

MEDINA COUNTY DEPARTMENT OF PLANNING SERVICES

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MEDINA COUNTY PLANNING COMMISSION MEETING MINUTES WEDNESDAY, JULY 7, 2021, 6:30 P.M.

Guests:

Scott Bickley, Lewis Land Professionals
Jason Brenner, Lewis Land Professionals
Paul Jeffers, Montville Township
Matt Marzullo, Hinckley Township Zoning Commission
Bruce Rinker, Mansour Gavin, LPA
Lee Skidmore, Skidmore & Hall CO, LPA
Emil Wolny Properties, LLC

MCDPS Staff:

Cheryl Heinly, Administrative Assistant
Rob Henwood, Senior Planner
Denise Testa, Director

Board President Jeff Brandon called the meeting to order at 6:30 p.m.

I. ROLL CALL

MCPC Members:

Jeff Brandon
Cliff Calaway
Eric Heffinger
Chris Kalina
Pat Ryan
Mike Stopa

MCPC Alternates:

Adam Esker (alternate for Steve Hambley)
Tom James (alternate for William Hutson)
Cliff Nowak (alternate for Colleen Swedyk)

II. MINUTES

Board President Brandon asked if there were any questions or comments on the June 2, 2021 minutes as presented. There was none.

Mr. Nowak moved to approve the June 2, 2021 minutes as presented. Mr. James seconded the motion. All members voted AYE and the motion was approved.

III. CORRESPONDENCE

There was no Correspondence.

IV. CONSENT CALENDAR

There were no items on Consent Calendar.

V. OLD BUSINESS

- a. Valley City Fire Department Additional Comments for Deer Hollow Final Plat *Approved at June meeting*
 - i. 300' maximum hydrant spacing with a 5" storz connection in all hydrants
 - ii. 100' cul-de-sacs from curb to curb
 - iii. Uniform address placement on houses or mail boxes
 - iv. Bench stepping at detention and retention basins or ponds

VI. NEW BUSINESS

- a. Forest Glen, Preliminary Plan Extension Request, Sharon Township, 059-2021 PP-Ext

Ms. Testa presented the staff report to the Commission regarding the above captioned subdivision located south of Ridgewood Road, east of Kingsmill Lane and west of Medina Line Road.

Proposal: The applicant proposes the following:

- The subdivision is to be constructed in four phases.
- 33 sublots served by on-site septic systems and water wells.
- Create six public streets; each with 60 feet of right-of-way.
 - Construct two new permanent cul-de-sac streets; Meadow Glen and Woodmere Lanes.
 - Construct one new street, Forestglen.
 - Extend Sharon Woods Road terminating in a temporary street stub to the adjoining property to the east.
- Two fire ponds with associated maintenance and access easements.
 - One utilizing the existing pond in the southern portion of the site
 - The second will be constructed on the northeastern portion of the site consisting of portions of sublots 16 and 17

Background: The original Preliminary Plan for the subdivision was approved by the Planning Commission in March of 2006. The Preliminary Plan was resubmitted and approved in March of 2011 after expiring. A series of one-year extensions were filed during the years of 2008-10 and 2013-15. The plan was revised and approved in August of 2017. A complete approval history is presented in the included table.

MCPC Approval	Date
Concept Plan	Dec. 2005
Preliminary Plan	March 2006
Preliminary Plan Extension	March 2008
Preliminary Plan Extension	March 2009
Preliminary Plan Extension	March 2010
Resubmitted Preliminary Plan	March 2011
Preliminary Plan Extension	March 2013
Preliminary Plan Extension	March 2014
Preliminary Plan Extension	March 2015
Preliminary Plan	Nov. 2016
Final Plat, Ph 1	Feb. 2017
Preliminary Plan Revision	Aug. 2017
Final Plat, Ph 2	Oct. 2017
Preliminary Plan Extension	July 2019
Preliminary Plan Extension	July 2020

Discussion:

Board President Brandon asked if there were any comments or questions.

