

**WESTFIELD TOWNSHIP
BOARD OF ZONING APPEALS
ORGANIZATIONAL MEETING/PUBLIC HEARING
Northcoast Premier Soccer-8809 Lake Rd.
Renewal of conditional use
APRIL 14, 2008**

ORGANIZATIONAL MEETING

Acting Chair Schmidt called the organizational meeting of the Westfield Township Board of Zoning Appeals to order at 7:30 p.m. Permanent Board members Daugherty, Gecking, Oiler and Schmidt were present. Permanent Board member Poe was absent. Alternate member Tom Micklas sat in for a full Board.

Election of Officers

Secretary Ferencz called for nominations for Chairman.

Mr. Daugherty made a motion to nominate Mr. Schmidt as Chairman of the BZA for the calendar year 2008. It was second by Mr. Gecking. The nominations were closed.
ROLL CALL-Daugherty-yes, Gecking-yes, Oiler-yes, Micklas-yes, Schmidt.

Chairman Schmidt called for nominations for Vice Chairman.

Mr. Gecking made a motion to nominate Mr. Daugherty as Vice Chairman of the BZA for the calendar year 2008. It was second by Mr. Oiler. The nominations were closed.
ROLL CALL- Gecking-yes, Oiler-yes, Micklas-yes, Daugherty-yes, Schmidt-yes.

Mr. Daugherty made a motion to nominate Mr. Mikalis the Board of Zoning Appeals liaison to the Zoning Inspector. It was second by Mr. Oiler. The nominations were closed. There was brief discussion as to if an alternate Board member should be the liaison. The Board decided that was permissible.
ROLL CALL-Daugherty-yes, Oiler-yes, Gecking-yes, Micklas-yes, Schmidt-yes.

RULES & PROCEDURE

The Board then discussed the adoption of their Rules & Procedures as amended April 2000.

Mr. Gecking made a motion to adopt the Board of Zoning Appeals Rules & Procedure as written. It was second by Mr. Oiler.
ROLL CALL-Gecking-yes, Oiler-yes, Daugherty-yes, Micklas-yes, Schmidt-yes.

MINUTES

Mr. Oiler made a motion to approve the Board's December 19, 2007 minutes as corrected. It was second by Mr. Daugherty.
ROLL CALL-Oiler-yes, Daugherty-yes, Gecking-yes, Micklas-abstain, Schmidt-yes.

PUBLIC HEARING

RENEWAL OF CONDITIONAL USE PERMIT

Northcoast Premier Soccer-8809 Lake Rd.

A temporary conditional use permit was issued to Northcoast Premier Soccer on January 2005 which expired on October 31, 2007 at which time Northcoast Premier Soccer shall submit to a complete site plan review process for any future conditionals, either temporary or long-term, per the requirements of Section 807 of the Zoning Regulations.

Mr. Mike Sweeney representing Northcoast Premier Soccer was sworn in.

Mr. Schmidt: The impact from the Interstate has changed the site plan?

Mr. Sweeney: Yes. We lost the ability to place a couple of fields in that area and we did have an access drive along the southern edge. At the moment we are trying to decide how to put it in again once they finished up. They (the State) have had many difficulties, which in turn have affected our property. We are going to let them finish up their stuff and then finalize what we are going to do. What we need to do since we moved fields is to put in some kind of drive or access for individuals to get around that southern edge. We had a little more than 5 acres that the State needed for the highway interchange. Some of that effected areas where we had soccer fields. We had parking and a drive along that southern edge. As a result of the State's taking, we needed to get the most fields we could use in the land that was left. The area immediately north of the taking is grass; there is not any drive or access for cars or safety vehicles. We lost a field completely to flooding and there were some issues in the ditch. The State actually had an issue with one of their culverts so they had to come in and dig all that out and will start all over again. Therefore we are going to wait until the State is finished and then we will put in an access.

Mike Schmidt: I spoke with Lee Evans this morning and with the other access coming in you felt the emergency access going out to Buffham Rd. really would not be needed anymore.

