

Munson Township

Zoning Commission Regular Meeting

Minutes of January 11, 2023

Kurtis Taylor, called the meeting to order at 6:16pm with Glen Peck and Adriano Fiucci. Also present was Zoning Inspector Jim Herringshaw and Secretary Julie Johnston. Edward Hren and Nicholas Christie were absent. The Pledge of Allegiance was said.

Glen Peck read the oath and was sworn in for a 5-year term ending December 31, 2027. The meeting opened for nominations. Adriano Fiucci moved and Kurtis Taylor seconded to nominate Nicholas Christie as Chair person for the Munson Township Zoning Commission. The nomination for Chair was closed. Adriano Fiucci moved and Kurtis Taylor seconded to nominate Nicholas Christie as Chair. Motion carried, 3-0. Adriano Fiucci moved and Glen Peck seconded to nominate Kurtis Taylor for Vice-Chair for the Munson Township Zoning Commission. The nomination for Vice-Chair was closed. Adriano Fiucci moved and Glen Peck seconded to nominate Kurtis Taylor for Vice-Chair, Motion Carried, 3-0.

Adriano Fiucci moved and Glen Peck seconded to approve the minutes of November 9, 2022 as written. Motion carried, 2-0.

Points of Discussion:

Article 2, Section 202, definition for Accessory Use – need to remove ‘fences’ from not requiring a zoning certificate. Oversight from over 10 years ago when we started regulation of fences and requiring a zoning certificate.

Section 502, Frontage Required – needs correction, conflicts with section 702.1 single non-conforming lots recommended removing “nor shall any building or structure be erected upon a lot”. When the Zoning Commission made these changes, they appear to have missed upon cross reference. If it is a recorded lot, it can be built on even though the frontage and/or acreage is not there. Creating a new lot would require a variance, but lots already existing with this issue are grandfathered in.

Consider amending 1202.4 with the new language from model zoning supplied by the Planning Commission/Prosecutors Office. This would be done for clarification. (Information attached to these minutes)

Discuss Shipping Containers use – Only allowed as temporary storage containers now (Section 519.4). There are some that are grandfathered in from 10 years ago. There are a couple in the Commercial District with a 30-day zoning certificate that can be extended for up to 90-days. Recently, the Board of Zoning Appeals have had a issue with shipping containers and they are getting more popular. This may be a good time to discuss further to make sure we are on top of this and clarify this subject.

Consider adopting new signage paragraph 700.1 from updates Model Zoning to our Article 10 if not in conflict with our current language. Members are asked to compare the information to Section 1001 in the Zoning Resolution. (Information attached to these minutes)

Conflict with Section 805, Commercial Recreational Facilities are permitted, but only as a Conditional Use in a Commercial District, therefore (17) in Section 407.2 Permitted Uses in Commercial District should be removed to be consistent.

EVSE (Electric Vehicle Supply Equipment), from Bainbridge and Auburn Townships and as provided by the Fire Department. Consider incorporating language and definitions for the Zoning Resolution. (Information attached to these minutes)

The Munson Township Fire Chief, Mike Vatty, asked Doug Reidel to work with the Township regarding adding Electric Vehicle (EV) regulations to the Zoning Resolution. After some research, Mr. Reidel wrote a letter to the Zoning Inspector regarding this issue. He realizes that they can't do anything about residential (type 1) EV power but added that it is 40amp and should be installed by a licensed electrician. There is also 60-80amp (type 2) and commercial charging stations that require 80amp (type3).

Currently the Fire Prevention Association and the State of Ohio does not cover EV in the fire code. Residents should follow the National Electric Code. The Fire Department would like to have this in the Munson Township Zoning Resolution, so installations are done properly right from the beginning. The signage is something that the Fire Department would also like to enforce along with shut-off valve, fire extinguisher, and the amount of space the vehicle will need to safely charge. Mr. Herringshaw told members that the Planning Commission has EV on their list to add to Model Zoning and that he would be speaking with Linda Crombie further.

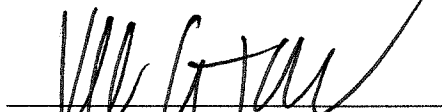
Mr. Reidel told members that the Fire Marshall code was last changed in 2017 but the 2023 version was rescheduled and won't be out until 2025.

