

**KINGSTON TOWNSHIP ZONING COMMISSION
MEETING MINUTES**

APPROVED: November 18, 2009

DATE: October 21, 2009
LOCATION: Kingston Township Hall
TIME CALLED TO ORDER: 7:02 PM by Chairman Harsany

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

PUBLIC INPUT/COMMENT: Craig Cope Present—No Comment

APPROVAL OF MINUTES:

Alternate Filbert (voting status during meeting) made a motion to approve the September 16, 2009 Meeting Minutes. The motion was seconded by Member Grove, and was unanimously approved.

OLD BUSINESS:

Delaware County Regional Planning Executive Director Scott Sanders was present to continue discussions regarding the Zoning Resolution Text Amendment process. To begin, Chairman Harsany asked Executive Director Sanders if he had any questions for Members regarding the discussion and recommended changes found in the minutes from the last meeting. He indicated that the information was clear and that he had no questions. It was determined that items contained in the Old Business Section of the October Meeting Agenda *referenced as Item 1* would be used to guide the order of discussions.

Regarding the need for a Platted Subdivision definition, Executive Director indicated that he is keeping a list of needed definitions requested by the Commission, and will address each definition at the end of the process as previously decided.

Regarding the telecommunication tower difference between Section 6.04 A and B, Executive Director Sanders indicated that the sections are consistent with the Ohio Revised Code with “A” providing a general overview of the township’s regulatory authority (limited) and “B” providing an increase in regulatory authority when an objection is filed with the trustees.

At this point, Executive Director Sanders asked for clarification regarding stenographer/official minute requirements in Sections 25.09 and 26.03. He was advised that all language previously proposed by him should be deleted, and that the new language contained in the September 16, 2009 Meeting Minutes should be substituted.

Regarding asphalt and concrete language conflicts contained in Section 20.01 B, after lengthy discussion it was determined that no all inclusive standard exists to govern off roadway paving situations and that the section should read as follows: Paving - Except in the Farm Residence District (FR-1) and the Agricultural Preservation District (A-1) all common parking areas and adjacent aisles or driveways shall be constructed with an adequate hard surface (compacted aggregate, asphalt or concrete) appropriate for the intended use of the facility.

Regarding Flood Plain Regulations contained in Section 20.08, Executive Director Sanders indicated that he had discussed a model flood plain district from another township with the Delaware County Flood Plain Administrator. He found that the model language was generally consistent with the established County regulations that govern flood plain development or preservation for all areas shown on FEMA flood maps. Based on the discussion, he pointed out that flood plain regulations and protective overlays on riparian stream corridors are really two separate issues. Zoning Inspector Talbott reminded Members that additional riparian corridor protection language had been added to the Planned Residential Development Section when it was updated. He indicated that the proposed language in Section 20.08 does nothing more than reiterate the County's existing authority to regulate flood plains, and suggested that the Commission address the protective overlay issue as a separate future action. Members agreed since considerable research will be required to sculpt the issue including assistance from the County Flood Plain Administrator.

After lengthy discussion regarding Section 20.11–Lighting Regulations, Members requested that language be added by Executive Director Sanders exempting both the Farm Residence District (FR-1) and Agricultural Preservation District (A-1) so that the section applies to commercial districts. With that addition, they approved the section which resolved a conflict involving non-compliant security lighting provided by the power company for individual residences.

Regarding Section 20.12-Fencing, Members questioned if a true need exists to regulate fencing. At the end of the discussion, Members requested that Executive Director Sanders strike 20.12 C, acknowledged that fencing within a planned residential district or subdivision project would be approved by the township in the development plan, and approved the section.

Regarding Section 20.15-Minimum Landscaping Requirements, significant discussion focused upon the perimeter buffer table found in 20.15 A-1. Executive Director Sanders was asked to drop the lettering in row one (A, B, C and D), to bold the heading for each column and to change “see footnote #3” to “see ‘c’ below”. He was also asked to add language enabling the Zoning Commission to approve a divergence from the property maintenance requirements listed in the table for land scale developments. With these changes, Members approved the section.

Regarding the Preamble, Members postponed discussion until a future meeting.

Members had previously asked Executive Director Sanders to add definitions for Permanent and Seasonal Pools. However, during discussions regarding Section 20.05 C, Members asked Executive Director Sanders to insert (in-ground or above ground) after “permanent” to help clarify permanent, and that the word “Seasonal” would be changed to “Temporary” in Section 20.05 D.

Based the length of time taken to discuss the topics above, Members agreed to close the text amendment discussions, and start with the driveway safety marking system topic at the November 18, 2009 Zoning Commission Meeting.

ZONING REPORT:

Zoning Inspector Talbott briefly reviewed items found in the September 2009 Zoning Report to the Trustees *referenced as Item 2*. He informed Members that three permits were issued during September including two accessory structures and one home addition, and advised them that he would be glad to answer any questions regarding any of the complaints or zoning violation issues listed in the report. He informed them that he met with the Delaware County Director of Environmental Services (Sanitary Engineer) Chad Antle at his request to discuss ways that his office might be able to assist Kingston Township with sanitary issues in the future.

MEDIA ARTICLES:

Members were provided a copy of roster updates for both the Zoning Commission and Board of Zoning Appeals *referenced as Items 3 and 4*. Several informational news articles were distributed including:

- County Sewer Service I-71, ThisWeek-Big Walnut, May 17, 2009 *referenced as Item 5*.
- Wind Turbines, The Columbus Dispatch, June 29, 2009 *referenced as Item 6*.
- Wiffle Ball Field, The Delaware Gazette, August 6, 2009 *referenced as Item 7*.
- New Wetlands Rules, The Columbus Dispatch, August 31, 2009—Two Articles *referenced as Item 8*.
- Green Event, Preservation Parks, The Columbus Dispatch, August 31, 2009 *referenced as Item 9*.

Member Deavers had forwarded a news article copy regarding hoop houses used to extend growing seasons and questioned if we needed to address the issue as part of our text amendment process. The Commission was provided a copy of the article from The Columbus Dispatch, September 20, 2009 *referenced as Item 10*, and were informed that current text language covers structures that are assembled. Consequently, if the structure were over 150 square feet, it would require a Zoning Certificate unless the owner filed for an Agricultural Exemption which would place the structure outside zoning requirements. Finally, Members were provided a copy of a postcard (*referenced as Item 11*) received from the Delaware County Prosecutor’s Office regarding training for township officials on November 14, 2009. Members were encouraged to attend the informative training.

NEW BUSINESS: None

FOLLOW UP ITEMS:

ADJOURNMENT:

Alternate Filbert (voting status during meeting) made a motion for adjournment. The motion was seconded by Member Steinhoff, and was unanimously approved.

TIME: 9:25 PM

SUMBITTED BY:

Recorded and submitted by Dave Stites, Zoning Secretary.

KZC Minutes 10-21-09