Austinburg Township

Zoning Commission Minutes **23 June 2021**

Members:

Shara Parkomaki, Chair Clare Polak, Vice-Chair Jackie Krysa Jeff Piatek Phil Miller Also Present: Sue Avsec, ZBA Rob LaPuh, Zoning Administrator Byron Dutton, Trustee Liaison Joe Hejduk, Resident

Handouts:

- 1. 5-5-21 Minutes
- 2. 6-2-21 Minutes
- 3. ZBA's notes on Flag Lot
- 4. Shara's notes: "Things to discuss regarding pending REZONE issue"
- 5. 2000 Austinburg Corridor Plan by Albert Dispenza
- 6. Austinburg Zoning Commission Map updated by Shara

Agenda:

1. Review & approve May & June minutes:

Clare motioned to approve the May minutes; Jeff seconded. Jackie suggested a roll call vote; Shara agreed.

Shara - Aye Jackie - Aye Phil - Aye

Clare - Aye Jeff - Aye

Minutes approved.

In review of the June minutes, Shara noted the error that Andover Bank should read Conneaut Savings Bank. Jackie asked what kind and when signage would be put up; Shara referred to the Amendments Timeline Worksheet and suggested July 9. Phil motioned to approve the June minutes as approved; Jeff seconded.

Shara - Aye Jackie - Aye Phil - Aye

Clare - Aye Jeff - Aye

Minutes approved.

2. Montrose - vote on recommendations of Planning Commission

Shara referred to her 6-21-21 memo to Commission for a summary of the County Planning Commission's review of the Proposed Zoning Map Amendment NC to AC. Shara reported that she spoke with Jake Brand, Director of County Planning Commission, this morning and he identified its status as "no action". He apologized, stating he did not realize how that issue had ended and they will schedule a special meeting so that they can get that done. Shara referred to ORC 519.07 but wanted to have a Zoning Commission meeting that same day so "we can get the ball rolling". As of today, she stated the timeline from the Amendments Timeline Worksheet is still in place.

Shara distributed "Things to discuss regarding pending REZONE issue", stated that the County Planning Commission's meeting is "done and over with it but some things need to be discussed" and highlighted "Issue #4: Discuss issues brought up". Shara distributed the 2000 Corridor Plan (item 1) for members to review and discuss later; she suggested that if there is something that everybody wants to do, "then let's see what we can do to make it happen." Regarding spot zoning (item 2), Shara said she had some legal forms and resources that she will bring in and share. Regarding suggested stipulations (item 3), she added "let's figure out if those are things as a group we want to do." Regarding Dollar General (item 4 incorrectly cited as Family Dollar),

Clare asked what the concern behind the item was and Jackie answered the concern was spot zoning. Rob and Shara disagreed it was spot zoning; Shara said "we can talk about that later."

Regarding "Issue 5: Conflict of interest & ACPC board member?", Shara added that having continuity as a group is important. Jackie stated that, after her comment on abstention in October 2020, Mr. Brand told her they had a ruling from the County Prosecutor that Trustees and County Commission members are permitted to serve, vote, and comment so he told her she no longer had to abstain. Shara replied "you are correct" and referred to the Ohio Attorney General opinions and past practices.

Jackie explained that she has 2 seats and is able to speak on both. She added that "sometimes people vote yes, sometimes people vote no or ask questions so I have every right to ask questions and vote whichever way." Shara said she agreed but was "shocked" she did not discuss the comments with Commission and felt "ambushed". Jackie responded that she had no meeting prior to the County Planning Commission to ask these questions; Shara countered that she had lots of opportunities through emails and phone. Jackie said she was interrupted and was not done speaking. Shara said, as chair, she was moving on to keep on agenda.

3. Review ZBA Hearing issue

Ms. Avsec reviewed the background on the application from Howard Beeman to the Zoning Board of Appeals (ZBA), highlighting the concern for emergency vehicle access and an industry standard on land-locked lots. She stated she requested to be placed on the County Planning Commission's next agenda and suggested the Zoning Commission table any review on this issue until it is reviewed more by them. Ms. Avsec expressed her frustration for the applicants and reported that the County Planning Commission and the County Health Department insufficiently responded to her questions for the purposes of their regulations in this case. Ms. Avsec further suggested a standard business tool like a flow chart or checklist be created for residents to navigate through the various regulatory bodies.

Due to her experience on variances and conditional uses, Jackie asked Ms. Avsec to speak about the conditional uses stipulated onto the Austinburg Nursing Rehab when it was built. Ms. Avsec reported that a row of old trees be left in place was placed as a condition; however, the facility cut them all down about five years later and nobody wanted to pursue following up on it. Ms. Avsec suggested that conditions on lighting, signage, etc. would not be followed unless Commission created an AC1 district with different criteria like full cut-off lighting, sign limitations, etc. She added the sign companies are one step ahead of zoning regulations and often find loopholes.

4. Zoning Map status - 2020 amendment + 2021 current draft

Shara distributed color copies of the Zoning Map that she updated to reflect the 2020 amendment; however, she plans to wait to file it at the county recorder's office and post online since it may be updated again with the current proposed amendment.

When Shara asked if there was any other business, Jackie reported on the "All In Ashtabula County" planning process, stating the Commission will have to follow the plan that will be created in the fall since it does not have one of its own. She reported on the survey results that were released and read portions from the results summary.

Jackie further stated that she has served her best about 13 years on the Zoning Commission and 8 years on the Planning Commission. She said she found it disrespectful to be "made out as not for this township", citing examples like taking personal vacation days and monies to attend workshops and putting in hundreds of hours in meetings and research on her own. She emphasized that she did nothing wrong at the Planning Commission and was given full permission to speak.

Citing an appointment she needed to attend, Shara requested the Vice-Chair continue the meeting and exited at 5:49pm. Jeff motioned to adjourn the meeting; Clare seconded.

Shara - Not Present

Jackie - Aye Jeff - Aye Phil - Aye

Clare - Aye

Meeting adjourned at 5:50pm.

Respectfully Submitted, Sarah Frank Zoning Secretary