

Granville Township Zoning Commission

November 3, 2014

Public Meeting

Minutes

Present: Commissioners Steve Brown, Vince Paumier, Rob Schaadt, Judy Preston, and Chairman Chip Blanchard, and Recording Secretary Betsey Hampton,

Guests: Anne and John Reese, Black Radish Creamery, New Albany.

I. Chairman Blanchard opened the meeting at 7:00 p.m., followed by roll call.

II. Swearing in/ Affirming of Public:

Chairman Blanchard there will not be an official public comment period and therefore it is not necessary to swear in the public.

III. Announcements of Chairman:

Judy Preston:

Chairman Blanchard welcomed and introduced Judy Preston who was appointed as the new Commissioner, replacing Tom McCullough.

Ms. Preston reported she previously served as the first alternate to the Granville Township Zoning Commission for a number of years. Ms. Preston reported she also serves as Chairperson of the Granville Township Land Management Committee. Ms. Preston commented she raises horses and has lived in Granville for a long time although she did not grow up in Granville.

Chairman Blanchard commented the Commission is happy to have Ms. Preston. Chairman Blanchard discussed the Township Zoning Commission strives to achieve goals and is excited to have Ms. Preston's input. Chairman Blanchard provided Ms. Preston with an up-to-date copy of the Granville Township Zoning Resolution.

Olde Park Subdivision:

Chairman Blanchard reported he has been in regular communication with Terra Nova concerning the proposed Olde Park Subdivision. Chairman Blanchard reported Terra Nova is still not ready to submit with the Licking County Planning Commission. Chairman Blanchard advised that does not have any effect on Granville Township's meetings concerning the proposed subdivision. Chairman Blanchard reported the Township may proceed with its approval of the proposed Olde Park Subdivision. Chairman Blanchard discussed he believes the developers have done everything the Township has requested and some other improvements.

Commissioner Schaadt questioned what the decision was concerning the turn lanes. Chairman Blanchard advised the developers are creating deceleration lanes which required the entry to be slightly changed on the east and west side to accommodate the line of sight, etc.

Commissioner Paumier questioned whether there would be deceleration lanes on the North and South approaches and Chairman Blanchard responded there will be.

Chairman Blanchard reported he has requested the packet so he may share it with the Commission at the November 17, 2014, meeting. It will be formally reviewed at the first Commission meeting in December. Chairman Blanchard reported there will be public notice given for the formal review.

Chairman Blanchard advised he has a meeting with the developer and Brad Mercer on Tuesday, November 4, 2014, to review any concerns Licking County may have. Chairman Blanchard discussed the packet seems to exceed the Township Commission's requirements and requests.

Request for Commission Review:

Commissioner Schaadt reported he spoke to Zoning Inspector Binckley last week as was asked to see if the Zoning Commission would look at home based businesses versus home occupations within the Zoning Code.

Commissioner Schaadt reported he advised Zoning Inspector Binckley the Commission has much to cover for the next few meetings. Commissioner Schaadt reported he advised Zoning Inspector Binckley to make a list of anything he would like reviewed including things which should be cleaned up to make his job easier. Zoning Inspector Binckley will create a list of items he has come across.

There was a brief discussion concerning home based and home occupations. Commissioner Schaadt provided an example of a home based business as being a lawn care business where it may be based at a home, but the work is primarily done elsewhere. Commissioner Schaadt discussed a home occupation could be a person who sits at a computer in the home all day to earn a living.

Chairman Blanchard questioned if Zoning Inspector Binckley has had a problem with this issue. Commissioner Schaadt reported there was a potential complaint, but Zoning Inspector Binckley easily ironed out the issue. Commissioner Schaadt reported Zoning Inspector Binckley spoke to Assistant Prosecuting Attorney Lecklider and was advised there is a gray area in the Zoning Resolution.

Burg Street:

Chairman Blanchard reported the Burg Street project is moving very quickly. Chairman Blanchard discussed this is the first project to use the changes made to Section 403.

Commissioner Paumier questioned how much activity Zoning Inspector Binckley has in terms of decisions regarding zoning related issues. Chairman Blanchard reported Zoning Inspector Binckley makes decisions daily, fields questions concerning regulations, etc. Commissioner Paumier questioned whether a summary of the decisions made could be provided to the Zoning Commission on a quarterly basis, etc. Recording Secretary Betsey Hampton advised she will pull the information Zoning Inspector Binckley provides to the Township Trustees from the published minutes and forward it to the Commissioners.

