

**WESTFIELD TOWNSHIP ZONING COMMISSION
REGULAR MEETING/PUBLIC HEARING
SEPTEMBER 14, 2010**

Chair Sturdevant called the regular meeting of the Zoning Commission to order at 7:35 p.m. A roll call was taken with all permanent Commission members sitting and both alternates in the audience.

Chair Sturdevant then called the public hearing to order for a text amendment application 064-2010 and a map amendment 080-2010. A roll call was taken. All permanent members were sitting and both alternates were in attendance.

Chair Sturdevant stated there was a meeting held with the Dept. of Planning Services regarding concerns they had over these applications. Those in attendance at that meeting were as follows: Chair Sturdevant, Mr. Stan Scheetz representing the property owners, Trustee Harris, Clerk Evans and Bill Thorne from the Pros. Office. Chair Sturdevant stated before the Commission members this evening was a copy of the staff comments on these two amendments along with her notes, as well as the review and the recommendation of the Planning Commission on both applications. These documents would be reviewed this evening by the Commission accordingly. Secretary Ferencz stated she also handed out two exhibits to the Commission members that the applicant Mr. Stan Scheetz gave to her this evening.

Chair Sturdevant stated Mr. Thorne could not be present this evening but would make himself available to discuss the applications with the Commission and answer any questions, concerns or comments the Commission may have before the board would proceed with a vote.

Chair Sturdevant gave a brief overview of the applications as follows.

1. Text amendment request to create a General Business District & a General Business District/PUD. If the Trustees approve the text amendment, then the Commission would be charged with the responsibility of writing such items into the zoning code and/or taking the wording that was submitted as the text amendment and adopt or revise it and make it part of the Zoning Resolution.

2. General Business District/PUD. This would involve conditional uses and design standards that would govern a planned unit development and would be reviewed and implemented by the Board of Zoning Appeals.

Chair Sturdevant stated the request by the applicant was for 400+ acres to be developed as a General Business District/General Business District/PUD. This includes over 20 property owners who have requested for their land to be part of this project. What exactly this project would entail in terms of what businesses/stores would be involved was an

Page 2 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

unknown. Chair Sturdevant then handed over the meeting to Mr. Stan Scheetz to make a short presentation.

Mr. Scheetz stated he was representing 27 properties and approximately 40 property owners as part of the text and map amendments before the Commission this evening. Mr. Scheetz stated he has been involved in the process since 2008 when he first came before the Commission to request a map amendment for 98 acres owned by the Kratzer family. At that time there was dissention by the Township as to how the neighbors would react to such a rezoning. In May 2010, Mr. Scheetz stated all the neighbors met and out of that meeting came this joint application for the entire class.

Mr. Scheetz stated the text amendment is for a General Business District which would apply to individual lots that could be sold for development that could meet all the setback and acreage requirements and would not require any variances. The second element of the text amendment is for a General Business District/PUD. A planned unit development involves many more conditions as well as design and facility standards that would be under the control of the Board of Zoning Appeals along with site plan review by the Zoning Commission. This would allow much input and control by the Township. Mr. Scheetz continued that it was also part of the text that a parcel of property containing up to 34 acres could be developed under the General Business District regulations as long as it met the proper frontage and setback requirements. The text also includes, as part of the site plan analysis, conditions that could be imposed for reciprocal easements to ensure adjoining property owners have ingress and egress to their properties from the side and the back so that land could be developed harmoniously. Anything over 34 acres would be developed as a PUD. Mr. Scheetz added there would not be just one developer for all the property in question. There would probably be 3-5 different developers. The time frame for such a project was as follows: 2-3 years for infrastructure to be set in place, 3-7 years for the 1st phase of the project to be completed and 10+ years for the entire project to be developed.

Mr. Scheetz stated that included in the application were permitted uses, conditionally permitted uses and uses that were permitted in the existing Local Commercial District. Mr. Scheetz stated this project would consist not only of retail uses but a combination of residential, commercial, multi-family, condos, etc. Regarding the residential, there would be no traditional single-family residential development. Apartments may be built with a density of 8 units to the acre. Open space requirements were also part of this amendment application ranging from 20%-50% depending on the nature of the development. Mr. Scheetz stated a golf course/golf course community might be one element of this development as well as a grocery store, etc.

Chair Sturdevant then read out loud the list of permitted uses and conditional uses that are part of the application. (See application).

Page 3 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

ZC member Miller commented that many of the uses read were already permitted in the Highway Commercial District. There was already so much of that zoned property undeveloped so why rezone more land? Mr. Scheetz stated the Highway Commercial District focuses on the needs of transients traveling the highway. This development is intended to be a focal point for the community as well as surrounding communities. The list of the permitted uses in the Highway Commercial District is a short list. Mr. Scheetz continued another reason for this General Business District text amendment is that in the Local Highway District the building size is restricted to 7500 sq. ft. That square footage does not work in today's market. For example a drug store like CVS, Walgreens or Rite Aid typically consists of 18,000-21000 sq. ft.

