

RECORD OF PROCEEDINGS

Minutes of

Etna Township Board of Trustees Special Meeting

Meeting

GOVERNMENT FORMS & SUPPLIES #44-224-3338 FORM NO. 10148

Held June 12, 2024

The Etna Township Board of Trustees met on Wednesday, June 12, 2024, in the Etna Township Hall, 81 Liberty Street, Etna, Ohio 43018 for the purpose of conducting a special meeting. The meeting was called to order at 6:00 PM by Gary Burkholder.

Trustees Present

Gary Burkholder and Mark Evans

Trustees Absent

Rozland McKeeflax

Others in Attendance

Holly Palumbo, Jackie Cotugno, and Freddie Latella

1. Opening

- a. Call to Order
- b. Roll Call
- c. Pledge of Allegiance

2. Adoption of Agenda


Motion to adopt the agenda as presented

Moved by: Mark Evans*Seconded by:* Gary Burkholder

Yes Gary Burkholder and Mark Evans

Carried 2-0**3. Public Hearing**

- a. Public hearing for the M-1 Text Amendment

2024-030 Z-24-3 Section 909 M1 Text Amendment.docx M-1 Text Amendment Notification.pdf Signed Resolution 2024-015.pdf May ZC Staff Memo Text Amendment.pdf Z-24-3 StaffReport.pdf  Z-24-3 Letter.pdf Public Notice M-1 Trustee.pdf 

Motion to open public hearing

Moved by: Gary Burkholder*Seconded by:* Mark Evans

Yes Gary Burkholder and Mark Evans

Carried 2-02024-030 Z-24-3 Section 909 M1 Text Amendment.docx M-1 Text Amendment Notification.pdf Signed Resolution 2024-015.pdf May ZC Staff Memo Text Amendment.pdf Z-24-3 StaffReport.pdf  Z-24-3 Letter.pdf Public Notice M-1 Trustee.pdf 

Trustee Burkholder explained the process of the M-1 Text Amendment

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and how it was brought to the Board of Trustees. Trustee Evans stated that it is important to deal with the process properly and timely. Trustee Burkholder also stated that there is not a wholesale ban on the Concrete Block and Block Manufacturing. These types of businesses are still allowed in M-2 and M-3.
Motion to close the public hearing @ 6:43pm

Moved by: Mark Evans
Seconded by: Gary Burkholder

Yes Gary Burkholder and Mark Evans **Carried 2-0**

Motion to approve Resolution 2024-030 to adopt the recommendation from the Zoning Commission pertaining to the request to amend the Zoning Resolution Article 9 District Regulations, Section 909 Light Manufacturing District (M-1), Conditionally Permitted Uses

Moved by: Mark Evans
Seconded by: Gary Burkholder

Yes Gary Burkholder and Mark Evans **Carried 2-0**

4. Public Comments - Limited to Agenda Items Only

Jeff Cotugno - 10095 Tollgate Road SW - Stated that most of the codes in the NACIS are pertaining to his property and his business. Mr. Cotugno understands wanting to get rid of ready-mix plants but would be interested in other NAICS codes.

Trustee Evans stated M-1 is specifically for manufacturing indoors only not indoors or outdoors during a specific time. Trustee Evans is just trying to ensure whatever activity is approved, it protects the residential districts.

Trustee Burkholder asked Mr. Cotugno if he is for or against the text amendment for the record, to which Mr. Cotugno replied that he is against it.

Phyliss Bundy - 10254 Tollgate Road SW Mrs. Bundy stated that there are trucks that are in and out of the property everyday assuming it is ready mix concrete being brought in. Mrs. Bundy stated that she is for the text amendment.

Rachel Zelazny - 10141 Tollgate Road SW Ms. Zelazny played a video from her front porch of the trucks going in and out of the property around 5:55 p.m. She does not appreciate the zoning not being followed or with the plant in general. Ms. Zelazny is for the text amendment.

