

NEWBURY TOWNSHIP ZONING

14899 AUBURN ROAD, NEWBURY, OH 44065

OFFICE - (440) 564-5997

Zoning Commission Meeting Minutes

Date July 22, 2026

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

Members present

Jim Lang

Dan Walker

Dan Simon

Chris Yaecker

Karen Endres

Dave Somrack

Carly Sayre – trustee liaison

Amy Lydan- secretary

members absent.

n/a

Dan walker made a motion to Motion to approve meeting minutes from 6/24/2026

second by Chris Yaecker

approved unanimously.

Landscaping Definition

Discussion about the definition for landscaping from previous meeting that Carly Sayre was taking to the trustees for feedback.

Carly Sayre suggested that it may be better for the Commission members to prepare a short presentation with various options to share with the Trustees at a future Trustees meeting. There was discussion about the pros and cons of leaving landscaping in M1 only or adding it in the B1 district as a conditional use. Discussion followed regarding how landscapers had been handled in the past and what the commission or trustees would potentially like to see happen in the future.

It was decided that Karen Endres and Jim Lang will go and speak with Linda Crombie to discuss and hear her input regarding the placement of landscaping in different districts and articles within the resolution and to invite her to attend a future zoning commission meeting.

Karen Endres will also call and invite Linda Applebaum to attend a future zoning commission meeting so the Commission can also have her input.

The zoning commission will then prepare a presentation on the options to present at a future trustees meeting and request feedback on what direction the trustees would like to go with any changes.

Substitute of non-conforming use

Karen Endres provided proposed updates to the current section 14.06 in the resolution. The draft with changes is listed below. The proposed changes make it more clear that the use or issuance of a substitution of a non- conforming use is to be a function of the Board of Zoning Appeals and requires a hearing to issue. Discussion followed regarding how this substitution was used in the past by zoning inspectors and the reasons it would be better to have the board of zoning appeals making these decisions. It was then discussed decided that it would be best to have input from the planning commission before proceeding with this change.

Dan Walker made a motion to accept the changes to the substitution of a non-conforming use and to send the draft to Linda Crombie for feedback

Dave Somrack seconded the motion

All were in favor and the motion passed

Karen Endres will send the document to Secretary Amy Lydan who will send the draft to Linda Crombie for feedback before the official process is started.

Section 14.06 Substitution of Lawful Nonconforming Uses

If no structural alterations are made, any lawful nonconforming use of a structure, or structure and land, may, upon appeal to the Board of Zoning Appeals, may be changed to another nonconforming use provided that the Board of Zoning Appeals shall find that the proposed use is equally appropriate or more appropriate to the zoning district than the existing lawful nonconforming use. The appeal procedure requires that the request for substitution be made first to the Zoning Inspector, who must deny the Application for Zoning Certificate. The appeal is then taken to the Board of Zoning Appeals for the final determination. In permitting such a substitution, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution.

A. In all Newbury Township Zoning Districts, no substitution shall be authorized by the Board of Zoning Appeals to any use which is not a permitted or conditional use in this Zoning Resolution or is a Prohibited Use pursuant to Article IV Section 4.01.

B. The proposed substitution shall not result in an increase in factors including but not limited to vehicular traffic, noise, sign area, pollution, number of people using the property and number of dwelling units.

C. The proposed substitution shall not adversely affect neighboring properties.

Definitions

Board members brought in multiple proposed definitions to be added to the resolution. After some discussion and changes the six definitions listed below will be sent by Secretary Amy Lydan to Linda Crombie for feedback before the official process is started.

Landscaping

Landscaping means the exterior installation of any combination of living plant material such as trees, shrubs, grass, flowers and other natural vegetative cover: and may include structural or decorative features such as walkways, retaining walls, fences, benches, lighting, works of art, or sculptures, reflective pools and foundations.

Excavating Services Business

Excavating Services Business means a business engaged in site preparation, grading, trenching, or bulk earth movement.

Landscaping Services Business

Landscaping Services Business means a business that designs, installs and maintains outdoor spaces such as lawns, gardens, and patios. Services include but are not limited to, mowing, planting, hardscaping, irrigation, snow removal, outdoor lighting, and water features.

Tree Services Business

Tree Services Business means a business that includes, but is not limited to, activities such as tree planting, pruning, disease management, tree removal, or stump grinding.

Compost

Compost means a humus like organic material resulting from the biological decomposition of solid waste.

Composting

Composting means the process of biological decomposition of solid waste under controlled conditions resulting in compost. Controlled conditions include, but are not limited to, grinding, shredding, chipping, mixing feedstocks, bulking agents and additives, piling, physical turning, aerating, adding moisture, performing procedures to achieve human pathogen reduction, or other processing of solid wastes.

Property maintenance code

The board looked over and discussed information provided by Nick Bellas about possibly adding a property maintenance code in the future. There was discussion regarding what role the building department has in this and what the zoning inspector could enforce if changes are made. The board will discuss this further at the next meeting when Nick Bellas is present.

Action Items

Karen Endres and Jim Lang will go and speak to Linda Crombie about possible locations for adding landscaping to the resolution and will invite her to attend a zoning commission meeting

Karen Endres will also call and invite Linda Applebaum to a future meeting

Amy Lydan will send the proposed definitions and changes for substitution of non- conforming use to Linda Crombie for feedback

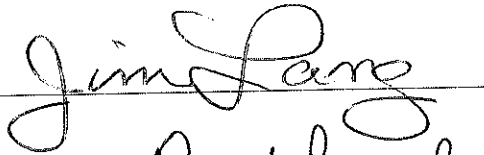
Dan Walker made a motion to adjourn

Chris Yaecker seconded the motion

All were in favor and the motion passed

Jim Land adjourned the meeting at 9:00 pm

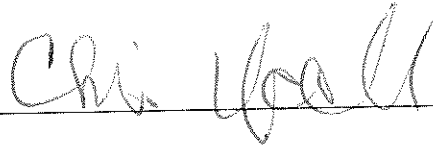
Jim Lang



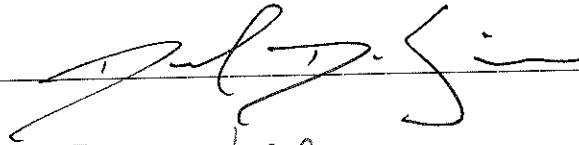
Dave Somrack



Chris Yaecker



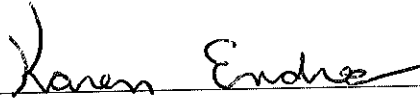
Dan Simon



Dan Walker



Karen Endres (alternate)



(alternate)

Amy Lydan

