

Held _____ 20 _____

The Danbury Township Zoning Commission was called to order at 6:31 p.m. at the Danbury Township Meeting Room by Chair, Susan Dress. The pledge of allegiance was recited. The roll call showed the following present: Ms. Susan Dress, Ms. Jodi Kopanski, Mr. Vito Kaminskas, Ms. Barbara Singer, and Mr. William Tuttamore. Alternates, Doug Huber, and Cynthia Mahl. Ms. Kathryn Dale, Zoning and Planning Administrator, and Dawn Connor, Zoning Assistant, were also present. Visitor present was Margaret Lenthe.

Approval of the March 5, 2025, Minutes

The Chair asked if all the Commission Members had had an opportunity to review the minutes from the last meeting. All indicated they had. Ms. Dress asked if there were any corrections or modifications. Ms. Kopanski made a motion to approve the minutes of the March 5, 2025, meeting. Mr. Kaminskas seconded the motion. All Ayes. The motion carried.

Public Hearing

There was none.

Unfinished Business

There was none.

New Business

There was none.

Other Business

Work Session on Storage Regulations:

Ms. Dale began by reviewing the setbacks that had been talked about during the last storage work session in March. She read back the previously agreed upon language which would outline the new specific regulations that would be implemented if approved by the Zoning Commission and Trustees. Ms. Dale then showed an example of how the setbacks would work on an existing storage property in the Township. Ms. Dale clarified with the Commission that they did not wish to include the driveways, parking areas and other hardscapes in the lot coverage restriction. The Commission Members agreed that they only wanted the buildings included in that restriction percentage.

Mr. Tuttamore asked if they would still be able to do outside storage in the parking areas and roads since that was not included in the 60% lot coverage restriction. Ms. Dale answered that they would, but with the new regulations, all the fencing, driveways, parking areas, etc. would be subject to the setbacks from the property lines.

Ms. Dale stated that she felt the new regulations needed to define what would be considered a major thoroughfare and a minor thoroughfare. She listed the streets within the Township that she felt would be considered major thoroughfares. She asked the Commission Members their input on if any additional roads needed to be added to that list. The Commission Members agreed to add several more streets.

Ms. Dale then went over the general standards for storage facilities. She explained to the Commission that she may change some of the language relating to major and minor thoroughfares and the driveway regulations.

Ms. Dale said that in this work session, the Commission needed to focus on the buffering and landscaping regulations in section 5.8. Ms. Dale had the Commission Members review research that was presented by Mr. Huber regarding the zoning codes of other municipalities. Mr. Huber stated that he used open AI to pull information on how other areas use landscape buffering. He reviewed some specific language other municipalities use to provide screening and landscaping requirements in commercial areas, especially alongside major thoroughfares. Ms. Singer agreed to the importance of having specific regulations for the visual appeal of commercial properties, especially along major thoroughfares. Ms. Dale read over the language that was currently in this section and cautioned the use of some new terminology, specifically aesthetics, that could not legally be regulated. Ms. Dale stated she could transfer some new language into the existing buffering/landscaping regulations if the Commission desired her to do so.

Ms. Dale asked the Commission Members to turn their focus to the General section of the landscaping regulations. She read over the purpose statement of the general requirements and explained that these regulations apply to all commercial type properties, not just storage. She then read the types of hardscapes and vegetation that could be used in the landscaping areas along with fencing regulations that applied to the same areas. Ms. Dress asked about regulating earth mounds. Ms. Dale confirmed that Zoning could not regulate earth mounding but could regulate any fencing they tried to put on top of that and could require additional landscaping in addition to the earth mounds. Ms. Dale continued by reading over some prohibited landscaping items and some landscaping ideas that are to be encouraged due to their impact on the environment and drainage. Mr. Tuttamore asked for further information on bioswales, and Ms. Dale explained that they are an area of landscaping that provides a natural drainage area but can also function as a form of retention. Ms. Dress asked how much of a

April 2, 2025

Held _____ 20 _____

screen these bioswale areas would provide. Ms. Kopanski stated it may not be a lot of screening, but it is often prettier and more natural than other types of landscaping. Ms. Dress stated if it did not provide sufficient screening, perhaps the Commission would want to encourage them to use this as long as sufficient screen height is addressed elsewhere. Ms. Kopanski said it should be encouraged because the Commission had talked about endorsing more natural planting in the Township. Ms. Dress questioned if it met the goal of screening storage areas away from sight, which she stated was one of the goals of stricter regulations. Ms. Dale stated this section was just covering the generalities of the landscaping requirements and more specifics could be addressed in other areas of the landscaping section.

