

**Northfield Center Township
Zoning Commission Work Session
December 8, 2010 – 1:00 p.m.**

THIS WORK SESSION WAS NOT DIGITALLY RECORDED

A. CALL TO ORDER:

Meeting called to order at 1:00 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

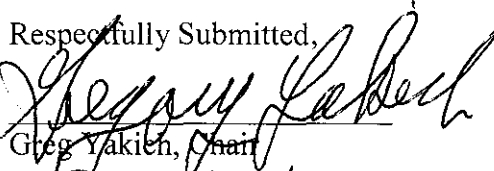
At this work session, the Zoning Commission discussed the following possible text amendments to the Northfield Center Township Zoning Resolution:

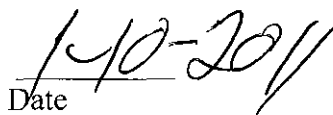
1. New Definition: “Charitable Collection Box: a box used for collection of clothing, household goods and dry goods.” Add to Chapter 130, “Definitions.”
2. New Definition: “Dumpster: will use the definition in the Book of Illustrated Development Definitions.” Add to Chapter 130.
3. Add to Chapter 430.04, letter “B” add a #4 “charitable collection box does not apply to screening and placement.”
4. Add to Chapter 430.05, add a new letter “D” “charitable collection box does not apply to screening and placement.”
5. Change in Chapter 640.07, “B” #2, remove current #2 and replace with “Exhibit A page 7” of Mr. Hartt’s review.
6. Change in Chapter 420.04, add to letter “A” #1, “multiple signs not to exceed 20 square feet.”
7. Change in Chapter 420.05, add “under 50% of window coverage.”
8. Add in Chapter 420.14 a new letter “B” #3, “Temporary Business Signs.”
9. Change in Chapter 420.02, change “EMC” to read “Electronic Message Sign Center.”

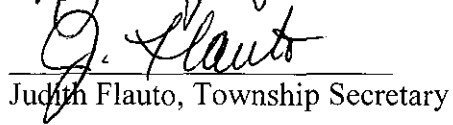
C. ADJOURNMENT:

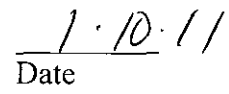
Adjournment not recorded.

Respectfully Submitted,


Greg Yakich, Chair


Date


Judith Flauto, Township Secretary


Date

**Northfield Center Township
Zoning Commission Work Session
November 17, 2010 – 1:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 1:00 p.m. by John Campbell, Acting Chair.

Roll Call:

John Campbell, aye; Jim Youel, aye; Daniel Schade, aye; Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

The Zoning Commission discussed the following topics regarding the proposed updating of the Northfield Center Township Zoning Resolution:

1. Need to add "Foster Family Home" to Chapter 310 per D. B. Hartt's memo, and also add it to Chapter 130 "definitions."
2. Add "Adult Care Facility" to Chapter 310 and Chapter 130.
3. In a business district, Section 350.03, allow personal service in a C-4 District, change to "P" in table of permitted uses, and also make it a "P" in the B-R column.
4. Drive-thru facility, #12 in 350.03, change to "P" in all districts except B-R.
5. Gasoline stations should also be "P" in C-4.
6. Add to Chapter 450.01, Intent-leave the paragraph but add "and the Ohio Revised Code Sections 519.02, 519.211 and 519.25" after "public law 104-104," and then continue finishing the paragraph.
7. Need to develop a definition for "charitable box."
8. Review Chapter 430 for "landscaping."
9. In Chapter 360.09, change "Planning Commission" to "Zoning Commission and Board of Zoning Appeals" and "City" to "Township" in Mr. Hartt's memo, page 4, letter "C".

C. ADJOURNMENT:

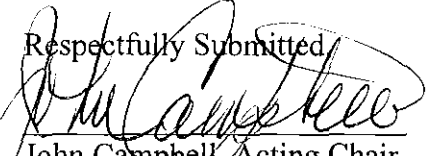
Mr. Schade moved to adjourn at 2:45 p.m.

Seconded by Mr. Lovano.

Roll Call:

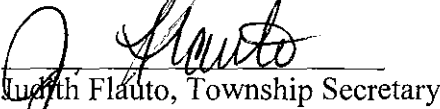
John Campbell, aye; Jim Youel, aye; Daniel Schade, aye; Basil Lovano, aye.

Respectfully Submitted,



John Campbell, Acting Chair

1/10/11
Date


Judith Flauto, Township Secretary

1/10/11
Date

**Northfield Center Township
Zoning Commission Regular Meeting
November 8, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:00 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, absent; John Campbell aye; Daniel Schade, aye
Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

There was a brief discussion of the work done by D. B. Hartt and Inspector Saunders recommendations to update the Zoning Resolution.

Mr. Schade felt that there were a lot of issues that Inspector Saunders discussed with Mr. Hartt, some of which could be too much regulating, with no way to enforce some things.

Mr. Yakich felt that with being in a Township, we are very dependent on the Summit County Judicial System, so why put regulations in that will not be able to be enforced by the people needed to enforce them.

Mr. Schade moved to move the Work Session immediately following this meeting until November 17, 2010.

Seconded by Mr. Campbell.

Roll Call:

Greg Yakich, aye; James Youel, absent; John Campbell aye; Daniel Schade, aye
Basil Lovano, aye.

C. ZONING INSPECTOR'S SECTION:

Inspector Saunders was not present.

D. APPROVAL OF MINUTES:

Minutes of the Regular Meeting of 10/11/10 were tabled until the December Regular Meeting.

E. PUBLIC COMMENTS:

None.

F. ADJOURNMENT:

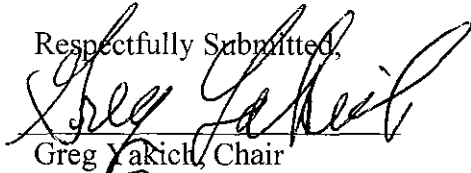
Mr. Schade moved to adjourn at 7:30 p.m.

Seconded by Mr. Lovano.

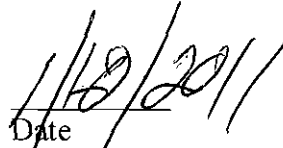
Roll Call:

Greg Yakich, aye; James Youel, absent; John Campbell aye; Daniel Schade, aye
Basil Lovano, aye.

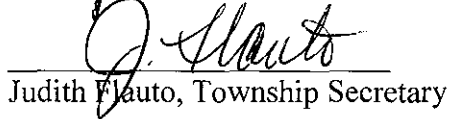
Respectfully Submitted,



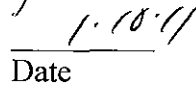
Greg Yakich, Chair



Date



Judith Flauto, Township Secretary



Date

**Northfield Center Township
Zoning Commission Regular Meeting
October 11, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:08 p.m. by John Campbell, Acting Chair.

Roll Call:

Greg Yakich, absent; James Youel, aye; John Campbell aye; Daniel Schade, absent; Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

David Hartt of D. B. Hartt addressed the Zoning Commission and went over page by page, his preliminary "Summary of Phase 1 Review of Zoning Resolution." The review by Mr. Hartt is attached to these minutes.

C. ZONING INSPECTOR'S SECTION:

In addition to what Mr. Hartt discussed in his preliminary review of the Northfield Center Township Zoning Resolution, Inspector Saunders asked Mr. Hartt to also consider the following additional items:

1. Real estate open house signs.
2. Commercial real estate signs.
3. Vehicles parked repeatedly and intended to be a sign.
4. Driveway aprons.
5. Fences (the 3-foot offset requirement)
6. Minimum pool size established before a permit is required.
7. Firewood storage.

