

## **Brimfield Township Board of Trustees Public Hearing August 27, 2019**

The Brimfield Township Board of Trustees met in a Public Hearing meeting on the above date at the Brimfield Town Hall. Present were Trustees, Sue Fields, Nicholas Coia, Mike Kostensky and Fiscal Officer John Dalziel.

The meeting was called to order at 7:00 PM by Chairman Mike Kostensky.

### **MOTION #2019-216**

Mike Kostensky moved to open the public hearing for the following:

#### **Zoning Resolution Amendment for Changes and Additions**

The Brimfield Township Board of Trustees will meet in a public hearing on 8/27/2019 at 7 PM at the Brimfield Town Hall, 1333 Tallmadge Road, Kent, OH 44240. The resolution amendment changes and additions are:

Amendments 1, 2, 3

Brimfield Township would like to limit the location and proliferation of Medical Marijuana Distribution centers in only their General Commercial, Light and Heavy Industrial zoning districts. Medical Marijuana Manufacturing centers in only their Light and Heavy Industrial zoning districts.

Section 309.02(B)21 General Commercial (GC) Zoning – Medical Marijuana Distribution Section 313.02(B)5 Light Industrial District (L-I) – Medical Marijuana Manufacturing Section 314.02(B)7 Heavy Industrial District (H-I) – Medical Marijuana Manufacturing

The proposed addition in GC District:

“Medical Marijuana Distribution facilities in accordance with ORC 3796 and any and all future state and federal guidelines/laws governing said facilities, AS APPROPRIATE.”

The proposed addition is the same in both LI and HI districts:

“Medical Marijuana Manufacturing facilities in accordance with ORC 3796 and any and all future state and federal guidelines/laws governing said facilities, AS APPROPRIATE.”

Amendment 4 PROPOSED TEMPORARY USE PERMITS Section 540.00 Temporary Use Permits

Brimfield Township has been experiencing food vendors and food trucks that are just setting up shop with the store owners' permission. There are no regulations to control them and the proposed amendment is to help regulate them.

“Temporary uses, such as fairs and other temporary sales and services, where permitted in appropriate districts, shall be permitted upon compliance with the plan requirements below:

#### **Temporary Zoning Certificates**

A. Two site plans shall be provided to the Zoning Inspector no later than two (2) weeks in advance of activities containing the following:

1. Location and use of existing buildings.
2. Intended ingress and egress of traffic; width of driveways and aisles and the location of any barriers;
3. Dimensions, location and width between any and all temporary buildings, signs, structures or tents on the premises;
4. First aid facility;

5. Litter containers;
6. Location of all vendors;
7. Location of the office;
8. Location and identification of permanent and temporary parking facilities; and
9. Location of restroom facilities.
10. Signs must be in compliance with Section 700.12: Temporary/Special Event

B. The following information shall be provided on the site plan:

1. The name, address and telephone number of the property owner;
2. The name, address and telephone numbers of the chairman, manager or operator of the temporary event;
3. The address and township zoning of the property upon which the activities are held, and
4. The dates and times of operation of the activity;

C. The following permits shall be obtained prior to commencement of the activities:

1. A temporary zoning permit shall be required for the activity, structures, buildings, tents and signs related thereto.
2. Approval from Brimfield Police and Fire Chiefs must be obtained prior to zoning certificate approval.
3. Appropriate permits from the Portage County Health Department, Portage County Auditor's Office, or other county offices, as necessary.”

Amendment 5 Section 1001.00 Words, Terms or Phrases:

There is no definition of “Temporary Vendor”, just a definition for Temporary Place of Business. Temporary vendor needs to be added and the temporary place of business needs to be modified.

Temporary Place of Business: Any public or quasi-public place including, but not limited to a hotel, rooming house, storeroom, building, part of a building, tent, vacant lot, railroad car or motor vehicle that is temporarily occupied for the purpose of making retail sales of goods to the public. A place of business is not temporary if the same person conducted business at the place continuously for more than six (6) months, or if the person intends it to be a fixed place of business.

“Temporary Vendor: Any person who opens a temporary place of business for the sale of goods or services not to exceed six (6) months”.

Sue Fields Second.

Mike Kostensky – yea	Sue Fields - yea
Nicholas Coia – yea	Motion Passed

Public Comments – No comments on Amendment #4

Public Comments – Amendment 1, 2, & 3

Jim Rohaley -	3871 Olmsby Drive
Cynthia Moore -	4322 Mogadore Road

Public Comments - Amendment 5

Tom Serle - 39 Piccadilly Court  
Bernie Noble - 3997 Mogadore Road  
Lisa Yohan - 3887 Ranfield Road  
Mrs. Wesley - 3494 Ivanhoe

There being no further business to come before this meeting of the Brimfield Township Board of Trustees Sue Fields moved at 7:27 PM to adjourn. Motion seconded by Nicholas Coia upon a roll call vote passed Mike Kostensky abstained.

We, the Trustees of Brimfield Township, do hereby set our hands as approval of the foregoing minutes as a true and accurate record of the proceedings.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Fiscal Officer