MEDINA COUNTY DEPARTMENT OF PLANNING SERVICES

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MEDINA COUNTY PLANNING COMMISSION
MEETING MINUTES
WEDNESDAY, AUGUST 4, 2021, 6:30 P.M.

Guests:
Chris Bender, Hinckley Elect Holdings
Travis Crane, Davey Resource Group
Denise Gumbita, Chatham Township Trustee
Matt Marzullo, Hinckley Township Zoning Commission
Ben Weinerman, Pride One
Gary Wolny, 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
David Cleckner
Chris Kalina

MCPC Alternates:
Adam Esker (alternate for Steve Hambley)
Tom James (alternate for William Hutson)
Cliff Nowak (alternate for Colleen Swedyk)
Elayne Siegfried (alternate for Pat Ryan)

II. MINUTES

Board President Brandon asked if there were any questions or comments on the July 7, 2021 minutes as presented. There was none.

Mr. Nowak moved to approve the July 2, 2021 minutes as presented. Mr. Calaway seconded the motion. Ms. Siegfried abstained. All other 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

There were no items on Old Business.

VI. NEW BUSINESS

a. **Hinckley Senior Apartments**, Revised Preliminary Plan, Hinckley Township, 068-2021 RPP

Ms. Testa presented the staff report to the Commission regarding the above captioned subdivision located east of West 130th Street and south of Center Road.

Proposal: The applicant proposes the following on the 17.12-acre site:

- 23 building clusters with 117 units including 109 ranch units and 8 townhouse units for individuals over 55 years of age;
- Plans include three stormwater management ponds;
- A pool and building for lease are located on the southwest corner of the property

Zoning: The subject property is zoned B-1 Business District. According to the Hinckley Township Zoning Regulations, a B-1 designation includes conditional use for senior citizen residential facilities.

Comprehensive Plan: The Township's Comprehensive Plan indicates "planning for new growth and development that serves current and future needs in a cost-effective manner."

The plan also includes the goals listed below associated with housing for seniors and growth on the western side of the township as seen in the passages below.

"Plan for Seniors: With a two-acre minimum lot size for a majority of the township's residentially-zoned property (excluding conservation districts), the need for smaller-scale senior housing has become crucial. Smaller scale housing would allow residents to age within Hinckley, while avoiding the maintenance that would accompany a large-lot residence. The general preference for this housing type was smaller detached independent living units."

"Keep Growth to the West: With a remarkable amount of consistency, the Steering Committee members and the general public have identified the western boundary of the township as the area most appropriate for growth. This area is currently home to a number of commercial uses, is in close proximity to the I-71 exit, and is currently

served by both water and sanitary sewer service, and generally falls within the sewer service expansion area identified by Medina County."

Discussion:

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

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

Ben Weinerman, Pride One, thanked Planning Director Testa. He stated that they have some minor changes, removal of two sublots and a little of reconfiguring with stormwater and swapping out unit types. He also said they are reducing the number of units. He said other than that he was there to answer any questions.

Board President Brandon clarified that the street was moved over a little bit. Mr. Weinerman said that was correct, they eliminated the parcel 005, which is the B1 parcel outside the project on right hand land. He said they are abiding by all the building setbacks.

Matt Marzullo, Hinckley Township Zoning Commission chair, said most of the questions he did have was addressed in the staff report. He said the township meeting was not until tomorrow evening. Planning Director Testa commented she knew Mr. Marzullo had asked regarding the wetland delineation report and she said Planning had not received a report yet. She added that occurs in the construction phase and the Highway Engineer's office (Matt Martin) would handle that. Ben Weinerman stated to that point (the delineation report), in the zoning commission hearing on July 1, 2021, he was a little taken aback by the comment, and said he handed Mr. Marzullo the approved jurisdictional delineation from the US Army Corp of Engineers. Mr. Weinerman said he had a hard copy if Ms. Testa wanted one and would send one electronically as well.

Board Member Nowak questioned if they were purchasing the other land on both sides. Mr. Weinerman answered no, what was seen as bold and outlined is the construction limits for the project and they are not purchasing any other land. Mr. Nowak asked if they are going to have clubhouse facilities. Mr. Weinerman said yes it will have a clubhouse and it is shown next to the detention basin on West 130th. Mr. Nowak asked how many units they are going down to. Mr. Weinerman answered 117. Mr. Nowak asked if they were townhouses. Mr. Weinerman answered yes, all two bedrooms, two bath.

Board Member Siegfried commented as she was reading through this, she did not see the original plan and asked if they are working with ODOT on the traffic study and she questioned if the township would look at that. Mr. Weinerman said yes, that has been submitted to ODOT, District 3, to Jared Feller.