A brief discussion ensued about these topics.

D. APPROVAL OF MINUTES:

Mr. Lovano moved to waive the reading and approve the minutes of the 7/26/10 Work Session.

Seconded by Mr. Youel.

Roll Call:

Greg Yakich, absent; James Youel, aye; John Campbell aye; Daniel Schade, absent; Basil Lovano, aye.

Mr. Lovano moved to waive the reading and approve the minutes of the 8/9//10 Regular Meeting.

Seconded by Mr. Campbell.

Roll Call:

Greg Yakich, absent; James Youel, aye; John Campbell aye; Daniel Schade, absent; Basil Lovano, aye.

Mr. Youel moved to waive the reading and approve the minutes of the 9/13/10 Regular Meeting.

Seconded by Mr. Lovano.

Roll Call:

Greg Yakich, absent; James Youel, aye; John Campbell aye; Daniel Schade, absent; Basil Lovano, aye.

E. PUBLIC COMMENTS:

Brian Dосkosil, 120 W. Aurora Rd. was in attendance to inquire about opening an internet café in the former Remax office building. The Zoning Commission and Inspector explained to him that there is an indefinite moratorium on these gaming cafes until Summit County ordinance is heard in court and subsequent Township action is taken to include these facilities in the Zoning Resolution.

F. ADJOURNMENT:

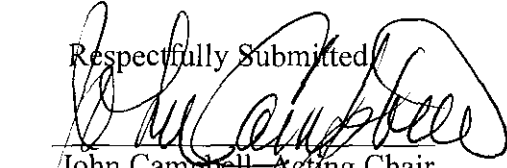
Mr. Youel moved to adjourn at 8:35 p.m.

Seconded by Mr. Lovano.

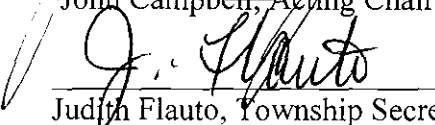
Roll Call:

Greg Yakich, absent; James Youel, aye; John Campbell aye; Daniel Schade, absent; Basil Lovano, aye.

Respectfully Submitted,


John Campbell, Acting Chair

1/10/11
Date


Judith Flauto, Township Secretary

1-10-11
Date



planning and development consultants

Memorandum

TO: Northfield Center Township Zoning Commission

FROM: David B. Hartt

SUBJECT: Summary of Phase I Review of Zoning Resolution

DATE: October 11, 2010

The following is a summary of D.B. Hartt's Phase I comprehensive review of the Northfield Center township Zoning Resolution. Specifically, these findings and opinions are based on: (1) our comprehensive review of the Resolution, (2) the comments and questions at the July Zoning Commission Meeting, (3) my meeting with Donald Saunders, Zoning Inspector, and (4) reviewing the amendments that are currently being contemplated by the Township.

While this appears to be a long list, not all of the responses to our review and related questions suggest that amendments are warranted. Suggested amendments that should be considered are marked with an asterisk (*) – and many of them represent minor changes. Other suggestions for consideration, but not firm recommendations, are not marked with an asterisk.

A. Use Considerations

1. Consider adding Foster Family Home (maximum of 5), Adult Family Home (3 to 5) – and marked with an asterisk (*) in the definitions below - as permitted uses. These changes would be consistent with State regulations and recent court decisions. The current Resolution only lists the related uses that are either accessory (Family Day Care Home) or conditionally permitted (the larger “group homes”).
 - a. Adult care facility. A facility providing personal care services to adults (typically elderly). Such services may include assistance in daily living activities and self-administration of medicine, and preparation of special diets. There are two categories of adult care facilities licensed by the Ohio Department of Health:

- i. ***An adult family home** (providing accommodations for 3 to 5 unrelated adults); and,
 - ii. An adult group home (providing accommodations for 6 to 16 unrelated adults).
- b. **Residential facility.** A facility licensed by the Ohio Department of Mental Health that provides room, board, personal care, supervision, habilitation services and mental health services, in a family setting, to one or more persons with mental illness or severe mental disabilities. There are three size categories of residential facilities:
- i. **Family home.** A residential facility that provides the services listed above for six (6) to eight (8) mentally retarded or developmentally disabled persons.
 - ii. ***Foster family home.** A residential facility that provides the services listed above for five (5) or fewer mentally retarded or developmentally disabled persons.
 - iii. **Group home.** A residential facility that provides the services listed above for nine (9) to sixteen (16) mentally retarded or developmentally disabled persons.

***Definitions related to the above would need to be added as well.**

- 2. ***Modify Gas and Oil Well regulations (Chapter 460) to comply with State requirements which have virtually eliminated local zoning authority.**
- 3. In the Business Districts consider whether:
 - a. Personal Services should be added as a permitted use in the C-4 district;
 - b. Restaurants, without drive-through, should be permitted in all commercial districts except for the BR.
 - c. Gasoline Stations should be permitted in the C-4 District.
- 4. ***Evaluate further, and make necessary changes, to assure that the current WTC regulations comply with ORC 519.211.**
- 5. Outdoor Wood Furnaces – It is reasonable for the Township to regulate these devices, or as some communities have done, prohibit them. If permitted, I believe they should be a “permitted use” with standards rather than conditionally permitted. Based on my understanding, the standards would be objective measures; and, once they were satisfied

there would be no further subjective determination required to justify, in my opinion, a conditional use review. Some of the suggestions made by the Summit County Planning Commission staff are reasonable to consider, such as:

- a. Requiring the placement in the rear yard;
- b. Establishing setbacks from property lines – which could vary depending on the district in which the furnaces are permitted;
- c. Requiring compliance with the USEPA Phase 2 Emission Program.

B. Development Standards

1. Should all sub-lots be required to front on public streets (Section 230.01A), particularly in Planned Residential Developments? A change to permit private streets, or permit more homes on a common drive, would not conflict with the Summit County Subdivision Regulations? (See also, Section E.2, below.)
2. Are these specific water and sewer restrictions appropriate (Sec.230.08) given the alternative technology that could be considered?
3. Is it in the public interest to require that the land area of “unique natural features” is deducted from the available land area when calculating permitted density (Section 320.05)? My concern is that if it is not counted, there is an incentive for the property owner, over time, to eliminate the resource, particularly wetlands, so that the density permitted can be restored.
4. Consider adding riparian setback regulations as an expansion of Section 320.07 H.
5. Off-Street Parking:
 - a. The amount of parking required in Section 410.04 could be reduced, such as:
 - i. Retail reduced to 1space per 250 sq. ft. (from 1/200);
 - ii. Offices reduced to 1/300 (from 1/250);
 - b. Consider eliminating the requirement that very large retail stores have less parking required (1 space per 300 sq. ft.) than smaller stores. If, in the future, the building were to be subdivided into multiple stores a parking deficiency for the site could result. This is not a very big issue.
 - c. For deferred construction, permit less than 70% of the required spaces to be built (Section 410.06). This is particularly applicable for industrial uses which have a wide range of parking requirements.

6. *It is reasonable to regulate dumpsters and charitable collection boxes and make regulatory distinctions between the two. The dumpsters should be appropriately screened. The location of charitable boxes can be specified, but the nature of the “business” would preclude the same screening requirement as dumpsters.
7. Damaged and fallen trees, and overhanging branches, are a general property rights issue separate from zoning. We have never addressed this issue in zoning and don’t believe it should be included in the Zoning Resolution.