Jason Brenner, Lewis Land Professionals, stated that they are working with the Health Department obtaining the permits as well as updating the wetlands.

Board President Brandon asked if there were any other comments or questions from the public or the Commission, there were none.

Mr. Heffinger moved to approve the staff recommendation of Approval with Modifications for the Forest Glen, Preliminary Plan Extension Request. Ms. Ryan seconded the motion. All members voted AYE and the motion was approved.

b. Woodhaven Preserve, Phase 3, Final Plat, Wadsworth Township, 044-2021 FP

Ms. Testa presented the staff report to the Commission regarding the above captioned subdivision on the north side of Wall Road, west of Mount Eaton Road (SR 94).

Proposal: The applicant proposes the following:

- Extend Bolich Drive, a public street with 60-foot rights-of-way (ROW) and associated utility easements.
- 11 sublots.
- Block B-R, 29.2865 acres for future development.
- All sublots are to be served by central sewer and on-site wells.
- Drainage and storm sewer easements

History: The most recently approved Preliminary Plan was approved by the Medina County Planning Commission (MCPC) in March of 2018. The Preliminary Plan was originally approved by the MCPC in May of 2005 and the Final Plat for Phase 1 in July of 2007 (see Table 1 below for complete approval history). A variance for the length of the street was approved by the MCPC in December of 2017.

MCPC Approval	Date
Concept Plan	December 2004
Preliminary Plan	May 2005
Preliminary Plan Extension	June 2007
Final Plat, Phase 1	July 2007
Replat	August 2012
Replat	February 2013
Preliminary Plan	June 2015
Preliminary Plan	December 2017
Revised Preliminary Plan	March 2018
Final Plat Phase 2	July 2018
Replat	December 2020

Discussion:

Board President Brandon asked if there were any comments or questions. Richard Bancroft, applicant, said he read Ms. Testa’s report and he felt she covered everything. Mr. Bancroft was pleased with the project and had good success selling out Phase two.

Board President Brandon asked if there were any other comments or questions, there were none.

Mr. James moved to approve the staff recommendation of Approval with Modifications for the Woodhaven Preserve, Phase 3, Final Plat. Mr. Heffinger seconded the motion. All members voted AYE and the motion was approved.

**Board Chair Brandon recused himself from the following subdivision as he is a Montville Township Trustee. Board Vice Chair Nowak took over as chair for the following item.

c. Villas at Blue Heron, Preliminary Plan, Montville Township, 063-2021 PP

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located at the western terminus of Upland Drive in the Montville Lakes subdivision.

Proposal: The applicant proposes the following on the 6.2861-acre site:

- 20 sublots
- One private cul-de-sac street with a 60-foot access easement.
- Central sewer and water

History: The Concept Plan was reviewed in May of 2021.

Zoning: Montville Lakes was developed as a conditional use Planned Unit Development (PUD). A Conditional Zoning Certificate was issued by the Township Board of Zoning Appeals on October 1, 2001.

Discussion:

Paul Jeffers, Montville Township Zoning, stated the four sides of the houses have to meet the zoning code, riparian wetland setbacks have to be observed as there are some wetlands in the back portion. He added that they have to meet the Preliminary Plan review that the Township board has not done as of yet...inaudible...but for the most part they follow the code and the redirection of the path was discussed to keep interconnectivity of the development.

Jeremy Krahe, developer, said he would answer any questions.

Board member Tom James questioned the if the street in the proposed area was a private street. Mr. Krahe answered yes. Mr. James then asked if the one he was connecting to was a public street. Mr. Krahe answered yes.

Board Vice President Nowak asked if there were any other comments or questions, there were none.

Mr. Cleckner moved to approve the staff recommendation of Approval with Modifications for the Villas at Blue Heron Preliminary Plan. Mr. Stopa seconded the motion. Ms. Ryan and Mr. Brandon abstained. All other members voted AYE and the motion was approved.

