



Geauga County Planning Commission

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<https://bocc.geauga.oh.gov/departments/planning-commission>

***GEAUGA COUNTY PLANNING COMMISSION AGENDA
December 12, 2023 REGULAR MEETING
12611 Ravenwood Drive
Conference Room A334, 3rd Floor
7:30 A.M.***

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES:
 - A. NOVEMBER 14, 2023 REGULAR MEETING MINUTES
4. APPROVAL OF AGENDA/ADDENDUM ITEMS
5. FINANCIAL REPORT AND APPROVAL OF EXPENSES
6. DIRECTOR'S REPORT:
7. OTHER BUSINESS: NONE
8. MAJOR SUBDIVISIONS TO BE REVIEWED:
 - A. NOTTINGHAM WOODS SUBDIVISION
REPLAT OF SUBLOT 17-R
MUNSON TOWNSHIP
FINAL PLAT
9. TOWNSHIP ZONING AMENDMENTS TO BE REVIEWED:
 - A. HAMB DEN TOWNSHIP
TEXT AMENDMENT ZC 2023-02
INITIATED NOVEMBER 6, 2023
BY ZONING COMMISSION
10. CORRESPONDENCE: NONE
11. OLD BUSINESS: NONE
12. NEW BUSINESS:
 - A. INTERN JOB DESCRIPTION
 - B. SUBDIVISION REGULATIONS UPDATE (ARTICLE II AND III)
 - C. BYLAWS
13. ADJOURNMENT

Per Article 4, Section 2 of the Bylaws of the Geauga County Planning Commission,
this agenda is subject to modification.



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DECEMBER 12, 2023 MEETING MINUTES

1. Pledge of Allegiance

Chairman John Oros called the December 12, 2023, regular meeting of the Geauga County Planning Commission to order at 7:34 a.m. at 12611 Ravenwood Drive, Suite A334, Chardon, Ohio. A quorum was obtained. Roll call was called by Ms. Irizarry, and the following members were present:

2. Roll Call

Members present: Gary Neola, Caterina Cocca-Fulton, Nick Gorris, Dan Miller, Dennis Bergansky, Walter Claypool, Jim McCaskey, and John Oros.

Members absent: Commissioner Tim Lennon, Commissioner Ralph Spidalieri, Commissioner Jim Dvorak.

Staff present: Linda Crombie (Director), Allyson Kobus (Planner II) and Pamela Irizarry (Administrative Assistant).

Ms. Cocca-Fulton arrived at 7:35 a.m. Mr. Claypool left meeting at 9:18 a.m. momentarily and returned. Mr. Gorris left meeting at 9:32 a.m.

3. Approval of Minutes for the November 14, 2023 Regular Meeting

Mr. McCaskey made a motion to approve the November 14, 2023 regular meeting minutes, and Mr. Gorris seconded the motion. Ms. Cocca-Fulton abstained, and upon a call for the vote, the motion passes.

4. Approval of Agenda/Addendum Items:

Ms. Cocca-Fulton made a motion to approve agenda as presented, and Mr. Bergansky seconded the motion, and upon a call for the vote, the motion passes.

5. Financial Report and Approval of Expenses

Ms. Irizarry provided the financial report as of December 11, 2023 attached hereto and the expenses marked as Exhibit "A" totaling \$177.51. She also presented a chart of all the revenues Planning Commission has received for projects during the month of November.

Mr. McCaskey made a motion to approve the financial report and the summary of expenses, marked exhibit "A" totaling \$177.51. Mr. Bergansky seconded the motion, and upon a call for the vote, the motion passes.

6. Director's Report

1. New Building Lots: Ms. Crombie said November had one (1) building lot proposal submitted for Troy Township.

2. Claridon Township Land Use: Ms. Crombie said she and Ms. Kobus attended the Claridon Township Land Use Committee meeting on November 9 and the Committee began an analysis of the four (4) commercial zoning districts to identify vacant parcels, businesses, year business was established, and floodplain areas to better understand what the commercial areas consist of. The total hours for staff involvement from May to November is 102.6 hours.