Mr. Scheetz stated the Planning Commission also commented on the amount of available commercial land. Mr. Scheetz stated that 300 of the 400 acres they mentioned is currently being used as a soccer facility, a campground and a sod farm which were commercial uses for those property owners and not "open land" available for development. Mr. Scheetz continued at the meeting that was held with the Dept. of Planning Services he, on behalf of his clients, agreed to every recommendation made by the Dept. of Planning Services so that Westfield Township would be in control of the development especially in regards to the PUD. The Planning Commission had a vote of 9-0 to recommend approval of the text amendment. They did not recommend favorable approval in the past because the County wanted PUD language and the conditional uses, supplemental conditions and design standards that go along with a PUD and those were incorporated this time.

Chair Sturdevant commented that Mr. Scheetz stated that anything over 35 acres would be developed as a PUD but there would be multiple developers involved. Mr. Scheetz responded that was correct, that approximately 10% of the land would be developed at a time. In this economy no developer would buy 100 acres just to land bank it. The reason for the GBD and GBD/PUD is because there are landowners that have 1, 2, 5 acres of property that have the frontage to develop a grocery store for example which could be accommodated on smaller acreage. Chair Sturdevant stated with different developers proposed to be involved how would this development remain contiguous and harmonious? Mr. Scheetz stated through the design standards that were proposed for a PUD and through the site plan review process. Mr. Scheetz commented that he had developers from as far away as California, Texas and New York interested in this project. The design would be based on what the lead anchor store would be. The developers of Chippewa Landing in Lafayette Township, Mr. Duval and Mr. Sills have approached him to potentially develop some of this land as well.

Mr. Miller interjected that the two developers mentioned Mr. Duval and Mr. Sills did not have the money to finish the Chippewa Lake project, so how could they participate in this development? Mr. Scheetz responded that he believed they received money from the Port Authority and \$32 million from the Recovery Act to put in the infrastructure. He added they are but two developers that have approached him about being involved in the project. Mr. Scheetz added that Pride One has also shown interest even though they own

Page 4 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

land in the Highway Commercial District currently as they have other clients that may be interested in the cluster or condo development aspect of this project.

Chair Sturdevant stated for the record and to those BZA members present in the audience that if the text and map amendments were approved, the BZA would be responsible for design standard review. She continued that the Planning Commission voted 9-0 for approval of the text amendment with modifications and recommended disapproval on the map amendment. However after speaking with Mr. Thorne about the comments made by the County about the amount of undeveloped land, it was stated that a majority of that land was currently being used as commercial uses i.e. soccer fields, campground, and a sod farm. Therefore the amount of acreage the County based their recommendation was not valid. The Dept. of Planning Services also based their recommendation on the Comprehensive Land Use Plan Update which has not been adopted by the Township at this time. Whether this will be reconsidered by the County has not been decided at this time.

Mrs. Sims asked a procedural question of ZC member Anderson. She asked if his wife was related to the Kratzer family and if Mr. Anderson felt he could be unbiased given the fact that his property was one property away from the land in question before the Commission this evening? Mr. Anderson responded that his wife was related to the Kratzer family and added that he and his wife have no interest in being involved in this development and he believed he could be unbiased in considering the text and map amendment applications before the board this evening.

Mr. Scheetz had his clients (the applicants) that were present stand up and be recognized. Chair Sturdevant then opened up the hearing to contiguous property owners.

Leslie Purchaska (Seville Rd.). She stated her profession was commercial real estate and she sat on the Steering Committee which was involved in drafting the current Comp Plan Update which has not been adopted at this time. Ms. Purchaska stated she met with several of the members of the Steering Committee as well as continuous property owners and would be the representative speaking for those individuals this evening. Ms. Purchaska added she had several exhibits she would like to address with the Commission on behalf and would like them added into the record.

