

Held October 22, 2024

The Etna Township Zoning Commission met on Tuesday, October 22, 2024, in the Etna Township Hall, 81 Liberty Street, Etna, Ohio 43018 for the purpose of conducting a regular meeting. The meeting was called to order at 6:00 p.m. by Litchia McIntyre.

**Members Present**

Adam Kelley, Dave Olson, Litchia McIntyre, Shelly Marie Ipacs, and Steven Smith

**Members Absent**

**Others in Attendance**  
Holly Palumbo, Susan Bedsole, Gary Burkholder

**1. Opening**

a. Call to Order

b. Pledge of Allegiance

c. Roll Call

**2. Adoption of Agenda**

Recommended Action: Motion to adopt the agenda as presented

*Moved by:* Adam Kelley

*Seconded by:* Shelly Marie Ipacs

**3. Announcements and Comments**

**Open Discussions**

The discussion began with Shelly Marie Ipacs acknowledging the Chair's previous statement summarizing the chronological events of recent zoning resolutions and requesting it be documented as part of the meeting's minutes for future reference. Litchia McIntyre agreed and directed it to the clerk to ensure it would be recorded verbatim. The statement was read as follows:

Resolution 2024-042, adopted on September 3, 2024, directed the Zoning Commission to consider certain amendments to the Zoning Resolution. Simultaneously, the Zoning Commission submitted text amendments to the Board of Trustees for their consideration. The changes contained in these recommended text amendments included those addressed in Resolution 42. On October 15, 2024, the Board adopted Resolution 2024-050 which addressed the same modifications requested in Resolution 42. Therefore, as the matters in Resolution 42 have been rendered moot by the adoption of Resolution 50, I move to officially discontinue any further review by the Zoning Commission as directed by Resolution 42. Mr. Olson seconded the motion. All were in favor.

**Steven Smith** raised concerns regarding the process of engaging a consultant for a comprehensive zoning review. They expressed unease that the Board of Trustees appeared to be setting the agenda for the Zoning Commission without adequate discussion or input from the commission itself. While they agreed with the necessity of updating the zoning code, they felt that the process lacked transparency and that the commission's role in decision-making was diminished.

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**Litchia McIntyre** announced that at the 10/15/2024 Trustees Meeting she put on public record that there were things included in the Trustees' proposed resolution that the Zoning Commission had already decided were going to be recommended for removal, i.e. pawshops.

**Gary Burkholder** expressed that it's a priority of his and the Board of Trustees to get the Comprehensive Land Use Plan revised and approved because zoning must accommodate the Land use Plan. Gary also wants to have additional public presentations of the proposed plan.

**Adam Kelley** shared feeling as though the Trustees had directed the entire Zoning Commission in regard to the resolution, they initiated at the 10/15/2024 Trustees Meeting. He was concerned the Trustees may continue to do so and didn't want to set that kind of precedent. He also entertained the possibility that the new consultant may also, as the Zoning Commission never voted to bring in the consultant, but it was instead idea of Trustees. Litchia responded that there is a lot of Zoning Commission work to be done, work not initiated by Trustees.

**Gary Burkholder**, speaking as a trustee, provided clarification on the process. He explained that the Board of Trustees has the authority to initiate text and map amendments and that engaging a consultant is part of ensuring the zoning resolution is holistically reviewed and updated. He emphasized that prior commission work would be incorporated, and that the trustees' goal is to provide resources to support the commission's efforts. Burkholder also assured the commission that the collaboration with the consultant would include their input and expertise.

**Administrator Susan Bedsole** addressed concerns about the commission's autonomy. She clarified that while the trustees approved the concept of a comprehensive review, the commission retains control over its agenda, timelines, and scope of work with the consultant. Susan emphasized that the consultant's role would be to assist the commission rather than direct its work, ensuring that the commission's voice remains integral to the process.

Further discussion touched on the logistics of hiring a consultant. Susan explained that the process of issuing a Request for Proposals (RFP), or Request for Qualifications (RFQ) was underway, but it required time to finalize and execute. Both Susan and Gary confirmed that the commission would have input in selecting the consultant and determining the scope of the work to ensure alignment with local priorities and needs.

Several members expressed concerns about maintaining the balance of authority between the trustees and the commission. Gary and Susan reassured the commission that their collaboration with the consultant would remain a priority and that their recommendations would be central to any zoning update.

**Dave Olson** raised a question about the process for revising the zoning resolution. Specifically, he asked whether the plan was to revise the resolution section by section, resulting in a pseudo resolution that would hold no authority until approved by the Zoning Commission and subsequently by the Board of Trustees.

**Trustee Gary Burkholder** confirmed that this was the intended approach, emphasizing that no changes would take effect until formally ratified by the board. He also acknowledged the importance of identifying urgent issues in the current resolution that may need immediate attention and addressing them separately if necessary.

Mr. Burkholder provided further details about ongoing efforts to clean up and reconcile discrepancies in the current zoning resolution and maps. He explained that past amendments had not been consistently updated across all platforms, including zoning books, online resources, and the county's records. To address this, a temporary employee has been working to verify and update the recorded amendments, ensuring consistency across all entities. He acknowledged the significant workload involved in this effort and highlighted the importance of providing accurate and updated information to the Zoning Commission, developers, and residents.

