



MEDINA COUNTY PLANNING COMMISSION  
MINUTES OF MEETING  
WEDNESDAY, SEPTEMBER 4, 2019, 6:30 P.M.  
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE  
ROOM

**Attendees / Representing (from sign-in sheet):**

Jason Brenner, Wedgewood Estates  
Steve Matthews, Guilford Township  
Jeremy Sack, Trails of Redwood  
Steve & Shelly Shane, Wedgewood Estates  
Alliss Strogan, Medina Township  
Nils Johnson, Cunningham & Associates  
Trina Devanney, Montville Township

**MCPC Members and Alternates in Attendance:**

**MCPC Members:**

Buck Adams  
Sally Albrecht  
Jeff Brandon  
Cliff Calaway  
Eric Heffinger  
Paul Jeffers  
Ray Schulte

**MCPC Alternates:**

David Williams, (for Pat Geissman)  
Kathleen DeLoss, (for Colleen Sweydk)

**MCDPS Staff:**

Cheryl Heinly, Admin Assistant  
Rob Henwood, Director  
Sonja Pagniano, Associate Planner

Board President Jeff Brandon called the meeting to order at 6:30 p.m. and began with the Pledge of Allegiance.

## I. ROLL CALL

Mr. Brandon, Ms. Albrecht, Mr. Heffinger, Mr. Calaway, Mr. Adams, Mr. Jeffers, Mr. Schulte, Mr. Williams and Ms. DeLoss were present at the time roll was called.

## II. MINUTES

Mr. Brandon asked if there were any questions or comments on the August 7, 2019 minutes. There was none.

*Mr. Day moved to approve the July 3, 2019 minutes as presented. Ms. Miller seconded the motion. Ms. Albrecht, Mr. Brandon, and Mr. Williams abstained. All other members voted AYE and the motion was approved.*

## III. CORRESPONDENCE

There was no correspondence.

## IV. CONSENT CALENDAR

### A. Trails at Redwood Falls Subdivision, Phase II, 065-2019 FP, Final Plat, Sharon Township

Ms. Pagniano prepared the staff report for the above captioned subdivision located near the northeast corner of the intersection of Center (SR 303) and Stony Hill Roads.

**Proposal:** The applicant proposes the following on the 113.9209-acre site:

- 34 sublots
- 6.6443 acres of Open Space (Blocks F and G)
- 69.8356 acres for Future Development (Block H)
- Central water and sanitary sewers
- Two public streets with 60-foot right-of-ways (ROW) and associated utility easements:
  - An extension of Hayden Drive to connect to Stoney Hill Road (CH 48)
  - An extension of Skyland Falls Boulevard which terminates with a temporary cul-de-sac
- Two stormwater management easements
- Three storm sewer easements.

**History:** The Preliminary Plan was approved in January of 2018 with two variances (for exceeding both the maximum length of a cul-de-sac and the maximum number of units on a cul-de-sac street). The subdivision name was changed in July of 2018 from Skyland to Trails at Redwood Falls.

**Zoning:** The subject property is zoned R-1 Residential. The Sharon Township Zoning Resolution indicates single-family homes are permitted uses (§ 601). The minimum lot size is two acres with a minimum 200-foot lot width or 60 feet of frontage on cul-de-sacs with 200-foot lot width, measured at the building line (§ 601-2(C)).

**Zoning:** The subject property is zoned 6R1 Single-Family Residential and the applicant is requesting that the site be developed as a Conservation Development; a permitted use in the district. The Hinckley Township Zoning Resolution (HTZ) Section (§) 6R1.7(A) indicates that Conservation Development standards allow for “maximizing the conservation of open space and retaining the property owner’s ability to develop the number of residential units that are permitted under a standard subdivision.” Conservation Developments are required to meet the following requirements among others:

- The minimum area allowable is 100 acres.
- The maximum permitted density is one unit per two acres.
- 50 percent of the site must be designated as open space.
- Common areas may be owned by a Homeowner’s Association (HOA) or authorized third party.