Commissioner Schaadt discussed he would like to make everything as clear as possible in the Zoning Resolution so Zoning Inspector Binckley's decisions are as easy as possible.

IV. Old Business:

Section 406:

Chairman Blanchard reported he is still working on Section 406 from his notes. Chairman Blanchard advised an e-mail to APA Lecklider was lost. Chairman Blanchard will review Section 406 at the next Commission meeting.

Five Acre Language:

Commissioner Schaadt discussed an opinion from APA Lecklider is also needed concerning the five acre language and the determination from the Right of Way (ROW) and why the Zoning Resolution has it excluded. Commissioner Schaadt reported an opinion is required whether there would be a problem if the Township made a change in the language concerning this issue. There was a brief discussion concerning this issue.

V. September 15, 2014, Zoning Commission Meeting Minutes:

Chairman Blanchard provided the Commissioners with a copy of the September 15, 2014, meeting minutes. The Commissioners reviewed the minutes. Chairman Blanchard made a motion to approve the September 15, 2014, meeting minutes. Commissioner Paumier seconded the motion and it was approved by an affirmative vote.

VI. New Business:

Discussion regarding conditional use in the Granville Township Agricultural District:

Chairman Blanchard advised he would like to discuss incorporating rules and restrictions that will enable businesses such as Black Radish Creamery to exist in Granville Township under an agricultural land use description. Chairman Blanchard outlined several items he felt were important to allow Granville Township to determine whether it can maintain like minded businesses and have consistent usage with neighboring properties.

Commissioner Paumier questioned if there was a section of the code which deals with this issue. Chairman Blanchard responded the Zoning Commission will create the text amendment change which will incorporate conditions for businesses like Black Radish Creamery to exist in Granville Township under a conditional use.

Commissioner Schaadt advised the text amendment would be under page 60 of the Granville Township Zoning Resolution as this is where current agriculture conditional uses are listed.

Chairman Blanchard advised it is important the conditional uses do not disrupt the surrounding environment. Commissioner Paumier commented the Zoning Commission could add conditional use number 10, and Commissioner Schaadt discussed there could be more than one item added. Commissioner Schaadt commented a main issue is processing plants as this does not fall in line with the current Zoning Resolution.

Chairman Blanchard discussed the reason the Zoning Commission is reviewing a possible text amendment is there was an applicant in the past who applied for this type of usage and it was frowned upon by Licking County and their recommendation was there would not be any permitted manufacturing in this neighborhood. This is because the applicant did not produce the raw materials for the product on the property. It was therefore not an agricultural use but a manufacturing use.

Chairman Blanchard discussed the Zoning Commission hopes to create some criteria where the applicant may exist in the community under agricultural usage with some small exceptions. Chairman Blanchard reported the current conditional uses are very narrow. There was a brief discussion of some of the current conditional uses.

Chairman Blanchard reported the purpose of the meeting is to discuss topics and concerns the Commissioners may have in the event a business like Black Radish Creamery moves next to Granville Township residents.

Commissioner Paumier commented there has been a lot of discussion in the newspaper about solar panels which Denison would like to install and questioned if solar panel zoning regulations will also be something the Zoning Commission will have to review. There was a brief open discussion concerning solar panels and the proposed locations.

Chairman Blanchard outlined some issues he believes should be discussed and addressed:

- a. The capacity to limit truck traffic including the size and delivery times of vehicles
- b. Limit after hours and weekend activity
- c. Nuisance noise such as backup alarms and significant manufacturing noise
- d. Limit the size of the structure perhaps to 10,000 to 12,000 square feet
- e. Limit the amount of waste dumpsters and refuse especially if the manufacture creates a great deal of by product.
- f. Limit the hours of operation
- g. With a small artisan business, limiting the number of employees and limiting the size of the business.

Chairman Blanchard commented these limitations are different than what currently exists in the conditional use section. There was discussion club events are limited to a day or two a week, such as at Mc Peek Lodge. Chairman Blanchard discussed golf courses are not something which would be adjacent to most neighborhoods. Chairman Blanchard advised John and Anne Reese they may contribute to the discussion.

