

MEDINA COUNTY DEPARTMENT OF PLANNING SERVICES

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MEDINA COUNTY PLANNING COMMISSION MEETING MINUTES

WEDNESDAY, MARCH 3, 2021, 6:30 P.M.

Attendees / Representing in Person:

Chris Bailey, Bailey Development, in person
Kimberly Bolas-Miller, Sharon Township Trustee, Zoom
Jason Brenner, Lewis Land Professionals, in person
Brian Guccion, Sharon Township Trustee, in person
Mark Jackson, Sharon Township, Zoom
Neil Jones, Sharon Township Zoning Inspector, Zoom
Chris Kalina, Hinckley Township Trustee, Zoom
Mike Kendall, GBC, Cambridge Estates Subdivision, Zoom
Andy Leach, Old World Homes, Cambridge Estates Subdivision, Zoom
Chris Lemire, Zoom
Scott Miller, Medina County Administrator, Zoom
Alliss Strogan, Lafayette Township Zoning Inspector, in person
Jeff Stroup, Sharon Township Zoning Commission, Zoom
William Thorne, Legal Counsel for Lafayette Township, in person

MCDPS Staff:

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

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

I. ROLL CALL

MCPC Members:

Jeff Brandon, in person
Cliff Calaway, Zoom
David Cleckner, Zoom
Eric Heffinger, Zoom
Leslie Miller, Zoom
Pat Ryan, Zoom

MCPC Alternates:

Adam Esker, (alternate for Steve Hambley), Zoom
Cliff Nowak, (alternate for Colleen Swedyk), Zoom

II. MINUTES

Board President Brandon asked if there were any questions or comments on the February 3, 2021 minutes. There was none.

Mr. Nowak moved to approve the February 3, 2021 minutes as presented. Ms. Ryan 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 the Consent Calendar.

V. OLD BUSINESS

a. Planning Commission Alternates

Board President Brandon wanted to give an update on the alternates for the board. Mike Stopa will be the alternate for Mark Radice and Elayne Siegfried will be Pat Ryan's alternate. He said that Planning Director Testa will contact Wadsworth City for Dave Cleckner's alternate.

Board President Brandon informed everyone that the Township Association Executive Committee has recommended Chris Kalina be appointed to the vacant member position. The resolution would be presented to the County Commissioners next week.

b. Subdivision Review Process

Board President Brandon stated the last time the Subdivision Regulations were reviewed was in 2014. The regulations state a review should occur every three years for consideration and vote by the Planning Commission Board and the County Commissioners. He said they are proposing to form a Subdivision Regulations work group co-chaired by a Planning Commission member and Director Denise Testa.

Board President Brandon informed them that this would include a broad based group of 10 to 12 individuals included community members from townships, county agencies, real estate, engineering firms, surveying, builders, and developers. He let the Board know that the plan is to launch the committee in April.

Board President Brandon asked if there were any questions or comments. Jason Brenner volunteered to be on the work group. Board President Brandon reminded everyone that this would probably be a year's process, at least through this year. Director Testa agreed saying the bulk of the work should be completed by December so it is a long-term commitment.

Board President Brandon told everyone to contact Director Testa of their interest to be included on the work group.

VI. NEW BUSINESS

a. Taylor Heights Subdivision, 009-2021 PP, Preliminary Plan, Lafayette Township

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision on the north side of Wedgewood Road (SR 162) west of Shadow Creek Drive, on the south side of SR 162 west of Ryan Road, and at the southeast corner of SR 162 and Lake Road.

Proposal: The applicant proposes the following on the 123.16-acre site:

- 123 sublots
- Six public streets with 60 foot right-of-ways and associated utility easements, all terminate in permanent cul-de-sacs
- Five new stormwater management basins
- Central sewer and water

Zoning: According to the Lafayette Township Zoning Resolution the Golf Community Planned Unit Development (GCPUD) permits single-family residential structures at a density of one unit per acre.