**Board Vice Chair Nowak turned the meeting back over to Board President Brandon.

d. Hinckley Township Text Amendment, 053-2021 TA

Ms. Testa presented the staff report to the Commission regarding the above captioned text amendment amending the Table of Contents, Chapters 3, 4, 6, and 18.

Proposal: In an email dated May 10, 2021, Suzanne Peterlin, Hinckley Township Zoning Department, requested a review of new sections and revisions to the Hinckley Township Zoning Resolution.

**Board Member Kalina asked that the record reflect he is recusing himself from this Text Amendment as he is a Hinckley Township Trustee.

Discussion:

Board Member Ryan stated she agreed with Director Testa regarding the setback and felt it was excessive. She felt what it was going to push the open space to the perimeter and they would lose their open space within the development. She added that the 500-foot setback to an existing public road and 100-foot setback to an interior road the building setbacks are the same so that means a zero-side yard setback. Ms. Ryan did not think that was what was meant.

Ms. Ryan had a comment regarding the repair garage. She wondered if it was taken out of that section and renamed to "Automotive refueling and recharging station", would there be any areas where they could have automotive repair and service. She guessed they wanted to eliminate large, noisy auto repair where it could be contiguous to

residential. Ms. Ryan understood but felt it could be achieved by doing something similar to what she has seen as a minor and major repair definition where you allow minor repair all within an existing building and you limit the noise, bodywork, painting, things of that nature. She wondered if this would be allowed in another district because there is only one other B-1 section that she saw and it was occupied.

Matt Marzullo, Hinckley Township Zoning Commission chair, stated as far as the setbacks Ms. Ryan's concern is what the zoning commission was trying to achieve. They want the conservation area around the actual development so it does maintain the rural character. He said regarding providing flexibility of land developers, that is important but in no way do the setbacks remove developable lands or size they could actually have with 100-acre minimum. Mr. Marzullo said ultimately what they are doing is preventing the developers from doing what they have been doing; putting all the construction on the road and destroying the rural atmosphere the residents of Hinckley are up in arms about.

Mr. Marzullo stated by creating a much larger buffer zone he felt they are living up to the Comprehensive Plan by maintaining the rural atmosphere. What they have been doing is allowing applicants to clear out the first 50-acres, so that is destroying the rural character of the township.

Mr. Marzullo said as far as the repair garage, what they are talking about is just a clarification. He said they already have an automotive repair approved in the I-2 district. They have been working on the language for five years. He said the people who filed the application would fall under the existing, present zoning resolution, which it is a not a conditional use, let alone a permitted use. Planning Director Testa asked if they checked into the major and minor. Mr. Marzullo said the Mr. Wolny had the exact same language in their last meeting, it was discussed and decided to have the automotive repair in the I-2 which is literally next to it but further removed from any residential areas. Mr. Nowak asked if this was along SR 3. Mr. Marzullo answered this was on West 130th, just south the existing B-2.

Board Member Ryan asked if the Hinckley Sr apartments to the south was in the B-1 district. Mr. Marzullo answered yes and I-2 was just south of that. Ms. Ryan asked if it is north or south what is the difference. Mr. Marzullo said that is a proposed development it is not presently there and the township cannot make the decision based on it might be there or it might not. He said they have to look at what is currently written which says automotive repair is authorized in I-2. Ms. Ryan asked if currently it was not allowed in B-1 or B-2. Mr. Marzullo said that is correct. He added that automobile service station, meaning a gas station is allowed, but automotive repair is specifically in the I-2 district.

Board Member Nowak asked about when we get to the point where we are charging cars. Mr. Marzullo said that was actually referenced in the text amendment, "automobile refueling and recharging stations." He went on to say they are figuring out where are authorized recharging stations and if not only at an refueling and recharging station. Mr. Nowak said looking down the road, it is coming and it would be wise to look at that. Mr. Marzullo said they are adjusting that in this text amendment.

