MEDINA COUNTY DEPARTMENT OF PLANNING SERVICES

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MEDINA COUNTY PLANNING COMMISSION
MEETING MINUTES
WEDNESDAY, NOVEMBER 6, 2024, 6:30 P.M.

Guests:
Colin Johnson, Medina County Health Department
Tom Mason, Viola Rose Estates
Nate McConoughey, Medina County Health Department
Sherri Meinke, Chatham Township Zoning Inspector
Keith Mitchell, Palmieri Enterprises
Andy Planet, Rolling and Hocevar
Thomas Weiss III, Lewis Land Professionals

MCDPS Staff:
Cheryl Heinly, Administrative Assistant
Denise Testa, Director

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

I. ROLL CALL

MCPC Members:
Sally Albrecht
Jeff Brandon
Sue Frey
Chuck Johnson
Pat Ryan
James Uranker

MCPC Alternates:
Cindy Engleman (alternate for Colleen Swedyk)
Adam Esker (alternate for Steve Hambley)
Tom James (alternate for Aaron Harrison)

II. MINUTES

Board President Brandon asked if there were any questions or comments on the October 2, 2024 minutes, there were none.

Board Member Albrecht moved to approve the August 7, 2024 minutes as written. Board Member Frey seconded the motion. Board Member Ryan abstained. All other members voted AYE and the motion was approved.

III. CORRESPONDENCE

There were no items for 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. **Habermann**, Preliminary Plan, Brunswick Hills Township, 078-2024 PP

Ms. Testa presented the above staff report to the Commission.

Discussion:

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

Board Member Albrecht asked if the farmhouse would be taken down. Director Testa said yes.

Keith Mitchell, Palmieri Enterprises, said the wetlands were approved by the Army Corp and they are waiting for the final letter. He will answer any questions.

Colin Johnson, Health Department, verified that it would be central water and sewer as the cover sheet said on-site septic. Ms. Testa said that was correct.

Board Member James moved to approve the staff recommendation of Approval with Modifications for the Habermann Preliminary Plan. Board Member Albrecht seconded the motion. All members voted AYE and the motion was approved.

b. **Viola Rose Estates**, Preliminary Plan Extension-Revised Preliminary Plan-Final Plat Resubmittal, Liverpool Township, 080-2024 PP-Ext-RPP-FP

Ms. Testa presented the above staff report to the Commission.

Discussion:

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

Director Testa handed out an addendum to the staff report and explained that four out of the 16 sublots should be labeled as an open space blocks because the Health Department has determined them not suitable for building. Ms. Testa said in Article III of the Subdivision Regulations, in the definition section it indicates that, "A block is intended to remain unbuildable or developed under the respective government

definition of open space shall be further designated as open space lots intended for future development." Article IV also states that, "The Planning Commission may find areas within the subdivision and may restrict development so as to not increase danger to health, life and property to aggravate the flood hazard. The Planning Commission may consider a variety of factors including flooding and poor soil conditions." Director Testa said there was also a letter from the Medina County Soil and Water Conservation District that indicates further evidence from the soil map supporting an open space block.

Andy Planet, Rolling and Hocevar, said the subdivision was done, the plat was approved. He said there was some inappropriate timing in working with the Health Department on getting the soil evaluations. He said they decided to take the four lots out and put them in a block in hopes of pursuing those lots to get approval in the future by technology or remediation. He said the reason they would like to call it future development is that it is more along the lines of future development where they can split that. There is also an option to split the block in the future and combine to adjoining lots to make them larger. Mr. Planet felt that open space was more geared towards a percentage of how much space was needed for zoning. He said not always does future development mean sublots and he knows they have some soil issues but because of the timing they would like to plat the 12 sublots and that is why they chose to make the revision. He asked the Board to consider "future development."

Board President Brandon noticed on the handouts that it said, "Block A, future development." Director Testa said that is at the applicant's request. Board President Brandon asked if that is what the staff has in mind. Ms. Testa said no, she is recommending an open space block. She added that it is not developable, and the Health Department is in attendance tonight to discuss their process as well.

