MEMBERS PRESENT: TED VAN HYNING, DENNIS BERGANSKY, GREG LACKEY, CHAD CANFIELD, JASON WEIN,

MEMBER ABSENT: JEFF PULSFORD, SCOTT BROCKMAN,

The meeting was called to order by Chairman Ted Van Hyning at 7:05 PM.

Roll call was taken. See above.

The Pledge of Allegiance was led by Jason Wein.

Members read and reviewed the meeting minutes from July 13, 2023.

Mr. Van Hyning asked if there was anything out of order with the minutes.

There were no corrections or concerns.

Motion by Jason Wein to approve the meeting minutes from the July 13, 2023, meeting. The motion was seconded by Dennis Bergansky. Vote: Van Hyning, yes; Bergansky, yes; Canfield, yes; Wein, yes; and Lackey, yes. The motion passed.

The meeting continued to the next item on the agenda.

There was no new business.

Under old business the discussion continued from the last meeting regarding Family cemeteries.

It was explained to the members what the issue is with what is currently in the zoning resolution regarding a cemetery. The zoning resolution is addressing only a commercial cemetery and according to a 2007 Ohio Attorney General Opinion Townships must allow family cemeteries. It was further noted that the current requirements in the resolution may be too restrictive for a family cemetery, since there is a five (5) acre requirement.

It was noted that this situation came to light recently when an Auburn resident decided he wanted to be buried on his property, in his particular case, he did have five (5) acres, so it was allowed; if he did not, it would have been problematic since townships are not allowed to prohibit a burial on private property; but if the person only has an acre, they would not fall under the current allowed requirements for cemeteries. It was noted that the change needs to differentiate between a commercial and family cemetery, with minimal guidelines for the family cemetery, since the state is requiring that they be allowed.

A discussion took place about potential requirements, i.e. setback from property lines, concerns regarding the septic and well, marking devices on the grave so future owners know there is a body there, obtaining a burial certificate, and a potential deed restriction.

Mr. Dietrich commented that there are no other townships with regulations on this in Geauga County. A discussion took place about ignoring it and moving on to another topic. It was also suggested that the discrepancy in the zoning resolution needs to be corrected and the Board of Zoning Appeals will not be happy if another case comes before them without clarification between the two types of cemeteries.

Mr. Dietrich made suggestions. Mr. Bergansky suggested that there be some type of requirement of notification for future property owners, to protect the sanctity of the human remains located on the property.

Mr. Dietrich suggested that the guidelines be kept to a minimum and that they not be mandated but suggested.

Mr. Van Hyning suggested that something does need to be added to the resolution to clarify it. It was suggested that it just be added to the Schedule of Uses as a "P" to keep it out of the Board of Appeals.

Mr. Dietrich noted that a family cemetery has to be allowed everywhere, not just in specific districts.

Mr. Van Hyning commented that we will add a definition of family cemetery and have it permitted in all the districts.

There were no other comments on family cemeteries.

Next update was windfarms and the revision of Article 5.01(d).

Mr. Dietrich explained that this proposed change is just to revamp the existing text in the resolution. He further explained that this is necessary because the Ohio legislature adopted changes. Mr. Dietrich commented that if a facility is 50 megawatts or more than zoning cannot regulate it which is why all the statutory provisions will be addressing this.

Mr. Bergansky commented that these are huge areas, 4-6 acres to get one megawatt. Mr. Van Hyning summarized: so this is just basically saying the ORC changed. Mr. Dietrich indicated that the resolution is better off to just site the code section.

Mr. Van Hyning questioned if there should be a concern about the size of a farm. Mr. Dietrich indicated that he did not think there was even the grid capacity for one of these in Geauga County.

There were no further comments on this topic.

It was noted that this draft revision of Article 5.01(d) will be put into final form and rather than being a separate amendment, it will be combined with other topics in the next amendment.

Mr. Van Hyning was updated on the progress of regulating food trucks.

A discussion took place regarding potential regulations. Some ideas discussed were that food trucks should not be a permanent structure; how often should the trucks be allowed at one location and how long they can stay at that location.

Mr. Van Hyning commented on what Chagrin Falls encountered and how the restaurants did not want food trucks parked in front of them.

It was noted that if food trucks are temporary, that temporary will need to be defined. A comment was made that if there are restrictions on food trucks, the restrictions should not be too prohibitive.

It was also suggested that one member contact other townships to see what their regulations may be. It was noted that Auburn does not need a food truck park and Auburn does not want permanent food trucks.

The next item discussed was outdoor restaurants and dining requirements. Mr. Dietrich commented that the complaints with outdoor restaurants usually arise from outdoor entertainment.

RECORD OF PROCEEDINGS

Minutes of AUBURN TOWNSHIP ZONING COMMISSION—REGULAR MEETING Meeting

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

Held Auburn Township Administration Building 11010 Washington Street August 10, 2023 20 3

It was noted that this topic will be picked up at the next meeting, along with adult day cares. Mr. Dietrich suggested that the adult day cares topic might be better set up through the Department of Aging.

Mr. Van Hyning announced that Auburn's Community Picnic will be September 16, 2023.

The next meeting will be September 14, 2023.

There were no further comments.

Motion by Dennis Bergansky to adjourn the meeting. The motion was seconded by Jason Wein. Vote: Van Hyning, yes; Bergansky, yes; Canfield, yes; Wein, yes; and Lackey, yes. The motion passed.

The meeting was adjourned.

Minutes submitted by:

Minutes Approved on:

Sarah C. Mulleman, Secretary

September 28, 2023

Ted Van Hyning, Chairman