

RECORD OF PROCEEDINGS

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148 Auburn Township Administration Building 11010 Washington Street December 12, 2024 1 20

MEMBERS PRESENT: SCOTT BROCKMAN, JEFF PULSFORD, TED VAN HYNING, GREG LACKEY, ANGELA DAUGHERTY

MEMBER ABSENT: DENNIS BERGANSKY, CHAD CANFIELD,

The Public Hearing for ZC-2024-03 was called to order at 7:15 PM by Chairman Ted Van Hying.

Roll call was taken with the following members present: Scott Brockman, Jeff Pulsford, Greg Lackey, Ted Van Hying and Angela Daugherty.

Members absent: Dennis Bergansky and Chad Canfield

Mr. Van Hying proceeded to the Public Hearing and explained the proposed amendment ZC-2024-03, which was adding mobile food trucks to the Auburn Township Zoning Resolution.

The Commission reviewed the recommendations from the Geauga County Planning Commission's December 10, 2024, meeting. A copy of the letter is in the Amendment file for ZC-2024-03.

A discussion took place regarding the comment about special events in a residential area. It was noted that the Zoning Commission proposed to allow a food truck, in a residential district, so that a resident could have a food truck for a private party.

Mr. Dietrich commented that this has been a non-issue in the other townships that have adopted regulations.

Mr. Dietrich also commented that selling other items, other than food, is not permitted because it is a food truck not "an anything else truck."

Frank Kitko, Auburn Township Zoning Inspector commented that as you all know, since this food truck situation came about, instead of enforcing what the resolution says and not allowing these, I have allowed them and asked the Zoning Commission to come up with the regulations that are reasonable for the health and safety of the township residents and visitors. Mr. Kitko commented that no one in the township wants 15-20 food trucks parked at the Corners every weekend, nor do we want to say no food trucks. Mr. Kitko commented that he thinks what the Commission has done with the amendment is reasonable to enforce health and safety."

Mr. Brockman commented that he thinks the amendment is too permissive. Mr. Brockman commented that he thinks most people who live out here in Auburn Township appreciate the semi-rural characteristics of the township and enforcing this intent is important.

Mr. Pulsford commented that he thinks the Commission has done a pretty good job with the amendment.

Mr. Van Hying opened the meeting up for Public Comments.

Jenna Ianaro commented that she thinks when they are talking about selling other items that might have referred to like t-shirts; but that's just her thought.

A discussion took place about the food trucks being registered as a transient vendor. It was noted that this had been previously discussed.

Mr. Van Hying commented that the ORC is suggesting that a food truck must be registered as a transient vendor.

## RECORD OF PROCEEDINGS

Minutes of AUBURN TOWNSHIP ZONING COMMISSION—PUBLIC HEARING ZC-2024-03 Meeting

Auburn Township Administration Building

GOVERNMENT FORMS &amp; SUPPLIES 844-224-3338 FORM NO. 10148

11010 Washington Street

December 12, 2024 2

Held \_\_\_\_\_ 20 \_\_\_\_\_

Mr. Dietrich commented that under zoning we're collecting that information with the zoning permit. He then explained that the code they are referring to is more for door-to-door sales and the Township already has transient vendor regulations in effect. Mr. Dietrich commented that the ORC does not mention anything regarding setbacks etc, because it is not zoning, it is just a registration. We will have this information through the zoning permit. Mr. Dietrich indicated that we have done our best to cover our bases.

Morris Wein indicated that he agreed with what the Commission was discussing right now. Mr. Wein commented that he did have a food truck once parked in front of the building and he apologize for that. He stated that with some of these restrictions for safety and not having 10-15 trucks, he does not think we should do away with food trucks. Mr. Wein indicated that he feels there should not be a limit on days of the week.

Mr. Brockman asked what he proposed.

Mr. Wein commented that he thinks the limit should be three (3) trucks at a time and not limit the number of days they are allowed to have them on location. He further commented that we should put it to a vote to the community. He also commented that it could be one food truck but any number of days of the week. Mr. Wein again indicated that he did not think there should be a limit on the amount of days, a food truck should be allowed.

Mr. Van Hying commented that there is not a mechanism to take this to a public vote legally.

He asked if anyone else had a comment.

Mr. Pulsford had a question for Fire Chief John Phillips, regarding what the Fire Department inspects on a food truck. Chief Phillips indicated the trucks are inspected for safety.

It was noted that registration forms will still need to be implemented.

Mr. Wein asked if there is a copy of the verbiage available?

Mr. Van Hying commented that the amendments have been publicly posted and they are also available online on the Township's website.

Mr. Van Hying asked if there were any other questions?

David Rotunda from <sup>Burn N' Brewery</sup> 8th Day Brewery asked if anyone read the information that he brought to the last meeting.

Mr. Van Hying asked if there was something in particular that Mr. Rotunda wanted to point out?

Mr. Rotunda commented that it is unconstitutional to limit food trucks; and that there is an entity in Arlington, Virginia that fights this.

Mr. Van Hying commented that that is their right; and the Township's regulations are for health and safety.

The public hearing closed at 7:29 pm.

The public sign-in sheet for this hearing is in the file for ZC-2024-03.

**Motion by Jeff Pulsford to close the public hearing for ZC-2024-03. The motion was seconded by Scott Brockman. Vote: Brockman, yes; Pulsford, yes; Van Hying, yes; Lackey, yes; and Daugherty, yes. The motion passed.**

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Auburn Township Administration Building

11010 Washington Street

December 12, 2024 3

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Minutes submitted by

Minutes Approved on:

  
\_\_\_\_\_  
Sarah Mulleman, ZC Secretary

January 9, 2025

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Ted Van Hying, Chairman