Comprehensive Plan: According to the 2010 Lafayette Township Comprehensive Plan, the proposed subdivision is partially consistent with the Future Land Use map. A large portion of the proposed subdivision is shown as Medina Country Club PUD; the zoning precursor to the GCPUD.

Discussion:

Jason Brenner, Lewis Land Professionals and representing the applicant, said they have been working on this project for several years. He said two or three years ago the ownership of the golf course changed hands and the present owner is working with a couple of different developers to develop the property as designed. Mr. Brenner informed them that there have been several different variations of the plan throughout the years and even this past year. He informed them the Concept Plan had more lots and crossing the King Creek but they did not want to do that for various reasons. Mr. Brenner described that this went from approximately 169 lots down to 123 lots and are in multiple phases.

Mr. Brenner discussed trying to utilize the better parts of the land and not get into the environmental sensitive areas. He said they are working with zoning and eventually the trustees. He said they met with Lafayette township approximately two weeks ago and had some positive feedback and hoped to move forward and seek their approval. Mr. Brenner expressed that the trustees have to approve to allow the PUD zoning to take effect.

Mr. Brenner addressed the agency comments saying they would work through those construction drawings...inaudible... He spoke with ODOT today regarding the issues. The variance issues on the cul-de-sac to the far east which stretches into the golf course, they did have a variance back in 2007-2008, but ODOT felt since things have changed with time, they would like Lewis Land to reapply for the variance.

Mr. Brenner said one of the sticking points with the township was utilizing a common access drive to serve three lots and the combination of the park proposing to build a 10-12 space parking lot on the north side of SR 162. At that meeting it was discussed and Mr.

Brenner said they understood and agreed to what the township was saying. He worked with Nate Eppink at the Parks Department and they came to an agreement with the parking lot coming off SR 162 and not coming off the common access drive. Mr. Brenner felt that should alleviate any concerns about the common access drive being used in conjunction with the Parks Department. He said they are providing space for the Parks to have the parking spaces and he is willing to give them access for the pedestrians to cross over the rail trail towpath. He asserted they are at a point where the developers and the Parks are all in a positive situation.

Board President Brandon questioned what order were the phases going to be. Mr. Brenner answered that phase one would be the northern cul-de-sac off Lake Road just south of SR 162 and just south of that would be phase two. He said phase three would be across the street and half of that is phase four and the other half is phase five. He added they would be working with ODOT and Parks securing their approvals.

Mr. Brandon asked if Medina Country Club was in cooperation at this point. Mr. Brenner answered other than the seasonal situation they are currently operating on 27 holes and with this development they will drop down to 18 holes, which still would be private for golf course purposes. He said the restaurant is still open to the public now and the HOA documents would allow residents of the development to go to the restaurant and use the facilities under some rules and regulations as a member.

Pat Ryan questioned if the whole subdivision would be known as "Taylor Heights" when it is being broken up. Mr. Brenner answered yes, it will be known as "Taylor Heights Subdivision Golf Course PUD". Ms. Ryan asked how would anyone know where it is located. Mr. Brenner said it is located in the Taylor Heights Subdivision but "I live on 123 street A". It would be a house number and a street name. Ms. Ryan pointed out they are not really contiguous to each other but she was not used to seeing a subdivision divided by a major road. Mr. Brenner answered that a golf course PUD does permit the subdivision to be severed by a public road right-of-way.

Alliss Strogin, Lafayette Township Zoning Inspector, thanked them for changing the name to alleviate confusion. She said there were quite a few zoning errors that Rob found and the reason they were not corrected ahead of time was that Mr. Brenner went directly to the Planning office and did not come to the zoning commission first for their review. Ms. Strogin stated it is not a common drive where there is public transportation going in and out to the parking lot for the Park, 24/7, with no renovation, that is not a common drive. She said when they receive a site plan that is corrected that is when the township will take a look at it and make a decision to approve from the township's standpoint.

