

Geauga County Planning Commission

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

GEAUGA COUNTY PLANNING COMMISSION AGENDA

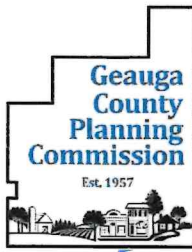
May 14, 2024 REGULAR MEETING

12611 Ravenwood Drive

Conference Room A334, 3rd Floor

7:30 A.M.

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES:
 - A. APRIL 9, 2024 REGULAR MEETING MINUTES
4. APPROVAL OF AGENDA/ADDENDUM ITEMS
5. FINANCIAL REPORT AND APPROVAL OF EXPENSES
6. DIRECTOR'S REPORT:
7. OTHER BUSINESS:
 - A. SENATE SELECT COMMITTEE ON HOUSING: (DISCUSSION AND INFORMATION GATHERING ON SENATE BILLS) GUEST: SENATOR SANDRA O'BRIEN
8. MAJOR SUBDIVISIONS TO BE REVIEWED: NONE
9. TOWNSHIP ZONING AMENDMENTS TO BE REVIEWED: NONE
10. CORRESPONDENCE: NONE
11. OLD BUSINESS:
 - A. ARTICLE VI SUBDIVISION REGULATIONS, SECTION 606(C) REVISIONS OF PLAN OR PLAT
12. NEW BUSINESS: NONE
13. ADJOURNMENT



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MAY 14, 2024 MEETING MINUTES

1. Pledge of Allegiance

Chairman Nick Gorris called the May 14, 2024 regular meeting of the Geauga County Planning Commission to order at 7:33 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, Nick Gorris, Caterina Cocca-Fulton, Walter Claypool, Dan Miller, Commissioner Jim Dvorak, and Jim McCaskey.

Members absent: Commissioner Tim Lennon, Dennis Bergansky, Matt Johnson, and Commissioner Ralph Spidalieri.

Staff present: Linda Crombie (Director), Allyson Kobus (Planner II) and Pamela Irizarry (Administrative Assistant). Guests: Senator Sandra O'Brien, Ohio State District 32, Mr. Jonathan Tiber, Geauga County Township Association, Mr. Chris Alusheff, Geauga County Township Association

3. Approval of Minutes for the April 9, 2024 Regular Meeting

Mr. McCaskey made a motion to approve the April 9, 2024 regular meeting minutes, and Mr. Claypool seconded the motion. Ms. Cocca-Fulton abstained, and upon a call for the vote, the motion passes.

4. Approval of Agenda/Addendum Items:

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

5. Financial Report and Approval of Expenses

Chairman Gorris asked if there were any questions regarding the Financial Report and Approval of Expenses sent to the board in the Dropbox link.

Mr. Neola made a motion to approve the financial report and the summary of expenses and Commissioner Dvorak seconded, and upon a call for the vote, the motion passes.

6. Director's Report

1. New Building Lots: Ms. Crombie said March had three (3) building lot proposals submitted, there was one (1) for Burton, one (1) for Newbury, and one (1) for Parkman.

2. Interoffice Assistance: Ms. Crombie said Ms. Kobus prepared maps for both Chester and Claridon Township regarding subdivisions located in each township and their lot sizes. Ms. Crombie and Ms. Kobus also assisted Munson Township with an updated zoning map for their zoning inspector.

3. Claridon Township Land Use: Ms. Crombie said Claridon Township held their public forum on April 4, 2024, which was well received. There were six (6) stations set up and residents were able to walk

around and view background information on what a land use plan is, how it is different from zoning, existing zoning and land use maps, demographic data, the SWOT exercise (Strengths, Weaknesses, Opportunities, and Threats), and survey results. Claridon Township is still working on writing its land use plan and 223 hours have been spent in total of staff participation.

4. Thompson Township Land Use Plan: Ms. Crombie said Thompson's Land Use committee met on April 18 and performed their SWOT exercise and also reviewed the 2003 survey for information to keep, delete, and modify. Staff participation has been 19 hours in total.

