

**Brunswick Hills Township
Zoning Commission
Regular Meeting Minutes
March 5, 2020**

CALL MEETING TO ORDER

Chair Murphy called the Brunswick Hills Township Zoning Commission March 5, 2020 regular meeting to order at 8:07 p.m. A roll call of the board executed.

- **Board Members in Attendance:** Barb Porter, Trica Murphy, Patti Wetterman, Sy Mougrabi
- **Alternate Board Members in Attendance:** Robert Norton, Dean Collura
- **Others in Attendance:** Evelyn Czyz, Zoning Inspector, Wes Humphrey, Assistant Zoning Inspector, Trustee Christina Kusnerak (Zoning Liaison), Secretary Milanko

Swearing in of Board Member

Trustee Kusnerak (Zoning Liaison) swore in Sy Mougrabi to fill an unexpired full board seat whose term expires December 2022.

APPROVAL OF THE MINUTES

1. February 6, 2020 Public Hearing Minutes

Motion: Mrs. Porter made a motion to accept the February 6, 2020 public hearing minutes for the Brunswick Hills Township Zoning Commission. Mr. Norton seconds. **Roll Call:** Mr. Norton-yes; Mr. Mougrabi-yes; Mrs. Porter-yes; Mrs. Wetterman-yes; Mrs. Murphy-yes.

2. February 6, 2020 Regular Meeting Minutes

Motion: Mrs. Wetterman made a motion to approve the February 6, 2020 minutes of the regular meeting. Mr. Norton seconds the motion. **Roll Call:** Mrs. Porter-yes; Mr. Mougrabi-yes; Mrs. Wetterman-yes; Mr. Norton-yes; Mrs. Murphy-yes.

CONTINUED BUSINESS: Zoning Resolution Review for Amendments

1. Right-of-Way and Setbacks

Chair Murphy stated we received a document regarding the Medina County Subdivision Regulations on how they define Right-of-way. Chair Murphy stated I believe in our Zoning Resolution it is defined differently. Mrs. Porter said there was a question as to where the right-of-way goes from and to and does it go from the middle of the road or the side of the road. Chair Murphy stated yes, that was part of the question as to where it starts from. Mr. Norton said he thought the right-of-way does start at the center of the road. Mrs. Czyz stated not always; that will be determined by the Highway Engineer's Office. Mrs. Porter said how do we write that in our Zoning Resolution? Mr. Humphrey and Mrs. Czyz stated you don't because it is referred to the Medina County Engineer. Chair Murphy stated we will continue this business so the board can have more time to review that.

2. Sporting Clay Shooting: Sec. 401-2 B#2/ 402-2 B#1/ 403-2 B#3/ 404-2 B#3/ 405-2 B#5

Chair Murphy stated sporting clay shooting was referenced at our last meeting and asked for additional discussion from the board. Mr. Norton said at the last meeting the board asked what is the difference between clay shooting sporting clays. He said I brought up sporting clays and trap shooting and you can do trap shooting right in this area. Sporting clays takes up to 40-60 acres and it's a course, it's not a range. He said in our bylaws it says we don't want to use shooting ranges or gun ranges. He said if anyone wanted to put a sporting clay course in, they might be able to fight us on that. Mr. Norton referenced the following

sections of the Zoning Resolution: Sec. 401-2 B#2/ 402-2 B#1/ 403-2 B#3/ 404-2 B#3/ 405-2 B#5. Mrs. Czyz said I would probably start off with referencing the Ohio NRA Regulations as they may have that defined. Mr. Mougrabi said so skeet shooting is different than clay shooting? Mr. Norton said yes, trap shooting and skeet shooting are ranges and they are shot in certain area. Sporting clays covers a whole bunch of properties and there is shooting in different directions. Chair Murphy said this needs more consideration from the board before we move on that. Chair Murphy added this to continued business.

3. Zoning Language Review Request Proposed by Chief Strazzo; Fire Prevention Officer Matt Payne

Chair Murphy said I'm not sure where the Fire Department is with this. Secretary Milanko stated she hasn't heard anything more on this since Chief Strazzo addressed the board at a previous meeting and suggested a possible workshop to work through the language. Chair Murphy stated we need more information before we can take action on this and we will continue it. Mr. Norton said Chief Strazzo proposed language based on Seville / Guildford to review on commercial buildings. Mrs. Wetterman said we would like to get more information.

Trustee Christina Kusnerak asked if Chief Strazzo is talking about residential properties or commercial? She asked if they even have the authority to do anything with it so that is something you want to look into and think about. Trustee Kusnerak stated the Trustees passed a motion that the Zoning Inspector should forward all permits to the fire chief. Trustee Kusnerak stated she wasn't sure if they have the authority regarding residential. Mrs. Czyz stated she thinks it should have only been the commercial permits and structures. Mrs. Czyz stated she did not believe the fire department has the authority and said I cannot just walk on a residential property unless I have some business on it. Mrs. Czyz stated the board must remember that Seville is a village, it is not a township and there is a big difference on what a city, village or Home Ruled township can do compared to a township. Chair Murphy stated the board will continue fire safety business.