Mr. Brandon asked which three lots were being referred to. Ms. Strogin said on the north side facing Wedgewood (SR 162) with frontage. The common drive is to be serviced by the individuals in the subdivision and what they did is had the parking lot on the south section with a common drive to access the park. She said total strangers could drive through the front lawn of three homes into a public parking area and they would have access. She added the township did not want to have that scenario there, but it appears this is going to be fixed.

Mr. Brenner felt that some statements might have been inaccurate. He read that, "drawings, Lafayette Township Zoning Commission, and Medina County Planning Commission concurrent review." He said it was not one before the other, concurrent

review. Mr. Brenner added that it was his understanding his developers met with her at a pre-application meeting and they were directed to move this forward concurrently. Ms. Strogin explained that concurrently does not mean to put it in before the zoning commission sees it.

Mr. Brenner stated for the record that the zoning commission wanted to hear from the Planning Commission before they gave their recommendations.

Board President Brandon asked if William Thorne, Lafayette Township attorney, had any comments. Mr. Thorne said on the common driveway issue there was some concern that the language had been removed and the language Rob had sited was a controlling language which would require driveways on the frontage. He said it does appear that the language is still in place so that it does in fact function as a common driveway, the township would be fine. Mr. Thorne added that the other issues are not to be resolved here.

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 Taylor Heights Preliminary Plan. Ms. Miller seconded the motion. Roll call vote was taken. Mr. Brandon, Mr. Calaway, Mr. Cleckner, Mr. Esker, Ms. Miller, Ms. Ryan, and Mr. Nowak all voted AYE. Mr. Heffinger voted NAY. The motion was approved by roll call vote, 7 AYES and 1 NAY.

b. **Cambridge Estates Subdivision, 013-2021 PP, Preliminary Plan, Sharon Township**

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located on the north side of Sharon-Copley Road immediately across from Equestrian Trail.

Proposal: The applicant proposes the following on the 19.07-acre site:

- Seven sublots.
- One public permanent cul-de-sac street (Equestrian Trail) with a 60-foot right-of-way (ROW)
- On-lot septic systems.
- Water wells.
- Two storm water ponds.

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)).

Comprehensive Plan: The proposed subdivision is consistent with the current comprehensive plan. These Goals and Objectives from the Plan are relevant to the proposed subdivision as follows:

- Goal 1: Preserve the “Rural Residential” small-town atmosphere of Sharon Township.
 - New residential development shall be compatible with the predominant rural residential, small-town residential nature of the community.

- New residential development shall be planned at densities appropriate for the Township and which will not result in public health hazards.

Discussion:

Mike Kendall, representing the applicant and engineer at GBC, stated Rob had an excellent staff report and he was in agreement with the staff comments and would answer any questions.

Sharon Trustee Brian Guccion stated that everything was good.

Ms. Miller moved to approve the staff recommendation of Approval with Modifications for the Cambridge Estates Preliminary Plan. Ms. Ryan seconded the motion. All members voted AYE and the motion was approved.

c. **Bailey Subdivision, 012-2021 PP, Preliminary Plan, Sharon and Wadsworth Townships**

Ms. Testa presented the staff report to the Commission regarding the above captioned subdivision located west of Ridge Road, south of Fixler Road and east of Beach Road. The Preliminary Plan proposes 69 sublots between .30 and 2.16 acres located in Sharon and Wadsworth Townships to be completed in two phases.

Proposal: The applicant proposes the following on the 71.96-acre site: 69 Sublots (64 in Sharon, 5 in Wadsworth); Sublots in Phase I are located on the eastern side of Street A in Sharon Township; Phase II includes remaining Sublots on Street A, and all sublots on Ledgestone Drive in Sharon and Wadsworth Townships;

- Central water & individual septic, non-discharging systems;
- Creation of two storm water management basins;
- Street A, with 60' Right-Of-Way leading to a cul-de-sac with five single family residential lots on Ledgestone Drive to the north and connecting into a subdivision to the south;
- Street B includes a cul-de-sac with seven single family residential lots;
- Sharon Township Sublots: The gross density in the Sharon Township section calculates at .98 units per acre; and
- Wadsworth Township Sublots: The acreage of Sublots 29-33 ranges between 1.5 and 2.16 acres.

