

Minutes: Russell Township Zoning Commission
Russell Fire-Rescue Station
August 27, 2014

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

The Chairman called the meeting to order at 7:45 p.m.

MINUTES OF MAY 28, 2014 – *Mr. Murphy made the motion to accept the minutes as presented, Mr. Warren seconded and the motion passed unanimously.*

DEMOGRAPHICS – Mr. Kotowski referred the Commission to Dropbox where he had added a file titled, "Demographics Narrative." He explained that it is an introduction to the main points that have come up in his research, and includes many of the statistics. He said more work needs to be done on some of the points. He reviewed the document with the Commission. The topics were an aging population, housing, population growth, occupations, education and income, and race and ethnicity. In discussing the lack of minorities in the Township, Mr. Warren suggested that the reason may not be anything to do with the Township zoning, since other townships have different zoning but similar demographics. Mr. Snyder recommended leaving the paragraph in the narrative, and asking David Dietrich, as the planner, whether to include it or not. Mr. Kotowski said his narrative could be divided between other chapters if it is decided not to have a separate chapter devoted to demographics.

Action Item: Mr. Kotowski will rewrite the paragraph on race and ethnicity. The Commission will read over the narrative for further discussion at the next meeting.

RETAIL FOOD SERVICE AMENDMENT – Mrs. Steffen had drafted a new redline version as a result of changes made during the May meeting. Mr. Warren reviewed the latest draft and suggested some minor changes for consistency or clarification. Additionally, Mr. Dietrich had asked Gerry Morgan of the Department of Water Resources for his comments on the amendment as far as the new sewer line at the SR 306/87 intersection. Mr. Morgan had written a letter to him dated 06/13/14 with a list of suggested points to add to the amendment to cover his department's requirements. During discussion of this request, Mrs. Steffen suggested blanket language to satisfy Mr. Morgan's requirements without entering into detail, similar to paragraph 6.5.J.2 regarding water supply. The Commission agreed to add a new paragraph under that one, "Written confirmation must be provided from the Geauga County Department of Water Resources that there is sufficient sewer system capacity and availability, and that the applicant is in compliance with all requirements of the Geauga County Department of Water Resources."

A lengthy discussion took place regarding Section 6.5.J.8.d, which regulates hours of operation for Exterior Dining. In his informal comments on the proposed amendment Mr. Dietrich had quoted the Ohio Supreme Court case, Bainbridge vs. Funtime, Inc, from 1990, which ruled against the regulation of hours of operation of a commercial business. Mr. Warren said that although the Township's noise resolution can only be used in residential zones, the same provision in the state statute does allow noise regulation of businesses with Class D liquor permits. Mr. Warren suggested asking the Board of Trustees if they wished to pass another noise resolution to cover such businesses.

Action Item: Mr. Snyder will contact the Board of Trustees regarding the regulation of hours of operation due to noise, and the question of a noise resolution for businesses with Class D liquor permits.

LARGE LOT ZONING PROJECT – Mr. Snyder said he has been working with Christina Znidarsic at the Chagrin River Watershed Partners. CRWP produced color maps of three subdivisions in Russell which identify all the impervious areas. The subdivisions chosen were Rivendell, Hunting Hills and Russell Park

Estates. He explained that the impervious areas shown consist of roads, driveways, pools with concrete aprons, and outbuildings including the concrete driveways to them. Landscaped yards are labeled 'Developed Open' since the soil is likely to be compacted resulting in less infiltration and more runoff. The remaining area within the subdivisions is labeled 'Forest' since it is undisturbed woodland. A few areas are shown as 'Natural Open' which refers to somewhat cleared areas with scrubland. Rivendell is a Planned Residential Development in an R-5 zone but the average lot size is nearly 4 acres instead of the permissible 3 acres. Hunting Hills is in an R-5 zone. Russell Park Estates was built when the zoning was 1.5 acre minimum and the lots on the east side of the road have more areas designated as Developed Open, whereas those on the west side have less. Those lots on the west side are lower because they are longer and larger lots that drop down to the Chagrin River. This also explains why the average lot size is higher than 1.5 acres.

Mr. Snyder reviewed some tables that he and CRWP had developed: 1) Delineates a category for every acre in each subdivision; 2) A breakout of the percentage of land for each use; 3) A breakout of impervious acreage by the number of houses in each subdivision; 4) A breakout of the developed open acreage and average forested acreage by the number of houses in each subdivision.

Rivendell has a slightly higher impervious area percentage than might be expected for a PRD, but Mr. Snyder noted that because the road goes through a wet area where there are no houses that situation means the road is extended farther which adds to the impervious surface average per lot. He also pointed out that although both Hunting Hills and Russell Park Estates have a similar number of houses (38 and 44 respectively) Hunting Hills has double the acreage and yet both have a similar average of impervious surface per house acreage. Rivendell has almost double that average compared to Russell Park Estates, which may be due to the number of swimming pools and outbuildings in Rivendell.

Mr. Snyder explained Table 4 in which he calculated the average forested acres per house. This depends on the zone: Russell Park Estates, with 1.5 acre zoning, has 1.36 acres of forest per house, Hunting Hills, with 5 acre zoning, has 3.78 acres of forest per house, and Rivendell, a PRD, has the highest at 4.35 acres of forest per house. As far as the standard developments with 1.5 acre and 5 acre zoning, he said the analysis shows that with the same number of houses, by requiring larger acreage the amount of forested acreage available for groundwater recharge and for septic systems and well water more than doubles. Mr. Snyder said this shows that the zoning is effective in resulting in more open natural areas, as requested by residents in the land use surveys conducted 20 years ago and again two years ago. It justifies the large lot zoning to preserve the residents' desired lifestyle. He said more subdivisions will be analyzed and CRWP will work on Hemlock Hills next. The Commission agreed that a summary of this information should be included in the Guide Plan.

There being no other business, Mr. Murphy moved to adjourn, Ms. Weiss Carson seconded and the meeting adjourned at 9:50 p.m.

Respectfully submitted,

Diana Steffen
Secretary

Date

Richard E. Snyder
Chairman

Date

zc minutes 08-27-14