

MEETING MINUTES
PERKINS TOWNSHIP ZONING COMMISSION
MONDAY, May 5th, 2025 @ 4:00 PM
PERKINS TOWNSHIP SERVICES FACILITY – BIG MEETING ROOM
2610 COLUMBUS AVENUE, SANDUSKY, OH 44870

Board Members Present:

Mr. Billy Criscione
Mrs. Hoty-Lynch
Mr. Les Wilson, Alternate
Mr. John Lippus

Board Members Absent & Excused: Mrs. Best-Wilke
& Mr. Greg Schmid

Staff in Attendance:

Mrs. Arielle Blanca, Community Development Director
Mrs. Casey Sparks, Planner/Zoning Inspector
Mrs. Jessica Gladwell, Administrative Assistant

I. Call to Order.

At 4:00 p.m., Mr. Billy Criscione called the meeting to order.

II. Pledge of Allegiance.

Mr. Billy Criscione led everyone in the Pledge of Allegiance.

III. Roll Call.

Mr. Billy Criscione asked Mrs. Jessica Gladwell for a call of the roll.

Roll Call: Mr. Criscione; here, Mrs. Hoty-Lynch; here; Mr. John Lippus, here, Mr. Wilson, here;

Mr. Billy Criscione advised members of the audience that they must first sign in if they plan on speaking tonight. Then, they will be asked to state their name and address prior to speaking.

IV. Approval of Meeting Minutes from Monday April 14th, 2025.

Mr. Criscione said he would entertain a motion to approve the minutes from Monday, April 14th, 2025.

Mr. Wilson made the Motion, Mr. Lippus seconded.

Roll Call – All ayes, motion carried.

V. Chair’s Welcome and Explanation of Public Hearing & Meeting.

Mr. Billy Criscione welcomed everyone to the meeting. He stated that the purpose of these meetings is for the Perkins Township Zoning Commission to consider and make a recommendation of approval, denial, or modification of a resolution to amend the text or the Zoning Map of the Perkins Township Zoning Resolution. Mr. Billy Criscione stated that the Zoning Commission’s authority to do so comes directly from the Zoning Resolution, as it is its responsibility to conduct this public hearing. She stated that the request for amendment will first be read into the record. Then, he stated that the Zoning Commission will open a public hearing during which it will hear comments, questions, and any concerns from members of the audience. Then, he stated that the public hearing will be closed, and the public meeting will open. During the public meeting, Commission members will discuss the proposed resolution for amendment and vote to recommend approval, denial, modification, or tabling. Then, this recommendation will be forwarded to the Board of Trustees who will consider the request at a future meeting, subject to legal review.

VI. Secretary - Request for Proposed Amendment.

Mr. Billy Criscione requested that Mrs. Gladwell read the proposed Zoning Map amendments into the record.

Mrs. Gladwell read the Topics to be Discussed during the Public Working Session.

Case ZC#2025-02 – The Perkins Township Zoning Commission will consider text amendments to “Article 21- Heavy Industrial District”, regarding “Firework Sales”.

VII. Staff Report - Planning & Zoning Department.

Mrs. Blanca summarized information provided within the staff report, which was provided to Zoning Commission members ahead of the meeting.

Mrs. Blanca stated that The Zoning Commission and Board of Trustees approved text amendments to “Article 3 – Construction of Language and Definitions” and “Article 17 – General Commercial District” in March of 2025.

At the previous Zoning Commission meeting, held on April 14th commission members discussed additional text amendments to the fireworks regulations listed in “Article 21 – Heavy Industrial District”.

- 1) **AMEND ARTICLE 3 – “CONSTRUCTION OF LANGUAGE & DEFINITIONS”**
- a) **Text Amendments**

ARTICLE 3 – CONSTRUCTION OF LANGUAGE & DEFINITIONS

3.71 Fireworks

As defined in the Ohio Administrative Code Section 1301:7-7-02.