Ms. Dale then talked about the Streetscape portion of the landscaping requirements. She explained that when the Zoning Commission agreed to the current language, they were setting a guideline of what they wanted to see, without dictating tree types, caliper size and species, because once you put those specifics into the zoning code, you have to enforce it. Ms. Dale then explained the difficulty it would put upon her office in trying to stay on top of inspecting and enforcing those specificities. She agreed with requiring a tree for every set amount of space, because counting to make sure that the required number of trees was planted was a lot easier than measuring the caliper and verifying the type of trees that had been planted. A requirement to have trees planted at a certain interval would be the basis to have an owner and landscape architect determine what was going to look nice for their property. Ms. Singer stated the one caveat should be an encouragement to use native species of trees.

Ms. Dale then read over the current language regarding the size of the streetscape buffering and how the Commission could expand that language to make those buffering areas bigger. She emphasized to the Commission that the regulations contained in this area apply to any type of development, not just storage units. Ms. Dale pointed out that there may need to be a caveat to the regulations when the storage buildings are set far back from the roadways. One idea would be that you do not have to provide the streetscape buffering up near the road when your storage buildings are set a certain distance back or there is another commercial development in the frontage of the property. The streetscape requirement at the roadway itself would then be put on the other commercial development in the front. Ms. Kopanski stated another commercial development in front of the property may not want to be screened, especially if it was a retail business.

There was discussion amongst the Commission Members regarding the placement of streetscaping, acceptable widths and how they would impact a property owner's ability to build on their land. Mr. Tuttamore expressed concern about not screening the storage buildings from sight. Ms. Kopanski stated there is a difference between perimeter buffering and the streetscaping by the road. Ms. Dale read the current language in the Perimeter Buffering regulations and how it would conform with the new setback requirements to allow landscaping in the setbacks. Ms. Dale said streetscaping seems to be the area that needs to be defined to accomplish both the screening of the storage and the beautification of the area nearest the roadway.

Ms. Singer stated her desire to see more visually appealing landscaping/streetscaping in front of commercial properties in the Township, but also stronger and more consistent requirements to hide storage units from the view of the roadway. Ms. Kopanski pointed out that the streetscape language is fairly new and most of the storage facilities had been constructed before more stringent language was introduced or the facilities are so new that the streetscaping has not had time to grow yet. Mr. Tuttamore stated he thinks screening would be better placed by the buildings themselves, as opposed to by the roadway, especially if there is open land in front of the storage areas or if another commercial enterprise may be constructed in the front area of the property, but has not been yet. Ms. Dale stated that some scenario exceptions may need to be created for this section based on individual properties. Streetscape minimums need to be set to give guidance to property owners. This would apply to storage or any other commercial entity that wants to build in the Township. Ms. Dale asked the Commission Members if they wanted to add anything further to the streetscape requirements. Ms. Singer wants to encourage growing native species. Mr. Huber wanted to make sure that the streetscaping area was set at a ten-foot depth. Ms. Dale said she will look at the exception for a property that has some type of agriculture at the front and the language to cover streetscaping in that scenario. She asked the Commission Members to consider a particular storage property in the Township and the need to have them put up landscaping when they are so far off the roadway with their buildings. Mr. Tuttamore stated he is concerned that without some type of specific language covering comparable properties, that it could get out of hand with a high density of buildings. Ms. Kopanski stated it would be no more than 60% with the new regulations. Ms. Dale asked for clarification that the Commission and her were on the same page regarding the 60% building area. There was discussion amongst the Commission Members on the exact wording required to convey the buildable area desired in the new regulations.

Ms. Singer proposed possible language regarding landscaping near a public right of way. Ms. Dale stated that increasing the landscaping requirement would impact the parking set back from a front property line to ten feet also. Ms. Dale said she would work on language to encourage native species to be grown by property owners and asked the Commission Members if they wanted to be specific as to zoning a certain number of trees per distance in the requirements. Ms. Singer said it would visually

RECORD OF PROCEEDINGS
Danbury Township Zoning Commission

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

April 2, 2025

Held _____ 20 _____

improve the major thoroughfares to require a minimum amount of trees per a set amount of linear feet abutting a roadway. Ms. Kopanski expressed concern that there were other issues that the Commission may need to decide prior to making a determination regarding trees. Ms. Dale stated that no matter what, someone on the property was going to be required to put in streetscaping and the tree minimum would apply to whomever was doing it.

