

Westfield Township

Board of Zoning Commission

Meeting Minutes of March 13, 2012

The meeting was called to order at 7:30 pm by Chairman Sturdevant. Members in attendance were: Dennis Hoops, Jill Kemp, Susan Brewer, Scott Anderson, Heather Sturdevant and Sherry Clarkson. Guests in attendance were: Jim Likley, John Miller, Gary Harris, Matthew Witmer, and Bill Thombs, and Stan Scheetz.

Meeting Minutes of February 28, 2012

Chairman Sturdevant advised the minutes were sent out to all members and asked if there were any corrections/additions to the minutes. Mr. Scott Anderson advised on Page 3, first paragraph, last sentence reading March 13, 20 & 27- should read March 13, 26 and 27. There being no other additions/corrections a motion was made by Jill Kemp to approve the minutes as presented and amended. A second to the motion was made by Scott Anderson. A roll call was made as follows: Sue Brewer-aye; Dennis Hoops-abstain; Jill Kemp-aye; Scott Anderson-aye and Heather Sturdevant-aye. The motion passed.

Updates and Announcements

Chairman Sturdevant advised since our last meeting there was a meeting held at the Medina County Engineer's Office whereby the meeting was held to discuss the updating of the current Flood Plain Area. Chairman Sturdevant asked Zoning Inspector, Matthew Witmer to provide those in attendance and members with an update. Mr. Witmer advised he as well as Ron, Jim & Lee Evans attended the meeting. What was interesting is that the county has gone from using a 20 ft. contour to a 2 ft. contour survey of the area. The flood plain has shrunk tremendously in size. The maps are available under the Auditor's Office website by going to the parcel section and then going to the available map section (upper left –layering section) which shows the old flood maps as well as the new proposed flood maps. The public was invited to view the information also later in the day at the County Engineer's office.

Chairman Sturdevant advised at the Trustees meeting last week they are not going to adopt the natural hazards overlay as discussed at our previous meeting. Since they are not going to do anything, Chairman Sturdevant did not schedule a work meeting with Bill Thorne.

Tonight we will be discussing and working on the highway commercial district. If everyone would take out their information which they received at a previous meeting it would be most

appreciated. Chairman Sturdevant advised that we are in receipt of a completed application for Truckstops of America for a uricare clinic to be placed within the building and a public hearing has been scheduled as well as the BZA has received a completed application from Truckstops of America for purchasing the building across the street. It was also noted Idle Air, will be coming in on the s/s of 224. This has prompted us to open discussions regarding our HC, should we open up the usage or not. None of our districts are not meant to be super restrictive, so that everything has to go through the BZA. Chairman Sturdevant asked for everyone's thoughts before we get started. Sue Brewer advised she does not want to see more heavy traffic in the area, as an example of more small businesses which would add to the already heavily travelled traffic in the area, I know we talked already about restaurants being in the area. Dennis Hoops advised he is inclined to see some kind of development in the area, since our population has dropped, this may be the right area to develop and the right time to promote this. Scott Anderson advised he would like to see something go in. More tax income would help the property owners. Jill Kemp advised as discussed at the last meeting, I am not interested in seeing ingress and egress traffic, this will cause more problems. I am more inclined in my own opinion to back off and if someone comes to us and wants to do something, then consider that use, rather than add a bunch of uses which may not be of a benefit. I don't agree with some of these small commercial establishments that would serve the local community, I don't think they belong down there. The HC is to serve the highway and truck traffic. I think we are better off to cater to that in that area. Heather Sturdevant advised she is looking from a two-prong approach, in that we heard from our residents, before you develop other land in the township, we have land underdeveloped or not developed and people want to see developed first. A lot of the land has been for sale or sold for a long time and has been sitting there, so in that perspective she is inclined to take that suggestion and allow some additional uses so that those properties fill up and they do not sit empty. Realistically we have some prime real estate on the highway that other communities do not have and I believe we should utilize it to its best ability. Now I do understand we are in a special situation with sexually oriented businesses and we have to be mindful of that when we are done. I struggle with traffic because if you will recall 8 months ago the same board approved a major development on Greenwich Road which would have brought a great deal of traffic to the area which this board was for at that time. I am for adding some uses to the area, I don't think we need to open to everything, we should stick to uses which could make good use of the fiber optic area coming in. This would be a good opportunity for us to utilize this, but these are my thoughts on this.

