

RECORD OF PROCEEDINGS

THORN TOWNSHIP TRUSTEES

SPECIAL SESSION

Held: October 9, 2019

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The Board of Trustees of Thorn Township convened for a Public Hearing from 5:00 P.M. to 5:53 P.M. in the Township Hall. Trustee Robert Coleman called the Public Hearing to order with the following members and visitors present:

Members:

Billie Dearlove	Present	Robert Coleman	Present
Richard Wilson	Present	David Lyle	Present

Visitors: See attached sheet.

Trustee Coleman stated that the purpose of this Public Hearing is to consider the recommendation of the Thorn Township Zoning Commission for a proposed zoning resolution change regarding fence regulations. Trustee Coleman stated that everyone will get 5 (five) minutes to speak and then they will move on to the next person. Todd Brune asked Trustee Coleman what will happen at the end of this public hearing, will the board make a decision tonight? Trustee Coleman stated no; they will not take any action tonight, that they have 20 (twenty) days to make a decision and to have a special meeting to vote on the proposed zoning change. Trustee Coleman stated that they will now start with citizen comments.

Todd Brune- Mr. Brune stated that he supports what is being present by the board tonight.

Clark Cook- Mr. Cook stated that he has a letter that was written by Don Waller who could not be in attendance at tonight's meeting and he would like to read his letter. Mr. Waller's letter stated that he thought the whole issue has not been an open and honest conversation between a few of the zoning board members and the community. He stated that he felt this whole fence issue came about because one person erected a fence on an easement, which was obstructing the view of the lake to several of his neighbors. In his letter Mr. Waller stated that he thought that a member or members of the zoning commission were allowed to vote on the issue, when it was a conflict of interest for that party.

Linda Cook- Ms. Cook asked the board members if the proposed fence regulations were just for the people around the lake or was it for the whole township and what about the farmers in the township. Pete Griggs, who is the Zoning Attorney for Thorn Township stated that agriculture will be exempt. Trustee Coleman stated that the fence regulations will be for the entire township except for agricultural use.

T.J. Edwards- Mr. Edwards stated that these regulations are just opening up a can of worms, you are putting more regulations on and it has just gotten out of hand.

Jeff Zemolong- Mr. Zemolong asked if a survey will need to be done before a fence is erected? He felt this all started because of a neighbor's feud over a fence. He also asked the board why the previous fence regulations were taken out of zoning. Trustee Wilson stated that they were taken out because of too many people upset about it and all of the issues it caused.

Ron Combs- Mr. Combs stated that that agriculture should be included in the fence regulations, and he also stated that just because they had one problem with a fence issue, they are now putting a blanket over everyone and this should not be happening.

Wayne Gniewkawski- Mr. Gniewkawski stated that he is on the Thorn Township Zoning Commission and that these regulations are directed out of safety for the township and the lake area, not about people's views. This whole thing was brought to the board by residents in the community.

Joe Blain- Mr. Blain stated that he is the Chairman of the Thorn Township Zoning Commission and this resolution was a compromise of the board members, the boards members were torn on this issue and it was addressed from a safety stand point only. There needs to be some guide lines for the public to follow for their safety.

T.J. Edwards- Mr. Edwards asked what about old fences that are already erected now. Joe Blain stated that they will be grandfathered in.

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Bob Combs- Mr. Combs asked what happens when a grandfathered in fence needs to be repaired, can you do this. Zoning Inspector Ed Corns stated that repairs can be made but if the fence needs to be replaced, it must meet the current regulations that will be in place.

Todd Brune- Mr. Brune stated that agriculture is exempt, but maybe they should consider breaking this down, having different districts for different areas of the township, like making lake residential, rural area, etc. and make the zoning more specific for each area.

Trustee Lyle stated he has some confusion in section number 8 (eight) and section number 2 (two) regarding the fence height. One states 8 (eight) feet in height and the other states 4 (four) feet in height. It was explained that in an area 30 (thirty) feet of the shoreline or canal, a fence may not be more that 4 (four) feet high, and that no fence shall be more than 8 (eight) feet in height in other areas.

Trustee Wilson stated that they had a lot of problems with the fence regulations they had in place before so they removed the regulations and took it out of zoning and then the issues became a civil matter and the township was not involved in the issues.

Trustee Coleman asked what side of the fence would have to face a neighbor's property. The Zoning Attorney Pete Griggs stated that the good side of the fence would have to face the neighbor's property. Trustee Coleman stated that he received a phone call from a gentleman who asked about fencing 3 (three) separate lots, would he be required to get a permit for each lot. Pete Griggs, the zoning attorney stated that because the fence would cross lot lines, it would not meet the required setbacks, but he could ask for a variance.

Clark Cook- Mr. Cook asked if there were set back requirements for fences between two houses. Joe Blain stated no, the fence could go on the lot line.

Linda Cook- Ms. Cook stated that the issue that started all of this, what was the outcome of it. Trustee Coleman stated that the fence was taken down because of a safety issue.

Trustee Lyle stated that they need to take time to look over this resolution. With no further comments or questions, Trustee Coleman asked for a motion to close the public hearing.

Motion: A motion was made by Trustee Lyle to close the public hearing and was seconded by Trustee Wilson. **Votes were:** Robert Coleman, Aye; Richard Wilson, Aye; David Lyle, Aye. Public Hearing was closed at 5:53 P.M.

Motion: A motion was made by Trustee Lyle to adjourn the meeting at 5:53 P.M. and was seconded by Trustee Wilson. **Votes were:** Robert Coleman, Aye; Richard Wilson, Aye; David Lyle, Aye.

Billie Dearlove

David Lyle

Richard Wilson

Robert Coleman

All of the formal actions of Thorn Township concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.