

The Rootstown Township Zoning Commission met in a public hearing on Tuesday, December 1, 2015, at 7:00 p.m. at Rootstown Town Hall.

Present: Rob Swauger, Chair
Steve Brown
Roger Carpenter
Theresa Summers
Stan Dannemiller

Absent: George Tishma

Also present:

Mark Tirpak, Zoning Inspector
Jordan Michael, Secretary
Joe Paulus, Trustee

Audience: See attached sheet

Chair, Rob Swauger, called the meeting to order at 7:05 p.m. and asked everyone to stand for the Pledge of Allegiance.

Rob asked if everyone had read the minutes from November. Roger Carpenter said there was a mistake but needed time to look for it.

Rob moved on to old business. The first item was discussion on corner lots. Secretary Jordan Michael said they needed clarification on that. Zoning Inspector Mark Tirpak explained that currently a corner lot has to meet the setback of both roads. Some of the houses don't allow for rear entry out of the homes. The residents want to add a deck or porch to the back. He suggested reducing the setback on one side. Otherwise, a 70-foot setback from both roads puts the house in the far back corner. Rob asked where this is happening. Mark said it can happen in any subdivision. The minimum lot size in R-2 is 13,500 square feet. The front yard setbacks vary between 40 and 70 feet. It affects the pizza shop on a corner lot too. Even the fire station doesn't meet our zoning. The bank does, because of the parking lot in front, but technically our zoning says no parking in front of the building in the village center. Rob asked about square foot requirements for houses. Mark said some subdivisions have homeowners' associations that require more square feet than our zoning does. Rob asked if these are PRDs (planned residential developments). Mark said the only record he's found of a PRD is Marsh Creek. The rest are county subdivisions. Jordan said there might be records he hasn't gone through yet. Trustee Joe Paulus asked how you would know it's a PRD. Mark said it usually says it on the tax map and a copy of the building maps. PRDs have even smaller lots, which would cause even more problems for corner lots. Rob said they will probably have to make it different for R-1 and R-2. Mark suggested using a percentage instead. The mailing address side would be considered the front. Rob said that side would have to be moved closer. Steve Brown said it wouldn't be in line with the houses on the rest of the street. Mark said maybe we need to change the size of corner lots in developments. Steve said the corner lots are bigger in his development, and there are no problems with the front, side, or rear.

Rob asked Roger if he figured out the error in the minutes. Roger said he couldn't find it. Rob said we can't approve them if there's a discrepancy and asked Roger if he wants to postpone them. Roger said yes and made a motion to postpone accepting

the minutes until the next meeting to research a potential discrepancy. Stan Dannemiller seconded the motion. All were in favor and the motion was passed 5-0.

Feedback was received from Todd Peetz of Portage County Regional Planning regarding design guidelines. Todd sent a section of the Ohio Revised Code and some examples of what other townships have done in Ohio. They can create an architectural review board, in which one member must be a registered architect, or the enforcement would go to the zoning inspector or the zoning commission. Mark said they could also designate a registered architect as an alternate to the zoning commission, and have them show up as needed. Theresa said there is a lot of information and she doesn't see how they can implement it when meeting once a month. Rob said we don't have to decide right now what we want. We can make a motion to present it to the trustees, and contact an architect so see if that person would want to be on the board. We would meet separately to not interfere with this meeting. Jordan asked which would come first, creating the board or creating the guidelines. Rob said the trustees would need to approve the board first. Stan said even if we don't get all the detail perfect, at least it will stop a 65-foot-tall purple building from being built. Rob asked the commission if they want to take this to the trustees. Mark said it could even be a mixture of Zoning Commission and Zoning Board of Appeals members. Rob asked if anyone wants to entertain a motion. Theresa made a motion to ask the trustees to consider a design review board. Steve seconded the motion. The vote went as follows: Steve-yes, Theresa-yes, Roger-yes, Stan-yes, Rob-yes. The motion was passed 5-0. Jordan said Todd Peetz wants to know if they want him to attend the meeting next month. Rob said yes.

Feedback was also received from County Prosecutor Chris Meduri on requiring hotels to have a full-service bar. Mark said that Chris touched on just the alcohol part of it, but the real difference is a full-service hotel versus a motel or sleeping room. Joe said he knows the hotel didn't want to have meeting rooms because NEOMED has all of that. Mark recommended that the commission require all hotels to be full-service. A full-service hotel usually has a restaurant, sometimes a bar depending on the area, and meeting rooms. This one is more like a sleeping room that won't attract the everyday traveler. Audience member Pat Gintert said he travels a lot, and requiring full service puts a lot of burden on the hotel. They tend to be really high-end and families can't afford them. Mark said since NEOMED is investing in this, they pretty much guaranteed that if it doesn't make it as a hotel, they're going to make them dorm rooms. Mr. Gintert said he doesn't see what the draw would be to come here to a full-service hotel. Typically they are in big cities. Rob said you create the area so that it's for transients and leave out the alcohol portion. Jordan said Chris's suggestion was to make hotel a conditional use and add conditions, and to use definitions to specify that a hotel is not a dormitory, and a dormitory is not a hotel. Right now hotels are a permitted use. Mark agreed and said right now a Motel 6 would be permitted with no conditions. Mr. Gintert said motels usually have exterior doors to the rooms. Mark said they can make a condition for no outside entrances to rooms. Roger said that wouldn't work to keep it from turning it into a dormitory; that's what they want. Mark said turning into Brimfield with no police department would be rough around here. Changing hotel/motel to be conditionally permitted would be the first step. Joe said there would have to be a section created for those conditions. Mark said just changing from P to C would be good for now. Jordan said there's already a table in Section 350.03, and letter D is for lodging.

