

# MINUTES OF THE ROOTSTOWN TOWNSHIP TRUSTEES

## September 8, 2015

The regular meeting of the Rootstown Township Trustees opened at 5:30 p.m. on September 8, 2015. Those in attendance were Trustees David McIntyre, Linda Hankins and Joe Paulus, JoAnn Townend, Fiscal Officer, Chief Charles Palmer, Road Superintendent Bill Hahn, Zoning Inspector Mark Tirpak, Zoning Administrative Assistant Jordan Michael and Trustees Administrative Assistant Julie Gonzales.

Resolution No. 2015-134 – Motion was made by Joe Paulus and seconded by Linda Hankins to accept the minutes of August 25, 2015. Upon roll call the vote as follows: Dave McIntyre, yea, Linda Hankins, yea, Joe Paulus, yea.

### FIRE CHIEF REPORT

Chief Palmer reported seven (7) members of the fire department will be attending an in-house fire academy to be held at the NEOMED facility. The cost is usually \$8,200.00 but since it is held in-house the cost will be \$4,000.00.

### ROAD SUPERINTENDENT REPORT

Bill spoke to Mike from SealMaster and the infrared patch sealing demo will be held Friday at Hidden Knolls. Bill does not have an exact time just between 10:00 AM and 2:00 PM. Other township will also be attending the demonstration.

The new Ford truck is still at Henderson (body shop). It should be done the second week in October.

The valves and cylinders need replaced on the other Ford. Bill does not have a quote at this time.

The Road Crew will be attending CPR/First Aid Training on Wednesday at 9:00 AM.

### Cemetery

There was one funeral since the last meeting.

Depending on the weather; the crew will be pouring footers at the cemetery next week.

### Park

Bill indicated we received the architect's stamp for the windmill at the park. The Zoning Department is reviewing the plans for the windmill. The crew will pour the foundation next week.

Bill said Keith Begue has returned to college and will not be able to open and close the park.

**Resolution No. 2015-135** – Motion was made by Dave McIntyre and seconded by Linda Hankins to hire Nick Heddad to open and close the park at a rate of \$10.00 per day effective immediately through closing of the park. Upon roll call the vote as follows: Dave McIntyre, yea, Linda Hankins, yea, Joe Paulus, yea.

**Resolution No. 2015-136** – Motion was made by Dave McIntyre and seconded by Linda Hankins to purchase grindings from Ronyak Paving in an amount of \$50.00 per load. The grindings will be used at the park. Upon roll call the vote as follows: Dave McIntyre, yea, Linda Hankins, yea, Joe Paulus, yea.

Joe said the Historical Society thanked the Road Crew for repairing the mercury light.

### ZONING INSPECTOR REPORT

There were four (4) acts of business.

\* 1 house

\* 3 demolitions

Jordan met with Jack Brown to review the site plans for the hotel (Comfort Suites). Mr. Brown is getting documents ready for the next meeting. Mark said there will be no restaurant or bar inside the hotel.

Mark reported an informal meeting has been scheduled with the Zoning Department, Rob Swauger, Zoning Commission Chairman and the Muzzy Lake attorney.

The Trustees will be interviewing for the secretary position tomorrow at 6:00 PM. Some of the duties will be to transcribe minutes of the Zoning Commission, Zoning Board of Appeals and the Park Committee, submit legal notices and submit zoning amendments to the County and/or Regional Planning Commission.

### FISCAL OFFICER

**Resolution No. 2015-137** - Motion by Joe Paulus and seconded by Linda Hankins to pay bills on file with the Fiscal Officer. Upon roll call the vote as follows: Dave McIntyre, yea, Linda Hankins, yea, Joe Paulus, yea.

**Resolution No. 2015-138** – Motion was made by Joe Paulus and seconded by Linda Hankins to purchase a fire proof 4-drawer lateral filing cabinet to store files at an amount not to exceed \$3,673.64. The filing cabinet will be put at the fire station. Upon roll call the vote as follows: Dave McIntyre, yea, Linda Hankins, yea, Joe Paulus, yea.

### UNFINISHED BUSINESS

Linda said she would be interested in chairing the Park Committee. Joe said he would email her the email address of the members.