1. Petition to deny the application for the creation of a General Business District on Greenwich Rd. It is signed by 127 property owners. It represents 3000 acres adjacent to and around the proposed retail area of the plan.
2. A map of those properties/property owners who signed the petition
3. Of the 31 contiguous properties, 16 of the property owners signed the petition to date. Signatures would continue to be gathered until these amendments go before the Trustees.
4. These amendment applications are not supported by the exiting Comprehensive Land Use Plan, certain County road officials, the 2009 Township residential survey or the latest proposed Comp Plan Update that has yet to be adopted

5. Request to the Commission to deny the applications

Mr. Kevin Daugherty (9275 Daniels Rd.) He asked how many property owners have authorized the proposed amendment application? Mr. Scheetz stated all but 3 property owners out of 33. Out of the 400 acres, 380 acres are represented. Mr. Daugherty asked Chair Sturdevant if the Commission was going to vote on these amendment applications or to wait until the Comp Plan Update is adopted? Chair Sturdevant stated the Commission recommended several changes to the Update. The planner, Mr. Majewski was in process of drafting those changes. There will then be two documents that would go before the Trustees. The Comp Plan Update as originally drafted and the Update with the proposed changes by the Commission. Therefore the only documents that were appropriate for the Dept. of Planning Services and Planning Commission to consider were the 1996 Comprehensive Land Use Plan and the 2003 Update of that Plan. Both entities did look at Plan and Update but they also considered the current update that has not been adopted as yet.

Chair Sturdevant continued that Commission was not comfortable with some issues of the Comp Plan Update such as the area designated light industrial/office. The Commission has recommended that area reflect "more study needs to be done to determine a viable use" of that area. Again the Trustees will have the final choice as to which Plan would be adopted. Mr. Daugherty asked if the Steering Committee would have the opportunity to review and possibly make changes to the Plan proposed by the Commission? He continued that 25-30 individuals on that Committee spent a lot of time and effort to come up with this latest Update. Chair Sturdevant stated each item the Commission proposed to change was read as originally drafted by the Steering Committee as well as the changes the majority of the Commission voted on to make. This can be verified by the minutes and/or the audio of the meeting. Mr. Daugherty asked if there was a copy of the proposed changes by Commission? Chair Sturdevant stated there are copies of the Update as drafted by the Steering Committee and a copy of the proposed changes by the Commission that were at the Townhall as well as a "read only" disc that could be reviewed. She added multiple copies were not being made by the planner until it was known which copy the Trustees would approve in order not to incur additional expense to the Township.

Mr. Miller stated there was list of the proposed changes made by the majority of the Commission that were part of the minutes. Chair Sturdevant stated there was a list but there were 3 additional changes that were made as well. Copies of the minutes and documents could be requested. Mr. Miller continued that everywhere in the proposed Update where it addressed "light industrial/office" was removed and changed by the majority of Commission members to read, "Replace with a new zoning classification." Chair Sturdevant interjected that the map of that area also reflected the proposed wording, "More study needs to be done to determine a viable use." She added that the majority of Commission members were not comfortable stating that

Page 6 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

light industrial/office use was the best viable use of that area. Therefore the Commission felt that more data was needed to be able to make that determination.

Mr. Daugherty stated that it was mentioned that if under 35 acres is developed it would fall under the General Business District regulations and if it was 35 acres and over the land would have to be developed as a General Business District/PUD. Mr. Daugherty asked what was to prevent multiple developers from just developing 34 acres at a time and not having to come before the BZA to develop under the more stringent standards of a PUD? Mr. Daugherty continued that he was also concerned with multiple developers and having a cohesive development project if the amendments were approved.

Chair Sturdevant stated she too was concerned with those potential situations and wanted to make sure that those BZA members in attendance this evening were aware that if these amendments pass, it would be the responsibility of the BZA to review any conditional uses and to implement the design standards associated with a PUD. She added that Trustee Oiler provided the Commission members language Lafayette Township has adopted to take some of the burden for that review and implementation off the BZA for such a development. Mr. Daugherty stated he would rather look at an entire plan than just bits and pieces of a PUD development. He concluded that he was concerned there would be many 34 acre developments popping up to circumvent such review.

Mr. Scheetz stated none of the backland could be developed other than by a PUD. They were only looking at one public street going in across from Hulbert Rd. eventually to Ryan Rd. Any land that could not meet the Township's frontage or setback requirements would have to go through a PUD even if it is below 35 acres. The only land that could be developed under the General Business District language would be land that met the frontage and setback requirements of the zoning code.

Mr. Daugherty again asked if the Commission was going to be voting this evening? He stated he suggested to 1. Deny the applications because individuals owning a total of 3,000 acres in the Township were not in favor of the applications or 2. Don't do anything until the Comp Plan Update is voted on and then let the Dept. of Planning Services/Planning Commission have the opportunity to review these applications again based on what Update is adopted.

Mr. Miller stated he felt that Mr. Thorne should be consulted before the Commission votes. Mr. Scheetz stated he anticipated that this public hearing would be tabled and a work session scheduled with Mr. Thorne and then the continuation of the public hearing.

Chair Sturdevant opened up the public hearing to the applicants.

