

MINUTES OF THE COLERAIN TOWNSHIP SUPERVISORS – the Regular Monthly Meeting Monday December 5, 2022 of the Colerain Township Board of Supervisors was called to order by Chairman, Scott E. Shoemaker with a moment of silence followed by the Pledge to the Flag. Supervisors present were: Scott E. Shoemaker and Robin Church. Samuel Reinhart was absent. Carmen B. Wiker, Secretary and Eric Frey, Solicitor were also present. A listing of others in attendance will be kept on file.

As per the revision to the Sunshine Law dated 12/98, the audience was advised that the agenda was available to them. Each agenda item will be introduced, motioned and seconded by the Supervisor(s), item will be opened for discussion for the board, and then the audience, and then a vote called for by the Chairman. The Chairman will again ask for any comments the audience may have at the end of the meeting.

Scott Shoemaker announced that the meeting is being recorded and that all comments are limited to three minutes.

Minutes of the Regular monthly meeting for November 14, 2022 were approved as written.

A motion was made by Scott E. Shoemaker and seconded by Robin Church to approve the November 14, 2022 Regular Meeting Minutes. Scott called for the vote – All voted “Aye” – motion carried.

Treasurer’s Reports

- Carmen Wiker read the Treasurer’s Reports

Public Comment

- Scott Kulicke asked an accounting question

Unpaid Bills- General Fund the public were given a copy of the unpaid bills list.

A motion was made by Scott E. Shoemaker and seconded by Robin Church to approve paying bills totaling \$ 6,672.79. Scott called for the vote – All voted “Aye” – motion carried.

Tax Collector

- Judy Beiler reported a total of \$ 1,862.18

Zoning Officer

- Joe Chrisman reported a total of \$ 3,862.10

Sewage Enforcement

- Marv Stoner reported a total of \$ 175.00

Storm Water

- The Secretary reported a total of \$ 150.00

SALDO

- Nothing to Report

Road Master

- Trimming trees and servicing equipment in preparation for winter

Park

- Nothing to Report

Emergency Management

- Nothing to Report

Solanco Safety Committee

- Nothing to Report

Subdivision and Land Development and Storm Water

- Up for Action: Emanuel Esh for 11 Schoolhouse Road- Storm Water Plan, Storm Water Agreement, Cost Opinion, and Design Escrow Release.

A motion was made by Robin Church and seconded by Scott E. Shoemaker to approve the Emanuel Esh Storm Water Plan conditioned on satisfying the Township Engineer letter. Scott called for the vote – All voted “Aye” – motion carried.

A motion was made by Robin Church and seconded by Scott E. Shoemaker to approve the Storm Water Agreement, Cost Opinion and Design Escrow release for Emanuel Esh. Scott called for the vote – All voted “Aye” – motion carried.

- Up for Action: Extension for Abraham Stoltzfus for 79 Ridge Road. If approved his new deadline will be 3-31-23.

A motion was made by Robin Church and seconded by Scott E. Shoemaker to approve the 90-day extension for Abraham Stoltzfus. Scott called for the vote – All voted “Aye” – motion carried.

Public Comment

- Abraham was present to discuss a waiver that will be needed for his plan. Also, he was given clarification by Eric Frey concerning the timeline for his approval.

Zoning

- Upcoming Zoning Hearings-Wednesday December 7, 2022 at 7:00 P.M.

CASE NO. 2022-11 Application of Paul and Twila Ranck concerning property located at 365 Sproul Road, Kirkwood, within the Residential District. Applicants request a special exception pursuant to Sections 5.03.03.E and 6.04 for a home occupation (counseling services).

Eric let the audience know that the Ranck's have asked for a continuance; he let the Board know they could open discussion or postpone discussion. The Board decided to postpone.

CASE NO. 2022-12 Application of E. Kenneth and Judy L. Beiler concerning property located at 65 Lakeview Road, Kirkwood, within the Agricultural District. Applicants request a variance or a special exception to enable the conversion of a dwelling unit located on the second story of attached garage into a second principal use under Sections 4.05.02 and 6.17 of the Zoning Ordinance. The second dwelling unit was originally authorized as an elder cottage.

Public Comment

- Jim Murtha of 73 Lakeview Road expressed his opposition with the Beiler case as he is a neighbor. Mr. Murtha agreed to allow the existing granny flat building to be closer to his property line as long as the use would not change.
- Eric gave a brief summary of the definition of a Granny Flat and answered some questions regarding the building.

Eric gave the Supervisors their options regarding responding to the Beiler Case. The Board could support, oppose or stay neutral.

At 7:26 the Board went into Executive Session; they returned at 7:30 and Eric gave the consensus of the Board concerning the Kenneth and Judy Beiler. The Board's desire is to stay neutral and allow the Zoning Hearing Board to do their job.

Public Comment

- Scott Kulicke disagreed with the Supervisors decision to remain neutral.

Next Meeting for the Supervisors is Wednesday December 14, 2022 at 7:00 P.M. This meeting is to adopt the budget.

Old Business

- Proposed Adoption Timeline for Regional Plan. Eric explained the procedure for adopting this new plan.
- Collecting Fines- Scott Kulicke reminded the Board he has been asking for input on the suggestions he typed up relating to zoning ordinance violation fines. There was a discussion between Scott, Eric and the Board concerning past violation

cases, the current practice the Supervisors have, and the fine process in general. It was decided to keep the practice the same which is case by case.

- Scott Kulicke also expressed his concern that allowing these cases go years does not protect the other residents and that the Township's current solution does not work.
- Danielle Kulicke commented that a lot of other folks share Scott Kulicke's opinion and as many raised their hands in agreement.
- Peggy Borelli commented on the legal duties of the Supervisors in regards to enforcing Zoning Ordinance Violations and would like to see action regarding same.

New Business

- Approve purchasing laptop Bookkeeper.

A motion was made by Robin Church and seconded by Scott E. Shoemaker to approve purchasing a new laptop not to exceed \$ 1,000.00. Scott called for the vote – All voted “Aye” – motion carried.

Eric suggested getting on a three-year replacement cycle with computers.

Correspondence

- The notice from the regarding discarded Christmas Tree pickup was read. The Secretary will put this on the website.

Any Other Business

- Axel Linde for 2194 Kirkwood Pike- design escrow release. This item was not on the agenda; therefore, it will need a motion to be added. The reason for this addition is because the Secretary forgot to add it in the first place.

A motion was made by Scott E. Shoemaker and seconded by Robin Church to approve amending the December 5, 2022 Agenda by adding Axel Linde's design escrow release. Scott called for the vote – All voted “Aye” – motion carried.

A motion was made by Scott E. Shoemaker and seconded by Robin Church to approve releasing the design escrow release for Axel Linde. Scott called for the vote – All voted “Aye” – motion carried.

Public Comment

- Lynn Swisher encouraged the Supervisors to be more attentive to the enforcement issues of the Zoning Ordinance so as to avoid setting precedence.
- Steven Berkowitz asked about the Frontier Build; the Secretary told him the maps are available on the website.

Adjournment

- *There being no further business to be brought before the board, the board, on motion by Scott Shoemaker and seconded by Robin Church agreed to adjourn at 8:00 P.M. Scott called for a vote – all voted ‘aye’ – motion carried.*

Respectfully Submitted,

Carmen B. Wiker, Secretary