6. April 8, 2024 Total Solar Eclipse: Ms. Crombie said planning for the eclipse went well and various activities were held throughout the county. Several newspaper articles were written, including one by the Geauga Times Courier, who contacted Ms. Kobus for her insight on the subject.

7. NE Ohio Planning and Zoning Workshop: Ms. Crombie said as of right now, she is still waiting for program information, and she will keep the board posted.

8. Commercial Construction Activity, April 2024: Ms. Crombie said there were two (2) significant construction projects in April, both in Middlefield Township, one on Old State Road, which is a retail/office building for \$1.2 million; and the other on Station Road, which is a Mouldings 1 warehouse addition for \$3.5 million.

9. County Commissioner's Association – Ohio State University Survey on Land Use and Zoning: Ms. Crombie said the County Commissioner's Association wanted a survey done regarding land use and zoning. Ohio State University facilitated the survey and the County Commissioners Office requested Ms. Crombie complete it. Once the survey results are in, Ms. Crombie will present to the board.

10. NOACA's Northeast Ohio Travel Survey: Ms. Crombie said she received one of the surveys from NOACA regarding their Northeast Ohio Travel Study. She was required to complete one portion of the survey with all the household information, such as address, name, age, gender, type of vehicles, etc. and the other portion involved tracking all travel from the beginning of the day to the end of the day for all household members. It was an involved process, which took about an hour to complete.

11. National Zoning Atlas: Ms. Crombie said she informed the board in January 2023 of a large-scale effort by Cornell University to create a National Zoning Atlas that would include all city zoning codes to compare and contrast zoning. Planning Commission was contacted to advise as to which townships and municipalities have zoning and which do not. Mr. Claypool asked how many townships in Ohio have zoning. Ms. Crombie replied that about 600 townships have zoning out of 1,308 townships in total.

12. Legislative Updates: Ms. Crombie said there will be further discussion on the Legislative updates under agenda item 7, but she highlighted Senate Bill 247, which proposes to establish the community solar pilot program, which is subscriber based. She said HB 197 from last year was also about community solar projects, but this bill has not moved past the House.

13. Work Summary, April 2024: Ms. Crombie said during the month of April there were 37 lot splits/subdivisions/easements/amendments. The staff referred to the General Plan two (2) times regarding the square miles of townships and school district boundaries.

Staff assisted to varying degrees with the Claridon Township, Thompson Township, and Burton Township land use plan updates. Staff also advised the Department of Community and Economic Development and the Building Department of the various Senate bills introduced, specifically SB 245 and 246.

7. Other Business:

A. Senate Select Committee Housing: (Discussion and Information Gathering on Senate Bills)

Guest Speaker: Senator Sandra O'Brien

Mr. Gorris welcomed Senator Sandra O'Brien and explained there was a list of questions prepared by the board for her to answer but Ms. Crombie will start off with a brief summary.

Ms. Crombie said at the April 9, 2024 meeting the board requested the attendance of the Senator O'Brien and the Geauga County Township Association to discuss the efforts of the Senate Select Committee on Housing, which noted zoning as being a barrier to housing. There have been several Senate bills introduced but none so far directly reference Section 519 of the Ohio Revised Code, which relates to zoning. Ms. Crombie reviewed a timeline of meetings, public hearings, and Senate Bills introduced:

August – September 2023: there were four (4) Ohio Senate Select Committee on Housing meetings held in Columbus to explain the Committee's purpose and to hear testimony related to barriers to housing.

December 2023: Central Building Industry of Ohio releases its white paper prepared by the Montrose Group LLC. Ms. Crombie noted that this document peaked everyone's interest.

April 17, 2024: Housing Committee released report "Housing Reimagined Building a Solid Foundation for Ohio's Future", this report offered solutions to housing from the various public hearings. Ms. Crombie noted several Senate bills were introduced that same day including the following: Senate Bill 243: intends to enact legislation addressing local zoning regulations that impede housing development, Senate Bill 244: creation of "residential stability zoning"; Senate Bill 245: creation of "Eviction Support Fund"; Senate Bill 246: require Department of Housing and Development to create a campaign promoting Ohio as a pro-housing state; regarding changes as to what a "qualifying residential property" is; creates online housing and zoning resources, and increases tax credit to affordable housing.

