

MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING HELD NOVEMBER 6, 2018

Mr. Coffman called the meeting to order at 7:00 pm.

Roll call: Mr. Coffman – present; Mr. Foley- absent; Mr. Patrick – present.

The following *staff* were also present: Administrator, Donald Edwards; Roads Supervisor, Scott Camery; Fire Chief, Paul Scherer; Zoning Inspector, Erin Hartsock; and Fiscal Officer, Darrell Coffman

The following *residents* were also present: Gary Breeze, George Cherryholmes, Tom Duerr, Dean Fowler, John and Sherry Federle and Andrew Jacobs.

Mr. Coffman led all present in the **pledge of allegiance to the flag**.

Mr. Coffman tabled the approval of the minutes until November 20th.

CITIZENS' COMMENTS: None

DEPARTMENT REPORTS:

ROAD DEPARTMENT:

Road Department Supervisor, Scott Camery reported as follows:

We have been able to get some **crack sealing** done. This has been the focus of our efforts for the last 2- 2 ½ weeks (as weather permits). Lytle Trails has been completed. The Reserve at Waynesville is approximately 2/3rds complete. The Reserve is considerably worse than expected.

He has applied what material was on hand and ordered six (6) additional pallets, this was done to take advantage of an estimated lower price in comparison to projected increases due to the rising cost of petroleum products.

He met with Dominick Brigano from WCEO regarding the **bridge on Mt. Holly Road**. He shared estimates for three different types of structures with a scale and scope comparable to the Mt. Holly bridge. This will need to be replaced in 2019.

Mr. Camery shared that his recommendation for option #2 with galvanized steel decking as provided to the Trustees. This option provided maximum durability and longevity with a minimal cost differential from wood decking. Additionally, the County will provide labor at a cost marginally above performing the work in-house with greater expertise.

Mr. Patrick asked about the schedule and what actions need to happen now.

Mr. Camery stated that all orders and decisions need to be made by the 1st of the year in anticipation of a June start time with an estimated 15-day closure (after school is out).

The Trustees instructed Mr. Camery to proceed with option #2 as recommended.

Currently, on rain-days we are working on **preparing trucks and equipment for snow season**. Additionally we are cleaning and servicing mowing equipment to be put away for the year.

Looking to the near future, several **trees** that are on the **schedule to cut down** and remove.

He is still waiting on **parts** for the **front end loader**. Hopefully they will be here within the next couple of weeks.

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Dirt removal from the firehouse lot has subsided.

The **Hidden Trails “punch list”** is not moving along as quickly as anticipated, however it is still expected to be completed by the end of the year.

A few areas in need of **bushwhacking** is still on the schedule.

Gus, Erin and myself have met and had a very informative **“budgetary needs”** meeting/discussion. He deferred to them for further details. [Ms. Hartsock stated that she would be prepared to discuss details with all Trustees present].

Mr. Camery concluded by sharing that with the exception of the front end loader (which is operational with the exception of lights) we are at **100% equipment availability**.

Mr. Coffman asked why the Reserve was in such bad condition.

Mr. Camery reported that the road was accepted in 2011. It was then crack sealed in 2015 and treated with Reclaimite© in 2013, however several bad winters exploited minor surface cracks.

FIRE DEPARTMENT:

Fire Chief, Paul Scherer reported as follows:

Monthly **activity reports** for October were previously distributed to the Trustees.

Ems runs for October	63
<u>Fire runs for October</u>	<u>15</u>
Total runs for October	78

Ems runs for 2018	661
<u>Fire runs for 2018</u>	<u>188</u>
Total runs for 2018	849

Year-to-date totals are down 77 from 2017.

FIT testing for SCBA mask is complete new SCBAs scheduled to arrive mid-December. Gear will be in service by the end of January.

After pump testing today, a pump failed and will be down for approximately three (3) weeks. Details on repair costs will be forthcoming.

Chief Scherer mentioned an **email** received from Dustin Stephens.

Mr. Patrick shared his concern for impacts to morale.

Chief Scherer indicated that there was a chance to recoup investment in his training.

There are openings in the part-time shifts that Mr. Stephens might be interested in and it was agreeable for the Chief to follow up on it.