Mike Sweeney: We never used that access. It was for fire and safety so I would leave that decision up to the Fire Dept.

Zoning Inspector Gary Harris: The culvert has been removed so you cannot get out to Buffham Rd. anymore as of today.

The applicant, Mr. Willie Carrasco was sworn in.

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Mr. Carrasco: At one time we had a pipe in there. A neighbor was flooded so we ended up taking the pipe out. Now there is something about the sewer pipe and we have to wait for the County...I don't know much about it.

Lee Evans: The pipe that was in there was inadequate in size. They had two different pipes. The biggest one was blocked with railroad ties so we opened that up and took that pipe out. I believe that was their emergency entrance. I talked with Jack and he said there is a new road back there so I am not worried about it. We did tell him we would put a 36' pipe back in but we have issues upstream at Lake Rd. and until that is all resolved it will have to wait. There is still the issue of a regular access, because of the curve in the bridge. As far as an emergency access, I talked to Jack this week and he did not have a problem with it because there is another road there. We did tell Willie we would take care of the pipe but right now I have other issues back further yet.

Mike Sweeney: I'm o.k. as long as the Fire guys are.

Mike Schmidt: Lee do you want to talk about the parking area that is going in back there?

Lee Evans: There is a bunch of added parking spaces. No permit right along the creek. It is very extensive. It is in the floodplain. We can't have things built up there as it is supposed to be a retention basin. The more things get built by that creek means all that water has got to set north. That is an issue. I took pictures. Chippewa Valley was down there and Dan Wilhout knows about it. Willie did go down to the County and picked up the paper work Friday, but nothing has been submitted. If you have a site plan, then the site plan should have dimensions. You can't allow someone to build parking in the floodplain. Willie built up more than what he had before and this just causes more water issues to the north. I have enough issues up north. I don't have a problem with Willie playing soccer there but he has to do the stuff the right way. You have to get the proper permits.

Willie Carrasco: I have been under a lot of pressure. People drive all the way back there and park. I was fixing the road and I get to this area and I think the area is already flat; people are already parking there so I rolled it and put grindings down...I wasn't thinking I was under a lot of pressure. The Zoning Inspector came down and told me I needed a permit so I went to the Engineer's Office and spoke with Tom Girard. He gave me the application and told me what to do. I got a surveyor who was out there today. I screwed up. I wasn't thinking and if I have to get it out of there then I will get it out of there. I apologize and I will solve the problem. What else can I say?

Mike Schmidt: Well there might be an issue that the parking is not on the site plan.

Mike Sweeney: The area in question really wasn't planned as a parking area, but people were parking there anyway so...This literally was done a week ago so that is why it was not on the site plan. Willie had the opportunity to accept the grindings and he made a

mistake but we are not looking to cheat. If there is a water problem I believe if that becomes a paved parking lot that water is going to come to our fields. Those fields on the far east side are wet. If the County tells us to get the parking out of there we will do so. All we did is put chips down where people were already parking. If we should not be using it we will put up a fence and or caution tape.

Mike Schmidt: Did you elevate the area?

Mike Sweeney: I honestly think that once you roll that muddy area anyway, it would go down a couple inches once you laid down the grindings, but that is the surveyor's decision. If it is up two inches and two inches has to come out then so be it. It literally is at the end of the drive. It is not a ton of parking spaces or an area that our patrons use all the time. If the County prefers then we will put up a fence so that patrons won't go into that open area.

Robert Gecking: Item #5 of the previous conditional use permit states that you are to have traffic control personnel to direct people where to go. If they are parking there and you don't want them to park there that is your problem.

Mike Sweeney: I agree but it isn't that we don't want them there; it was an area they were using that was not prepared for parking. When we got the grindings we said lets prepare that area properly so that no one gets stuck because that area was already used for parking. If the County decides this is an area they don't want people to park on then they would need to block it off or have personnel there to direct the traffic. We have added another Highway Patrol person because we now have an exit onto Lake Rd.