Colin Johnson, Health Department, said they got involved late and no sewage system can go on that block at all. He said during construction the soil got destroyed. Mr. Johnson said they worked extensively with Mr. Mason and his soil scientist twice to submit soils for some other lots to do site reviews. Director Testa stated that from an open space perspective, if the applicant would like to complete a lot line adjustment which would be a replat where they could increase the size of sublots two and three. She said open space would not be a permanent designation and it could be changed if they submit a replat (at a later date). Mr. Planet said if they called it open space on the plat and a new system comes out five years from now, they could make those into sublots instead of a block. Ms. Testa said that was correct. She said they have had replats move sublot lines into open space and in this case, this is not a conservation district that requires a percentage of open space.

Mr. Johnson, Health Department, said there is no current system that could be built at this time and would have to be some new technology because an off-lot system could not be put there. Board Member James said to Mr. Planet that the "heartburn" is that labeling it as "open space" it has to stay that way. Mr. Planet said that is what his experience has been, but he understands what Ms. Testa is saying and they are comfortable with being on record that is not what is being set up, that it is for zoning

and it has to stay that way. Board Member James stated that it is not a zoning restriction, it is a planning restriction. Director Testa said under the replatting procedures it says, "a substantial change includes but is not limited to rearranging sublot or street patterns, adding additional sublots or replatting blocks originally approved on the preliminary plan into sublots." She said there is a mechanism to change the block. Board Member Ryan clarified that Ms. Testa would like "future development" removed and for it to say, "Block A Open Space." Ms. Testa said yes, "Open Space, Block A." Mr. Planet said they are willing to accept that modification, changing future development to open space.

Board Member James moved to approve the staff recommendation of Approval for the Viola Rose Estates Preliminary Plan Extension. Board Member Albrecht seconded the motion. All members voted AYE and the motion was approved.

Board Member Albrecht moved to approve the staff recommendation of Approval with Modifications for the Viola Rose Estates Revised Preliminary Plan. Board Member Ryan seconded the motion. All members voted AYE and the motion was approved.

Board Member Albrecht moved to approve the staff recommendation of Approval with Modifications for the Viola Rose Estates Final Plat Resubmittal. Board Member Esker seconded the motion. All members voted AYE and the motion was approved.

c. **Chatham Township Text Amendment**, 075-2024 TA

Ms. Testa presented the above staff report to the Commission.

Discussion:

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

Sherri Meinke, zoning inspector, stated that in section 1203.1 where it says, "...staff recommends changing "permit" to "permits," in section B, she thought it would be better to state, "...a zoning "permit" shall be required..." Otherwise, everything looks great.

Board Member Ryan suggested removing "glare" as lighting companies will not define it and it is incredibly hard to prove. Ms. Testa indicated that was her recommendation in the staff report, and Ms. Meinke agreed.

Board Member James asked if this modification recommended removing the glare. Director Testa said it does, and she mentioned (in her staff report) that it was difficult to prove glare and it was a recommendation.

Board Member Engleman moved to approve the staff recommendation of Approval with Modifications for the Chatham Township Text Amendment. Board Member Frey seconded the motion. All members voted AYE and the motion was approved.

VII. PLANNING DIRECTOR'S REPORT

Director Testa let the Board know that there was an update to one of the filing deadlines on the MCPC listings for 2025. She asked for a motion to accept the meeting dates.

Board Member Ryan moved to approve the amended 2025 MCPC meeting list. Board Member James seconded the motion. All members voted AYE and the motion was approved.

Ms. Testa informed the Board that they need a Floodplain Board of Appeals member. She said the only qualification is to be a Planning Commission member. She said the Appeals Board hears and decides appeals where it is alleged there is an error in any order, requirement, decision or determination named by the Floodplain administrator in the administration or enforcement of the Floodplain Regulations.

She met with Sherri Meinke and Gail Miller from Chatham Township and completed an orientation on planning services in general.

Ms. Testa said CDBG and Critical Infrastructure grants are done. She submitted the final performance reports and said she met the deadline.

She thought for the PY2024 CDBG application they would hear by the end of the month and then she will be on her next round of PY2025 CHIP applications.

She said they met with the ZINC (Zoning Inspector Networking Community) today and thought they had around ten individuals. This group are the zoning inspectors networking community and the next meeting will be held on November 12th.

Ms. Testa informed the Board that there will be meeting tomorrow for the Medina County Fairgrounds Facilities Strategic Plan. She said they received eight proposals and they are looking to call them next week with a goal of having whoever is chosen under contract by mid-December. In addition to that she will be attending the CCAO winter conference on December 5 and is also attending the OTA winter conference in January.

