

WESTFIELD TOWNSHIP ZONING COMMISSION
Regular Meeting – September 11, 2007 @ 7:30 p.m.

Chairman Russ Zupanic called the meeting to order at 7:30 p.m. Roll call indicated five members of the Zoning Commission were present: Russ Zupanic, Jill Kemp, James Likley, Scott Anderson and John Miller. Others in attendance included: Trustee Jeff Plumer, Trustee Carolyn Sims, Trustee Tim Kratzer, BZA member Ron Oiler, Sue and Melissa Brewer (9796 Daniels Road), Dennis Delagrange (9730 Westfield Road), Ken and Lisa Beckman (7583 Greenwich Road), Heather Sturdevant (5864 Buffham Road), Tom Bojovic (5864 Buffham Road), Wirtie MacPhail (5629 Greenwich Road), Tracy West (5579 Greenwich Road), Karen Micklas (7360 Buffham Road), David Tryon (9068 Friendsville Road), Don Iacobucci (9515 Daniels Road), Bryan Smith (7553 Greenwich Road), Rick & Irish Blankenburg (9303 S. Leroy), Melissa Spitzer (5634 Greenwich Road) and Michael Cook (5634 Greenwich Road).

Minutes

After review of the August 16, 2007, letter from Assistant Prosecutor William L. Thorne relative to the July 10, 2007, meeting and clarification that the minutes could be summarized and did not have to be verbatim except in the instance of a court appeal, John Miller indicated he had no further questions relative to the minutes. Jill Kemp made a motion to approve the July 10, 2007, minutes. Jim Likley seconded the motion and the minutes were unanimously approved.

Scott Anderson made a motion to approve the August 14, 2007, meeting minutes. John Miller seconded the motion and the minutes were unanimously approved.

Old Business

The proposed amendments to Article IV (Signage) had been submitted to the Medina County Department of Planning Services for their review but no response has been received to date. It is anticipated that MCDPS will have this item on their October 3, 2007, meeting agenda and a response would be back by the next regular zoning commission meeting. It was decided to advertise the public hearing on the Signage amendments for the next regular meeting, October 9, 2007, at 7:30 p.m.

New Business

An application was received for a zoning text amendment and zoning map amendment submitted by Timothy and Linda Kratzer. According to Article X, Section 1001 B. Zoning amendment by a property owner or lessee shall be considered filed upon receipt of a complete application by the Zoning Commission at one of its twelve (12) regularly scheduled meetings. This meeting is the first regular meeting after receipt. The Zoning Commission members proceeded to review the applications to determine completeness.

Chairman Zupanic stated that the only thing the Board needs to decide tonight is if the applications are complete or do we need additional information from the applicants in order to accept the applications. There were differences of opinion among the Board members as to whether the applications were complete.

Jim Likley indicated there is a lot of material that needs to be addressed and looked at in terms of the zoning text and how it correlates to our existing zoning text regarding signage, parking, lighting, etc. He further indicated that he can't verify that each section it makes reference to is factual or is what's workable at this point. He would like time to review it to see if any additional information is needed from the applicants and then accept it as a completed application and move forward with it to the time frame that is laid out in our flow chart. He further stated that any changes or discussion regarding the zoning text or the map amendment would be addressed during the public hearing process.

John Miller indicated that he would like to study the material and compare it to what the book says to see if a General Business District is truly different than a Local Commercial District. He needs additional time to review the whole thing.

Jill Kemp indicated that the Board only needs to decide whether it is complete or do we need to have additional items to have a complete application – it has nothing to do with the discussion. She further indicated it is her understanding that all of this is addressed at the public hearing process, word for word, and if there is anything wrong it will be addressed at the public hearing. At this point we are just looking to see if everything that has to be provided has been provided.

Chairman Zupanic indicated that it sounds like we have everything laid out here. We have the description, but we can't verify it. We have a parcel number, property sizes, the map showing surrounding parcels and a list of the names and addresses, which are assumed to be correct.

Jim Likley indicated that he would like to read through it to see how it applies to our present zoning code and that the application is not considered received until it is complete. Upon remarks from the audience, Jim Likley indicated this is the Board's first meeting since the application was received. The date the application is marked received is just for office purposes to track when people come in. For the most part we see the applications for the first time at a regular meeting.

There was discussion relative to the time frame laid out in the flow chart to start the public hearing process and whether there would be any possible legal ramifications to the township if the regular meeting were continued since everything has to be done in a timely manner.

Chairman Zupanic again indicated the question is whether it is complete – does it have the legal description, does it have the parcel numbers, does it have a map, etc. – at that point we send it out to Planning Services to get their assessment of it. It's not the content; it's just do we have all the information.

After further discussion, Chairman Zupanic indicated that it appears we have the items we need but what he is hearing is that the concerns of some Board members is do the items tie to our zoning text – does the content match with our zoning.

There was discussion relative to consulting with legal counsel at the Prosecutor's Office and the possibility of continuing this meeting to sometime next week in order to address the concerns of some Board members. After further discussion, Jill Kemp made a motion

to continue this meeting to September 20, 2007, at 7:00 p.m. for the purpose of determining if the application is complete. Scott Anderson seconded the motion. The vote was unanimous in favor of the motion.

Other Business

Chairman Zupanic indicated that items the Board may wish to discuss in the future include: Lake Road corridor district change (that's coming to the forefront now), flood plains, riparian setbacks, home occupation, farmland preservation and a new suggestion from John Miller regarding the Greenhouse Gas effect. These items were briefly discussed but it was determined the number one priority needs to be the current text and map amendment applications.

Jim Likley added that the acceptance date for the purpose of a time line for the process of an amendment, if it is deemed to be complete at the 9/20/07 meeting, that such date be established as the acceptance date because otherwise we are going to exceed the limits for sending it to Planning Services.

Announcements

Trustee Sims indicated there is a Conservation Bus Tour scheduled for September 28, 2007, and she encouraged the Board members to sign up for that tour.

The MCDPS Zoning Workshop on "Zoning for an Aging Population" is scheduled for September 27, 2007, at 6:30 p.m. at the MCDPS offices in Medina.

Meeting continued

At 8:45 p.m. the Chairman announced that the meeting was continued to September 20, 2007, at 7:00 p.m.

Marlene L. Oiler, Certified PP, PLS
Westfield Township Zoning Commission Secretary

(Minutes approved 10/9/07.)