Mike Schmidt: What is the time frame to hear back from the County?

Willie Carrasco: In a couple of days or so.

Ron Oiler: What is the last time you trimmed the grass and the weeds down on the west side of the soccer fields?

Willie Carrasco: When those weeds grow in the bottom of the trees.... We have neglected them. Do we have to do that too?

Ron Oiler: It was recommended you do that 2-3 times a year. It would look a lot nicer and the trees would grow better. Trees and weeds do not get along.

Willie Carrasco-O.K.

Ron Oiler: You have 5 dead evergreen trees you need to replace.

Mike Schmidt: Yes I saw them too.

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Willie Carrasco-Those were the trees Ryan put in and I don't know why they died.

Mike Schmidt: There were a lot of trees put in and some of them have died. The bigger the tree put in the more stressful of a time it has.

Mike Sweeney: The five evergreen trees... You are talking about the second planting put in?

The Board: Yes.

Willie Carrasco: We have been looking into that too and we don't know why they died.

Mike Schmidt: It happens. It just happens.

Kevin Daugherty: I would like to hear from Mr. Hanna and what has happened the last two years.

Mr. Joe Hanna was sworn in.

Joe Hanna: I think this whole thing is going backwards instead of forwards. A third of the trees on that mound are dead or dying. The Board has pictures... If that was your house on the other side would you say that is an adequate barrier or blockage? No. The taccus they took those out of the woods and they are never going to grow anymore. This mound looked the best when it first was put in. There are many dead trees. This is a joke. Who planted them or told them what to plant... There are 4 portable johns on the side of my house. There is no barrier, the noise is an issue. It is a joke.

Mike Schmidt: Maybe we should have Gary Harris go out there with you guys and inventory which ones need to be replaced.

Joe Hanna: This is three years of this now and it is getting worse. If they would have done it right the first time it would have been good by now.

Mike Schmidt: The second planting of trees were better trees.

Joe Hanna-No, they are almost all dead. If you lived where I do, would you be happy? No. But that is probably not a fair question to ask you.

Mike Schmidt: I think there should be an inventory done of the trees that need to be replaced.

Joe Hanna: We have been at this for three years now.

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Kevin Daugherty: Your right we have been spinning our wheels now for three years on how to address this and so far we have not gone anywhere. It wasn't like nobody tried its just...

Mike Sweeney: At the previous meetings, the person who said they would do it and accept the responsibility is not here tonight.

Kevin Daugherty: That may be true but the ultimate responsibility is back on you guys. This is clearly not what the Board intended.

Joe Hanna: If this was a different situation, business to business we would be in court over this. I have a lot of money in this house. If I do go to sell it...I better do it in the winter when nobody is there.

Kevin Daugherty: You could have a factory next to you. That would be worse. Kids running around is not that bad but I do understand what you are saying.

Joe Hanna: It is the noise. Three years of this...the mound could have been pretty full.

Kevin Daugherty: So what do we do just start plucking?

Mike Sweeney: Yes. I agree with Mike's idea that we go in and say this tree's gotta go, this tree's gotta go...

Willie Carrasco: Those bushes are not even growing yet.

Kevin Daugherty: He planted some forsythia but those really are not a barrier.

Joe Hanna: Pine trees are green all year round. Those taccus are never ever going to fill in.

Kevin Daugherty: Is there a way to start intermingling new nice trees and then maybe next year another row is pulled out and replaced.

Joe Hanna: We having been doing that for three years now.

Kevin Daugherty: Yes, but we have always struggled with these taccus, which is the wrong thing.

Joe Hanna: It is looking worse now. It is going backwards.

Kevin Daugherty: I know it looked better two years ago. Where are we looking to put trees from corner to corner?

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Joe Hanna: The reason for the mound was for dust, dirt and the cars. They are all coming in here. This is where it stops. I am still getting noise. The portajohns are here, cars park here. They are not supposed to start until 9:00 a.m. but by 8:00 a.m. on Saturday they are kicking the balls around.

