section 4.7.S, prohibiting restaurants and carry-outs, will need to be deleted.

Mr. Snyder discussed the conflict between Section 4.7.U, prohibiting any uses not specifically permitted in all zones, and Section 5.3.B, Permitted Accessory Uses in the C-S zone, which permits "Other customary accessory uses and structures which are clearly incidental to the principal uses or structures." It also conflicts with Section 5.2.A.2 Residential District. The Commission discussed this but did not reach a consensus. Mr. Snyder said he will check his notes from his meeting with Mr. Dietrich and Ms. Salem to see their recommendation on this topic.

Ms. Weiss Carson suggested that dry-cleaning and laundry services be permitted, since it would involve only drop-off and pick-up, and they could prohibit the actual cleaning operation which is now usually done at another central location. The Commission discussed and approved this change. Section 4.7.R will be amended to read, "No on-site commercial dry-cleaning and/or laundry operations shall be permitted within the Township."

The Commission reviewed the sections found by Mrs. Steffen where the commercial zones are mentioned throughout the Zoning Resolution. Changes will be made to Section 4.7, 4.11, 5.4, 6.5.F and 6.5.H.

Members agreed to review Section 4.11 Signs for correct grammar in use of the word "commercial" at a later time. This will not be included in the proposed amendment.

Mr. Snyder said he would like this amendment to be finalized at the next meeting so it can be sent to the Planning Commission for informal review.

Action Item: Mr. Snyder will review his notes from his discussion with Mr. Dietrich and Ms. Salem regarding Section 4.7.U. Mrs. Steffen will add traffic impact study language to Section 6.4.B. She will finalize proposed Section 6.5.J Retail Food Service and new sections 5.3.1 C-S-1 and 5.3.2 C-S-2. She will re-draft other sections to be amended as a result of splitting the commercial zones. She will also draft a redline version of Section 4.7 Prohibited Uses.

DEFINITION OF FAMILY, DWELLING & IN-LAW SUITE – The Commission discussed another word that could be used in Mr. Madden's definition of functional equivalent of family, instead of "permanent" in "are permanent and stable." Mr. Snyder suggested removing it and leaving "are stable", Mr. Kotowski suggested "long term". Mr. Madden said the spirit of this language was to prevent high turnover, and he suggested, "demonstrate the desire for a stable living situation." Mr. Murphy suggested, "enduring," "durable," "long term," "ongoing," or a combination of these words. After discussion the Commission agreed to "ongoing, non-transient and stable."

Mr. Snyder suggested adding wording to Section 5.2.A.2 regarding other accessory uses that would include in-law suites and caretaker suites. Mr. Madden recommended dealing with caretaker suites at a later time since they are entirely different from in-law suites. He also felt that because the definition of family will encompass in-law suites, and because in-law suite is not defined separately, that they should not be included. After discussion of Section 4.7.U which states that anything not specifically permitted is prohibited, it was agreed to add to Section 5.2.A.2: "Other uses customarily incidental to permitted principal uses on the property or lot *such as in-law suites*."

Action Item: Mr. Snyder will review Jim Dickinson's folder from about ten years ago when caretaker suites were discussed. Mrs. Steffen will draft a proposed amendment for the definitions as approved.

2012 MEETING SCHEDULE – The Commission approved the schedule drafted by Mrs. Steffen. Mr. Snyder advised that by April or May next year the Commission will need to start working on the update of the Guide Plan. He has been asked to look at different ways to approach the update and to present them to the Trustees.

OTHER BUSINESS – Mr. Murphy described an oil and gas meeting he had attended regarding fracking.

There being no other business Mr. Murphy moved to adjourn, Mr. Madden seconded and the meeting adjourned at 10:00 p.m.

Respectfully submitted,

Diana Steffen
Secretary
zc minutes 11-30-11

Date

Richard E. Snyder
Chairman

Date