Board Member Ryan asked if there was a purpose statement for the B-1 and B-2 Districts. Mr. Marzullo read the statement. He added that what is not permissible in the B-1 district is automotive repair. Ms. Ryan said it was adjacent to an I-1 and I-2 district.

Mr. Marzullo agreed that it is. Director Testa pointed out that the zoning map was up on the screen.

Mr. Marzullo also said it is adjacent to a residential district so if they are going to blend districts it was something to keep in mind.

Lee Skidmore, attorney representing Emil Wolny, said the property has been in the family since the 1950s. He said the property is at the corner of SR 303 and West 130th Street. There was also another application made recently in May to put in a tire store which is closer to the corner and the B-1 district. He respectfully disagreed with the township zoning to what would be permissible under current zoning. Mr. Skidmore said he liked some of the comments that Ms. Ryan made regarding how this could be made to look bad in different ways. He said his plan is not one to put some kind of industrial or what would be an industrial district. Mr. Skidmore understood painting, complete rehabs, working on commercial vehicles and fleets and so forth would be industrial. He stated that they do not disagree with that but they do believe that the zoning code should provide for some type of retail use when it comes to auto services.

Mr. Skidmore stated there are a lot more things out there that are specialized that are all contained in house whether it is to change tires or to change oil. He felt those are the things that are suitable and should be permissible under the code. The arguments that have been discussed and addressed here is that there is industrial to the north, south and to the west. He felt when transitioning between the rural development that would be a very small area, between the B-1 and one other little area, which he felt would not have any affect because it was down by the dam. He said they are really talking about the one small area. Mr. Skidmore said what they saw in Copley Township zoning they seem to have a distinction in a retail auto service versus a commercial auto repair service for it to be the major repairs. He thought if you looked at the current zoning regulations that are adopted, they promote the public health, safety, convenience, comfort, prosperity, and general welfare for the township. In addition, to encourage the use of the land, natural resources according to their character, adaptability suitability for particular purposes as well as to conserve social, economic stability, proper values and general character and the trends of the community development.

Mr. Skidmore felt that really prevented any automobile repair service would be very limiting. He said it is solely to just the industrial district which is a very small area and likely not developable at this point. He looked at the application and thought it was a nice building. He said they are looking at a building where they are trying to house and just change tires. There are conditional uses which the township has and can minimize the impact. Mr. Skidmore agreed with several of the members and Ms. Testa regarding the 500' setback. He understood the desire of the township but he would want to speak on behalf of his client and on behalf of the property that this is not something that they would not want to see change and if necessary, they would want to consider and looked at in more detail with more options to permit with more of a retail type automobile services or it could be a full service otherwise. Mr. Skidmore concluded saying that is what their position is and they would like the Board's consideration.

Planning Director Testa verified that the repair station was never part of the conditional use in the B-1 district. Matt Marzullo replied that the automotive repair facility was not part of the B-1 district, that was correct. Ms. Testa said under the township's original definition of the automobile service station which is part of the B-1 district, a conditional

use, it says, "a portion of the building may be used for repair to motor vehicles". She asked if she was interpreting that incorrectly. Mr. Marzullo answered that it was talking about a portion of the building meaning a fraction of the building and why they started this process five years ago. He said the text amendment was submitted to the Planning office before the application was filed. He added that a portion of the building being used for repair is the idea that it would be a small portion, not the entire building or 90%. Board Member Tom James said that it does not say "a small portion" or identify the portion, it just says, "a portion". He did not feel you could not read into the regulation as it is written more than what is there as it does not define what portion of the building can be used in that fashion. Mr. James added that he agreed it needed work. Mr. Marzullo stated that was why the text amendment was being submitted.

Board Member Ryan clarified that the township would rather have a gas station over a repair shop. Mr. Marzullo said that was correct.