Per HTZ § 6R1.8, the Zoning Commission will review a General and a Final Development Plan for zoning compliance.

**Comprehensive Plan:** The 2015 Hinckley Township Comprehensive Plan (Plan) includes a Future Land Use Map that recommends that this area is to be residential and is to be developed with “density neutral” conservation developments.

**Discussion:**

Mr. Brandon asked if Sonja had any comments.

Ms. Pagniano gave a brief description of the subdivision and read some of the comments.

*Ms. Albrecht moved to approve the staff recommendations of Approval with Modifications for the Consent Calendar including Sharon Falls Phase II, Final Plat. Mr. Williams seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

**V. OLD BUSINESS**

There was no Old Business

**VI. NEW BUSINESS**

**A. Wedgewood Estates Subdivision, Phase 1, 067-2019 FP, Final Plat, Medina Township**

Ms. Pagniano presented the staff report to the Commission regarding the above captioned subdivision located on the north side of Wedgewood Road (SR 162), west of Ryan Road, and east of Lake Road.

**Proposal:** The applicant proposes the following on the 64.9974-acre site:

- 42 sublots

- Three blocks:
  - Two Open Space Blocks, Blocks A and B (0.3947 and 29.4175 acres)
  - One Block For Future Development, Block C (12.0002 acres)
- Three public permanent cul-de-sac streets with 60-foot right-of-ways (ROW) with associated utility easements (Merion Lane, Shadow Creek Drive, and Chambers Bay Boulevard)
- Five storm water management easements (A-E)  
One sanitary sewer easement (C)

**History:** A Revised Preliminary Plan was approved in July of 2011, which removed a street stub connecting to the Dover Highland subdivision to the north to a permanent cul-de-sac street. The change to the street was made in response to a request from the US Office of Fish and Wildlife Service (FWS) to preserve the forested area at the north of the project site. The FWS stated that this change would "...help to preserve significant wooded connectivity between the west and east sides of the property that would help to protect travel corridors for the Indiana Bat." A variance Subdivision Regulation Section (§) 604(B)(9) for the number of lots permitted on a cul-de-sac was approved at the April 2018 MCPC meeting.

**Zoning:** The subject property is located in the Lafayette Township Transitional District (LTTD). The Lafayette Township Zoning Resolution indicates that the purpose of the district is to provide and permit the following:

*The purpose of this district is to provide a Transitional area between the Township land near the City of Medina and the rural residential land in the Township, encouraging land to remain and develop in the Township by allowing a somewhat higher density than is generally allowed in the Township with minimal additional roadway construction, but at a lower density than would be available upon the annexation to the city of Medina and lower density than the Medina City Buffer District, thus limiting and halting the systematic erosion of the Township boundaries due to annexation. Section (§) 306.1*

**Comprehensive Plan:** The Future Land Use map contained in the 2010 Lafayette Township Comprehensive Plan recommends the subject site for "higher density residential" uses.

**Discussion:**

Jeff Brandon questioned if Phase 1 would have 42 lots so that would be 54 total and 10 lots in Phase 2. Ms. Pagniano thought that was why the variance was passed. Mr. Henwood thought the remaining lots would front on Lake Road. Ms. Strogin said they would be fronting on Ryan Road.

Alliss Strogin, Lafayette Township, said the comments that Ms. Pagniano referenced were emailed to Jason Brenner and not the comments that she sent to the Planning office. She was not sure how it got to the Planning office. Ms. Pagniano said Mr. Brenner forwarded the email when he was asked about the HOA documents being approved by the township. Ms. Strogin replied that Planning was asking for Lafayette Township's comments. Ms. Pagniano said that Ms. Strogin's comments are included the staff report.

Ms. Strogin said they do not use the County Prosecutor's office and have their own attorney, William Thorne. She said that until those documents are approved by their law director, it is not a "done deal." She added as soon as all those issues get fixed then it would be all right. Ms. Strogin said most of the requests are relatively easy but there is one issue that needs to be fixed and it would not be approved until it was fixed. She said that was why she said conditional approval. It would be conditional upon the HOAs meeting the requirements of Lafayette Township.

