

Granville Township Zoning Commission

November 17, 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.
Trustee Melanie Schott

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

II. Swearing in/ Affirming of Public:

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

III. Announcements of Chairman:

Olde Park Subdivision:

Chairman Blanchard reported he again met with the Licking County Planning Commission and with Terra Nova. Chairman Blanchard reported Terra Nova made additional changes regarding the size of the lots, mapping, etc. Chairman Blanchard reported the changes made to the proposed subdivision are not significant and include minor size adjustments such as adding an additional 2/100 of an acre to lots, etc. Chairman Blanchard reported he advised Terra Nova he had the authority to allow them to adjust the property lines to accommodate things they need to deal with such as retention ponds, site drainage, etc., and they did not need to start the process over. If the concept remains consistent, the Granville Township Zoning Commission is okay with the minor changes.

Chairman Blanchard reported Terra Nova still needs to complete a bat study, soil study, etc., and is not close to being at the end of the process. Chairman Blanchard discussed the Township Zoning Commission could proceed with approval of the PUD as submitted. Chairman Blanchard reported Terra Nova does not have the drawings finalized. Chairman Blanchard reported it will not be ready for review on December 15, 2014, as was planned. Chairman Blanchard discussed there may be another work session with the Licking County Planning Commission.

Chairman Blanchard reported he spoke at length with APA Lecklider concerning small artisan businesses. This will be discussed under Old Business.

Commissioner Paumier questioned what are the timeline and steps of action for the Zoning Commission concerning the PUD. Chairman Blanchard advised the Township Zoning Commission may give approval any time after Terra Nova's meeting with the Licking County Planning Commission. Chairman Blanchard advised Terra Nova may not proceed with Licking County without the Township Zoning Commission's approval of the application and plan for the development.

Commissioner Schaadt questioned what the Township Zoning Commission would approve and Chairman Blanchard responded it would approve the concept for the PUD and will verify the final plan. Chairman Blanchard advised Licking County does not require a bond for a subdivision. The developers build the subdivision and the county verifies it was built to specifications. Chairman Blanchard discussed when the project is completed, there will be a final document with items such as roads, utilities, lots, surveying, etc. There will be a final, "as built" survey which the county will approve, and the Township Zoning Commission will sign off. They will then be able to sell lots. Chairman Blanchard advised he believes Terra Nova is months away and is not able to do the bat study until the spring. There was further discussion concerning the PUD process.

Chairman Blanchard discussed some of the modifications done include 378 foot long deceleration lanes, and lot sizes are now over 2 acres rather than 1.98 acres. Commissioner Schaadt questioned if there were still T intersections, and Chairman Blanchard advised they did away with the T intersections.

Sections 405 and 406:

Commissioner Paumier questioned if there had been any discussions concerning potential changes to Sections 405 and 406. Chairman Blanchard advised he was not able to work on Sections 405 and 406 due to the amount of time he spent on other zoning concerns including six hours he spent in meetings concerning zoning issues.

IV. Announcements of Commission Members:

There were no other announcements.

V. Approval of November 3, 2014, meeting minutes:

Chairman Blanchard made a motion to approve the November 3, 2014, meeting minutes as submitted. Commissioner Brown seconded the motion and the November 3, 2014, meeting minutes were approved.

VI. Old Business:

Continued Discussion of Conditional use in Agricultural District:

Chairman Blanchard reported he met with APA Lecklider concerning small artisan businesses as a conditional use the Zoning Commission would like to encourage in Granville Township. Chairman Blanchard reported APA Lecklider strongly suggested the Township Zoning Commission make mention of some concerns but not create limits and instead allow the Township BZA to weigh in. Chairman Blanchard reported he advised APA Lecklider the Zoning Commission wanted to limit truck traffic, nuisance noise, parking, size of structure, etc., and APA Lecklider suggested it was not necessary to put up a giant safety net. APA Lecklider suggested the Commission include verbiage referencing parking and allow independent businesses to go to the BZA to negotiate. Chairman Blanchard reported APA Lecklider advised if not, the Zoning Commission will create a scenario which is un-enforceable and will likely not be well received.

Chairman Blanchard discussed APA Lecklider advised it is not necessary to include every scenario in the text amendment language. APA Lecklider suggested it be simplified to say there will be discussion regarding parking- example- small business must provide parking, hours of operation,

etc. The BZA would then determine hours of operation for a specific business, etc. Chairman Blanchard discussed an artisan cheese business may not require the same hours of operation a wood shop may require.

Commissioner Preston discussed when someone applies for the conditional use they would then answer those questions and the ZBA would determine what was reasonable, such as having 40 parking spots, etc.

