

SPECIAL MEETING MINUTES:

03-09-22: PUBLIC HEARING on Proposed Zoning Amendments

The reason for the public hearing was to receive public comment and then act on various zoning amendment proposals as recommended by the Regional Planning Commission and the Zoning Commission. Trustees Brian Randles, Carol Moore, and Jason Smith were present. Administrator/Zoning Inspector Anne Cyphert was also present in addition to several members of the public.

Members of the public were sworn in prior to giving testimony.

The first proposed amendment is 808.4: Dwellings as accessory uses: Cyphert explained the reason for the proposed amendment is to strike the word "above" so that an accessory dwelling unit can be constructed on the ground floor as well. In addition to relatives, and household servants being allowed to live in the accessory dwelling unit, the proposed language also allows caregivers for occupants of the property to reside there. She is recommending modifications to the recommendation from the zoning commission to allow only one accessory dwelling unit per parcel, keeping the side setbacks for accessory building with dwelling units to 25 feet side, and limiting the square footage of the accessory dwelling unit to no more than 500 square feet per dwelling unit. Please keep in mind that although the zoning states "no rent is charged," it would be difficult for the zoning inspector from a zoning standpoint to prove no rent is being charged, in addition to proving whether the occupant is truly a blood related family member.

Board of Trustees deliberations: The trustees discussed the square footage limitations. They agreed there should only be one accessory dwelling per residential lot.

808.4

Motion by Smith, second by Moore to amend 808.4 with a modification to state: to adopt the recommendations with modification:

Dwellings as Accessory Uses: Dwellings may be accessory uses in residential districts if located inside the principal home or if located in a detached garage with minimum side setbacks of 25 feet for the dwelling unit, only if used as a residence by relatives, caregivers, or household servants and no rent is charged. Mobile home trailers shall not be permitted as accessory uses. No more than one Accessory Dwelling Unit shall be permitted on a parcel. The living space of the accessory dwelling unit shall not exceed 50 percent of the gross square footage of the proposed or existing accessory dwelling and the size of the accessory dwelling shall abide by the current zoning resolution size restrictions. For example, a 30x30 feet accessory structure shall not have more than 30x15 feet living space.

Cyphert noted it will be difficult to enforce whether someone is a relative, etc. and whether the person is paying rent.

Roll Call:

MOORE: Yes

RANDLES: Yes

SMITH: Yes

Amendment Passed 3-0.

808.9: Restrictions on the Parking and Storing of Automotive Vehicles

The next amendment involves parking of motor vehicles. The proposed amendment would allow vehicles to be stored in a structure suitable to hide them from public view. It does not define what kind of structure, but the way it is enforced by the Zoning Department is on a written complaint basis from anyone residing within 500 feet of the alleged offender's property. The vehicles must have current tags.

808.9 NEW:

Motion by Moore, second by Smith to adopt the recommendations by the Zoning Commission to amend 808.9 to state: Restrictions on the Parking and Storing of automotive vehicles: Vehicles of any type without current registration shall not be

permitted. Vehicles shall not be parked or stored on any property other than in a structure, or hidden from public view, unless otherwise specifically permitted by these regulations.

Roll Call:

MOORE: Yes

RANGLES: Yes

SMITH: Yes

Amendment Passed 3-0.

CURRENT:

808.3 E. No accessory building shall be erected within any required front yard including gazebos and picnic areas.

NEW 808.3E

Motion by Smith, second by Moore to adopt the recommendations by the Zoning Commission to amend 808.3E to state: E. No accessory buildings shall exceed more than 30 feet beyond the front of the principal structure of any required front yard and shall meet all side, front, and rear setbacks as set forth in this zoning resolution.

Roll Call:

MOORE: Yes

RANGLES: Yes

SMITH: Yes

Amendment Passed 3-0.

808.3F:

Current: 808.3 F: For lots less than three (3) acres, the total area for all accessory buildings shall not exceed the total gross floor area of the principal structure. No more than two (2) accessory structures shall be constructed on a parcel. The recommendation is to include the basement with the square footage of the residence.

NEW 808.3F

Motion by Moore, second by Smith to adopt the recommendations by the Zoning Commission to amend 808.3F: For lots less than three (3) acres, the total area for all accessory buildings shall not exceed the total gross floor area of the principal structure. The gross floor area is the sum of the floor areas of the spaces within the building, including basements. The amount of accessory buildings for lots under 3 acres shall not exceed 4 structures.

808.6: Accessory units not permitted: The proposed amendment would add language to involve the Health Department and the Litter Deputy on determining whether violations exist on a residential property.

