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PLANNING AND ZONING COMMISSION

Minutes of the Planning and Zoning Meeting of March 19, 2025

- **Attendees:** Mayor Jeff Kinnell, P&Z Commission Members, Matt Shock Zoning Inspector, Lauren Frank Zoning Clerk, Tom Marshall Village Administrator
- **Guests:** Heidi Kinnell, Tom Hopper, Mary Howard, Karin Underwood, Dave O’Neil, Marilyn Hale, Mary Howard (did not sign in), Cathi Nelson (did not sign in)

Meeting called to order at 7:01pm

ROLL CALL

Present were all PZ Commission members; Mayor Jeff Kinnell, Alison Cherubini-Hillyer, Michelle Parsons, Seth Everitt, and Kathy Krupa

PRESENTATION OF THE MINUTES FROM FEBRUARY 19, 2025

- Motion- Mayor Jeff Kinnell
- 2nd- Alison Cherubini-Hillyer
- Vote- Unanimous Yes

GUEST PARTICIPATION

None

ZONING REPORT

Matt Shock presented his zoning report, which is available upon request. The following items were noted:

- Village Administrator Tom Marshall executed the inspection maintenance agreement for Phase A, B, & C retention pond at Miller Farm section II

- First submittal received for Miller farm section 3A. Zoning has no comments. KEM had a few comments, and their comment letter was relayed to EMHT.
- 288 Walnut St hearing is scheduled April 2nd, 2025, for a variance request
- ROW process has fully transitioned to the Village.
- Galena Point HOA requested “No Parking” signs to be installed on Arrowhead Dr.
- Zoning office will work on permitting with Delaware County regarding a new maintenance building for the Village
- MS4 (stormwater permit) was submitted. This was previously done by KEM which now saves the Village ~10k per year.
- The Development Fee Schedule was approved by Council, which goes into effect 3/24/2025. This now includes a demolition permit fee.

Discussions were held around the Village Hall sign. Mayor Jeff Kinnell explained that Gillian is working on a new logo, and the new sign will be pending the new logo.

Michelle Parsons questioned if the permit applicants noted in the zoning report understand zoning rules around setback standards. Matt Shock confirmed he has been in communication with both applicants.

ZONING CODE LANGUAGE- FENCES

Matt Shock discussed that the PZ Commission previously decided to maintain the current zoning rules which states pools must have fences around them. Pool covers cannot be a substitute for a fence. It was noted that zoning language should be matched in all sections speaking on this topic. The fence update is to make fence requirements 48” for pools which matches Delaware County standards. Additional language discussed to require self-closing gate on the pool fencing. Alison Cherubini-Hillyer questioned if a public hearing will be scheduled to approve the changes. Mayor Kinnell suggested accumulating multiple code changes, to do one hearing vs. multiple hearings.

POOL COVERS

Discussions around a solution for the three pools without fences continued. It was questioned whether to mandate a variance hearing and offer the homeowners fencing installed by the Village. Mayor Kinnell confirmed with our legal team that the Village has proper insurance, and the Village is not liable if a fence is not installed. Mayor Kinnell stressed that deferring until the sale of homes would just prolong the issue at hand. He proposed grandfathering the homeowners in to where they’re at.

Motion- The Village will take no further action for the three homeowners, and they will be grandfathered in. No precedent is established for future covers and the Village Zoning code will apply to future pools.

- Motion: Mayor Jeff Kinnell
- Second: Michelle Parsons
- Roll Call Vote:
Yes- Seth Everitt, Michelle Parsons, Kathy Krupa, Mayor Jeff Kinnell
No- Alison Cherubini-Hillyer

DEMOLITION PERMITS

Matthew Shock read Article 4.09 for Demolition Permits, which is a draft for proposed new zoning language for any future demolition requests.

Michelle Parsons questioned if a property is in salvageable condition, will the Village still allow them to demo? Matt Shock explained this is where a hearing would be scheduled, and PZ Commission would decide by vote. There are currently no conditions that must be met to demo. Michelle Parsons questioned if the Village has codes on what can be built after demo? Matt Shock explained there are zoning codes as far as setbacks, but nothing specific to home exteriors. But that part of the application requirements will be renderings and site plans which will give an idea of what property owners plan to build. Mayor Kinnell suggested that there should be some requirements to present renderings to Planning & Zoning. Tom Marshall, Village Administrator, voiced concern that the proposed new language will be unenforceable. He stressed the language is too vague and subjective. Dr. Marshall will work with Zoning to revise the proposed language.

MOTION TO ADJOURN

- Motion- Michelle Parsons
- Second- Seth Everitt
- Vote- Unanimous Yes

Meeting adjourned at 7:58pm