Joe said they currently have eight members for the Community Advisory Committee for the CLUP. Loretta Foy said she would be interested in volunteering on the Committee. Tom Biltz also agreed to volunteer. Joe said CT Consultants will begin working on the Comprehensive Land Use Plan in late October. The committee will be interviewed individually by CT Consultants and then attend community meetings this fall and which would run through January.

### NEW BUSINESS

Joe gave Mike Kerrigan of NEOMED a letter from the Portage County Health Department regarding hosting a flu shot clinic. Mike will contact them.

### CITIZENS COMMENTS

Ralph Paulus of Lynn Road asked if there is a "No Dumping" sign that could be placed on the graveled portion of Lynn Road. There is a lot of dumping that occurs on that portion of the road. Dave suggested contacting Alex from the Solid Waste Management District to investigate. Mr. Paulus also asked on the status of the curb-side recycling. Dave said the District Coordinator will conduct a presentation to the Trustees before a decision is made.

Loretta Foy of Sandy Lake Road was present to express her concern and aggravation with her neighbor (Bob Helmling) who not only runs a business out of his home but collects old construction debris, trailers, boats, appliances. His residence looks like a junk yard. Ms. Foy contacted Jordan of the Zoning Department in the past. Ms. Foy asks why it is OK for Mr. Helmling to do this. Mark said Ms. Foy's original complaint was about the many vehicles that were at his residence. Mark said they investigated her complaint and the cars were all legally tagged. Mark said the next complaint was their grass not being mowed. Mark said the grass was not well manicured; but was not real high. The next complaint was the construction rubbish. He visited Mr. Helmling and he said Ohio Edison was doing a project at his home. Mark said he could not distinguish Mr. Helmling's rubbish from Ohio Edison's rubbish. Ms. Foy submitted a letter to the Zoning Department allowing them to go on her property.

Ms. Foy said there is also a burned house on Sandy Lake Road that has been there for some time. What is the process of getting it removed? Dave said for the Trustees to deem a house a nuisance; it has to be inspected by the Building, Health and Fire Departments. Mark will contact Chris Meduri from the Prosecutor's Office.

6:15 – Trustee McIntyre opened the public hearing

Public Hearing of Zoning Amendments 2015-006, 2015-007, 2015-008 and 2015-009

Joe informed the public that the public hearing was advertised, and recommendations from Regional Planning Commission, the Prosecutor's Office and the Zoning Commission Board have been submitted.

Resolution No. 2015-139 – Motion was made by Joe Paulus and seconded by Linda Hankins to amend zoning amendment ZC2015-006 – Section 640.07 – Variances as a type of Appeal upon the recommendation of the Rootstown Zoning Commission as follows:

**Section 640.07 A – Variance Application Requirements**

**Section 640.07 A Existing:**

Application Requirements. Eight copies of an application for a variance and payment of the required fee shall be filed with the Zoning Inspector for review by the Board of Zoning Appeals. The application shall include the following items necessary to convey the reason(s) for the requested variance:

1. The completed application form, notarized, including the name, address and phone number of applicant(s);
2. Proof of ownership, legal interest or written authority;
3. A site plan of the lot drawn to scale showing the exact dimensions and area of the lot to be built upon or utilized. Plans shall show dimensions, location of existing and proposed buildings, and any significant natural or topographic features;
4. Architectural plan including floor plans, elevations and other architectural drawings at a reasonable scale to convey the need for the variance;
5. Description or nature of variance requested and narrative statements establishing and substantiating the justification for the variance pursuant to subsection B below;
6. Any other documents deemed necessary by the Zoning Inspector.

Upon receipt of a written request for variance, the Zoning Inspector shall within a reasonable amount of time make a preliminary review of the request to determine whether such application provides the information necessary for review and evaluation. If it is determined that such application does not provide the information necessary for such review and evaluation, the Zoning Inspector shall so advise the applicant of the deficiencies and shall not further process the application until the deficiency is corrected.

**Section 640.07 A Proposed (shown in bold):**

Application Requirements. Eight copies of an application for a variance and payment of the required fee shall be filed with the Zoning Inspector for review by the Board of Zoning Appeals. The application shall include the following items necessary to convey the reason(s) for the requested variance:

1. The completed application form, notarized, including the name, address and phone number of applicant(s);
2. Proof of ownership, legal interest or written authority;

3. A site plan of the lot drawn to scale showing the exact dimensions and area of the lot to be built upon or utilized. Plans shall show dimensions, location of existing and proposed buildings, and any significant natural or topographic features;
4. Architectural plan including floor plans, elevations and other architectural drawings at a reasonable scale to convey the need for the variance;
5. Description or nature of variance requested and narrative statements establishing and substantiating the justification for the variance pursuant to subsection B below;
6. Any other documents deemed necessary by the Zoning Inspector.

