

Harlem Township Zoning Commission
3883 South State Route 605
Galena, Ohio 43021

June 7, 2021

Chair, Mike Kabler, called the June 7, 2021 monthly meeting to order at 7:30 p.m. Mr. Kabler asked for a roll call of members.

Members Present: Robin Lobenstein, Joni Manson, Tom Nied, Mike Kabler
Members Absent: Alan Czako
Alternate Absent: Virginia Lewis
Secretary: Sherrie Steele
Zoning Inspector: Matt Kurz
Public Present: Matt Dickens, Matt Kear, Tammy Judge

The secretary stated she had received an email from Ms. Lewis stating she would not be at this evening's meeting.

Mr. Kabler stated he had received an email from Mr. Czako that he is resigning from the Zoning Commission. The Commission will now have 4 members and 1 alternate. Ms. Lewis will be asked if she would like to be a full-time member on the Commission. Ms. Lewis will need to send a letter to the Trustees if she chooses to do so.

Mr. Kabler stated the Fister application (HTZC 21-05) had been withdrawn so there will not be a hearing on that application this evening.

Mr. Kabler stated there would be 3 hearings tonight. Mr. Kabler stated the secretary had received the list of additional property owners and had sent out notices of the hearings.

At this time Mr. Kabler recessed the June 7, 2021 monthly meeting until after the hearing scheduled to begin at 7:35 p.m.

Mr. Kabler called the June 7, 2021 monthly meeting out of recess at 7:53 p.m. Mr. Kabler asked for a roll call of members.

Members Present: Tom Nied, Joni Manson, Robin Lobenstein, Mike Kabler

Mr. Kabler asked Mr. Kurz if he had a zoning report to present to the Commission.

Mr. Kurz stated there have been 47 permits issued to date with most of the permits being single family residences. Mr. Kurz stated there are a couple of zoning violations that he is working with Delaware County Prosecutor's Office. Mr. Kurz stated Tyler Lane, Assistant Prosecuting Attorney, Delaware County Prosecuting Attorney's Office had attended the Trustees May meeting. Mr. Kurz stated some progress is being made.

Mr. Kurz stated he went to the Trustees for more "zoning change" signs. The Trustees are considering replaceable signs as opposed to the larger signs. One sign has already been stolen and another had been damaged from the storm. The Trustees will vote to approve the expense at their June 16, 2021 meeting. Mr. Kurz stated a sign has been placed on Woodtown for the 3 properties being considered tonight.

Mr. Kurz stated there are no upcoming applications at this time. Mr. Kurz stated he has received inquiries about the use of farmland, but for the most part it has been relatively quiet in the township.

Mr. Nied asked Mr. Kurz if there was any discussion about Royal American Links being sold. Mr. Kurz stated he has heard nothing at this time, but there have been rumors floating around.

Mr. Kabler asked Mr. Kurz if he had addresses for the properties that were in the hands of the Prosecuting Attorney. Mr. Kurz stated the first property is at 5465 Harlem Road. Mr. Kurz stated the next property is at 15038 Fancher Road for an unpermitted structure. Mr. Kurz stated

he is waiting on the timeline to expire for two other properties. Mr. Kurz stated it usually takes 60 to 90 days once the timeline expires.

Mr. Kurz stated there was a settlement on the OFarrell property. Mr. Kurz stated there is more social media activity on the property.

Mr. Kabler stated the June 7, 2021 monthly would be recessed until after the hearing scheduled to begin at 8:00 p.m.

Mr. Kabler called the June 7, 2021 monthly meeting out of recess at 8:15 p.m. Mr. Kabler asked for a roll call of members.

Members Present: Tom Nied, Joni Manson, Robin Lobenstein, Mike Kabler

Mr. Kabler stated the Commission would review minutes. Ms. Manson made a motion to approve the minutes of the May 3, 2021 monthly meeting as corrected. Mr. Nied seconded the motion. Mr. Kabler asked if there was any discussion on the motion. Being none, Mr. Kabler asked for a roll call vote on the motion. Robin Lobenstein, aye. Mike Kabler, aye. Tom Nied, aye. Joni Manson, aye. Motion carried.

Ms. Manson made a motion to approve the minutes of hearing HTZC 21-03 as corrected. Mr. Nied seconded the motion. Mr. Kabler asked if there was any discussion on the motion. Being none, Mr. Kabler asked for a roll call vote on the motion. Tom Nied, aye. Mike Kabler, aye. Joni Manson, aye. Robin Lobenstein, aye. Motion carried.

Mr. Nied made a motion to approve the minutes of hearing HTZC 21-04 as corrected. Ms. Lobenstein seconded the motion. Mr. Kabler asked if there was any discussion on the motion. Being none, Mr. Kabler asked for a roll call vote on the motion. Joni Manson, aye. Tom Nied, aye. Robin Lobenstein, aye. Mike Kabler, aye. Motion carried.

