

Westfield Township Board of Zoning Appeals

Special Meeting

September 14, 2016

BZA Board member Wayne Moore called the meeting to order. Roll call: Simmerer- aye, Thur- aye, Moore- aye, Fleming- aye, McGlashan- aye.

Fleming makes a motion to go into Executive Session at 6:04 P

M with Assistant Prosecutor William Thorne and Assistant Prosecutor Mike Lyons to discuss pending litigation; seconded by McGlashan. Roll call: Simmerer- aye, Thur- aye, Moore- aye, Fleming- aye, McGlashan- aye. The motion passes.

Fleming makes a motion to come out of Executive Session at 7:10 PM with no decisions made; seconded by McGlashan. Roll call: Simmerer- aye, Thur- aye, Moore- aye, Fleming- aye, McGlashan- aye. The motion passes.

Moore requested Secretary Porter to provide the BZA with the original application for the Kratzer Use Variance.

Fleming makes a motion to adjourn the special meeting at 7:12 PM ; seconded by McGlashan. Roll call: Simmerer- aye, Thur- aye, Moore- aye, Fleming- aye, McGlashan- aye.

Public Hearing

Moore opens the Public Hearing to hear the TA Properties application for their amended Site Plan Review and Conditional Use. Roll call: ***Simmerer- aye, Thur- aye, Moore- aye, Fleming- aye, McGlashan- aye.***

Rick Schmidt from TA Properties- 6071 North Olmsted representing TA Properties, Schmidt explained that the amended site plan was to install a bio-diesel blending system that will measure 68 square feet and a cabinet for pipes and the control system. The purpose of this tank is to blend the diesel product on site. TA would like to be able to blend the end product instead of at the refinery. This process is environmentally safer. The tank will be near the existing tanks and the Ohio EPA has already signed-off on this new system as well as the Medina County Building Department.

The Board went through standards for Conditional Uses #1-7 :

1. Harmonious with general objective and with current adoption. This use will not change the thoroughfare. All agreed it would not.
2. Harmonious to the existing or intended character of the general property. All agreed the use was staying the same.
3. The condition would not be hazardous or disturbing to the existing neighboring uses. All agreed the use would not be hazardous.

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4. The use would not be detrimental and all agreed it would not.
5. Will be served by public facilities and services including emergency vehicles and all agreed it could be.
6. Will be in compliance with state and county requirements and all agreed it was in accordance with the Comp Plan.
7. Will not interfere with surrounding public streets or road and all agreed there were no changes.

Section 606:

3. Loudspeakers- N/A
4. Entrance or Exits- N/A
6. No lighting nuisance (lighting is LED pointing down and on the cabinet)
8. Major Thoroughfare- N/A
10. Economical extension of utility- N/A
14. Permanent Structure- N/A
15. Ingress/ Egress drives- N/A
16. Truck parking areas- N/A
17. Storage and or overnight parking- discussion regarding the nonconforming use is already a truck stop and already approved on the original site plan.
 21. a. Gasoline filling stations more than 50 feet from the road right of way and the board agreed that they are.
 - b. Washing- N/A or storage of materials will not be outside. The cabinet is for the control system. All agreed that it would be in compliance.
 - c. Lighting- only on cabinet
 - d. Ingress/ Egress- N/A
- Employee vehicles- N/A
- 32- Similar use
 - a. Use has characteristics and impacts consistent with the current use. Yes
 - b. Nature of the District- No
 - c. Dangerous or a health and safety hazard- No
 - d. Typically requires parking with standard regulations- yes

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Conditional Use will be granted with the following conditions: no additional conditions

Simmerer makes a motion to grant the conditional use for HPT TA Properties Trust at 8834 Lake Road, Seville Ohio as per Article 5, Section: 605-606 with no additional conditions to this application. The motion will include the following exhibits; A- the application; B the map and C the bio-diesel fuel explanation provided by TA; seconded by McGlashan. Roll call: Simmerer- aye, Thur- aye, Moore- aye, Fleming- aye and McGlashan- aye. The Conditional Use is granted.

Amended Site Plan: To install a B100 Bio Diesel Blending System and a 5' 6" x 12'3" x 5' 0" high cabinet. This cabinet will house the piping and electrical equipment for the blending system.

Site Plan Requirements:

1. Site Plan drawing is provided to the Board
2. Boundary Surveys completed
3. Topography to finish grades
4. Company spoke with Fire Chief Fletcher and the Fire Marshal has been sent the drawings.
5. Control Cabinet is 50' from the existing building and by the concrete barriers already on property
6. Plans have been submitted to the County and they have already approved the plans.

Simmerer makes a motion to accept the application of a Site Plan Review for HPT TA Properties Trust at 8834 Lake Road, Seville Ohio as per Article 807 D. 1,2,3 and 807 D.3b with a trip generation report and is approved with no additional conditions. The motion will include the following exhibits; A the application and exhibit B are the maps; seconded by Fleming. Roll call: Simmerer- aye, Thur- aye, Moore- aye, Fleming- aye, McGlashan- aye. The Amended Site Plan is approved.

Simmerer makes a motion to close the Public Hearing for the TA review; seconded by Fleming. All said aye.

- General Business: TA Car Wash application on September 29, 2016 at 6:30 for a Public Hearing to review the application that is before the Board.
- Members at the meeting have received the TA packets and Secretary Porter will mail the other members their packets.

McGlashan makes a motion to accept the Kurtz Public Hearing Meeting Minutes on April 21, 2016 as submitted; seconded by Simmerer. Roll call: Simmerer- aye Thur- aye, Moore- aye, Fleming- aye, McGlashan- aye. The motion passes.

Simmerer makes a motion to adjourn; seconded by McGlashan at 8:30 PM. All said aye.

Respectfully submitted by:

Cheryl Porter, Zoning Secretary

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Date approved: September 29, 2016

Wayne Moore, Vice chair

Keith Simmerer, BZA Member

Andrew Thur, BZA Member

Pat Fleming, BZA Member

Greg McGlashan, BZA Member