

Chairman Schulte called the February 4, 2020 Public Hearing meeting of the Hinckley Township Board of Trustees to order at 6:00 p.m. Present were Trustees Ray Schulte, Melissa Augustine and Jim Burns, Fiscal Officer Martha Catherwood, 25 residents and 2 reporters.

Mr. Schulte stated that attendees who would like to speak should sign in and limit their comments to no more than three minutes.

Mr. Schulte stated that the reason for the February 4, 2020 Public Hearing is to hear public comment on the proposed Zoning Amendments and read the legal ad as follows:

The Hinckley Township Board of Trustees will hold a Public Hearing to hear public comment on proposed Zoning Amendments on Tuesday, February 4, 2020 at 6:30 p.m. with a Regular Trustee Meeting to follow in the Town Hall Meeting Room of the Administration Building located at 1410 Ridge Road, which is on the southwest corner of the intersection of State Routes 3 & 303.

Subject of the hearing is as follows:

To review proposed amendments to the Hinckley Township Zoning Resolution from the Township Zoning Commission as follows:

Chapter 4 – General Regulations; amend 4.2 Agricultural Use to clarify agricultural purposes and add building setbacks per ORC 519.21. Agritourism language is added with related definitions and effected Sub-Sections. Chapter 10 – Sign Regulations; amend 10.4 Signs Exempt from Regulations and add C. All signs erected and maintained pursuant to any Township function.

After the conclusion of this hearing, within twenty (20) days, the Township Board of Trustees shall either adopt, deny, or modify the recommendations of the Township Zoning Commission. If the Board adopts, denies, or modifies the Township Zoning Commission's recommendations, a majority vote of the Township Board of Trustees shall be required.

Copies of the proposed amendments will be available for public viewing from the date of this notice to the date of hearing at the Zoning Department located in the Administration Building at 1410 Ridge Road, during regular office hours, Monday 10:00 a.m. to 6:00 p.m., Tuesday, Wednesday and Thursday 9:00 a.m. to 2:00 p.m. and Friday, 9:00 a.m. to noon. Proposed amendments may also be found on the Hinckley Website at www.hinckleytwp.org under News and Events.

All interested parties are asked to attend this hearing or to send written comments to the Hinckley Township Board of Trustees, P.O. Box 344, Hinckley, OH 44233.

Mr. Schulte stated that the Hinckley Township Trustee Regular Meeting will follow the Public Hearing. He thanked the Hinckley Township Zoning Commission for their time and effort in preparing the proposed zoning amendments. At this time he introduced Hinckley Township Zoning Chair Chris Kalina. Mr. Schulte turned the floor over to Mr. Kalina to discuss the amendments.

Mr. Kalina provided a brief chronology of the agritourism/agricultural use zoning language process indicating that initial discussions regarding this topic began in early 2019 due to an OSU legal interpretation that identified loopholes in the existing ORC language. Efforts continue to be made at the State level providing townships with methods to establish broader authority over agritourism as its uses apply to public health and safety. He added that the goal of the proposed language is to retain the rural environment within Hinckley Township while minimizing any negative effects on adjacent property owners due to agritourism.

Mr. Kalina assured the attendees that the proposed language does not change any agricultural activities currently allowed in the Township. He explained the benefits of defining required setbacks and requiring a site plan review by the Zoning Commission and Township Safety Forces prior to the establishment of an agritourism activity. Mr. Kalina emphasized that the goal of the proposed language is not to limit personal property rights, but to allow the use of personal property while maintaining harmony with neighboring properties. He added that the exemption of a Township function from signage requirements will benefit youth sports, in that significant revenue can be gained through the use of signage sponsorship on ballfield fencing.

At this time, Mr. Schulte invited public comment.

Cindy Engleman (Ridge Road) stated she is in support of the proposed zoning amendments, but would like to add a “friendly amendment” if you will to the end of proposed 4.2A. She feels her suggested language is consistent and identical to the language currently in 6R1 (E.1), page 38, 6R2 (D.1) page 58 and 7.5(A.4) page 85. It is also similar in reading with 18.5(J) page 149 and 18.7(G) page 159. Ms. Engleman proposes adding “and no activity indicating use shall be visible from any public way or adjacent property” to the end of 4.2A. She feels that the addition of this language would convey the respectability and minimization of adverse impacts on adjacent properties. She thanked the Trustees for their consideration.

Mr. Kalina replied that the Township is limited as to what can be restricted due to the ORC language. Mr. Schulte added that the proposed language is a balance as far as the restrictive nature of the language.

Jim McClintock (Stony Hill Road) stated he supports the proposed language presented for Sections C and D, but feels Section B lacks definitions that are pertinent to the application of the Zoning Resolution. He added that he specifically takes issue with the use of “structure” in the proposed language and that it creates a flaw in Section B. Mr. McClintock went on to recite examples of what he considers “structures”. He requested the Trustees remove this proposed Section and start over.

Mr. Kalina responded that the Zoning Commission feels the definitions are clear and consistent within the Zoning Resolution. Ms. Augustine asked Mr. Kalina if he could review the definition for an agricultural building. Mr. Kalina responded that agricultural buildings are defined in the ORC, and that some of the “structures” Mr. McClintock used as examples do not even require a building permit and would not be considered structures.

Paul O’Neill (Weymouth Winery/Weymouth Road) expressed his happiness that the Zoning Commission has not overdone the regulations, he feels that a balance between residential development and agricultural use has been obtained with the proposed language.

At this time, there being no further comments from the attendees, Mr. Schulte made a motion to adjourn, second by Mr. Burns. The trustees unanimously moved to adjourn the public hearing at 6:35 p.m.

Meeting minutes approved by:

