

**WESTFIELD TOWNSHIP
ZONING COMMISSION
REGULAR MONTHLY MEETING
November 10, 2009**

Chair Sturdevant called the regular monthly meeting of the Westfield Township Board of Zoning Commissioners to order at 7:30 p.m. Zoning Commission members, Anderson, Kemp, Brewer, Miller and Sturdevant were in attendance. Alternate ZC member Kathy Zweifel was also in attendance. Other individuals in attendance were as follows: Tim Kratzer, Ron Oiler and Stan Scheetz.

General Business:

Congratulations and Welcome to Trustees Elect; Ron Oiler & Gary Harris.

Chair Sturdevant congratulated Mr. Oiler and Mr. Harris on behalf of the Commission and stated the board looked forward to working with both of them in 2010.

The Commission signed off on their previously approved meeting minutes of August 11, 2009 and September 8, 2009. Regarding the September 29, 2009 Zoning Commission meetings, Mr. Miller questioned why alternate ZC member Zweifel did not approve and sign the minutes because she was a voting member for that meeting. Chair Sturdevant stated she spoke with legal counsel and because there was a quorum of permanent board members seated to approve those meeting minutes, it was not required for alternate ZC member Zweifel to sign the minutes.

Approval of October 13, 2009 meeting minutes

Ms. Kemp made a motion to approve the Zoning Commission's September 29, 2009 meeting minutes as amended. It was seconded by Mr. Anderson.

ROLL CALL-Kemp-yes, Anderson-yes, Miller-yes, Brewer-yes, Sturdevant-yes.

Correspondence

Chair Sturdevant stated that correspondence was received by the Commission members from Mr. Scheetz. She asked that the correspondence be attached to the approved meeting minutes from this meeting.

Mr. Scheetz stated he submitted this correspondence because it was the first request from the Land Use Planner Mr. Majewski as to what specifically he, on behalf of his client, would like see in that area of Greenwich Rd next to the interchange. Mr. Scheetz stated all he did was reiterate what he has been requesting on behalf of his client since 2007. Mr. Morrison originally requested a General Business District which he copied from the Medina Township Zoning Resolution. That failed to get passed. In 2008, Mr. Scheetz stated he submitted a map amendment to make the property in question all Local Commercial and submitted an example PUD with Covenants and Restrictions. That proposal went through County Planning and the Zoning Commission and was passed but it ultimately failed at the Trustee level. In 2009, Mr. Scheetz continued he went back the

Page 2 Westfield Twp. Zoning Commission 11/10/09

Planning Commission and got examples of a General Business District and a Planned Unit Development and how those two examples could be meshed together. The example was from Delaware County in Howell, Ohio. He added he then took that proposal and customized it for the area in question for consideration next year by the Township if possible. Mr. Scheetz stated he was not submitting that he would be doing this for any specific client but hoping the Township would look at the bigger picture of that area and make some potential recommendations so that it could be initiated by a governmental entity or entities versus an individual. An individual could then sign on for it by petition if they wish their property to be included. He added he was no longer focusing on one piece of property but the area in general. If this did not take place within the first four months of the New Year then he would begin to explore other options. Mr. Scheetz stated there were also letters submitted by Mrs. Evans and Mr. Oiler but added those letters were not solicited by him to be written. Mr. Scheetz then thanked the Commission for their time.

Chair Sturdevant stated because Mr. Scheetz documents were addressed to the land use planner she would assume that it would be discussed at the next Steering Committee meeting which was scheduled for tomorrow evening.

NEW BUSINESS

1. Update from ZC member Miller on Comp Plan Steering Committee Meetings

Mr. Miller stated the last Steering Committee meeting was held on October 22, 2009. The Planner and the Steering Committee have been working on revising the land use map. The map caused some confusion and that was why there were so many comments at the public presentation by Majewski on the Draft Land Use Plan. The land where the Sod Farm is and the Gregoire's own was proposed to be Commercial/Recreational. Those land owners thought that was what they were being asked to have their property rezoned which was not the case. The proposed zoning was just an option. Nothing has been decided as of this time. Mr. Miller stated there were two letters; one submitted by Fiscal Officer Evans and the other by Mr. Ron Oiler. Both of them supported a General Business District; however neither of them spoke up in any of the meetings of the Comp Plan Steering Committee. Mr. Miller stated Mrs. Evans stated that per the resident survey, 40% wanted shopping areas but she did not address the 60% who want single-family homes.

Mr. Miller continued that since October 22, 2009, Mr. Majewski has revised the land use map. In part 3 of the Land Use Plan, Mr. Majewski spells out some uses that the Township ought to look at such as ground water protection, community facilities, and a Chippewa Creek Recreation Corridor. Regarding this corridor, individuals have expressed resistant to it in that the Township would rezone people's property to be recreation but that is not the fact. Mr. Majewski gave the example of Hinckley Twp. where it took them 20 yrs. to create a walking trail by the time they got the necessary easements of the property owner's permission. Mr. Majewski's suggestion is you have to

Page 3 Westfield Twp. Zoning Commission 11/10/09

start some place so why not start now? Mr. Miller stated Mr. Majewski also talked about alternative residential areas and the west Greenwich Rd. neighborhood business corridor. This information was forwarded to the Township. The draft plan included the gamut of what the Comp Plan Committee has discussed for the past 9 months. It was at this time that some of the Commission members stated they did not see the revisions Mr. Majewski made to the since it was presented. Chair Sturdevant stated she could get a copy out to the Board members via e-mail. Mr. Miller stated the maps really needed to be printed out in color. Ass't ZI Evans went and made colored copies of the proposed land use map. Mr. Miller stated the next meeting of the Steering Committee was scheduled for tomorrow evening.

2. Windmill Language Discussion

Chair Sturdevant stated there has been many documents handed out over the last several months on renewable energy and mainly wind turbines and wind energy. Mr. Miller suggested looking at language of the surrounding communities (if they had any) regarding windmills and wind energy. Chair Sturdevant commented that in talking to Planning Services and the Pros. Office there is no language currently addressing this for the communities in Medina County. Planning Services and the Pros. Office were trying to draft language that they would both endorse that could help Townships then address this issue but that has not been completed as of yet.

Ass't ZI Evans stated he went to see a windmill in Wayne County that was on someone's farm. (He produced pictures of the windmill). Ass't ZI Evans stated the windmill was homemade but there was no language in that community's zoning for its regulation. The windmill is not permanently fastened it is set on concrete blocks. This shows the importance of having language incorporated in the Zoning Resolution or the Township could end up with homemade, non-regulated windmills. This windmill is in Orrville and since there is no language the energy company is reluctant to want to buy power from this individual's windmill. If there is no break mechanism there could be a surge of power.

Chair Sturdevant stated placed a few phone calls today regarding this topic. She added that if language is going to be written it should address private wind energy systems versus public wind energy systems. The reason is the public wind farms lease the land from landowners. The public utility comes in and creates them under their regulations so they are highly regulated. In the zoning language we can write how much land would be required for such a system. Regarding the private wind systems, in most cases the public utility does not want to touch the private wind systems because they are not up to the specific regulations in order for the public utility to do business with them. However there are private individuals who are trying to install such systems for their own power supply to their homes and if they can sell power to the grid, then it would be an additional benefit to the property owner. Chair Sturdevant stated that Ass't ZI Evans has provided current information on wind farms that was in the latest edition of the OTA magazine to the board members. Chair Sturdevant stated she would continue to follow up with

Page 4 Westfield Twp. Zoning Commission 11/10/09

Planning Services to see if any progress has been made on drafting language on wind energy systems.

Ass't ZI Evans stated in the OTA article, it states that if a farm is going to have such a system installed, when construction begins that portion of land that would be used for the windmills would no longer be in CAUV if the land was in CAUV before construction began. The footprint of each system (windmill) is drawn up and then the utility company will go back three years and charge that area of land as commercial. A lot of individuals are not aware of this. Chair Sturdevant stated that would be important information to let a property owner interested in this type of system to know possible through a fact sheet that could be handed out to them.

ZC Miller then stated that if the Commission was to adopt text for a public utility wind farm he would assume that the public utility commission of Ohio itself would have regulations. Chair Sturdevant stated they do. She added there was a Township where her father lives that has a large wind farm and she has requested their code because they do address public vs. private wind energy systems. Then she could compare that with the regulations the state of Ohio and see if it was feasible to write two separate sections addressing public vs. private wind energy systems. In this particular Township there were many concerns that the farm would be unsightly and noisy and how many of these windmills could be on X amount of acres. Now that the wind farm is established, everybody is alright with it but these issues had to be addressed as to the amount of acreage and the density that would be required as well as the noise generated by such a system. ZC Miller thought that regulations for public and private wind energy systems should be written even if there is only a reference for a public system to the State regulations because then at least both types of systems would be addressed. Chair Sturdevant stated the Commission should be start to review all this information and begin looking at language. ZC Miller asked that a complete package of information be put together for the members to review.