April 23, 2024: Senate Bill 249: Provides grants to qualifying applicants for mortgage, property tax, utility bill assistance.

May 1, 2024: Senate Bill 246: Increase minimum wage by \$1.00 each year starting January 1, 2025.

Senator O'Brien thanked the board for inviting her and she commented that Ms. Crombie was doing a great job at keeping the board updated on all the proposed legislative changes. Ms. Crombie said regarding concerns about local zoning regulations, she noted that SB 243 is only a statement about the intention to enact legislation regarding. Senator O'Brien said regarding taking away zoning, nothing has been introduced yet. The Board asked how she felt about it and Senator O'Brien said she lived in township and that she is against taking away township zoning authority. People can do a lot by lobbying. The problem is Columbus and Franklin County has a lot of development; this is not the same as Geauga County. You as the county must have the people become vocal about their opposition.

Ms. Crombie went over the questions prepared by the board. Regarding SB 243, do you have a sense of what may follow, or do you have a timeline? Senator O'Brien said no but explained that the Senate has two (2) types of committees: a Select committee, which is a temporary committee committed to research a particular topic of concern or interest, and a Standing committee, which is a permanent and

tasked with reviewing proposed legislation. Senator O'Brien said SB 243 and the others must go through the House and Senate and be signed by the Governor and if that doesn't happen by December 31st, then the issue is considered dead and must start all over again with the next General Assembly, if it is still pursued.

In response to what the Planning Commission do to support our townships in keeping their zoning authority, if that ends up being proposed, Senator O'Brien responded to contact every legislator by calling and emails, to make your voices heard that you are in opposition. Senator O'Brien noted that you are not limited to contacting just your district representative. Ms. Crombie said the Geauga Township Association is working on letter to submit to voice their concerns. What can local townships do to support keeping their zoning authority? Senator O'Brien response: Contact the Senate, the House and the Governor and explain you live in a township, and it is not okay to lose our right to zone.

Ms. Crombie noted that per SB 244, a Board of County Commissioners may designate a Residential Stability Zone, but the language included the singular and plural so is there a limit on the number of zones created in a county? Senator O'Brien said there may be, but the legislation was just introduced, and it can be modified as it goes through the process. There is a sponsor of the bill, and residents can be proponents, opponents, or an interested party. She strongly encouraged traveling to Columbus and give testimony in person as this is more effective, but you must also be open to answering their questions. Senator O'Brien noted that very few things are getting through the House as they are backed up. She mentioned the various Township Associations should get together and voice their concerns as well.

Mr. Claypool asked if this a step towards getting affordable housing, the Senate will poke away until they get what they want. Senator O'Brien said she contacted Senator Reynolds, who is the chair of the Select Committee, and let her know she is not for any of these zoning changes. We have to watch carefully. Mr. Claypool said Senator O'Brien knows what the mood is and Senator O'Brien said she does not as the legislation was recently introduced. She said this is why you have to be vocal to Senators and other State representatives. Call, email, get on a bus and go to Columbus and testify in person. Ms. Cocca-Fulton said believes the townships in Ohio that have zoning would not be in favor of these efforts.

Mr. Claypool asked if a caucus could be created in Columbus about this and Senator O'Brien said probably not but to reach out to fellow Senators and let them know how you feel.

Mr. Miller questioned if there are a lot of townships in Ohio that currently do not have zoning, would they also oppose this? Mr. Tiber, Geauga County Township Association, said Middlefield Township does not have any zoning and they want none of this. Mr. Tiber also said the Geauga County Township Association has a letter drafted for townships to sign. Geauga County is leading the way on this.

