

The Chester Township Board of Trustees met in special session with the Chester Township Board of Zoning Appeals regular meeting on **Monday, October 9, 2023** in the Town Hall Meeting Room at 7:01 P.M. Chairman Craig Richter presided. Trustee Radtke was appointed Clerk pro tem.

Roll Call: Present: Trustee Richter, Trustee Mazzurco, Trustee Radtke
Absent: Fiscal Officer Jarrett

Mr. Ziganti said no appeals are scheduled so the purpose is to have a joint meeting with Township Trustees as well as the members of the Zoning Commission to discuss developing a list of permitted supplementary conditions per Zoning Resolution 1202.5 which was recently amended.

Roll Call: Present: Ms. Muehling, Ms. Klemm, Ms. Sritalapat, Mr. Ziganti
(BZA) Absent: Ms. Denamen, Ms. Fadorsen

Pledge of Allegiance to the Flag:

The Board led the audience in reciting the Pledge of Allegiance to the Flag.

Board of Trustees Leading Motion # 2023-401, however tonight is for joint discussion only.

New Business

Mr. Ziganti shared concern about the passing of the recent amendment, Z-2023-1, supplementary conditions that may be placed on a variance. The Board of Zoning Appeals Board is putting together a list of what may be permitted for a supplementary condition.

Discussed was the health, safety, morals and general welfare component of the Zoning Resolution giving the Board of Zoning Appeals the authority to add supplementary conditions. Trustee Richter shared there are situations that require leeway. Trustee Richter asked if there is anything that is signed when a variance is granted. Mr. Ziganti said an audio record is made. A discussion over minutes including clarity took place. Mr. Ziganti shared that it is a month later that the transcribed material is presented and voted on. Trustee Richter would like to see something in writing regarding the variance. General discussion on how long a variance is in effect and when it goes into effect for a parcel of land. A discussion arose should a property owner not start their project within one (1) year.

Ms. Muehling said an enabling change tells you what you are allowed to do. She shared years ago things were done different and questions if this change has changed the way business is going to be done. The *Board of Zoning Appeals (BZA) Handbook* from Hamilton County was presented. Ms. Muehling said it is a training tool available for us and it could be utilized. The APA Ohio recommends this Handbook as a practical and thoughtful guide to understanding the basic elements of a BZA and how to effectively administer the process. The Handbook is dated 2013.

Mr. Ziganti distributed a paper for review, *Screening and Buffer Regulations* with references to screening and buffer regulations. Discussion continued on various supplementary conditions that have been used in the past by the BZA. Background of why the amendment was brought forward was also discussed.

It was agreed that effective immediately the three (3) boards will send agendas and minutes electronically to the other two (2) boards. As part of training, it was suggested that members of the

boards attend meetings of surrounding BZA and Zoning Commission boards. Ms. Muehling suggested reading minutes of nearby townships to help educate and make everyone aware of procedures that might be implemented in our own township. Mr. Richter shared he did read Munson Township's minutes in the past. It was decided that the BZA should continue to place supplementary conditions on a variance request as long as it protects the residents health, safety, morals and general welfare. Mr. Ziganti suggested that business be conducted as it has in the past and once again said he would like to see a list. Mr. Richter shared that zoning is a way to protect the community and that residents of Chester Township want that semi-rural environment.

Transcription software was suggested for use regarding the BZA minutes. Hiring a court reporter was considered as well. Unless a case is going to be appealed, it was determined that continuing to produce meeting minutes from an audio is sufficient. Should an appeal be filed, the cost of transcribing the minutes by a court reporter would be absorbed by the appellant. The current practice of printing draft BZA minutes and BZA members picking them up will be discontinued. Draft minutes will now be sent electronic to all BZA members and comments for changes will be sent directly back to the Zoning Administrator. The final draft, with corrections, will be reviewed at the next BZA meeting for finalization. There are 21 sets of meeting minutes missing a signature from the BZA Chairman. Effective immediately, all BZA members present at the meeting will sign the final copy of the approved minutes. Mr. Richter will put together an attestation regarding the minutes missing signature from the BZA Chair and sign the minutes as the Chairman of the Board of Trustees. It was confirmed by Ms. McCarthy, Administrative Assistant that all meetings recorded are backed up two (2) additional ways.

It was noted and discussed that at the October 4, 2023 meeting, the Zoning Commission voted to archive the Zoning Matrix, last updated March 17, 2021.

ADJOURNMENT:

There being no further business before the Board of Trustees, Mr. Richter adjourned the meeting at 8:56 P.M.

Respectfully submitted,

absent

Patricia Jarrett, Fiscal Officer

November 16, 2023 Motion # 2023-437

Approval Date

Craig Richter, Chairman

Joseph C. Mazzurco, Vice-Chairman

Ken Radtke, Jr., Trustee