

Minutes: Russell Township Zoning Commission  
Russell Fire-Rescue Station  
February 25, 2015

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

Mr. Warren was absent with apologies.  
Also in attendance: Jennifer Dorka, Administrative Assistant.

The meeting was called to order at 7:42 p.m.

**MINUTES OF JANUARY 26, 2015** – There was not a quorum to accept the minutes.

**RETAIL FOOD SERVICE AMENDMENT – DISCUSSION OF NORTHSTAR REPORTS** – Mr. Snyder said, after talking to Mr. Gokorsch, Chairman of the Board of Zoning Appeals, he recommended not meeting with other boards, but to wait for an open discussion of the amendment during the hearing process. Mr. Murphy would like to know if the BZA is able to be flexible when considering the conditions during the hearing for a conditional use application. Earlier zoning resolutions did permit food service, then it was prohibited in the 1970's. With the extension of the sewer line the Township can no longer continue to prohibit it. He suggested asking the Assistant Prosecutor to attend the Trustees' public hearing on the amendment. Mr. Snyder said he will recommend to the Trustees that they invite legal counsel to attend their hearing.

The Commission discussed the question of the type of buffer between a food service establishment and a residential zone. Mr. Snyder and Ms. Weiss Carson said that the board should review the Northstar report on the commercial area, which recommends different types of buffers. Mr. Snyder would like to find a buffer option that would be more affordable for small businesses than the mound with landscaping. Increased setbacks or not permitting food service establishments adjacent to residential zones was also discussed. Mr. Snyder suggested requiring either a 150-foot setback with landscaping or a mound. Mr. Murphy suggested asking the Prosecutor for an opinion on the various options.

Action Item: Mr. Snyder to ask Assistant Prosecutor Ann Mitchell if it would be legal to prohibit food service establishments adjacent to residential zones, and in the alternative the different buffering options the Commission has discussed.

**DEFINE COMMERCIAL DISTRICTS' BOUNDARIES – UPDATE** – Mr. Snyder said that the old zoning resolutions did include legal descriptions of the boundaries of each zone in the manner suggested by the Planning Commission. The change to the C-S and O-B zone descriptions in use today were most likely introduced in the 1992 General Revision of the Zoning Resolution. The Chairman of the Zoning Commission at that time explained that the change was made at the suggestion of the County Prosecutor. The Commission discussed obtaining the deeds with legal descriptions from the County Recorder and asking a surveyor to write legal descriptions of the boundaries of the commercial districts.

Action Item: Mr. Snyder to ask Assistant Prosecutor Ann Mitchell if the legal descriptions of the C-S and O-B zone boundaries, as suggested by the Planning Commission, are based on case law and if that is the current recommendation of the Prosecutor's Office.

Mr. Murphy made a motion to adjourn, Mr. Kotowski seconded and the meeting adjourned at 9:50 p.m.

Respectfully submitted,

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Diana Steffen Date  
Secretary  
zc minutes 02-25-15

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Richard E. Snyder Date  
Chairman