Ms. Testa said they have offered the position of Associate Planner to Jeff Kassouf and he has accepted. His first day is December 2nd.

Director Testa said there are no agenda items for December so there will be no meeting.

VIII. PUBLIC PARTICIPATION

There was no Public Participation.

IX. OTHER BUSINESS

There were no items on Other Business.

X. ADJOURNMENT

There being no further business to discuss, Chairman Brandon adjourned the meeting at 7:04 p.m.

Jeff Brandon, President

Cheryl Heinly, Administrative Assistant

Attachments: Corrected 2025 Planning Commission meeting schedule
Addendum to Viola Rose staff report

Revised PP Ext-Revised PP-Resubmitted Final Plat

Viola Rose Estates

Liverpool Township

Meeting:	November 6, 2024	**Site Area:**	37 acres
App. No.:	040-2024 RPP	**Sublots:**	12 Sublots
Applicant:	Valley Investments 2 LTD	**Zoning:**	R-R Rural Residential District
Surveyor:	Rolling and Hocevar	**Utilities:**	Central Water & On-site Septic
Developer:	Valley Investments 2 LTD		
Parcels:	025-01A-14-016 & -017	**School Dist.:**	Buckeye Local
		Reviewer:	Denise Testa

ADDENDUM

The applicant submitted additional comments and plans. Supplementary staff comments are also included in this addendum regarding the Preliminary Plan Extension, Revised Preliminary Plan and Resubmitted Final Plat.

Andrew Planet, P.E., P.S.
Rolling & Hocevar, Inc.
330.723.1828
aplanet@rh-inc.com

I have attached copies of the most recent Preliminary Plan and Plat.

We have labeled Block "A" (FUTURE DEVELOPMENT) on the Revised Preliminary Plan and Plat. I have removed the notes labeling future lots and building lines from the Preliminary Plan and Plat for the Block "A" area.

In the Subdivision Regulations definitions, it allows the "Block" term to be reserved for future development, this does not imply that it is currently buildable or will be buildable.
Future Development of Block "A" would require future Planning and Agency approvals for this Block should it be split in the future, combined with adjoining lots, or any other development options.

Department of Planning Services Staff Comments

1. Staff recommend the Planning Commission vote on each plan separately.
2. Correction: The Revised Preliminary Plan and Resubmitted Final Plat have changed Sublots 3, 4, 5, and 6 to Block A for Future Development.
3. Please disregard Item 6(h) in the original staff report requiring the applicant to submit the Declaration of Covenants, Conditions, and Restrictions. The applicant submitted this document for Prosecutor review.
4. Please disregard Item 5 in the original staff report indicating the following data/information was not provided with the Revised Preliminary Plan. These items were addressed and required to be submitted with previous staff reports.
5. The staff recommendation for the Preliminary Plan Extension is Approval.

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Medina County Planning Commission Meeting Schedule 2025

In order to serve our community outlined in the Medina County Subdivision Regulations approved by the Medina County Planning Commission (MCPC) and adopted by the Board of Medina County Commissioners, all required materials for text and map amendments and major subdivisions should be submitted by the filing deadlines listed below. The MCPC meetings are scheduled on the first Wednesday each month beginning at 6:30 p.m.

We encourage applicants to meet with the Department of Planning Services and Fair Housing in order to discuss their materials prior to submission. For questions or to schedule an appointment, please contact Denise Testa, director, at (330)722-9291 or (330)388-9780.

MEETING DATES	FILING DEADLINE
Wednesday, January 8, 2025	Monday, December 9, 2024
Wednesday, February 5, 2025	Monday, January 6, 2025
Wednesday, March 5, 2025	Monday, February 3, 2025
Wednesday, April 2, 2025	Monday, March 3, 2025
Wednesday, May 7, 2025	Monday, March 31, 2025
Wednesday, June 4, 2025	Monday, May 5, 2025
Wednesday, July 2, 2025	Monday, June 2, 2025
Wednesday, August 6, 2025	Monday, June 30, 2025
Wednesday, September 3, 2025	Monday, August 4, 2025
Wednesday, October 1, 2025	Tuesday, September 2, 2025
Wednesday, November 5, 2025	Monday, September 29, 2025
Wednesday, December 3, 2025	Monday, November 3, 2025
Wednesday, January 7, 2026	Monday, December 1, 2025