C. Administrative Procedures

1. *A statement should be added at the end of Section 630.09 Review Criteria for conditional uses that frames the discretionary latitude that the Township has in judging the merits of a conditional use. I believe that, too often, a community applies “overly broad discretion” when considering uses that have been included in the Resolution “as being acceptable” when “specified conditions have been satisfied.” Suggested language is:

When evaluating applications utilizing the above criteria, the Planning Commission should judge the appropriateness of the proposed conditional use based upon its anticipated impacts given the scope of the proposed use on the subject site understanding that the City has already accepted impacts normally associated with such a conditional use when the use was listed as a conditional use in the zoning district.

2. *I suggest that Section 440.02 be amended to permit a non-conforming structure (whether or not it is occupied with a conforming use) to be re-built 100% “as is.” This provision is becoming more and more important in order for property owners to secure financing for commercial projects.
3. Consider modifying the use variance criteria in Section 640.07 B. 2 since these criteria can rarely be satisfied. Use variances, in my opinion, are a useful tool when used sparingly, and the applicant should have a fighting chance to secure approval in the appropriate circumstances. A suggested amendment is in Exhibit A, attached.

D. Signs.

1. Consider permitting each business multiple wall signs on a building frontage (Section 420.04) – all within the total maximum permissible areas. This permits flexibility and the opportunity for visual interest. The signs will continue to be in portion to the size of the building.

2. Maintain the current standard for window signs - 20% of the window (Section 420.05) for permanent signs and an additional 20% for temporary signs. These are reasonable standards. Yet, no matter what the standard is, administration and enforcement is always difficult.
3. Eliminate permit requirement for temporary window signs (Section 420.14 B). The ease or difficulty of enforcement is not altered whether a permit is required or not. Permits for permanent window signs should continue to be required.
4. The existing sign provisions for a building on corner lots are flexible and reasonable (420.06 A and 420.07 A. 8). It would be a policy call if the Township chose to alter these standards.
5. The limitations for temporary real estate signs (20 sq. ft. residential; 32 sq. ft. commercial) seem to be reasonable (Section 420.09).
6. Political signs: The Resolution does permit “permanent” allowances for non-commercial speech as required by recent court cases. However:
 - a. *The wording in Section 420.09B could be revised to more clearly delineate the difference between commercial and non-commercial signs and speech; and
 - b. *Consideration should be given to extending the time signs are permitted before an election (Section 420.09 B 1 (b)) and increasing the number of signs permitted.
7. *In the recently adopted amendment, it is not reasonable to prohibit the business name on an EMC (Section 420.02. 8); that is a content regulation which should be avoided.
8. Amortization of non-conforming signs has been upheld. If amortization is considered it should be accompanied with regular communication to affected property owners or businesses and with the opportunity for reasonable variances or extensions to be expected and granted.

E. Other - Several, more general, questions have been raised during this review. The following are what we believe are the correct answers to these questions, from our research and opinions as planners and not from a legal perspective:

1. Townships do have the authority to adopt **property maintenance codes**. The ORC 505.73 authorizes Township Board of Trustees to “*adopt by incorporation by reference, administer, and enforce within the unincorporated area of the township an existing structures code pertaining to the repair and continued maintenance of structures and the premises of those structures.*” Maintenance codes, however, should not be part of the Zoning Resolution.

2. The Summit **County Subdivision Regulations permit private streets** in a Planned Residential Development (PRD). Such streets are permitted “...*after review and approval by both the Summit County Engineer and Summit County Planning Commission and provided that the local Township Zoning Resolution provides for such private streets.*”
3. The zoning authority to **regulate parking of recreational and commercial vehicles** on residential property did not seem to change. This is based on researching the following:
 - a. ORC 519.02 which states that the Board of Township Trustees “...*may regulate the location of, setback lines for, and the uses of buildings and other structures, including tents, cabins and trailer coaches,...*”
 - b. Zoning resolutions from seven (7) Ohio Townships, all of which have regulations for parking recreational vehicles on residential property and three (3) have regulations for commercial vehicles in residential districts.

F. Definitions

1. Building Height (Section 130.02 b. 23) – Is the Township satisfied with the height being measured to the peak rather than the “mid-point?”
2. The use list “church or other place of worship” (Section 310.03) conflicts with the definition “Places of Worship” (Section 130.02 B. 107). While a really minor point, this should be reconciled when other amendments are being undertaken.
3. ***Clarify the definition of “structure”** (Section 130.02 B. 138). Rear yard lot coverage, including buildings and structures, is limited to 30% (which is approximately 4,000 to 5,000 square feet on a “standard” R-1 single family lot). This is a reasonable coverage requirement if the interpretation of “structure” includes such elements as driveways and swimming pools. Because of this uncertainty, the definition of the term “structure” should be clarified.

Following the Zoning Commission’s review at October 11th meeting, this document will be revised to reflect the discussion and priorities. The revised document will fulfill the Phase I services authorized by the Trustees.

Exhibit A Suggested Amendment for Use Variances

Use Variance. In order to grant a use variance, the Board of Appeals shall determine that strict compliance with the terms of this Code will result in unnecessary hardship to the applicant. The applicant must demonstrate such hardship by clear and convincing evidence that all of the criteria in subsection_____. are satisfied. The applicant may further demonstrate hardship by use of the criteria in _____

- A. The applicant shall demonstrate hardship with the following:
- i. The variance requested stems from a condition that is unique to the property at issue and not ordinarily found in the same zone or district;
 - ii. The granting of the variance will not have any material adverse affect on the rights of adjacent property owners or residents;
 - iii. The granting of the variance will not have any material adverse affect on the public health, safety or general welfare;
 - iv. The variance will be consistent with the general spirit and intent of the Resolution; and,
 - v. The variance sought is the minimum that will afford relief to the applicant.
- B. The applicant may submit evidence and the Board of Appeals may also consider:
- i. Whether the property cannot be put to any economically viable use under any of the permitted uses in the zoning district in which the property is located; and,
 - ii. Whether, and the extent to which (if applicable), the hardship condition is not created by actions of the applicant.

**Northfield Center Township
Zoning Commission Regular Meeting
September 13, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:00 p.m. by John Campbell, Acting Chair.

Roll Call:

Greg Yakich, absent; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

C. ZONING INSPECTOR'S SECTION:

Inspector Saunders was not in attendance.

D. APPROVAL OF MINUTES:

Mr. Schade moved to waive the reading and approve the minutes of the 7/12/10 Regular Meeting.

Seconded by Mr. Youel.

Roll Call:

Greg Yakich, absent; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

Mr. Schade moved to waive the reading and approve the minutes of the 7/28/10 Special Meeting.

Seconded by Mr. Lovano.

Roll Call:

Greg Yakich, absent; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

E. PUBLIC COMMENTS:

Gary Jackson of Jackson Comfort & Heating asked the Zoning Commission about a change in zoning in the Industrial District that he had heard about. He had heard from another business owner that there was going to be zoning changes to that district.

The members of the Zoning Commission explained to Mr. Jackson that at this time, there were no proposed zoning changes to any district in the Township. They said that if there were ever a proposed zoning change, Township residents

and business owners would be notified of a Public Hearing. They also explained that the Zoning Resolution is going to be reviewed in the near future, but it was for proposed text amendments and general updating of the Zoning Resolution, not changes in zoning districts.

F. ADJOURNMENT:

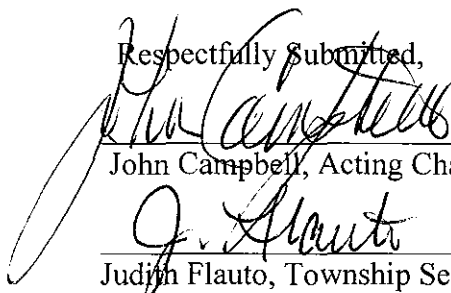
Mr. Schade moved to adjourn at 7:10 p.m.

