

## RECORD OF PROCEEDINGS

*Minutes of*

**Greenfield Township Trustees**

*Meeting*

October 18, 2017

*Held 1:00 p.m.*

The Greenfield Township Trustees met in special session at the firehouse to discuss zoning issue. Dave Cotner called the meeting to order. Dave Cotner, Lonnie Kosch, and John Reef were present. The following were also present: Fiscal Officer Wyne, Zoning Inspector Kevin Yeamans, and Joshua Horacek and Amy Brown-Thompson from the Fairfield County Prosecutor's Office.

Kevin explained about a property on Havensport Road owned by Joe Schmitz but under the name JJSJ. There is a barn that supposedly has apartments in it, but the township has no record. The Township has sent letters To Joe Schmitz, in which he has received. It is zoned rural residential which is single family. Trustee Cotner said that Betty Bower (former zoning inspector) told him that since it was zoned agriculture nothing could be done. Assistant Prosecutor Joshua Horacek stated that if he was using it to house seasonal workers or farm hands it might qualify but if he was just renting it out to make money that doesn't qualify as the agriculture exemption. Assistant Prosecutor Joshua Horacek, advised if you are wanting to go to court the township will need proof that it is being rented, the advertisement will help but still need more proof. Kevin said, his avenue was that the owner submits for a conditional use which would go before the BZA. Trustee Cotner stated this would set precedence to what happens down the road. Trustee Reef said he had the addresses of 5 properties including the Schmitz property where he has been told that the property is being rented out. Mr. Horacek said there is a difference between renting rooms in your home and renting apartments. Assistant Prosecutor Joshua Horacek stated the township needs to make a decision if it wants to enforce it or not to enforce. If you are not going to enforce, then you should probably amend the zoning resolution by taking that out of it. Mr. Horacek stated that if we want to enforce this, we need to be doing it for good reason, we have the proof or it is most egregious. Trustee Reef stated that the Health Department had been there and knew of the apartments and the house rental all in one unit, Kevin stated the Health Department went back to make sure the sewage system wasn't overwhelmed and all is good. Assistant Prosecutor Amy Brown-Thompson asked Kevin how did this come to his attention? Kevin told her there was a complaint. Kevin also stated, that he had been advised that a complaint had been email to Fairfield County Auditor John Slater last Thursday and each of the BZA and zoning commission members were copied. Mr. Horacek suggested going into executive session.

Trustee Kosch moved to go into executive session to discuss legation at 1:08 p.m.; Trustee Reef seconded. All voted yes. Trustee Reef moved to come out of executive session at 1:43 p.m.; Trustee Cotner seconded the motion. All voted yes.

It was decided a letter would be sent to Joe Schmitz on this matter.

Trustee Cotner asked what was going on with the 158 property. Ms. Brown-Thompson stated that the health department is involved and where this stands.

Trustee Reef asked what could be done about a zoning commission member, who repeatedly sends texts to the BZA, goes to the Auditor on the Joe Schmitz issue and also Dumontville. Mr. Horacek stated to remind the member politely to stop, other than taking steps to remove the member that is about all that can be done.

Trustee Cotner moved to adjourn the meeting at 1:48 p.m.; Trustee Reef seconded. All voted yes.