He concluded by sharing that the 2008 squad will need to be planned for replacement after first of year. It has 90K miles with a motor type that is historically noted for problems after 100,000 miles.

Mr. Patrick asked when it had been scheduled for replacement.

Chief Scherer replied that it had been pushed back for several years in an attempt to maximize the investment, but repairs are becoming cost prohibitive.

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Mr. Coffman asked what a new squad costs.

Chief Scherer: \$225,000-\$\$240,000. With a nine (9) month lead time.

He will compile more details.

ZONING DEPARTMENT:

Zoning Inspector, Erin Hartsock reported as follows:

Three (3) permits were issued in October and one (1) rezoning application was processed as follows:

(1) Accessory structure over 200 sq. ft.
7680 Cook-Jones Rd., Kenneth Dermer

(2) Single Family Dwellings
9397 Valdosta Way, Ellis Custom Homes
5271 Thomas Dr., Ellis Custom Homes

(1) Application to rezone
7392 E ST RT 73, KERF Holding, LLC.

She reported that there was a **pretrial hearing** for 5308 O’Neill Rd. set for 1/11/2019. It was originally scheduled for 11/1/2018, but was granted a continuance by the Magistrate. Property has a “For Sale by Owner” sign out. Timing may render the issue moot.

The Annual Q4 review hearing will focus on temporary ground signage tonight at 7:30 p.m.

Regarding the **rezoning** application for **7392 E SR 73**. The RPC unanimously recommended approval of the application without conditions on Thursday, October 25. The Zoning Commission unanimously recommended approval without conditions after the public hearing on November 1.

Trustees: scheduled to hold final public hearing on application on November 20 at 7:30 p.m.

She shared that Larry Budd wrote an article in the **DDN** regarding the referendum (Oct. 29).

John Hanauer Brick and Stone, bid the **repair of the cornerstone** at \$385. Price includes all labor, materials and a one (1) year warranty for labor and materials. Work will be completed by Thanksgiving at the latest.

She stated that the **donated fibered aluminum roof coating** needs to be picked up from Mr. Duerr so that she can determine what else is needed to complete the sealing of the Flat Roofs. Mr. Coffman said that he would pick it up from Mr. Duerr’s house the following day.

Mr. Breeze inquired if the owners of 5308 O’Neill Rd. can legally sell their property with pending legal action.

Ms. Hartsock stated that she believed they could, however if not disclosed, there would likely be recourse for the buyers.

ADMINISTRATOR REPORT:

Administrator, Donald Edwards reported on the following:

Regarding Fire Station No. 2, he provided the following updates:

Miter Masonry is back on the job site. Wall mock-up finished. Brick selection completed.

Brick delivery 4-6 weeks. He hopes to receive it by the end of November.

Training tower and stair well are up to second floor.

Interior first floor block walls are being completed.

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Structural steel has been delivered and is being assembled. 100 Tons.
Steel roof pan to be delivered this week and installed by end of November.
Light gage framing is scheduled for week of November 12th.
Working on all interior finishes selection.

Regarding Crack Seal, he echoed Mr. Camery's statements by sharing that work is in progress and ordered six more skids of material has been ordered (13,500 pounds). Will work through subdivisions as weather and time permits.

Residents of **Wilkerson Lane** filled the **Village Public Works** meeting to ask who is responsible for maintaining their road. The conditions are becoming unacceptable. School bus will not even go up the road.

It was discussed that the Township had paved the road just prior to the Village of Waynesville annexing the road and the LeMay property.

He has a meeting on Wednesday evening with **Village Planning Commission on Fire House signage**.

He elaborated on the status of a **budget needs workshop** with Mr. Camery and Ms. Hartsock to start a discussion of funding for road maintenance. Making progress but still need more time. We went through all equipment a put together forecast of future equipment replacement and discussed program goals.

An independent appraiser was here on Friday to measure and evaluate all of our township owned buildings over \$50,000 in value to help verify that we are **adequately insured**. **OTARMA** will let us know when results come back.

Employee evaluations to be completed by December 1st.

7:30 P.M. ZONING MAP AMENDMENT HEARING

Purpose of Hearing:

Mr. Coffman asked Ms. Hartsock to provide a PowerPoint presentation (**attachment 1**) of the proposed text amendments.