Commissioner Preston questioned if smell should also be considered. There was discussion smell could be important but some commercial farms already have problems with odor. Chairman Blanchard commented it would be difficult to regulate odor in an agricultural area.

Commissioner Schaadt discussed a current conditional use includes nurseries and plant sales. Commissioner Schaadt commented he does not see anywhere where the number of retail hours for sales are limited. There was discussion concerning whether hours could be limited, and to what they

should be limited. Various suggestions and scenarios were discussed. Commissioner Schaadt discussed setting a total number of hours worked for the week rather than setting hours for each day. Chairman Blanchard commented that may end up being all day Saturday and Sunday and could be a challenge. Mr. Reese suggested setting a total number of hours per week not to exceed a certain number of hours each day. Chairman Blanchard discussed the Zoning Commission does not want to create a list of criteria which then requires inspection or an officer to determine whether the business is in compliance on a regular basis. Commissioner Schaadt commented if there is a complaint, there would be a referral to the regulations. There was further discussion concerning possible hours. Mr. Reese suggested the restrictions could initially be restrictive, and then re-evaluated at a later time if the community is supportive of the artisan businesses. Chairman Blanchard commented it is important to consider what a resident would want or not want as a neighbor. It was commented the Zoning Commission does not want to encourage retail sales, only artisan businesses.

Mr. Reese commented the language could reference non-agricultural products. Mr. Reese discussed if a business grows its own fruit it will be able to sell those products all day, every day. Mr. Reese discussed if an artisan business brings material in, they will likely be distributing their own end product along with selling some of the product on location. Mr. Reese commented he did not think artisan business owners would mind limiting sales for non-agricultural products.

There was discussion concerning using the word "artisan" in the description. Chairman Blanchard commented using the word artisan in the description would indicate it is a limited production or small production facility. Commissioner Paumier questioned what is the definition of the word "artisan." There was discussion concerning the definition. Commissioner Preston commented artisan products do not have to be food, but could be wood working, etc.

Commissioner Paumier questioned if Sections 524, 525, and 526 have been reviewed. There was discussion concerning the language of these sections such as limitations on lighting, parking, signage, truck parking areas, loud speakers, egress points, landscaping, etc. Commissioner Paumier commented much of the limits being discussed is already included in those sections of the Zoning Resolution. Chairman Blanchard agreed and commented what is missing is something addressing an artisan business with retail sales. There was further discussion concerning what is an artisan business and if it could be defined as a small, limited business. Commissioner Preston questioned whether a small machine shop could be considered an artisan business as it is small and limited. Chairman Blanchard commented that is a valid concern, but a machine shop would not be organic or agricultural based.

There was discussion the zoning is agricultural and the artisan business would be need to be agricultural based. There was discussion concerning the definition of agriculture in the Zoning Resolution. Commissioner Paumier suggested including the words, artisan/small business which meets the definition of agriculture. Commissioner Brown suggested using agricultural based artisan business and using sub categories.

Mr. Reese looked up definitions of the word artisan and reported they include words such as skilled, unique, agricultural minded, limited by its process of manufacturing, etc. Mr. Reese reported the

artisan business is naturally limited due to the nature of the process and manual inputs of the process. It was discussed there may be automation which causes the artisan product to then be made commercially, and it therefore would no longer be an artisan product. Other possible conditions and limitations were discussed such as limiting where materials could come from, etc. Various scenarios and possible artisan businesses such as dyeing wool, microbreweries, wineries, etc. were discussed. There was discussion some of the artisan businesses might also want to have events such as weddings at the businesses. It was suggested the limits being discussed would also apply to any events.

Chairman Blanchard read Sections 524- General Standards Applicable to all Conditional Uses, and 525(A)- Protections of Surrounding Properties and Neighborhoods. It was discussed these sections of the Zoning Resolution already include language which addresses many of the Commissioners' concerns.

There was open discussion whether the number of employees and number of man hours on the premise should be limited. Seasonal workers were also discussed.

Commissioner Paumier questioned whether a phrase such as 'artisan/ small business agricultural based with less than X employees or X business hours' would be a condition or part of the definition of artisan. There was discussion it would be in the definition of artisan and part of the conditional uses.