3. Loss Prevention Safety Team: Ms. Crombie said she attended the County's November 9 Loss Prevention Safety Team meeting where representatives from the Chardon Fire Department provided information on fire safety. This safety team is focused on safety and resources for staff.

4. Staff Meeting: Ms. Crombie said staff met on November 16 to brainstorm goals for 2024 and discuss accomplishments for 2023. The department goals will be presented at the January 2024 meeting.

5. Geauga County Township Association Quarterly Meeting: Ms. Crombie said Montville Township hosted the quarterly meeting and representatives from Lake Geauga Recovery Centers presented information on how to stop smoking. County Prosecutor Jim Flaiz mentioned Issue 2 and advised the township trustees can pass a resolution to prohibit retail sales of marijuana, which is not through a zoning text amendment. Mr. Claypool asked if there was a way to prohibit growing marijuana, it is a violation of Federal Law. Mr. McCaskey said someone can get a special permit, but we can't deny it and is now regulated by the State.

6. Interoffice Assistance or Collaboration: Ms. Crombie said Microsoft Teams is now up and running for staff involved in reviewing of lot split proposals in collaboration with County's Tax Map Department. Staff has been involved in becoming more familiar with the program and Ms. Kobus created a flowchart to explain the revised review process for surveyors.

Ms. Crombie also discussed how the County's ADP Department has been in the process of migrating all network files to Microsoft One Drive. This will allow employees to access county files while at home without having to use a county issued laptop. Mr. Claypool asked if staff had access to other applications. Mr. Gorris commented that he was able to use Auto CAD and Ms. Kobus said most of the GIS is through Arc Online so everything is becoming more cloud based.

Ms. Crombie said Ms. Reba Dykes from the Department of Aging reviewed our General Plan's Housing Inventory and the Department of Aging may be able to assist in putting in some unknown information. They were also made aware of the Senate Select Committee on Housing. Ms. Crombie said she has not received any notification from the Committee yet on a local public hearing.

7. Commercial Construction Activity, November 2023: Ms. Crombie said there were two (2) new building construction activities for November. A 9,000 square foot building in Middlefield Township on Madison Road and a 6,893 square foot building in Auburn Township.

8. Legislative Updates: Ms. Crombie said HB 315 (Township Omnibus) was moving forward and the bill analysis was provided. Ms. Crombie said this is a large bill and covers a variety of topics including how townships post public notices; instead of publishing in a newspaper, a township would be permitted to publish on their website and social media accounts. The bill allows for townships to impose a civil fine of up to \$500.00 for zoning violations and proposed to provide zoning grants for up \$1.5 million for 2024 and 2025, to be used to modernize regulations and processes tied to zoning efforts.

HB 257 (Virtual Meetings), which was discussed at a prior meeting, has passed the House. This bill allows certain public bodies to attend virtual meetings and provides a definition of what a public body is and what is excluded from the definition. Ms. Crombie presented the list public bodies excluded from meeting virtually, including the County Commissioners and Township Trustees.

Ms. Cocca-Fulton commented that if a committee was having a special vote, then all members must be present. She feels this needs to be specified in the By-Laws. Ms. Crombie commented that if the bill passes, the Commission will need to set policies per the final language adopted into the ORC. It will be a lot of tracking for staff and a public notice must be advertised for the public to attend virtually. If passed, the board must decide if this is something they want to do.

HB 341 amended Section 3780, regarding adult use marijuana. Ms. Crombie said Issue 2 passed in November and was effective since December 7, 2023. Township trustees may adopt a resolution to limit the number of adult use cannabis operators in a township as previously mentioned. Ms. Crombie said this would be allowed even in townships that have no zoning, such as Middlefield. This bill removes certain language previously included in Issue 2, which prohibited a township from limiting research regarding marijuana and growing marijuana at home.

