

GEAUGA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
AUGUST 8, 2017

Chairman Charles Stevens called the August 8, 2017 regular meeting of the Geauga County Planning Commission to order at 7:30 a.m. at 470 Center Street, building 1-C, City of Chardon. Following the pledge of allegiance, the roll was called by Jessica Lane, Office Coordinator, and the following members were present. A quorum was obtained.

Roll Call

Members Present: Charles Stevens, Timothy Lennon, Walter Claypool, Thomas Jones, Caterina Cocca-Fulton, Gary Neola, Chester Miller, and Robert Rogish, and Cathy Cotman. Mr. Neola arrive at about 7:35 a.m. and Mrs. Cocca-Fulton at about 7:42 a.m.

Members Absent: Ralph Spidalieri and Tracy Engle.

Staff Present: David C. Dietrich (Planning Director), Karen Baptie (Planning Technician), and Jessica Lane (Office Coordinator).

Others Present: Diane Jones and Kristina O'Brien.

Approval of Minutes

July 11, 2017 Regular Meeting:

Chairman Stevens made a motion to approve the July 11, 2017 Regular Planning Commission meeting minutes. Mr. Rogish seconded the motion, and upon a call for the vote, the motion carried. Mrs. Cotman abstained due to absence.

July 25, 2017 Special Meeting:

Mr. Jones stated the following comments regarding the minutes from the Special Planning Commission meeting on July 25, 2017:

- Comments were sparse. The public needs to understand the content of the meetings.
- Not creating a strong narrative.
- Would like Mr. Dietrich's answer to Mr. Lennon's question clarified. The wells Mr. Wiech noted where are they in Middlefield? The Carlisle plant, is it in the village?

Chairman Stevens: This was an informational meeting and there's no obligation to record every question or comment. There were not results and no actions were taken.

Mr. Claypool: Suggest audio recording the meetings. The public needs to know what the meetings are about. Also indicated that the minutes were a little on the thin side.

Mrs. Cotman: Supports Skip regarding recording meetings. The issues raised by the County Prosecutor's office in the opinion may be addressed. Any member's commentary should be included.

Chairman Stevens: There was back and forth discussion. My questions got answered. Does the Planning Commission wish to table the approval of the minutes for this meeting?

Mr. Jones: Yes, more comments could be provided. I recorded the meeting.

The consensus of the Planning Commission was to table the July 25, 2017 special meeting minutes and come back with comments or concerns to be added.

Financial Report and Approval of Expenses

Ms. Lane provided the financial report as of August 8, 2017 and the summary of expenses attached hereto and marked Exhibits "A" and "B".

Chairman Stevens made a motion to approve the expenses marked Exhibit "A" totaling \$171.21. Mr. Rogish seconded the motion, and upon a call for the vote, the motion carried unanimously.

Chairman Stevens made a motion to approve the expenses marked exhibit "B" totaling \$538.24.

Mrs. Cotman seconded the motion, and upon a call for the vote, the motion carried. Mr. Rogish abstained.

Proposed Township Zoning Amendments

A. Newbury Township: No. 2017-1
Initiated May 3, 2017

Mr. Dietrich presented the following staff review.

INITIATED BY: Newbury Township Board of Trustees.

PROPOSED AMENDMENT: To amend the text of the Newbury Township Zoning Resolution Section 2.01, Words and Terms Defined and Section 4.01, Prohibited Uses in All Zoning Districts regarding medical marijuana.

REVIEW: The new proposed text follows.

Insert into definition Section 2.01:

"Medical marijuana" means marijuana as defined in O.R.C. Section 3796.01(A)(1), that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose per O.R.C. Section 3796.01(A)(2).

Add to prohibition Section 4.01, paragraph (Z):

Medical marijuana cultivators, processors, or retail dispensaries shall be prohibited in accordance with O.R.C. Section 519.21.

H.B. 523 specifically enables townships to adopt a zoning regulation to prohibit medical marijuana as set forth in proposed Section 4.01 (Z) above.

This amendment has been reviewed by the County Prosecutor's Office.

RECOMMENDATION: The County Planning Commission should recommend approval of proposed Newbury Township Zoning Amendment No. 2017-1 initiated May 3, 2017 by resolution of the Board of Trustees and received by the Zoning Commission on July 26, 2017.

