

**KINGSTON TOWNSHIP ZONING COMMISSION
MEETING MINUTES**

APPROVED: April 15, 2009

DATE: March 18, 2009
LOCATION: Kingston Township Hall
TIME CALLED TO ORDER: 7:00 PM by Vice-Chair Burrell

MEMBERS PRESENT:	(CHECK ONE)		
BURRELL	YES	X	NO
GROVE	YES	X	NO
STEINHOFF	YES	X	NO
HARSANY	YES		NO X
DEAVERS	YES	X	NO
FILBERT	YES	X	NO
TALBOTT	YES	X	NO
STITES	YES	X	NO

PUBLIC PRESENT: Craig Cope

APPROVAL OF MINUTES:

Member Burrell pointed out several editorial corrections to the draft Meeting Minutes dated January 21, 2009, and made a motion to approve them as amended. The motion was seconded by Member Steinhoff and was unanimously approved. Member Grove made a motion to approve Meeting Minutes dated February, 18, 2009. The motion was seconded by Alternate Filbert (voting status during the meeting) and was unanimously approved.

ZONING REPORT:

Zoning Inspector Bob Talbott outlined highlights of the February Zoning Report to the Trustees *attached as Item 1*. He provided an update regarding the NorthStar Final Plan indicating that a right-of-entry was signed by Robert Weiler and that he has secured Trustee signatures to complete document execution. He indicated that he is waiting on EMH&T Consultant Strung to make final changes to the plan based upon the negotiated language in the transfer agreement. Talbott indicated that he anticipates the process will be finalized soon. He reminded Members that once the final plan is approved, transfer of both the Township Hall/Park and Farmland Preservation parcels will occur within 120 days.

Inspector Talbott informed Members that a site visit is scheduled with Eric Slosser of BBC&M Engineering, Inc. on Friday, March 20, 2009 so that the Phase 1 Environmental Assessment work can commence. He advised them that no ruling had been issued regarding the Pastures at Blue Church litigation. He also pointed out that culvert work on North Galena Road between Twigg-Hupp and Berkshire Roads was scheduled for completion by March 20, 2009, and that according to the Delaware County Engineer, the stop light configuration for the intersection of Wilson and North Galena Roads was set to default green for Wilson Road and currently functions for a completed development pattern.

Media Articles:

Zoning Secretary Stites provided Members with a brief summary of several interesting media articles including highlights about Members Deavers and Steinhoff *attached as Item 2*, the usage of Road/Bridge Tax Funds by the Delaware County Commissioners *attached as Item 3*, and the hiring of the Delaware County Soil and Water Conservation District by Genoa Township to provide technical assistance and training regarding drainage matters *attached as Item 4*. Other articles discussed including municipal fiscal impacts associated with the lack of development and building permits *attached as Items 5 and 6*.

OLD BUSINESS:

Zoning Secretary Stites handed out a copy of the preliminary schedule that will be used by the Delaware County Regional Planning Office to proceed with their zoning text amendment review *attached as Item 7*. He advised that the Preamble will be added to the proposed April topics, and that Article IV, Definitions would be discussed last since all other accepted changes could impact the definitions. He then provided a basic overview of how the process will proceed; indicating that the month of March was to be used by Regional Planning to prepare April and May work products, that the April schedule items would be received for Member review prior to the April Zoning Commission Meeting, that the May schedule items would be passed out at the end of the April Meeting, and that Members should review all zoning text in the scheduled Articles noting any other discrepancies beyond changes recommended by Regional Planning. In order to stay within budget and time allocated to the review process, Secretary Stites reiterated the importance of discussing, revising and finalizing all Article amendments on a month-by-month basis.

Secretary Stites distributed a copy of the existing definition of Structure (*attached as Item 8*) found in Article IV of the Zoning Resolution, and asked the Zoning Commission to clarify how structures prefabricated off site known as skid buildings, Buckeye barns, etc. fit into the definition. Member Deavers pointed out that the language “an edifice or building of any kind” found after the first semicolon covered prefabricated buildings. Members agreed that the definition language should be “cleaned up” during the text amendment review process with consideration given to changing permit requirements for prefabricated buildings to be consistent with Delaware County requirements i.e. no permit necessary if under 200 square feet.

NEW BUSINESS:

Zoning Inspector Talbott informed Members that he had been contacted by Chief Mike Thompson, Porter-Kingston Township Fire Department, regarding the construction of a future fire station at the intersection of State Route 521 and North Galena Road. During discussions, Chief Thompson indicated that the department was negotiating for the purchase of several acres of land from Shively Farms, and had requested information as to zoning requirements for the new facility. Inspector Talbott advised the Chief that he would check into the matter, and encouraged him to discuss zoning requirements with his counsel, the Delaware County Prosecutor’s Office. He also suggested to the Chief that he attend a Zoning Commission Meeting with preliminary information, concept drawings, etc. to acquaint Members with the department’s future plans. Chief Thompson asked Inspector Talbott to discuss the matter with the Zoning Commission to determine a recommendation as to the proper district for a rezoning application.

To facilitate the Chief's request, Inspector Talbott distributed copies of Article XI, Neighborhood Commercial (C-2) and Article XII, Planned Commercial and Office District (PC) (*attached as Items 9 and 10*) asking Members for input as to what might be the correct district should rezoning be required by law. He indicated that as a result of his analysis, the C-2 District seemed most appropriate since it addressed government buildings more than the PC District which focuses more upon businesses. Member Burrell suggested that Article XVI, Institutional District (INS) might also be appropriate as it addresses community buildings. Based on the lack of information, the Zoning Commission was unable to provide a recommendation and suggested that the Chief should seek advice from his legal counsel regarding rezoning and the proper district. They also indicated that they would welcome a visit from Chief Thompson at a monthly meeting to learn more about his future facility.

FOLLOW UP ITEMS: **None**

ADJOURNMENT:

Member Steinhoff made a motion for adjournment. The motion was seconded by Member Grove, and was unanimously approved.

TIME: **8:03 PM**

SUBMITTED BY: Dave Stites, Zoning Secretary/Assistant Zoning Inspector