Ms. Hartsock explained that the Board of Trustees requested an evaluation of the existing temporary signage regulations. They wished to see civic organizations be better accommodated in posting their event signage in the Township as well as providing greater opportunity for residents to exercise their individual freedoms of expression.

She explained the amendment process and then provided details of the recommended text changes and where recommendations diverged.

The **Warren County Regional Planning Commission** heard the proposed amendments on October 25, 2018 and recommended approval without conditions as follows:

1. Increase the maximum size from 24 sq. ft. to 32 sq. ft.
2. Definitions:
 - Add the following definition of temporary ground sign: A sign that is designed to be temporary and is not intended to be permanently installed in the ground. This definition excludes Portable Signs.
 - Revise the definition for portable signs as follows: A sign that is freestanding, not permanently anchored or secured to a building, and not having supports or braces permanently secured in the

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ground, limited to, "sandwich" signs, "A" frame signs, inverted "T" signs, and signs mounted on wheels so as to be capable of being pulled by a motor vehicle or by hand.

3. Remove language that prohibited temporary ground signs in residential districts where properties were used for single and two family dwellings.

Wayne Township Staff recommendation was in accordance with the RPC, however after discussing the potential disproportionate impacts in more densely populated areas (i.e. subdivisions) with a member of the Zoning Commission, she recommended the following deviation from #3.) of the RPC recommendations concerning where temporary ground signs may be located by *revising* the existing language as follows:

No temporary ground sign may be erected on a single-family or two-family residential property [under 5 acres in size].

The **Wayne Township Zoning Commission** held the first public hearing on the application on November 1, 2018 and recommended approval of Wayne Township Staff's recommendation with a dissenting opinion as follows:

Consider restricting properties based on road frontage as opposed to acreage as there is not always a direct correlation between the two. Or any restriction on temporary ground signs in residential districts.

Mr. Coffman opened the floor to the Board for questions or comments.

The Board asked Ms. Hartsock to go back over the recommended definition changes specifically what signs constituted a temporary portable sign verses a temporary ground sign.

They then asked Ms. Hartsock to elaborate on the diverging recommendations and the dissenting opinion.

After discussing various scenarios and points, **Mr. Coffman** opened the floor to residents.

Mr. Fowler shared his belief that excessive signage in subdivisions would likely be an indicator of neighbor disputes. And inquired about decreasing the time period in which a sign would be permitted.

Pros and cons for decreased time frames were discussed through the lens of residential uses as well as enforcement.

Mr. Edwards inquired about setting regulations based on the speed limit abutting the property rather than road frontage. Ms. Hartsock responded that this approach had merit, but would be complex to enforce and for residents to comply with.

After considerable discussion, and hearing from those in support of limiting large signage on the side of the road and from those wishing to expand the availability and ease of such signs, Ms. Hartsock stated that no regulation would completely satisfy everyone. The goal, as she saw it, was to find a middle ground approach. Basing the standards on residential lots equal to or greater than 5 acres expanded the legal installation of such signs to approximately 700-800 residential properties that previously were prohibited from displaying such signs. She stated that there was no readily available data in the aggregate for the number of properties that would be impacted by a road frontage-based approach. And if the regulation was later found to not be quite the right fit, it could be revisited at any time.

With no further discussion needed, **Mr. Coffman** motioned to **close the hearing at 8:11 p.m.** Motion was seconded by **Mr. Patrick** with unanimous approval.

Mr. Coffman motioned to approve the recommendation as mad by the Zoning Commission as follows:

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- Increase the maximum sq. ft. of temporary ground signs in residential zones from 24 to 32 sq. ft.; and,
- Approve the recommended definition changes; and,
- Revise the existing language as follows:
-§3.409.4: No temporary ground sign may be erected on a single-family or two-family residential property [under 5 acres in size].

Mr. Patrick seconded the motion. The motion was approved by unanimous vote.

OLD BUSINESS: No updates

NEW BUSINESS:

Questions or Concerns Regarding the Bills: None

Legislation:

RESOLUTION 2018-43 A RESOLUTION ACCEPTING THE RESIGNATION OF JEFF GOOD FROM THE WAYNE TOWNSHIP ZONING COMMISSION

Mr. Coffman motioned to adopt the resolution. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea; Mr. Patrick – yea. The resolution was therefore adopted the 6th day of November 2018.