Jason Brenner, Lewis Land Professionals, had no objections to the comments. He said they sent in the HOA documents a while ago and thought they were being worked on but then found out they were not. He knew the townships attorney and the developer's attorney had been in correspondence to get the comments worked out. Mr. Brenner said the comments in the staff report have been taken care of or are in the process of being completed.

*Mr. Adams moved to approve the staff recommendations of Approval with Modifications for the Wedgewood Estates, Phase 1, Final Plat. Ms. Albrecht seconded the motion. All members voted AYE and the motion was approved.*

#### **B. Wolff Run Subdivision, 068-2019 PP, Preliminary Plan, Liverpool Township**

Ms. Pagniano presented the staff report to the Commission regarding the above captioned subdivision located on the east side of Columbia Road and south of Greenbriar Run.

**Proposal:** The applicant proposes the following on the 34.3184-acre site:

- 23 sublots extending to Greenbriar Run
- Creating two public streets ("A" through "B") (with (60-foot right-of-ways (ROW)):
  - Street "A" to terminate in a street stub with a temporary turnaround
  - One permanent cul-de-sac street (Street "B")
- Central water and sewer
- Two storm water ponds

**Zoning:** The subject property is zoned R-R Rural Residential.

Liverpool Township Zoning § 301.1 states, "the purpose of this district is to provide for rural residential development at a low density which will promote the continuation of the predominant rural residential character of the Township. Where central sewer and water are available, it is the intention of this district to provide for low-density residential development at a density of one (1) acre per dwelling unit. To ensure that existing and planned sewer and water facilities are most efficiently utilized, the one (1) acre per dwelling unit density will not be permitted outside the planned service areas as indicated in the Liverpool Township Development Policy Plan."

Liverpool Township Zoning § 217(A)(5) states "no residence or occupied building shall be erected within one hundred fifty (150) feet from any oil or gas well, storage tanks, and/or separator units, abandoned or not abandoned."

**Comprehensive Plan:** The proposed subdivision is consistent with the current comprehensive plan. The Future Land Use Map contained in the 2006 Update of the

Liverpool Township Revised Comprehensive Development Policy Plan (Plan) recommends the subject site for residential development.

**Discussion:**

Jeff Brandon asked if Liverpool Township allow flag shaped lots. Ms. Pagniano was not sure. She did not see anywhere in their text where it was specified. Mr. Brandon asked if most Townships allow flag lots. Mr. Henwood said part of the issue was whether it is allowed in a particular district.

Nils Johnson, Cunningham and Associates, said he agreed with the staff comments. He said they worked with ODOT and the Township to figure out the best solution to the final frontage lot on Columbia Road and the township is very satisfied with the outcome.

Mr. Brandon asked for a motion.

*Mr. Williams moved to approve the staff recommendations of Approval with Modifications for the Wolff Run, Preliminary Plan. Mr. Heffinger seconded the motion. All members voted AYE and the motion was approved.*

**C. Guilford Township Text Amendment, 062-2019 TA**

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment regarding Section (§) 3(1), Add 3(23)(a), Change 3(23)(a) to 3(23)(b), Add 3(26)(a), 4.13(2), and Add 5(10), 9(22)(g).

**Proposed Amendments:** On July 22, 2019 Guilford Township Zoning Commission (ZC) Secretary, Dave Houk Sr. sent an email to the Department of Planning Services (DPS) staff requesting a review of the following changes to the Zoning Resolution as proposed by the ZC:

- **Section 3, Definitions**, Agriculture Production, Agritourism, Farm, Farm Market, and Hard Surface added
- **Section 4 General Provisions**, Parking Regulations edited
- **Section 5 Agriculture**, Parking Regulations added
- **Section 9 Conditional Zoning Certificates**, Parking Regulations edited

**Discussion:**

Steve Matthews, Guilford Township Zoning Commission, said he would answer any questions. Mr. Williams asked if he was okay with the modifications. He said as far as he read, yes. He said one thing that they wanted him to address was they had discussed with the Prosecutor's office doing their regulations and they had wanted them to include to ORC references. He said the BZA was concerned as they are getting many issues regarding specific language that is coming before them. He said one of the reasons it seemed they were very specific and repeating themselves was so the BZA could have something to fall back on.