Board Member Nowak asked if they were taking out the Buzzard's Roost and the golf course. Mr. Weinerman answered...inaudible...is located where the driving range used to be, just south of the Caddy Shack. He said they are not impacting the Buzzard's Roost or the Caddy Shack.

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

Mr. James moved to approve the staff recommendation of Approval with Modifications for the Hinckley Senior Apartments Revised Preliminary Plan. Ms. Siegfried seconded the motion. Mr. Kalina abstained. All other members voted AYE and the motion was approved.

b. **Reserve at Pine Valley, Phase 1, Final Plat**, Hinckley Township, 070-2021 FP

Ms. Testa presented the staff report to the Commission regarding the above captioned subdivision located on the east side of West 130th Street and south of the Pine Hills Golf Club.

Proposal: The applicant proposes the following with the 18-acre Phase 1A:

- 19 sublots in ranging from .85 to 1.43 acres;
- A remainder 22-acre Block C;
- Central water & sewer;
- Two storm water management basins; and
- Street "A" with 60' Right-Of-Way (ROW) terminating in a t-type turnaround.

Zoning: The subject property is zoned R-2 Residential. Per the Hinckley Township Zoning Resolution, the purpose of the R-2 District is to "provide single-family residential development with a minimum lot size of 32,670 feet [and to] promote the most desirable and beneficial use of the land in conformity with this Section."

The Hinckley Zoning Commission approved variances in May 2020 for Sublots 24, 25 and 26 for wetland setbacks. Although these sublots are not included in Phase 1A, it will be an important note for future phases.

Comprehensive Plan: The 2015 Hinckley Township Comprehensive Plan lists key themes, Grow Carefully and Keep Hinckley Rural, Plan for Seniors, Preserve the Natural Environment, Enhance the Town Center, and Keep Growth to the West. The most prominent land use in Hinckley Township is single family, which accounts for over 34% of the total and area within the Township. 98% of the total area is zoned for single-family residential. Most of that land is zoned R-1 residential, which requires a two-acre minimum lot. The proposed subdivision complies with the 2015 Hinckley Township Comprehensive Plan.

Discussion:

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

**Board Member Kalina asked that the record reflect he is recusing himself from this Revised Preliminary Plan and Phase 1A Final Plat as he is a Hinckley Township Trustee.

Chris Bender, Hinckley Elect Holdings, said if they have technical questions Travis Crane is here to answer them otherwise, he would answer any other questions.

Matt Marzullo, Hinckley Township Zoning Commission chair, commented they have gone through this before and the big issue was having the cul-de-sac at the end of the stub street in Phase two. Mr. Bender verified that it was Phase 2 with 11 more lots to put in and a cul-de-sac on the eastern end and he thought he satisfied the township with a bond and an agreement that if they do not install the final cul-de-sac within three years the money is there to make this a permanent cul-de-sac. Planning Director Testa stated in the second Final Plat that Matt Martin from Highway Engineers indicated he wanted a temporary t-type temporary turnaround and those changes have already been made. She said this is moving forward fairly quickly and very smoothly.

Board Member Nowak asked if they are going to meet the required minimum acreage for development of houses in Hinckley. Mr. Bender said yes.

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 Reserve at Pine Valley, Phase 1, Final Plat. Mr. Calaway seconded the motion. Mr. Kalina abstained. All other members voted AYE and the motion was approved.

c. **Chatham Township Text Amendment**, 051-2021 TA

Mr. Henwood presented the staff report to the Commission regarding the above captioned text amendment amending the entire zoning resolution.

Proposal: In an email dated May 4, 2021, Heather Osborn, Chatham Township Zoning Secretary, requested a review of a complete rewrite of the Chatham Township Zoning Resolution.

Discussion:

Denise Gumbita, Chatham Township Trustee, stated they are excited to get this far. She said this was beyond the scope of what a community could do on its own so they hired a consultant and felt he did a good job. Board Member Kalina asked who the township hired. Ms. Gumbita said it was George Smerigan. Mr. Kalina said that George does a great job. Ms. Gumbita said she started off as a clerk and came back as a trustee and took on the zoning about two years ago.

Board Member Siegfried commented that signs are the most difficult to…inaudible.

Board Member Kalina remarked that he agreed with Rob's comments regarding the conditional and he didn't think they needed to comment on an annual basis. He added that the zoning inspector has the ability of someone not in compliance to then have them come in and site them for their noncompliance and there is that security net. Mr. Kalina said Mr. Smerigan works for major cities and he does a good job. He said working with him your township will have a good resolution. Board President Brandon agreed saying Mr. Smerigan has a good reputation in the field.