Seconded by Mr. Youel.

Roll Call:

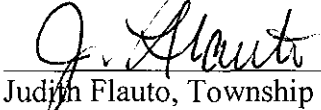
Greg Yakich, absent; James Youel, aye; John Campbell aye; Daniel Schade, aye; Basil Lovano, aye.

Respectfully Submitted,



John Campbell, Acting Chair

10/11/10
Date



Judith Flauto, Township Secretary

10-11-10
Date

**Northfield Center Township
Zoning Commission Regular Meeting
August 9, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:02 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye; Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

The Zoning Commission received a copy of an email sent from D. B. Hartt to the Town Hall, outlining a proposal to provide zoning services to the Township. This proposal was based on Mr. Hartt's attendance at a work session on 7/26/10, and was for Trustee review.

C. ZONING INSPECTOR'S SECTION:

Inspector Saunders told the Zoning Commission that ODOT would not allow a proposed Aldi's store to outlet onto Rt. 82, unless it is with the current traffic light.

Inspector Saunders also told the Zoning Commission that Giant Eagle's expansion plans have been approved by the City of Macedonia.

D. APPROVAL OF MINUTES:

No minutes were ready for approval at this meeting.

E. PUBLIC COMMENTS:

None.

F. ADJOURNMENT:

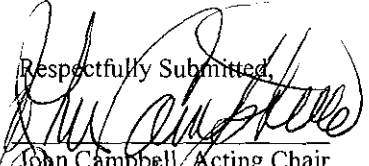
Mr. Campbell moved to adjourn at 7:25 p.m.

Seconded by Mr. Schade.

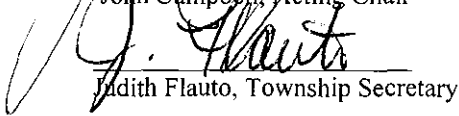
Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye; Basil Lovano, aye.

Respectfully Submitted,


John Campbell, Acting Chair

10/11/10
Date


Judith Flauto, Township Secretary

10-11-10
Date

**Northfield Center Township
Zoning Commission Special Meeting
July 28, 2010**

A. CALL TO ORDER:

Meeting called to order at 3:00 p.m. by Greg Yakich, Chair.

Roll Call:

Dan Schade, aye; Greg Yakich, aye; John Campbell, aye; James Youel, aye;
Basil Lovano, aye.

B. VOTE:

Mr. Yakich moved to recommend to the Trustees to initially fund D. B. Hartt to review and update the Northfield Center Township Zoning Resolution, not to exceed \$4000.00.

Seconded by Mr. Schade.

Roll Call:

Dan Schade, aye; Greg Yakich, aye; John Campbell, aye; James Youel, aye;
Basil Lovano, aye.

F. ADJOURNMENT:

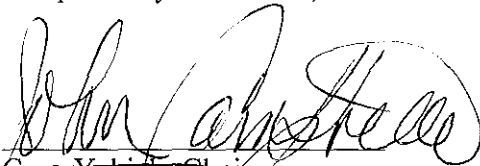
Mr. Yakich moved to adjourn at 3:05 p.m.

Seconded by Mr. Schade.

Roll Call:

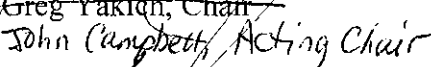
Dan Schade, aye; Greg Yakich, aye; John Campbell, aye; James Youel, aye;
Basil Lovano, aye.

Respectfully Submitted,




Greg Yakich, Chair

9.13.10
Date



John Campbell, Acting Chair



Judith Flauto, Township Secretary

9.13.10
Date

**Northfield Center Township
Zoning Commission Work Session
July 26, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:08 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

This work session was to discuss possibly updating the Northfield Center Township Zoning Resolution. Mr. David Hartt of D. B. Hartt attended to talk with the Zoning Commission about the proposed updating.

Mr. Hartt addressed the Zoning Commission. He had previously updated the Zoning Resolution about 10 years ago. Part of his job is to evaluate the code and present it back to the ZC to see if they want to address additional things as well as the items that the ZC had already mentioned to Mr. Hartt, including outdoor wood burning furnaces, internet gaming, and wind turbines. Mr. Hartt explained that he can either do a comprehensive review and then come back to the ZC with that information and fee, or he can review specific topics that are new/cropping up in the Township that the ZC feels need to be added to the Zoning Resolution.

Mr. Lovano stated that he would like to specifically get Inspector Saunder's input for the Zoning Code, as he is the one that works with it on a regular basis.

Mr. Yakich felt that the Township has grown and changed in the last ten years, and the Zoning Resolution needs to be updated to reflect those changes.

Inspector Saunders addressed the following issues that he felt needed to be examined for a Zoning Resolution Update:

1. Inspector Saunders said that the Zoning Resolution cannot enforce our regulations anymore due to court rulings.
2. Temporary signs in business districts, and signs in general-this section of the Zoning Resolution needs to be completely overhauled. Specifically, the 5-year grace period for pole signs to be changed over to monument signs expired about 2 years ago.
3. Paper and clothing collection bins have been popping up, they should be covered in the Zoning Resolutions like trash bins/dumpsters are.

4. Political signs need to be addressed.
5. A basic maintenance code needs to be added to the Zoning Resolution.
6. Commercial vehicles are being parked in residential areas; this needs to be regulated as well.

Mr. Yakich asked Inspector Saunders how these items would be enforceable even if they were addressed in the Zoning Resolution.

Inspector Saunders said the Township could use a municipal court.

Mr. Hartt felt that a maintenance code would not be part of the Zoning Resolution; it would be a totally separate ordinance/regulation/resolution that the Township would have to adopt.

Mr. Youel felt that the purpose of this work session was to decide whether or not to hire D. B. Hartt, and that any maintenance code would not be the responsibility of the Zoning Commission, but that of the Trustees/Township.

Mr. Schade felt that the code does need to be reviewed.

Mr. Yakich agreed with Mr. Schade, and suggested that the ZC give Mr. Hartt's approximate price of \$4000.00 to the Trustees so they can appropriate the funds.

C. ADJOURNMENT:

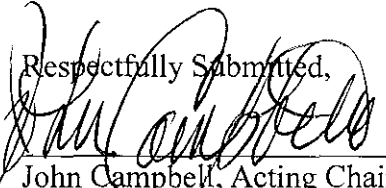
Mr. Schade moved to adjourn at 7:50 p.m.

Seconded by Mr. Yakich.

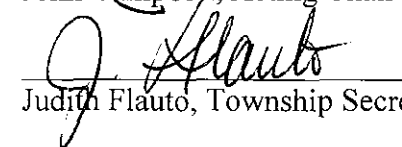
Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye; Basil Lovano, aye.

Respectfully Submitted,


John Campbell, Acting Chair

10/11/10
Date


Judith Flauto, Township Secretary

10.11.10
Date

**Northfield Center Township
Zoning Commission Regular Meeting
July 12, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:06 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, absent;
Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

Zoning Commission tentatively set a date for a Work Session with David Hartt of D. B. Hartt to discuss the possibility of his company reviewing/updating the Northfield Center Township Zoning Resolution. This Work Session date will be July 26, 2010.

C. ZONING INSPECTOR'S SECTION:

Inspector Saunders told the Zoning Commission that he had contacted the resident who was selling used cars on Olde Eight Rd.; he cannot do that and also the resident may not have any unlicensed vehicles even if they are not for sale.

Inspector Saunders also showed the Zoning Commission members the proposed expansion plans for Giant Eagle.

