

Minutes of Zoning Commission

October 29, 2019

The regular meeting of the Bainbridge Township Zoning Commission was called to order by Mr. John Lateulere, Chairman at 7:00 P.M. Members present were: Mr. Chuck Giallanza, Alternate; Ms. Marion Perry; Ms. Marlene Walkush and Mr. Dennis Williams. Ms. Kristina Alaei and Mr. Howard Miller, Alternate were absent. Ms. Karen Endres, Zoning Inspector and Mr. Dave Dietrich, Assistant Zoning Inspector/Planning and Zoning Coordinator were present.

The Zoning Commission welcomed new member Ms. Marion Perry who is filling the unexpired term of Mr. Brent Classen (1/1/2016 - 12/31/2020).

PLEDGE OF ALLEGIANCE

The Zoning Commission recited the Pledge of Allegiance.

PUBLIC COMMENTS: None

GUESTS: None.

OLD BUSINESS

Z-2019-2

The Zoning Commission discussed proposed zoning amendment Z-2019-2.

NEW BUSINESS

Proposed Zoning Amendment Z-2019-3

Mr. Williams moved to recess the regular meeting.

Ms. Walkush seconded the motion that passed unanimously.

The regular meeting was recessed at 7:36 P.M.

PUBLIC HEARING

Mr. Lateulere, Chairman, called the public hearing to order at 7:36 P.M.

Zoning Commission members present were: Mr. Giallanza, Alternate; Mr. Lateulere; Ms. Perry; Mr. Williams and Ms. Walkush. Ms. Alaei and Mr. Miller, Alternate were absent.

Proposed Zoning Amendment Z-2019-3 is a motion of the Zoning Commission to amend Chapter 157 – Agriculture; Chapter 159 – Environmental Standards; Chapter 185 – Blasting and Chapter 186 – Wireless Telecommunications Towers and Facilities.

The public hearing was advertised in the News Herald on October 18, 2019. Mr. Lateulere read the legal notice of public hearing into the record.

Mr. Lateulere read into the record the recommendation of the Geauga County Planning Commission in a letter dated October 15, 2019 in which the planning commission recommended approval of Z-2019-3 with modifications.

Mr. Lateulere explained that this proposed amendment will amend Chapter 157 – Agriculture; Chapter 159 – Environmental Standards; Chapter 185 – Blasting and Chapter 186 – Wireless Telecommunications Towers and Facilities. He said the agriculture chapter had some pretty minor changes, mostly clean-ups of specifying numbers and we had a couple of other changes that dealt with grammatical errors that were brought in alignment with the definitions chapter. He said the changes that happened in Chapter 159 were mostly to bring this chapter into compliance with what is in the County Model Zoning Resolution and also with incorporating comments made by the Geauga County Soil & Water Conservation District to make sure we are in alignment with what that county entity is doing to protect the public health and welfare. He said it is a lot of unique text to bring it in alignment with that and he trusts everybody on this board has had the ability to take a look at this and we have talked about it prior to initiating the amendment. He said the changes to Chapter 185 – Blasting are reasonably minor in their entirety similar to the first chapter that we talked about specifying numerical numbers where plain English was used and plain English where numerical numbers were used to try to bring that into alignment and there was some basic cleanup between how permits and certificates are issued through Bainbridge Township. He said the final one, Chapter 186 – Wireless Telecommunications Towers and Facilities, had a couple of changes bringing them within the spirit of what we are allowed to do within the Ohio Revised Code referencing general welfare as opposed to morals of the community working on bringing this into compliance with the Ohio Revised Code and what latitudes the township has within the Ohio Revised Code to be able to regulate those facilities.

Mr. Lateulere solicited comments for the proposed amendment – none.

Mr. Lateulere solicited comments against the proposed amendment – none.

Ms. Walkush made a motion to close the public hearing.

Mr. Williams seconded the motion.

Vote: Mr. Giallanza, alternate, aye; Mr. Lateulere, aye; Ms. Perry, aye; Ms. Walkush, aye; Mr. Williams, aye.

The public hearing was closed and the regular meeting was reconvened at 7:46 P.M.

Proposed Zoning Amendment – Z-2019-3

Mr. Williams moved the adoption of the following motion:

That the Bainbridge Township Zoning Commission recommend the approval of the following proposed amendment to the Bainbridge Township Zoning Resolution attached hereto: Z-2019-3.

Ms. Walkush seconded the motion and the roll being called the vote of the Bainbridge Township Zoning Commission was as follows:

Vote: Mr. Giallanza, alternate, aye; Mr. Lateulere, aye; Ms. Perry, aye; Ms. Walkush, aye; Mr. Williams, aye.

The amendment will be submitted to the Bainbridge Township Board of Trustees for its action.

(Audio Recording of Public Hearing on File)

Proposed Zoning Amendment – Z-2019-4

The Zoning Commission reviewed the proposed amendment and noted that it is an amendment to Chapter 109 – Zoning Inspector; Chapter 113 – Zoning Commission; Chapter 117 – Board of Zoning Appeals; Chapter 121 – Zoning Amendments and Chapter 177 – Prohibited Uses.

Ms. Walkush moved the adoption of the following motion:

That an amendment to the Bainbridge Township Zoning Resolution, identified as number Z-2019-4, consisting of 39 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Bainbridge Township Zoning Commission this 29th day of October, 2019.

Mr. Williams seconded the motion.

Vote: Mr. Giallanza, alternate, aye; Mr. Lateulere, aye; Ms. Perry, aye; Ms. Walkush, aye; Mr. Williams, aye.

Motion to Set a Date for a Public Hearing on the Proposed Amendment Z-2019-4

Ms. Perry moved the adoption of the following motion:

That the Bainbridge Township Zoning Commission conduct a public hearing on the proposed amendment, identified as number Z-2019-4 to the Bainbridge Township Zoning Resolution as attached hereto on the 26th day of November, 2019 at 7:15 P.M. at the Bainbridge Town Hall and request that the Bainbridge Township Board of Trustees issue a purchase order for the necessary legal advertising.

Ms. Walkush seconded the motion.

Vote: Mr. Giallanza, alternate, aye; Mr. Lateulere, aye; Ms. Perry, aye; Ms. Walkush, aye; Mr. Williams, aye.

Proposed Zoning Amendments

The Zoning Commission reviewed Chapter 140 – Active Public Park District; Chapter 141 – Professional Office (P-O) District; Chapter 142 – Passive Public Park District; Chapter 143 – Convenience Business District; Chapter 155 – Light Ind. Res. District, Chapter 160 – Establishment of Riparian Setbacks and Chapter 165 – Non-Conformities and was in agreement to initiate an amendment to these chapters at the next regularly scheduled meeting except for Chapter 155 which will be given more review.

MEETING SCHEDULE

The Zoning Commission was in agreement to hold the December meeting on December 30, 2019 at 7:00 P.M. instead of the regularly scheduled date of December 31, 2019.

CORRESPONDENCE

1. Bainbridge Township Board of Trustees Meeting Minutes, dated September 9, 2019; September 16, 2019; September 17, 2019; September 23, 2019.
2. Bainbridge Township Board of Zoning Appeals Meeting Minutes dated August 15, 2019 and September 19, 2019.

Since there was no further business to come before this meeting of the Bainbridge Township Zoning Commission, Ms. Walkush made a motion to adjourn.

Mr. Williams seconded the motion that passed unanimously. The meeting was adjourned at 10:15 P.M.

Respectfully submitted,

Linda L. Zimmerman
Zoning Commission Secretary

John Lateulere, Chairman

Date Approved: November 26, 2019