

**WESTFIELD TOWNSHIP
BOARD OF ZONING COMMISSIONERS
REGULAR MEETING
June 9, 2009**

Chair Sturdevant called the regular monthly meeting of the Westfield Township Board of Zoning Commissioners to order at 7:35 p.m. Board members Sturdevant, Anderson, Brewer, Miller and Kemp were in attendance. Alternate ZC member Kevin Primer was absent. Other individuals in attendance were Ron Oiler, Lee Evans Tom Micklas and Peg and Frank Kerr.

GENERAL BUSINESS:

Approval of May 12, 2009 meeting minutes

Mr. Anderson made a motion to table the approval of the May 12, 2009 meeting minutes until the next scheduled meeting for approval to give everybody the chance to read them. It was seconded by Ms. Brewer.

ROLL CALL-Anderson-yes, Brewer-yes, Kemp-abstain not present at the meeting, Miller-abstain-not present at the meeting, Sturdevant-yes.

Correspondence

Chair Sturdevant stated the Commission previously discussed writing a letter to the Trustees regarding Mr. Evans' resignation as Ass't Zoning Inspector. Chair Sturdevant stated the letter was completed and presented to the Trustees and Trustee Sims informed her that Mr. Evans has withdrawn his resignation. Therefore she did not see a reason for the Commission members to sign the letter and make it part of the record.

Mr. Anderson made a motion to withdraw the letter of support by the Commission to retain Mr. Evans as Ass't Zoning Inspector due the fact Mr. Evans withdrew his resignation. It was seconded by Mrs. Brewer.

ROLL CALL-Anderson-yes, Brewer-yes, Kemp-yes, Miller-yes, Sturdevant-yes.

Comp Plan Update

Mr. Miller stated only 8 Steering Committee members were present at the last Comp Plan meeting. The Committee went over the draft survey that would be mailed out to the Township residents. This Thursday, June 11th was the Public Participation meeting regarding the Comp Plan. A mailing list was still being discussed as to the best approach to get a complete, accurate address list of the residents of the Township. The Auditor's Office was being looked at as reference to complete this list. Chair Sturdevant stated Steering Committee member Rumburg would be taking over completing a mailing list for the survey to be mailed out as well as the Township newsletter.

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Mr. Evans stated the Trustees approved for him to attend the JOG meeting where the Township, due to stimulus money, would be eligible to receive youth workers. He added he would be requesting three individuals, two for himself and one for Kim Ferencz. The individual who would work in the office could work on the mailing list and could help Ms. Rumburg accordingly.

Mr. Evans stated for the record, that he never withdrew his resignation as Ass't ZI. When asked by Trustee Sims if he was still performing his duties as Ass't ZI, Mr. Evans stated yes as the Trustees never acted on his letter. Mr. Miller interjected that clarification was needed as to what the Trustees were going to do regarding Mr. Evans resignation letter. Chair Sturdevant stated she would follow up with the Trustees accordingly.

Mr. Evans stated there was an OTA scheduled in Guilford Twp. on June 18, 2009. One of the topics that would be discussed by Ass't Pros. Bill Thorne was the new junk car law. The law is much more detailed and aggressive as to what constitutes a junk car and what the Township's can do about them.

Chair Sturdevant stated there was a meeting held in Westfield Center this morning regarding the Regional Prosperity Initiative. It is an initiative that is being brought forth by 16 counties to regionalize land use planning and come together to devise a growth plan. After that, there would be revenue sharing in which 60% of the money would stay with the host community and the other 40% was to be put in a pool and distributed among the rest of the members. Chair Sturdevant stated they did not have the answer as to where Township's would fit into this plan or how they would be affected. This plan mainly focused on cities and villages and not Townships. She added the distribution of funds would be done by a predetermined formula but they could not state what the formula would be. A lot of questions remain unanswered as to how this Plan was to work. Chair Sturdevant stated when questions were posed, those in charge of the meeting stated if we waited to have all the answers to all the questions we would never get this Plan to move forward!?

Chair Sturdevant stated that this plan was not only based on growth but would also be based on schools. Money would be redistributed from well off school districts to poorer school districts. Again what formula this would be based on was again an unknown. NOACA, which is currently supported by the Ohio Township Association, currently does what this Initiative Group is trying to do. It appears that the Initiative Group is trying to take over NOACA, and she could not see the Ohio Township Association supporting them.

Chair Sturdevant stated she spoke with all three Trustees today, and they too were not comfortable with the Initiative Plan, as there were too many unanswered questions especially as to how this plan relates to Townships. Chair Sturdevant continued with that

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said this group should not be taken lightly as they have an implementation date of January 1, 2010 for the Plan.

Mr. Evans stated that Bill Thorne was asked to address this at the OTA meeting in Guilford this week. Chair Sturdevant state the website for this group and their plan is www.NE0-RPI.org.

Mr. Miller asked that the Northeast Prosperity Initiative information be copied for the Board members and cautioned to Commission in looking at this information and small group that would probably be making the decisions for the whole. Mr. Oiler stated he was in attendance at that meeting and heard that legislation was being proposed to forward to the State legislature. Chair Sturdevant stated legislation was being proposed because this Plan has been challenged constitutionally based on the revenue sharing. She added that the good news is that OTA also has PAC's in place to work on legislation as well.

Chair Sturdevant stated the information of this meeting was not sent to the Township it was sent to the school Board. Mike Schmidt who is the BZA Chair also sits on the school board and forwarded this information to the Township. That was the only way the Township was informed of this meeting.

Proposed Windmill Language

Chair Sturdevant stated this information was passed out to the Commission members at the last meeting. Currently there is no language in the Zoning Resolution regarding Windmills. Chair Sturdevant stated that Planning Services has just received template language on Windmills and currently does not endorse any of the language at this time. The Pros. Office also has not had a chance to review the language. Zoning Secretary Ferencz interjected that the zoning office has not heard back from the individual who contacted the Township about putting up a windmill.

The Commission stated they would table this agenda item until Planning Services and the Pros. Office had to chance to review and make recommendations on Windmill Language.

Proposed Signage Regulations and Text

Chair Sturdevant stated another issue came up about signage. Banners are not addressed in the signage language, though they could be considered under temporary signage. Chair Sturdevant stated she spoke with the Pros. Office about banners. Verbally the Pros. Office stated as long as the Township could consider banners under the temporary signage language then it should not be an issue. The problem is if this would be defensible, as banners seem to be larger than what is addressed under the temporary signage language.

Mr. Miller asked about the Charles Marshall trucks that are in Westfield Township. It was questioned if the Beacon Marshall name on their trucks was painted on the trucks or was

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it a banner, and were they to be considered signage? Chair Sturdevant stated she believed if the wording was painted on the vehicle it was permitted per the code.

Ass't ZI Evans stated the property owner has a right to store their trucks on their property. Mr. Micklas stated the code says if the trucks are used in operation of the daily operation of the business they were permitted. Mr. Oiler stated regarding the request by TA for a banner, it was greatly over the size requirements for a temporary sign. Mr. Micklas stated regarding the banner TA had on the trailer; it was a use variance and those are rarely if ever to be granted. The Commission asked Ass't ZI Evans to follow up with the Pros. Office on that issue.

Chair Sturdevant stated that the Commission could wait for an opinion from the Pros. Office or we could move forward with a public hearing on the proposed signage language and matrix as drafted. She suggested that the Commission move forward and if amendments need to be made to the signage language at a later date they could. Chair Sturdevant added that signage language was constantly changing and it would be prudent for the Commission to move forward as we have been working on this proposed signage language for the last 2 yrs.

Chair Sturdevant continued that she knew that banners was not something the Commission wanted to address in the code. Electronic signs could be another option. She added it might be prudent for the Commission to talk to TA and other businesses in the HC District, to see what their needs are for signage. She added that Patrice Theken from Planning Services would also be submitting wording on banners for the Commission to review.

The Commission decided to move forward with setting a public hearing on the proposed signage text language.

Mr. Miller made a motion to set a public hearing on June 30, 2009 at 7:30 p.m. for the text amendment on the proposed signage language and matrixes and error in the zoning language of Section 407.A, as well as the Draft language of Section 907. It was seconded by Jill Kemp.

ROLL CALL-Miller-yes, Kemp-yes, Brewer-yes, Anderson-yes, Sturdevant-yes.

It was noted by the Commission that the public hearing would need to be continued until their July 14, 2009 meeting, as the recommendations from Planning Commission would not be completed until July 1, 2009. Per the ORC, those recommendations must be read into the public record before a vote of the Commission can take place.

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Approval of Commission By-Laws

Chair Sturdevant stated the last set of revisions to the By-Laws was made by the Commission on May 12, 2009. These were also reviewed by the Pros. Office.

Ms. Kemp made a motion to accept the By-Laws of the Zoning Commission as revised 5-12-09 to include as an addendum the Commission's Meeting Notification Policy. It was seconded by Mr. Anderson.

ROLL CALL-Kemp-yes, Anderson-yes, Brewer-yes, Miller-yes, Sturdevant-yes.
The Commission members signed their approved By-Laws.

Misc.

Chair Sturdevant stated that there were free "Smart Growth" publications from the EPA and Smart Growth Network Partners. The Commission asked that a complete set of books be ordered. For anyone interested in contacting them electronically, they can do so at smartgrowth@epa.gov.

Secretary Ferencz stated that in front of the Commission members was a copy of the memo from Chairman Likley of the Trustees dated May 18, 2009 which stated that no zoning applications are to be taken unless the applications are completed in full and the monies to pay for the applications are received. Once a complete application is received and paid for in full the application will be processed by the applicable board for review and/or public hearing. (See attached to approved meeting minutes).

Second, correspondence was received from the Pros. Office dated May 11, 2009 which stated that Comp Plan Steering Committees are Township committees and as a result their meeting must follow the Sunshine Laws and in addition minutes to those meetings must be taken. (See attached to approved meeting minutes).

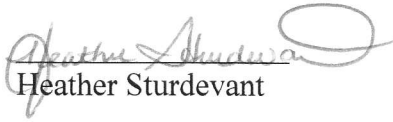
Announcements

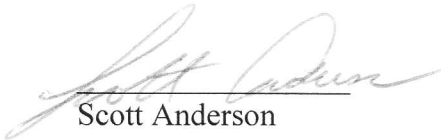
- Zoning Commission Public Hearing-June 30, 2009 at 7:30 p.m.
- Comp Plan Public Presentation Meeting-June 11, 2009 at 7:00 p.m.
- Next Regularly Scheduled Zoning Commission Meeting: July 14, 2009 at 7:30 p.m.

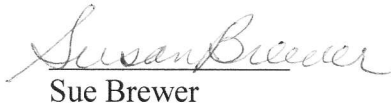
Having no further business by the Commission, Mr. Anderson made a motion to adjourn. It was seconded by Ms. Kemp. All members were in favor. The meeting was officially adjourned at 8:55 p.m.

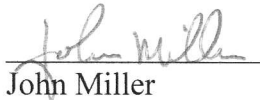
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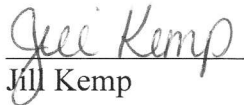
Respectfully Submitted,
Kim Ferencz, Westfield Township Zoning Commission Secretary.


Heather Sturdevant


Scott Anderson


Sue Brewer


John Miller


Jill Kemp