AP Gas Station located at 70 W. Aurora Rd. was also discussed. New owner has applied for a liquor license, but have not applied with the Township for any permits; there are multiple violations involved with the property.

D. APPROVAL OF MINUTES:

Mr. Youel moved to waive the reading and approve the minutes of the 6/14/10 Regular Meeting.

Seconded by Mr. Lovano.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, absent;
Basil Lovano, aye.

E. PUBLIC COMMENTS:

None.

F. ADJOURNMENT:

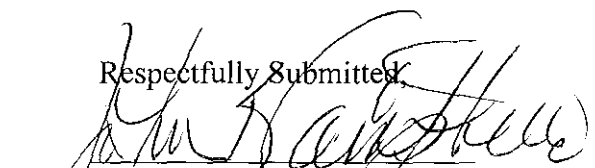
Mr. Yakich moved to adjourn at 7:45 p.m.

Seconded by Mr. Lovano.

Roll Call:

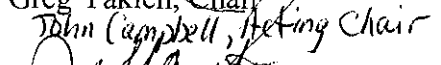
Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, absent;
Basil Lovano, aye.

Respectfully Submitted,

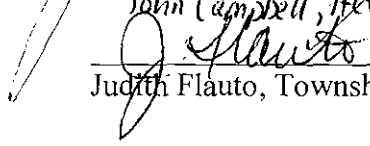


Greg Yakich, Chair

9.13.10
Date



John Campbell, Acting Chair



Judith Flauto, Township Secretary

9.13.10
Date

**Northfield Center Township
Zoning Commission Regular Meeting
June 14, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:05 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

Mr. Youel said that the Zoning Commission needs a resolution from the Trustees to re-open discussion of outdoor wood burning furnaces, and it should include some direction as to what the Trustees would like to see.

The Zoning Commission asked Secretary Flauto to check with Springfield Township as to the outcome of the court hearing in June regarding gaming and internet cafes.

The Zoning Commission also asked Secretary Flauto to check with D. B. Hart to inquire about a cost to review and possibly “tweak” the current Zoning Resolution, and also add a new text amendment that has been approved regarding electronic message signs.

The Zoning Commission also asked Secretary Flauto to request again from the Trustees, a resolution for the ZC to re-open discussion on outdoor wood burning furnaces, and also to ask again about a budget for the Zoning Commission in regards to having the Zoning Resolution reviewed and updated.

C. ZONING INSPECTOR’S SECTION:

Inspector Saunders discussed the previous week’s article in the Akron Beacon Journal about foreclosed homes in the Township. Inspector Saunders, Councilman Nick Kostandaras, and members of the Summit County Board of Health and the newspaper toured the foreclosed homes. Some had mold, and flooded basements. The intention of the tour and article was to get some outreach to the public. Mr. Kostandaras will try and put some legislation together that may allow the Township to be notified if gas and electric supplies have been turned off, so that the Township may be able to get the water turned off as well.

Mr. Schade asked if there is something that the Township can see or know by looking at the outside of a home if a sump pump is running.

Inspector Saunders told the ZC that usually his first indication of a foreclosed home does not come until spring/summer when grass has not been cut, and then it becomes obvious. Also, the Board of Health has no power over the situation as long as the house is secured.

Mr. Youel asked about putting a “blurb” on NS7 or the Township newsletter to ask people if they think something is wrong with an abandoned home, please notify the Township.

Inspector Saunders also informed the ZC that the two moldy homes in Brandywine Preserve have been purchased by Fannie Mae, and a mold abatement company had come into the Town Hall to obtain permits to clean/gut both residences.

Inspector Saunders also informed the ZC that the County passed an internet café ordinance that is now being challenged in court. The ordinance is on hold until it is decided in court; Northfield Center Township does have a moratorium in place as of now.

Inspector Saunders told the ZC that the Summit County Planning Commission held a seminar on outdoor wood burning furnaces and he gave information packets to the ZC members from the seminar. Right now, County Council is looking at passing a County Ordinance, but they also highly recommend that each Township pass its own regulations.

Lastly, Inspector Saunders informed the ZC that Leener’s has contacted him about expanding their building, and also Giant Eagle has submitted plans to expand their store in the Crossings at Golden Link.

D. APPROVAL OF MINUTES:

Mr. Schade moved to waive the reading and approve the minutes as amended of the 5/10/10 Regular Meeting.

Seconded by Mr. Yakich.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye; Basil Lovano, aye.

E. PUBLIC COMMENTS:

Ed Turaska, 7812 Olde Eight, Boston Hts., lives next to John Dee’s Tavern. He has a problem with noise created by the volleyball games held outside at the

tavern until 1am. He has called the Sheriff, but he was inquiring about anything else that can be done. The Zoning Commission advised him to continue to call the Sheriff and get other neighbors to do the same.

F. ADJOURNMENT:

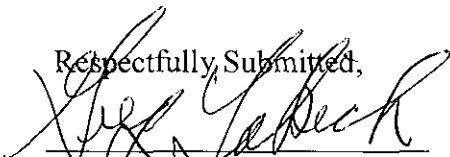
Mr. Yakich moved to adjourn at 7:45 p.m.

Seconded by Mr. Schade.

Roll Call:

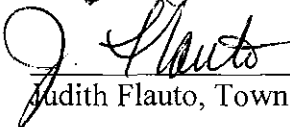
Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

Respectfully Submitted,



Greg Yakich, Chair

7-12-10
Date



Judith Flauto, Township Secretary

7.12.10
Date

**Northfield Center Township
Zoning Commission Regular Meeting
May 10, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:08 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

Secretary Flauto distributed a newspaper article regarding online gaming to the ZC members. (Article attached to these minutes.)

Mr. Yakich asked if Secretary Flauto could send a message to the Trustees asking for a resolution ~~for their denial~~ of the Outdoor Wood burning Furnace proposed text amendment. The Zoning Commission stated that they would consider that proposed text amendment a closed issue until they see a resolution.

Secretary Flauto also relayed to the Zoning Commission about the progress on getting information for having the Zoning Resolution updated.

Mr. Yakich said that he wanted to know what kind of budget they are working with for getting an update done.

The ZC briefly discussed the online/internet gaming parlors and the aforementioned article. The ZC requested that Secretary Flauto contact Springfield & Coventry Townships and ask how these places operate legally, and what do the Townships get from them?

C. ZONING INSPECTOR'S SECTION:

Inspector Saunders was not present.

D. APPROVAL OF MINUTES:

Mr. Schade moved to waive the reading and approve the minutes of the 4/12/10 Regular Meeting.

Seconded by Mr. Youel.

if Trustees want to re-open the issue.

[Handwritten initials]

Roll Call:
Greg Yakich, aye; James Youel, aye; John Campbell abstain; Daniel Schade, aye;
Basil Lovano, abstain.

E. PUBLIC COMMENTS:

None.

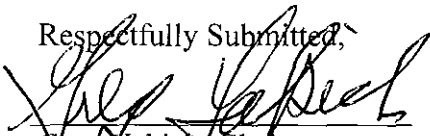
F. ADJOURNMENT:

Mr. Yakich moved to adjourn at 7:35 p.m.

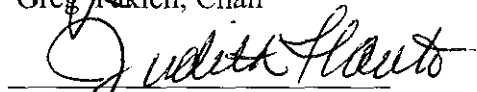
Seconded by Mr. Schade.