NEW 808.6:

Motion by Smith, second by Moore to adopt the recommendations by the Zoning Commission to amend 808.6: Accessory Uses Not Permitted: The outdoor storage of junk, unlicensed motor vehicles, used building materials, used tires, or any other material meeting the definition of junk shall be prohibited, unless otherwise specifically permitted by these regulations in conjunction with a permitted principal use. Violations of this section will also be referred to the Department of Health and Litter Deputy Sheriff for further investigation.

Roll Call:

MOORE: Yes

RANGLES: Yes

SMITH: Yes

Amendment Passed 3-0.

701.1 (RR District)

The change would reduce setbacks for accessory buildings without a dwelling unit to be 12 feet from the side lot line.

Public Testimony:

Tony Wyckoff: 7560 Otterbein Trail was concerned about the 12 feet setback change. He also inquired about the setbacks if it has a dwelling unit.

Charles Pierson: 7070 Hummel Road, spoke in favor of changing the side setbacks to 12 feet.

Betty Murdock: 4275 Pickerington Road, urged the board to keep side setbacks for accessory buildings with a dwelling to 25 feet.

701 (RR District)

Motion by Moore, second by Smith to adopt the recommendations of the zoning commission to change side setbacks for accessory buildings without dwelling units from 25 feet to 12 feet.

Roll Call:

MOORE: Yes

RANGLES: Yes

SMITH: Yes

Amendment Passed 3-0.

703: Projections into yards: The recommendation would add language to the zoning resolution that would make Height Restriction Exception of fences if the township road supervisor or the county engineer deem the fence plan is not a safety site distance issue, the fence may exceed 4 feet.

NEW 703: Projections into yards:

Motion by Smith, second by Moore to adopt the recommendations by the Zoning Commission to amend 703 to state: A wall or fence not over six feet high may be erected in any yard or court, except a front yard or side street side yard in which case the height of the wall or fence shall not be over four feet, and further excepting that fence required in section 806.18. Height Restriction Exception is if the County Engineer or Township Road Department Supervisor deem the fence plan is not a safety site distance issue, the fence may exceed 4 feet but not exceed 6 feet. If the wall is a retaining, the height shall be measured on the highest (fill) side. No fence, trees, or foliage shall be maintained on a lot that will materially obstruct the view of a driver of a vehicle.

Roll Call:

MOORE: Yes

RANGLES: Yes

SMITH: Yes

Amendment Passed 3-0.

The public hearing was adjourned.

BLOOM TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING 03-09-22

CALL TO ORDER: by Brian Randles, Chair. Members present were Trustees Carol Moore, Randles, Jason Smith; as well as Fiscal Officer Holly Mattei, Administrator Anne Cyphert, Fire Chief Thomas Williams, and Road Supervisor Steve Green. Several members of the public were also present. We recited the Pledge of Allegiance and paused for a moment of silence in honor of our military serving around the world.

PUBLIC COMMENT AND PRESENTATIONS: Lt. Bill Cipparone spoke to the board about the possibility of having a Memorial Day Fish Fry. The association was unable to lock in pricing from GFS for the fish. \$88 per case was the charge in 2018. 40-50 cases were discussed for ordering. The new price is now \$128 per case, so it is cost prohibitive to have the fish fry. Planning for the fish fry normally starts in October and since COVID numbers were up at that time, planning was put on hold. Donation for the trailer was not secured. The association has about \$13,000 so the existing funds will not cover the costs needed to have it. The association is planning to have several small fundraisers.

FISCAL OFFICER REPORT: by Holly Mattie

- Motion by Smith, second by Moore to receive and file meeting minutes from 2/28/22, 03/03/22, 03/07/22. Motion carried 3-0.
- Motion by Moore, second by Smith to approve payment in the amount of \$10,981.96 and charges in the amount of \$143,891.98. Motion carried 3-0.
- Summer Intern has been identified – Miles Kelley will start in May.

- **RESOLUTION #11-22:** Motion by Moore, second by Smith to approve the update of the District Solid Waste Updated Management Plan (on file with the Fiscal Officer).

Roll: Moore: Yes Randles: Yes Smith: Yes Resolution Approved 3-0.

- **RESOLUTION #12-22:** Motion by Moore, second by Smith: Resolution for distribution of the ARPA funds (Resolution on file with the Fiscal Officer)

Roll: Moore: Yes Randles: Yes Smith: Yes Resolution Approved 3-0.

- **RESOLUTION #13-22:** Motion by Smith, second by Moore **TO INCREASE APPROPRIATIONS FOR FY 2022 FOR FUND 2273** (Resolution on file with the Fiscal Officer).

