

**Minutes: Public Hearing
Russell Township Zoning Commission
Russell Fire-Rescue Station
July 27, 2016**

Present: Bruce Murphy, Vice Chairman
Donna Weiss Carson
Ben Kotowski
Tom Warren

Absent: Jim Dickinson

Also in attendance: Shane Wrench, Zoning Inspector; Jennell Dahlhausen, Zoning Secretary; Bill Christenson; Charlie Butters; Jack Miller; Jane Gray.

The Vice Chairman called the meeting to order at 7:37 p.m. The Zoning Secretary announced that a Public Hearing notice was properly advertised in the Chagrin Valley times. A Sunshine Notice for this meeting was also sent to the News Herald, Geauga Maple Leaf, and was posted at the Administration Building.

MINUTES OF JUNE 23, 2016: *Ms. Weiss Carson moved to approve the minutes of the June 23, 2016 meeting, seconded by Mr. Warren. In favor; Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes. Motion passed.*

PROPOSED ZONING AMENDMENT #2016-3 – NEW SECTION 6.5.J RETAIL FOOD SERVICE – *Mr. Warren moved to open the continued Public Hearing on Amendment 2016-3 to add Section 6.5.J Retail Food Service to the current Zoning Resolution, seconded by Mr. Kotowski. In favor; Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes. Motion passed.*

This amendment will allow for retail food service in the C-S-1 district where sanitary sewers have been installed at the S.R. 306/S.R. 87 intersection, but not in the C-S-2 district at the Music Street/S.R. 306 intersection, which has septic sewers.

Mr. Bill Christenson presented information to the commission that he compiled concerning green restaurant certification standards. He asked that the commission incorporate something similar in the proposed amendment for retail food service that will encourage anyone interested in opening a food service to abide by the strict regulations on emissions and particulates.

Mr. Murphy stated these requirements would be easier for a municipality to enforce since they have more authority with their requirements, but townships are limited to what they can require. The commission would like to do some additional research on other locations in Ohio have these regulations in place and how they are enforced. Mr. Murphy emailed the information to the

County Prosecutor and the County Planning Commission for review. The Zoning Commission said they will look further into these standards as a possible future amendment.

Mr. Jack Miller said he is worried about the water and sewer that is available to these properties and is concerned with the type of food service that may open in Russell Township. It was explained to Mr. Miller that with the availability of sewers within the 306/87 Commercial district, there is no longer a rational basis to deny a food service use. If the food service ban was to be challenged in court, the Township would likely lose that challenge and have the conditions for a food service use imposed by the court. The proposed amendments protect the residents by proactively establishing reasonable limitations on these uses that will reduce potential impacts of food service uses on residents as much as is legally allowed. These strict requirements include the use of a hydrologist to ensure there is adequate water supply available for the area as well.

Mr. Murphy presented the following addition to the amendment concerning odors:

5. Odors: Impact of odors on neighboring properties shall be considered. Information shall be provided by the applicant as to the various methods and technologies available to control anticipated odors and cooking related emissions. The applicant will document which of these controls will be utilized and why those particular controls are appropriate, and will document a program of maintenance for those controls.

The commission agreed this addition would be beneficial to ensure that some added measures would be pursued to regulate odors produced from a potential retail food service.

Mr. Kotowski moved to add "Information shall be provided by the applicant as to the various methods and technologies available to control anticipated odors and cooking related emissions. The applicant will document which of these controls will be utilized and why those particular controls are appropriate, and will document a program of maintenance for those controls." to section 5. Odors of amendment 2016-3 to the Russell Township Zoning Resolution, seconded by Mr. Warren. Roll call: Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes. Motion Passed

Mr. Warren moved to close the public hearing for amendment 2016-3, seconded by Ms. Weiss Carson. Roll call: Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes. Motion Passed

Mr. Kotowski moved to recommend amendment 2016-3 to the Russell Township Zoning Resolution, new section 6.5.J to enforce regulations on retail food service, seconded by Mr. Warren. Roll call: Mr. Murphy – yes, Ms. Weiss Carson – yes, Mr. Kotowski – yes, Mr. Warren – yes. Motion Passed

OTHER BUSINESS: The Zoning Commission discussed the Land Use Guide Plan. Most members have completed changes to their assigned sections of the plan and Mr. Murphy stated that he has asked the Zoning Secretary to complete research for his section, which he should have compiled by the next meeting. Mr. Warren has volunteered to complete the general introduction section and incorporate the survey. The commission will review what has been completed at the next Zoning Commission meeting and discuss graphics for each of the sections.

Being that there was no further business to come before the Commission, Ms. Weiss Carson moved to adjourn, seconded by Mr. Kotowski. The meeting adjourned at 8:46 p.m.

Jennell Dahlhausen
Zoning Secretary

Date

Bruce Murphy
Vice Chairman

Date