

September 1,

2020

Held _____ 20 _____

The Etna Township Zoning Commission met on September 1, 2020 in the Etna Township Hall for the purpose of conducting a special meeting with the Board of Trustees. The meeting was audio recorded for the township records. The meeting was called to order at 7:30 p.m. by Chairman DiYanni. Roll call showed the following members present: Roger Hayes, Josh DiYanni, Dave Olson, Litichia McIntyre, Alesia Zacher, and clerk Laura Brown.

Litichia McIntyre moved to adopt the agenda. The motion was seconded by Dave Olson and passed without objection.

Joint meeting with the Zoning Commission

Trustee Carlisle explained the township received some complaints from the applicants of a recent public hearing. The Trustees would like to know if the Zoning Commission understands what their function is.

Chairman of the Zoning Commission Josh DiYanni explained what he believes is the function of the Zoning Commission. They review the recommendations from the Licking County Planning Commission and John Singleton, they are to make sure the application complies with the Etna Township Comprehensive Plan. They hold a public meeting where there will be public concerns to take in consideration and to ultimately make a recommendation to the Board of Trustees. They will approve as is or place some conditions on it. If they feel it does not fit with the Comprehensive Plan they will deny the application. The steps during the Public Hearing would be the board members have reviewed the packet they received, the applicant will present an overview, if we have questions we will review them, the public will speak, if there are any concerns the applicant will respond. Then there is time for more questions and discussion then the public hearing will be closed and they will go to a vote.

Trustee Carlisle explained that the Zoning Commission has a packet that was supplied by the developer which is usually given to the Zoning Commission prior to the hearing so they can review at home. When the members receive the packet they are supposed to go thru the text line item by item and make notes about what fits and what does not fit. The Trustees do this individually. After the public hearing the members should go through the text together and discuss if what they are requesting fits. The uses that do not fit the area should be stricken if the majority of the board agree and then recommend to the Trustees to remove.

Trustee Carlisle explained that if the township is sued because they do not meet their timeline of thirty days to schedule their public hearing after receipt of the recommendation by the Zoning Commission and it is challenged it will go to the Zoning Commission's decision and they are the deciding body. That is why this is so important for the Zoning Commission to review.

Trustee Carlisle discussed grand standing prior to the vote and explained that the Zoning Commission cannot do this or refer to the concerns in a member's neighborhood. The decision cannot be made over the roads because they are not governed by the township; they are governed by the Licking County Planning Commission. The water issues and drainage does not have anything to do with Zoning. The function of the Zoning Commission is to act on the use of the land. The Trustees would like to know the reasons why they voted the way they did especially if the application was denied. The Zoning Commission cannot vote by emotions. The decision the township needs to make on a rezoning is for the majority of the residence in the township and not the minority.

Trustee Foor wanted to let them know that Trustee Johnson is the liaison to the Zoning Commission and is available for any questions or concerns that them may have. All of the Trustees are available if they have any questions or concerns because they want what is best for the township. Trustee Foor wanted to confirm that the Zoning Commission is receiving the same packet as the Trustees receive. The Trustees discussed the information that is given between the boards. Trustee Carlisle stated the packet from the applicant is required to be the same packet once the applicant has submitted. The Trustees can amend the text when approving the rezoning.

Trustee Foor requested the Zoning Commission provide some bullet points on why they approved or denied the rezoning. Trustee Carlisle said they can also direct questions to John Singleton and have him compile the answers and send it out to the Zoning Commission so that they all can see the answers. Trustee Johnson provided the Zoning Commission with some information that is basically the Ohio Revised Code regarding the timeline of the rezoning and their duties on the Zoning Commission. Trustee Johnson also explained that when approving PUD's the approved text will become a new section in the book and they are all different. With a PUD the text will govern what can be done on the Development Plan.

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The Zoning Commission needs to decide if it will be the best use of the land. When they approve the Preliminary Development Plan and the Final Development Plan they need to make sure it complies with the text that was approved.

The Zoning Commission also has to use the Etna Township Comprehensive Plan and map when approving the rezoning and writing the articles in the Zoning Resolution. They need to make sure everything fits.

Dave Olson discussed the Technical Review Committee and requested to be involved earlier in the process. The group discussed the Technical Review Committee and their function. There are two members of the Zoning Commission assigned during the Organizational Meeting in March to serve on the Technical Review Committee and they rotate during the year. The Trustees would like to utilize this option.

Trustee Carlisle recommended they attend the Trustees public hearing to see how the meeting is conducted, the questions that are asked, and how the public is handled.

The Trustees also let the Zoning Commission know that they can contact the Licking County Prosecutor's Office with any concerns for a legal opinion when needed.

The Trustees thanked the members for serving.

Litichia McIntyre moved to adjourn at 8:12 p.m. The motion was seconded by Dave Olson and passed without objection.



Laura Brown, Clerk



Josh DiYanni, Chairman