

Held _____

The Public Hearing continued from December 19, 2016 for the proposed Zoning Amendment ZC2016-01 Noise Regulation was called to order at 6:30 p.m. by Chairman Michael S. Troyan. All Trustees were present.

In attendance on behalf of the Auburn Zoning Commission were Albert Tien and Todd Aznavorian.

Trustee Patrick J. Cavanagh commented on the costs of having a sound study done on site would be approximately \$1,600.00 to \$2,000.00 or more on average.

Resident David Fiala commented on proposed language to the Amendment. He would not recommend using the word "average" because he would be prejudice by not allowing for "max acceptable" or "peak level" of noise.

Resident Edie Fiala also commented on Albert Tien's recommendation of maximum levels of noise that would be acceptable.

Trustee Michael S. Troyan had questions about how "grandfathering" would work with the Amendment.

Michael S. Troyan recommended going back to the prosecutor on the following issues:

1. What is reasonable?
2. How does grandfathering work?
3. Who has standing to make a complaint? (i.e. adjacent landowner)

Trustee John A. Eberly would like to insert a clause that the complainant bears the cost of the noise level test.

David Fiala wants an exception for people within 500' of noise origination. Albert Tien commented on this.

Patrick J. Cavanagh questioned if the Board of ~~Zoning Board~~^{TRUSTEES} is subject to Mandamus if there is a complaint. ^{FM}

Todd Aznavorian commented on the problems of dealing with averages. If a peak is set, it could cause measuring issues.

Michael S. Troyan asked if how we would take peak levels into account.

Thomas Jones commented Auburn's current Zoning is "peak" and "not enforceable". He believes the proposed Amendment is adequate.

Mr. Fiala and Todd Aznavorian discussed peak noise levels.

Patrick J. Cavanagh brought up the Russell Township ordinance which uses the O.R.C.

Tom Jones made a comment on grandfathering.

Todd Aznavorian noted that decibel level ranges were considered by the Zoning Commission as a way to create continuity and notice.

Motion by John A. Eberly seconded by Patrick J. Cavanagh to continue the Public Hearing on February 20, 2017 at 6:30 P.M. at the Auburn Administration building. VOTE: Eberly, yes; Cavanagh, yes; Troyan, yes. The motion passed.

Motion by Michael S. Troyan seconded by Patrick J. Cavanagh to adjourn the Public Hearing 7:26 PM. VOTE: Eberly, yes; Cavanagh, yes; Troyan, yes. The motion passed.

RECORD OF PROCEEDINGS
AUBURN TOWNSHIP BOARD OF TRUSTEES—PUBLIC HEARING

3105

Minutes of _____ Meeting

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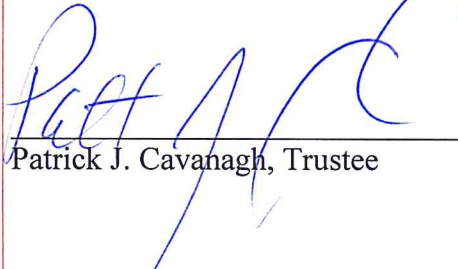
Form 6101

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Held _____


Fredrick May, Fiscal Officer


Michael S. Troyan, Chairman


Patrick J. Cavanagh, Trustee


John A. Eberly, Trustee

2-6-17
Date