Lee Skidmore thought that was an interesting comment as they are looking to preserving the character of the community and the impact it would have on the township. He certainly thought that a gas station would be much more intrusive that it would be to have a place to have your oil changed. He was trying to help out his client and trying to look at uses that would blend in with the community but also be a good utilization of the property. Mr. Marzullo stated that the members of the zoning commission think that a gas station would be less intrusive.

Planning Director Testa questioned if gas stations were open longer than repair stations. Numerous discussions ensued. Ms. Testa stated that the argument could be made that the hours of the gas station would be more intrusive compared to a repair station. Mr. Marzullo said the argument could also be make that gas stations are much more convenient for a larger portion of the community. Mr. Skidmore stated that the application submitted did indicate the hours were general business hours and some on Saturdays.

Board Member Nowak questioned if it would be okay regarding a gas station with an automotive body shop and repair connected to the same building. Mr. Marzullo said no, not under the new definitions, that business model has been largely abandoned across the country. Board Member Ryan said it is conditionally permitted right now. Mr. Marzullo said yes, right now it would be conditionally permitted.

Lee Skidmore felt there could be some distinction made between an automobile retail type service versus a full service. He understood painting or body work being industrial use but as far as where the township was going with minor service repairs, maintenance of a vehicle, there could be a distinction. Mr. Skidmore hoped there would be some consideration by the township to look at that in regards to the land use...inaudible. Mr. Marzullo replied that the difficulty in that was the use of the word minor. He said what is minor to Mr. Skidmore might not be minor to him. Changing brakes might be a minor service to Mr. Skidmore but Mr. Marzullo said if it was something he had to do on his own...Board Member Ryan interjected saying if it was within an enclosed building. Mr. Marzullo said again that still goes to if it is defined as "minor" versus "major". Board Member Ryan said that is what has to be defined. Mr. Marzullo asked how does one define that. Ms. Ryan said that is up to the zoning commission.

Board Member Ryan asked Mr. Marzullo to read the purpose statement of I-2. Mr. Marzullo read from the zoning resolution. Ms. Ryan did not see where repair facility fit into that. Mr. Marzullo said it was in 6I2.2H, Auto Repair and Service. Ms. Ryan said she could see if they were doing major body work, repairs or if they had crashed cars or fender work, she could see that in an industrial district, but just to go in and have the oil changed or minor repair, maintenance repairs.

Board Member James stated that the 500-foot goes against the actually reason for conservation developments because it takes away the flexibility of the person developing the land to preserve it, make it natural resource because of the 500-foot of buffer and he has not seen that anywhere. He understood what was being said as he lives in a conservation development in the Village of Seville and the setback is only 50-feet. He said if you drove by the development, he lived on SR 3 going into Seville, driving at 35 mph, you would not know there was over 100 houses and it was only a 35-foot setback. Mr. James felt it was arbitrary and unreasonable for the very purpose of a conservation development in terms of taking away that ability to preserve something that is significant in the way of natural resources on the property.

Mr. Marzullo said what is considered acceptable is 200-feet on 15 acres. He said the logic does not flow. Mr. James asked if he was talking about an individual lot setback of 200-feet because he said that is not a conservation development. Ms. Testa said nobody had a lot setback at least based on the research that she did. She tried to find another one that was comparable and there was just not one anywhere. Mr. Marzullo said what he provided to Ms. Testa was what the township does have, the setbacks that exist for several different developments throughout and the developments that do have the 500-foot setback or greater no one seems to have any issues. Ms. Testa asked if he had two of those and thought he had sent four examples. Mr. Marzullo said that was correct.

Board Member Ryan verified with Mr. Henwood that he did 40 acres or more. Mr. Henwood said that was correct and the idea was to show which parcels at 40 acres or bigger were potentially contiguous so they could get a sense of where they could be located. He said it was an arbitrary number that was chosen but it seemed like they could do two 40s and a 20 so that at least you have some idea where that might be able to occur. Ms. Ryan asked if these were all outside of the Park District. Mr. Henwood answered that some are within the Park District.