Roll Call:
Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

Respectfully Submitted,


Greg Yakich, Chair

6-14-10
Date

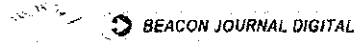

Judith Flauto, Township Secretary

6-14-10
Date



May 10, 2010

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23	24	25	26	27	28	29
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Summit may vote Monday on gaming legislation

By Rick Armon
Beacon Journal staff writer

POSTED: 09:22 p.m. EDT, May 09, 2010

SPRINGFIELD TWP.: Don Michel doesn't mind that Summit County wants to regulate storefront gambling parlors.

Michel, promotions manager for the Gold Rush Players Club in Springfield Township, just doesn't want them overregulated.

What's overregulation to him? High government fees that force legitimate businesses to close.

"They assume that places like this are making millions of dollars," Michel said last week during an interview outside Gold Rush, a converted box-style convenience store on Massillon Road. "This one ain't."

Summit County Council is expected to vote Monday on legislation to provide more oversight of Internet cafes, sweepstakes parlors and skill arcades in the county's nine townships. The council took up the issue after complaints from Springfield and Coventry Township trustees about too many of the businesses springing up in their communities, which, unlike cities and villages, have no regulatory authority.

The legislation would require the businesses to get an annual license, pay a per-machine fee, prove that they are complying with Ohio's gambling laws and disclose who owns the operation.

Council members have stressed that the legislation wouldn't legalize illegal businesses.

Parlor operators have grumbled privately about the regulations and sent attorneys to County Council to complain. But they have stayed out of the public debate.

The Beacon Journal has tried to talk with business owners about the county proposal but most haven't responded to requests for interviews. Michel, 69, a retired Goodyear Tire & Rubber Co. machinist, was the only person willing to discuss the issue publicly.

He bristled at the term "gambling parlor," saying that carries a negative connotation for many people. Instead, he said, the businesses are places for adults to play games and be entertained.

Authorities, however, maintain that if you're paying money to win money, that's gambling.

Michel contended that local authorities have failed to enforce zoning laws to weed out the illegal businesses.

That failure led to the proliferation of operations in Springfield and Coventry townships, he said.

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Local history: Twister gouges Akron in 1890

The Scene - May 10

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First Bell - On Education:
Strained district tackles new

The Heldenfiles:

Back From a Break

Some of those businesses are attracting customers from all around Northeast Ohio and are raking in cash, Michel said. Those operations may laugh at paying tens of thousands in fees, but smaller operations like Gold Rush would struggle or go under, he said.

Akron Zips:

Paralyzed Buffalo wrestler walks at graduation

He suggested that the county restrict or cap the amount of the bet permitted. That is not in the proposed legislation

Tribe Matters:

Sunday's around the Indians minor league

Two Springfield parlors, including one that sits nearly across the street from the Gold Rush, were raided by local authorities last month. But Michel, who was convicted of gambling-related charges last year stemming from a parlor he operated in Akron, said he's not worried about Gold Rush.

Cleveland Browns:

Mangini spotlighted on 'Total Access'

Kent State Sports:

NewsFlash

"I'm not afraid of the law coming in and questioning what we're doing here," he said.

Cleveland Cavaliers:

Parker and Williams: Aggressive Play Needs to Continue

Michel, who is appealing his convictions, said he took the Gold Rush business plan to authorities for them to examine and no one has bothered the business since.

Buckeye Blogging:

Ohio State Football Spring Preview 2010

Gold Rush operates as a co-operative, Michel said, with about 1,800 individual owners who pay monthly dues of \$30. Those people get to play games such as video slots, poker and keno for free, provided they pay a \$10 admission fee or \$10 parking fee.

Varsity Letters:

Report: Arizona offers Murphy

Players receive 1,000 free credits for every \$10 service, whether it's parking or food, for example.

All Da King's Men:

Congress Critters And PC Pros

No money is put into the machines. Instead, people have to redeem credit vouchers to play, and those credits are controlled by a clerk. Michel said the fact that people aren't paying to play the games makes the operation legal.

Blog of Mass Destruction:

Obama Disappoints Again

He said Gold Rush tries to provide a friendly, neighborhood atmosphere. People can get free coffee and other nonalcoholic drinks while they play. Food, including hot dogs and sloppy joes, is available during the day and home-cooked food is brought in at night, Michel said.

Akron Law Café:

Lecture to be Held in Honor of the Late Justice T. Modibo Ocran

Car Chase:

It's Drive-In Time!

Gold Rush also holds regular auctions for items such as patio furniture. "We're in the entertainment business," Michel said.

Let's Talk Real Estate:

Cincinnati Experiences Retail GROWTH!!

Key components of legislation:

– The Summit County Office of Consumer Affairs would oversee the regulations.

Sound Check:

Mick Taylor show at Kent Stage canceled... again.

Internet cafes, sweepstakes parlors and skill arcades would be required to buy an annual \$1,000 license and pay a \$200 per-machine fee every six months.

See Jane Style:

Liberate Yourself

The businesses would be required to provide names and addresses of all owners and employees.

HRLite House:

Restaurants, Taxes, Chowder House

Licenses would not be issued to a business if someone involved has been convicted of a gambling "or other crime of moral turpitude within five years preceding the application."

Akron Gamer:

Another sign of the possible impending death of the Wii

– The businesses would be required to provide a certificate or report from "an authorized independent testing laboratory" showing that their machines comply with state gambling laws.

Seventy-five percent of the licensing fees would be put in a fund to benefit the townships where the entertainment devices are located. The remainder would be used by the Office of Consumer Affairs for operating expenses.

The businesses wouldn't be permitted to open within 500 feet of a school, public library, public playground or any establishment with a liquor permit.

Hours would be limited to 1 p.m. to midnight Sunday and 10 a.m. to midnight Monday through Saturday.

No one under age 18 would be permitted in the business.

A full copy of the legislation (Ord. 2010-160) is available at <http://www.co.summit.oh.us/council/legislation-2010.asp>.

A council caucus begins at 5 p.m., followed by the regular meeting at 5:30 p.m. in council chambers on the seventh floor of the Ohio Building, 175 S. Main St., Akron.

**Northfield Center Township
Zoning Commission Regular Meeting
April 12, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:02 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell absent; Daniel Schade, aye; Basil Lovano, absent.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

Mr. Yakich stated that he would like to see a procedure or time frame for the Zoning Inspector to respond to someone who makes a complaint, i.e.: someone complains to the ZI about an issue, ZI should be in contact with complainant letting them know what the status of the issue is.

The Zoning Commission also questioned the Zoning Inspector about other violations around the Township.

C. ZONING INSPECTOR'S SECTION:

Inspector Saunders brought up the issue of internet cafes that are now also being used as gaming facilities. He told the Zoning Commission that they are showing up in Southern counties, but felt that Northfield Center Township should be prepared for future possibilities for these places. He suggested that the Trustees put a 6-month moratorium on such facilities to allow the Zoning Commission time for further discussion.

Inspector Saunders also informed the Zoning Commission that some companies are gutting and repairing mold-laden homes in the Township, particularly in Brandywine Preserve. The companies do not think that they need permits to do such work, but our Zoning Resolution says that any alteration of a structure requires a permit.

Mr. Schade asked if the Board of Health would inspect these homes after the work was done, also felt that these contractors should be required to post a bond to ensure the work is done properly.

Inspector Saunders said he had suggested the same thing.

D. APPROVAL OF MINUTES:

Mr. Schade moved to waive the reading and approve the minutes of the 3/8/10 Regular Meeting.

Seconded by Mr. Youel.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell absent; Daniel Schade, aye; Basil Lovano, absent.

E. PUBLIC COMMENTS:

None.