Jill Kemp advised, if you are just looking at traffic flowing through an area to get to another area, this is something else, but if you look at Idle Air coming in, why do you want to have car traffic amongst truck traffic. It was noted that we are not looking at expanding the district, we

are looking at current uses within the district, and possibly allowing more uses. Stan Scheetz advised members that the property on the s/s where Idle Air is looking to come was proposed with a cul-de-sac originally allowing fast food establishments to come in. It was noted by one individual sitting in the public with the telephone company owning one corner, you will never see development of that corner. It was noted that the property on the s/s has about 13 or more acres which can be developed, as a gateway to Westfield Center, with the corner property belonging to a real estate agent owning Realty Mart.

It was asked that we review what our current HC district has Section 306, page 34

Uses – Permitted uses

1. Restaurants & Eating places
2. Motels
3. Sexually Oriented Businesses, subject to 306E.5
4. Accessory uses and structures as provided in Section 205 and including signs as regulated by Article IV and parking and loading as regulated by Article V.

Conditional Uses

1. Drive-in establishments including any permitted us listed in Section 306B.1 above, and including auto washes, restaurants and refreshment stands but excluding drive-in theaters and commercial amusement parks
2. Gasoline filling stations
3. Automotive repair
4. Auto wash
5. Club pool, commercial pool
6. Truck sales and repair
7. Similar use
8. Governments Projects (added 12/15/06)

Chairman Sturdevant proceeded to read Supplementary Regulations - Section 306 E.5 a & b regarding Sexually Oriented Business (Page 35, 36 & 37) Under the current zoning resolution code.

Chairman Sturdevant advised, if we look at what we presently have, restaurants and eating places we already have. She advised she would like to see businesses come in to make use of the fiber optic network; although not necessarily office structures with no tenants in them.

Chairman Sturdevant asked by looking at the materials handed out did anyone see any specific zoning for HC that Montville, Seville, Brunswick, and Brunswick Hills have that should be discussed? She then proceeded to ask everyone to look at Montville Township, under 430.1 Purpose, Item E.

To provide an Office District (O) that encourages business and professional office buildings and uses where buildings are clustered and attractively landscaped with open spaces in a “campus like” development. Planned commercial developments are permitted in this district in order to create such a flexible design arrangement.

Chairman Sturdevant asked about Data Centers locating to this area making use of fiber optic network. Sue Brewer advised you have to be careful of traffic once again. Sue advised she felt more comfortable in setting of controlling traffic and traffic congestion.

Chairman Sturdevant asked everyone to look at the Schedule Sec. 430.3 in Montville Township Schedule of Permitted Uses in HC. Chairman Sturdevant advised why don't we take from this list and add or delete what we want to see.

1. Administrative, businesses and professional offices, including public administrative office
2. Financial Establishments
3. Hospital, medical clinic, urgent care facility, ambulance/emergency medical services and accessory uses
4. Medical or dental office
5. Retail in completely enclosed buildings
6. Personal service facilities offering services directly to the public, including, but not limited to, hair care, dry cleaner, shoe repair and photography
7. Restaurant
8. Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; protective services; equipment rental and leasing
9. Copying services open to the general public on a retail basis
10. Golf course, miniature
11. Hotel, motel
12. Public Safety facility
13. Wireless telecommunication tower and/or facility not classified as a public utility
14. Sexually oriented business in compliance with Se 330.6

Now if you look at #1, do we want to add Data Centers? Everyone was in agreement, but advised we need to determine what Data Centers mean, Chairman Sturdevant advised we would need to provide descriptions on information.

What about #2 –Financial Establishments – Jill Kemp advised for traffic coming to work is one thing but for continual traffic that causes a problem. Scott Anderson asked about having a service road, with a ATM machine, vs. financial establishments, but this would be a conditional use. Jill Kemp advised she was not for egress/ingress. Sue Brewer and Dennis Hoops advised they were not in favor of this. Dennis asked about warehousing- Industrial District, controlling traffic in and out. Mr. Likley advised our language could be open enough so the market can drive the direction of what would locate to an area, even with other uses. The market will drive what piece of property is best suited to and for an area.

Chairman Sturdevant advised that what we presently have is protected. We have the soccer fields, and Truckstops of America which if you look at is pretty protected in the area for development. All members were in agreement of not opening up the area to retail, due to the heavy volume of traffic we already have. In general members were in agreement of professional office, and warehousing in general. All members advised they would like to have a map which identifies properties within the HC area. Mr. Likley advised he has a copy in his zoning book which was printed from the Planning Services.

