Austinburg Township

Zoning Commission Minutes Public Hearing - September 5, 2023

Members: Clare Polak, Chair Laurie Robishaw, Vice-Chair David Gottwig Phil Miller Shara Parkomaki (absent)

Also Present: Jackie Krysa, Resident Davey McFarland, Resident Ted Seifert, Resident Pete Haase, Trustee John Kusar, Trustee Sarah Frank, Zoning Secretary

Chair opened the meeting at 6:00pm.

Chair requested roll call attendance:Clare - PresentShara - Not PresentLaurie - PresentPhil - Present

Secretary distributed copies and read aloud from the overhead Planning Commission Resolution Case Number 2023-008, as well as the Notification of Planning Commission Action. There were no public comments.

Secretary distributed copies and read aloud from the overhead 2023 Proposed Amendment Proposed Changes in Text. Secretary paused after each item for public to comment and Commission to respond.

Regarding Section 960(D) Lighting, Mr. Seifert stated he would like to see it left out because it wasn't hurting anyone today but to protect those in the future. Laurie agreed and suggested a re-wording.

Regarding 1217(C), Mr. Seifert asked why 150 feet was chosen, how far is 500 feet, and whether the 150 feet regulation measured from top to bottom or to the overall maximum height. Laurie and Rob answered his questions; Mr. Seifert stated he had no complaints but was just asking as a devil's advocate.

Regarding 1218 (2) (e), Secretary noted that Zoning Commission had inadvertently submitted (e) as an addition when the Zoning Commission's intent was to delete (d) and replace it with (e).

Regarding Section 1260, Mr. Seifert suggested directly addressing the elimination of off-premise signs, making it clear and unambiguous. Rob agreed, suggesting it be stated in each district's section. Rob and Laurie discussed how the elimination of off-premise signs would or would not affect the erection of monument signs in the future.

After reviewing all items, Commission reviewed the timeline and assured those present that any changes to the proposed amendment would be available for public review and comment at the trustees' public hearing.

Chair asked if there was any further comment. Mr. Seifert said he'd like to commend Commission because he is all for protecting the residential community and he thinks Commission has done that and has done a very good job.

Ms. Krysa explained that she was a County Planning Commission member. She asked if Commission would move forward with the currently proposed building height, despite her concerns about soil - citing difficulties experienced by Marianne's Chocolates & Cheese at the highest point. Mr. Seifert stated that architects take soil samples; Ms. Krysa disagreed. Laurie wondered why Commission would write code for architects or engineers. Trustee Haase responded that commercial prints have to go through the building code.

Ms. Krysa stated allowing a 4- or 5- story building would leave the township open to huge lawsuits. Rob stated the township already has a 4-story building. Mr. Seifert thought that a ladder truck from a nearby full-time fire department would arrive faster anyways than our township's volunteer firefighters. David said there was interest in a warehouse but it was over the limit. Ms. Krysa stated it can still be a conditional use; Clare replied that if the township is willing to give them a permit, it makes no sense to make them go through that extra step.

Ms. Krysa claimed the footnote in Article 8's AC District will not hold in court and recommended Commission should zone on districts rather than on streetline. Laurie and Clare discussed local needs vs. highway business needs and suggested they review to make it more clear.

Ms. Krysa stated Planning Commission has recommended for decades a corridor around Route 90, explaining that an overlay is easy to create and you can put it on an existing district.

Ms. Krysa suggested Commission take Planning Commission recommendations on the use of diagrams since they can be easily searched online.

Ms. Krysa remarked that 2023 Commission minutes are not posted on the township website and that this public hearing should have been posted on the website and out front, using the temporary signs recommended by the Planning Commission. Trustee Kusar explained that staff comply with law, citing the manpower needed to promote it further when attendance still does not improve.

Laurie motioned to adjourn; Clare seconded. All present voted aye. Public Hearing **adjourned at** 7:15pm.

Respectfully Submitted,

Sarah Frank - minutes approved

Sarah Frank, Secretary

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Clare opened the meeting at 7:15pm.

Secretary read aloud the minutes from July 26, 2023, meeting. Laurie motioned to approve the minutes; David seconded. Roll call vote:

Clare - Aye	Shara - Not Present	David - Aye
Laurie - Aye	Phil - Abstain	
Motion approved.		

Commission reviewed public feedback and discussed how to address items of concern before submission to the township trustees at next month's regularly-scheduled meeting.

Phil motioned to adjourn; Laurie seconded. All present voted aye. Meeting adjourned at 7:30pm.

Respectfully Submitted,

Sarah Frank - minutes approved

Sarah Frank, Secretary