Ms. Mahl asked about the types of trees that would need to be planted. Ms. Singer stated that one zoning code example showed a mixture of native species of evergreens and other kinds of trees. The evergreens would provide screening for longer periods of time. Ms. Dale said the recommendation to use evergreen and deciduous mixture would provide for seasonal coverage and would be generic enough to enforce without getting into specific tree species. Ms. Mahl stated it would seem to accomplish two goals. One goal being to make pleasant streetscapes in the city, but also to provide screening for storage buildings. Mr. Tuttamore asked about properties where they may be utilities running through the area that would require streetscaping. Ms. Dale said there are properties where there are utility easements that would affect the streetscaping, but that is something that would need to be included in their site design. Mr. Tuttamore and Mr. Huber discussed adding an exception to properties that have sewer or utility easements running through the area required to be streetscaped to make the new regulations compatible with that. Ms. Dress stated that provision "B" under "general" in Section 5.8 should cover any exceptions needed due to utilities. Ms. Dale said she would update that area to include underground utilities, as well as overhead.

Ms. Dale stated that some of the language that Ms. Singer found related to landscaping requirements could be integrated into the existing purpose statement, especially the language talking about minimizing visual and noise impacts, enhancing privacy, security, and environmental quality. Some of the same language was also found in the research that had been provided by Mr. Huber.

Ms. Dale said the encouragement of native species would be worked into the existing language under "C" in the "general" guidelines of Section 5.8.

Ms. Dale asked the Commission if they wanted to set the linear feet regarding the planting of trees. Ms. Kopanski stated that she would like more time to think about that section. She would like to consider shrubbery as part of the streetscaping requirements, as well as trees. Ms. Dress expressed her concern about dictating the distance between planted trees. She stated a property owner may want to put in a nice planting of native shrubs, instead of all trees. Dictating the distance between trees may also limit a property owner to a certain type of tree to prevent trees from crashing into each other with future growth. Ms. Singer suggested language that outlined having the requirements include planting trees and shrubs at random or in groupings, depending on the landscape designer's desired visual effect, which fulfils the Township's intent to create compatible landscape appearances on adjoining properties. Trees can be encouraged but not required to be at a certain interval per footage.

Ms. Dale moved onto the Perimeter Buffering between Uses area of Section 5.8. After Ms. Dale read the current language, Mr. Huber stated that he believes this is the area that needs to address screening and at what percentage or height needs to be required.

Ms. Mahl asked for clarification regarding the language used in "A" of the Perimeter Buffering requirements. Ms. Dale made notes to rework the language to make that section clearer based on suggestions from the Commission Members.

Ms. Dale asked if an opacity requirement in this section was what the Commission Members wanted. She expressed her concerns about how enforcing that opacity was going to be accomplished. Ms. Dale recommended making the screening requirement not as restrictive as setting an opacity percentage that the property owner's growth must accomplish within a set time. She said a recommendation that opacity is the goal of the landscaping design may be a better way to word these regulations without worrying about creating an enforcement problem. Mr. Huber stated that it may be too broad to not have any specifics regarding how the landscaping should be done, because a property owner may just plant the very minimum of vegetation in that buffering area. He continued that having a certain amount of specificity regarding the intervals in which trees need to be planted would help if there is a complaint from a residential neighbor about how a storage facility looks. If the storage facility followed the tree requirements, no further enforcement would need to be done, because they are in compliance with zoning restrictions. But if there is no type of specific requirement, there is no recourse if a property owner does not follow any of the landscaping recommendations, examples being the use of native plants or planting trees to achieve a certain opacity. Mr. Tuttamore asked at what point a property owner would be required to have their streetscape and perimeter buffering completed. Ms. Singer found language that gave guidelines for having landscaping completed within nine months of their initial certificate of occupancy being issued and the maintenance of that landscaping. The Commission Members agreed that a nine-month time limit would be acceptable to them. Ms. Dress stated the maintenance and replacement of landscape materials is already covered in the Maintenance portion of Section 5.8.

Ms. Dale stated she would work on a rough draft of the new language for the May Zoning Commission meeting.

April 2, 2025

Held _____ 20 _____

Ms. Dale discussed with the Commission the potential timeframe in which these new regulations could be implemented, based on Trustee approval.

Reports and Communications from Members and Staff

There was none.

Public Comments Regarding Zoning Items Not on the Agenda.

There was none.

Adjournment

The Chair asked for a motion to adjourn. Mr. Tuttamore moved to adjourn the meeting and Ms. Singer seconded the motion. All Ayes. The motion carried.

The meeting was adjourned at 8:25 p.m.

Kathryn A Dale
RECORDING SECRETARY

Susan Dress
Susan Dress

Jodi Kopanski
Vito A. Kaminskas
Vito Kaminskas

William Tuttamore
William Tuttamore

Barbara Singer
Barbara Singer
ZONING COMMISSION