

Minutes: Russell Township Zoning Commission
Russell Fire-Rescue Station
September 24, 2014

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

Also in attendance: Jennifer Dorka, Administrative Assistant.

The Chairman called the meeting to order at 7:37 p.m.

MINUTES OF AUGUST 27, 2014 – *Mr. Murphy made the motion to approve the minutes as amended, Mr. Warren seconded and the motion passed unanimously.*

LAND USE GUIDE PLAN – DEMOGRAPHICS – The Commission discussed the Demographics narrative prepared by Mr. Kotowski, who had rewritten the Race and Ethnicity section as a result of comments from the previous meeting. He suggested including this in the Guide Plan to show that the lack of racial diversity in the Township may not be caused by large lot zoning. Ms. Weiss Carson suggested dealing with land use planning only and not including this section. Mr. Warren suggested comparing Russell's diversity with a township that does not have large lot zoning, which Mr. Kotowski said he will do. He will also include percentages for Geauga County.

Regarding the section on An Aging Population, Mr. Kotowski will add percentages for the senior population. Regarding the chart of Population Pyramid by Age and Sex, Mr. Warren pointed out that the percentage figures for males and females under age 9 in 2010 are not accurate. Mr. Kotowski will check the census figures. The Commission reviewed the other charts and suggested some additions or corrections.

Action Item: Mr. Kotowski will make all changes suggested. The Commission will review the charts for accuracy. Mrs. Steffen will proofread the narrative, and Mr. Warren will then edit it and shorten the race and ethnicity section.

RETAIL FOOD SERVICE AMENDMENT – The Commission agreed that the redline draft amendment revised at the August meeting was now ready to be initiated. There being a question still as to whether the hours of operation for exterior dining can be regulated, Mr. Warren had drafted a noise resolution that could be adopted by the Township Trustees. He said he based it on the one adopted for residential districts, and it would only apply to establishments with Class D liquor permits. The Commission discussed the legality of including proposed paragraph 9.d (hours of operation for exterior dining). There was consensus to proceed with the amendment as written.

Mrs. Steffen reviewed the changes already made to Section 4.7 Prohibited Uses, and no further changes were discussed. Mr. Snyder discussed the amendment that has been drafted to separate the two C-S zones in order to permit Retail Food Service at the C-S properties that are connected to the new sewer line at the S.R. 306/S.R. 87 intersection. The amendment will also include changes throughout the Zoning Resolution that are required as a result. No further changes are required. Mr. Snyder said that the Zoning Map will also be amended to split the two zones and to correct a long-standing error on the map. This involves three parcels that are privately owned but were incorrectly shown as Passive Park District when the Zoning Map was amended in 1989. Mr. Dietrich recommended passing an amendment to correct this error. Mrs. Steffen said the residents who own the parcels have not yet been notified. She also noted that the Geauga County Planning Commission has already drafted all the required changes on the Zoning Map.

Mr. Snyder said that the Planning Commission will ask again that legal descriptions of the commercial zones be included in the Zoning Resolution. However, he has reviewed the legal descriptions in other townships' zoning resolutions. These descriptions are insufficient since they do not include accurate directions, for example when a boundary falls along a line at 57 degrees the description simply says "head easterly," which is off by more than 30 degrees. Listing each of the parcels provides the opportunity for someone to refer back to the deeds for the complete surveys, which he recommended as a better way to identify the parcels. If the Zoning Resolution includes the legal descriptions, as requested by the Planning Commission, they will need to include them for all commercial zones. Mr. Snyder offered to ask Mr. Dietrich and legal counsel again exactly why they recommend including legal descriptions.

Mr. Snyder asked for amendments to be prepared for initiating at the next meeting, depending on if the hearing dates for the Zoning Commission and the Board of Trustees will conflict with the holiday season. He suggested Mr. Murphy attend the Geauga County Planning Commission meeting when it discusses the amendments.

Action Item: Mr. Snyder to contact Mr. Dietrich and the Assistant Prosecuting Attorney regarding the legal descriptions question. Mrs. Steffen to check the calendar for hearing dates and prepare the amendments for initiating.

GEAUGA COUNTY PARK DISTRICT – Mrs. Steffen said she watched the video of Judge Grendell's talk to the Tea Party group and others that was held recently at The West Woods. She understood him to say that four townships in the county have rezoned Geauga Park District properties to some type of passive park zoning, and that he felt that was not appropriate and must be corrected. It is not known what type of zoning he would like to see on the properties. Mr. Snyder noted that the Park District bylaws have been changed again so that they do not include a complete list of activities permitted, but now basically say anything legal is allowed. He said the next meeting of the Park District Board is scheduled for Tuesday, October 14th at The West Woods, and he suggested sending a letter or resolution prior to that meeting to voice the Commission's opposition to rezoning the parks and the changes to the bylaws.

Action Item: Mr. Warren will write a resolution that can be signed by all members of the Zoning Commission and sent to the Park District Board prior to the October 14th meeting.

OTHER BUSINESS – Mrs. Steffen said that Fred Cuffari, a member of the Board of Zoning Appeals, is resigning due to a job relocation out of state. The B.Z.A. prepared a Resolution of Appreciation for the Board of Trustees to adopt, and which the B.Z.A. would like to have signed by the Zoning Commission as well as the other boards. Mr. Cuffari was an 8-year member of the Zoning Commission, and then moved to the B.Z.A. He has completed 25 years of volunteer public service for Russell Township. Mrs. Steffen had emailed the Resolution to the Commission before the meeting, so everyone signed it at the meeting.

There being no other business, Mr. Murphy moved to adjourn, Mr. Kotowski seconded and the meeting adjourned at 9:38 p.m.

Respectfully submitted,

Diana Steffen
Secretary

Date

Richard E. Snyder
Chairman

Date

zc minutes 09-24-14