F. ADJOURNMENT:

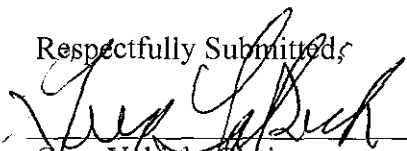
Mr. Schade moved to adjourn at 7:45 p.m.

Seconded by Mr. Youel.

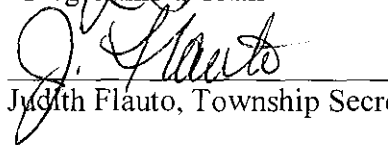
Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell absent; Daniel Schade, aye; Basil Lovano, absent.

Respectfully Submitted,


Greg Yakich, Chair

5-10-2010
Date


Judith Flauto, Township Secretary

5-10-10
Date

**Northfield Center Township
Zoning Commission Regular Meeting
March 8, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:02 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, absent.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

Mr. Yakich questioned the fact that since the proposed outdoor wood burning furnace amendment was denied by the Trustees, doesn't the Township open itself up to a possible issue when something is totally denied as opposed to having strict guidelines for it? He continued by saying that it would be nice to have an open dialogue between the Zoning Commission and the Trustees for any future issues arising from this denial.

Trustee Reville explained that other communities have also denied similar amendments; amendments can always be challenged. Other communities have banned these furnaces all together, and there is some stability in those decisions.

Mr. Youel felt that the health and safety factor is a real issue.

Mr. Campbell said that the EPA is coming out with guidelines; someone could go to court after being denied for an outdoor wood burning furnace. He would rather have something on the books for a degree of control instead of having one installed and posing a problem in the neighborhood.

Mr. Youel felt that maybe more research needs to be done again on the furnace issue.

There was a brief discussion about having the Zoning Resolution reviewed and updated professionally, also to include any resolutions that have not been added yet.

Mr. Yakich stated that since the Township's hands are tied in many instances by county regulations, he questioned the spending of money to update the Zoning Resolution book when it still may be impossible to enforce some of these regulations.

Trustee Reville explained that the Stow Prosecutor brought up several things that may not be enforceable in our code, and that it needed to be updated.

Mr. Youel suggested that we have a professional advisor/attorney familiar with zoning that we can go to with suggestions/questions if it is in the zoning budget.

C. ZONING INSPECTOR'S SECTION:

Inspector Saunders was not present.

D. APPROVAL OF MINUTES:

Mr. Schade moved to waive the reading and approve the minutes of the 2/8/10 Regular Meeting.

Seconded by Mr. Youel.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye; Basil Lovano, absent.

E. PUBLIC COMMENTS:

None.

F. ADJOURNMENT:

Mr. Schade moved to adjourn at 7:25 p.m.

Seconded by Mr. Campbell.

Roll Call:

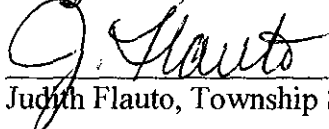
Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye; Basil Lovano, absent.

Respectfully Submitted,



Greg Yakich, Chair

4.12.10
Date



Judith Flauto, Township Secretary

4.12.10
Date

**Northfield Center Township
Zoning Commission Regular Meeting
February 8, 2010 – 7:00 p.m.**

A. CALL TO ORDER:

Meeting called to order at 7:03 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

C. ZONING INSPECTOR'S SECTION:

Inspector Saunders, Rich Wolff of the Board of Zoning Appeals, and Trustees met with Michael Vitt of Town Center Construction and came to an agreement for Town Center to keep trailers on their property. The lawsuit has been settled.

Vesta and Pamona prosecution is on hold due to the weather.

D. APPROVAL OF MINUTES:

Mr. Schade moved to waive the reading and approve the minutes as amended of the 1/11/10 Public Hearing.

Seconded by Mr. Youel.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

Mr. Schade moved to waive the reading and approve the minutes of the 1/11/10 Regular Meeting.

Seconded by Mr. Lovano.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

E. PUBLIC COMMENTS:

Don Quist, owner of Tire Barn addressed the Zoning Commission regarding his lot on Twinsburg Rd. Mr. Quist would like to put a new Tire Barn building up

since ODOT removed his previous structure under the Route 8 construction project. He presented a preliminary plan of the proposed new building.

F. ADJOURNMENT:

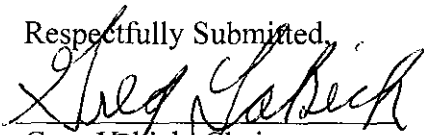
Mr. Yakich moved to adjourn at 7:40 p.m.

Seconded by Mr. Schade.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

Respectfully Submitted,



Greg Yakich, Chair

3-8-10

Date



Judith Flauto, Township Secretary

7-8-10

Date

**Northfield Center Township
Zoning Commission Regular Meeting
January 11, 2010**

A. CALL TO ORDER:

Meeting called to order at 6:55 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

B. DISCUSSION OF VARIOUS ZONING TOPICS:

Mr. Lovano moved to recommend to the Trustees the addition to the Northfield Center Township Zoning Resolution of Chapter 310, Section 310.11 and to Chapter 130, add definition # 105 "Outdoor Wood furnace."

Seconded by Mr. Yakich.

Roll Call:

Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

(Final version of proposed text amendments are attached to signed/filed copy of minutes.)

C. ZONING INSPECTOR'S SECTION:

Inspector Saunders was not present.

D. APPROVAL OF MINUTES:

Mr. Schade moved to waive the reading and approve the minutes of the 12/14/09 Public Hearing.

Seconded by Mr. Youel.

Roll Call:

Greg Yakich, abstain; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

Mr. Schade moved to waive the reading and approve the minutes of the 12/14/09 Regular Meeting.

Seconded by Mr. Youel.

Roll Call:
Greg Yakich, abstain; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

E. PUBLIC COMMENTS:

None.

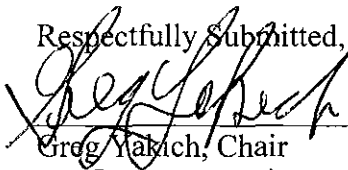
F. ADJOURNMENT:

Mr. Yakich moved to adjourn at 7:10 p.m.

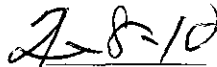
Seconded by Mr. Campbell.

Roll Call:
Greg Yakich, aye; James Youel, aye; John Campbell aye; Daniel Schade, aye;
Basil Lovano, aye.

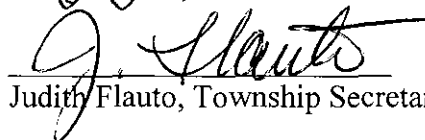
Respectfully Submitted,



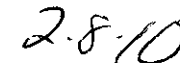
Greg Yakich, Chair



Date



Judith Flauto, Township Secretary



Date

To be added to Chapter 130 "Definitions:" please make the following definition the new number 105:

105. Outdoor Wood Furnace: Any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. An Outdoor Wood Furnace may also be referred to as an Outdoor Wood Boiler or Outdoor Wood-fired Hydronic Heater.

1. Chimney: Flue or flues that carries off exhaust from an Outdoor Wood Furnace firebox or burn chamber.
2. EPA OWHH Phase 1 and Phase 2 Program – EPA OWHH (Outdoor Wood-fired Hydronic Heater Program) Phase 1 and Phase 2 Program administered by the United States Environmental Protection Agency (USEPA.)
3. EPA OWHH Phase 1 and Phase 2 Program Qualified Model – An Outdoor Wood-fired Hydronic Heater that has been EPA OWHH Phase 1 Program qualified. The model has met the EPA OWHH Phase 1 and Phase 2 emission level and has the proper qualifying label and hangtag. Per NESCUM Model Regulations for Outdoor Hydronic Heaters, no person may distribute or sell, import, or install an outdoor Hydronic heater after March 31, 2010 that has not been certified, . . .to meet a particulate matter emission limit of 0.32 lb/MMBtu heat output.
4. Existing Outdoor Wood Furnace: An Outdoor Wood Furnace that was purchased and installed prior to the effective date of this Northfield Center Township Zoning Resolution.
5. Natural Wood: Wood, which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.
6. New Outdoor Wood Furnace: An Outdoor Wood Furnace that is first installed, established or constructed after the effective date of this Northfield Center Township Zoning Resolution.