It was noted that we need to take our present language and open it up.(eg. If you see office buildings, then perhaps you won't see industrial warehousing, industrial.) Once we see what the market calls for we can go from there with zoning.

Stan Scheetz asked to speak and advised he represents 11 industrial parks in 5 counties. Every single park with the exception of Sharon has offices, warehousing and assembly. They all go together. If you look at Seville, You have Panther Trucking, which employs 175 individuals alone, they also have safety and training centers. You will see a day care center, things all go together and they will blend together, office, industrial and office retail, commercial all work together. Stan advised he wants to provide us with practical knowledge of what works together.

Chairman Sturdevant advised after discussion that the board is looking at adding #1 on page 4 in general plus allow Under our Zoning Resolution Page 38, Industrial District Section 307 allow Manufacturing activities, including assembling component parts in manufactured products; mechanical or chemical transformation of materials into new products; transformation of materials by heat, electricity or other forms of energy; the blending of new materials; and the packaging of materials, adding warehousing and storage

It was noted that we are in favor of light industrial due to the fact that we are close to residential and we want to stay away from heavy industrial (smokestack). So the question is do we want to open to light industrial, in our industrial district. So, if we have someone that would want to come in and submit an application for light industrial having a similar use under our zoning. (Once again referring to Section 307 I- B-Uses a, b,c, excluding any chemical manufacturing since we are backing up to residential.) Jill Kemp asked if we are adding light industrial and giving some definition to it? Chairman Sturdevant advised we will need to define light industrial; therefore providing definitions to what we want to locate to the area.

Mr. John Miller, asked to speak and advised the township has to be careful with warehousing, as many trucks come in and out picking up materials, so be careful in what is determined as warehouse. It was noted wouldn't this be terminal facilities, like Schneider Trucking in Seville? – It was noted Schneider is now maintenance and transfer. It was noted warehousing does not create jobs, if you want to create jobs you are looking at offices.

Once again, it was noted the market will control what would locate to the area. It was noted we could control warehousing, by defining light industrial. It was noted by Stan Scheetz that manufacturing does not necessarily mean smokestacks. Companies were cited (Atlantic Tool & Die, and Blair Rubber which are within the Seville Industrial Park).

It was noted that we will be requesting information from Planning Services prior to the next board meeting. It was reiterated that we will be looking at: Administrative, businesses and professional offices including public administrative office, light industrial, including warehousing limited to light industrial and obtain definitions from Planning Services and hopefully we can draft something from that. This gives us a direction in which way we are going so this will allow some different uses. Also, based upon the current application we have for medical services, this can be opened up to this type of service also.

Updates

We have a public hearing on March 27th at 7:30 pm for TA Travel Centers, regarding the application everyone should have. Chairman Sturdevant is getting the Fire chief and EMS coordinator from Lodi Hospital as well. The Fire chief wants to make sure everyone works together, so if someone is critically ill they want to make sure access is available as well as services. The Health Department has also been contacted, but no word has been received as of yet. Chairman Sturdevant advised our next schedule meeting will be April 10, 2012

We have quite a few items on the agenda for MCPC which are: Wind Energy & Swimming Pools as well as the Conditional Use for the "walk in clinic". MCPC meeting will be on April 4th. We will be sending information to the Prosecutors office regarding Wind Energy as well as Swimming Pools as this has changed.

Mr. Thombs advised that if businesses are going to be brought in, the commission may wish to seriously think about banking, due to the fact that if you take a look at Westfield Bank by Westfield Companies, you add employees. It was noted that this could be a conditional use. Chairman Sturdevant advised the problem may be with fast banking centers vs. a regular bank. Chairman Sturdevant advised she would obtain information from planning services on banking.