Board Member Kalina said it took about a year for Sharon Township's resolution to be completed. He said it's a huge undertaking when you do a full resolution. He added that Rob was a great resource.

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. Siegfried moved to approve the staff recommendation of Approval with Modifications for the Chatham Township Text Amendment amending the entire zoning resolution. Mr. Kalina seconded the motion. All members voted AYE and the motion was approved.

VII. PLANNING DIRECTOR'S REPORT

Planning Director Testa informed the Board of the numbers for January through July major subdivisions in the which were 22 major subdivisions with 671 sublots. She said they had 30 minors with 61 parcels. Ms. Testa said for the September MCPC meeting there would be one Final Plat, two Replats and one Text Amendment. She said for August there will be a Concept Plan meeting on August 18th that was in Sharon Township.

Planning Director Testa stated that she is planning on sending out a survey to the townships to get an idea of how many are interested in a redo or rewrite of their Comprehensive Plan and/or Zoning Resolution. She said the Commissioners are interested in seeing where we are as the budget meetings are coming up. Ms. Testa added we have done this in the past offered grant money for communities interested in taking on that project.

Board Member Kalina asked if the grant money would allow them to be eligible for an outside contractor. Planning Director Testa answered yes. Mr. Kalina asked how to apply. Ms. Testa answered she would get that to him as soon as she got the details. She said there was an application process but did not know if the process would change.

Planning Director Testa presented an overview of Fair Housing to the Commission. She put together a brief packet for each of the members that includes a quick agenda as well as all of the brochures. She added that all of the brochures are included on the website. As part of the CDBG grant we offer fair housing services to residents and a majority of inquires that the Fair Housing office receives from the residents is by phone and 99 out of 100 are not a fair housing circumstance. Ms. Testa stated that it is usually a landlord tenant conflict and usually what we try to do is provide them with information and contacts. She said that in some cases we might call the landlord even if it is not a fair housing issue just to provide additional information. She described two different cases, one that was not a fair housing case and one that was but the tenant would not allow us to contact the landlord and wanted to try and work it out with him.

Planning Director Testa explained that clients can contact the Housing and Urban Development office or the Ohio Civil Rights Commission office as both have regional offices in Cleveland if they believe they would like additional assistance. She said the local resources have been very helpful including MMHA, Medina Metro Housing Authority, the Bar Association, and Community Legal Aid.

Ms. Testa stated that Community Action of Wayne/Medina have funding for rental and utility assistance right now.

Planning Director Testa looked at what the CDC issued on the (new) moratorium. She said at this point because it is a generally new moratorium, she would recommend anyone who is might be evicted or is in the process of being evicted to seek legal counsel. Based on her initial research it appears that many of the states are having difficultly getting money to renters who need assistance because there is a backlog of applications. In some communities they are not honoring the moratorium depending on the court they are in.

Board President Brandon questioned if this was a new moratorium on evictions. Planning Director Testa answered yes, through the CDC and there are some individuals who are contesting or challenging the moratorium because it was not approved by Congress. She said it is the same kind of moratorium they had before the July 31st one had expired and the only difference is if an individual resides in an US County experiencing substantial or high rates of covid transmission levels, they are eligible for this moratorium, that was the only add on. Ms. Testa said Medina County is considered substantial and our residents would qualify. She let the Board know if they wanted to read this, she would send with the follow up email to them. She said there are more questions than answers regarding this recent moratorium.

Denise Gumbita commented regarding the ARP (American Recovery Plan) money and the distribution. She said the money has not started to come in yet and it has to be voted on before September 4th and the money was supposed to be coming in before the end of the year. Ms. Testa said some communities are using for rentals, utility assistance, or covid assistance in general. She added that Wadsworth has a program where they were allocated $20,000 through our Community Development Block Grant and they have been allocating that money to individuals. She said the money is there but the disbursement of the money has been a challenge for many states and communities. Just a fraction of that CARE money and/or ARP money has been given out because they cannot give it out fast enough is what Ms. Testa understood.

Planning Director Testa thanked everyone for allowing her to present the Fair Housing presentation.

VIII. PUBLIC PARTICIPATION

There was no Public Participation.

X. OTHER BUSINESS

There were no items on Other Business.

XI. ADJOURNMENT

There being no further business to discuss, Chairman Brandon adjourned the meeting at 7:08 p.m.

Jeff Brandon, President

Cheryl Heinly, Administrative Assistant