

Chester Township Zoning Commission Meeting Minutes

**| Wednesday, March 1, 2023 7:00 PM |
West Geauga Public Library – Eykyn Room**

The Chester Township Board of Trustees met in Special Session on Wednesday, March 1, 2023 in the Eykyn Room of the West Geauga Public Library at 7:00 p.m. Chairman Craig Richter presided.

Roll Call for Board of Trustees

Members present: Mr. Mazzurco, Mr. Radtke, Mr. Richter; also in attendance was Mr. Purchase, Township Administrator.

Roll Call for Zoning Commission

Members present: Mr. Chess, Mr. Kats, Mr. Lauro, Mr. Nastasi, Mr. Oswick, Mr. Peto

Members absent: none

Admin present: Ms. McCarthy

Roll Call for Board of Zoning Appeals

Members present: Mr. Ziganti, Ms. Sritalapat, Ms. Muehling, Ms. Klemm

Members absent: Ms. Fadorsen

Pledge of Allegiance

The Boards led the audience in reciting the Pledge of Allegiance.

Mr. Richter summarized the purpose of this meeting. The Zoning Commission (ZC) had submitted five topics under consideration for possible future work in the Zoning Resolution. Those five items were: Signage, swimming pool covers, nursing homes as a prohibited use, cluster homes and possible addition of a Parks (Passive and Active) District.

Mr. Oswick added that the thoughts and opinions from both Boards was being sought. He suggested starting with the Board of Zoning Appeals (BZA).

Mr. Ziganti, Chair of the BZA explained the Zoning Resolution (ZR) to the audience and how it relates to the BZA.

Mr. Oswick asked for specific items the BZA had been seeing that may need to be addressed through the ZR and in need of change.

Ms. Klemm stated that signage is something the BZA has discussed. Cluster homes will be coming up in the near future. Congregate Care is not currently an issue.

Mr. Oswick mentioned we are specifically looking for thoughts on these five items. Other items brought up will possibly be addressed in the future.

Ms. Muehling offered swimming pool information from 2015 Zoning Commission work. Mr. Richter felt there may be state regulations on this which should be done first. Mr. Purchase told the group that the Zoning Inspector sees about six of these requests a year. Also, hot

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tubs may also need to be clarified. Issue of considering ponds was also mentioned. Mr. Kats said, if it's the law, it's the law. He will do some follow up on that concern.

Mr. Ziganti requested that the definitions section be updated. He would like to see a definition of a lean-to and pool added. (Mr. Radtke later clarified that "swimming pools" is in the definitions.)

Ms. Sritalapat addressed signage concerns as listed on the Priority Matrix. (Attachment A to these minutes.)

Mr. Nastasi said the ZC had asked for the three Boards to be present so we could address priority of signage and all that goes with it. He talked about the Priority Matrix being out of date and the ZC had been waiting for the Geauga County Planning Commission (GPC) to update the signage section which did happen about six months ago. The plan of the ZC is now to compare the Chester Township ZR to the GPC Model Zoning section of signage and see where work needs to be done.

Mr. Ziganti is concerned about regulating content of signs in regards to agricultural.

Mr. Nastasi mentioned that the desire of the Zoning Committee is to balance the needs and wants of the business community.

Mr. Ziganti said the BZA has been concerned about cluster homes and congregate care. He asked for an up to date Priority Matrix.

Mr. Oswick reiterated the five topics – our main focus has been signage. The Parks District is not on our Township map currently and do we need to get this addressed? Swimming pool covers has recently come to our attention. Cluster home and congregate care are not here to say if we are for or against them. They are on here so we can talk about this topic with all present. The physical location of Chester Twp. has become a hotbed for developers. We are the first location just outside of Cuyahoga County on 322. We are not truly prepared for that situation to happen. We want to see what topic(s) the Board of Trustees would like us to address first.

Mr. Richter – we gave some guidance on that. We asked the ZC puts something together first on signage and then have it reviewed by an outside authority.