Mr. Lennon made a motion to recommend approval of proposed Newbury Township Zoning amendment No. 2017-1 initiated by resolution of the Newbury Board of Township Trustees on May 3, 2017 and received by the Zoning Commission on July 26, 2017. Mrs. Cotman seconded the motion, and upon call or the vote, the motion carried unanimously.

Mrs. Cotman: Which Townships have not yet amended their zoning regarding medical marijuana?

Mr. Dietrich: Chardon, Munson, Huntsburg, and Parkman.

Correspondence

There was none.

Old Business

A. USGS Agreement

Chairman Stevens: Is this study of any value? I would suggest only if it is being used. Last year a report was prepared and delivered to the Geauga County Board of Commissioners by letter dated 11/21/2016. Middlefield was singled out -- specifically well GE-119. Has any action been taken?

Mr. Claypool: This is one of the primary issues. There's no process or action that's meaningful. So we made them aware in Middlefield, but no action or documentation of anything meaningful took place. So it's a 10 foot drop in static water level. What does that mean? I've asked Martha Jagucki and Dave Sage about this. That raises questions. Questionable time and money. We need to activate a process to be put in place.

Chairman Stevens: I met with Mrs. Cotman and Mr. Rogish subsequent to our special meeting to develop a starting point for today's meeting. The thoughts for recommendation to the Board of County Commissioners are to approve the continuation of the USGS Geological Survey Joint Funding Agreement with the following changes:

- With the help of USGS identify those wells that are stable. Adjust the frequency of the testing of those wells to one time per year done in April. The four wells that are identified as declining will continue to be monitored for times per year. The five continuously monitored wells will continue as is. Any well that has less than three years of history will be eliminated from the program.

- Recommend to the Geauga County Board of Commissioners that over the next 12 months the following should be developed, completed and put in place: collect specific responses- how is the USGS study used by the Planning Director, Planning Commission, Geauga County Department of Water resources, Health Department, Township Zoning Commissions, Township Board of Trustees, Geauga County Board of Commissioners, and any other entities that use the data, reports, or recommendations. Develop a plan/protocol on how the data should be used by all of these entities and request the USGS recalculate the percentiles using all the data to develop new ranking to identify normal/below normal. Identify how we can coordinate all available data, well studies, well logs, new well testing by Health Department, studies used by any individual/company, etc. Including the Planning Commission and the Geauga County Department of Water Resources.
- Geauga County is to manage the residential relationships for all studies, either the planning Commission or the Geauga County Department of Water Resources.

Mr. Dietrich: Note that the following options and costs were provided at the special Planning Commission meeting on July 25, 2017 by Martha Jagucki with USGS.

These costs would have to be re-evaluated for 2018.

Comparison of Budget Options

<u>Option</u>	<u>Geauga County</u>	<u>USGS</u>	<u>Total</u>
1. Business as usual	\$23,600	\$11,800	\$35,400 (FY2017 costs)
2. Manual measurement at 31 wells once/year	\$10,000	\$5,000	\$15,000* (estimated for FY2016)
3. Geauga County furnishes data to USGS	Not enough info to compute. Field work accounts for ~25% (~\$5900) of current cost to the county.		

Mr. Claypool: The issue is to continue to monitor the groundwater or not. We are alone in the state of Ohio. Is there a better way to do monitoring? One well per aquifer? What's the objective? We did a 20 year study. It was longitudinal. The wells are solid/stable. We have a few in Chester and Middlefield showing some decline. It comes back to the health of the aquifer. Maybe do a wider range. Might have better data not in a longitudinal approach. Then we establish monitoring in areas with issues. Collect other information from the cities, villages, and Townships wells. USGS may not be the only option. What do we want to accomplish?

Mrs. Cotman: Reconfigure the percentiles using all data, not monthly. If within the normal range, then collect information every three years. Use the data to drive the decision. Let the data determine increase/decrease in monitoring.

Mr. Neola: The static wells are abandoned. Could be deteriorating. Take the four aquifers using static wells and monitor those. Could also do new wells near the static wells. Whoever does the data collection, they must be trained.

Mr. Claypool: Our aquifers are solid. We have a 20 year history of spending money. We are monitoring while others like Middlefield and Chardon are monitoring. Water Resources could collect the data. It is of value to continue the collection. We could do this with ultra sound or a laser. Do not need the +/- one foot precision. Need to know dramatic swings. Well logs and water quality could be used to consolidate the data. Perhaps talk to Martha Jagucki on options. Step back. What else can we do?