Mr. Tiber pointed out that Mr. Alusheff, Claridon Township Zoning Inspector, has been doing extensive research on this topic and we need to keep local authority over our zoning and support them too. We have an "unofficial Zoning Group" meeting tonight to discuss the draft letter. Senator O'Brien reiterated to make it known that we are not going to sit back and allow changes, this needs to be heard from you. Emails are effective as well as phone calls to legislative staff. This will let the Senate body know there is a problem here. You have the power, use it. Residents can do verbal testimonies on Senate floor.

Mr. Neola said he and Ms. Crombie attended the Senate Committee on Housing hearing in Cleveland and there was a large turnout. He said there may have been testimonies submitted who oppose this, but the ones who spoke were largely the ones who favored affordable housing, some may benefit

financially. Mr. Neola said we submitted testimony that Geauga County opposes these changes, but it didn't impact much. He asked why is this not left to the private sector; why get the government so involved? Sandra O'Brien said she is doing her part, but the townships need to get involved. You the people have a voice and volume speaks. She can speak to the other representatives, but we all have to work with each other on all proposed legislation. The letter Mr. Tiber created is great. She recommended including the President of the Senate to let him know townships can handle their own housing issues.

Mr. Miller said the problem he has with contacting local representative is if he sends a letter or an email, do they actually see it? Senator O'Brien said that is a good question. She does read them but due to volume, she cannot read all of them. Her staff takes the phone calls and goes through the emails, and they are tallied and her staff lets her know the approximate number for or against an issue. She recommends when speaking to any of the representatives remember to be professional, start with a positive, then express your concern, and end with a positive.

Mr. McCaskey said he doesn't agree with eliminating zoning but has a different perspective being a contractor. He said he had to get 12 zoning permits this month. This can be a challenge in the smaller townships because zoning personnel is there sometimes only one day a week, then you have to wait till the next week to get the permit or longer. We need to look at what we are doing, some of the argument by the State has validity. Some of the zoning regulations do not align properly with other local or state regulations. Mr. Tiber said understands what Mr. McCaskey said. Mr. Alusheff said we put a lot of work in to make township zoning more efficient.

Chairman Gorris asked is if there were any other comments from the board. As there were none, we will take a few comments from the audience.

Audience Questions:

Julie Callum (sp?) Chester Township: Ms. Callum thanked the Senator for being here and understands that letters can be sent and asked what is the best path? Senator O'Brien advised that you have to follow who is for and against these changes. Be aware how to present to the Senate and its President, all Senators are not on the same page about how you might do something because that is simply human nature. Reach out to other constituents, we don't ignore each other.

Ms. Kadis (sp?) Chester Township, asked if voicemails are listened to, or is it better to speak to someone? Senator O'Brien said the voicemails are listened to, but if you like to speak to someone, contact them between 8:30am to 4:30pm weekdays.

Susan Cerby (sp?) Chester Township, asked who spearheaded this idea and do we write to all of the State Senators? She also asked Commissioner Dvorak where he stands on this? Commissioner Dvorak said for 11 years he was on township boards, and now he is a Commissioner for Geauga County. He fought long and hard to keep three-acre and five-acre zoning. No power should be taken away from townships at all. Senator O'Brien responded that the housing issue came about because of jobs, like Intel and Honda but any problems in Geauga County are not the same as those near Columbus.

Tiffany Broadbent from Fortified Geauga asked is it better to send letters as phone calls and voicemails do not become part of public record. A written letter seems to be a better public record. On the legislative websites where you can leave messages, are those received? Senator O'Brien said yes but it

is up to each Legislator how they handle each public record request. Emails have to be saved but a conversation with me or any Senator is just that, a conversation.

John Callum (sp?) Chester Township said he grew up in Euclid and moved to a township to be in a rural area. Local representatives know their constituents better. We don't want to be more like the federal government. He said he believes no township will be for this, but developers are for this, money, and more votes. Let's not be afraid, Senators should not be afraid. We do not want a central government. Columbus doesn't know about us and how we get things done.