Since there was no other comments or questions, Mr. Brandon asked for a motion.

*Ms. Albrecht moved to approve the staff recommendations of Approval with Modifications for the Guilford Township Text Amendment, application #062-2019 TA. Mr. Williams seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

**D. Spencer Township Text Amendment, 063-2019 TA**

Mr. Henwood presented the letter for the above text amendment regarding control of dogs. In the letter, the Prosecutor's office stated that townships do not have jurisdiction over the control of dogs. He stated that the ORC says, "The Board of Township Trustees may adopt and enforce resolutions to control dogs if the Township is located in a County where the Board of County Commissioners has not adopted a resolution to control dogs." Mr. Henwood explained that in Medina County the County Commissioners have already adopted resolutions to control dogs within the unincorporated areas of the County.

Mr. Henwood said that in the letter that was sent to the Township, staff recommended that the Township submit their proposal to the Prosecutor's office prior to proceeding further.

**Discussion:**

Since there were no questions or comments, Mr. Brandon asked for a motion.

*Ms. Albrecht moved to approve the staff recommendations of Disapproval for the Spencer Township Text Amendment, Control of Dogs. Mr. Calaway seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved*

**\*\***At this time, Jeff Brandon and Sally Albrecht abstained and left the room as they are trustees for Montville Township and will be voting on the following amendment for the township, 7:00 p.m.

**E. Montville Township Text Amendment, 064-2019 TA**

Mr. Henwood presented the letter for the above text amendment regarding Sections: 414.1, 414.2, 414.6, 414.7, 414.10, 414.11, 414.12, 414.13, and 530.10.

**Proposal:** The ZC has submitted the proposed zoning text amendments to the Montville Township Zoning Resolution (ZR) for review by the Planning Commission.

**Discussion:**

Paul Jeffers clarified that the maximum net density on any one acre where before it was at two acres. He said that meant you could get two units on any one acre. He added that they wanted to make that more rural since it is zoned R-R, rural residential and 9 times of 10, could be septic and well (water). Mr. Jeffers said .5 (half-acre) puts it so you only have half a house on an acre so now they are 3 acre lots and meet the Health Department's code and... inaudible.

Mr. Williams asked for clarification. Mr. Jeffers said now they are saying you can have .5 dwelling unit on any one acre so they would need at least one dwelling unit for two acres. He said looking at that he noticed the max gross density does not correspond with that so

the max gross density should probably be .25 and not .2 because then it would match with the net density. He added there was a calculation problem with that. He explained that any one net acre is a half a house so on a rural residential it would be 2-acre lots.

Mr. Adams said they should just say that and alleviate the confusion. Mr. Henwood thought that the “dragging the square method” is a little tricky. Mr. Jeffers said that there were engineers on the board that put that together. Mr. Adams said he knew the way they were defining it but it gets very confusing to look at it that way. He said if they only want one house per two acres then they should mark it that way. Mr. Henwood did not think that was exactly how it reads. Mr. Adams thought it was. Mr. Jeffers was not sure where the 5 acres per unit came from.

Ms. Pagniano said when she originally did this she did not do the math but she did feel like taking it from two to .5 was really drastic. She felt taking it to one would be plenty to keep the rural nature. Mr. Jeffers stated that the Health Department would not allow one-acre lots. Mr. Henwood interjected saying they would as long as they passed the soil test. Mr. Jeffers said they would not pass anything under two acres for septic and well. Mr. Williams agreed and stated that the Health Department does not have a system with our soil type in our County, which would work on less than two acres.