Ms. Crombie said Ohio Senate passed Am Sub HB 86, which includes revisions to cannabis, on 12/6/23, but per the OTA the house has not acted on it as of 12/8/23. She also highlighted how this amends language previously written R.C. 519.21. The use of word "medical" has been struck through.

HB 354, taxation of marijuana, was introduced on 12/8/23.

9. Work Summary, November 2023:

a. Planning/Zoning/Subdivision Administration: Ms. Crombie said the total lot splits/consolidations, easements, and formal amendment reviews for November was 42 as compared to 13 from last month.

b. Comprehensive Planning Efforts: Ms. Crombie said the staff referred to General Plan four (4) times in November and attended the November 9 Claridon Township Land Use Plan Committee meeting. She also advised that upon their request, she provided Burton Township with the draft version of the "Guide to Updating a Township Land Use Plan" for reference.

c. Continuing Education:

Ms. Crombie said Ms. Kobus viewed a webinar on census data and both Ms. Irizarry and Ms. Kobus completed the required cybersecurity training.

8. **Major Subdivisions to be Reviewed:**

- A. Nottingham Woods Subdivision
Replat of Sublots 17-R
Munson Township
Final Plat

Ms. Crombie said this was a lot split and consolidation in Munson Township, where 0.4743 acres split from one parcel of land 17R to be added to another parcel of land, which is 6.0267 acres, to create 17R-1. Soil and Water, Munson Zoning and Geauga Public Health had no comments. Tax Map had some comments regarding corrections to survey. Ms. Crombie is recommending board to approve conditionally contingent up obtaining the zoning inspector's signature, acknowledging changing the

label of proposed split from “Parcel A” to “Parcel B” to differentiate it from “Parcel A” of a previous recorded plat, and notations were added to clarify ownership and volume and page numbers. These notations may be necessary as required by the Tax Map Department.

Motion made by Mr. Bergansky to approve Nottingham Woods Subdivision contingent up items listed and seconded by Mr. Neola. Mr. McCaskey abstained, and upon a call for the vote, the motion passes.

9. Township Zoning Amendments to be Reviewed:

- A. Hambden Township
Text Amendment ZC 2023-02
Initiated November 6, 2023
By Zoning Commission

Ms. Crombie said the Hambden Township Zoning Commission submitted zoning amendment ZC 2023-02, which affects Article IV, District Regulations, Section 402.10. The township is proposing to increase the maximum floor area of accessory buildings from 1,500 square feet to 2,500 square feet or 500 square feet per acre, whichever is greater. 2500 square feet is the threshold that many townships use. The language “whichever is greater” is conflicting as the text contains two different calculations. She recommends adding language “The maximum floor area for a permitted accessory building shall be 500 square feet per acre with a maximum of 2,500 square feet”. She recommends the board to approve modifications to reword language.

Motion made by Mr. Bergansky to approve with modifications the Hambden Township Text Amendment ZC 2023-02 and seconded by Mr. McCaskey and upon a call for the vote, the motion passes.

10. New Business:

- A. Intern Job Description

Ms. Crombie said Lakeland Community College recently advised that students begin searching for spring or summer jobs during winter break. She would like to post the intern job description on at least Lakeland Community College job portal and later Cleveland State University, Kent State University, and Women of GIS websites. It will be noted that interviewing will take place sometime in early 2024. She would like the intern to work on 3 projected projects that staff has not been able to do due to other department commitments.

1. The Housing Inventory, Primary Project. This would require the intern to reach out to all the townships and municipalities to gather information on a spreadsheet related to housing for their specific township. Ms. Crombie presented a sample of Housing Inventory from Burton Village, which was gathered from the Auditor’s Office. This Housing Inventory does not show the number of apartments in each apartment complex so that information would need to be gathered from the community zoning inspectors.

