



MEDINA COUNTY PLANNING COMMISSION
MINUTES OF MEETING
WEDNESDAY, SEPTEMBER 3, 2014, 6:30 P.M.
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE ROOM

Attendees / Representing (from sign-in sheet):

Judy Emrick, Montville Township
Travis Crane, TGC Engineering
David Hull, York Township
Gary Kiszak, Lafayette Township
Alliss Strogin, Lafayette Township
Andy Conrad, Highway Engineer's office
Stan Katanic, Pulte Homes
Colene Conley, York Township Trustee
Dorothy Crouch, York Township ZI

MCPC Members and Alternates in Attendance:

MCPC Members:

Martha Catherwood, Vice President
Jeff Brandon
Ray Jarrett
Christina Kusnerak
Val Jesionek
Pat McNamara

MCPC Alternates:

Lynda Bowers, President, (for Pat Geissman)
Jason Stevenson, (for Steve Hambley)
Jerry Cook, (for Adam Friedrich)

MCDPS Staff:

Cheryl Heinly, Admin Assistant
Rob Henwood, Planning Director
Susan Hirsch, Principal Planner

Lynda Bowers called the meeting to order at 6:30 p.m. and began with the Pledge of Allegiance.

I. ROLL CALL

Ms. Bowers, Ms. Catherwood, Mr. Jarrett, Ms. Jesionek, Mr. Cook, Mr. Brandon, Mr. McNamara, Mr. Stevenson, and Ms. Kusnerak were all present at the time roll was called.

II. MINUTES

Ms. Bowers asked if there were any questions regarding July and August minutes. There was none.

Ms. Catherwood moved to approve the July 2, 2014 and August 6, 2014 meeting minutes as presented. Mr. McNamara seconded the motion. All voted AYE and the motion was approved.

III. CORRESPONDENCE

There was no Correspondence

IV. CONSENT CALENDAR

A. Blackberry Trails, 067-2014, FP, Final Plat, Montville Township

Ms. Hirsch prepared the staff report for the Consent Calendar regarding the above captioned subdivision located on the east side of Wadsworth Road (SR 57), north of Sharon-Copley Road (SR 162).

The applicant proposes to provide 50 attached single-family rental homes at a density of 2.7 units per acre. The proposed subdivision is to be served by central water and sewer.

The subject property is zoned R-3, Single-Family Urban Residential District the Township. This District is to serve as a transitional district between similar or higher density residential neighborhoods in the City and the intended lower density residential neighborhoods in the Township.

The Montville Township Comprehensive Plan, adopted in 2008, depicts this area as "Residential" at a density of 1 dwelling unit per 22,000 square feet with central water and sewer. The property has since been zoned R-3 which permits residential development at a maximum density of 3.2 dwelling units /acre. While this density is not currently consistent with the Township Comprehensive Plan, the Township is in the process of updating the Plan.

Discussion:

There was no discussion.

Ms. Jesionek moved to approve the Consent Calendar and staff recommendations of Approval for the Blackberry Trails Final Plat subdivision. Mr. Jarrett seconded the motion. All voted AYE and the motion was approved.

V. OLD BUSINESS

There was no Old Business.

VI. NEW BUSINESS

Because the Forest Creek Subdivision looked like it could take some time, the Commission moved it to the end of the agenda.

****Planning Commission Chair, Lynda Bowers stepped out of the room as she is a Lafayette Township Trustee and will be voting on the below amendment at a later date.**

A. Lafayette Township Text Amendments, 065-066-2014 TA

Ms. Hirsch presented the staff report to the Commission regarding the above captioned amendment regarding the amendments proposed by the Lafayette Township Zoning Commission to include:

1. Section 307, Innovation Park Planned Unit Development District (IPD)
2. Article IV, Sign Regulations, Sections 403 and 405.

Discussion:

Gary Kiszak, Lafayette Township Zoning Commission Chair, said he could not speak to the inconsistencies and the schedule. He thought they used the same format but it appears that it might have fallen through the cracks. He will take staff comments back to the zoning commission for their meeting on Tuesday.

Mr. Jarrett questioned the 50-foot maximum height and if it was presented to the fire department. Mr. Kiszak said yes and the 50-foot was in the original text, which the fire department did approve.

Ms. Jesionek said she liked the schedule and felt it was easier to read. She said if they have it in the rest of their code they should be consistent, but they should address the inconsistencies. Mr. Kiszak said they re-read and added to the text.

Ms. Jesionek moved to approve staff recommendations of Approval with Modifications for the Lafayette Township Text Amendment regarding Article III, Section 307. Mr. Brandon seconded the motion. All voted AYE and the motion was approved.

Ms. Hirsch went on to present the next amendment regarding Article IV, Sections 403 and 405.

Mr. Kiszak said that “nits” was the industry standard language. He said they did a lot of research and understood it was more of a design reference for the manufacturer who will order the sign. He said he would take staff comments back to the zoning commission.

Mr. Stevenson said he knew nothing about “nits” and asked which illumination was correct, 200, or 2,000 for evening illumination. Mr. Kiszak said 200 was correct.