Mr. James Gardner (5712 Greenwich Rd.) He stated he lived caddy corner to the Kratzer property. The State just completed a multi-million highway expansion. He stated when he

Page 7 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

first moved out here he thought he had utopia where he could see the stars but things change. When this process first started 2-3 yrs. ago he had concerns as well but now the Township has the opportunity to grow and to do this development right and become a model community. We need to all come together to make this happen. Mr. Gardner continued that a positive of this development would be the increase in tax base. The community would have the opportunity to be in control and create a model for others to emulate. Some of the other positives are that there will be an increase in property value, better infrastructure and possibly our children will have opportunities to stay in the community to work and live.

Mr. Gardner continued that big box stores were not what were being looked at. He suggested a pro-active approach be taken and for the Township to take advantage of this opportunity. Mr. Gardner added the community needed to be smart and diligent. We cannot be divided. Mr. Gardner stated he did not become one of the applicants to become a multi-millionaire. He added he was going to be an empty nester soon and his current residence took a lot to keep up. This development would provide other living arrangements as well as commercial/office potential. Mr. Gardner stated this area needed a grocery store. Having to go to Medina or Wadsworth to shop was the same amount of time but that meant tax dollars were leaving Westfield Township. Mr. Gardner thanked the audience for the opportunity to speak.

Mr. Mark Taylor (one of the owners of Deer Path Golf Course). He stated that with the highway construction and the lighting there was no escaping things will change. However you want to plan it so it makes sense for everybody. To think a Wal-Mart or Super K-Mart is going to locate here is probably not going to happen. The population would not support it. But are there other uses that would benefit the community? There are probably a lot of businesses that would. Backland would have to be developed through a PUD. Right now the door is shut because the zoning is not there. There are businesses that would benefit the community and generate needed tax dollars. Could a destination location be developed that would draw from different areas? That was a possibility. Without the zoning we will never find out.

Mr. Miller asked if any of the applicants felt coerced into signing (they could tell him privately) because they would be trapped by development around them? Mr. Forest Thompson attorney for the Kratzer family stated for the record that the comment just made by Mr. Miller was unfounded, inflammatory, derogatory and slanderous. Mr. Miller stated he was just looking for the truth.

Mrs. Carolyn Sims (5570 Mudlake Rd.). She stated it was important for the community to come together but it was equally important to realize this is a small community where the majority of residents know each other and rumors are abound. Mrs. Sims provided the following documents to be made part of the record:

Page 8 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/9/2010

1. Ground water pollution potential map of Medina County. It showed this proposed shopping district to be located on the two highest areas for ground water pollution and contain muck or alluvial soils.
2. Ground water resource map. This proposed development is just downstream from the portion of the aquifer that Medina County has recently installed a municipal well field in on Westfield Rd.
3. Analysis from the ground observation well. Since that well has gone online it has dropped 2.75 ft. The pump rates were to be million gallons a month. Since January 2010 pumping has decreased from 11 million gallons and in February it was cut down to 7 million gallons per month.
4. Maps that were submitted previously that reflect the hydric soils and the 100 yr. floodplain as it relates to this proposed development in this region.

Mrs. Sims stated those were her environmental concerns. She added that yes she is an environmental consultant. Environmental consultants represent companies against the government and environmental regulations.

Mrs. Sims continued there is a way to develop properly taking into account environmental issues and still have economic development which sometimes confuses people. The largest fear for Westfield Township is annexation. Mr. Scheetz attempted to use the adjacent parcels for annexation which was approved by Seville Council. The annexation went to referendum and was rejected by the Seville residents. She added on July 11, 2008, Mr. Scheetz put together a draft plan proposal for that annexation which showed two roads leading into and across the Creek which is the contiguous property owner to Mr. Kratzer. Seville then hired GPD Associates to study the sewer to lead into that development. (GPD map submitted). This also showed the requirement for a pump station.

Mrs. Sims stated her concerns about annexation of this large development is that Westfield Township does not have water and does not currently have sewer though it could be available. Seville has sewer and water and the residents overturned the annexation. She continued that the County has a plan to extend the water line if necessary if there is an emergency from the County plant in Westfield Center into Seville but that does not exist today. If this zoning is passed, it will need sewer and water. She commented that given the current make up of Seville Council; they will probably attempt to annex this land. Westfield Township would be left with the congestion, traffic and potential increase in crime that go along with a large retail development and none of the economic benefits.

Mrs. Sims stated she was taken back by the scale of this development as it has doubled since its origin. In the Comp Plan Update of 2003, the short run of Lake Rd. from Rt. 224 to Greenwich Rd. is a bottle neck with multiple points of ingress/egress. It appears the Speedway drive intersection is too close to the intersection of Rt. 224. This has caused traffic concerns with semis while trying to access Arby's, the hotel, etc. and progressing

Page 9 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

south on Lake Rd. The OMNI parcel or more commonly known as the old truck stop was purchased and they were not be to a truck stop. The highway construction project had not begun at that time but was planned. That particular property shrunk and was leased by ODOT and other contractors. Mrs. Sims stated this was the first time this parcel has been vacant and available to be developed and this should be looked at first before considering development down Lake Rd. This area has multiple points of conflict as well as the short run from Lake Rd. to Rt. 224 and having to compete with semis.