2. “Census Data – at – A -Glance” sheets. Ms. Crombie said the information gathered for the Census sheets comes from the Census Bureau’s website, which contains a lot of information and finding that information can be challenging and time consuming. The layout of the Census Data – at – a- Glance would be similar to the layout previously used by the Census Bureau that was more user friendly. This

would provide a breakdown per township of information such as sex and age, race, Household by Type, Housing Occupancy, and Housing Tenure.

3. Building by Type Analysis. Ms. Crombie said if the intern has time, this would be a database of the buildings themselves “color coded” by type that would allow detailed queries to be performed by township.

Ms. Crombie presented the intern job description with red lined changes. She explained that Lakeland Community College asked for the job description to be specific as possible. Mr. Bergansky asked what the hours would be, would it be 8-4:30 pm Monday through Friday. Ms. Crombie said yes. Mr. Bergansky asked if this was allowed without having to pay medical benefits. Ms. Crombie said it would be a seasonal job with no medical benefits. The Commission members discussed avoiding any potential issues with unemployment claims and Mr. Oros recommended listing the number of hours “not to exceed” on the job posting, which is 560 hours.

Motion made by Mr. Claypool to approve posting the Intern Job Description, with the not-to-exceed hours discussed, and seconded by Mr. Bergansky, and upon a call for the vote, the motion passes.

B. Subdivision Regulations Update (Article II and Article III):

Ms. Crombie said in the summer the board discussed updates to Article I, now we are looking at updates to Articles II and III. The following summary was provided:

Article II: Definitions: Ms. Crombie said she crossed out some wording and anything in red is language that was added. Ms. Crombie highlighted some of the changes proposed. Mr. Claypool asked where these definitions come from, he doesn’t agree with the definitions of “person” and “riparian area”. He suggested using Black’s Law Dictionary to update these definitions. He suggests really defining these definitions because words have meaning and when people want to get into a legal discussion these can be tricky. Mr. McCaskey questioned the “water course” definition and Mr. Oros said there are many challenges with this definition.

Ms. Crombie said she added a draft definition of “pond” since it has always been referenced but there was not a definition before. Mr. McCaskey suggested to use Black’s Law Dictionary to define “pond”. Ms. Crombie said as more sections are yet to be discussed, she will be working on these and bring them back to the board for review.

Article III: Procedures for Subdivision Review: Ms. Crombie presented the table of contents showing sections 300-312. She said she renumbered 304, Procedure to Review of Major Subdivisions, as 316. That section will be presented to the board at a future meeting, along with articles IV, V, and VI. Once this is done and the Commission is satisfied with all proposed changes, a public hearing will be held. Ms. Crombie said Article III was well written, but she wanted to reformat it and eliminate some wordiness.

Section 301: letter “A”: added the phrase “as provided”. Instead of using multiple applications for splits and consolidations, staff is working to create one application. Ms. Cocca-Fulton asked what issues have come up with the application forms. Ms. Kobus said right now if a project involves four different types of divisions or consolidations, four different application forms are required but they all essentially ask for the same information. Mr. Neola suggested the new application forms have the board’s new logo.

Section 301: letter “B”: crossed off language regarding a “registered surveyor with the State of Ohio”.

Article II, Definitions, defines a surveyor and what is required, this language is not needed here. Ms. Cocca-Fulton feels legal description needs to be included.

Section 301: letter "C": added same language as in letter "B" as it relates to survey map. Item number 2, language was needed to clarify that the remainder parcel does not always need to be surveyed. The County's Conveyance Standards allows two (2) exceptions out of the deed of record before the County Auditor will require a survey. Item number 5, crossed through the word "dimensions" as that level of detail is not needed and the phrase "distances to property line" was struck through since it is too involved and unnecessary regarding all structures. Language was added to setback distances be shown when a use is located within a setback required by local township zoning.

Section 301: letter "D" number iv: new language regarding sewer is being reviewed by the Department of Water Resources.