~~Fireworks shall mean and include any combustible or explosive composition, or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, the type of balloon which requires fire underneath to propel the 34 Perkins Township Zoning Resolution same, firecrackers, torpedoes, skyrockets, roman candles, dago bombs, sparklers, or other devices of like construction and any devices containing any explosive or flammable compound, or any tablet or other device containing any explosive substance, except that the term “fireworks” shall not include auto flares, paper caps containing not in excess of an average of twenty five hundredths (.25) of a grain of explosive content per cap, and toy pistols, toy canes, toy guns, or other devices for the use of such caps.~~

- 1) **AMEND ARTICLE 17 – “GENERAL COMMERCIAL DISTRICT (C-2),” SECTION 17.1 – “PRINCIPAL PERMITTED USES”**
- a) **Text Amendments**

ARTICLE 17 – GENERAL COMMERCIAL DISTRICT (C-2)

17.1 Principal Permitted Uses

3) All retail business establishments conducted within a completely enclosed building except those listed separately as conditional uses in this District. The Perkins Township Board of Appeals must approve all outside displays of goods and merchandise.

a) Licensed Fountain Device Retailer permitted as an accessory use.

Fireworks Sales

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Any business handling fireworks must meet the following provisions:

- a) Any use permitted herein shall be developed only on sites of at least forty (40) acres in area.
- b) No building or other use of land, except landscaped passive areas shall be situated within one hundred (100) feet of any private residence not included as part of this site.
- c) A permit has been obtained from the appropriate Perkins Township Fire Department official as described in P2800.2 of the Perkins Township Fire Code.

1. AMEND ARTICLE 21 – “HEAVY INDUSTRIAL DISTRICT (I-2),” SECTION 21.2 – “CONDITIONALLY PERMITTED USES”

a) Text Amendments

**ARTICLE 21 – HEAVY INDUSTRIAL DISTRICT (I-2)
21.2 Conditionally Permitted Uses**

1) **Licensed Fireworks Wholesaler Sales**

Any business handling fireworks must meet the following provisions:

- a) Any use permitted herein shall be developed only on sites of at least forty (40) acres in area.
- b) No building or other use of land, except landscaped passive areas shall be situated within one hundred (100) feet of any private residence not included as part of this site.
- e) A **permit license** has been obtained from the **appropriate Perkins Township Fire-Ohio Department of Commerce, Division of State Fire Marshal Department official as described in P2800.2 of the Perkins Township Fire Code.**

The purpose of this amendment is to bring the conditions of the conditional use permit up to date with current fire code regulations and require that a license has been obtained by the Ohio Department of Commerce, Division of State Fire Marshal.

The Zoning Commission may now vote for Approval, Disapproval, Modification, or Tabling of the Zoning Commission Case provided to you today.

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Mr. Criscione asked if there was any discussion from the commission.

Mrs. Hoty-Lynch stated that she missed the meeting last month and had some questions. She asked if everyone decided to stay with the 40- acres.

Mr. Criscione stated that the commission didn't feel the need to change it to allow another fireworks store, I guess not to not allow, but to control.

Mr. Lippus stated that to control how many there are in the township, since they are already grandfathered in, we didn't feel the need to have the township full of fireworks.

Mrs. Hoty-Lynch stated that, so we can basically only have one.

Mr. Wilson stated that it was correct if it's kept at 40-acres; that is all it will ever be which he stated he wasn't comfortable with.

Mrs. Hoty-Lynch asked if anyone had talked to legal regarding that.

Mrs. Blanca stated that she sends the recommendations to our in-house legal, but she had not heard anything back.

Mr. Lippus asked Mrs. Hoty-Lynch if it fell under where we didn't change the voting, we left it alone, so we weren't doing anything to zone by.

Mrs. Hoty-Lynch stated that she would ask for Coppeler's recommendation. I understand but she thinks you'd need to ask for legal counsel because you're basically excluding any others to come in; so, if he hasn't responded yet, I'd wait for that.

Mr. Lippus stated that his thought was that if nothing was touched, it was left alone. He stated that he thinks that was his thought.

Mrs. Hoty-Lynch stated that since its being changed and we had the opportunity to change this, she thinks that that is the problem. Knowing that there is not a parcel in the township that fits this description, potentially.