**Litchia McIntyre** noted that some amendments passed as early as 2020 had not yet been updated in zoning books, further complicating the commission's work. Gary Holder confirmed this and mentioned that iWorq, the township's zoning software, was also missing key information. To address these gaps, the trustees recently approved a contract to implement an

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iWork module that would streamline processes for the Zoning Commission and Board of Zoning Appeals (BZA). Additionally, efforts are being made to create comprehensive documentation of all procedural steps, including public hearing timelines and advertising deadlines.

**Gary Burkholder** also highlighted the importance of training for commission members and the BZA. He mentioned that the township is working with outside legal counsel and utilizing resources from the Ohio Township Association (OTA) to provide training opportunities. The OTA now offers a subscription-based service for virtual training modules, which all township members can access. While some members noted challenges with activating their accounts, the township administrator, Susan, committed to sending out clear instructions for accessing the training platform.

**Steven Smith** expressed interest in participating in training and emphasized its value in improving the commission's efficiency and effectiveness. Other members agreed with the Chair emphasizing the importance of continued learning for navigating the complexities of zoning processes.

**Susan Bedsole** confirmed that she would send out instructions for accessing the OTA training platform and would ensure all members had the necessary tools to participate in available training opportunities.

**Updates on communication processes and email transitions**

Litichia McIntyre inquired whether all members had successfully transitioned to using their official Etna Township email addresses. Shelly Marie Ipacs confirmed they had but acknowledged occasionally responding from other email accounts by accident, when replying to emails that were NOT sent to her Etna Township email address. Those replies were forwarded to her Etna Township email address and are on record.

Susan emphasized the importance of using township email addresses for all official communications for organizational purposes and to maintain compliance with public records requirements. She encouraged members to contact her if they encountered any issues with accessing their township accounts.

Clarification of Susan's email address was given, which she confirmed as [sbedsole@etnatownship.com](mailto:sbedsole@etnatownship.com)

**Litichia McIntyre** addressed the need to compile attendance records for the Zoning Commission's meetings from the past year and the current year. Members were asked to notify either the Chair or Susan of any meetings they missed, particularly if they had already communicated their absence by email or phone. She acknowledged the members' consistent communication regarding absences and noted that all absences had been excused appropriately. A discussion followed about the commission's upcoming schedule. The Chairwoman noted that, as of now, there were no pressing matters requiring discussion in the next two months. It was highlighted that the holidays in November and December typically bring a slower period for zoning activity. Members were advised to remain available for regular meetings, with cancellations or updates to be communicated via email. The Chair emphasized that if any urgent zoning issues arise, they will convene a meeting to address them.

**Steven Smith** suggested using the downtime to proactively review zoning sections and compile a list of questions or concerns to be addressed once a consultant is engaged. This preparation would ensure the commission is ready to work efficiently when the consultant begins their review. The Chair agreed, emphasizing the importance of utilizing the time effectively and encouraged members to start compiling their questions.

**Litichia McIntyre** opened by addressing a member's earlier comment about scheduling two zoning commission meetings per month, clarifying that this has always been the practice. Gary Burkholder inquired whether any items from the previous zoning inspector or boards were still pending for review or updates. Steven Smith mentioned the need to update NAICS codes in the



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zoning resolution, noting that while some sections had been updated in recent amendments, a comprehensive update is still needed.

**Susan Bedsole** confirmed that a complete and current master Word document for the zoning resolution could not be located. Instead, the township has been relying on fragmented or outdated versions. Efforts are underway to reconcile these documents, incorporating all past amendments and creating a single, accurate version. Susan emphasized the importance of this work, citing instances where incorrect or inconsistent information from the zoning resolution had been provided to residents and businesses.

The commission discussed how to address inconsistencies, particularly discrepancies between the township's website and other sources like the county's website. A recent issue where a development rezoned in 2020 was still listed as agricultural on the county website, causing confusion among residents. Susan reiterated that resolving these inconsistencies is a top priority, ensuring the township has a single, reliable document from which to work.

**Steven Smith** suggested reviewing zoning sections and drafting questions or concerns in preparation for when the consultant begins work, which was well received by the group. This proactive approach aims to ensure the commission is ready to address key issues efficiently once the consultant is engaged.

**Gary Burkholder** commended the efforts to resolve these long-standing issues and highlighted the importance of ensuring residents and developers have access to accurate zoning information. He noted that while the current situation has caused challenges, the progress being made provides optimism for improved processes and clarity moving forward.

**Dave Olson** addressed unresolved issues in the zoning resolution, specifically noting agricultural references in various districts that require removal. Mr. Olson explained that while the commission had updated three of these districts, additional sections remain to be addressed. He also mentioned that the inclusion of agriculture as a conditional use was previously flagged by the prosecutor's office for review and adjustment.