Mark asked Mr. Gintert if he stays at a room just to sleep there when he travels. Mr. Gintert said typically he tries to look for a place with a restaurant or bar next to it. Joe said most hotels like that too. Roger said there's no place to get a beer within

walking distance here. Mark said the college wants foot traffic, and part of the plan here is to have a trail for walking and biking. Joe asked if something can be made a conditional use without adding conditions. Mark said yes. Indoor theaters are a conditional use, but there are no conditions for indoor theaters. He asked if lower-end hotels are the ones that charge monthly. Mr. Gintert said yes, but some extended-stay hotels are pretty nice.

Rob asked for thoughts on changing the definition. Joe said that it reads "hotel/motel/inn". Rob said those should be separated. Mark asked if there is an industry standard for a motel. Joe said usually a hotel has rooms entering from the inside for better security, and a motel has rooms entering from the outside. He doesn't know how an inn differs from a hotel or motel. Jordan checked online and said there's no legal difference between a hotel, inn, and tavern. A motel is defined as a hotel designed for motorists. Stan suggested breaking up the definitions and better defining hotel, motel, inn, and dormitory. Theresa asked to put it on the agenda for next month. Rob agreed.

Rob asked for any comments from the audience. There were none. Rob asked Mr. Gintert if the lots on Sandy Lake are surveyed. Mr. Gintert said the lots are platted, but the houses on each lot are not surveyed. Mark updated Mr. Gintert on the meetings with their attorney and with Regional Planning. Mr. Gintert said he believes they have a meeting with a surveyor tomorrow night.

Joe said he brought up with Regional Planning about development phases. Regional Planning said they would stop a phase with no turnaround for emergency vehicles, so Misty Glen must have been approved by the zoning commission or zoning inspector. Zoning has the right to not accept something unless it has a cul-de-sac. Mark said that's the way it was, and the developer chose not to go that far. They approved his plan, but then he didn't follow his plan. Joe said that Regional Planning said they aren't allowing that if the Zoning Commission or Zoning Board of Appeals can stop that from happening. Mark said even Clover Drive didn't have a cul-de-sac, and they had to go into people's front yards to put one in. Rob asked how to enforce that going forward. Mark said you don't sign off on the plat when it goes to Regional Planning, unless they have a cul-de-sac. They also need to put time limits on the phases. If the phase expires, it has to be reviewed and paid for again.

Rob asked if everyone got interviewed for the comprehensive land use plan. Everyone said yes except Stan. Rob said they're having a meeting on Monday, December 7th at 7:00.

Theresa asked for an update on the items sent to Regional Planning and the Prosecutor. Rob said we won't get those back until next month. Jordan said they're on Regional Planning's agenda next week, so we'll get those back in January and can set the public meeting for February. Mark said they're always a month behind because their meeting date doesn't give them enough time to advertise.

The public hearing was opened by Rob at 8:22 p.m. for an amendment to Section 230.05 B, to eliminate the one-acre minimum for regulation of agricultural buildings. Rob asked for questions or comments from the audience; Mr. Gintert said it seems like a minor change. Rob asked for a motion to send this to the trustees. Stan made a motion to send the rewritten Section 230.05 B, as proposed, to the trustees for their approval. Theresa seconded the motion. The vote went as follows: Steve-yes, Theresa-yes, Roger-yes, Stan-yes, Rob-yes. The motion was passed 5-0. Rob closed the public hearing at 8:26 p.m.

Joe thanked the commission on behalf of the trustees, because they have done a lot of work this past year. Roger asked what happens next year with him and Stan. Joe said Stan can renew as an alternate for next year, and Roger's term will be renewed for five years. He will also keep in touch with Vice Chair George Tishma.

Rob said next month is their organizational meeting, so the secretary will run the show until a new chair is elected. Jordan said they may have a new secretary by then. Joe said the secretary position was advertised in the paper on Sunday, and is on the sign outside and the website.

Rob asked for a motion to adjourn. Stan made a motion to adjourn the meeting. Steve seconded the motion. All were in favor and the meeting was adjourned at 8:32 p.m.

Rob Swauger, Chair
Rootstown Township Zoning Commission