Mike Sweeney: We don't start games until 9:00 a.m. But for teams that are from out of town, they get there early because they aren't familiar with the area or the fields. I have question about the noise. Is there a standard acceptable level of noise?

Mike Schmidt: No we have no noise ordinance.

Mike Sweeney: Does Ohio or Federal. If I complain about my neighbor's kids playing music at what time am I allowed to complain? Because I will tell you whatever decibel measurement... Whatever measures decibels on a 24 hr. basis with a computer like that I would put up that noise with the noise coming from the freeway and the guy two doors down that drives his ATV, the guy shooting...against the noise of the refs whistles any day.

Joe Hanna: You have 500 people over there. Cars, noise, people coming in at 7:30 a.m.

Mike Sweeney: No body is there at 7:30 in the morning. I'm not saying a car does not pull in but we certainly don't have 500 people back there at that time of the morning.

Robert Gecking: What time do the teams start practicing?

Joe Hanna: They were out the other day kicking the ball before 8:00 a.m.

Mike Sweeney: Teams that don't know where their field is on the map and don't know the site will come early. Certainly this weekend was very cold and wet. Those kids are getting out of their cars all bundled up and were not out on the field running around and screaming. It is normal to get there a ½ hr. before your game and warm up and be ready to play.

Kevin Daugherty: What can we do to address this issue without bringing in 25-ft. pine trees?

Joe Hanna: One of those brick walls like on the highway.

Kevin Daugherty: A sound wall.

Joe Hanna: It is three years now. This is a waste of my time. It is getting worse not better. If it was done right three years ago I would be home watching TV. right now.

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Kevin Daugherty: We tried to do the right thing it just hasn't worked. We have to come up with something else.

Joe Hanna: I stuck with my agreement at the very beginning. I said I wouldn't have a problem with it but...

Kevin Daugherty: We have to come up with something else as this is not working.

Mike Sweeney: I agree with Mike's suggestion we go out and red tag the trees that have to be removed.

Kevin Daugherty: The big question is what do we put back in.

Mike Sweeney: We have to put in something of comparable standards that is going to help. The problem is that the person to date that has accepted responsibility for this situation is up so that becomes our headache with him.

Joe Hanna: If you fill in with some small pine trees (3 ft. or so) on the front side of the hill toward the soccer...I will be dead before it is all filled in.

Kevin Daugherty: We know the mound was put in hastily. The ground was compacted and trying to plant trees then... they would really not grow.

Mike Sweeney: Ryan said some of the trees were going to die... I was counting on him as much as you guys were. I understand that this falls back in our lap.

Lee Evans: He did make a good point when this first started. There was a gentleman's agreement between Joe Hanna and Gregoire's. Willie and them got pulled along with it. But digging up dirt and putting a mound in on compacted soil and expecting a tree to grow was ridiculous. You guys went along with it because basically you had to because it was a private agreement. But it is not a private agreement now. You guys need to decide what is an appropriate tree to plant, how it is to be planted and how to provide an adequate screening. You are going to deal with this year after year if you don't come up with a plan...I know at one time you asked somebody else to come out and assess the mounds. If it is not right lets get it right now.

Mike Sweeney: We did hire an independent party and he gave us what he thought should be planted, what should be replaced etc. Ryan said he was going to get rid of the dying trees and replace them. He did some of them.

Joe Hanna: We did that agreement on my porch... Cliff said pointed behind his property where all those pines are really thick going into the soccer... He said he had tons and tons of trees up on his hill behind my house we will take those. He went in the woods and got the trees not behind his house.

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Kevin Daugherty: I think Lee is right that we should just specify in the area from X to Y. We put in this kind of a tree, this height, spaces this far apart...

Mike Schmidt: Per the recommendation we have already gotten.

Kevin Daugherty: I would like to see a height on the trees. I don't think that was specified previously.

Joe Hanna: Who do I talk to about the new road that went in? Since that has happened I am flooded. The whole ten acres into my pasture. It was never like that.

