

**PAINESVILLE TOWNSHIP**

**Zoning Commission**

**MEETING MINUTES**

**Monday, March 8, 2021**

**Painesville Township Office 55 Nye Rd. Painesville Twp., OH, 44077**

**Present:** Amy Cossick, Darrell Webster, John Haught, Bailey MacKnight, Ted Galuschik

**Absent:** None

**Zoning Inspector:** Rich Constantine, Harley DeLeon

**Legal Counsel:** Jason Hartzell

Chairman, Ted Galuschik, called the meeting to order at 6:32 P.M. The meeting was held by video conference due to respectful response to the coronavirus mandates in the State of Ohio. The Pledge of Allegiance was recited. A roll call revealed that a quorum was present.

**Public Comment:** None

**Regular Meeting:**

Chairman asked if the board had any additional comments or edits to the **February 8, 2021 Meeting Minutes**. Hearing none, Chairman entertained a motion to approve the **February 8, 2021 Meeting Minutes**.

John Haught made a motion. Darrell Webster seconded.

**Roll Call:** Haught; Aye, Cossick; Aye, Webster; Aye, Chairman; Aye.  
Motion carried.

**Public Hearing:**

• **21-ZC-01:**

An amendment to the TEXT of the Painesville Township Zoning Resolution has been initiated by the Zoning Commission. The amendment proposes to add subsection 6.13 Line of Sight Visibility and re-number the remainders thereafter; to add figure 6-1 and re-number the remainders thereafter; to add 6.14(C)(7), to add 6.14(H), and add figure 6-3; to add definition for Line of Sight Safety Triangle (5.95) and figure 5-1 and add definition for Vehicular Entry Gate (5.164) and re-number the remaining definitions accordingly.

Chairman let the Commission know that the Painesville Township Fire Chief had requested the Vehicular Entry Gate. Chairman reminded the Commission that they had received recommendations from the Lake County Planning Commission also.

Zoning Inspector Rich Constantine stated that he agreed with most of the Planning Commission's recommendations, but was unsure of the Planning Commission's concern regarding conflict with subdivision regulations and recommending that Zoning discuss this with the Fire Department. Rich Constantine continued that it was his understanding that Zoning did not have a say in subdivision regulations, but that the Fire Department had directly requested an amendment to the Zoning Resolution to allow their emergency vehicles to fit through an entry gate. Rich Constantine commented that the Planning Commission may not have understood this request had directly come from the Fire Department. Rich Constantine continued that having the Fire Department comment on this may trump the subdivision regulations. Rich Constantine asked Darrell Webster for his input.

Darrell Webster commented that he too was unsure of the reason that the Planning Commission had made the recommendation. Darrell Webster agreed the Planning Commission may not have understood the direct request. Darrell Webster continued that maybe either the Commission or the Fire Department let the Planning Commission know that this request was necessary in the Zoning Regulations for fire access.

Rich Constantine suggested that the Zoning Commission may need to request a clarification from the Planning Commission on their recommendation regarding subdivision regulations for entryways into private roadways, gated communities, and whatnot.

Darrell Webster commented that as a fixture that stands above the roadway, and obstructing the Fire Department from entering or leaving a subdivision, the entry gate would be under the Township's jurisdiction. Darrell Webster continued that the Fire Chief's recommendations are very much considered.

A discussion was held pertaining to where the Planning Commission's recommendation may have stemmed from.

Zoning Inspector Harley DeLeon let the Commission know that she had received a comment from a Township resident from Morrell Avenue over the Live Stream. The comment pertained to traffic on Morrell Avenue driving too fast when there are children on the street playing. The resident would like a sign put up to alert drivers to slow down. The resident requested Harley DeLeon to mention the comment during the live stream of the meeting.

Chairman asked if the Commission had any more questions or comments. Hearing none. Chairman asked if Zoning Inspector Rich Constantine could ask for help from the Fire Chief to explain the Fire Chief's request to the Planning Commission. Chairman continued that maybe the Planning Commission did not understand this request was based on the size of equipment used by the Fire Department. Chairman agreed that a clarification was needed from the Planning Commission.

A discussion was held pertaining to what the Fire Department needed for an entry gate distance, and what the Township could control in asking for a certain amount of feet of an entry gate.

Chairman asked Zoning Inspector Rich Constantine what the proposed amount of feet for Line of Sight Safety Triangle was after the Trustees had sent back their recommendations.

Rich Constantine reminded the Commission that they had proposed thirty (30) feet. The Trustees had sent a recommendation of twenty (20) feet back to the Commission.

A discussion was held regarding timing of the Planning Commission's letter of recommendations, needing a clarification of some of the recommendations; and staff being able to help aid in the Commission's discussion of **Case 21-ZC-01**.

Zoning Inspector Rich Constantine suggested that **Case 21-ZC-01** be continued until clarification was given from the Planning Commission. Rich Constantine continued that a response will possibly need to be made to the Planning Commission's recommendations regarding Line of Sight Safety Triangle.

Chairman agreed that the Public Hearing be continued for the April 12, 2021 Meeting.

Chairman asked Legal Advisor Jason Hartzell if a motion was needed to continue **Case 21-ZC-01**.