Paula Gaya (sp?) Chester Township, asked if we write a letter, what do we reference? Ms. Crombie said there are several bills, but SB 243 is the one to reference as it stated there is intent to enact legislation about zoning. Mr. Claypool said to write a letter saying that zoning needs to be kept at the local level. Ms. Cocca-Fulton requested the timeline summary be put on our website for residents to look at it and refer to it. Ms. Crombie said she would do so.

Fred Demming (sp?) Chester Township questioned why answer the NOACA survey as they are a fringe of the United Nations. Senator O'Brien said she was on the transportation committee and let NOACA know that Geauga County was not happy with them. Senator O'Brien said government should come from the bottom up.

Chairman Gorris thanked Senator O'Brien for attending and requested the Director to post the timeline summary to the website and to write a template letter for residents to use.

11. Old Business:

A. Article VI Subdivision Regulations, Section 606 (C) Revisions of Plan or Plat:

Ms. Crombie said last year there was discussion regarding Subdivision Regulations Section 606 (C) to make it more clear regarding how the process is done. Currently, a revised plat involves submitting twenty copies of a revised plat, an application, a \$500 fee, review by numerous departments, and approval by the Planning Commission and Board of County Commissioners. This section states that after an approved final plat of a subdivision has been recorded, no changes, erasures, modifications, or amendments can be made except in accordance with R.C. 711.24 or R.C. 711.25.

Ms. Crombie reminded the board that R.C. 711.25 was repealed in 2019 and related to vacating sublots out of the subdivision. This practice allowed landowners to vacate their subplot(s) out of the subdivision as long as they posted an ad in the local newspaper of their intent to vacate, and the County Auditor and Recorder were involved in the documentation of this information. This process circumvented all platting procedures and allowed the consolidation or split/consolidation of sublots to be performed administratively instead of a formal plat. Many property owners pursued this process.

R.C. 711.24 requires a revised plat if changes are proposed but in reviewing this with the Prosecutor's Office, it relates to changes proposed to the subdivision boundary, streets, or alleys. This section is from 1953 and the intent would not have been that sublots cannot be consolidated. When a subdivision is platted, all of the survey work is done, which allows the sublots to be sold by referencing the subplot number. Consolidations or splits and consolidations could occur in the same manner.

After performing research and meeting with the County Prosecutor's Office to discuss Section 606(C), the manner in which these types of proposals are processed is being brought before the board as it is a significant change in practice related to the interpretation of the language and is not a change in the actual regulations. Ms. Crombie said the different interpretation means a property owner could consolidate or split and consolidate sublots without the need to go through the platting process as long as it does not create an additional building lot or modify open space. This would be done as an administrative process and a survey map would still be prepared along using a modified short form description written into the deed that references the subdivision plat, subplot numbers involved, and their acreages. Depending on the proposal, some projects may require a metes and bounds description. Ms. Crombie said other counties allow owners to consolidate their sublots by simply completing a form at the Auditor's Office and it is considered consolidated for zoning and other purposes. Ms. Crombie felt that is too lenient.

Ms. Cocca-Fulton asked if the reference to 711.25 will be removed and Ms. Crombie said yes. Mr. McCaskey said if the regulation is from 1953, it is good that it is being reevaluated as to its meaning. Mr. Gorris asked when this interpretation would be effective, and Ms. Crombie said immediately. Mr. Neola said the short form description is straight forward and simple. Commissioner Dvorak asked if someone would still have the right to leave or vacate with this new interpretation. Ms. Crombie replied that when R.C. 711.25 was repealed, that process was eliminated.

Chairman Gorris asked if there were any more questions. As there were none, a roll call vote was taken.