Mike Schmidt: Ted Strickland.

Jim Likley: They still have drainage issues with the new road. I believe there are going to put some drains under there. That is still being worked on.

Lee Evans: We won't see anything done until the whole project is done.

Marlene Oiler was sworn in.

Marlene Oiler: That agreement between Mr. Hanna and Mr. Gregoire would be a private civil action if he wanted to take any action towards that. There should be the planting agreement in the zoning office.

Mike Sweeney: Regarding the planting document, the independent party took an inventory and location of what was planted. It stated what trees were dead and what needed to be replaced. This was about 2 yrs. ago. Ryan said he would replace what needed to be replaced.

A copy of the planting agreement that was approved by the Board previously was found in the zoning office and given to the Board members for review.

Kevin Daugherty: There are distinct beds there and the party went through and labeled them but I don't know which is 1 or which is 5.

Joe Hanna: When you do a mound like that the mulch keeps the water in there. The mulch is the biggest problem. If they would have mulched it would have keep the water in and the trees would not be dying.

Kevin Daugherty: There is one big bed here that is taccus, which we know is no good. Then there is a line of sweet gums and in the report it said sweet gums would not provide a good barrier.

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Mike Schmidt: It stated in the report that they recommend using white pines to replace the sweet gums.

Kevin Daugherty: There is a huge bed of taccus and sweet gums, which are not going to do anything.

Mike Sweeney: Ryan told me he had gotten this approved. Whatever that meant that was what we had to go off of.

There was then a question as to what was approved and when.

Secretary Ferencz read the following: On November 6, 2006 a motion was made by Larry Bensinger that was in violation of #9 of the temporary conditional use permit issued November 12, 2005. As a result the Board is requesting Northcoast Premier Soccer provide us with independent third party written review of the landscaping as it exists to determine what needs to be done to fulfill item #9 of the temporary conditional use permit pursuant to the screening plan previously approved by the Board. This shall take place within a 30-day period from 11/6/06.

The Board met again on January 8, 2007. Kevin Daugherty made a motion based on independent third party written review by Environmental Enhancement Inc., the testimony presented tonight on behalf of Northcoast Premier Soccer and the work that has been done to date the violation of #9 of the temporary conditional use permit issued November 12, 2005 to Northcoast Premier Soccer no longer exists.

Kevin Daugherty: We can hash this out all night long the question is how do we fix it. Let's fix it and move on. There is a letter here from Ryan that stated that the screen was completed April 2006 and that they were contacted by Northcoast Soccer to replace 20 dead trees. This will be completed prior to next soccer season.

Mike Schmidt: Some of the conditions that were placed on Northcoast Soccer might not be applicable anymore.

Kevin Daugherty: Like #2, Keys to be provided to the Westfield Fire Chief for the gate on Buffham Rd. Also, that they provide adequate number of restroom facilities. Joe said there are 4 on his side. With regard to the road that runs along Joe's property line where are they?

Robert Gecking: They are adjacent to Joe's property.

Mike Sweeney: They are 60 yards away from Joe's porch.

Willie Carrasco: We can move them if you want. I don't want any problems with people peeing in front of his house.

Joe Hanna: The problem is there is no screening.

Kevin Daugherty: Did they comply with #3 which says they must comply with Section 602, Section 605 and all pertinent subsections in Section 606. Under Section 605 F. Will be in compliance with State, County and Township Regulations. We have a problem. Can you explain why we had a tournament last weekend when you had no permit for the use at this point? Last time it stated we were going to look at it at the end of the 2007 season. The temporary conditional permit stated that it shall expire on October 31 2007 at which time Northcoast Premier Soccer shall submit to a complete site plan review process for any future conditionals, either temporary or long-term, per the requirements of Section 807 of the zoning regulations. We were supposed to do this in November of 2007 and now we are here one day after you had a big tournament. That is a direct violation of Section 605 F.

