

Minutes: Russell Township Zoning Commission
Russell Fire-Rescue Station
January 23, 2013

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

Also in attendance: Ric Machnics, Zoning Inspector.

Chairman Richard Snyder called the meeting to order at 7:38 p.m.

ELECTION OF OFFICERS – *Mr. Murphy moved to open the floor to nominations, Mr. Warren seconded and the motion passed unanimously.*

Mr. Murphy moved to nominate Mr. Snyder as Chairman for 2013, Mr. Kotowski seconded.

Mr. Kotowski moved to nominate Mr. Murphy as Vice-Chairman for 2013, Mr. Warren seconded.

Mr. Warren moved to close the floor to nominations, Mr. Kotowski seconded and the motion passed unanimously.

Upon roll call the vote to re-elect Mr. Snyder as Chairman was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously.

Upon roll call the vote to re-elect Mr. Murphy as Vice-Chairman was Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes, Mr. Snyder – yes, and the motion passed unanimously.

Mr. Snyder and Mr. Murphy were re-elected as Chairman and Vice-Chairman respectively.

MINUTES OF DECEMBER 19, 2012 – *Mr. Warren made the motion to accept the minutes as presented, Mr. Murphy seconded and the motion passed unanimously.*

GUIDE PLAN UPDATE: General, Schedule and Survey – Schedule - Mr. Snyder said he would like to give all the data collected by the Commission to David Dietrich by June or July, but the timing is flexible if any member needs more time to complete their topic. He asked everyone to be aware that the information they are updating may have different attributes now than the old data, and he asked that those be documented along with the sources of the data.

Survey – Mr. Snyder reported that 622 surveys have been processed. The C.S.U. consultant, Kathy Hexter, will present an interim report to the Zoning Commission at its February 27th meeting with highlights of the preliminary analysis. This will be the Commission's opportunity to provide feedback and direction. After that meeting C.S.U. will compile a draft report by mid-March, which the Commission will discuss at its March meeting and again give feedback. In April C.S.U. will make a public presentation of the final report, which the Trustees may wish to have done at a regular Trustees meeting, special meeting or at a regular Zoning Commission meeting. Mr. Kotowski recommended asking the newspapers to write an article about the preliminary report and announce the date for the public presentation to the residents.

General – Mr. Snyder asked the Commission to consider including a section in the Guide Plan about oil and gas drilling and fracking as it relates at this time to Russell and to Ohio. Ms. Hexter has indicated that from the survey results the residents overwhelmingly support a return to local control over drilling. Mr. Warren mentioned that if the Township can do base level testing of some water wells then those

results could be included in a discussion of the current laws and of the residents' opinions. The Commission agreed that such a section is a good idea.

Environmental – Mr. Snyder said he met with the Chagrin River Watershed Partners. They will prepare data and information on what the Township has accomplished over the last 20 years. This includes the amendments for impervious surface, riparian setbacks including wetlands, water management and sediment control, and information on flood plains and existing dams. Ms. Weiss Carson said the Balanced Growth Plan and the map of protected conservation areas should be included, and it was decided to mention it in both the Environmental section and the Land Use Patterns section. She will wait to see what these sections cover before adding information on the Balanced Growth Plan to the section on Regional Relationships. Mr. Snyder mentioned that the Balanced Growth Plan should be adopted as part of the updated Guide Plan.

Demographic Trends – Mr. Kotowski explained that he and Mrs. Steffen have determined which lots are still buildable in the Township. Mrs. Steffen has put the data on a spreadsheet and documented the methodology used. However, Mr. Kotowski said he has reservations at using this information, since the large lot zoning is based on water availability, and showing that there are not a large number of buildable lots per the zoning could cause an attack on the zoning to ask for smaller lots. Lots with conservation easements were not included in the list of buildable lots but he wondered if there is a slight potential they could be developed in the future. Ms. Weiss Carson said that the legal counsel for the Western Reserve Land Conservancy had stated at a meeting that the easements are written to be in perpetuity, and she did not believe the Commission should consider such lots. She would prefer the Guide Plan to mention they are under the protection of the W.R.L.C. and will not be developed.

Action Item: Mr. Kotowski volunteered to determine the percentage of conservation easement lots and parkland lots to the acreage of the buildable lots, so that the Z.C. may consider questions relating to the amount of future possible development in the Township, and the resulting depletion of the aquifer.

Land Use Patterns – Mr. Murphy said he has asked the Geauga County G.I.S. department for the system they use to classify land use, so he can then break it down into basic land use patterns. With no unforeseen issues he said the work should not take him too long. Mr. Snyder asked him to keep the Commission updated as to his progress.

Action Item: Mrs. Steffen to update the page in the Guide Plan that deals with existing roads, public utilities and governmental facilities and public institutions.

Regional Relationships – Ms. Weiss Carson said that both of her contacts at N.O.A.C.A. and C.R.W.P. no longer work there, so progress has been delayed. She has asked both agencies for a promotional write-up explaining what they do for townships and specifically what they do for Russell. C.R.W.P. has written up two paragraphs, but Ms. Weiss Carson will not finalize them until it is determined which information will be included in other sections. She will then use items not covered elsewhere. She confirmed she could have this work completed by June or July as long as she is told what is being included in the other sections. Ms. Weiss Carson will review other guide plans written by the Planning Commission to see how regional relationships were handled.

OIL AND GAS – SEISMIC TESTING – Mr. Snyder said there is a video available online of the oil and gas meeting held in Munson Township recently, and the reaction by residents was that the forum speakers were pro fracking. However, when there is an issue with a well it is usually due to failure of the well casing and not due to the fracking process. The speakers addressed this issue by assuring the public that strict oversight measures are in place to protect the state's aquifers. The website "fracracker" is keeping track of well casing failures in Pennsylvania. Because approximately 78% of Russell households responded in the survey that they would like to return to local control of oil and gas drilling, he would like to have a section in the updated Guide Plan that would discuss the current state of oil and gas extraction including the level of oversight provided by the State. There are areas in the Township where several lots could be combined to make up 8 acres for a well pad. With mandatory pooling there could be enough acreage for horizontal wells. Mr. Snyder handed out an O.D.N.R. map of Ohio created last summer that

shows a much larger potential area for horizontal drilling than was previously expected. This includes Geauga County which is rated Excellent to Poor going from east to west. Mr. Murphy noted that when the seismic data is included the map will change again. The Commission agreed to have a section on oil and gas in the updated Guide Plan.

Mr. Snyder said that the 'fractracker' website has been successful in Pennsylvania and is now being set up in Ohio and other states. One tool on it is for water quality where residents can voluntarily enter their water well testing data. He would like to find out if this portion can be implemented for Russell Township or Geauga County. Mr. Warren has volunteered to look into this.

Action Item: Mr. Snyder will speak with attorney Jeff Huntsberger to see if he would be willing to meet with the ZC at a future meeting. Mr. Warren will research the fractracker website.

COURT OF APPEALS DECISION – JONES VS. AUBURN TOWNSHIP – The Commission discussed this case that dealt with a wind turbine that the owner claimed was for agricultural use.

There being no other business Mr. Kotowski moved to adjourn, Mr. Warren seconded and the meeting adjourned at 9:18 p.m.

Respectfully submitted,

Diana Steffen
Secretary

_____ Date

Richard E. Snyder
Chairman

_____ Date

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