

## Zoning Commission

March 10<sup>th</sup>

2010

### ATTENDING:

Larry Schrader  
Dave Duma  
John Yeargin  
Bill Arnold  
Janelle Albertoni

Jeff Childers  
Jim Albertoni  
Jim Demboski  
David Vartenuk

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Mr. Schrader opened the meeting with a roll call and the reciting of the Pledge of Allegiance at 7:03 p.m.

Mr. Schrader welcomed the guests in attendance: Mr. Mishler, Billy Cramer, Mr. Monroe, and Joe & Priscilla Furham.

Mr. Schrader asked the commission to review the minutes from the February 10<sup>th</sup> 2010 commission meeting.

Mr. Duma made a motion to accept the minutes as written, seconded by Mr. Arnold. Mrs. Albertoni abstained from voting because she was not present for the February meeting. All other commission members voted in favor of the motion.

Mr. Schrader wanted to begin with an update concerning the Rufener sand & gravel issue, he then turned the floor over to the Zoning Inspector Jim Albertoni. There will be an injunction and restraining order concerning the issue of the work done outside the boundaries of the 12.5 I-1 acres. There will also be a hearing asking for the operation to be shut down aft the expiration of the current permit. The Rufeners have the opportunity to take it back for another appeal if they do stay inside of the designated boundaries, at that time they could be given the opportunity to expand to the other I-1 zone. The Prosecutor does not want the Suffield Township BZA involved, leave it in the courts.

After the current permit expires they have a year to reclaim the property. Last Friday's court order may be interpreted that the Rufeners could continue operation until the permit expires on October 5<sup>th</sup>, 2010.

Mr. Albertoni then gave an update for the outbuilding being built in Deer Crossing: the homeowner went before the BZA stating he was building such a large structure to store his motor home. Now he has called to say he wants to come in for a new agricultural use permit.

The Metro Parks Bog was recently unveiled in an article in the Akron Beacon Journal.

Mr. Schrader took the gavel back and stated that the Portage County Assistant Prosecutor Chris Meduri recommended the commission return SEC. 601.4 to the way it was written before the revision in 2005 noting "20% one time use". The judge in the current case with Suffield Aggregate stated that the township must have this guideline spelled out in the resolution. A motion was made by Mr. Yeargin to insert the old verbiage: "No nonconforming uses of the land shall be enlarged or increased more than twenty percent (20%) (one time only)." in front of the current version of that section. The motion was seconded by Mr. Arnold. All members voted in favor of the motion.

Mr. Arnold made a motion to amend the previous motion for SEC. 601.4 on page 113 to resume the original title of the section prior to 2005 "NON-CONFORMING USES OF LAND." The motion was seconded by Mrs. Albertoni, all in favor of the amended motion.

Mr. Schrader asked the commission how we implement these new changes. Do we need to have a public hearing now to amend this singular item or can we hold off for other changes? Mr. Schrader said he would call the Chris Meduri for a recommendation.

Mr. Yeargin made a motion to add ", or cemetery." to SEC.801.4.D on page 149. Seconded by Mrs. Albertoni, all in favor of the motion.

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Mr. Schrader requested any further information or topics be brought to the table at this time.

The next meeting will be at 7:00 P.M. on Wednesday the 14<sup>th</sup> of April 2010. Mr. Yeargin let the commission know he will be unable to attend the next meeting.

A motion to adjourn the meeting was made by Mr. Duma, and seconded by Mr. Arnold. All of the commission members voted in favor of the motion to adjourn at 8:10 P.M.

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Larry Schrader - Chairman

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Adam Bey – Zoning Com. Sec.

A motion was made by Mr. Duma to accept these minutes at the April 14, 2010 meeting. The motion was seconded by Mr. Arnold, all of the commission members voted in favor of the motion.