Commissioner Brown discussed language could state must provide a parking plan and parking needs for the operation. Chairman Blanchard reported APA Lecklider's suggestion was, "must provide adequate parking." BZA would then determine what is reasonable. Chairman Blanchard discussed this allows BZA a lot of discretion. It was discussed the BZA probably has like-minded people who want to encourage neighborhood friendly small businesses and responsible growth. APA Lecklider suggested the Zoning Commission take into account existing language regarding conditional use which is helpful.

Commissioner Paumier discussed language on pages 43 and 44.

Commissioner Preston questioned if APA Lecklider recommended including a definition of artisan business and Chairman Blanchard reported he did not ask that question. Commissioner Schadt commented he believes the Zoning Commission has to include a definition of artisan business.

The definition proposed at the previous Zoning Commission meeting was discussed: Agricultural minded, unique, skilled, limited by its complex manufacturing process, and requiring a skilled workforce. There was discussion concerning a definition. Commissioner Preston questioned what was meant by agricultural minded and Chairman Blanchard commented it has an agricultural basis. It was discussed the language proposed is for the agricultural use section of the Zoning Resolution and therefore, machine shops, would not be included.

Manufacturing a product is limited by its complex process. Commissioner Preston questioned whether it should be included that the product is in some way handmade. Chairman Blanchard questioned Mr. Reese concerning how much of his product would be handmade, and Mr. Reese advised his process is more skilled, rather than handmade. Mr. Reese discussed when he makes jam he would like to use a jarring machine. Mr. Reese commented the jarring machine would not take the skill from the process but would make the process safer. There would still be time and skill spent making the product. It was discussed an artisan business could be defined by requiring a unique skill to create a product.

Commissioner Preston questioned if agricultural minded would be in the conditional use part, but not in the definition of artisan as it will be going under agricultural. Ms. Preston discussed the Township may want to use the definition in another Zoning Section. There was discussion concerning this issue and Section 523.

Commissioner Paumier suggested the definition for artisan business be: a small business with a skilled workforce that manufactures a unique product which is not mass produced. Commissioner Paumier advised he left out the words, agriculturally minded, to open up the definition for similar type of business and the definition will be available for similar businesses. There was discussion concerning this definition and whether the adjective 'small' was required. It was decided the adjective small was not necessary as an artisan business is limited by its size.

Mr. Reese discussed the definition does leave some room for and incentive for growth which could draw businesses.

There was discussion concerning language to limit loud obnoxious practices which may bother neighbors such as truck traffic, hours of operation, size of business, refuse collection, etc. Chairman Blanchard discussed it may not be necessary to include specific concerns in the amendment as long as they are addressed in the conditional use.

Commissioner Brown read the bullet points which were discussed at the previous meeting. Chairman Blanchard discussed if he understood APA Lecklider correctly, under the criteria for artisan business would be a requirement, provide adequate parking, provide hours of operation, provide information pertaining to vehicle traffic, etc.

Commissioner Paumier discussed item 10 on page 60 of the Zoning Resolution could be an agricultural related artisan business. Commissioner Paumier discussed on pages 43 and 44, would be the concerns discussed at the previous Zoning Commission meeting. Chairman Blanchard questioned how the Commissioners would like item 10 to read.

Commissioner Schaadt suggested the wording for item ten on page 43/44 should be simple and should state, "Agricultural based, artisan business." It was decided to change the word based to related so as to read, "Agricultural related, artisan business.

Section 523 was discussed. Commissioner Brown discussed Section 523 includes a great deal of specific criteria for conditional uses. Commissioner Preston questioned if there was anything the Commissioners were concerned about which was not already covered in Section 523. There was open discussion regarding the criteria in this section. It was discussed Section 525 is specific regarding lighting, setbacks, signage, truck parking, maneuvering, access, etc. Commission Schaadt commented the Zoning Commission should be careful concerning adding limitations to this section as it could have an effect on other conditional uses. It was decided there was not any additional criteria which was not already discussed in the Zoning Resolution. It was discussed BZA will be able to review the proposals and neighbors will also be invited to the conditional use hearing to voice their concerns.

Commissioner Paumier discussed the BZA may either approve, deny, or approve with modification any conditional use applications. The BZA could therefore add items beyond Sections 523, 524, and 525. Various scenarios and possible criteria which could be proposed by the BZA were discussed. Chairman Blanchard advised if the points are not agreed to at the time of the meeting and signed by the applicant, they may not always be enforceable. Chairman Blanchard advised at the meeting by which the criteria is agreed to, the criteria will need to be signed by the applicant and indicate the applicant is in full agreement with and acknowledgement of the criteria before the BZA approves. After it is signed it becomes a legal, binding document.