Mrs. Blanca stated that it was potentially on route 4.

Mrs. Hoty-Lynch stated that there is industrial on route 4& Perkins Ave?

Mrs. Blanca stated that she thinks, but she hadn't looked into it.

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Mrs. Hoty-Lynch stated yeah, there isn't.

Mr. Wilson stated that the fact its limited to heavy industrial really limits where they could go anyways.

Mrs. Hoty-Lynch stated that she is just stating that she doesn't feel comfortable without our legal counsel's opinion.

Mrs. Blanca stated that she would get that opinion back from him before presenting it to the Board of Trustees for approval.

Mrs. Hoty-Lynch stated that because once again, she thinks if you look at the zoning map, she doesn't think that there is a 40-acre parcel in the entire Township that is zoned I-2, at all, so.

Mr. Criscione stated that you don't believe that there is a 40-acre parcel.

Mrs. Hoty-Lynch stated that is zoned Heavy Industrial, no.

Mrs. Blanca stated that it's a conditional use.

Mrs. Hoty-Lynch stated that if you look at old railroad, I don't know what all property that is on Perkins Ave, that's zoned Heavy Industrial. You have the sites on old railroad, Perkins Ave & a little bit on Columbus Ave.

Discussion conintued on where there were 40 acres sites zoned in the Township.

Mrs. Hoty-Lynch stated that but it's a conditional use for.

Mrs. Blanca stated that it is still a conditional permitted use, and meet these conditional to get approval from the final approval, even if all conditions were met. This is what the board discussed at the last meeting.

Mr. Wilson stated that they chose to leave ti alone instead of changing it, that was really the decision.

Mr. Criscione stated that the only other change was Brad's recommendation for part C there, there isn't any control that's the state.

Mrs. Hoty-Lynch stated that it kind of falls in line with what we did for the previous changes.

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Mr. Bronner stated that, that was correct, we don't issue permits, we don't have a Perkins Township Fire Code, we just adopt the most current State of Ohio one.

Mrs. Hoty-Lynch stated that that was her only other comment, that we need legal counsel advice before we go forward.

Mrs. Blanca stated that she did ask for it and has not received it. I plan on following up and getting that before final approval.

Mr. Criscione asked if they wanted that to be added to the final recommendation.

Mr. Wilson stated that it sounds good.

Mrs. Hoty-Lynch stated that we could make it a condition.

Mr. Wilson asked if it was ethical.

Mrs. Hoty-Lynch stated that she didn't think they could tell us, its not a matter of ethics, its spot zoning.

Mr. Lippus stated that the question becomes, we had an opportunity to change it, we changed some of it and not all of it. Does it constitute spot zoning?

VIII. Commission Motion & Second to Close the Public Hearing and Open the Public Meeting – Roll Call Vote:

Mr. Criscione said he'd entertain a motion and a second to close the public hearing and open the public meeting.

Mr. Criscione motioned. Mr. Wilson seconded the motion.

Roll Call – All ayes, motion carried.

IX. Discussion from Commission:

Mr. Criscione stated that the board has already been discussed, we just need a formal motion

Commission Motion & Second to Recommend Approval, Disapproval, Modification, or Tabling of Case #ZC2025-02 – Roll Call Vote

Mr. Criscione stated he'd entertain a motion for ZC2025-02

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Mr. Criscione motioned to recommend approval for the proposed amendments for case #ZC2025-02 contingent upon legal counsel clarifying the 40-acre requirement.

Mr. Wilson seconded.

Roll Call – All ayes, except Mrs. Hoty-Lynch was no. motion carried.

Mr. Criscione stated that it would go to the trustees, and they would provide the official vote.

Mr. Allison asked if it was past their time to speak.

Mr. Criscione stated technically, yes but go again.

Mr. Allison stated that fireworks stores aren't like check cashing places, gun shops, smoke shops, strip clubs, and there are limitations on all those businesses in this Township, I just assumed that there would be similar limitations on these as well.