Mrs. Sims stated Westfield Township already has a commercial district that needs support. With the new configuration of the highway, one no longer needs to see our intersection when traveling and that is unfortunate for those businesses. Westfield Township is an interchange of Rt. 71 and Rt. 76 not an intersection. They are different. You do not get off at an exit here like you do at Rt. 3. As a result there are traffic and access problems in this area.

Mrs. Sims continued that these applications are similar to those submitted 3 yrs. ago. The existing Comprehensive Land Use Plan does not support this development. The primary goal was to preserve the rural atmosphere and agriculture nature of the Township. Mrs. Sims stated the majority of those large parcels that are in support of this development were approached by the previous board of Trustees several years ago to preserve the rural atmosphere of the community and promote agriculture. The Trustees proposed increasing the acreage from 1.5 acres to 3 acres. The farmers then asked why would I want to cut into my developable value? The Trustees responded to preserve the rural atmosphere of the community and promote agriculture. She continued that now someone who no longer chooses to farm comes in with this development and is jeopardizing the cut those individuals took in their development property rights.

Mrs. Sims stated Policy A2 of the Comprehensive Plan states “to maintain the Township’s thoroughfare network to ensure the safe, orderly and convenient movement of vehicles.” A large retail shopping district does not do that.

Regarding the resident survey, #14 the question of wanting increased commercial and industrial development; the results were the same as they were 10 yrs. ago. The residents don’t want it.

Lastly, Mrs. Sims stated she personally did not trust Mr. Scheetz. She has not seen the development promises that Mr. Scheetz has offered for Seville. This a grandstand plan. She commented that Mr. Scheetz thinks big but there is not the population to support this large development. The idea of “if we zone it they will come” has not worked in Harrisville Twp. at the outlet mall that has a large vacancy rate which is right down the road from Westfield Township.

Page 10 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

Mrs. Sims continued that some of the properties Mr. Scheetz has developed are significantly delinquent in taxes. The Auditor's website shows Hawthorne Suites \$161,000 delinquent in taxes. She asked Mr. Scheetz if that was correct? Mr. Scheetz responded that was true he is on a 5-yr. plan to pay a monthly payment. It was a negotiated settlement after 3 yrs. he entered into with the County. The County was appraising the property at \$ 3.5 million which included \$100,000 in furniture, equipment and fixtures. When the property is sold it will be paid in full. Mr. Scheetz added he was not the developer in any of this land but was only the attorney for the applicants for these text/map amendments. Any developer who develops the property would stand on their own.

Mrs. Simms asked if Mr. Scheetz was highly involved in the development of Park Ave.? Mr. Scheetz stated he owned 3 additional parcels. Mrs. Simms submitted the Auditor's documents that showed the delinquency and the monies not paid to the school district or Seville. She added 400+ acres is huge. The outlet mall is only 48 acres. Rolling Acres mall is 119 acres. Summit Mall is 53 acres. Why do we need 400+ acres for small, local shopping? She commented that the adjacent farms to this land will all subcome to subdivisions, apartments, etc. and that is not the reason she moved to Westfield Township. Retail development does not pay for itself. Industrial and office pays better than retail and asked the Commission to vote no on these amendments.

Mr. Scheetz stated there are 407 acres to be rezoned. Only 300 acres are to be developed because 90 acres are in the FEMA floodplain. Retail/Commercial are only one component of this development. There other uses and conditionally permitted uses that would be part of this General Business District. He added he did not expect this area to be dominantly retail. This development would entail multi-uses that would support the retail such as cluster homes and condominiums that would need to be within walking distance of those residents who were seniors or empty nesters. Part of the plan previously submitted did have large entities involved i.e. Bass Pro Shop or Cabala's. They are still interested. Those are destination locations. Mr. Scheetz continued the only component this development does not have is industrial. However there are individuals interested in developing such uses on the east side of Chippewa Creek. If these applications are passed this development will be developed in Westfield Township. There are 3 jurisdictions that could provide water. When Seville Village had a study done it was to see how large of an area they could service on the east side of the Creek. The west side of the creek could be serviced by Westfield Center, the County or a combination of County and any of those entities. Economic development agreements could be entered into or without them joint utilization of facilities could be done. There is no emphasis by any of his clients to annex to Seville on the west side of the creek. The proposed General Business language was based on the Medina Township General business district that developed the north of the City of Medina. The PUD was based on Liberty Township's plan where 90% were large lots and 10% was developed as a PUD. This was language furnished to him by the Dept. of Planning Services to use as a guide for these amendments.