Zoning Report

Mr. Herringshaw shared with members that 2022 was the busiest year in the past 5-years for the Zoning Department. This past month was busy with typical zoning issues. Currently there are two cases with the Geauga County Prosecutors office. The demolition took place on Mayfield Road, but the owner has not yet removed the junk vehicles from the property and the case is with the Prosecutors office.

The next regular meeting will be held on Wednesday, February 8, 2023 at 6pm at Munson Townhall.

Adriano Fiucci moved and Glen Peck seconded to adjourn the meeting at 7:46pm. Motion carried, 3-0.


Kurtis Taylor, Vice Chair
Julie Johnston, Secretary



Geauga County Planning Commission
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Phone (440) 279-1740
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MEMORANDUM

DATE: December 6, 2022

TO: Planning Commission members

FROM: Linda M. Crombie, AICP, Planning Director

RE: Model Zoning Update, Agenda Item 6D

The language below was provided at the October meeting for review and comment but as we have not yet had time to discuss it, it is provided again for convenience.

If there are no comments, it can be processed as another amendment to the Model and the townships will be notified.

Section 1002.5 *Supplementary Conditions on Variances*

The board of zoning appeals, ~~in deciding when granting~~ any appeal for a variance, may ~~place~~ ~~provide such~~ supplementary conditions ~~which are~~ ~~which are based upon~~ regulations specifically provided for elsewhere in this resolution ~~reasonably~~ and which are reasonable and directly related to the requested variance ~~and are not in conflict with, and are specifically authorized by this resolution~~ and which the board deems necessary to protect the public health, safety, morals, and general welfare. Any such supplementary conditions shall be made a part of the board of zoning appeals' proceedings and shall be incorporated into the final decision by the board approving a variance. Violation of such supplementary conditions, which are made a part of the written decision of the board, shall be deemed a violation of this resolution.

c: file

ARTICLE VII

SIGNS

Section 700.1 GENERAL

Sign regulations, including provisions to control the size, location, illumination, and maintenance of signs, are hereby established in order to promote the public health, safety and welfare through the provision of standards for existing and proposed signs of all types. More specifically, this Article is intended to achieve, among others, the following purposes:

- A. To allow businesses, institutions, and individuals to exercise their right to free speech by displaying an image on a sign, and to allow audiences to receive such information.
- B. To promote and maintain visually attractive, residential, retail, commercial, historic open space and industrial districts.
- C. To ensure that signs are located and designed to reduce sign distraction and confusion that may be contributing factors in traffic congestion and accidents, and maintain a safe and orderly pedestrian and vehicular environment.
- D. To protect property values.
- E. To promote the public health, safety and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards, and reducing visual distractions and obstructions.
- F. To protect and preserve the aesthetic quality and physical appearance of the Township.

The Township seeks to protect the rights of free speech and not infringe on the rights of free speech as protected by the First Amendment to the United States Constitution and Article I, §11 of the Ohio Constitution. All provisions in this Article are to be construed, whenever possible, in favor of vigorous political debate and accommodation of the rights of residents and visitors to speak freely.

Section 700.2 SUBSTITUTION CLAUSE

The owner of any sign which is otherwise allowed by this resolution may substitute non-commercial copy in lieu of any other copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

Section 701.0 *General Requirements for all Signs*

- A. The following regulations shall apply to all signs in all zoning districts:
 - 1. Any illuminated sign or lighting device shall employ only light emitting a constant intensity and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination therefrom to be directed upon a public or private road or adjacent lots so as to cause glare or reflection that may



Michael Vatty
Fire Chief

Munson Fire Department

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Munson Twp., Ohio 44024
Station(440) 286-6797
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Doug Riedel
Fire Inspector

Date: December 2, 2022

To: Munson Township Zoning Board

Jim Harringshaw, Zoning Inspector

Andy Bushman, Fire Department Liaison

From: Mike Vatty, Fire Chief

Douglas Riedel, Fire Inspector

Subject: Electric Vehicle Charging Stations

Dear Board Members,

With the advent of electric vehicles on the road, questions and concerns have been brought up across the country about the charging these vehicles. After reading quite a number of articles that have been published, and after attending a few classes on them, and discussing the problem who have been exposed to them, there will be safety problems.