Ass't ZI Evans stated Mr. Sills from Chippewa Resort development came to up to the Townhall and asked for a text amendment application to allow senior housing units in the SR District. Mr. Sills stated he hoped to have the application submitted for December to the Commission. Chair Sturdevant asked the Commission members to look at the SR District to allow for senior housing. Chair Sturdevant asked why wouldn't Mr. Sills come before the Township to ask for a conditional use? Ass't ZI Evans stated he asked Mr. Sills that question and Mr. Sills stated he spoke with Planning Services and they told him it would be easier to write the language to permit such a use in the SR District than apply for a conditional use. Chair Sturdevant stated that was exactly her concern that if a text amendment was approved it would allow such housing in the entire SR District. Ass't ZI Evans suggested that maybe Chair Sturdevant would want to follow up with Ms. Theken at Planning Services. ZC Miller stated the process for text amendments in the Township have been tedious at best and possibly that was not the best route to take.

Page 5 Westfield Twp. Zoning Commission 11/10/09

3. Discuss current zoning text/determine if any sections need to be reviewed/updated.

Chair Sturdevant opened this up for any board member to bring up any zoning text language they would want the Commission as a whole to consider addressing, modifying, and/or deleting or any errors in the Resolution that may have been found. She added Mr. Miller has brought up addressing a definition of multi-family and would also like to address outdoor wood burning devices. She asked the Commission members to come up with topics, comments and questions on those two items and any others for discussion at the next monthly Commission meeting.

Mr. Miller stated that previously Ass't ZI Evans brought up outdoor portable swimming pools and the safety of the electrical hookups they use. Chair Sturdevant stated she would add that to next month's agenda and try to get a hold of Planning Services to see if they have any information or language on this item as well as the others brought up this evening.

OLD BUSINESS

1. Update from Chair Sturdevant on Approved Signage Language

Chair Sturdevant stated the proposed signage language and matrixes were approved by the Trustees on November 5, 2009. Modifications were made by the Trustees with legal counsel's recommendation to the language that was proposed by the Commission. Copies were sent out to all the Commission members. Chair Sturdevant stated this language would go into effect 30 days from the approval by the Trustees.

2. Cloverleaf School Update: Columbia Gas Letter

Chair Sturdevant stated she was of the understanding that the letter from Columbia Gas about the new school site did not affect the School Districts approved site plan by the Zoning Commission and therefore the School District did not need to come back before the Board. Chair Sturdevant stated she would call Bill Thorne to confirm and added she did ask Mr. Thorne's Secretary if Mr. Thorne would please put that in writing so the Commission would have it in the file.

3. Update Pilot Fuel Additive Tank

Chair Sturdevant stated Mr. Miller brought to her attention that the approval of the DES Tank for Pilot was with condition of an additional ballard exactly the size of the proposed ballard to be erected in the southwest corner. Chair Sturdevant stated she reviewed the audio of that meeting and there was no specification that the size of the ballard needed to be exactly the same as the one Pilot proposed to build. Ass't ZI Evans took pictures of the ballards. Mr. Miller stated he was concerned that the additional ballard was not large

enough to prevent a safety issue from occurring. Chair Sturdevant stated she would listen to the audio again to confirm what was approved by the Commission.

Announcements


- Continuation of Trustees Public Hearing/Reg. Meeting-October 15, 2009 @ 7:00 p.m.
- Joint training with BZA and legal counsel-November 16, 2009 @ 7:00 p.m. Chair Sturdevant stated this meeting would primarily focus on the Cloverleaf School Districts' site plan and requested variances and the process that needed to be followed of one government entity's request to another. She added she would also submit questions to Mr. Thorne before this meeting (Commission members could submit questions to Chair Sturdevant and she would forward accordingly.) that would pertain to the Commission. Chair Sturdevant stated specifically she was going to ask Mr. Thorne about the procedure of the adoption of the Comprehensive Land Use Plan.
- Monthly Zoning Commission Meeting-December 8, 2009 @ 7:30 p.m.
- Steering Committee Meeting-October 22, 2009 @ 7:00 p.m.
ZC Miller suggested Zoning Commission members attend this meeting so the board would be prepared as to what would be coming before them for adoption.


Adjournment:


Having no further business before the Commission, Mr. Anderson made a motion to adjourn. It was seconded by Ms. Kemp. All members were in favor.
The meeting was officially adjourned at 8:17 p.m.

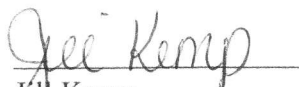
Respectfully Submitted, Kim Ferencz Zoning Secretary


Heather Sturdevant


John Miller


Sue Brewer


Scott Anderson


Jill Kemp