The Trustees and Ms. Hartsock wished to thank Mr. Good for his many years of dedicated service.

RESOLUTION 2018-44 A RESOLUTION CONCERNING TEXT AMENDMENTS TO THE WAYNE TOWNSHIP ZONING RESOLUTION PERTAINING TO TEMPORARY GROUND SIGNAGE IN RESIDENTIAL DISTRICTS

Mr. Coffman motioned to adopt the resolution. Mr. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea; Mr. Patrick – yea. The resolution was therefore adopted the 6th day of November 2018.

CORRESPONDENCE:

Board of County Commissioners Warren County: Legal notice regarding a public hearing for new rules and regulations for the design of storm sewer and stormwater management systems

District #10 Public Works Integrating Committee-Miami University: Call for qualified applicants for appointment to the Natural Resources Assistance Council

Warren County Engineer's Office:


Daytime closure announcement for Lower Springboro Rd. for 30 days beginning November 7

8-week road closure announcement for Wilmington Rd. beginning November 12

WORK SESSION: Road Department Funding (tabled until all are present)

EXECUTIVE SESSION: None

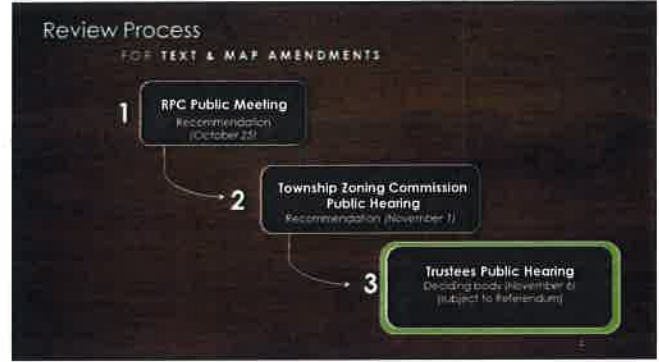
ADJOURNMENT: With no further business, Mr. Coffman moved to adjourn at 8:20 p.m. Mr. Patrick second the motion. The motion passed with a unanimous vote.



Zoning Commission Public Meeting

Thursday, November 1
7:00 p.m.

<p>ANNUAL ZONING REVIEW</p> <ul style="list-style-type: none"> • Typo corrections • Re-pagination • Temporary Signage 	<p>APPLICATION TO REZONE</p> <ul style="list-style-type: none"> • RRF Holding LLC (MM Dean Fowler) • 7892 S SR 74, 40.381 acres • Recreation "C" to Commercial "B-3"
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Annual Zoning Code Review: What we look at

- ZI keeps ongoing notes throughout year of possible corrections (Typos, ORC changes, comments received, etc.) and.
- Variance records; and.
- Board of Trustees or Zoning Commission can request specific reviews.

Typos FYI only

§1202.4(A)(14)
Enables the Zoning Inspector to make grammatical, misspelled and certain reference corrections without being subject to formal review process provided such changes do not alter the meaning of the Code.

Annual Zoning Review: specifics

<p>Typographical FYI</p> <ul style="list-style-type: none"> • § 3.205.1(D)(2): § 3.205.7 (B) reference section should read: § 3.205.6(B) and. • § 1.110.1(B) (B) § 11.31 should read § 11.31 and. • § 2.301.1(M) P1 Zone should read C-Zone and. • § 3.603.2 (Telecommunication towers) Should refer to § 3.203.7 and § 3.205.9 in all zone categories and. • Reformatting entire code to consecutive, non-repeating numbers 1-429. 	<p>Text content</p> <ul style="list-style-type: none"> • HoT requested an evaluation of the existing temporary signage regulations. • They wished to see civic organizations be better accommodated in posting their event signage in the Township as well as providing greater opportunity for residents to exercise their individual freedoms of expression.
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Temporary Signage

Retained regs



<p>§3.400 Currently: No signs in the ROW Under 4 sq. ft.</p> <ul style="list-style-type: none"> • Do not require a permit • Must have permission from property owner • 1 per 20' of road frontage • 4' height max