Page 11 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

Mr. Scheetz stated of the 300 acres to be developed 40%-60% would be developed as commercial in combination with offices, corporate headquarters, hospitals, professional/medical offices, etc. and 30% would be developed as non-traditional single-family development. The other 10% could be entertainment or park related uses. By no means would 300 acres be developed as a retail district. That did not make sense.

Mr. Bill Thomb (8189 Friendsville Rd.) He stated he sat on the Steering Committee for 1 full year and spoke to many residents and neighbors. He stated he likes the community the way it is now. When he came in 1988 he did not plan to stay but now you would have to drag him out crying. Mr. Thomb stated he went for drive yesterday. Park Ave. started when he moved out here and it still is not finished. Regarding Chippewa Park it is still vacant. Mr. Thomb continued that he also drove out to the outlet mall and about 40-50% of the stores are empty. We don't need another empty mall. Mr. Thomb stated the old truck stop property is empty and the gentleman who owns the truck wash has tried to sell his property for the last year and can't. He added he was concerned the Township would get stuck with another eyesore where nothing happens. The Township has no Comprehensive Plan right now to make a decision on. If he operated like that when he worked for the school he wouldn't have lasted. Mr. Thomb stated he agreed with Mr. Daugherty that there does not appear to be a Plan in place for the Commission to make a decision on or a precise manner in which the document would be considered to be adopted. Mr. Thomb stated he felt the Steering Committee had done quite a bit of research and they were as fair as they could be about the Kratzer property. This is Westfield Township and Westfield Center is just a part of the Township and the Township is mostly rural.

Mr. Thomb commented that he commended Mr. Scheetz for dreaming as he was an old man and did not dream anymore-he wanted things to stay the way they were. He added he had a feeling the money would not stay in the Township and continued he did not believe the developers even lived in the area let alone the state. Mr. Thomb stated he would ask for more definition of this project. Have more facts. Mr. Thomb stated while he was on the Committee he questioned all the revenue the Township was proposed to get with this development. He added Martha Evans wrote a letter about all the income the Township would receive but never mentioned the expenses such as increased fire and rescue calls, expansion of the highway, snow removal, etc. Regarding the comment made that this development would offer employment opportunities that might keep the kids who graduate from Cloverleaf from leaving the area, Mr. Thomb stated that the kids would move wherever the jobs are. Most college graduates don't work in grocery stores, retail stores or McDonalds. Mr. Thomb concluded that the Commission had nothing to make a decision on. Somebody needs to approve a Plan and nothing should be done until that Plan is adopted. Then this process needs to start over again from the beginning.

Chair Sturdevant again explained the process regarding the adoption of the Comp Plan. She added it is ultimately the Trustees decision as to which Plan they will adopt for the Township. Chair Sturdevant addressed Mr. Thomb comments about requiring more detail

Page 12 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

about the project. Chair Sturdevant stated Mr. Thorne from the Pros. Office stipulated that the Commission could not deny specific "businesses" from coming in i.e. Wal-Mart or K-Mart. If the text is passed it would allow for certain types of businesses but the Township could not target specific businesses and deny approving them based on their name or nature of the business.

Mr. Joel Sech (5905 Seville Rd.). He stated he came from Cleveland, Ohio and wanted to keep this quiet, rural atmosphere. He likes that there are no street lights on Seville Rd. and is happy with his well. Mr. Sech continued he likes to look at the stars and the deer and could not do that in Cleveland and does not want to loose that. He commented that maybe some people have gotten complacent and don't realize the wonderful place they live. He continued has heard individuals complain that they don't like to drive to Medina or Wadsworth to shop. Mr. Sech commented what is wrong with that when you have such a serene place to go home to? Mr. Sech stated "Keep that congestion in Medina and Wadsworth. The Township does not need it. Keep the big city problems in the city." Mr. Sech stated Wal-Mart will come regardless of what individuals have said and they will bring other big box stores with them. He added one of the Trustees who was just elected, ran on the premise he would keep things rural. Mr. Sech stated this issue has not gone before the Trustees so it waits to be seen. Mr. Seck added he has attended meetings, written the Commissioners and has spoken at many presentations. He concluded that the Township does not need all the items Chair Sturdevant read that would be permitted or conditionally permitted and asked the Commission to turn these amendments down.

Mr. Jack Greenwald (5550 Mudlake Rd.) He state the only question he would like to ask, Is the Commission going to support a retail development or our rural community?