Section 301: letter "E": Ms. Crombie said this is a work in progress relating to the process and requirements regarding sending a letter to the Zoning Inspector (ZI). She is looking into obtaining electronic signatures for zoning approval but would still send the inspectors a full-size paper copy of the map for their records. Ms. Kobus said this would cut costs on departmental time and mailing. Ms. Crombie is looking into the use of SharePoint to allow for this type of review by the inspectors. She also added in language "judgment entry", should that type of an instance occur.

Section 302: Action by Planning Director on Minor Subdivisions: Ms. Crombie proposes to remove language requiring staff to send the Zoning Inspector a copy of the deed. The townships receive a copy of the survey map and legal descriptions to perform their review. There is no need to copy them on the deed stamped by the Planning Commission staff as it is not the final recorded one. Should the township request a copy of the deed, staff will provide them with a copy that is on file, or they can a copy of the recorded deed from the property owner.

Section 304: Procedure for Review of Large Lots: Ms. Crombie said she struck through "Subdivision", as new lots over five (5) acres and up to and including twenty (20) acres are not defined as a subdivision per ORC 711.001. She explained in a 2005 County Advisory Bulletin, such divisions of land are referred to as "large lot developments". For simplicity, she it is referred to as "Large Lots".

Section 304, letter "D": Ms. Crombie said language is struck through as per the resolution passed earlier this year by the Board of County Commissioners (BOCC), the lot evaluation requirement was suspended for large lots until the regulations can be amended.

Section 307: Exemptions from Large Lot Regulations: Letter "A": Ms. Crombie said currently there is no fee required to perform a large lot exemption review. She feels a fee should be required as there is much work involved even if there is no zoning and sewage review. She will put together a revised fee schedule and present it to the board at an upcoming meeting. She also said for land deemed as Agricultural Use or for Personal Recreational Use only, language was added to require the affidavit to also be recorded as the restrictive covenant on a deed could be left off in future transfers.

Letter "C": language changed regarding the determination of land for other uses than agricultural or personal from "planning commission" to "Planning Director". Also, an affidavit of fact should be on record should an agricultural or personal recreational use exemption be removed.

Section 312: Consolidation of Lots of Record: Letter "B": Language struck through regarding vacant lots not needing Planning Commission approval. Ms. Crombie said the County Auditor's Office will not process consolidations without approval by Planning Commission staff so this was changed. Mr. Claypool asked who is considered the "other" authorized representative as he has a problem with the use of that word here. Ms. Kobus commented that maybe it should be "their" and Ms. Crombie said she can make that change. The Commission members suggested creating a list as a reference point of who is authorized to process paperwork in the event the Director is unavailable, keeping in mind allowable review timelines.

Section 314: Recording of Instrument of Conveyance: Ms. Crombie said she would like to put some kind of language in the approval letter that states it is valid for 90 days as no one is likely to be aware of this current requirement.

Section 315: Proposals Located Within Multiple Jurisdictions: Ms. Crombie said she added new language to cover instances when lot splits and consolidations cross jurisdictional boundaries.

C. BYLAWS:

Ms. Crombie said Section 4, Attendance, in the Bylaws needs to be edited. Currently it states citizen board members missing more than seventy-five percent 75% of the regular meetings shall be sent to the BOCC for review when it should be who attends less than 75% of the meetings.

Motion made by Mr. McCaskey to accept proposed changes to Section 4, Attendance of the Bylaws and seconded by Mr. Bergansky, and upon a call for the vote, the motion passes.

12. Adjournment:

Motion made by Mr. McCaskey to adjourn meeting and seconded by Mr. Bergansky and upon a call for the vote, the motion passes. Meeting adjourned 9:46 a.m.

