



NEWBURY TOWNSHIP ZONING

14899 AUBURN ROAD, NEWBURY, OH 44065

OFFICE - (440) 564-5997

Zoning Commission Meeting Minutes

Date

August 12, 2026

Chairman Jim Lang called the meeting to order at 7:00 p.m.

Members present

Jim Lang

Dave Somrack

Chris Yaecker

Dan Simon

Dan Walker

Karen Endres

Carly Sayre- Trustee liaison

Amy Lydan- secretary

members absent.

✓N/A

Signed minutes of - previous meeting date

moved by Jim Lang

second by Chris Yaecker

approved unanimously.

Use of new AI meeting note software

Chairman and secretary informed Commission members of a new meeting minute software being used. This will be used alongside manual note taking to help improve efficiency and provide a more comprehensive overview.

Substitution of Non-Conforming uses

Discussion on feedback from Linda Crombie and about how to update language regarding the substitution of non-conforming uses in the resolution, particularly regarding the authority of the Zoning Inspector versus the Board of Zoning Appeals (BZA). Legal counsel advised that the Ohio Revised Code (ORC) does not explicitly grant the BZA authority to approve substitutions, suggesting the zoning inspector should make the initial determination. However, due to past issues with zoning inspector discretion, alternative approaches were discussed. If the substitution remains at the discretion of the zoning inspector, the commission would want to draft clear conditions for the zoning inspector to follow when evaluating a substitution and language for automatic denial if a proposed use was never a permitted use in the district.

Several other Geauga County Townships have the substitution of non-conforming uses as a BZA function. There was general agreement that the commission prefers this process. The commission has decided to discard its current draft to adopt and possibly modify the language from the Bainbridge resolution, which requires prior BZA approval for substitutions. This language will be sent to Linda Crombie for an informal review before official incorporation.

Dan Walker made a motion to send the updated language taken from the Bainbridge resolution to Linda Crombie for an informal review

Jim Lang seconded the motion

A vote was taken and all members were in favor- the motion passed

Bainbridge resolution

165.09 SUBSTITUTION OF NONCONFORMING USES. A nonconforming use may be substituted for a lawful nonconforming use provided that the board of zoning appeals finds such use is of the same kind and character as the prior lawful nonconforming use and does not result in an increase in noise, pollution, traffic, sign area, or in the number of persons using the property, and that the proposed use is equally or more appropriate to the district than the existing nonconforming use, and that to permit the proposed change in use is consistent with the objectives of this Zoning Resolution and will not adversely affect neighboring properties. In permitting such change, the Board may impose appropriate conditions and limitations relating to the use or to be made to structures used in conjunction with the nonconforming use.

Action items

- Send the language from the Bainbridge resolution to Linda Crombie for an informal review. -Karen
- Consult legal counsel (Linda Crombie/Linda Applebaum) to clarify who has standing to file a zoning inspector error and whether trustees can challenge a zoning inspector's approval. -Karen

Zoning Definitions / updated information

Discussion about feedback from Linda Crombie regarding zoning definitions and obtaining the American Planning Association (APA) definitions she referenced in her comments. Carly located and will purchase the APA dictionary. Commission would like to move forward to finalize a definition for "landscaping," considering multiple versions from the American Planning Association and other sources.

Karen Endres shared some information she added to update the spreadsheet of current businesses. She will send this to the secretary to distribute

Action item

- Send the purchased PDF of the APA dictionary for zoning definitions to the group- Carly
- Chris Yacker will work on updating definitions draft and will send to secretary to distribute
- Karen Endres to send information to update spreadsheet to secretary to distribute

Land Use Plan and resolution changes

Brief discussion about the allowance of single-family residences in commercial (B-1) and industrial (M-1) districts and how to correct this in the future. Sections 601A and 701 A would need to be changed. Section 8.01 would need part *e* eliminated.

Discussion about the need for cleaning up outdated zoning code and that a broader update to the township's outdated (c. 2010) land use plan is necessary. Carly will look into getting hard copies of the current land use plan for review. Once the committee is prepared it was decided that it would be beneficial to schedule a special meeting with the Trustees to go over and get feedback on proposed revisions.

Action items

- Order bound, hard copies of the land use plan for all commission members. -- Carly
- Request a large map with parcel addresses from the county in both electronic and physical formats. --Carly

Upcoming special meeting on 8/19/2026

Discussion and preparation for the upcoming special meeting with the trustees. The commission will focus on providing trustees with information regarding possible locations for landscaping businesses in the resolution and what potential impact each of these options could have on the township in the future. All commission members will work on this and try to attend this meeting.

Action item

- Finalize the landscaping location options and information to present at the upcoming 8/19/2026 special meeting- Commission, with Dan Walker and Chris Yaecker preparing and presenting the main information

Property Maintenance Code

The commission discussed adopting a property maintenance code but determined it is likely a matter for the Board of Trustees, not the Zoning Commission. The topic was tabled until the zoning inspector can attend and share more input.

Upcoming meetings

Special meeting 8/19/2026

All commission members who can attend will deliver a presentation to the trustees outlining all possible directions for updating the definitions and locations for landscaping in the resolution. This will take place at 6:00 pm at the fire station.

Geauga County zoning group 8/26/2026

In place of the next regularly scheduled zoning commission meeting, members will attend the Geauga County Zoning Group meeting. This will take place on August 26 at 6:30 p.m. Montville Community Center; 9755 Madison Rd.; Montville Twp 44064

Planning and Zoning Workshop 8/28/2026

Carly shared information about an upcoming annual planning and zoning workshop that will be held in Geneva. Interested members can contact the fiscal officer to arrange registration.

Next regular ZC meeting 9/9/2026

The next regular zoning commission meeting will take place on 9/9/2026 at the town hall at 7:00 pm.

Tentative meeting date change- Linda Crombie is currently scheduled to attend the 9/23/2026 meeting. The commission secretary will be unable to attend. Karen Endres will reach out about possibly rescheduling Lindas attendance for the 10/14/2026 meeting

Chairman Jim Lang made a motion to adjourn

Chris Yaecker seconded

All were in favor

Meeting adjourned at 9:10 pm

Jim Lang

Jim Lang

Dave Somrack

Chris Yaecker

Chris Yaecker

Dan Simon

Dan Simon

Dan Walker

Dan Walker

Karen Endres (alternate)

Karen Endres

(alternate)

Amy Lydan

Amy Lydan