Board Member Ryan commented that 100-acres to even consider the conservation development is also high. She felt they could do a nice conservation development with less than 100-acres and she did not know how many sites they would actually have in the development that it could be 100-acres as she was thinking Park land was not involved.

Board President Brandon asked if there were any other comments or questions, there were none. He then asked the Board for a motion (recommendation).

Ms. Ryan moved to approve the staff recommendation of Approval with Modifications for the Hinckley Township Text Amendment amending the table of contents and chapters 3, 4, 6, and 18. In addition, Ms. Ryan also moved to exclude the proposed text changes and leave the existing text in place: Section 3.2 Definitions, Subsection 6B.3.C.1 Schedule of Permitted Uses, Subsection 6I2.2.G and 6I2.2.I Permitted Uses, and Section 9.4 Off-Street Parking 9.4.D2 and 9.4.D4. Mr. Cleckner seconded the motion. Mr. Kalina abstained. All other members voted AYE and the motion was approved.

e. **Liverpool Township Text Amendment, 056-2021 TA**

Ms. Testa presented the staff report to the Commission regarding the above captioned amendment amending Sections 301, 302, 303 & 304 add agritourism as a conditionally permitted use, Section 301.4 delete building separation language, Section (§) 605 add specific conditions for agritourism, Article XI add agritourism related definitions.

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

Discussion:

Board Member Calaway questioned Section 301.4 for yard requirements, for lot splits and two-acre lots. He wondered if that meant if someone had a two-acre lot there is no language saying how many accessory buildings a homeowner can have. Mr. Henwood said that was a good question. Mr. Calaway said maybe this should be rethought a little bit and redefined, maybe in the definitions. Mr. Henwood had not considered that.

Board Member Kalina pointed out without looking at the entire section it was hard to determine what Section 301.4 is. He thought that Liverpool Township had eliminated agricultural uses on smaller lots. Mr. Kalina said Hinckley Township had multiple hearings about agritourism and Mr. Henwood was very helpful in putting that together. He added he did not notice any permanent signage for agritourism facilities should comply with their revisions of their signage regulations and zoning resolution.

Board President Brandon asked if there were any other comments or questions, there were none.

Mr. Nowak moved to approve the staff recommendation of approval with modifications for the Liverpool Township Text Amendment amending Sections 301, 302, 303 & 304 add agritourism as a conditionally permitted use, Section 301.4 delete building separation language, Section (§) 605 add specific conditions for agritourism, Article XI add agritourism related definitions. Mr. Stopa seconded the motion. All voted AYE and the motion was approved.

VII. PLANNING DIRECTOR'S REPORT

Planning Director Testa informed the Board of the numbers for major subdivisions in the first quarter which were six subdivisions with 342 sublots and the second quarter there was 13 subdivisions with 292 sublots so that was impactful for the first half of

the year. She said the total was 19 major subdivisions and 634 sublots for the first half. She said they had 26 minors with 55 parcels.

Ms. Testa said for the August meeting agenda there will be a Revised Preliminary Plan, Hinckley Senior Apartments and a Final Plat and one Text Amendment from Chatham Township so this will be a lighter agenda. She added that she would be giving some Fair Housing presentations so if anyone had some groups, they would like to receive a 10-15 minute presentation about Fair Housing to let her know.

Ms. Testa said they submitted their Chip Grant meeting their June 23rd deadline. Mr. Henwood had been meeting with the townships regarding their CDBG award and also working very hard on the critical infrastructure grant in Lafayette Township.

Ms. Testa let the Board know that the Subdivision Regulation work group will have a calendar reset soon. She said they have had other priorities in the past couple months that have taken some time so they would start that process in the very near future. She thanked those that volunteered for the committee.

VIII. PUBLIC PARTICIPATION

Bruce Rinker, attorney from Mansour Gavin, there on behalf of Sheetz, stated that he was really speaking on the record and thought it would be useful information to the Planning Commission and he was not expecting any kind of action. He participated in a public hearing at Medina Township on June 21st for the zoning commission. The hearing was completed but the (zoning) commission was considering a lot of the commentary, some 30 plus residents, who spoke quite passionately to the zoning commission and it would be reconvening this coming Monday the 9th (12th).