Sharon Township Zoning: The property is zoned R-Planned Residential Development District including Sublots 1-28 and 34-69. Based on the 2018 Sharon Township Zoning Book, the purpose of the R-PRD District is to “promote the health and safety of the community through the application of flexible land development techniques in the arrangement and construction of dwelling units and roads. Such flexibility is intended to accommodate development at a density of approximately [1.33] units per acre in order to provide a transition between the lower density areas in Sharon Township and more developed areas in the city of Wadsworth.” Note: On December 8, 2020, the Sharon Township Board of Trustees revised the permitted density from 1.33 units/homes per acre to 1.0 units/homes per acres and eliminated multi-family housing.

Wadsworth Township Zoning: The property is zoned R-2 Residential District including Sublots 29-33. Based on the Wadsworth Township Zoning Resolution, “The purpose of this district is to provide for rural residential development at varying densities based on services available at locations throughout the township. This district is intended to allow residential

development of sufficiently low density to preclude the creation of public health and safety problems which could result in the need to extend central facilities in an uneconomical fashion. This district is also intended to promote the continuation of the predominant rural character in areas of township where services are not available.”

Discussion:

Board President Brandon questioned subplot 29. Director Testa answered that it includes Wadsworth and Sharon townships and according to several agencies they need to move the property line so it is in one township.

Jason Brenner, Lewis Land Professionals, stated they went through the comments and felt they were minor and could be resolved simply. He addressed the strip of land that is considered not part of the subdivision on the far west side is owned by the person selling the property. It was Mr. Brenner’s understanding that the landowner has ownership on the parcel directly south of that piece and directly north. He stated that the landowner requested he retain a 100-foot strip of land between those two parcels of land.

Mr. Brenner said the detention basin to the far east was shown not in the subdivision so that would be corrected to show inside the subdivision. He added regarding subplot 29 he was not aware he could not have the property lines in two townships.

Director Testa informed the Board that she failed to attach the well plugging report but Mr. Brenner did give Planning a copy as well as bringing a hard copy with him to the meeting. Ms. Testa reiterated she does have that report in hand.

Board President Brandon has heard over the years about coal mines being in the area, particularly in Wadsworth. He asked if Mr. Brenner had any knowledge of where those could be located. Mr. Brenner answered yes, having done a lot of work in Wadsworth City there are coal mines prevalent in that area. He added that there are coal mines on the far west side in the southwest corner, as best he knows. Mr. Brenner said they are trying not to build in the neighborhood of the mine. He informed them that 50-75% of the lots directly to the south in Wadsworth City are on top of mines.

Brian Guccion, Sharon Township Trustee, stated on December 8, 2020 there was a meeting for a final zoning change for R-2 when it was changed to one acre from 1.3 acres. He asked if Planning received a copy of the township minutes. Ms. Testa said yes. Mr. Guccion asked if Planning received a copy of exhibit A (copy of subdivision). Ms. Testa said no. Mr. Guccion stated that exhibit A and the other copy do not match. He said when the township had their hearing which was mostly virtual, he asked (Jason Brenner) on three different occasions, if he was good with this (?) and he said Mr. Brenner told him yes. Mr. Guccion felt misled when another plan was presented to the township. Ms. Testa commented the other plan that is being referred to was the Preliminary Plan that was submitted to the Planning office.

Board President Brandon asked how different the plans were. Director Testa answered one had 51 sublots and the other had 69 sublots. Mr. Guccion said there was a text change and it left the word “overall” in. He said in the township’s mind it was one for one, but as they had the hearing, they decided that whatever they (Jason) have they were going to leave in and give their blessing and go with what they had.