Please add the following proposed text to existing Chapter 310, create a new Section 11:

A resolution to amend the Northfield Center Township Zoning Resolution by adding to Chapter 310, a new section, 310.11, to be entitled "Outdoor Wood Furnaces."

1. Regulations for Outdoor Wood Furnaces
2. Substantive Requirements

REGULATIONS FOR OUTDOOR WOOD FURNACES:

- A. No person shall, from the effective date of this Zoning Resolution, construct, install, establish, operate or maintain an Outdoor Wood Furnace other than in compliance with the applicable sections of this Northfield Center Township Zoning Resolution. Northfield Center Township requires all new OWB's meet USEPA Phase 1 yellow tag emission levels until superseded by Phase 2 white tag and have the white tag or yellow tag that identifies Hydronic heaters that meet USEPA Phase 2 emission levels for the voluntary program.
- B. No person shall, from the effective date of this Zoning Resolution, operate an Outdoor Wood Furnace unless such operation conforms with the manufacturer's instructions regarding such operation and the requirements of this Northfield Center Township Zoning Resolution regarding fuels that may be burned in an Outdoor Wood Furnace as set forth in Sections 3A and 3B of this Zoning Resolution and chimney height as set forth in Section 3D and 3F of this Northfield Center Township Zoning Resolution.
- C. All new Outdoor Wood Furnaces shall be constructed, established, installed, operated and maintained in conformance with the manufacturer's instructions and the requirements of this Northfield Center Township Zoning Resolution. In the event of a conflict, the requirements of this Northfield Center Township Zoning Resolution shall apply unless the manufacturer's instructions are stricter, in which case the manufacturer's instructions shall apply.
- D. The owner of any new Outdoor Wood Furnace shall produce the manufacturer's owner's manual or installation instructions to the Zoning Inspector to review prior to the installation.
- E. All new Outdoor Wood Furnaces shall be laboratory tested and listed to appropriate safety standards such as UL, CAN/CSA, ANSI or other applicable safety standards.
- F. If an existing Outdoor Wood Furnace is, through the course of a proper investigation by the Zoning Inspector, creating a verifiable nuisance, as defined by the Northfield Center Township Zoning Resolution, the following steps must be taken by the owner and the Zoning Inspector:

1. Modifications made to the unit to eliminate the nuisance such as extending the chimney, or relocating the Outdoor Wood Furnace or both.
2. Cease and desist operating the unit until reasonable steps can be taken to ensure that the Outdoor Wood Furnace will not be a nuisance.

SUBSTANTIVE REQUIREMENTS:

Outdoor Wood Furnaces shall be constructed, established, installed, operated and maintained pursuant to the following conditions:

A. Fuel burned in any new or existing Outdoor Wood Furnace shall be only natural untreated wood, wood pellets, corn products, biomass pellets or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas or propane backup.

B. The following fuels are strictly prohibited in new or existing Outdoor Wood Furnaces:

1. Wood that has been painted, varnished or coated with similar material and/or has been pressure treated with preservatives and contains resins or glues as in plywood or other composite wood products.
2. Rubbish or garbage, including but not limited to food wastes, food packaging, food wraps.
3. Any plastic materials including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
4. Rubber including tires and other synthetic rubber-like products.
5. Newspaper, cardboard, or any paper with ink or dye products.
6. Any other items not specifically allowed by the manufacturer or this provision.

C. Chimney heights for new and existing Outdoor Wood Furnaces:

1. The chimney of any new Outdoor Wood Furnace Shall extend at least 2 feet above the peak of any residence not served by the Outdoor Wood Furnace located within 300 feet of such Outdoor Wood Furnace.
2. If there is an existing Outdoor Wood Furnace already installed and there is new construction of a residence not served by the Outdoor Wood Furnace within 300 feet of

such Outdoor Wood Furnace then the owner of such Outdoor Wood Furnace shall conform to the stack height requirements of this regulation within 30 days of the date such construction is complete and upon written notice from the Zoning Inspector.

D. Setbacks for EPA OWHH Phase 1 and Phase 2 Program qualified models:

1. The Outdoor Wood Furnace shall be located at least 200 feet from all property lines.
2. The Outdoor Wood Furnace shall be located on the property in compliance with manufacturer's recommendations and or testing and listing requirements for clearance to combustible materials.

E. Chimney heights for EPA OWHH Phase 1 and Phase 2 Program qualified models:

1. The EPA OWHH Phase 1 and Phase 2 Program qualified model chimney shall extend at least 2 feet above the peak of the residence for which it serves if neighboring residences not served by the furnace are located within 300 feet or the chimney shall extend at least 2 feet above the peak of any residence not served by the furnace within 100 feet, whichever is greater.

F. Outdoor Furnaces that use corn, wood pellets or other palletized biomass shall meet the same setback and stack height requirements as EPA OWHH Phase 1 and Phase 2 Program Qualified models.

1. The outdoor wood burning furnace shall be located in the rear yard.
2. The outdoor wood burning furnace shall be located not less than two hundred (200) feet from all property lines.
3. The outdoor wood burning furnace shall be installed, maintained and operated in compliance with all Federal, State and local laws, rules and regulations including but not limited to Ohio EPA Air Pollution Control Division Regulations.

G. Severability: If any article, section, paragraph, clause or part of these regulations is held invalid by a court, such judgment shall not affect the validity of the remaining provisions of these regulations.

**Northfield Center Township
Zoning Commission Public Hearing Continuation from 12/14/09
January 11, 2010**

A. CALL TO ORDER:

Meeting called to order at 6:39 p.m. by Greg Yakich, Chair.

Roll Call:

Greg Yakich, aye; John Campbell, aye; Jim Youel, aye; Daniel Schade, aye;
Basil Lovano, aye.

B. PUBLIC DISCUSSION OF APPLICATION:

This Public Hearing was held to discuss proposed changes to the Zoning Resolution regarding outdoor wood burning furnaces.

At this Public Hearing, the Zoning Commission reworked the proposed text amendments to outdoor wood burning fireplaces and made proposed additional text changes/amendments.

Mr. Youel wanted to make a change to page 2 of the proposed amendments; #1 "Definitions" will be crossed out, and change #2 to #1, #3 to #2, and #4 to #3.

In addition, Mr. Youel suggested in Chapter 130 "Definitions", A was already Outdoor Wood Furnaces, so add bullet points for 1-6 under the definition for Outdoor Wood Furnaces in the definitions chapter.

Mr. Yakich brought up page 3, item F, stating that the Zoning Inspector would do the inspecting of the outdoor wood burning furnaces. He asked if Inspector Saunders was qualified to do this. The other members agreed that if he used the owner's manuals and checked tags, he would be competent in the inspections.

C. ADJOURNMENT:

dl *Motion to close.*
~~No motion to adjourn,~~ went into Regular Meeting.

Respectfully Submitted,

Greg Yakich

Greg Yakich, Chair

2/8/10

Date

J. Flauto

Judith Flauto, Township Secretary

2/8/10

Date