Mr. Neola: We need water quality data. Didn't someone at the last meeting mention an educational program at the fair?

Mr. Claypool: Log sample information through the Water Resources Department. Get Martha back here or an unbiased third party so we have a plan. Sit down with the Trustees. So this really has meaning.

Mr. Jones: What's the drop dead date?

Mr. Dietrich: September 8 per the current agreement.

Mr. Jones: So we need a decision by our next meeting.

Chairman Stevens: Our next meeting is September 12. So, we need a meeting before then or do our recommendation today.

Mr. Claypool: Regarding property owner permission, I think the owners would welcome them back. So what if we lose a year? It's only a data point in a 20 year program.

Chairman Stevens: Monitor those wells in decline. Let the county possibly do the collection.

Mr. Claypool: We're not using the information. Get Martha back here to rethink it. Put monitors on wells when we have a flag.

Mr. Neola: We may need Martha's opinion on that.

Mr. Claypool: We're just paying the bill. No authority to expect somebody may read the information. We engage in a process. We have no enforcement authority.

Mrs. O'Brien (Bainbridge Township Trustee): We seem to back to where we were a year ago. No specifics. We can't just get rid of the monitoring program without a plan to replace it. Do you want this program to go away? The date is September 8 for termination. What will you do on September 9?

Mr. Lennon: We seem to be up against the wall again. This is a political football. We either do this or not. In business, one must look at the return on investment.

Mr. Claypool: We need to get to work on what we doing going forward.

Mr. Lennon: We need a plan before we pull the plug.

Mr. Claypool: The wells will still be there.

Mr. Miller: No one will do anything about it anyway with a 10 foot drop.

Mr. Lennon: This is unique to Geauga County. Maybe the program has run its course. Don't stop altogether. Need to look at water quality. We need a plan before we pull the plug.

Mrs. O'Brien: My concern is if you stop it a year, three years, five years could go by. I don't think it would be replaced.

Mr. Lennon: In principle, if it's not worth it, it's not worth it.

Chairman Stevens: Martha noted a minimum of one data collection per year. I applaud Skip for asking a lot of questions. We don't know if the drop in Middlefield is significant.

Mr. Claypool: At some point, when does this longitudinal study end? Our aquifers are stable.

Mr. Jones: A history of the program was sent that Martha prepared. Middlefield is an anomaly. Perhaps Middlefield is our only hotspot.

Mr. Neola: This is a political football. What's the fallout?

Mr. Claypool: Two or three townships like Bainbridge and Russell have referred to this. No one else seems to know about it. I've talked to trustees and zoning inspectors about it. It's not used on a daily basis.

Mr. Lennon: There seems to be misinformation in the newspapers.

Mr. Claypool: Perhaps reach out to Martha before the deadline. Sit down and reconfigure our approach. Maybe do one data collection per year. We could discuss this at a special meeting of the Planning Commission.

Mrs. Cotman: We should look at wells based on the data. Strategically do this. Get permission from the property owners. Lay out the monitoring schedule that we want.

Mr. Lennon: Pinpoint the important wells. One or two per aquifer.

Mr. Claypool: Figure out what we are doing outside of USGS. Create a reaction to the problem.

Mr. Rogish: Look at the impact on other departments. Some of these are under the Board of County Commissioners, not the Planning Commission.

Mr. Claypool departed the meeting at about 8:55 a.m.

Mr. Lennon departed the meeting at about 9:00 a.m.

Chairman Stevens made a motion to recommend to the Geauga County Board of Commissioners to approve the continuation of the USGS Geological Survey Joint Funding Agreement with the following changes:

- With the help of USGS identify those wells that are stable.
- Request that the USGS recalculate the percentiles using all data to develop a new ranking to identify normal/below normal.
- Adjust the frequency of the testing to one (1) time per year to be done in April or every three (3) years based on the recalculated percentile data.
- Those wells that are identified four (4) as declining will continue to be monitored four times per year.
- The five (5) continuously monitored wells will continue as is.
- Any well that has less than three (3) years of history will be eliminated from the program.

Mrs. Cotman seconded the motion and upon a call for the vote, the motion carried. Mr. Jones abstained.