Chuck Bundy - 10254 Tollgate Road SW Mr. Bundy stated that Trustee Evans has mentioned the plant on Taylor Road was smelly and dusty, Mr. Bundy added in wet weather it can become muddy. Mr. Bundy mentioned with Taylor Road, they are on central sewer and water unlike Tollgate which has septic systems and wells. Mr. Bundy feels they are more susceptible to groundwater contamination. Which makes their situation totally different. Mr. Bundy is for the text amendment.

Steve Wood - 69668 Palmer Road Mr. Wood stated he is against the text amendment. Mr. Wood urged the zoning commission and the zoning office to ask more questions when approving/disapproving conditional uses and not just denying the requests because it doesn't work.

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Jon Hanson - 8900 E. Main Street Mr. Hanson stated he feels the text amendment is retaliatory. He is also against the text amendment. Mr. Hanson believes the text amendment is based on the complaints about the property there. Mr. Hanson said if this text amendment was after the Cotugno lawsuit, then it is definitely retaliatory.

Thaay Young - 9167 Taylor Road Mrs. Young's concerns on Taylor Road are with all the trucks that drive down the road with no regard to the children that are on that road. She feels that it is only a matter of time before a child is killed. Mrs. Young is in support of the text amendment.

Phyliss Bundy - 10254 Tollgate Road SW Mrs. Bundy was at the meeting Mr. Hanson had spoken of and it was approved for professional buildings, doctors' offices or bookkeeping.

Mr. Hanson - 8100 East Main Street Mr. Hanson stated sometimes the use map, and the planning map can get confused with the zoning map. The M-1 zoning has been there since 2002.

Trustee Burkholder reminded everyone this meeting was regarding the text amendment and not a particular case.

Jeff Cotugno - 10095 Tollgate Road SW Mr. Cotugno stated that he is at this meeting to represent other concrete companies in the Etna area. Mr. Cotugno also said that by eliminating the concrete ready-mix and concrete manufacturing out of M-1 that affects other businesses just not his. Mr. Cotugno asked the board to give this text amendment a second look before deciding. Mr. Cotugno stated there is updated technology when it comes to mixing cement.

Trustee Evans stated that this is not retroactive, so if you have already been approved you can continue with those uses. Trustee Evans wanted to reiterate what Trustee Burkholder stated, the board is not talking about a single property, but properly classifying uses within the districts.

Trustee Burkholder stated the conditional uses being removed from the text amendment are incompatible with the objective of what the M-1 zoning is. Trustee Burkholder supports the text amendment.

Post Comments

Thaah Young - 9167 Taylor Road Apologized to Mr. Cotugno. Mrs. Young was not singling out Mr. Cotugno or the big trucks, she does want his business to be successful. She still has growing concerns for Taylor Road.

Jon Hanson - 8900 East Main Street Mr. Hanson asked the trustees to give an example of something they added back in in M1, AB, or GB. Because all he has seen is cuts. Trustee Evans stated that the board hasn't taken anything out to add to the industrial zones. Trustee Burkholder stated there were three ways to initiate a text amendment. The three ways are by the Board of Trustees, the Zoning Commission, and by an individual who would like to request a text amendment.

Trustee Evans said this text amendment change is about proper classification and there

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are uses that are not compatible. Separate agencies and commissions have agreed, and it is not just a personal opinion.

5. Adjournment

Motion to adjourn at 6:54

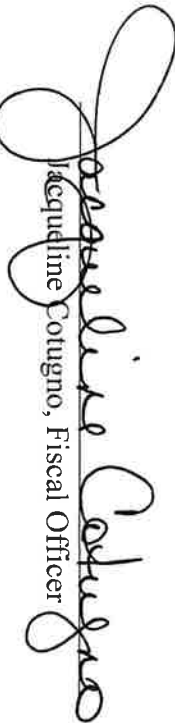
Moved by: Mark Evans

Seconded by: Gary Burkholder

Yes Gary Burkholder and Mark Evans

Carried 2-0


Gary Burkholder, President


Jacqueline Cotugno, Fiscal Officer

All the resolutions as presented are on file with the Fiscal Officer.