Roll Call:

Commissioner Dvorak: yes

Commissioner Spidalieri: Absent

Commissioner Lennon: Absent

Ms. Cocca- Fulton: yes

Mr. Neola: yes

Mr. Gorris: yes

Mr. McCaskey: yes

Mr. Claypool: yes

Mr. Miller: yes

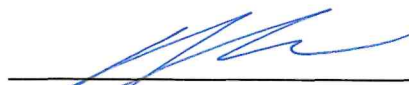
Mr. Bergansky: Absent

Mr. Johnson: Absent


Motion made by Mr. Claypool to approve the change in interpretation of Subdivision Regulations, Section 606(C) and seconded by Ms. Cocca-Fulton and upon a call for the vote, the motion passes.

13. Adjournment:

Motion by Commissioner Dvorak to adjourn the meeting, seconded by Mr. McCaskey and upon a call for the vote, the motion passes. Meeting adjourned 9:11 a.m.



Nicholas Gorris, Chairman



Gary Neola, Secretary/Treasurer

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


Mr. Neola MOVED THE ADOPTION OF THE FOLLOWING RESOLUTION,
WHICH MOTION WAS SECONDED BY Commissioner D. Kobus

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

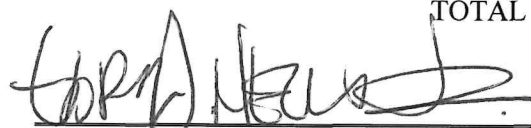
WHEREAS, THESE EXPENSES HAVE BEEN REVIEWED BY THE MEMBERS OF THE COMMISSION AT ITS MAY 14, 2024 MEETING.

NOW THEREFORE, BE IT RESOLVED, THAT THE GEOUGA 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>
0338	TRAVEL	4/11	PAMELA IRIZARRY • Mileage Reimbursement	\$8.17
0338	TRAVEL	4/11	LINDA CROMBIE • Mileage Reimbursement ○ Thompson Land Use ○ Claridon Land Use	\$21.04
0338	TRAVEL	4/11	ALLYSON KOBUS • Mileage Reimbursement ○ Thompson Land Use ○ Claridon Land Use	\$21.31
0306	COPIER USAGE	4/2	DEX IMAGING • 2/22/24 TO 3/21/24	\$37.97
0306	COPIER USAGE	4/30	DEX IMAGING • 3/22/24 TO 4/21/24	\$32.71
0344	MEMBER DUES	4/23	GEOUGA TOWNSHIP ASSOCIATION • Member Dues for Linda Crombie and Allyson Kobus	\$60.00
0329	SUPPLIES	4/23	STAPLES • Office Supplies	\$154.84
			TOTAL	\$336.04



Nick Gorris, Chairman



Gary Neola, Secretary/Treasurer

COUNTY PLANNING COMMISSION FINANCIAL REPORT
Summary

Budget – Prepared MAY 6, 2024



<u>Account</u>	<u>Appropriation</u>	<u>Expenditure</u>	<u>Balance</u>
Salaries	\$172,040.00	\$54,988.83	\$117,051.17
Supplies	\$2,500.00	\$154.84	\$2,345.16
Hosp.	\$28,710.00	\$9,515.92	\$19,194.08
Medicare	\$2,400.00	\$781.81	\$1,618.19
OPERS	\$23,010.00	\$7,698.42	\$15,311.58
Worker's Comp.	\$100.00	\$0.00	\$100.00
Other Expenses	\$5,200.00	\$35.50	5,164.50
Equipment	\$3,225.00	\$0.00	\$3,225.00
Contracted Services	\$0.00	\$0.00	\$0.00
Covid -19 Expenses	\$0.00	\$0.00	\$0.00
Copier Usage Services	\$1,000.00	\$105.71	\$894.29
Travel	\$4,600.00	\$323.79	\$4,276.21
Advertising	\$325.00	\$0.00	\$325.00
Training	\$700.00	\$20.00	\$680.00
Member, Dues, Lic. Sub	\$2,300.00	\$1,105.00	\$1,195.00
Total	\$246,110.00	\$74,729.82	\$171,380.18

<u>Planning Commission Revenues from Fees for April 2024</u>	<u>Year to Date Balance:</u>
January	\$1,760.00
February	\$450.00
March	\$309.00
April	\$1,050.00
	Yearly Total: \$3,569.00