Chris Bailey, developer/applicant for the subdivision, wanted to explain why it changed from the sketch plan to the Preliminary Plan. She said Wadsworth City required them to use their sewage system as there is a line of demarcation where part of the subdivision goes to the County for sewer and the other to the City. Ms. Bailey was not aware of this and explained that the sketch plan drawing was just that, even before it came to the Planning Services office for comments. She explained because of having to access Wadsworth City sewer she had to purchase another parcel of land and instead of having septic and well with the large lots she had to run the sewer 3,000-feet. Ms. Bailey redesigned the subdivision still keeping it under the one unit to the acre, under the density requirement for the current zoning. She clarified not at the old zoning at 1.3 to the acre. Mr. Guccion stated he knew what the zoning said and acknowledged it was an error on the township side and it would be corrected. Ms. Bailey stated it cannot be corrected after she submitted the plan.

A lengthy discussion ensued between Mr. Guccion, Ms. Bailey, and Mr. Brenner regarding the density requirement for the zoning code and the plan submittal to the township.

Cliff Nowak questioned if this was going to be serviced by septic tanks or county sewers. Mr. Brenner answered county water and county/city sewers.

Leslie Miller was not sure if she was comfortable approving this as she was not sure what she was approving. Eric Heffinger agreed with Ms. Miller saying he was so confused by the arguments he was hearing and what was presented before them that he did not know what was being argued about anymore. He added he was a little lost at this point. Director Testa explained from the staff report on page two under the Sharon Township zoning, "...such flexibility is intended to accommodate development at a density of approximately 1.33 units per acre". She said on December 8th the Board of Sharon Township trustees revised the permitted density from 1.33 units per acre to 1.0. Sharon Township includes 64 lots and Wadsworth Township includes five lots and as you look at the density it is essentially .999 which rounds up to 1.0 only on the Sharon Township side.

Ms. Testa felt that is what the discussion was surrounding, the change in the zoning, in December of 2020. She added that the township's intention was to have one acre lots but the way the zoning resolution was worded it states "overall". Mr. Guccion said the township honored what they had on paper because of what was submitted. Director Testa explained that they had already submitted the Concept Plan, the Concept Plan meeting had been completed, which is informal and not approved by the Planning Commission, and now they are in the Preliminary Plan stage which in this case is different from the Concept Plan but still has the same spirit of the layout of the Concept Plan.

Pat Ryan clarified that the current zoning says the overall density of the acreage is one unit per acre but what Sharon Township wants is one acre lots. Mr. Guccion said that was correct. Ms. Testa verified that the intent was to change in the future. Mr. Guccion answered yes, that was the intent but the verbiage never got changed. Ms. Ryan clarified that the overall density verbiage is what is in effect when this plan was presented. Mr. Guccion said that was correct. Ms. Ryan said the applicants are following what the code was at the time they developed the plan. Mr. Guccion said yes. He added his issue was the drawing that was reviewed on December 8th was 51 houses and the drawing on the table today is 64 in Sharon Township.

Pat Ryan asked if they added more land. Mr. Guccion answered not in Sharon Township. Ms. Ryan asked if there was anything in the zoning code that says they have to subtract

future roadways out of the overall acreage. Mr. Brenner answered that Sharon Township staff report states that on December 8, 2020 the Sharon Board of Trustees revised the permitted density from 1.33 units/homes per acre to 1.0 units/homes per acre in Limited Multi Family housing. He did not understand that Sharon Township wanted 1.0 acre lots.

Ms. Ryan stated if it said one unit per acre that is not one acre lots. Mr. Brenner pointed out to the staff report where Neil Jones, Sharon Township zoning inspector, said that he did not understand what he was trying to say about one acre lots. Mr. Guccion explained that Neil told Mr. Brenner the way it read on that day and time it was conforming. Director Testa confirmed that Neil Jones indicated that he conditionally approved the Preliminary Plan and the small lots do not reflect the intent.

Cliff Nowak questioned potential homeowners being notified that they could be over a coal mine. Chris Bailey answered yes, she would have to disclose fully, 100 %. She said in the State of Ohio it is required to have mine insurance which has to be on the title review and fully disclosed before the contract can even be consummated.

