

**MOTION TO SET DATE FOR PUBLIC HEARING ON
PROPOSED AMENDMENT TO THE
AUBURN TOWNSHIP ZONING RESOLUTION
R.C. 519.12 (A) (E)**


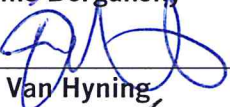

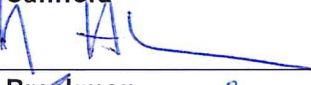
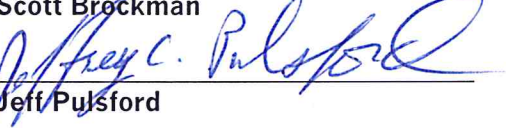
The Auburn Township Zoning Commission, Geauga County, Ohio, met in Regular Session on the 10th day of July, 2025, at 7:00 PM, with the following members present:

✓ Dennis Bergansky
✓ Ted Van Hyning
✓ Greg Lackey
✓ Chad Canfield
✓ Jeff Pulsford
✓ Angela Daugherty
✓ Scott Brockman

Jeff Pulsford moved to adopt the following motion:

That the Auburn Township Zoning Commission conduct a public hearing on the proposed Amendment, identified as ZC-2025-01 to the Auburn Township Zoning Resolution as attached hereto on the 14th day of August, 2025, at 7:00 o'clock PM at the Auburn Township Administration Building, 11010 Washington Street, 44023.

Dennis Bergansky seconded the motion and the roll being called, the vote of the Auburn Township Zoning Commission was as follows:

	<u>Yes or No</u>
<u></u> Dennis Bergansky	<u>4</u>
<u></u> Ted Van Hyning	<u>4</u>
<u></u> Chad Canfield	<u>yes</u>
<u></u> Scott Brockman	<u>yes</u>
<u></u> Jeff Pulsford	<u>yes</u>

Adopted this 10th day of July, 2025
Attested to by:


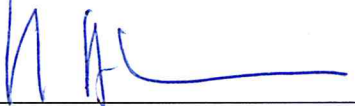

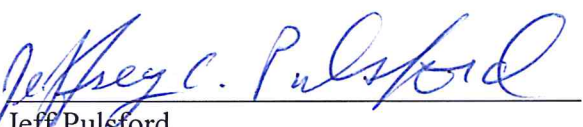
Sarah C. Mulleman
Sarah Mulleman, Secretary, Auburn Township Zoning Commission

**MOTION TO INITIATE AMENDMENT TO THE
AUBURN TOWNSHIP ZONING RESOLUTION
R.C. 519.12 (A)**


Dennis Bergansky moved the adoption of the following motion:

That an amendment to the Auburn Township Zoning Resolution identified as **ZC-2025-01** consisting of 6 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Auburn Township Zoning Commission this **10th** day of **July, 2025**.

Jeff Pulsford seconded said motion. Upon the roll being called, the vote of the members of the zoning commission was as follows:

<u>Member</u>	<u>Yes or No</u>
 Ted Van Hynning, Chairman	Y
 Dennis Bergansky, Vice-Chairman	Y
 Scott Brockman	Y
 Chad Canfield	Y
 Jeff Pulsford	Y

Attested to by:


Sarah Mullen, Secretary
Auburn Township Zoning Commission

Date: July 10, 2025

3.05 WATER MANAGEMENT AND SEDIMENT CONTROL (WMSC)

(a) Purpose and Intent

- (1) The purpose of these regulations is to establish technically feasible and reasonable standards to achieve a level of water management and sediment control that will minimize damage to property and degradation of water resources and wetlands, and will promote and maintain the public safety, **health, and general welfare.**
- (2) These regulations are intended to:
 - a. Allow development while minimizing increases in downstream flooding, erosion, and sedimentation.
 - b. Reduce water quality impacts to receiving water resources and wetlands that may be caused by new development or redevelopment activities.
- (3) These regulations **shall** apply to all of the permitted and conditional buildings, structures, and uses set forth in every zoning district in this zoning resolution, except as otherwise provided herein.

(b) Words and Terms Defined

For the purpose of these regulations, the terms used herein shall have the **same** meaning as set forth in the most recently adopted version of the Geauga County Water Management and Sediment Control (WMSC) Regulations. Said terms are adopted and made a part of these regulations as though fully rewritten herein.