Temporary Ground Signage

Current rules



§3.409.4 Temporary Ground Signs

- Limited to 24 sq. ft. in residential districts
- Residential areas are limited to properties not used for SF or 29g (cemetery, vacant lots, parks...etc.)
- Must be located >10' outside of the ROW
- Requires a permit— however, fee was removed effective October 17
- Max height—6'
- 60 day time period (no more than 2x/calendar year)

Temporary Ground Signage

Current definitions



§4.101 Definitions

- Temporary Signs:** A sign that is designed to be used only temporarily and is not permanently attached to a building, structure, or structure on the ground. Temporary signs shall conform to the time-frame regulations as applicable to specific signage types specified in Chapter 4 (Signage Regulations). All signs that are not temporary signs are permanent signs.
- Portable Signs:** A temporary sign not permanently affixed to the ground, building or other structure, which may be moved from place to place, including, but not limited to, A-Frame signs, sandwich boards, signs designed to be transported by means of wheels, and other signs which can be easily removed from the ground by hand without the use of tools.

Temporary Ground Signage

Proposed changes
Unanimous agreement



§4.101 Definitions

Add:

- Temporary Ground Signs:** A sign that is designed to be temporary and is not intended to be permanently installed in the ground. This definition excludes Portable Signs.

Revise:

- Portable Signs:** A sign that is freestanding, not permanently anchored or secured to a building, and not having supports or bases permanently secured in the ground, limited to "sandwich" signs, A-frame signs, inverted T signs, and signs mounted on wheels so as to be capable of being pulled by a motor vehicle or by hand.

Temporary Ground Signage

Proposed changes
Unanimous agreement



§3.409.4(B)(3) size

Increase the maximum sq. ft. from 24 → 32 sq. ft.

Temporary Ground Signage

Proposed changes
Unanimous agreement



? Which properties are applicable to changes ?

Temporary Ground Signage

Proposed changes
Regional Planning Commission (Staff and Exec. Comm.)



Open ALL residential properties to same temporary ground sign regulations

Essentially all or none

Temporary Ground Signage

Proposed changes
Wayne Township Zoning Commission and Staff

Open ALL residential properties 5 acres or greater in size to same temporary ground sign regulations

Attempt to minimize the aesthetic impact in our more densely populated areas such as most subdivisions




Temporary Ground Signage

Proposed changes
Wayne Township Zoning Commission
DISSENTING OPINION

Open ALL residential to same temporary ground sign regulations.

IF limitations are desirable, then limits should be based on road frontage as the impact is at the road irrespective of property size.



Temporary Ground Signage

Proposed changes recap

RPC staff and exec. comm.: recommend approval for all residential properties

ZC/WT staff: recommend approval for all residential properties over 5 acres in size

Dissenting opinion (ZC): All or limit the impact of signage based on road frontage rather than acreage.



RESIDENTIAL PLACEMENT COMMISSION RECOMMENDATION

- Increase the maximum sq. ft. of temp. ground signs in residential zones from 24 to 62 sq. ft. and,
- Approve recommended definition changes; and,
- strike the existing language as follows:
No temporary ground sign may be erected on a single-family or two-family residential property.

*Recommended unanimous approval to all residential properties without conditions
10.26.2018*

WAYNE TOWNSHIP ZONING COMMISSION AND STAFF RECOMMENDATION

Recommended approval with the following conditions:

- Increase the maximum sq. ft. of temp. ground signs in residential zones from 24 to 62 sq. ft. and,
- Approve recommended definition changes; and,
- *Revise* the existing language as follows:
No temporary ground sign may be erected on a single-family or two-family residential property (smaller than 5 acres in size).

*Recommended approval (8-1) to all residential properties 5 acres or greater without conditions
11.01.2018*

WAYNE TOWNSHIP ZONING COMMISSION DISSENTING OPINION

Recommended approval with the following conditions:

- Increase the maximum sq. ft. of temp. ground signs in residential zones from 24 to 62 sq. ft. and,
- Approve recommended definition changes; and,
- *Either retain RPC's recommendation or limit based on road frontage & acreage*

Questions?



RESOLUTION 2018-43:

**A RESOLUTION CONCERNING
CHANGES TO TEMPORARY GROUND
SIGN REGULATION IN THE WAYNE
TOWNSHIP ZONING RESOLUTION**

*formal resolution will be drafted based on
decision of the Wayne Township Board of Trustees*