Legal Advisor Jason Hartzell replied yes.

Chairman entertained a motion to continue **Case 21-ZC-01** for the April 12, 2021 Meeting.

Darrell Webster made a motion to continue **Case 21-ZC-01** for the April 12, 2021 Meeting. Amy Cossick seconded.

**Roll Call:** Webster; Aye, Cossick; Aye, MacKnight; Aye, Haught; Aye, Chairman; Aye.  
Motion carried.

**Site Plan/Architectural Reviews:** None

**New Business:** None

**Old Business:**

- **Case 20-ZC-07:**

Section 28 Rewrite sign section

Zoning Inspector Rich Constantine reminded the Commission that at the February 8, 2021 Meeting, Legal Advisor Jason Hartzel had offered to review the draft of Section 28, and give recommendations to Rich Constantine. Rich Constantine continued that he had received those comments and or questions, and held a discussion with Legal Advisor Jason Hartzell. Rich Constantine continued that there were still some unresolved comments and or questions left to discuss with the Legal Advisor. Rich Constantine replied that rewriting Section 28 was heading in the right direction of what regulations is needed for the Township pertaining to signage. Zoning Inspector Rich Constantine continued that he is asking the Commission to table the discussion for **Case 20-ZC-07** for the April 12, 2021 Meeting.

Chairman asked Legal Advisor Jason Hartzell if a motion was needed to table **Case 20-ZC-07**.

Legal Advisor Jason Hartzell replied no because the case was under "Old Business".

Chairman asked if the Commission had any objection to table the discussion on **20-ZC-07** for the April 12, 2021 Meeting. Hearing none, Chairman stated to table **Case 20-ZC-07** until the April 12, 2021 Meeting.

**Dispensation of Closed Public Hearings:** None

**Items being held for Public Hearing:** None

**Zoning Inspector's Report:**

Zoning Inspector Rich Constantine let the Commission know that there may be some Architectural Reviews, and Site Plan Reviews coming up. Rich Constantine continued that inquiries and ideas have been made with regulation complications.

A discussion was held regarding how to handle possible Site Plan and Architectural Reviews that will come before the Commission.

A discussion was held regarding Zoning's Architectural Guidelines, Section 39; pertaining to the Western Reserve Architecture not wanting to be followed.

Chairman asked if Zoning Inspector Harley DeLeon had anything to report.

Zoning Inspector Harley DeLeon asked Chairman where he stood in the decision to return to Township Hall for in person meetings.

Chairman replied that he was going to discuss returning for in-person meetings next.

**Any Further Business to come before the Commission:**

Chairman asked the Commission if there was any further business to discuss. Hearing none. Chairman let the Commission know that he had held a discussion with Zoning Inspector Rich Constantine and Tom Hill, Board of Zoning Appeals Chairman on returning to in-person meetings. Chairman asked where the Commission members stood to return to in-person meetings for either the April Meeting or May Meeting.

A discussion was held regarding when the Commission would like to return to in-person meetings and how Township Hall was set up for social distancing for in-person meetings.

The Commission let Chairman and staff know that they were fine with either April or May Meetings for in-person.

Chairman replied that when Zoning Secretary Rachel Muro sends out the email for April Meeting Packets, she could find out who would like to be in-person for the April 12, 2021 Meeting.

Zoning Inspector Rich Constantine asked Chairman if Commission members or Zoning Staff be exempt from the in-person meeting if choosing to be remote for the meeting. Rich Constantine continued to ask Chairman if a number will be set to limit the amount of public allowed in for in-person meetings.

Chairman replied that if the Commission or staff do not feel comfortable being in-person at the April Meeting, to maybe wait to hold in-person meetings until the May Meeting. Chairman continued that the number of public allowed in in-person meetings or in a room in general, will possibly be up to the Governor of Ohio.

A discussion was held regarding staff concerns about returning to in-person meetings and how to monitor and control the amount of public attendance.

John Haught mentioned that some Board Meetings are not allowing the public in just yet. John Haught continued that if anyone from the public wanted to ask a question, or make a comment, to do so online prior to a meeting.

Zoning Inspector Rich Constantine let the Commission know that it was up to them if they wanted to open the meetings back up to in-person. Rich Constantine continued that he believed the meetings will still be live streamed no matter what for the time being.

Darrell Webster commented that he was wondering if there would be enough time between the March Meeting and April Meeting to get in-person meetings situated. Or if it was better to wait until May.

A discussion was held regarding possibly allowing the Commission and Staff for in-person meetings, and remotely; but requiring the public to only join virtually.

The Commission and Staff agreed for a hybrid meeting.

Zoning Secretary Rachel Muro suggested that when she sends the digital meeting packets through email, and asks for attendance; to have the Commission let her know who will be in-person, and who will be remote for the April 12, 2021 Meeting.

Commission agreed, and Zoning Inspector Harley DeLeon asked to be included, so as to get the boardroom set up appropriately for in-person meetings.

Chairman adjourned the meeting at 7:26 P.M.

**Next Meeting will be on Monday, April 12, 2021.**

Respectfully submitted,

  
Ted Galuschik, Chairman

  
Rachel Muro, Zoning Secretary