Mike Sweeney: All I can say is that we don't schedule the meetings. We were told the meetings would be set up when they are set up. We came when we were told.

Lee Evans: So does that mean if you tell them no, the tournament they have scheduled this weekend would be off and they would have to contact those teams. They have constantly waited and waited every year. They are then in a hurry. Sooner or later the Board has to put their foot down and then they will comply.

Mike Sweeney: I don't know how we haven't complied. The only thing has been the trees and we have already gone through it and you see how we are tied up in this mess.

Kevin Daugherty: The biggest compliance issue is the screening. You had a big tournament over the weekend and you don't have a permit. I am not so sure it is incumbent upon the Board to call everybody up who has an expired permit and ask them to come in. It is the responsibility of the property owner or the individual who has applied for the permit.

Mr. Rocco Valeuo was sworn in.

Rocco Valeuo: When we got the notice that we needed to come in this was done. If you called the meeting last week we would have come. You call the meeting we don't.

Kevin Daugherty: When did you file the application?

Secretary Ferencz: The application was filed 3/14/08. What was first submitted to the zoning inspector was incomplete. It did not have the site plan drawings and was not filled out completely.

Kevin Daugherty: Your temporary permit expired in October 2007. If I had a permit and it expired I would follow through. You had from November til now to get it done. I am trying to understand why you waited until now.

Mike Schmidt: I agree. We are not accountable to contact you and say your permit expired and when are you coming back in. That is the accountability and responsibility that lies with you. I know the application came in March 14th, which if everything went as planned it, could have been lined up but there were circumstances and that is why it wasn't until today. But you could have come in way before now from the point and time your permit expired.

Mike Sweeney: I agree and felt there has never been any delay in the application process and did not fear it would be a no but only conditions placed. I completely accept responsibility but if you make the decision we don't play this weekend then obviously we would not play. We are certainly in that situation.

Kevin Daugherty: It seems every time you come before the Board its hurry up and do something we have something scheduled. It is frustrating. You have complied with most of the conditions but again its this screening. We are going to be forced into doing something in a hurry and hope that it works like we have done in the past or Gary, Joe and you go out and figure out what needs to be removed or put in but it certainly is not going to happen before any games start. Whatever you do is not going to have an effect on the entire season if not the next two seasons.

Mike Sweeney: This is a long term on going issue no matter what.

Kevin Daugherty: I just want to do this for the last time.

Tom Micklas: Who maintains the mounds?

Mike Sweeney: When this whole process started the Gregoire's owned this land. This deal between him and the Gregoire's...the Gregoire's made the responsibility of putting it in and planting the trees and they are professionals in the business. It has become our headache and they have in no way shape or form maintained it or did what they said they would do in regards to replacing trees. We had our first fight with them as to where the trees came from, what they were and when they were planted. The bottom line is it is our permit and our conditional use.

Marlene Oiler: I don't feel the Board should be involved in the transactions of which Northcoast Soccer contracted to install the trees. The problem exists so lets get it contracted. However, for the benefit of the Township we do have recreational soccer there because of sexually oriented businesses being a possibility in the Highway Commercial District.

Mike Schmidt: I think it is a good use for that area and would like to see it continue. We just want to make sure things are done in a timely manner they should be. The first time we granted them a conditional use it was for one year, last time it was for two years. No body likes to come back and do this all the time but it seems we are going backwards on this.

Lee Evans: The Board has requested previously that they not schedule a tournament when they do the appliance round up at the Recycling Center. The Recycling Center has their schedule already for next year.

Mike Sweeney: We have been in touch with the gentleman who has the contract for the Recycling Center. It was my understanding this was worked out.

Mike Schmidt: I don't know if that is that big of a deal as the Highway Patrol is out there directing traffic in and out.

Robert Gecking: You know why we didn't do anything about it because I checked with the Recycling Center and they did not have their schedule yet when this was done. If they have one for next year they have changed their policy.

Mike Sweeney: We talked to the big boss and they did not see it to be an issue.

