

Austinburg Township
July 15, 2019

The special Zoning Board hearing of Austinburg Township by the Board of Trustees opened 7:00pm. The hearing was in regards to the "Amendment to Zoning Resolution". At a meeting of the Township Zoning Commission held on the 5th day of June 2019, the Zoning commission passed a resolution with some changes to definitions, articles and sections. Residents attending included Jacklyn Krysa, Dave Bailey, Wanda Lahnan, RJ Smoker, Patricia Smoker, Rob Lapuh, Danny Theiss, Susan Avsec, Ted Seifert, Ginny Seifert, Brian Forman, Jean Forman, Edward Millspaw, Pamela Gribbons, Cynthia Zigmund, Joe Hejduk Jr., Phil Miller, Mike Kovacic, Christine Rodebaugh, Clare Polak, Ruth Anne Jesionowski, Jacquie Quine, Gary Quine, Richard Drees, Sheila Arth, Susan Ludik, and Bill Wilms.

John Kusar opened the meeting explaining that the Austinburg Zoning Commission had already had their Public Hearing. So the next step was for the Trustees to call for a Public Hearing and that after the meeting the proposed Amendment would be voted on by the Trustees. After the Trustees vote the changes will go into effect in 30 days unless someone challenges it with a voter referendum. Resident Joe Hejduk Jr. questioned why he didn't know of the previous Public Hearing that Zoning held. Per the Ohio Revised code the notice was put in the paper. Zoning meets the first Wednesday of every month at 5:15 pm.

Meeting was turned over to Byron Dutton since he is the Zoning liaison. Byron Dutton read over the changes. Joe Hejduk Jr. asked for a copy of the "Amendment to Zoning Resolution". The Fiscal Officer made several copies and handed them out to the residents. A resident asked "What private driveway meant." Byron Dutton explained there are several roads in our Township that we as a Township don't maintain. Phil Miller stated that "Family Home" and "Group Home" shouldn't be listed on the changes. John Kusar asked Phil Miller if it was his understanding that this was done to clean up the Zoning Laws making them more user friendly and to update the wording. Jacklyn Krysa who serves on the Zoning Committee, explained this has been a 3 year process in order to get compliant with the new State regulations. The Zoning committee is made up of all volunteers. Jacklyn Krysa said per the Planning Commission they had to remove the "Family Home" and "Group Home" because it wasn't compliant with the fair housing legislation. The Austinburg Zoning commission will work with the Planning Commission to help get the proper wording on those 2 elements. A resident asked what would be put in the place of "Family Home" and "Group Home". Jacklyn Krysa explained that the words would still be in our zoning from 1993 and not changed at this time. Byron Dutton explained that the next big issue will be dealing with "tiny homes" so he encouraged everyone interested in this topic to attend the next zoning meeting. John Kusar wrapped up the public hearing by encouraging the citizens to go online and look up the proposed changes with what is already online for our current zoning text. John Kusar explained that the reason gas wells were being taken out of zoning is because the Township per the State Ohio has no jurisdiction to handle gas wells. John Kusar explained the Ohio Revised Code was the reason for the change in section 1472 which is about fees for violations. Resident Susan Avsec questioned the fence having to be 2 feet inside the property line. Byron Dutton explained this was put in because the home owner has to be

able to get around to clean, paint, etc. the fence. Susan Avsec also questioned the height of the fence why 6 feet. A citizen was concerned about her fence. Jacklyn Krysa explained any fences already up were grandfathered in. John Kusar explained that 6 feet is the average fence height. Sheila Arth questioned what removal from Article 8 incubuses. Phil Miller explained it was a footnote to several things that have already been addressed it is just to remove the footnote. John Kusar asked for final questions plus reminded residence that they are always looking for volunteers to serve on the Zoning Board and Zoning Board of Appeals. Richard Drees asked "what is being done with the 2 dumps on the corners in town." John Kusar explained that the old gas station is in the county's hands. Clare Polak explained they are working on the other property. Jacklyn Krysa asked about getting signs to be used for Zoning. She was told to get prices and bring the information to the Trustees to vote on. Jacklyn Krysa asked for the Web Masters email so the Zoning Board could get their minutes of meetings on line for the residents of the Township.

John closed the Public Hearing at 7:45pm. Short break was taken so people could leave if they so choose.

The regular meeting of the Austinburg Township Board of Trustees opened at 7:50pm. Residents in attendance included Mike Kovacic, Phil Miller, April Tetlow, Andy Tetlow, Lorna Masek, Ruth Ann Jesionowski, Christine Rodebaugh, Dave Bailey Jacklyn Krysa, Mike Petro and Bill Wilms.

Res. 88-19 John moved to accept the minutes as written, Jerry seconded. The roll; Burke, aye. Dutton, aye. Kusar aye.

Res. 89-19 John moved to pay the bills, Jerry seconded. The roll; Burke, aye. Dutton, aye. Kusar, aye.