What Mr. Rinker wanted the Planning Board to be aware of is something that really concerned them and fundamentally is a question of due process. He could provide to them (the Planning Board) as they had a court reporter transcribe the public hearing and he had a hard copy which he could provide tonight but he could provide electronically if the Board is interested.

Mr. Rinker wanted to point out that under Ohio Revised Code (ORC), Section 519.12, there are two provisions that touch upon the role of the County Planning Commission vis-a-vis the text amendment for a request from any township. He wanted to read a couple of excerpts from the transcript that to him call into question the application by the township of the language from the ORC, critically under Section 519.12E, subsection 1 and it talks about the process where the zoning commission will send to the County Planning Commission in order that staff can review it and then the Planning Commission can make a recommendation. He read, "The recommendation shall be considered at the public hearing held by the township zoning commission on the proposed amendment." Mr. Rinker stated that once the zoning commission acts it then sends its recommendation to the trustees because ultimately the trustees are the legislative body that will vote up or down depending on the text amendment. He stated that this Planning Commission's recommendation is supposed to go along (with the public hearing of the zoning commission).

Mr. Rinker said he wanted to read some of the excerpts from the transcript. He said the Chairperson (of the zoning commission), after a presentation by various Sheetz representatives and a property owner, then proceeded to read verbatim the staff report that was presented to the Planning Commission. He said he was just reading what Chairperson Strogin said to the public, "All right, what I want to do now is we need to put into the record the comments from the County Planning Commission or CPC as it's affectionately called. By Ohio Revised Code, we do have to send any type of zoning request change to the CPC for their professional review and recommendations. Okay, the executive summary." Mr. Rinker said Ms. Strogin read the entire staff recommendation to the commission (zoning). He said she editorialized in a couple of places that he thought were important to know because these were points that were discussed here (Planning Commission meeting from June 2nd) as the approved minutes were pretty extensive.

Mr. Rinker went on to say that Chairperson Strogin pointed out that the exit survey responded to meeting comments indicating no support for development at State Route 3 and I-71. He said these individuals are for maintaining SR 3 and I-71 as a green area. Mr. Rinker added that Ms. Strogin added as an editorial note, "The road, Route 3, the concrete pavement of the road was deteriorating and it was decided to resurface and tear it apart really and redo the road. They might be adding an extra foot or so in each lane to make it more car friendly and the ramps onto I-71 are being redone because a famous, one of our weather people a few years back, almost drowned in one of the exits on the ramp and that is being corrected so that is what the construction is going on for. It is not there for any specific new commercial use."

Mr. Rinker pointed out this language because both of these issues were discussed at length in front of this Planning Commission. He mentioned the survey and the correction that had to be made, but the general correction from the survey back in 2013 was to the effect if they wanted to see any development within the township. It listed a number of items, one of which was putting a gas station at the Interchange. Ms. Testa asked if that was question ten. Mr. Rinker thought that was correct.

Mr. Rinker went on to say this is an audience waiting breathlessly yet through this report so it can go after this Sheetz project. Traffic, traffic impacts how the Sheetz would affect this site is something that has residents very, very concerned. He said they had a traffic engineer speak to the commission and just so they knew he was preparing an opinion letter to the zoning commission and they are going to document everything that has been presented. He stated that it was basically the chair of the zoning commission stating into the public record paraphrasing from the staff report what the survey did and did not do. He said that was an item that was corrected here on the record here. Mr. Rinker submitted that she (Ms. Strogin) muddied the waters at the public hearing.