Chairman Blanchard advised the meeting this evening was a work session to brainstorm ideas, discuss talking points concerning the issue, and to voice concerns about the issue. Chairman Blanchard suggested the public also be contacted to voice concerns before the text amendment is finalized.

Commissioner Schaadt discussed if the artisan businesses being discussed had the abilities to have their product made from raw materials grown or found on site, there would not be any discussion concerning limitations. An 80 acre organic farm could grow fruit and sell anything at their farm market.

Chairman Blanchard suggested trucks should be limited to single axle trucks. Ms. Preston commented it may be hard to limit trucks as when someone orders something from another business, they do not have control over how it is delivered and what truck brings it. There was open discussion concerning truck traffic. Commissioner Paumier commented there already are provisions in Section 524, 525 (A) which cover some of this area and that many of the protections are already built into the Sections. Commissioner Brown discussed the Sections also provide recourse. The Commissioners reviewed and discussed Section 525 (A). It was commented putting an artisan business in a primarily residential neighborhood would not be harmonious with the surrounding neighborhood. Potential scenarios and locations were discussed.

Commissioner Paumier suggested adding a definition for artisan/ small business but advised he is opposed to limiting the size of the trucks and being too definitive as he believes the Township is covered by Section 525 (A).

Chairman Blanchard advised the Commissioner could suggest to APA Lecklider they would like to add a text amendment with a definition which would allow artisan businesses in the Township and define what is an artisan business and see if APA Lecklider has any concerns.

Commissioner Schaadt suggested the Commissioners have the definition for artisan business and have it added into the conditional use Sections. Chairman Blanchard reported he was approaching the issue by including and deciding on set criteria and then submitting the criteria for approval.

The Commissioners conversed regarding problems which occasionally occur on nearby farms such as combines running after midnight, semi-trucks idling on the roads waiting to be loaded, early morning deliveries, etc.

Chairman Blanchard reported he will speak with APA Lecklider on Tuesday to discuss the Olde Farm Subdivision. Chairman Blanchard advised he will share some of the Zoning Commission's concerns such as adjacent property owners' concerns and limiting factors, and question how specific the text amendment should be. Commissioner Paumier suggested bullet points would be: artisan, small business, and agricultural. Chairman Blanchard agriculture based, small business, requires highly skilled labor, is unique to its environment, is agricultural minded, and is limited in volume by the process of making it. Commissioner Brown discussed limiting the volume will be the hardest portion.

The next Commissioners meeting will occur on November 17, 2014, if Chairman Blanchard has had an opportunity to speak with APA Lecklider. Chairman Blanchard cautioned the Zoning Commission does not want to create language so specific an inspector is required.

Chairman Blanchard commented the Commissioners introduced many valid concerns. First, the Commission wants to be sensitive to neighbors, secondly the Commission wants to include small, artisan businesses in Granville Township. The Township currently is not sustainable and needs revenue and tax base. Chairman Blanchard commented this amendment is an opportunity to invite artisan business into the community. Commissioner Schaadt discussed it would also be nice for the community and kids could take field trips, etc.

Chairman Blanchard reported he will take the concerns discussed to his meeting with APA Lecklider and report back through e-mail.

There was discussion concerning when the next Zoning Commission should occur. The timeline concerning the text amendment change was outlined. Chairman Blanchard reported the application was accepted on October 30, 2014, at 2:30 p.m. Chairman Blanchard advised the Zoning Commission has to accept the application within twenty days. Chairman Blanchard advised the critical timeline will begin after the public hearing. Chairman Blanchard reported the previous text amendment approval went smoothly as the Zoning Commission had discussions with the Licking County Planning Commission prior to their being given the amendment for review.

It was decided to hold the next meeting on November 17, 2014. Chairman Blanchard advised the Zoning Commission will hear Terra Nova on December 1, 2014. Chairman Blanchard suggested the Public Hearing Concerning the conditional use text amendment be held on December 15, 2014.

VI. Adjournment:

Chairman Blanchard made a motion to adjourn the meeting. Commissioner Brown seconded the motion and the meeting was adjourned at 8:30 p.m.

Chairman Blanchard advised the next meeting will be on November 17, 2014.