WHEREAS, the Board of Bloom Township Trustees continually monitors the budget and appropriated amounts and from time to time during the year needs to appropriate additional funds; and

WHEREAS, the Board of Trustees has identified projects to compete utilizing the ARP funds; and

NOW THEREFORE BE IT RESOLVED by the Bloom Township Board of Trustees that \$54,425.00 be appropriated from unappropriated funds to be placed in the following ARP Fund Accounts:

\$32,780.00 in line item 2273-220-430-0000 – Small Tools and Equipment
\$18,520.00 in line item 2273-220-390-0000 – Other – Purchased Services
\$ 205.00 in line item 2273-220-213-0000 – Medicare
\$ 875.00 in line item 2273-220-212-0000 – Social Security
\$ 2,040.00 in line item 2273-220-190-0000 – Other Salaries

Roll: Moore: Yes Randles: Yes Smith: Yes Motion carried 3-0.

ADMINISTRATOR'S REPORT: by Anne Cyphert

- MORPC is having a luncheon on March 10. The keynote guest will be Lydia Mihalik, Director of Ohio Dept. of Development.
- Health Department has emailed its annual report to each of trustee.
- 5525 Waterloo Property: Daughter of owner has requested a meeting regarding the Land Grant demotion company. Cyphert will coordinate communication with all entities involved in the project.
- Zoning Calendar: Zoning changes will become effective April 9, 2022.

ROAD DEPARTMENT SUPERVISOR REPORT: by Steve Green

- Green presented the following list of roads he would like to include in the Summer Road Paving Project. He said the next step is to contact the county engineers to help get everything set up for bidding. Motion to be considered at the next meeting to approve the list to provide to the engineer's office so they can give us cost estimates for paving various roads for the summer road paving projects.
 - 1.) ALL BOWLING GREEN DRIVE = BAD SHAPE SPALLING AND CRACKING / Will need full depth repair in front of Diana Wears house
 - 2.) ALL OF OHIO STATE LANE = BAD SHAPE SPALLING AND CRACKING / Will need full depth repair towards the end close to Otterbein Road
 - 3.) COONPATH ROAD DEAD END
 - 4.) SITTERLY ROAD FROM LITHOPOLIS ROAD TO MILLER AVENUE
 - 5.) MILLER AVENUE FROM SITTERLY ROAD TO LITHOPOLIS ROAD
 - 6.) MIDDLE MASON FROM SLOUGH ROAD TO SALEM CHURCH ROAD
 - 7.) SLOUGH ROAD FROM MIDDLE MASON ROAD TO AMANDA NORTHERN ROAD
 - 8.) POSSIBLE CRIST ESTATES
 - 9.) POSSIBLE BRANDT ROAD

According to how much the estimated engineers cost comes to, we may have to remove one or two of these roads.

From Steve: **THESE ROADS WILL ALL BE CHECKED FOR ANY NEEDED FULL DEPTH REPAIR AREAS AND SPOTS MARKED OUT WITH WHITE PAINT. WE WILL ALSO DO THE RECLOMITE FROM PAVEMENT SOLUTIONS ON THESE ROADWAYS AS WELL TO HELP PRESERVE THE NEW ASPHALT. STRIPING WILL BE PART OF THIS AS WELL. BERMING AND MILLING OUT BUTT JOINTS AT ALL INTERSECTING ROADS WILL BE INCLUDED.**

- Green provided four vendor quotes for tree removal projects throughout the township. Motion by Moore, second by Smith to accept the quote from A to Z Tree Experts LLC. in the amount of \$34,800.00 for tree removal. This is contingent upon proof of liability insurance naming Bloom Township and contingent upon contract stating that work will be completed by May 15, 2022 and payment will be made 30 days after the job is finished. Motion carried 3-0.
- Green presented a proposal for the purchase of a new John Deere Road Tractor with an arm mower to replace the 5525 John Deere tractor we currently use. State Contract price is \$152,254.80. Discussion. More research is needed before a decision is made.
- Motion by Moore, second by Smith to enter into Executive Session to discuss compensation. Motion carried 3-0.

Following the Executive Session:

- Motion by Smith second by Moore to not contest the initial allowance of a pending Workers' Compensation claim. Motion carried 3-0.

The chair adjourned the meeting.

EMERGENCY MEETING: 03/19/22:

The emergency meeting was called by Brian Randles, Chair. Members present were: Randles, Carol Moore, Jason Smith; and Administrator Anne Cyphert and Chief Thomas Williams. The reason for the meeting was for the acceptance of Lt. Ralph Nunley's resignation. The meeting was needed to occur *immediately* because the Township was made aware today that Lieutenant Nunley may not survive until the Board's next regularly scheduled meeting. The Board needs to act now so that his benefits can be properly administered. Cyphert read the resignation letter out loud for the board. Chief Williams remarked on this tragic situation. He updated the board on why the emergency meeting was necessary as stated above. Motion by Smith, second by Moore to accept the retirement / resignation of Employee Ralph Nunley effective immediately, March 19, 2022 with deep regret. Motion carried 3-0.

The chair adjourned the meeting.