As of right now, the Ohio Fire Code does not regulate any of these potential problems. The fire code was supposed to be updated in 2023, as of yet nothing has been started so I doubt that it won't be started anytime soon. When it is started it will take at least two years to get anything written on the state level.

Keeping the above in mind the Munson Fire Prevention Bureau would like to the Munson Zoning Commission Board to consider the recommendations that we have attached. The Munson Fire Department Fire Prevention Bureau wants to stay proactive in the safety of everybody and the property that would be involved.

While we wait for the state fire marshals to come up with regulations, we feel it might be too late. Other fire departments in the state and the immediate area have started to be proactive with this subject. If the State of Ohio does come out

Mission Statement

*To protect the life and property within the limits of Munson Township, by providing fire, emergency medical services, and public assistance.
To operate a safe, well organized managed structure which shall treat all members fairly, and with the highest respect for serving the community.*

with something that is stronger than our wording, then that would supersede what we have but until that happens, we have a head start on the matter.

The fire prevention bureau would like to try to keep one step ahead of what's coming in the future. By doing this it will be safer for the general public and the firefighters.

Yours in Safety,

Michael Vatty, Chief

Douglas Riedel, CFI

A handwritten signature in black ink, appearing to read "Douglas Riedel", written over the printed name.

ELECTRIC VEHICLE CHARGING STATIONS (EVCS)

The purpose of this section, an EVCS shall mean a public parking space that is served by battery charging station equipment for the transferring electrical energy (by conductive or inductive means) to a battery or another energy storage device within an electrical vehicle.

This will encompass the following areas in Munson Township:

All commercial establishments

All public places of assembly

All health care facilities

All medical buildings

All educational buildings

All industrial buildings

All multi-family residential buildings

1. The EVCS system shall either be a Level 2 or a Level 3 charger. If the charging station has more than one (1) port, then each port shall be counted as a charging station.
2. Designated parking space(s) for an EVCS shall park of the parking spaces that are required for that particular building.
3. Recommended parking space dimensions for the charging systems should be a minimum of 12 feet wide 20 feet long when new spaces are installed for such use.
4. Each of these charging stations equipment shall be protected by wheel stops and bollards.
5. All of the EVCS parking spaces shall be clearly marked and signed as EV Charging Only.

6. All charging equipment shall not exceed 10 feet in height.
7. All EVCS systems shall conform with the current and updated codes of the National Electric Code and most probably be inspected once a year and results turned into the fire department.
8. All EVCS shall be installed in the designated location(s) as follows:
 - A. 12 feet from any property lines
 - B. 25 feet or more from any building.
 - C. 25 feet or more in all directions from dispensing devices for flammable or combustible liquids
 - D. 25 feet in all directions from above ground/underground tanks, tank fill connections, remote/submersible pump transfer equipment, vapor recovery equipment and vents
 - E. 25 feet in all directions from the location of tank vehicles while filling and transferring flammable or combustible liquids.
9. EVCS shall be designed and constructed in accordance to local building codes.
10. EVCS shall be designed so that any pooling of any flammable or combustible liquids can't occur in the area.
11. EVCS shall have instructions conspicuously posted in the area and shall include:
 - a. Use of Emergency Stop Button
 - b. Report incident by calling 911
 - c. Report location to emergency services – 911
12. EVCS shall be constructed, operated and maintained based on the manufacturer's instructions
13. Any attendants that may be operating these charging stations shall be trained to supervise and respond to emergencies.
14. EVCS shall be provided with one or more clearly marked shutoff or electrical disconnects with an approved sign stating "Emergency Electrical Vehicle System Shutoff".
15. The emergency shut off devices or electrical disconnects shall be installed in an approved location that is accessible to patrons but not less than 25 feet from the EVCS. At attended locations and motor fuel dispensing facilities an additional emergency shutoff or electrical disconnect shall be located at the attendant's location.
16. Resetting from an emergency shutoff location shall require manual intervention.
17. Lighting shall be installed in accordance with the applicable building codes and shall be sufficient for safe operation and security.
18. There shall be at least one portable fire extinguisher for each of the EVCS units installed and shall not exceed a travel distance of 25 feet. The size shall be a minimum of 10 pounds.