Mr. Kabler stated the June 7, 2021 monthly meeting would be recessed until after the hearing scheduled to begin at 8:30 p.m.

Mr. Kabler called the June 7, 2021 monthly meeting out of recess at 8:44 p.m. Mr. Kabler asked for a roll call of members.

Members Present: Robin Lobenstein, Joni Manson, Mike Kabler, Tom Nied

Commission member continued with the review of minutes. Mr. Nied made a motion to approve the minutes of hearing HTZC 21-05. Ms. Manson seconded the motion. Mr. Kabler asked if there was any discussion on the motion. Being none, Mr. Kabler asked for a voice vote on the motion. Robin Lobenstein, aye. Tom Nied, aye. Joni Manson, aye. Mike Kabler, aye. Motion carried.

Mr. Nied made a motion to approve the minutes of the May 10, 2021 workshop meeting as corrected. Ms. Manson seconded the motion. Mr. Kabler asked if there was any discussion on the motion. Being none, Mr. Kabler asked for a roll call vote on the motion. Mike Kabler, aye. Robin Lobenstein, aye. Joni Manson, aye. Tom Nied, aye. Motion carried.

Mr. Kabler stated Mr. Czako had sent his letter of resignation to the Trustees as well as to Mr. Kabler. Mr. Kabler will email Ms. Lewis to see if she would like to be a full-time member on the Commission. Mr. Kabler asked members to consider other members of the township to take an alternate position with the Commission. Mr. Nied suggested the Commission start with the Steering Committee members first. Ms. Manson asked if the Trustees are willing to have two alternates to the Commission instead of just one. The secretary and zoning inspector are not aware of any discussion with the Trustees limiting the Commission to one alternate.

Mr. Kabler stated there are no new applications to come before the Commission at this time.

Ms. Manson asked if there had been any discussion of in person meetings now that the Governor of Ohio has lifted the Covid restrictions. Mr. Kabler will check with the Trustees to see if they have heard from the Prosecutor's Office.

Mr. Kabler asked Commission members if they wanted to discuss how to proceed with the Comprehensive Plan. Mr. Kabler stated they need to consider a public review before a hearing date is set. Mr. Kabler stated they need to consider a timeline for the process. Mr. Nied stated he feels the Commission should move the plan along quickly. Mr. Nied suggested contacting the Trustees to see how this works into their schedule. Mr. Kabler will ask the Trustees if they would prefer to receive the application in August or September. Ms. Manson stated Mr. Kabler should ask the Trustees their opinion on the public review.

Mr. Nied stated in reviewing the DCRPC preliminary agenda for their May 27, 2021 meeting that there was an item in regards to 5 lots on 38.75 acres in a subdivision project called Miller's Brook CAD. Mr. Kurz stated that property has changed hands. The property was previously owned by the Carlisle family and the Commission held a hearing on the property about six months ago. Mr. Kurz stated a property owner does not have to come before the Commission if the lots are larger than 5 acres. Mr. Kabler stated if it is a developer, they may seek rezoning to create smaller lots.

Ms. Manson stated there is a member of the public present that the Commission should ask if they have anything to discuss with the Commission. Tammy Judge stated she and her husband own 11 acres in the township on County Line Road. Ms. Judge stated they would like to know what is going on regarding the Nelson property. Mr. Judge stated he would like to know if there is a 50' setback required for a CAD from the Judge property. Mr. Kabler stated a CAD has a 60' easement for the drive.

Mr. Nied stated there are 2 parcels to the North of the CAD and 2 parcels to the South of the CAD. There will be one larger parcel at the end of the CAD which contains the CAD property itself. Mr. Nied stated the properties have the same setback requirements as AR-1 properties. Ms. Manson stated in FR-1 setback requirements are 25'. Mr. Kurz stated there will be a 50' setback all around. Mr. Kabler stated the CAD will not affect the Judge property. Mr. Kabler stated the setbacks for the other lots must follow regulations.

Mr. Kurz stated the CAD is not yet final and can be modified. Mr. Kabler stated the Zoning Commission does not approve a CAD. DCRPC will make the approval. Mr. Kabler suggested the Judges contact Kelly Nelson to review the plan. Mr. Kurz provided an email address so they could contact Mr. Nelson.

Mr. Judge asked why there will be commercial use permitted in subarea A in the proposed Comprehensive Plan. Ms. Manson stated to allow for a needed tax base.

Mr. Kabler asked if there was anything further to come before the Commission. Mr. Nied made a motion to adjourn. Ms. Manson seconded the motion. Mr. Kabler asked if there was any discussion on the motion. Being none, Mr. Kabler asked for a voice vote on the motion, all ayes. Motion carried. The June 7, 2021 monthly meeting was adjourned at 9:38 p.m.

Respectfully submitted,

Sherrie Steele, Secretary

Mike Kabler, Chair

Joni Manson, Vice Chair