Bills paid were \$30,736.45 and Receipts were \$2,645.58.

In terms of correspondence we received a notice that the OPWC grant forms for the Forman Rd project Phase 1 #CG18W were received by the State. We received notice that Abbey DeHart is no longer our State OPW rep, it is now William Gaberle. I faxed over the closing paperwork for the Forman Road Phase 2 #CG37V and #CG38V. I met with Kim Jaster and did the exit interview for our State Audit on July 11th. We received confirmation that our Proposed Tax Levy will be on the ballot for Nov. 5, 2019. We received "Notice to Legislative Authorities Objections to Renewal of a Liquor Permit." The current permits for the selling of alcoholic beverages expire Oct. 1, 2019.

John Beninato zoning administrator turned in his report. He reported that Save-A-Lot has asked to put up a sign. John B. is trying to get this sign issue under control before it becomes a bigger problem. John K. offered to get the Trustees involved if they are needed to help get the sign issue resolved. A resident asked if the new Rosabella Winery is replacing the old Farinacci Winery. The sign will have to follow the zoning rules before going up.

Chief Wilms reported the turnout gear was ordered.

Jerry asked what is going to be done at the Fundis' residence. John K. reported the Township guys will be cutting down the berm in order to get the water diverted. Jerry asked about the Forman Road Phase 2 project which is from Allen to South of Creek Rd.

John K. and Bryon reported that there have been talks with Harpersfield Township to help us. In turn next year we would help them on their OPWC work. Jerry had concerns about using our Township Roadman and our equipment.

Res. 90-19 John Kusar moved that when Mike Petro decides he needs other equipment, he can go rent it, seconded by Byron. The roll; Burke, nay. Dutton, aye. Kusar, aye.

Res. 91-19 John K. moved to have Mike Petro purchase up to 350 feet of 12 inch double wide pipe plus 5 catch basins, seconded by Bryon. The roll; Burke, aye. Dutton, aye. Kusar, aye.

Res. 92-19 John K moved to allow the Township Roadman to work overtime as needed per Mike Petro on the OPWC project, seconded by Byron Dutton. The Roll; Burke, aye. Dutton, aye. Kusar, aye.

Res. 93-19 John K. moved to have Mike Petro rent equipment as needed for the OPWC work when our equipment won't be suitable, seconded by Byron. The roll; Burke, aye. Dutton, aye. Kusar, aye.

Res. 94-19 John K. moved to give the authority to Mike Petro to work with the County Engineers Office, seconded by Byron. The roll; Burke, aye. Dutton, aye. Kusar, aye.

Res. 95-19 Byron moved to pay Curry and Pasqualone \$104.00 for recording fees for Cole Easements, Seconded by John. The roll; Burke, aye. Dutton, aye. Kusar, aye.

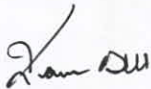
Res. 96-19 Bryon moved to have the County Engineers Office give us a set of Blue Prints and create a bid package to fix the drainage on Orchard Rd, seconded by John K. The roll; Burke, aye. Dutton, aye. Kusar, aye. After the prints are brought back then more discussion will come on bidding out work on Orchard Rd.

Res. 97-19 John K. moved to have a stenographer at the Zoning Board of Appeals per the County Prosecutor, seconded by Byron. The roll; Burke, aye. Dutton, aye. Kusar, aye.

Res. 98-19 John Kusar made a motion to accept the Austinburg Township Zoning Commission Recommendations except for "Family Home" and "Group Home" per the request of the Zoning Commission, seconded by Byron Dutton. The roll; Burke, aye. Dutton, aye. Kusar, aye.

Resident Kim Gribbons inquired about "spot zoning." John K. explained it was a Public Hearing held in regards to the property off Clay St. for a used car lot. It was not spot zoning but an add-on to the adjacent property zoned commercial. Resident Mrs. Rurabaugh asked about the sewer and water lines for the new hotel. Resident Cindy Zigmund asked about how someone is notified of zoning changes in regards to land. The Trustees said it would be in the paper as a legal notice plus letters would be sent to the residents around the area in question. A resident asked about the wording of Satellite dish/receivers in the Zoning amendments. Wording needs to be reversed in the sentence. Resident Andy Tetlow asked about the renewal levy we were putting on the ballot this fall. Ted Seifert asked if the Township Road guys could clean out the gutters on the pavilions in the Township Park plus he congratulated them on a nice job on the chip and seal roads. Resident/Zoning Board member Jacklyn Krysa asked about Comprehensive Zoning. The Trustees asked her to get some paperwork on it so it could be looked into.

Res; 99-19 John moved to adjourn the meeting at 8:45pm, seconded by Byron.
The roll; Burke, aye. Dutton, aye. Kusar, aye.



Kanda O'Dell, Fiscal Officer



John Kusar, Board Chairman