Mr. Jarrett moved to approve staff recommendations of Approval with Modifications for the Lafayette Township Text Amendment regarding Article IV, Sections 403 and 405. Mr. McNamara seconded the motion. All voted AYE and the motion was approved.

****Ms. Bowers returned, 6:46 p.m.**

Mr. McNamara asked Ms. Bowers if he should leave the room for the upcoming amendment, as he is the Director of Public Services for the City of Brunswick. Ms. Bowers said he would not be voting on the item so he could stay.

Ms. Bowers then explained that the statutory complexion of the Board requires a certain number of Trustees to sit but items in their Townships will come before the Board. If those members have to vote on those items as a City, Village councilperson, or a trustee, then that person leaves the room while the item is being discussed so it avoids the appearance of impropriety when it is voted on later at the local jurisdiction.

B. Brunswick City Text Amendment, 068-2014 TA

Ms. Hirsch presented the staff report to the Commission regarding the above captioned text amendment for communication towers.

The amendments proposed by the Brunswick City Planning Commission would delete communication towers in their entirety from the R-R Rural Residential, R-L Low Density Residential, R-M Medium Density Residential, C-N Neighborhood Commercial, GW-C Gateway Commercial, and I-D Industrial Distribution Districts. It also will regulate the location of communication towers as a conditionally permitted use in the C-H Highway Interchange Commercial, C-G General Commercial, and I-L Light Industrial Districts.

Discussion:

Ms. Jesionek questioned the wording at the top of page two, subsection A, which is under 1274.14. When it is read it says, "In all conditionally permitted commercial..." She did not think the zoning districts were conditionally permitted. She would have re-worded it to say, "All conditionally permitted towers and associated structures." She asked if she was reading it incorrectly because it did not sound correct. Ms. Bowers thought Ms. Jesionek was correct. Ms. Hirsch agreed with Ms. Jesionek.

Ms. Jesionek went on to say that, there are such things as conditionally permitted districts. Ms. Bowers asked if it should say, "Conditionally permitted uses and districts." Ms. Jesionek said she re-wrote it and the City could use it or, not "All conditionally permitted towers and associated accessory structures in commercial and industrial districts, shall be located at least..."

Ms. Jesionek added in B, the second sentence was the same thing. "Towers located along the I-71 corridor in conditionally permitted zoning districts." She said she would have prefaced towers to say, "Conditionally permitted towers located along the I-71 corridor..." Ms. Bowers said where ever is says, 'conditionally permitted' it should be followed by 'towers'. She asked Ms. Hirsch if that made sense. Ms. Hirsch agreed.

Mr. Cook added that the word "in" should be deleted from paragraph A. Ms. Bowers agreed.

Mr. Brandon moved to approve staff recommendations of Approval with Modifications for the Brunswick City Text Amendment. In addition, they recommended striking the word, "in," from Section A, the first word, and including the word, "towers," after the language "conditionally permitted" and "associated accessory structures." Mr. McNamara seconded the motion. All voted AYE and the motion was approved.

C. Forest Creek, 064-2014, PP, Variance Request & Preliminary Plan, York Township

Mr. Henwood said he distributed a letter from Mr. Don Ziegler, a property owner to the northwest corner of the property. The letter is stating his objection to the street stub (E). Mr. Ziegler states,

in part, "I would like to formally request that this stub street not be constructed thus preventing headaches for my family as well as the Sheriff's Department."

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located on the west side of Marks Road, east of Abbeyville Road and north of Savannah Trail.

The proposed Preliminary Plan includes the following:

- 117 sublots
- Four public streets primarily with 60-foot right-of-ways (ROW); streets "A" through "D."
 - Street "C" a permanent cul-de-sac-street accesses Marks Road via Street "A. Street C contains 50 sublots between the intersection with Street A and the cul-de-sac.
 - Street "A" completes a loop road at the intersection with Street C and includes the boulevard entrance (approximately 290 feet long).
 - Two street stubs to adjoining properties (Streets "B" and "D"); both are proposed not to be constructed by the applicant
- Central sewer and water
- Four detention ponds are shown in the north, east, and south areas of the developed area of the site
- 79.8 acres of open space (68% of the site)
 - 37.5 acres of the open space would remain for the private use of subdivision residents
 - 42.4 acres of the site a shown to be transferred to the Medina County Park District

The Concept Plan was reviewed in April of 2014; a similar plan for this site was reviewed in May of 2006.

Discussion:

Ms. Bowers asked for purposes of clarification and she did not have the regulations in front of her, if the Planning Commission had the authority to stub or not at this time. She asked if there was any change that the requirements say the Planning Commission has to make provisions for and if so, would it come at the township level at a later decision. Mr. Henwood said no, the decision needed to happen now. Ms. Bowers meant the Planning Commission did not have the authority to say 'no stub' based on the plan they have now, was that accurate. Mr. Henwood answered that the township's position on whether they are interested on holding bonds and potentially contracting to build roads. Ms. Bowers said if they cannot get an answer to that tonight, the stub stays. Mr. Henwood said staff would argue that the stub street needs to be there all the time.

Mr. Katanic thanked the staff and said he would answer any questions.