Mike Schmidt: I went there about 4 times that weekend, and with two turn lanes when you are exiting the facility and the Sheriff's there directing traffic I do not think it is a big deal now if a tournament takes place at the same time as the appliance round up at the Recycling center.

Kevin Daugherty: We have been doing this conditional a year at a time and last time we did it for two years with the hope that the Board would not have to complete a review year after year but grant them an ongoing permit. Unfortunately here we are again still with issues. I would not be comfortable granting an indefinite conditional use permit.

Mike Schmidt: With all the issues that remain I don't think we can.

Robert Gecking: I don't think we should go two years either.

Mike Schmidt: We are going to have to review this again with the screening issues that remain.

Robert Gecking: Does giving them a conditional use permit violate the Township's policy? If the use is discontinued for period of over 6 months then the permit shall expire.

Kevin Daugherty: I would not interpret it as they are discontinuing their use. It is still a soccer field.

Robert Gecking: Just asking.

Ron Oiler: I think 60 days would be adequate for another review regarding the screening.

Tom Mikalis: That makes sense to me.

Robert Gecking: I agree.

Kevin Daugherty: I agree too.

Lee Evans: I feel on your site plan you should have the dimensions of the parking area and roadway because for some odd reason it keeps getting bigger and bigger. It was a one lane path when it started and now you could land a 747 on it. That takes away from the flood plain and the Board has to be conscious of that. It's great they are playing soccer on that land because that is basically all you can do as this is an environmentally sensitive area. We can not keep letting him push that water back to the north.

Mike Schmidt: Is there a reason you keep adding to the width of the parking?

Mike Sweeney: The only addition I am aware of is the one we put across that runs east/west at the request of the Fire Dept. to be no more than 2 fields away to any potentially injured person.

Kevin Daugherty: That is correct.

Lee Evans: The roadway going north/south has been widened.

Mike Sweeney: Maybe holes were patched but...

Robert Gecking: No it was widened since you started playing soccer.

Mike Sweeney: Yes that is true. Our main thing was to make sure the Fire Chief had access while cars were there.

Robert Gecking: I am concerned with additional parking areas.

Mike Schmidt: That can be reviewed in 60 days too.

Kevin Daugherty: Do we address it now or later. Once they get the permit they would be good for two years unless they were in violation of one of the conditions.

Mike Schmidt: I think we should put in there we are reviewing the additional parking area by the Chippewa Ditch when we do the screening.

Mr. Kevin Daugherty made a motion to grant a temporary conditional use permit to Northcoast Premier Soccer subject to the following conditions:

1. All the conditions previously required under the temporary conditional use permit except for #2
2. Provide for mowing of landscaped area to control weeds
3. A representative from Northcoast Premier Soccer, the Zoning Inspector Gary Harris and Joe Hanna meet at a time convenient to inventory the existing landscaping and be prepared to discuss within 60 days of today's date, a plan for improving the landscaping discussed this evening to the satisfaction of all parties.
4. Contact County to discuss the increased size of the parking added on the eastern most point of the rear soccer fields by the Chippewa Ditch
5. No portajohns to be placed adjacent to the Hanna property line
6. Condition #9 shall be modified to state that there shall be an annual review at the end of 2008 season and all other conditions discussed this evening.

This temporary conditional use shall expire on October 31, 2008 at which time Northcoast Soccer shall submit to a complete site plan review process for any future conditionals, either temporary or long-term, pre the requirements of Section 807 of the zoning regulations. Northcoast Premier Soccer has acknowledged and agreed to these terms in writing.

Marlene Oiler: I have a legal question, if this conditional use permit is between the Township and Northcoast Premier Soccer why are you involving an individual property owner in the decision of the landscaping? You may want to check with legal counsel.

Kevin Daugherty: Because he is an effected property owner. There are other adjoining property owners that might be effected as well. He's (Joe Hanna) here. He is the one having the issues.

Marlene Oiler: You might just want to check with legal counsel.

Mike Schmidt: We want to have Joe involved.