Mr. Jeffers asked on 414.7.i, he thought they were interpreting the word ‘avocation’ by its definition and not by how it is in the sentence. He thought there should be a different word used in place of that. He said the discretion might consider an application towards the open space. Mr. Jeffers said they are not saying they have to apply for the open space; they are putting that in because they have to ask for it and it is not an automatic. Mr. Henwood questioned if they would be asking for a density credit and suggested word that very carefully. Mr. Jeffers said he would advise the zoning commission of the suggestions.

Trina Devanney, attorney for Montville Township, thought that the word “request” would be a better word to use towards open space calculation. She did not think the board talked about doing a density credit but more along the lines of what is considered open space.

Mr. Jeffers asked if they modify the gross density would it need to come before the board. Mr. Henwood said no. He said they could sit down later and talk about it to see if they got the math correct.

Since there was no other comments or questions, Mr. Williams asked for a motion.

Ms. Devanney asked if the motion would be for the one-acre lots or two-acre lots. Mr. Henwood said they have to go with what was presented before the board. He said if the board so chooses they could exclude that recommendation. Mr. Jeffers said the .2 on the max gross density does make five-acre lots. He said that is why he thought it should really be .25 then it would equal the number of lots if they had the .5 on the net density. He said they have to remember the restricted open space... inaudible. Mr. Henwood interrupted saying Mr. Jeffers was correct and that was where the 5 acre lots came from when it is on the max gross density.

Mr. Williams asked Mr. Jeffers if there were any projects that were waiting on the outcome of this amendment to move forward or could this be tabled. Mr. Henwood interjected



saying that amendments would not be tabled but the board could offered any modification. Mr. Williams asked if any modifications could be done this evening. Mr. Henwood said they could exclude any comment from the recommendation if they have issue with it. He said he would help with the motion, as this is a very confusing one. He said they could approve with modifications with the exception of the recommendation of schedule of 414.6, which is the schedule that includes the specific calculations regarding density.

Mr. Effinger asked if they were excluding that section. Mr. Henwood said they would work with the township to make sure that the math is correct. He said his comment is referring to the max gross density rather than the net density as there is an error in the staff report based on the calculation.

Mr. Effinger asked if they make the changes would the township have to come back through the Planning Commission Board. Mr. Henwood stated that this is a recommending body to the townships for amendments and said they do not have to follow the recommendation of the Planning Commission.

Ms. Pagniano asked if they would be able to say without staff's recommendation for Section 414.6 but to advise the township to review the calculation of the table for 414.6. Mr. Henwood they could make that recommendation.

Ms. DeLoss asked if they could narrow it down and specify it to the R-R column. Mr. Henwood said they could make it very specific with the conservation district PRD R-R column regarding max gross density and max net density. This includes that the staff works with the township to make sure they get the math right.

*Mr. Adams moved to approve the staff recommendations of Approval with Modifications for the Montville Township Text Amendment. The Planning Commission also recommended excluding staff comments regarding the PRD R-R district maximum gross density calculation and maximum net density calculation with the provision that the staff works with the township to make sure they get the math correct. Mr. Heffinger seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

**\*\*Mr. Brandon and Ms. Albrecht returned, 7:23 p.m.**

## **VII. PLANNING DIRECTOR'S REPORT**

Mr. Henwood said he had nothing to report this month.

## **VIII. PUBLIC PARTICIPATION**

There was no Public Participation.

## **IX. OTHER BUSINESS**

Ms. Albrecht complimented Sonja on a job well done.

**X. ADJOURNMENT**

Mr. Brandon asked for a motion to adjourn the September 4, 2019 MCPC meeting at 7:26 p.m.

*Ms. Albrecht moved to adjourn the September 4, 2019 MCPC meeting at 7:26 p.m. Mr. Heffinger seconded the motion. All voted AYE and the motion was approved.*

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Jeff Brandon, President

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Cheryl Heinly, Admin Asst.