Dorothy Crouch, York Township zoning inspector, asked if sidewalks would be on both sides. Mr. Katanic said yes. Ms. Crouch said she was concerned about was the minimum 20-foot separation between buildings. She said their code requires 10 [feet] from each property line...inaudible. Mr. Katanic said her point was well taken.

Ms. Bowers asked if Ms. Crouch could address the stub street issue. Ms. Crouch said that Colene Conley would be addressing the stub street.

Colene Conley, vice chair township trustees, said the trustees met last Thursday and they all agreed the developer should build the stub. The township is not in the market for holding money.

Ms. Catherwood said according to what was submitted Phase 3 would be completed around 2018. Mr. Katanic said yes. Ms. Catherwood asked if there was any movement on acquiring the property that would extend the stub street. Mr. Katanic said they are interested in the surrounding properties but are not under contract to purchase any of them. Ms. Catherwood said her concern

was for emergency services. She complimented Mr. Katanic in their preservation of the wetlands saying they did a good job.

Ms. Catherwood questioned the spacing between the hydrants. Mr. Katanic said he would have to refer to Mr. Conrad. Andy Conrad, Highway Engineer's office, said it would be 300-feet.

Ms. Catherwood asked about the notation regarding the engineering study for sublots 56-65 and 115-117. She asked if those would be the homeowner's responsibility. Mr. Katanic said that would be on the developer and the comment came from County Engineer ensuring that the 100-year flood is lower than the basement elevations on those specific lots. Andy Conrad said they want to keep the basements dry.

Mr. Brandon asked if they were planning to have a homeowner's association to take care of all the common areas. Mr. Katanic said yes. Mr. Henwood said all subdivisions with open space are required to have a homeowner's association.

Mr. Cook asked if it was anticipated that the streets would be dedicated to the County. Mr. Conrad said no, they are township roads.

Mr. Jarrett questioned approving more than 40 dwelling units and thought a fixed number should be put on it, such as, "not to exceed 50." Mr. Henwood thought the variance is for 50 lots, that is what is shown on the plan. He said whatever is palatable to the Planning Commission.

Ms. Catherwood said in Phase One specifically where the retention pond is proposed to go in the northern section, she did not know if there were any thoughts since they were accommodating the open space percentage of the property. She said her township has had so much trouble with those tiny setbacks at a township level trying to enforce and maintain the extra 10-feet. Ms. Catherwood said they do not become open space; they become part of the lot that is normal human nature. Mr. Katanic asked if she was suggesting that they extend the property line to include the retention pond. Ms. Catherwood said no, she was talking about [sublots] seven, eight, and nine where there are tiny buffers and very difficult to maintain at a township level. Mr. Katanic said one of the challenges they have is the 50-foot setback and what they were encouraged to do was keep the property lines away from the perimeter of the subdivision. Ms. Catherwood said she understood, she was just saying what happens. Mr. Katanic said he would forward those concerns to the homeowner's association when it is formed because that is the best watchdog.

Mr. Jarrett asked about the open space access in Phase One. Mr. Katanic explained that the detention basins are designed in concept at this time. The engineers take the amount of impervious surfaces and calculate a percentage based on what they think an amount of storm water will need to be detained. They can ensure there is a pathway through the common area next to the pond/proposed basin that would allow access to the central common area. Mr. Jarrett asked how wide. Mr. Katanic said he would look to the County but typically, 10-12 feet would be sufficient.

Mr. Henwood asked a question to York Township if the detention basin on the north in Phase One complied with zoning. Ms. Crouch said if they are considering a pond as a structure, no. Travis Crane said it would be a dry basin. Ms. Crouch said if it holds a certain amount of water (18 inches) it becomes a pond, then it does not fit, but if it is a dry basin, then it complies.

Ms. Catherwood moved to approve staff recommendations of Approval for the Variance Request to Subdivision Regulations 604B9 to change from 40 units but not to exceed 50 units on a single access due to a topographical hardship for the Liverpool Fields Preliminary Plan subdivision. Mr. Stevenson seconded the motion. All voted AYE and the motion was approved.

Ms. Catherwood moved to approve staff recommendations of Approval with Modifications for the Liverpool Fields Preliminary Plan subdivision. Mr. McNamara seconded the motion. All voted AYE and the motion was approved.

VII. PLANNING DIRECTOR'S REPORT

Mr. Henwood said he had nothing to add but Cheryl had given everyone a handout regarding the Planning Commissioner's Journal and the notice that they will be discontinuing at the end of the year. Ms. Bowers thought it sounded as if they might be doing something through 2015. Ms. Heinly said from the sounds of it that they were not sure what they were going to do. Ms. Bowers asked when our membership was up. Ms. Heinly said at the end of the year. She said if other communities had longer memberships they would get a refund. She also said she found this to be a wonderful publication and was sad to see it ending.

VIII. PUBLIC PARTICIPATION

There was no Public Participation.

IX. OTHER BUSINESS

There was no Other Business.

X. ADJOURNMENT

Ms. Bowers moved to adjourn the September 3, 2014 MCPC meeting at 7:25 p.m.

Lynda Bowers, President

Cheryl Heinly, Admin Asst.