Kim Miller, Sharon Township Trustee, questioned when the Preliminary Plan was presented to the Planning Commission originally was there discussion regarding the fact that they needed to provide sewer and water and they would more than likely would need to purchase that (extra land) and connect to those services (Wadsworth City) or was this the only time this has been discussed. Ms. Testa answered that the sewer and water was discussed at the Concept Plan but once the Preliminary Plan was received it was sent out for comment to the City of Wadsworth, County Engineer, Sharon Township, and Wadsworth Township. She said that is when those comments came back and discussions began between the applicant and the agencies. Kim Miller asked if the cost from the City of Wadsworth is higher and if that was the issue. Chris Bailey answered yes, she had to run the sewer quite a bit further and she was not able to put in septic or wells on the large lots.

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

Ms. Ryan moved to approve the staff recommendation of Approval with Modifications for the Bailey Preliminary Plan. Mr. Cleckner seconded the motion. Mr. Heffinger opposed. All other members voted AYE and the motion was approved.

d. **Harrisville Township Map Amendment, 006-2021 MA**

Ms. Testa presented the staff report to the Commission regarding the above captioned map amendment adjacent parcels located in the southeast corner of the township south of I-71 and west of Avon Lake Road.

Proposal: The applicant proposes to revise zoning districts so that all zoning boundaries will follow property lines. The lots with dual zoning are resulting in problems for purchasers or owners resulting in submission of multiple variances.

Current Zoning:

According to the Harrisville Township Zoning Resolution the following are permitted and conditionally permitted uses in the R-1 Residential District:

- Single-family dwellings

- Accessory uses
- Signs
- Basement dwellings
- Independent trailers
- Churches
- Recreational

Proposed Zoning: According to the Harrisville Township Zoning Resolution the following are permitted and conditionally permitted uses in the B-2 Highway Services Business District:

- Garage and automotive repair shops
- Truck terminals
- Towing and storage businesses
- Gasoline plazas
- Motels
- Restaurants
- Sports complex

The minimum sized lots of 2 acres with a minimum lot frontage of 175 feet.

Discussion:

Board President Brandon questioned the location of the outlet mall on the map. Ms. Testa apologized saying she did not look for the outlet mall. Mr. Brandon said he was just curious.

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

Ms. Ryan moved to approve the staff recommendation of Approval for the Harrisville Township Map Amendment, application number 006-2021 MA. Mr. Nowak seconded the motion. All members voted AYE and the motion was approved.

e. **Sharon Township Text Amendment, 014-2021 TA**

Ms. Testa presented the staff report to the Commission regarding the above captioned text amendment to revise the minimum lot size (Section (§) 502-2(A)) and increase the rear yard setback (§ 502-2(D)) in the R-2 Residential District.

Proposal: In an email dated February 1, 2021, Melissa Hydell, Sharon Township Zoning, requested a review of two changes to the Sharon Township Zoning Resolution.

Discussion:

Jeff Stroup, Sharon Township Zoning Commission chair, said he agreed with the staff report and that this revision goes with the township's comprehensive plan.

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 for the Sharon Township Text Amendment, application number 014-2021 TA. Mr. Calaway seconded the motion. All members voted AYE and the motion was approved.

VII. PLANNING DIRECTOR'S REPORT

Planning Director Testa stated she knew this was a long meeting and looked forward to seeing them all at the April 7, 2021 Planning Commission meeting. She thanked all the members for their participation.

VIII. PUBLIC PARTICIPATION

There was no Public Participation.


IX. OTHER BUSINESS

There was no Other Business.


X. ADJOURNMENT

Board President Brandon asked for a motion to adjourn.

Mr. Cleckner moved to adjourn the March 3, 2021 MCPC meeting at 7:58 p.m. Ms. Ryan seconded the motion. All voted AYE and the motion was approved.



Jeff Brandon, President



Cheryl Heinly, Administrative Assistant