ADDITIONAL COMMENTS: Fire Safety

Mrs. Czyz noted she provided the board information she received at the OTA (Ohio Township Association) on "Fire Safety and Agritourism Facilities" from the Fire Marshall's Office. That's what's happening now per the Fire Marshall. It identifies why the fire department needs to look at these structures. She said let's just take the Mapleside barn as an example; they rent that out and they will have extension cords, candles which can be fire hazards. Mr. Norton said I've worked in Commercial for 30 years and the fire chief is one of the first people we see once we get a roof on the building. He said they bring the whole fire department through the buildings and agreed that the board needs to look into the Fire Marshall information distributed.

NEW BUSINESS:

1. Discuss September and October, 2020 submission deadlines and meeting dates.

Chair Murphy stated this is on the agenda because October 1st is a Thursday, which is our meeting date, and the submission deadline is Wednesday, October 7th. Mrs. Czyz stated the submission deadline for the Medina County Planning Commission is Monday, October 5th. She said if they submit on October 7th it puts them two months out. Chair Murphy said we probably won't change the submission deadline and said the question that came up is whether we should change the meeting date to be after the submission deadline in case we get an application. Mrs. Czyz said we have to hear an application within 30-45 days. She said you would have to have a special meeting unless you cancel the meeting for October 1st and then see if anything comes in and plan a meeting within that month.

Secretary Milanko asked if the board could move the meeting to Thursday, October 8th the day after the submission deadline. Mrs. Czyz said your submission deadline to Medina County Planning Services is Monday, October 5th. Secretary Milanko stated the board has moved a meeting in the past because of a holiday, etc. Chair Murphy said I think moving the meeting one week out is good. Mrs. Czyz stated you will miss the Planning Commission deadline. Chair Murphy said our board has missed Planning Commission deadlines before because of the timing of our meetings. She asked what we followed before and said we've moved our meeting date, but we didn't change our submission deadline did we? Secretary Milanko stated we did not change the submission deadline date, which is the first Wednesday of the month by noon to the Zoning Inspector, unless the submission deadline fell on a holiday. Mr. Humphrey said you could always hear it and put it on continuance, which is what we've done before. Secretary Milanko said worst case scenario is if the Zoning Commission meets on October 1st and something is submitted on October 7th, she would have to mail out the applications to board members. Mrs. Czyz stated she just wanted the board to think about this before October. Chair Murphy the board will take some time to think about this.

ADDITIONAL BUSINESS:

1. **Wes Humphrey, Assistant Zoning Inspector** said since the board is looking at editing the Zoning Resolution, he asked the board to look at page 24, **Sec. 303-6 General Regulations of Structures and Constructions, N. Satellite Dishes.**

- N. Satellite Dishes - A satellite dish is a structure designed to receive signals from a transmitter or transmitter relay located in planetary orbit. Satellite dishes with a diameter of more than one (1) meter shall comply with the regulations established below...

Mr. Humphrey said all of the big ones for TVs etc., are covered by Federal Regulations, but they pop up on houses left and right. He asked the Zoning Inspector when was the last time she issued a permit for a satellite dish? Mrs. Czyz said I don't think I ever have. Mr. Humphrey said our book says no advertising but they all advertise on them; DishOne, US Dish, etc. He wondered if there is just a lot of writing in our book that doesn't need to be there. Mr. Humphrey said they are going to put them on the house where ever they can get the signal. He said he is bringing it up to the board if they want to think about it and reduce some of the writing in the book if they wish.

2. **Patti Wetterman** proposed an addendum to our zoning applications and read the following:

In order to process your application(s) in a timely and efficient manner, an application must be legible, completed in full and submitted by the applicable deadline dates. Any incomplete application(s) will not be processed, and will be returned to the applicant. Please note than an incomplete application may result in a delay of being heard by the board.

We hope by bringing this to your attention the application process will proceed more smoothly and efficiently. Thank you in advance for your cooperation in this matter.

Mr. Mougabi asked clarification as to what this is for. Mrs. Wetterman said this would be for our zoning applications where it says you need signatures of people to be authorized and this would protect us if we say we are rejecting your application right now because you don't have the letter signed and notarized by the property owner. Mrs. Wetterman said that is in our rules. Secretary Milanko confirmed that Mrs. Wetterman would like to see this language on each zoning application. Mrs. Wetterman said yes. Mrs.

Murphy and Mrs. Porter agreed with the language. Mr. Norton asked if that wording could be on a separate sheet? Chair Murphy said or on the website too. Mrs. Porter said we could make a recommendation to the Trustees to change the applications.

