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## PLANNING AND ZONING COMMISSION

### *Minutes of the Planning and Zoning Meeting of October 17<sup>th</sup>, 2024*

- Attendees: Village of Galena Mayor Jeff Kinnell, P&Z Commission Members Seth Everitt and Mike Fry, Interim Zoning Inspector Alison Cherubini- Hillyer, Zoning Clerk Lauren Frank
- Guests: Zach Hopper, Tom Hopper, Heidi Kinnell, Dave O’Neil, Kathy Krupa, and Mary Howard.

**The meeting was called to order at 7:01pm.**

### **ROLL CALL**

- Present: Seth Everitt, Mike Fry, Mayor Jeff Kinnell
- Absent: Pete Cassuccio

### **Presentation of the Minutes from August 7<sup>th</sup>, 2024**

- Motion to approve- Mike Fry
- 2<sup>nd</sup>- Seth Everitt

### **Presentation of the Minutes from August 21<sup>st</sup>, 2024**

- Motion to approve- Mike Fry
- 2<sup>nd</sup>- Seth Everitt

### **GUEST PARTICIPATION**

Mary Howard (1765 S Galena) asked if there are any updates on Arrowhead. Mayor Kinnell responded none at this time, but there is interest from developers. Mary also asked if there was insight into the dirt mound outside of Primrose Daycare. Alison Cherubini-Hillyer replied there is no knowledge of the future of the dirt pile.

## ZONING REPORT

Alison Cherubini-Hillyer presented the Zoning Report, which is available upon request. She summarized work taking place at Blackhawk, Miller Farm, and Galena commerce center.

Mayor Jeff Kinnell noted that residents may see model homes in the next couple of months at Miller Farm. Mayor Kinnell also noted we will be removing the chain link fence located at 297 N Walnut.

Alison Cherubini-Hillyer reviewed violations, zoning applications and other business which included zoning code amendments.

Conversation took place around annexation rules. Tom Hopper (275 Harrison St) informed the Commission that the state of Ohio changed annexation rules. If the property owner does not request rezoning it will remain Berkshire Township. Hopper added that multiple properties surrounding The Village are zoned that way. A property owner request to access Galena sewer services via the Wastewater Treatment Plant would be cause for the Village to re-zone the property from Berkshire to Galena zoning.

Alison Cherubini-Hillyer presented her report on swimming pools. She is asking the Commission to decide on the legal options provided by Ken Molnar.

***Option 1: Require the resident to install an approved fence or enclosure, or***

***Option 2: Grant a variance that clearly ends when there are new owners.***

Photo exhibits were presented and available upon request.

Kathy Krupa (550 Melimare) noted that she is familiar with the pools on her walking path and for one pool specifically the cover is continually open, and no one is present. Tom Hopper noted that in order to eliminate confusion, the Village aligned with Delaware County requirements regarding wall/fence enclosure for residential swimming pools. He was not aware of if/when the county adopted guidelines making the use of a retractable cover in place of a fence an acceptable safety measure.

Mike Fry agreed that the updated village code wasn't properly followed and suggested going forward fences should be installed for all pools. For existing pools without fences an insurance policy should be required or a fence installed.

Seth Everitt questioned if we have a mechanism to notify us when they sell the property. Mayor Kinnell suggested the Village ask Ken Molnar if a lien can be placed on the property, and that when a property is sold the title company would be notified.

Alison stated that she would work with Ken Molnar to draft a letter to the property owners outlining the options available for moving forward with the commission agreeing.

## **OTHER BUSINESS**

Alison Cherubini-Hillyer presented the Comprehensive Plan on behalf of Neighborhood Strategies. She has met with the firm several times and has gone through the process of looking at a comprehensive plan for The Village.

Items addressed:

- **Current land use**
- **Future land use**
- **Annexation strategy**
- **Land conservation**
- **Economic development policy**
- **Infrastructure**

Mike Fry stated these plans should be clearly defined, in case of dispute in court, for growth strategies. He suggested extending sewers for partnership.

Mayor Kinnell stressed the importance of a plan due to the competitive environment for growth. Landowners can decide who they annex to. He noted that if the Village does not have a strong strategy, then we will be left out of conversations altogether. Mayor Kinnell stressed the importance of the sewer plant for future development. Noting that there are provisions in the Ohio revised code for developing partnerships. The Village has asked this firm to help think of the best path forward. Mayor Kinnell noted that having a joint development partnership would be ideal.

Alison Cherubini-Hillyer shared that the firm is halfway through their timeline, they should be able to share their findings by the end of year. Mayor Kinnell added that the first cut would target for Annexations and Partnerships

Mike Fry stressed the importance of keeping the village quaint, agreed there is a need to be aggressive but on a case-by-case basis.

**Zoning Variance public hearing is at 10am November 8<sup>th</sup>, 2024**

**Next P&Z commission is at 7pm November 20<sup>th</sup>, 2024.**

## **ADJOURNMENT**

Motion to adjourn at 7:53pm

- Motion Mike Fry
- 2<sup>nd</sup>- Seth Everitt