Ms. Denise Gardner (5712 Greenwich Rd.) She stated things change. The only thing is to make a community grow and there is nothing in Westfield Township to allow for that to take place. There is nothing to keep this community vibrant. You have to make young couples who are buying homes here want to stay here and for their kids to have opportunities to work other than the truck stop. Ms. Gardner stated she was ashamed of the gentleman who sat on the Board of Education and spoke this evening that he did not have more vision for the children of this community as she felt the children could become anything they wanted to be.

Mr. Scheetz stated that 85-87% of the real estate tax revenue generated from this development would go to the Cloverleaf School District as well as sales tax and income tax. Taxes would also be generated to support the Township's Fire and EMS services. Regarding the comments made about how this development would affect the rural atmosphere, Mr. Scheetz stated every property within the 407 acres, is located within a 2 mile and 2 minute drive radius from the intersection of Rt. 71, 76 and Lake Rd. When NOACCA and the County looks at this they consider Lake Rd. the intersection because one is coming off the ramp. Any improvements such as lights, turn lanes, etc. would be

Page 13 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

the responsibility of the developer as well as any improvements in infrastructure i.e. water and sewer as septic and wells would not be used to development this property.

Mrs. Sims began to speak from the audience. Mr. Forest Thompson addressed the Commission and stated from a procedural point no one was to address the Commission without being recognized by the Chair and coming to the podium to be identified. This is not an open forum.

Ms. Lynn Methlie (9238 S. Leroy Rd.) addressed the Commission. She stated she too liked the rural atmosphere of Westfield Township. However she did not want to see the Township lose control over development like Brunswick has over the years. She stated since she is self-employed she knows what she has to do to make money that day as most individuals do for their bosses or themselves. With a 40% vacancy rate at the outlet mall why would somebody want to locate here and build a box store? Ms. Methlie continued that Chair Sturdevant read the list of permitted uses that would be allowed if this land is developed. Maybe that list needed to be shortened or tightened up. The jobs that would be available would only be for unskilled labor if a big box store takes up location. To build another box store does not make economic sense. Stores don't open to loose money. Different types of businesses could locate in this development. Ms. Methlie stated her business was real estate and Westfield Twp. was not a cheap place to live so the community has to attract a work force to be able to afford to live here to keep property values high and the schools rated excellent. Box stores are not the answer.

Mrs. Simms came to the podium and asked if Mr. Scheetz was going to be allowed to respond to every individual comments? Chair Sturdevant responded if there is to be dialogue between Mr. Scheetz and individual residents they could submit their comments in writing.

Ms. Fisher (7887 Westfield Rd.) She read the following statements into the minutes (See attached to minutes).

Mr. "Willie" Carrasco. He stated he owned Northcoast Soccer. He stated he was concerned with the schools. He stated he knows this is a rural community but does not like hunting and shooting but he has had to accept that. Mr. Carrasco stated he never has complained about shooting. He added he tried to give his son a piece of land but he did not want it because of the shooting. Mr. Carrasco stated he was not complaining it was there right. Mr. Carasco stated he did not like every time he wanted a piece of bread he had to drive 20 minutes. He added he cares about his kids and his grandkids. We need money to improve the schools. That is number one to him. We don't want the traffic but we have no money that will be generated here. We need to think about that.

Mr. Forrest Thompson stated he wanted to make a point of clarification that he did not consider until he heard the dissenting comments. He commented that it has been stated publicly that Mr. Kratzer chose not to farm. Mr. Thompson stated he had the opportunity

to review previous minutes on these requests and it has appeared the action was lost in the noise of personal vendetta and attacks against certain individuals back and forth to the point there was no meaningful dialogue on the subject matter but slings and arrows thrown. He continued that Mr. Kratzer gave up a career to farm and bought the farm from his family to continue farming. At least 3 times the State has come and taken land and the property is a shadow of what it was and farming was no longer a viable option but still Mr. Kratzer continues to farm. What is growing is probably growing faster because it is a hothouse because of the lights the State erected. The light is visible all the way up Greenwich Rd. making the property virtually useless for any meaningful farming operation. The lights have virtually rendered the property so that no developer is going to develop it for single-family homes. The eminent domain issues by the State have rendered the property inefficient for farming. So now what was Mr. Kratzer to do? Call his land the abyss because farmers to the south, east and the large portions of farmland away from the lights want to keep their rural heritage so we are to ignore the practical realities of what is occurring in that area? Mr. Thompson continued that this is not the Kratzer family twisting the screws to the neighbors. Mr. Kratzer had the foresight to come forward on his own. However there was much dissent because of his given position in the community, but he came forward with what he perceived to be some foresight. One of the chief issues brought up was what do the neighbor think? What about the contiguous property owners? That was one of the tools used to defeat Mr. Kratzer's requests. Mr. Thompson stated here are the contiguous property owners this evening. These are the people who were asked what is their opinion. None of the people laid out on the map provided have the day to day impact as those who are already in this District. This needs to be considered. The usability of the land in this district is limited and it is not conducive for farming.