Secretary Ferencz read the motion again as follows:

Mr. Kevin Daugherty made a motion to grant a temporary conditional use permit to Northcoast Premier Soccer subject to the following conditions:

1. That they provide adequate number of restroom facilities and safety personnel;

2. That they comply with Section 602, Section 605 and all pertinent subsections I Section 606 of the Westfield Township Zoning Resolution;
3. That law enforcement be there to direct traffic at the main entrance, at the Truck Stops of America and the south entrance (not the emergency drive located next to 224) on tournament weekends;
4. That traffic control personnel be stationed inside the facility to expedite parking;
5. That they will not utilize fields that are more than two fields deep from an access road unless they have adequate personnel carts to transport a victim from the field to the pave drive;
6. That no more than 250 teams shall play on any given day within the entire facility;
7. That no games shall begin before 9:00 a.m. on the back fields property adjacent to the Hanna property);
8. Provide for mowing of landscaped area to control weeds
9. A representative from Northcoast Premier Soccer, the Zoning Inspector Gary Harris and Joe Hanna meet at a time convenient to inventory the existing landscaping and be prepared to discuss within 60 days of today's date, a plan for improving the landscaping discussed this evening to the satisfaction of all parties.
10. Contact County to discuss the increased size of the parking added on the eastern most point of the rear soccer fields by the Chippewa Ditch
11. No portajohns to be placed adjacent to the Hanna property line
12. That a review meeting shall be scheduled at the close of the 2008 season to determine if suitable screening meeting township approval has been placed on or near the Hanna property line.

This temporary conditional use shall expire on October 31, 2009 at which time Northcoast Soccer shall submit to a complete site plan review process for any future conditionals, either temporary or long-term, pre the requirements of Section 807 of the zoning regulations. Northcoast Premier Soccer has acknowledged and agreed to these terms in writing. It was second by Mr. Oiler.

Robert Gecking: Do we have to give them a specific date for them to come back in?

Mike Schmidt: No, I hope we only have to do this one more time and the motion states that **within 60 days** they will be prepared to discuss and review the landscaping but the meeting could be much sooner. A meeting will be scheduled as soon as all the parties are prepared to do so.

ROLL CALL-Daugherty-yes, Oiler-yes, Micklas-yes, Gecking-yes, Schmidt-yes.

OLD BUSINESS

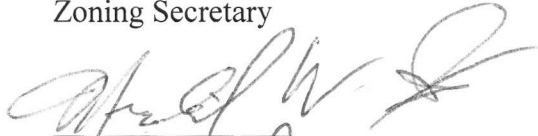
Mike Schmidt stated that the Board needed to review the conditional use permit issued to Westfield Storage to see if Mr. Bauman complied with them prior to him opening up his facility. In question is screening, mounding, fence, gates etc. The Board stated they would need to look at the records of the Board after December 2000 and before

December 2005. Secretary Ferencz stated she would try to retrieve those records and forward to the Zoning Inspector to confirm compliance.

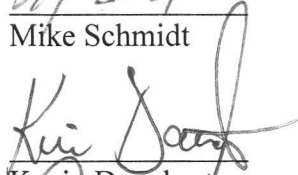
Having no further business before the Board, Mr. Gecking made a motion to adjourn the meeting. It was second by Mr. Daugherty. All Board members were in favor. The meeting was officially adjourned at 9:28 p.m.

Respectfully Submitted

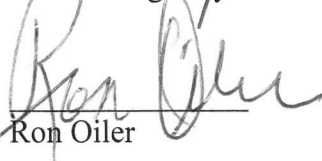
Kim Ferencz
Zoning Secretary



Mike Schmidt

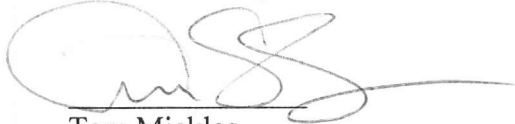


Kevin Daugherty



Ron Oiler

Robert Gecking



Tom Micklas