Chairman Stevens made a motion to recommend to the Geauga County Board of Commissioners that over the next twelve (12) months the following should be developed, completed, and put in place:

- Collect specific responses – How is the USGS study used by Planning Director, Planning Commission, Geauga County Department of Water Resources, Health Department, Township Zoning Commissions, Township Board of Trustees, Geauga County Board of Commissioners and any other entities that use the data, reports, or recommendations.
- Develop a plan/protocol on how the data should be used by Planning Director, Planning Commission, Geauga County Department of Water Resources, Health Department, Township Zoning Commissions, Township Board of Trustees, Geauga County Board of Commissioners.
- Identify how we can coordinate all available data, well study, well logs, new well testing by Health Department, studies used by any individual/company, etc. (Planning Commission/GCDWR).
- Geauga County is to manage the residential relationships for all studies (Planning Commission/GCDWR).

Mr. Jones seconded the motion, and upon a call of the vote, the motion carried unanimously.

B. Model Township Zoning Resolution

This matter was tabled by Chairman Stevens due to time constraints. He noted a consensus that was discussed a few months ago to have the Commission review Model Zoning. Any sections to be reviewed for adjustments. Not every section should be adopted by every township. We have differences in needs and directions.

New Business

A. Prosecutor's Opinion Dated August 2, 2017

This matter was tabled due to time constraints.

Adjournment

Chairman Stevens declared the meeting adjourned at about 9:10 a.m.



Charles R. Stevens, Chairman



Cathy Cotman, Secretary/Treasurer

SUMMARY RESOLUTION FOR EXPENSES
GEAUGA COUNTY PLANNING COMMISSION

Mr. Stevens MOVED THE ADOPTION OF THE FOLLOWING RESOLUTION,
WHICH MOTION WAS SECONDED BY Mr. Rogish.

WHEREAS, THE EXPENSES LISTED HEREIN HAVE BEEN INCURRED BY THE GEAUGA COUNTY PLANNING COMMISSION IN ORDER FOR THE COMMISSION TO PERFORM ITS DUTIES; AND

WHEREAS, THESE EXPENSES HAVE BEEN REVIEWED BY THE MEMBERS OF THE COMMISSION AT ITS AUGUST 8, 2017 MEETING;

NOW THEREFORE, BE IT RESOLVED, THAT THE GEAUGA COUNTY PLANNING COMMISSION HEREBY AUTHORIZES PAYMENT OF THE FOLLOWING BILLS OR CLAIMS:

<u>P.O.</u>	<u>ACCOUNT</u>	<u>DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
1289	SUPPLIES	8/02	WESTERN RESERVE OFFICE (SUPPLIES)	\$56.21
1301	OTHER	7/19	WELLS FARGO (JULY COPIER LEASE)	115.00
TOTAL				\$171.21



Charles R. Stevens, Chairman



Cathy Cotman, Secretary/Treasurer

SUMMARY RESOLUTION FOR EXPENSES
GEAUGA COUNTY PLANNING COMMISSION

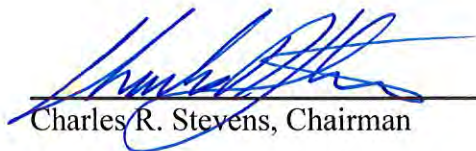
Mr. Stevens MOVED THE ADOPTION OF THE FOLLOWING RESOLUTION,
WHICH MOTION WAS SECONDED BY Mrs. Cotman.

WHEREAS, THE EXPENSES LISTED HEREIN HAVE BEEN INCURRED BY THE GEAUGA COUNTY PLANNING COMMISSION IN ORDER FOR THE COMMISSION TO PERFORM ITS DUTIES; AND

WHEREAS, THESE EXPENSES HAVE BEEN REVIEWED BY THE MEMBERS OF THE COMMISSION AT ITS AUGUST 8, 2017 MEETING;

NOW THEREFORE, BE IT RESOLVED, THAT THE GEAUGA COUNTY PLANNING COMMISSION HEREBY AUTHORIZES PAYMENT OF THE FOLLOWING BILLS OR CLAIMS:

<u>P.O.</u>	<u>ACCOUNT</u>	<u>DATE</u>	<u>VENDOR</u>	<u>AMOUNT</u>
1540	OTHER	8/02	GEAUGA SWCD (SERVICES PER AGREEMENT)	\$538.24
			TOTAL	\$538.24


Charles R. Stevens, Chairman


Cathy Cotman, Secretary/Treasurer