RECORD OF PROCEEDINGS

Minutes of AUBURN TOWNSHIP ZONING COMMISSION—REGULAR MEETING Meeting

Auburn Township Administration Building

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

Held 11010 Washington Street September 28, 2023 20 1

MEMBERS PRESENT: GREG LACKEY, CHAD CANFIELD, JEFF PULSFORD

MEMBER ABSENT: TED VAN HYNING, DENNIS BERGANSKY, JASON WEIN, SCOTT BROCKMAN

The meeting was called to order on Thursday, September 28, 2023 by Acting Chairman Jeff Pulsford, at 7:02.

David Dietrich was also present.

Roll call was taken with the following members present: Greg Lackey, Chad Canfield and Jeff Pulsford.

The Pledge of Allegiance was led by Chad Canfield.

The meeting minutes from the August 10, 2023, meeting were reviewed by the members in attendance.

Motion by Chad Canfield to approve the meeting minutes from the August 10, 2023, meeting. The motion was seconded by Greg Lackey. Vote: Pulsford, yes; Canfield, yes; and Lackey, yes. The motion passed.

There was a review of old business.

The Commission finalized the definition of family cemetery. It was noted that family cemeteries are permitted in all zoning districts except for passive and active open spaces. Per the Ohio Revised Code, a family cemetery cannot be prohibited in a Township.

A discussion took place regarding family cemeteries. It was noted that once the preliminary pages on this topic are reviewed by the Zoning Commission they will be forwarded to Chardon for legal review at the Prosecutor's Office and also to Linda Crombie, at the Planning Commission, for her informal review.

It was also noted that since no other township in Geauga County has addressed this, it will be interesting to see what comments are returned from Chardon. It was also noted that regardless, Auburn's resolution must differentiate between a commercial cemetery and a family cemetery. The situation the Township encountered recently may not happen again for a long time, but the resolution needs to be corrected on this matter regardless.

It was noted that in reading the Attorney General's opinion and his conclusion, he stated that the Townships are not allowed to prohibit a family cemetery. What Auburn is addressing is not prohibiting it but; we "officially" allowing it. No where in his opinion did not imply that family cemeteries could not be regulated.

A discussion took place.

It was noted that on Page 10 on the topic, there are some requirements on a family cemetery, but again it is not that the township cannot regulate it, it is just that the township cannot exclude it.

There were re a couple of areas that need to be discussed and areas can then information filled in regrding some setbacks.

Mr. Dietrich also suggested a change on Page 10 in the numbering. Mr. Dietrich also commented that Auburn Township should be able to regulate family cemeteries, regulate does not mean that the Township is not permitting them.

Mr. Pulsford questioned if the Township wants to set minimum feet for the driveway setbacks.

It was explained that driveway setbacks in residential are currently fifteen feet (15') with a minimum of twelve feet (12') in width. Mr. Dietrich suggested that the driveway widths and setbacks could be kept the same for both commercial and family.

Commission members reviewed the proposed verbiage.

Mr. Pulsford had a question about tools being stored indoors. It was explained that this is for a commercial cemetery, not for family cemeteries.

A discussion took place regarding setbacks.

There was no further comments or questions.

Mr. Lackey asked if there should be a required distance from the wells on the commercial cemetery?

Mr. Dietrich explained that the proposed amendment did not address that since we are trying to be as minimal as possible with the family cemetery.

Mr. Dietrich also commented that it is kind of an interesting thing we're doing, we're the first ones in Geauga County to put something like this into the resolution.

It was suggested that the commission members might want to review it again at home; that there is time to make changes before the amendment is actually initialized.

Mr. Pulsford moved on to the next item which was Wind Farms.

Mr. Dietrich commented that this was discussed at the last meeting and summarized that this is pretty much required with the new legislation from Columbus.

Mr. Pulsford indicated that the Ohio Revised Code is regulating new items on wind farms.

Mr. Dietrich indicated that the State made some additions and they modified some of the requirements on wind farms regarding the megawatts. Mr. Dietrich further noted that he cited the Ohio Revised Code directly in the proposed amendment to keep it simple, so that people would not get bogged down in the legalization.

Mr. Canfield asked if the State uses megawatts to determine what can be regulated.

Mr. Dietrich commented that no one in the county has put anything out there to regulate them yet. He explained that you need a lot of property to make a wind farm work and be beneficial; He further explained that most of the bigger wind farms are down in southern Ohio. He also commented that he is not even sure that there is even transmission line capacity to do the tie in either.

It was noted that since this is mandated by the ORC it would not be necessary to spend a lot of time discussing this topic, because it would be a moot point.

Mr. Dietrich commented that that is correct since the Township would have to still follow State law.

Mr. Dietrich also commented that if it is over five megawatts on a wind farm, we cannot regulate it and for solar, it is 50 megawatts or more that cannot be regulated.

It was noted that this information on wind farms will also be sent up with family cemeteries for legal review.

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A brief discussion took place regarding food trucks.

Mr. Lackey will do some research on food trucks for the next meeting.

Mr. Canfield commented that he thinks the concern on food trucks is just someone who comes in and parks and leaves it.

Mr. Dietrich commented he thinks that Bainbridge Township is the only one in the county that has regulations around it.

There will be further discussion on food trucks at a later meeting.

Motion by Jeff Pulsford to adjourn the meeting. The motion was seconded by Chad Canfield. Vote: Pulsford, yes; Canfield, yes; and Lackey, yes. The motion passed.

The meeting was adjourned.

Minutes submitted by:

Minutes Approved on:

October 12, 2023

Sarah C. Mulleman, Secretary

Jeff Pulsford, Acting Chairman