Mr. Chess is concerned that these pressing issues need to be addressed quickly. We don't have time to kick the can down the road. We need professional/hired assistance to help us make these items happen quickly.

Mr. Kats reminded the group that we are here to determine the priority of the work of the Zoning Commission. The ZC does not want to spend a lot of time working on an issue only to find out that it is not what the Board of Trustees wanted.

Mr. Richter voiced his concern about electronic signs and had that been in place a year ago, certain businesses would have been unable to put up large, illuminated signs.

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Mr. Oswick agreed saying, when it comes to cluster homes and/or congregate care, “well, if we would have done this a year and half ago, this wouldn’t be a problem today.”

Mr. Radtke clarified that if something is listed as a prohibited use, then it is a prohibited use. Clarifying this language may be something that could be done rather quickly.

Ms. Muehling reinforced **if the item is not listed as permitted in the Zoning Resolution, it is not permitted**. Nursing Homes are not listed; therefore, they are not permitted. Congregate care homes do not exist in the Ohio Revised Code (ORC). Nursing homes do exist in the ORC and they are finely defined. Cluster residential is meant to be density neutral. In other words, you may change the size of the lot, but you’re not supposed to have more people living on the lot than is necessary. You also must have infrastructure to support it. In a township, that means wells and septic. The 208 district exists in Chester Twp. No sewers may be approved without the express approval of the Board of Trustees. No one can force sewers on us.

Mr. Chess voiced concerns about financial support of the Board of Trustees for professionals giving guidance with upcoming Zoning Commission work.

Mr. Enzo Perfetto brought up when sewers can be mandated, but that is mostly by the EPA. He asked if Chester Twp. receives any federal funding. The BoT confirmed that some funds have been received from The CARES Act. Mr. Perfetto agreed with the ZC Board that the federal government is going to be mandating affordable housing throughout the US. Ohio is a prime target. He suggested **conservation** zoning – the same amount of units, but they are clustered. This results in less roadway, and trees are preserved. This may attract an elder resident with no tax abatements and no children in the school system which results in no additional strain on school resources. If a builder puts in a full-length road, the cost of materials would be passed along to the home buyer making the cost of the home more prohibitive. If the cost of the road can be lowered, it would be passed on to the buyer. That makes it a win-win for everybody. We are not changing the density of Chester Twp. We are just reconfiguring the lot sizes, cutting down less trees, giving the township less roads to plow and we are not changing density. We may be reducing the number of children in the schools as this type of home would be most attractive to empty nesters and retirees.

Biden administration is coming down heavily on – not equal housing, but equity housing. They want this throughout America and they are targeting the suburbs. Mr. Perfetto agreed with the ZC that this needs to be addressed now through the Zoning Resolution.

Group discussion continued about concerns of some residents concerning zoning.

Mr. Radtke will reach out to Sheila Salem, our prosecutor to determine the best way to prohibit nursing homes in our township. He will send that out to everybody. The Zoning Commission could then write that type of language, review it with the gentleman from Cleveland State and ask his opinion on this language.

Group discussion about the aquifer in the center of the Township. Prior dry cleaner and gas stations have permanently damaged the aquifer.

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Mr. Richter talked about Parks. We have county parks and our own parks. There is no definition of parks in our ZR.

Mr. Oswick brought up that none of the land that the Township owns is designated as parkland. General group discussion occurred.

Mr. Radtke invited those in attendance to continue to attend future meetings of any of the Boards to have their input considered.

The Board of Trustees closed their meeting at 8:28 p.m.

The Board of Zoning Appeals officially closed at 8:28 p.m.

Approval of Minutes

- Move to approve the minutes of the February 15, 2023 meeting as presented.
Moved by Mr. Lauro; Seconded by Mr. Chess
Mr. Chess/yes; Mr. Kats/abstain; Mr. Lauro/yes; Mr. Nastasi/abstain; Mr. Oswick/yes;
Mr. Peto/yes
Motion passed

Meeting Called to Close at: 8:45 pm

Approved by:

Chester Township Zoning Commission March 15, 2023

Final Review by: _____
Jon Oswick, Chair