Chairman Blanchard commented most of the ten talking points discussed at the previous meeting are covered in the current conditional use regulations. Commissioner Preston commented the only thing not already addressed are hours of operation. Chairman Blanchard commented there could be an addition of item 16, hours of operation are to be determined by the applicant and agreed upon

Commissioner Paumier suggested wording, "other criteria as indicated by the BZA." Chairman Blanchard commented the BZA may only act on written language which is why the Zoning

Commission is creating the definition. Chairman Blanchard discussed the ZBA cannot state the business may only operate from 8-10 unless the Zoning Commission has language regarding the hours of operation under conditional use. There was open discussion concerning this issue. Commissioner Schaadt discussed if hours of operation are added, it will be applied to all the other conditional uses.

Commissioner Preston questioned if something could be added to number 9 under Section 523, such as a requirement to list proposed hours. Commissioner Paumier questioned if this language should also be included into the section concerning protection of surrounding properties. It was discussed Section 523 concerns the application. Various scenarios concerning hours of operation were discussed. Commissioner Preston questioned how the commissioners thought regarding hours of operation where only the employees are present versus hours of operation when the business is open to the public. Commissioner Brown recommended retail hours and operation hours be addressed during the application and the BZA would have to review. Chairman Blanchard questioned if this should be included in paragraph 9, section 523.

Possible language was suggested including;

“A discussion of hours of operation and retail hours if applicable”,

“The general business practices relating to hours of operation and retail sales if applicable”, and

“A discussion of general compatibility in regards to both retail and operational hours with adjacent owners of properties.”

“A discussion regarding business hours of operation and retail sales as related to the general compatibility with adjacent properties and the district.”

Commissioner Preston questioned if it could be added to the section which discusses noise. Chairman Blanchard commented hours of operation include operational and retail hours. It was decided to add language to the section discussing noise, page 43- paragraph 9: “glare, fumes, vibration, and **hours of operation on adjoining properties.**”

Chairman Blanchard summarized a definition for artisan business would be added to the definitions and would state, “Artisan business- small business, with a skilled workforce, manufactures a unique product which is not mass produced.” Under conditional use it will state, “Agricultural related, small, artisan business” Commissioner Preston commented she did not think the adjective small was necessary under the conditional use. There was open discussion concerning this issue.

It was decided under the conditional use section to state under conditional use-number 10, “**Agricultural related artisan business.**”

It was decided the definition for artisan business would be “**Artisan business- business, with a skilled workforce that manufactures a unique product which is not mass produced.**”

Commissioner Schaadt summarized the Zoning Commission created artisan business language, defined it, and added wording to cover a concern which was not addressed.

Chairman Blanchard questioned whether Mr. and Mrs. Reese thought similar like-minded businesses could operate under the parameters and Mr. Reese responded he thought they could.

Chairman Blanchard reported he would formally submit the changes in writing to Licking County for review and obtain feedback from APA Lecklider before voting on the changes. Chairman Blanchard commented it works better to have APA Lecklider's input before the hearing process. APA Lecklider will write a non-binding review. Chairman Blanchard advised the Zoning Commission will call for a public hearing to review the proposed text amendment language modification. After the public hearing, the Zoning Commission will vote on the proposed text amendment language modification. Chairman Blanchard reported the Zoning Commission has Mr. Reese's amended application and it was changed from a map modification to a text modification.

Voting to propose the text amendment and to schedule a public hearing concerning the text amendment will occur at the December 1, 2014, Zoning Commission meeting. The Commissioners advised they are available if a public hearing is then scheduled for December 15, 2014. Chairman Blanchard reported public notice will be given at least 10 days before the hearing through notice to the adjacent property owners, the Granville Sentinel, and the Public Library.

Chairman Blanchard thanked Mr. and Mrs. Reese for attending the work session.

XII. Public Comments:

There were no public comments.

XIII. New Business:

A. Discussion regarding text amendment for the use of solar panels.

Chairman Blanchard reported the Zoning Commission has not officially received an application from Denison University for a proposed solar array. Chairman Blanchard provided the Commissioners with an informational document for reference. The document included what the Village of Granville received in a joint meeting with Denison University concerning the solar arrays. Chairman Blanchard reported it is a broad overview but is significant. Chairman Blanchard advised the parcel which the Zoning Commission is concerned with is south of the homestead drive. An aerial map, the proposed location, and the acreage were discussed and reviewed. The approximate acreage for the solar array is 1.7 acres.

Commissioner Brown reported the document states the land will remain agricultural. Chairman Blanchard reported in his discussion with the Township Trustees, there appears to be an existing conditional use for churches and schools on page 60, item 3, of the Township Zoning Resolution. Chairman Blanchard reported it was suggested the Zoning Commission review adding solar panels under item 3.