(c) Requirements and Application Procedures

- (1) ~~Two (2) sets of a Water Management and Sediment Control (WMSC) Plan shall be included with the application for a zoning certificate for any of the principal permitted, accessory, or conditional buildings, structures, and uses or off-street parking, loading/unloading area allowed by this resolution or any additions or alterations thereto disturbing less than three hundred (300) square feet of land area unless the disturbance occurs on a subplot in a platted subdivision.~~

Two (2) sets of a Water Management and Sediment Control (WMSC) Plan or an Abbreviated WMSC Plan along with a letter from the Geauga Soil and Water Conservation District (SWCD) indicating either compliance with or exemption from the most recently adopted

version of the Geauga County Water Management and Sediment Control (WMSC) Regulations shall be submitted to the zoning inspector at the time of an application for a zoning certificate for the construction of all principal permitted, accessory, and conditional buildings, structures, and uses and off-street parking and loading/unloading areas allowed by this resolution, including any additions or alterations thereto and any soil disturbing activity incident or in preparation thereto if either of the following conditions apply:

- a. Any amount of land disturbance planned on a subplot within a platted and recorded subdivision; or
 - b. If one (1) acre or more of land will be disturbed on a lot or on contiguous lots under the same ownership of record.
- (2) WMSC Plans **and Abbreviated WMSC Plans** are not required for ~~any~~ **the construction of all** principal permitted, accessory, ~~or~~ **and** conditional buildings, structures, ~~or~~ **and** uses ~~or~~ **and** off-street parking, ~~and~~ loading, ~~unloading~~ areas allowed by this resolution ~~or including~~ any additions or alterations thereto **and any soil** disturbing activity **incident or in preparation thereto involving** less than three (300) hundred square feet of land area unless the disturbance occurs on a subplot in a platted subdivision.

An Abbreviated WMSC Plan shall be required at the time of submission of an application for a zoning certificate for any principal permitted, accessory, and conditional buildings, structures, and uses and off-street parking and loading/unloading areas allowed by this resolution, including any additions or alterations thereto and any soil disturbing activity incident and in preparation thereto disturbing three hundred (300) square feet or more and less than one (1) acre. The Abbreviated WMSC Plan shall be in accordance with the requirements for an Abbreviated WMSC Plan submittal as set forth in the most recently adopted version of the Geauga County Water Management and Sediment Control (WMSC) Regulations. The zoning inspector shall require a letter from the Geauga SWCD indicating either compliance with or exemption from the most recently adopted version of the

Geauga County Water Management and Sediment Control (WMSC) Regulations for an Abbreviated WMSC Plan.

- (3) The contents of the WMSC Plan **and an Abbreviated WMSC Plan** shall meet all requirements and recommendations for erosion and sediment control and storm water management contained in the most recent version of the Geauga County Water Management and Sediment Control (WMSC) Regulations.
- (4) If the lot owner is required to prepare a Storm Water Pollution Prevention Plan (SWP3) in accordance with the **Ohio Environmental Protection Agency's (EPA) NPDES Permit No. OHC000002, or the most recent version thereof, of the Ohio Environmental Protection Agency (OEPA) Construction General Permit**, this SWP3 may be submitted in lieu of the separate WMSC Plan. In situations of conflict, the most restrictive shall prevail.
- (5) ~~The zoning inspector shall review the WMSC Plans submitted under this resolution and approve for compliance or return for revisions with comments and recommendations for revisions within thirty (30) working days after receipt of the Plan. A disapproved Plan shall receive a narrative report citing specific problems and procedures violated and the procedures for filing a revised Plan to ensure compliance with the Geauga County Water Management and Sediment Control Regulations. At the time the zoning inspector receives a revised Plan, another thirty (30) review period shall begin.~~

If a WMSC Plan or an Abbreviated WMSC Plan is disapproved by the Geauga SWCD, a letter or written narrative report by the Geauga SWCD stating the specific issues or regulations in noncompliance shall be provided to the zoning inspector and the owner and another review period shall begin upon the resubmission of a revised WMSC Plan or an Abbreviated WMSC Plan by the owner.

- (6) Soil disturbing activities shall not begin and zoning certificates or conditional zoning certificates shall not be issued without a WMSC Plan **or an Abbreviated WMSC Plan** approved by the ~~zoning inspector~~ **Geauga SWCD** in accordance with these regulations.

- (7) Any addition or alteration to the site design as shown on the approved WMSC Plan **or Abbreviated WMSC Plan** may require the resubmission of said Plan in accordance with these regulations. In making a determination regarding such resubmission, the zoning inspector ~~may~~ **shall** consult with the Geauga SWCD. The zoning inspector shall determine if any addition or alteration requires the issuance of a new zoning certificate or conditional zoning certificate.
- (8) The zoning inspector, **in consultation with the Geauga SWCD**, has the authority to ensure erosion, sedimentation, and storm water management controls have been installed and maintained according to the approved **WMSC Plan or the Abbreviated WMSC Plan. Failure to comply with the approved WMSC Plan or the Abbreviated WMSC Plan shall be a violation of this resolution.**

