

**Zoning Commission Meeting**  
**March 7, 2012**  
**ZC-01-12**

Members/Attendance:	X	Ron Massullo
	X	Jack Shetler
	X	Gene McCullough
	X	Tim Marucci
	X	Bob Barnhart
	N/A	Mike Rotunno
Also in attendance:	X	Bob Monus, Zoning Inspector
	X	Michele Richards, Recording Secretary

Ron Massullo called the meeting to order at 6:00 p.m.

**1<sup>st</sup> Order of Business:**

Ron Massullo stated that the first order of business is to approve the minutes from the meeting held on January 4, 2012. Tim Marucci made a motion to accept the minutes from the January 4, 2012 meeting. Bob Barnhart seconded the motion. All members were in favor. Minutes approved.

Motion carried.

**2<sup>nd</sup> Order of Business:**

Ron Massullo stated that the purpose of this meeting is to review proposed amendments to the Zoning Resolution.

Bob Monus stated that these proposed amendments are general housekeeping items in terms of language. There are also some additional new inserts to be added.

The Board then proceeded to review the proposed amendments.

Section 2.02 Definitions – Driveway. Bob Monus read the current and proposed languages.

Jack Shetler stated he has seen driveways that use a combination of materials. He asked if two materials (concrete, asphalt, or brick) are permitted on the same driveway. Monus stated yes, that is permitted.

Bob Barnhart asked if you have a two width car driveway and you add an apron, does that apron have to go the entire width of the driveway to the street. Monus stated no, but the apron has to be the same material as the driveway.

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Ron Massullo asked Monus if he would prefer each one of the proposed language changes approved separately or approved as one zone change. Monus stated that he would prefer that one motion be made on the entire list of proposed zone changes.

Section 2.02 Definitions – Landscaping. Bob Monus read the current and proposed languages.

Bob Monus stated that there was an individual who had tires in their yard and claimed to want to use them as landscaping material. The current language does not specify tires in the definition as a prohibited material.

Ron Massullo stated he does understand the proposed language, but asked how the decision is made as far as what materials or items are acceptable as landscaping material. Monus stated that the material must be tasteful and sometimes just logical, such as a wagon wheel.

Tim Marucci suggested that the proposed language should state “prohibited materials that are just unappealing.” Monus stated that is a gray area and you cannot state that.

Section 4.11 Town Center District. Bob Monus read the current and proposed languages.

Monus stated he would like to amend item #13. He stated he was notified by the Health Dept. that someone was applying for a tattoo license in the township. Upon further investigation, what the person or persons were applying for involved the use of permanent makeup, which is performed in beauty shops. Monus is concerned that technique wise, permanent makeup is the same thing as a tattoo parlor, which we do not want in the community.

The Board agreed to and had no discussion with this section.

Section 5.04 Amendment Procedure for Rezoning (for PUD’s). Bob Monus read the current and proposed languages.

Monus stated this is an issue that was encountered in the past with individuals wanting to do fee simple lots. One of the concerns involved establishing a performance bond for the project. The new insert will provide language that will guarantee that a performance bond will be supported.

Massullo stated there were several hearings in the past dealing with this issue. The proposed language will allow the performance bond issue to be a pre-requisite before it comes before the Board.

Tim Marucci asked Monus if this will be a performance and a maintenance bond. Monus stated a performance bond, which will guarantee that the work will be completed. The

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overall goal with a performance bond is to make sure that the project is completed. Marucci stated that a maintenance bond is a continuation of the performance bond.

Massullo stated that the maintenance bond is involved with whatever public entity (i.e. Mahoning County Planning Commission) is involved, not this Board.

Section 7.11 Driveway Setback and Construction Specifications. Bob Monus read the current and proposed languages.

Monus stated this is another issue he has run into several times. The purpose of this proposed amendment is to establish language that all driveway setbacks must be free from any hard surface materials and to include a minimum construction standard of grass, sod or turf.

The Board agreed to and had no discussion with this section.

Section 7.30 Parking and Storage of Motor Vehicles and Commercial Tractor Trailers. Bob Monus read the current and proposed languages.

Monus stated that in this language the individual items listed under #1 are being labeled with letters (a) through (o).

Gene McCullough questioned the statement: “None of the following described motor vehicles may be parked in the open on any Residential and Estate district except while being loaded or unloaded”. He feels the statement should say “in active use” rather than “while being loaded or unloaded”.

After further discussion, the Board agreed to the statement as stated in the proposed amendments.

Section 7.31 Sign Regulations. Bob Monus read the current and proposed languages.

Monus stated that the purpose of this proposed amendment is to identify that directional signs are permitted, but limited to one overhead per ingress and egress of drive-thru establishments, not to exceed ten (10) square feet, with a minimum ground clearance of eight (8) feet.

The Board agreed to and had no discussion with this section.

Section 11.09 Appeal to Higher Authority. Bob Monus stated that this proposed language will identify that in the event someone does lose their case to the Board of Zoning Appeals, the next step would be to appeal to the Mahoning County Court of Common Pleas.

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The Board agreed to and had no discussion with this section.

Jack Shetler advised the Chairman that he had to leave the meeting and excused himself from the meeting.

Site Drainage – Section 4.10 Office District, Section 4.11 Town Center District, Section 4.12 Business Park District and Section 5.03 Business Park Planned Unit Development District. Bob Monus read the proposed language (new insert) for these sections.

Monus stated that these proposed amendments are a result of working with Soil & Water District and the Mahoning County Engineer’s Office. The proposed language is model language that will protect the investor, the contractor, and the township. This language only applies to the business districts.

Massullo asked Monus if the other townships throughout Mahoning County that have a similar land use as Poland Township are all using this language as model language. Monus stated that the other townships will also be at the Planning Commission this month to have this language approved. Monus reiterated that this language will protect the contractor, the township, and the investor.

Massullo asked Monus if the proposed language insert gives the township the opportunity to know all facets of the project. Monus stated that is correct. This guarantees the township, the developer, and the contractor that what is submitted is what is approved. If there are deviations in the plan, the engineer must identify the deviation and resubmit the plans, identifying the deviation, to the township.

Monus stated that the proposed changes are to protect the township, to maintain and preserve the integrity of the neighborhoods, and to maintain property values. The language is also needed to reinforce legal challenges with the courts.

There was no more further discussion on any of the proposed amendments. The following motion was then made:

***Motion***

*Tim Marucci made a motion in Case ZC-01-12 to approve the amendments to the existing zoning resolution and to forward the amendments to the Mahoning County Planning Commission. Bob Barnhart seconded the motion.*

Voting:

Yes	Tim Marucci
Yes	Bob Barnhart
Yes	Gene McCullough
Yes	Ron Massullo

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Motion carried.

Bob Monus stated a public hearing date would need to be set between March 29 and April 17. The Board agreed to set the public hearing date on Wednesday, April 4, at 6:00 p.m.

**New Business:**

None

**Old Business:**

None

Meeting adjourned at 7:09 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)  
Board of Zoning Appeals (6)  
Zoning Commission (6)  
J. Granitto (1)  
File (1)