Mr. Gene Salzener (180 High St.) He stated he was not only a resident of Seville but felt he was also a resident of Westfield Township. He added he had 14 acres he farms for pumpkin crops. This year is probably the highest yield year he has had ever. He did not believe artificial light affected the yield. Mr. Salzener stated he is the individual who was responsible for circulating the petition for referendum in Seville regarding the annexation. This property lies within the floodplain zone as well as the property being considered this evening. There are now individuals that are paying mandated flood insurance because of the revised floodplains by FEMA. The floodplains were expanded due to development in the area. More impervious surfaces, parking, roads, and buildings contribute to the runoff waters. There is deterioration to the Creek as well. The petition was successful and the annexation was voted down by referendum. The concern by the residents was not only the floodplain issues but the dissatisfaction by Seville residents with the amount of commercial/industrial development. The comments he heard when he circulated the petition were consistent. The dominant opinion was that Seville residents moved to that quiet community was to get away from large commercial/industrial development and big residential development. This petition represents Seville residents as well as Guilford Township residents about commercializing this end of Medina County. They want to keep the rural atmosphere.

Page 15 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

Mr. Salzener continued that whatever you chose to do in Westfield Twp. does have an effect on neighboring communities. Seville is also in the planning process of expanding of commercial and light industrial. They are looking at overlay districts to take land that was previously identified as residential and making it an overlay district for other uses. They have confirmed 18 acres of land from Greenwich Rd. north on Rt. 3 to I-76 for commercial development. The question is do we have enough residents to support all this commercial development. The Chippewa Creek is an important resource to consider as development of this area can affect surrounding properties in a negative manner.

Mr. James Gardner stated he took classes in communication and part of communication is listening. He added he heard big box stores but it was more than that. The plan calls for housing which would attract more people to the area to support the minority of businesses should this proposal pass. This is what is needed, more people. This property is no closer to the lights from the highway than the Kratzer property. The expansion of the highway has affected all of the properties in the area.

Mr. Keith Simmerer (8195 Westfield Rd.) He stated he sat on the Board of Zoning Appeals as well as the Steering Committee for the Comp Plan Update. To begin, the current Comp Plan and the survey do not back up this intensive of a use in Westfield Township. The Greenwich Rd. corridor's current zoning does not fit the community. The highway has caused change in that area but did not feel this development was the right change for the area. Zoning allows the community to control they way it develops and gives each owner a use but not the highest use of their property which at times was difficult. This area is at a high risk for annexation and the township has nothing in place to prevent such annexation. Careful study of this area is needed. If the property is annexed Westfield Twp. would be left with the downside of such development and asked that these things be considered. He asked the Commission to vote no on these amendments.

Chair Sturdevant stated because of the lateness of the evening, she asked that this public hearing be continued. She stated the Cloverleaf School has an application that needs to be heard by the Commission and asked the board's availability to meet for a workshop meeting with the Pros. Office, the continuation of this public hearing, and to hear a site plan for the school.

Mr. Anderson made a motion to schedule a special meeting on September 28, 2010 at 7:00 p.m. to hear a site plan review for Cloverleaf school and to hold a workshop meeting with the applicant, Mr. Stan Scheetz, the Prosecutor's Office and the Zoning Commission at 7:30 p.m. It was seconded by Ms. Kemp.

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

Secretary Ferencz stated no notifications would be sent out to the public. The work session is not open for public comment though the meeting is open to the public.

Page 16 Westfield Twp. Zoning Commission Reg. Mtg./Public Hearing 9/14/2010

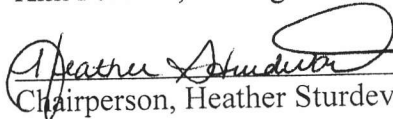
Chair Sturdevant made a motion to continue the public hearing on the proposed text and map amendments for October 12, 2010 at 7:30 p.m. It was seconded by Mr. Anderson. ROLL CALL-Sturdevant-yes, Anderson-yes, Miller-yes, Brewer-yes, Kemp-yes.


Having no further business before the Commission, Chair Sturdevant made a motion to adjourn. It was seconded by Ms. Kemp. ROLL CALL-Sturdevant-yes, Kemp-yes, Anderson-yes, Miller-yes, Brewer-yes.

Meeting was officially adjourned at 10:10 p.m.

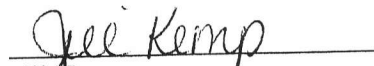
Respectfully,


Kim Ferencz, Zoning Secretary


Chairperson, Heather Sturdevant


John Miller

Sue Brewer


Jill Kemp


Scott Anderson