(d) **Compliance with State and Federal Regulations**

- (1) Approvals **of zoning certificates or conditional zoning certificates** issued in accordance with these regulations do not relieve the ~~site~~-lot owner of responsibility for obtaining other necessary permits and/or approvals from **the Ohio Environmental Protection Agency, the U.S. Army Corps of Engineers, and/or other applicable federal, and state, and/or county agencies** **nor does it imply that the owner has met the requirements or regulations of those agencies.** Such permits shall be obtained before any zoning certificate or conditional zoning certificate is issued. If requirements **or regulations** ~~vary~~ **conflict**, the most restrictive requirement **or regulation** shall prevail.
- (2) Soil disturbing activities regulated ~~under these regulations~~ **by this resolution** shall not begin until **written** proof of compliance with all necessary state and federal permits **and/or approvals have been issued.** ~~as detailed below has been provided. These permits may include, but are not limited to, the following:~~
 - a. ~~Ohio EPA NPDES Permits authorizing storm water discharges associated with construction activity or the most current version thereof.~~ Proof of compliance with these requirements shall be a copy of the Ohio EPA Director's Authorization Letter for the NPDES Permit, or a letter from the lot owner explaining why the NPDES Permit is not applicable.

- b. ~~Section 401 of the Clean Water Act: Proof of compliance shall be a copy of the Ohio EPA Water Quality Certification approval, public notice or a letter from a qualified professional who has surveyed the lot and explain why Section 401 of the Clean Water Act is not applicable. Such a letter shall be noted on site plans submitted to the zoning inspector. Such a letter shall be noted on site plans submitted to the zoning inspector. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by the Ohio EPA and U.S. Army Corps of Engineers at the time an application is made under this regulation.~~
- c. ~~Ohio EPA Isolated Wetland Permit: Proof of compliance shall be a copy of Ohio EPA's Isolated Wetland Permit approval letter from a qualified professional who has surveyed the lot explaining why the Ohio EPA Isolated Wetland Permit is not applicable. Such a letter shall be noted on site plans submitted to the zoning inspector. Isolated wetlands shall be delineated by protocols accepted by the Ohio EPA at the time an application is made under this regulation.~~
- d. ~~Section 404 of the Clean Water Act: Proof of compliance shall be a copy of the U.S. Army Corps of Engineers Individual Permit approval. If an Individual Permit is not required, the lot owner shall submit proof of compliance with the U.S. Army Corp's of Engineer's Nationwide Permit Program. This shall include one of the following:~~
1. ~~A letter from a qualified professional who has surveyed the site and explaining why Section 404 of the Clean Water Act is not applicable. Such a letter shall be noted on site plans submitted to the zoning inspector.~~
 2. ~~A site plan showing that any proposed fill of waters of the United States conforms to the general and special conditions specified in the Nationwide Permit. Wetlands, and other waters of the United States, shall be delineated by protocols accepted by~~

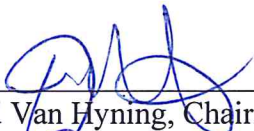
~~the U.S. Army Corps of Engineers at the time an
application is made under this regulation.~~

- e. ~~Ohio Dam Safety Law: Proof of compliance shall be a copy
of the Ohio Department of Natural Resources (ODNR)
Division of Water Permit application, a copy of the project
approval letter from the ODNR Division of Water, or a
letter from a qualified professional explaining why the
Ohio Dam Safety Law is not applicable.~~

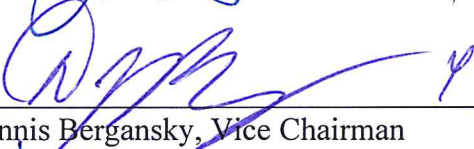
**TRANSMISSION OF A COPY OF THE
MOTION FOR A PROPOSED AMENDMENT TO THE
AUBURN TOWNSHIP ZONING RESOLUTION
TOGETHER WITH THE TEXT
PERTAINING THERETO
TO THE GEAUGA COUNTY PLANNING COMMISSION
O.R.C. 519.12 (E)**

The Auburn Township Zoning Commission hereby submits the attached copy of the motion for a proposed amendment, identified as number **ZC-2025-01** to the Auburn Township Zoning Resolution together with the attached text pertaining thereto to the Geauga County Planning Commission this 11TH day of July, 2025.

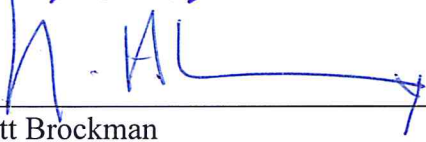
Auburn Township Zoning Commission:



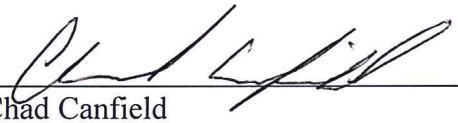
Ted Van Hyning, Chairman Y




Dennis Bergansky, Vice Chairman Y



Scott Brockman Y




Chad Canfield Y



Jeff Pulsford Y

Attested to by:



Sarah Mulleman, Secretary,
Auburn Township Zoning Commission

Received by the Geauga County Planning Commission this _____ day of July, 2025.

Signature of Planning Commission Employee

Print Name