**Susan Bedsole** acknowledged that additional research is needed to determine the enforceability of the agricultural language in the zoning resolution. She stated that if the language is found to be unenforceable, it might not require immediate removal, allowing the matter to be addressed during the comprehensive review. However, if it has practical implications, further action may be required before the consultant begins their work. Susan agreed to work with zoning staff to clarify the legal standing and provide directions to the commission.

The commission proactively reviewed sections of the zoning resolution and compiled a list of questions and concerns for the consultant. This approach would allow the commission to begin addressing issues and preparing for a more efficient collaboration once the consultant is engaged. The commission unanimously agreed to begin a preliminary review of the zoning resolution, focusing on identifying outdated or problematic areas and compiling feedback for the consultant. The Chair noted that this process could be incorporated into the commission's regular meetings and suggested meeting once a month to focus on this task. Additional meetings could be scheduled if necessary.

**Litichia McIntyre** confirmed that the commission's next regular meeting in November would kick off this preliminary review process. Members agreed on the timeline and expressed their commitment to ensuring the consultant's work begins with clear and actionable input from the commission.

4. Approve meeting minutes

Motion to approve the meeting minutes from October 18, 2024, and waive the public reading

*Moved by:* Steven Smith

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*Seconded by:* Shelly Marie Ipacs

**Yes** Adam Kelley, Dave Olson, Litichia McIntyre, Shelly Marie Ipacs, and Steven Smith

**Carried 5-0**

5. New Business

Motion to open the public hearing for Article 9, section 907, General Business District text amendment, section 906, Local Business District and section 908 Accommodation Business District.

*Moved by:* Shelly Marie Ipacs  
*Seconded by:* Steven Smith

The purpose of the public hearing was to review and discuss changes previously approved by the trustees and any additional changes being considered by the zoning commission.

Steven Smith inquired about the scope of the hearing. He clarified whether the hearing addressed changes proposed by the trustees or the zoning commission's prior recommendations. Litichia McIntyre confirmed that the hearing covered the same items previously discussed but required formal proceedings to comply with procedural requirements.

Motion to close the public hearing at 6:05 PM

*Moved by:* Litichia McIntyre  
*Seconded by:* Dave Olson

**Yes** Adam Kelley, Dave Olson, Litichia McIntyre, Shelly Marie Ipacs, and Steven Smith

**Carried 5-0**

**Discussion Resolution 2024-042**

Litichia McIntyre explained that these amendments had already been addressed by the Board of Trustees through the adoption of Resolution 2024-050 on October 15, 2024. Since the matters in Resolution 2024-042 were rendered redundant, the Chair proposed a motion to officially discontinue further review of this resolution.  
*Steven Smith seconded for discussion.*

Gary Burkholder, a township trustee, provided additional context regarding the overlapping resolutions and the process leading to the current situation. He explained that the initial consultant, McBride Dale, was hired for technical reviews but was not tasked with a comprehensive zoning resolution update. Following administrative changes, Lance Schultz was brought in as an in-house consultant, providing more consistent and cost-effective support. He clarified that the trustees' recent actions addressed some zoning issues, but inconsistencies and unresolved sections would require a comprehensive review of the zoning resolution. This review would be led by an external consultant, which the trustees plan to hire through a Request for Qualifications (RFQ) or Request for Proposals (RFP) process. Holder emphasized that the extensive work done by the Zoning Commission would be incorporated into the comprehensive review.

Litichia McIntyre reassured commission members that they would remain involved in the process, working closely with the selected consultant to ensure local insights and priorities are integrated. Additionally, she noted that zoning discussions would continue as new development projects arise, maintaining the commission's role in guiding zoning changes and protocol updates.

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Gary Burkholder also touched on the Comprehensive Land Use Plan, which the trustees aim to finalize. Holder shared plans to host another open house to address public feedback and improve the plan's presentations and materials. He noted the importance of aligning zoning updates with the land use plan to ensure consistency and support for long-term development goals.

*Motion to discontinue Resolution 2024-042, as it was now redundant due to the adoption of Resolution 2024-050*

Yes Adam Kelley, Dave Olson, Litichia McIntyre, Shelly Marie Ipacs, and Steven Smith

Carried 5-0

6. Public Comments

**John Jones, 9446 Main Street, Southwest:** He informed the commission that he had submitted all required reports, including documentation from the EPA, Health Department, Fire Department, and Homeland Security. All inspections passed successfully, and he inquired if there were any further questions or requirements needed to address the concerns raised, particularly regarding the "ticking bomb" allegations associated with his property. The commission commended Jones for his thoroughness and due diligence in addressing the situation. They confirmed that there were no further questions and acknowledged that his actions had ensured proper documentation and compliance. Ted Walker that all submitted documents are securely stored in Jones's file for future reference. Jones elaborated that he had resolved all flagged issues, including minor electrical repairs, and reiterated that the EPA had no concerns regarding the chemicals stored on his property, as quantities were well within permissible limits. He expressed his frustration with the challenges faced by small businesses in comparison to larger entities and thanked the commission for their support and understanding.

7. Adjournment

Recommended Action: To adjourn at 7:09 p.m.

Moved by: Shelly Marie Ipacs  
Seconded by: Steven Smith



Holly Palumbo, Clerk



Litichia McIntyre, Chair