Upon receipt of a written request for variance, the chair or designated representative of the Board of Zoning Appeals shall within a reasonable amount of time make a preliminary review of the request to determine whether such application provides the information necessary for review and evaluation. If it is determined that such application does not provide the information necessary for such review and evaluation, the chair or designated representative of the Board of Zoning Appeals shall so advise the applicant of the deficiencies and shall not further process the application until the deficiency is corrected.

There were no comments or concerns from the public. Upon roll call the vote as follows: Dave McIntyre, yea, Linda Hankins, yea, Joe Paulus, yea.

Resolution No. 2015-140 – Motion was made by Joe Paulus and seconded by Linda Hankins to amend zoning amendment ZC2015-007 – Section 370.03 D. Schedule of Permitted Use - Light Industrial Districts upon the recommendation of the Rootstown Zoning Commission as follows:

**Section 370.03 D – Schedule of Permitted Uses – Industrial Districts**

**Section 370.03 D Existing:**

	L-I Light Industrial/ Business Park District	G-I General Industrial District
<b>D. Storage/Distribution</b>		
1. Contractor's yard and storage area		P
2. Mini/self storage	C	C
3. Outdoor Storage		
a. Fleet vehicles	C	P
b. Materials, equipment, supplies		P
4. Printing and Publishing	P	P
5. Scrap yards, junk yards		C

6. Storage and sale of fireworks		C
7. Truck terminal		P
8. Warehousing	P	P
9. Wholesale establishment	P	P
10. Wholesale storage of gas and petroleum		C

Section 370.03 D Proposed (shown in bold):

	L-I Light Industrial/ Business Park District	G-I General Industrial District
<b>D. Storage/Distribution</b>		
1. Contractor's yard and storage area	P	P
2. Mini/self storage	C	C
3. Outdoor Storage		
a. Fleet vehicles	C	P
b. Materials, equipment, supplies		P
4. Printing and Publishing	P	P
5. Scrap yards, junk yards		C
6. Storage and sale of fireworks		C
7. Truck terminal		P
8. Warehousing	P	P
9. Wholesale establishment	P	P
10. Wholesale storage of gas and petroleum		C

There were no comments or concerns from the public. Upon roll call the vote as follows:  
Dave McIntyre, yea, Linda Hankins, yea, Joe Paulus, yea.

**Resolution No. 2015-141** – Motion was made by Joe Paulus and seconded by Linda Hankins to amend zoning amendment ZC2015-008 – Rezoning Parcels 32-021-00-00-003-000 and 32-021-00-00-005-001 from R-2 to C-2, and parcel 32-028-00-00-021-000 from R-1 to C-2 located on the NEOMED Property upon the recommendation of the Rootstown Zoning Commission. There were no comments or concerns from the public. Upon roll call the vote as follows: Dave McIntyre, yea, Linda Hankins, yea, Joe Paulus, yea.

**Resolution No. 2015-142** – Motion was made by Joe Paulus and seconded by Linda Hankins to amend zoning amendment ZC2015-009 – Section 150.02 Definitions – Shipping/Storage Container upon the recommendation of the Rootstown Zoning Commission as follows:

**Section 150.02 B – Definitions**

The following definition is to be added in this section:

**STORAGE/SHIPPING CONTAINER:** An article of transport equipment that is of a permanent character and accordingly strong enough to be suitable for repeated use; it is designed to transport a number of receptacles, packages, unit loads, and over packs together from the packing point to its final destination by road, rail, inland waterway and/or sea without intermediate separate handling of each package, unit load or over pack.

There were no comments or concerns from the public. Upon roll call the vote as follows: Dave McIntyre, yea, Linda Hankins, yea, Joe Paulus, yea.

Trustee McIntyre closed the public hearing at 6:27.

**Resolution No. 2015-143** - Motion by Dave McIntyre to adjourn at 6:30 p.m.

Respectfully submitted,



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Dave McIntyre, Chairman



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JoAnn Townend, Fiscal Officer