Motion for Recommendation to the Trustees on New Language for all Zoning Applications:

Motion: Mrs. Wetterman made a motion to recommend the following language be transmitted to the Trustee for approval:

In order to process your application(s) in a timely and efficient manner, an application must be legible, completed in full and submitted by the applicable deadline dates. Any incomplete application(s) will not be processed, and will be returned to the applicant. Please note than an incomplete application may result in a delay of being heard by the board.

We hope by bringing this to your attention the application process will proceed more smoothly and efficiently. Thank you in advance for your cooperation in this matter.

Mrs. Porter seconds the motion. **Roll Call:** Mr. Norton-yes; Mr. Mougrabi-yes; Mrs. Wetterman-yes; Mrs. Porter-yes; Mrs. Murphy-yes.

3. **Secretary Milanko** asked the Zoning Inspector to give the board a copy of the document she received from Travis Crane, TCG Engineering, that he gave to her during the public hearing tonight. She said the board asked for a signed and notarized copy of the application and the letter by property owner Mr. Shumay. Secretary Milanko stated she wanted to make sure the board gets a copy because the board did not get to see it. Mrs. Murphy said we don't know if it was the same application or not. The board asked if the application was notarized. Mrs. Czyz said yes and said the original application was notarized. Chair Murphy said not by the property owner. Chair Murphy and Secretary Milanko stated the original application did not have the property owner's signature or notarized signature. Chair Murphy said the original application was signed by Patricia Rackoci (Redwood Apartments) and her signature was notarized and that was the issue.

PUBLIC COMMENT

1. **David Goodyear, 691 Pearl Road, Brunswick Hills.** Mr. Goodyear said a few months ago I brought up a subject (Right-of-Way and Setbacks) that I thought was really important and I've haven't been able to come back to hear if anything has been decided on it. He said I requested that you change all of the zoning on Rt. 42 and add 15 feet to the setback. Mr. Goodyear said I was at ODOT in Ashland a few weeks ago and talked them about this and they told me that 12 to 15 feet would be a proper to extend back. He said they told me the widening of Pearl Road may be 25 years out, but that shouldn't even be considered. He said the point is that the taxpayers have to purchase the additional land that they take from the landowners when they widen the road. Mr. Goodyear said if there is a structure or a parking lot within that land, the landowner is going to lose some of their necessary ground.

Mr. Goodyear said if you drive down Rt. 42 today you can see these properties. He referenced the new Taco Bell and said if they widen Rt. 42 you will be able to walk through their drive-thru. He mentioned Honey Hut and it will impact their parking spaces on Rt. 42. Mr. Goodyear said I don't know where they are going to put the sidewalk for the new building across from St. Ambrose Church. He said the state will

have to build quite a wall in front of the Brunswick Pointe Assisted Living so as you're driving north, you are not driving through the resident's bedrooms.

Mr. Goodyear said I won't be here for this so why do I care. He said because it will cost the taxpayers more money to take care of these things Mr. Goodyear said this is important to me even though some of my family members said I am wasting my time. He said my family members will be losing some land and asked the board to consider extending the zoning right-of-way another 15 feet. It's needed today because the buildings and the parking lots will be in the way. He said it's time we use our heads on this and if you think I'm wrong, then vote it down. He said just think about it; our tax dollars are being wasted because we are not extending one lane on Rt. 42.

Discussion on Mr. Goodyear's comments on Right-of-Way and Setbacks: Mr. Norton said he is asking to have 15 feet to the right-of-way, per side. Mr. Norton said I don't see anything wrong with that and I agree with what he is talking about. He said any business on any road will lose frontage; North Gateway Tire lost half of their parking lot when they widened Pearl Road. Mr. Norton said maybe the board could discuss it. Chair Murphy and other board members agreed and said we can look at how it should be written. Mrs. Czyz said you just write it in for your frontage on the right-of-way. She said if it is 50 feet from the right-of-way, just try it as 60 feet. She said it is in your zoning book on right-of-way for different Commercial Districts. Mr. Collura asked if we can simply specify that the road right-of-way is certain number of feet wider? Chair Murphy stated we will add this to continued business.

ANNOUNCEMENT OF NEXT MEETING DATE: Thursday, April 2, 2020 @ 7 p.m.

Chair Murphy stated we don't have any applications for April 2nd and asked the board if they wanted to take the month off. Mrs. Porter said either that or we can continue to tackle some of these items before we get additional applications so we don't have more continuations. The board agreed to keep working on continued business. Chair Murphy announced the next meeting date is Thursday, April 2, 2020 at 7:00 p.m.

MOTION TO ADJOURN

Motion: Mr. Norton made a motion to adjourn the meeting. Mr. Mougrabi seconds the motion. **Roll Call:** All in favor to adjourn. Meeting Officially adjourned at 8:15 p.m.

Respectfully Submitted,
Mary Jean Milanko, Zoning Secretary

Trica Murphy, Chair

Date