

BOSTON TOWNSHIP TRUSTEES

HEARING ON PROPOSED ZONING RESOLUTION CHANGES INITIATED BY THE BOSTON TOWNSHIP ZONING COMMISSION

February 12, 2014

The Public Hearing on proposed Zoning Resolution changes initiated by the Zoning Commission was opened by Trustee Chair Amy Anderson at 6:30 p.m. The public hearing was advertised according to ORC and announced on the Township website, together with the proposed changes.

In attendance were: Amy Anderson, Trustee Chair, Trustees Jerry Ritch and Randy Bergdorf, Fiscal Officer Joanne Noragon, Legal Counsel Ed Pullekens, and Assistant Zoning Inspector Doug Mayer.

The Boston Township Zoning Bylaw Amendments revised and approved by the Boston Township Zoning Commission, reviewed at their Public Hearing of January 14, 2014, and were presented to the Trustees for their Public Hearing.

The Trustees reviewed the overview of the proposed changes submitted by the Zoning Commission:

Preamble

On January 22, 2014 the Boston Township Zoning Commission forwarded to the Boston Township Trustees recommendations and documents relating to certain proposed amendments to the Boston Township Zoning Resolution concerning Garage Sales. The Trustees set the date of February 12, 2014, at 6:30 PM for the public hearing on the proposed amendments as required by the Ohio Revised Code. Further, the Township Board of Trustees ordered that notice of the hearing be published a newspaper of general circulation in the township

For purposes of a general background:

Over the last few months, the Boston Township Zoning Commission has been reviewing proposed changes to the Boston Township Zoning Resolution to address Garage and Yard Sales. The Boston Township Zoning Commission drafted a proposed resolution and forwarded the same to the Summit County Planning Commission for review. Thereafter, the Zoning Commission considered and recommended amendment of the zoning Resolution to address Garage Sales in Boston Township. The recommendations of the Zoning Commission to amend the Boston Township Zoning Resolution to include the proposed regulations in regard to Garage Sales is the subject of today's meeting.

Copies of the regulations have been made available to the public.

It should be noted, that at the start of the review process, the Zoning Commission held numerous hearings to review the proposed changes in regard to the proposed Garage (and Yard Sales Regulations), taking into consideration the input and recommendations of the Summit County Planning Commission. The Zoning Commission further held a public meeting on the proposed regulations.

After review and consideration of the Summit County Planning Commission's recommendations, the Zoning Commission moved to propose the amendment of the applicable zoning resolutions, taking into consideration the recommendations of the Summit County Planning Commission. The Zoning Commission set the matter for a public hearing to be held on January 14, 2014. The Summit County Planning Commission's recommendations were reviewed at the public meeting. Upon conclusion of the public meeting and after consideration of Summit County Planning Commission's recommendations, the Zoning Commission moved to accept the zoning changes and instructed the zoning clerk to forward the same to the Boston Township Trustees for further consideration and hearing.

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Tonight's public meeting is to consider the amendment to the Boston Township Zoning Resolution to add the proposed sections in regard to Garage Sales.

1. The meeting is subject to the Ohio Open Meeting Act-the Ohio Sunshine Law. All comments of the public, discussion and deliberation of the Township Trustees will occur in open session. Comments from the public will be taken with discussion and comments from the Township Board of Trustees. (Executive Sessions or closed-door sessions will NOT be permitted.)
2. Upon the Conclusion of the public hearing and within 20 (twenty) days, the Township Board of Trustees shall either adopt or deny the recommendations of the Township Zoning Commission. The Township Board of Trustees may also choose some (limited) modification of the proposed amendment.
3. The vote of the Township Board of Trustees to adopt, deny, or modify the Zoning Commission's recommendations requires only a "majority" vote.
4. The proposed amendments, if adopted by the Township Board of Trustees, shall become effective in 30 (thirty) days after the date of its adoption, unless a referendum petition is filed with the Township Board of Trustees to submit the issue of the proposed amendment to the electors of the township, by placing it on the ballot for the next primary or general election.
5. Any referendum petition must be
 - a. Signed by a number of registered electors residing in the unincorporated area of the township or part of that unincorporated area included in the zoning plan equal to not less than eight per cent of the total vote cast for all candidates for governor in the area at the most recent general election at which a governor was elected.
 - b. Requesting the Township Board of Trustees to submit the amendments to the electors of that area for approval or rejection at a special election to be held on the day of the next primary or general election that occurs at least 75 days after the petition is filed.
 - c. Each part of this petition shall contain the number and full and correct title, if any, of the zoning amendment resolution, motion, or application, furnishing the name by which the amendment is known and a brief summary of its contents (ORC 519.12(H)).
6. Within 5 (five) working days after the amendment's effective date, the Township Board of Trustees shall file the amendment in the offices of the County Recorder and the County Planning Commission.

Trustee Anderson concluded the discussion at 6:45 pm.

Motion by Bergdorf, seconded by Ritch to adjourn. All voting yes. Meeting duly adjourned.
[2014-021201]

CHAIRMAN

FISCAL OFFICER