Mr. Criscione stated that that is why last month we decided that we would leave that one as is, for reasons not specifically stated.

Mr. Allison stated that the only thing really at stake here is the character of the corridor.

Mr. Criscione stated that yeah, so when you go in front of the Trustees, when's that date?

Mrs. Blanca stated that she isn't sure, she wants to get legal counsel before she submits it.

Mr. Criscione stated that he encouraged them to attend.

X. Old Business:

Mr. Billy Criscione asked if there was any old business to be discussed.

Mrs. Blanca stated that she did have something she was hoping to get clarification on from the board regarding solar regulations. They were voted on in 2024 and passed by the board of trustees. Mrs. Blanca stated that she thinks Casey and herself might have found an error in what was approved of by the board of trustees, opposed to what was voted on. In terms of solar ground mounted height, we believe what was brought to you and what was brought to you and what was voted on and approved, we believe was the

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maximum height of an accessory structure. What went to the trustees was the maximum height of a fence, which is 6ft. Do you guys remember what was in the discussion.

Mrs. Hoty-Lynch stated that the only think she can remember for the accessory structure is that there was discussion about how they have carports that have solar panels. So, when Adam presented it, that was our concern that what we presented, wouldn't have allowed that kind of accessory structure with that use on it.

Mr. Lippus stated solar/dual purpose car ports.

Mrs. Hoty-Lynch stated they wanted to make sure a structure like that would be permitted, so that was anything on the roof and some fire code regulations/requirements.

Mrs. Blanca stated that the way he had it set up was there was the solar parking canopy, the ground mounted, and the roof mounted. What came to you guys that we found for voting on was to have the ground mounted the same height as an accessory structure. Then when ti went to the trustees, it changed and went to the height of fences.

Mrs. Sparks stated that how this came up was we had an applicant that has about 15 acres. She is looking at putting a ground mounted solar panel on her property. It is 11ft in height, she has a great vast amount of land and so we initially had her go through the board of zoning appeals process because what was presented to the trustees was this. When doing reports, there were two different options, what came to you and what came to the trustees was something different. We contacted Adam, and he didn't recall anything with the height of the fence, I assumed it was a typo.

Mrs. Hoty-Lynch stated that if it was on an accessory structure, it was permitted at the height of the accessory structure, she didn't think if it was a stand-alone solar panel, that it was supposed to be the height of the accessory structure. At one point, he had brought about the ground level ones, with the height restrictions and we were concerned about what other types of solar panels were out there, other than roof. So, we discussed the accessory structure with the solar panel on it, and have it not just be the main purpose of it.

Mr. Lippus stated that he didn't recall anything being discussed for fence height. Mrs. Sparks stated the way the code was written, and Adam was through about what he did. She went through the minutes and didn't see anything. She stated the minimum acreage was an acre, you're not going to get ground mounted in a regular ground

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mounted. It was regulated more to restrict our denser neighborhoods; she is meeting all the requirements we just wanted to clarify with the board.

Mrs. Blanca stated that they believed it was an error and wanted clarification and wanted to take it back to the Board of Trustees to approve what you guys had originally approved.

Mr. Lippus stated that is that something that you want to bring back to the next meeting or approve now.

Mrs. Blanca stated that this isn't something that you guys need to approve again, you guys are done, it's just the step after you guys to match what you guys originally approved.

XI. New / Other Business:

Nothing currently for next month.

Mrs. Sparks stated that Adam had worked on some things that he started. She stated that she is going to work on the ones that still need to be presented for changes.

XII. Commission Motion & Second to Adjourn the Public Meeting – Roll Call Vote.

With there being no further business to discuss, we entertained a motion to adjourn the meeting.

Mrs. Hoty-Lynch motioned to adjourn the meeting. Mr. Wilson seconded the motion.

Roll Call – All ayes, motion carried.

Respectfully Submitted,

X _____
Mrs. Arielle Blanca
Community Development Director

X _____
Mrs. Cheryl Best-Wilke, Chair
Zoning Commission

Date of Signature:

Date of Signature:
