

## Minutes of Zoning Commission

December 26, 2023

The regular meeting of the Bainbridge Township Zoning Commission was called to order by Ms. Lorrie Sass Benza, Chair at 7:03 P.M. Members present were: Ms. Kristina Alaei; Ms. Stephanie Puzzo and Ms. Marlene Walkush. Mr. John Lateulere arrived at 7:17 P.M. Ms. Stacy Westervelt, Alternate and Ms. Laura Weber, Alternate were absent. Also present was Mr. Dave Dietrich, Planning and Zoning Coordinator.

Secretary's note: The special meeting scheduled for December 7, 2023 was cancelled.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

### PUBLIC COMMENTS

None.

### MINUTES

Ms. Alaei moved to adopt the minutes of the November 28, 2023 meeting as written.

Ms. Puzzo seconded the motion.

Vote: Ms. Alaei, aye; Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Walkush, aye.

### NEW BUSINESS

#### Proposed Zoning Amendment Z-2023-2

Ms. Benza reported that she and Mr. Lateulere met with Geauga County Assistant Prosecuting Attorney Linda Applebaum on December 18, 2023 to review proposed zoning amendment Z-2023-2 and noted that Ms. Applebaum was neutral on the word morals that was added to Chapter 101.03 – Provisions to Be Minimum Requirements. It was suggested to add the following, noted in *italics*, to Chapter 117.06 – Powers. “For the purpose of this Zoning Resolution, the Board shall have the following specific powers and duties” *as delineated in ORC 519.14*.

Early Start Time – January 30, 2024

The Zoning Commission was in agreement to change the starting time of the January 30, 2024 meeting to 6:00 P.M. and to hold the public hearing for proposed zoning amendment Z-2023-2 at 6:30 P.M.

Proposed Zoning Amendment Z-2023-2

The Zoning Commission reviewed the proposed amendment and noted that it is an amendment to Chapter 101 – Purpose and Conflict; Chapter 109 – Zoning Inspector; Certificates and Enforcement; Chapter 113 – Zoning Commission and Chapter 117 – Board of Zoning Appeals.

Motion to Initiate Proposed Zoning Amendment Z-2023-2

Ms. Walkush moved the adoption of the following motion:

That an amendment to the Bainbridge Township Zoning Resolution, identified as number Z-2023-2, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Bainbridge Township Zoning Commission this 26<sup>th</sup> day of December, 2023.

Ms. Puzzo seconded the motion.

Vote: Ms. Alaei, aye; Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Walkush, aye.

Motion to Set a Date for a Public Hearing on Proposed Zoning Amendment Z-2023-2

Ms. Alaei 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-2023-2 to the Bainbridge Township Zoning Resolution as attached hereto on the 30<sup>th</sup> day of January, 2024 at 6:30 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. Puzzo seconded the motion.

Vote: Ms. Alaei, aye; Ms. Sass Benza, aye; Ms. Puzzo, aye; Ms. Walkush, aye.

OLD BUSINESS

Adult Use Cannabis Operations – ORC 3780.25

The Zoning Commission held a discussion on Ohio Revised Code Section 3780.25 – Local authority regarding adult use cannabis operators as a result of State Issue 2 – To Commercialize, Regulate, Legalize, and Tax the Adult Use of Cannabis that became effective on December 7, 2023. The Zoning Commission was in agreement to not initiate an amendment to the Bainbridge Township Zoning Resolution prohibiting adult use cannabis operators in the township at this time based on a possible prohibition resolution by the Board of Trustees.

OTHER BUSINESS

Informal Review of Proposed Zoning Amendments

The Zoning Commission reviewed a proposed zoning amendment for Chapter 165 – Nonconformities and Chapter 186 – Wireless Telecommunications Facilities. Signage lighting (intensity) and temporary signs was also discussed.

CORRESPONDENCE

1. Bainbridge Township Board of Trustees Meeting Minutes, dated November 6, 2023 and November 20, 2023.

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

Ms. Sass Benza seconded the motion that passed unanimously. The meeting was adjourned at 8:25 P.M.

Respectfully submitted,

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Linda L. Zimmerman  
Zoning Commission Secretary

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Lorrie Sass Benza, Chair

Date Approved: January 30, 2024