AMC
Nicholas Fioris

John Oros, Chairman

Gary Neola, Secretary/Treasurer

COUNTY PLANNING COMMISSION FINANCIAL REPORT
Summary

Budget – December 11, 2023



<u>Account</u>	<u>Appropriation</u>	<u>Expenditure</u>	<u>Balance</u>
Salaries	\$152,956.00	\$140,624.93	\$12,331.07
Supplies	\$2,000.00	\$394.33	\$1,605.67
Hosp.	\$26,329.00	\$24,116.62	\$2,212.38
Medicare	\$2,320.00	\$2,002.09	\$317.91
OPERS	\$21,320.00	\$19,551.69	\$1,768.31
Worker's Comp.	\$100.00	\$0.00	\$100.00
Other Expenses	\$1,400.00	\$840.32	559.68
Equipment	\$0.00	\$0.00	\$0.00
Contracted Services	\$0.00	\$0.00	\$0.00
Covid -19 Expenses	\$0.00	\$0.00	\$0.00
Copier Usage Services	\$700.00	\$275.64	\$424.36
Travel	\$3,500.00	\$2,315.98	\$1,184.02
Advertising	\$325.00	\$0.00	\$325.00
Training	\$700.00	\$160.00	\$540.00
Member, Dues, Lic. Sub	\$900.00	\$790.00	\$110.00
Total	\$212,550.00	\$191,071.60	\$21,478.40

<u>Planning Commission Revenues</u> <u>from Fees for January to</u> <u>November 2023</u>	<u>Year to Date Balance:</u>
January	\$450.00
February	\$4,110.00
March	\$900.00
April	\$950.00
May	\$750.00
June	\$450.00
July	\$2,000.00
August	\$1,360.00
September	\$10,700.00
October	\$450.00
November	\$500.00
	Yearly Total: \$22.620.00

**SUMMARY RESOLUTION FOR EXPENSES
GEAUGA COUNTY PLANNING COMMISSION**

Mr. McCaskey MOVED THE ADOPTION OF THE FOLLOWING RESOLUTION,
WHICH MOTION WAS SECONDED BY Mr. Bergquist.

WHEREAS, THE EXPENSES LISTED HEREIN HAVE BEEN INCURRED BY THE GEAUGA COUNTY PLANNING COMMISSION IN ORDER FOR THE COMMISSION TO PERFORM ITS DUTIES; AND

WHEREAS, THESE EXPENSES HAVE BEEN REVIEWED BY THE MEMBERS OF THE COMMISSION AT ITS DECEMBER 12, 2023, MEETING.

NOW THEREFORE, BE IT RESOLVED, THAT THE GEAUGA COUNTY PLANNING COMMISSION HEREBY AUTHORIZES PAYMENT OF THE FOLLOWING BILLS OR CLAIMS:

<u>P.O.</u>	<u>ACCOUNT</u>	<u>DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
1055	TRAVEL	11/14	LINDA CROMBIE/MILEAGE REIMBURSEMENT/ (REIMBURSEMENT FOR GEAUGA SOIL/WATER DINNER)	45.46
1055	TRAVEL	11/14	ALLYSON KOBUS/MILEAGE REIMBURSEMENT (GEAUGA SOIL/WATER DINNER)	5.37
1055	TRAVEL	11/14	PAMELA IRIZARRY/MILEAGE REIMBURSEMENT	7.99
1055	TRAVEL	12/5	GEAUGA COUNTY TOWNSHIP ASSOCIATION / (AUBURN ASSOCIATION DINNER/ALLYSON KOBUS)	35.00
1055	TRAVEL	12/5	PAMELA IRIZARRY/MILEAGE REIMBURSEMENT	23.97
1055	TRAVEL	12/5	ALLYSON KOBUS/MILEAGE REIMBURSEMENT (CLARIDON TOWNSHIP LAND USE/QUARTERLY DINNER-MONTVILLE)	12.84
1055	TRAVEL	12/5	LINDA CROMBIE/MILEAGE REIMBURSEMENT (CLARIDON TOWNSHIP LAND USE/QUARTERLY DINNER – MONTVILLE/PROSECUTOR OFFICE)	23.58
1050	COPIER USAGE	12/5	DEX IMAGING (10/22/23 TO 11/21/23)	23.30
TOTAL				<u>\$177.51</u>


John Oros, Chairman


Gary Neola, Secretary/Treasurer