Public Participation

Mr. Likley advised with reference to the National Hazard overlay and maps, just for information, back in September 15, 2008 maps were presented to the Board of Trustees from Dan Wilhoite from the county engineers office. Maps were presented to this zoning board commission on October 14th 2008 meeting, minutes reflect that those map amendments were to be adopted and they were unanimously adopted by the board. Motion made, seconded by Mr. Anderson and roll call made. The intent in all of this was to make the corrections in our zoning text that comply with actions of this board. Email from Mr. Thorne in regards to this states, this email is to confirm my conversation with Trustee Oiler that 302 B 1 A of your zoning code does not need to be amended in order for the most recent amendments to the US Geological Survey Map for flood prone areas to be utilized, in fact it is better to leave in the language or subsequently amended than to take it out. Subsequently amended was not removed from the proposal that came before us you folks as well to the Trustees on the flood prone area maps to Medina County moreover are to be changed again this year as Matt mentioned by the Medina County Engineer's office which are slated to be effective within 1- 1 ½ yrs out. But my point in this is that recommendations from Tom Russell from Planning Services, from meeting which Sue Brewer and Greg Brezina attended in fall of last year at the County Engineer's office that the recommendation from Planning Services was that we correct our zoning text and that is what this is. This was a correction of the action of this board and the map was amended and it should be reflected in the zoning text not only to our board members, zoning inspector and to our residents in our website and zoning text in office. They should be able to come in, see actions of board and as they are adopted or amended see those reflected in the zoning text.

Chairman Sturdevant advised from information from Bill Thorne, if you separate the two this does not have to go through the entire process that you can just update the map. This board did vote to update the map in 2008 for whatever reason it wasn't adopted by the Board of Trustees I don't know why. Jim Likley advised it doesn't have to go through the board. (Reflecting Bill Thorne's email again). In general Mr. Likley felt that everything should be brought current, as not to confuse the public. (Therefore state subsequently adopted and amended by the board showing the 2008 maps). Chairman Sturdevant advised Bill Thorne advised any changes to the text has to go through the process, and possibly that is the problem with the maps. Jim Likley advised the text gives information to state 2008 maps. Chairman Sturdevant advised subsequent to county regulations, automatically county regulations become our document, so county regulations become what we are under regardless of what we have. Chairman Sturdevant advised "My problem is that the Board of Trustees have turned down changing things, so if this board takes the time working and if we know it won't get passed we are just wasting our time." Mr. Likley advised that the text should show maps being used are 1977 Geological US Survey map. If it is a true representation in our documentation to our residents, we should reflect the correct map and actions of the board. This is all that I have requested to make sure that maps are current and are on file, so anyone can ask for the correct map vs. what the book reflects. Mr. Likley noted that possibly due to the previous zoning secretary having had a house fire in 2008 and problems with her children in 2008 may have left this out unknowingly.

It was noted that possibly the Web site could show board meetings, public meetings, and agendas in the future so the residents could see this. Chairman Sturdevant asked for discussion by the board members with reference to the questions brought forth by Mr. Likley, it was noted the maps can be added but the text must go through the process. It was noted that our verbage states subsequent to county regulations, which does have to have everything updated. The Board of Trustees have stated they will not update the text at this time, which if we update it, it will just get turned down, like the swimming pools. This is a lot of time to go through and the Trustees have advised they are not looking at doing it at this time. It was noted that individuals will need to work with the county regarding flood plain information anyway. It was noted by all members that they agreed not to do anything at this time.

Matthew Witmer advised under LC & HC Conditional Use Section it states subject to these subsections of section 606 and mentions #22 – if you go to that section, it mentions cemeteries and in 306 it also mentions Item #22 which has nothing to do with Conditional

Use, (page 34) this will need to be corrected sometime.(It is also the same with LC, refer to 30 & 31).


There were some questions asked by individuals as to what is the time frame when someone is not following the code, and what happens when someone does not follow the procedures set by the township. Mr. Witmer addressed these questions.

Questions were asked by the public regarding fracking control within the township. Chairman Sturdevant advised information is available in the office for the public to view.

With no other discussion, a motion was made by Scott Anderson to adjourn the meeting. A second to the motion was made by Jill Kemp. All were in favor. The meeting was adjourned at 9:17 pm.

Respectfully Submitted

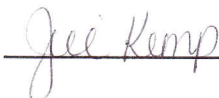
Sherry Clarkson, Zoning Secretary



Heather Sturdevant, Chairman

4-10-12

Date



Jill Kemp, Co-Chairman

4-10-12

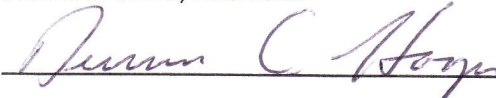
Date



Scott Anderson, Member

Date

Susan Brewer, Member



Date

4-10-12

Dennis Hoops, Alternate

Date