Further, Mr. Rinker stated as to the repair work by ODOT there is pretty compelling documentation showing that there is an extension of turning ramps on Hamilton Road, onto Old Weymouth Road, that the whole interchange area is being improved because of some 20,000 vehicles that are going through that whole area. He pointed out that Sheetz is capturing roughly 75% of preexisting traffic, in fact the traffic engineer told the commission that at peak hour time Sheetz may be adding as many as 50 vehicles in a peak hour. Mr. Rinker commented that the residents did not want to hear this and their pitch to the zoning commission is that they want the facts to be there. The chair

of the zoning commission recasting what the “facts” are and he had some difficulty with it.

Mr. Rinker said she went on in the next few pages (of the transcript), which can be seen in the record and concludes, “Now there is 14 pages of minutes on the meeting which I am not reading, I refuse.” Mr. Rinker said bear in mind the chair first read through the report (planning staff report), then took the minutes where there was very robust discussion about a lot of different points, certainly about the comprehensive plan, about the text amendment itself. He said that Ms. Strogin went on to state, “The professional planning staff did recommend disapproval, the citizen commission comprised of 11 citizens who are not professional planners, they voted to overturn the recommendation of the professionals.”

Mr. Rinker said that basically they were voting on the site plan that she’s presented. He said she goes onto trivialize what the recommendation from the Planning Commission was all about. There was subsequent follow up with one of the zoning commission members as to how this was being characterized by the chair (of the zoning commission).

Mr. Rinker said he certainly did not expect the Planning Commission to do anything but he thought it was important that it was a matter of public record and that the record is clearly aligning with what the commission recommendation has been as opposed to what it has not been, but ultimately, they would see how the trustees and the zoning commission would deal with it. They know there was at least three zoning commission members, Ms. Strogin was prepared to call the vote that night, three members wanted to “digest” this a little bit further and he hoped the deliberation would reflect that.

Mr. Rinker respected the fact that there was an extensive amount of dialogue here, they know it is a sensitive issue, all they are trying to do is provide something that is appropriate for the property owner that meets the spirit and the intent of the zoning resolution and the whole process itself which they would hope that officials in the township are respecting the input from this Planning Commission and not cherry picking what is convenient from a political standpoint.

Board Member Nowak thought it was wonderful that they were not developing the whole seven acres so they are providing a green space around the development. Mr. Rinker said that was correct and they understood that some people do not care about that but the tenor of the discussion at the zoning commission was they want to keep it green and they don’t want to see it developed. He stated that there is a strong, popular sentiment and that is understandable. Mr. Rinker said the point is the law and the process is something that need to be respected and they wanted to make sure that the record is clear that this is something that is being treated as very important. He thought the commission would want to know as well. He said he would leave the hard copy (of the transcript) if that is something they want and he said they would provide it electronically as well. Ms. Testa stated she would make this part of the Planning Commission minutes. She thanked Mr. Rinker and he thanked the Planning Commission.

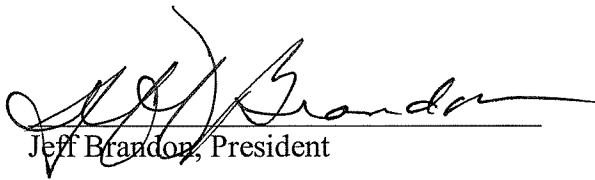
X. OTHER BUSINESS

There were no items on Other Business.

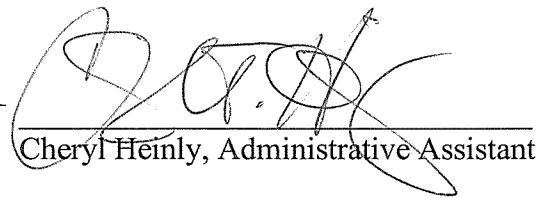
XI. ADJOURNMENT

Board President Brandon asked for a motion to adjourn.

Mr. Kalina moved to adjourn the July 7, 2021 MCPC meeting at 8:10 p.m. Mr. James seconded the motion. All voted AYE and the motion was approved.



Jeff Brandon, President



Cheryl Heinly, Administrative Assistant