Commissioner Schaadt questioned why a school which own property in an agricultural district should be given more leeway than the average property owner. Chairman Blanchard commented this is a valid concern and discussed this solar farm does not meet some of the criteria being proposed for artisan businesses. Commissioner Preston questioned how the Village is handling the issue and Chairman Blanchard responded he does not know.

Commissioner Schaadt commented the property being discussed does not seem to have many adjacent property owners. Commissioner Schaadt commented the Granville School District could

say they need electricity and use the 100 acres on Burg Street for a solar farm. Chairman Blanchard commented adding language to conditional use does not mean the conditional use will be approved.

Commissioner Schaadt reported his two concerns are; what could it open up if it is allowed for schools, and whether it is right to give Denison an opportunity that is not given to a tax payer.

Chairman Blanchard reported Lakewood Schools currently have an approved plan through the same provider. Chairman Blanchard reported Kenyon College has a working example. Chairman Blanchard commented he would like to talk to Lakewood School District to find out how they dealt with the zoning issue. Trustee Schott reported APA Lecklider talked to Lakewood School District. Trustee Brown reported Granville School District previously discussed solar panels but were going to put them on the roof of the school. Trustee Schott reported she was advised by APA Lecklider public schools may be exempt from zoning due to the Ohio and Federal EPA brownfield requirements, but not private schools. There was further discussion concerning solar arrays, the location, and landscaping of the site.

Chairman Blanchard summarized the Township Zoning Commission has not received an application but he wanted the Commissioners to be familiar with the issue. Commissioner Schaadt questioned if Denison would come and talk to the Zoning Commission when they submit the application to Zoning Inspector and Compliance Officer Binckley. Trustee Schott commented Denison would follow the same process as Black Radish Creamery and apply for a text amendment for a conditional use.

Chairman Blanchard commented he did not want to respond on record as he wants to review all the information. Chairman Blanchard requested the Commissioners review the information and be prepared with questions and concerns if Denison does submit an application.

Commissioner Preston questioned is there anything in the Zoning Code concerning a person who wants to put solar panels on their property. Chairman Blanchard reported he asked that question and has not yet determined if solar panels are acceptable. Commissioner Paumier reported there is language regarding cell phone towers. Trustee Schott reported the Zoning Resolution is silent concerning solar arrays. Commissioner Brown commented if there was an attempt to limit solar panels for a home, there would be a battle. Chairman Blanchard commented there is a big difference between a solar farm and solar panels on the roof of a home. Commissioner Preston questioned how big it would need to be before it becomes a solar array. Chairman Blanchard reported the informational document stated 5,000 to 7,000 panels are being proposed for the Village location. Commissioner Brown reported it stated it would provide 20% of Denison's electric usage.

IX. Chairman's Comment:

a. Discussion regarding resignation.

Chairman Blanchard reported his term on the Zoning Commission is up at the end of the year. Chairman Blanchard reported he will not seek reappointment as Chairperson of the Zoning Commission. Chairman Blanchard advised if anyone is interested in being appointed Chairperson, he will forward his or her name to the Township Trustees. Chairman Blanchard reported he has a meeting with the Trustees next week to discuss this issue. Chairman Blanchard commented he

hopes to be invited back to serve as a Commissioner, but his business is such that he is unable to devote the time required as Chairperson.

Commissioner Schaadt questioned if Chairman Blanchard planned to remain on the Zoning Commission. Chairman Blanchard responded he plans to remain on the Commission if the Trustees believe his efforts have been constructive. Commissioner Paumier questioned if only Chairman Blanchard's term is up. Chairman Blanchard responded Tom McCullough's term was also up but he has been replaced with Commissioner Preston. Chairman Blanchard requested anyone interested send him an e-mail. Commissioner Paumier questioned if the Commissioners could nominate someone. Chairman Blanchard advised a peer may be nominated but the Trustees make the appointment.

Trustee Schott questioned if the Zoning Commission chooses the Chairperson. Chairman Blanchard reported he did not remember how the Chair was chosen but thought it was by Trustee appointment. Commissioner Preston questioned if Commissioner McCullough's term was up in December, if her term was also over. Trustee Schott reported as Commissioner Preston was an alternate, another alternate should be appointed. Chairman Blanchard advised his meeting with the Trustees is scheduled for November 26, 2014, and it would be helpful for him to be able to tell them if anyone is interested. Commissioners Schaadt and Preston reported the Land Management Committee chooses its own Chairperson.

Commissioner Preston questioned if there was any way some of the Chairperson's duties could be delegated. Chairman Blanchard responded his business has increased, and he is unable to devote the additional hours, which has sometimes been an additional 10 hours required each week. There was discussion there could be a joint chair.

VI. Adjournment:

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

Chairman Blanchard advised the next meeting will be on December 1, 2014.