

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

CALL REGULAR MEETING TO ORDER

Chair Murphy called the Brunswick Hills Township Zoning Commission regular meeting to order at 7:02 p.m. A roll call of the board was executed.

- **Board Members in Attendance:** Trica Murphy (Chair), Patti Wetterman (Vice Chair), Sy Mougrabi, Barb Porter
- **Alternate Board Members in Attendance:** Dean Collura
- **Board Members Not in Attendance:** Robert Norton (excused absence)
- **Others in Attendance:** Evelyn Czyz, Zoning Inspector, Wes Humphrey, Assistant Zoning Inspector, Mary Jean Milanko, Zoning Secretary

APPROVAL OF THE MINUTES

1. Approval of the October 1, 2020 Regular Meeting Minutes

Discussion on the Minutes: Mrs. Porter referenced the section in the minutes where Mrs. Wetterman noted the Trustees still have not received the required documents for the Management Conservation Easement for Wexford Subdivision and asked if the Trustees have received those documents yet? Mrs. Wetterman stated the Trustees still have not received them. Mrs. Porter stated she wondered if this should be a learning curve for the board not to pass on a recommendation to the Trustees until all of the regulations and stipulations required are received and met. Mrs. Czyz stated that the Trustees cannot proceed without that letter. Chair Murphy noted there is a lot of activity going on in the subdivision. Mrs. Czyz stated from what she saw there was just clearing going on. Mrs. Wetterman said there are roads in there are and they are proceeding. Mrs. Czyz stated the Zoning Office will check into it and inform the Trustees. Mrs. Wetterman stated they (Mr. James, Developers Management for Wexford) stated they had brought a new partner in who was going to take care of the management of the conservation, but they haven't done that yet.

Edit to Minutes: Chair Murphy noted a correction of the meeting date at the top to October 1, 2020 (not June 4th). Chair Murphy noted on page 4, second line, to clarify the statement that asks Mrs. Wetterman if she would be willing to serve as the Vice Chair position – add “Mrs. Wetterman said yes.” Chair Murphy noted page 4, second line from the bottom, change “severe” board members to “several” board members.

Motion to Approve the Minutes: Mrs. Wetterman made a motion to accept the meeting minutes of the October 1, 2020 regular meeting as amended. Mr. Collura seconds. **Roll Call:** Mrs. Wetterman-yes; Mrs. Porter-yes; Mr. Mougrabi-abstain; Mr. Collura-yes; Mrs. Murphy-yes.

CONTINUED BUSINESS

1. Sporting Clay Shooting Regulations

Chair Murphy noted that Mr. Norton asked for this topic to be removed from the agenda until he has more time to research it, unless any board members have any comments on this. Chair Murphy stated we will remove this topic from the agenda until further notice. **Motion:** Mrs. Wetterman made a motion to remove the clay shooting issue from the agenda to a date to be determined. Mr. Collura seconds. **Roll Call:** Mr. Mougrabi-yes; Mr. Collura-yes; Mrs. Wetterman-yes; Mrs. Murphy-yes; Mrs. Porter-yes.

2. ZC Recommendation on Addendum of New Language to be added to all Zoning Applications

Motion: Mrs. Wetterman made a motion that ZC recommendation on addendum of new language to be added to all zoning applications be removed from the agenda until further notice.

Discussion on the motion: Mr. Collura said that Evelyn Czyz (Zoning Inspector) sent out several revisions to the applications based on feedback from the board, so what would be the reason for delaying this at this point? Mrs. Wetterman said because there are some other things that need to be changed. Chair Murphy agreed and said she thought this topic was for other language in our book. Mr. Mougrabi for clarification and asked if we are talking about new applications or the applications with updated language that Evelyn sent us a month ago? Chair Murphy asked the board if they were ready to talk about it tonight. The board was not. Mrs. Wetterman thanked Evelyn for the updates she has sent so far. Mrs. Czyz said that email addresses were added to the applications and at the bottom of the Conditional Applications, Variances and Site Plans and signatures have to have notarized signatures of both the applicant and the property owner. Mrs. Czyz also noted that the Trustees passed a motion at their meeting that there is now going to be a \$100 fee if they failed to cancel their application 15 days prior to their hearing date. Chair Murphy said all of that is well beyond of what we are talking about here. We were talking about the applications but also language in the Zoning Resolution. The board agreed to table the issue until further notice.

Motion Continued: Secretary Milanko read Mrs. Wetterman’s motion. Mr. Mougrabi seconds. **Roll Call:** Mrs. Porter-yes; Mrs. Wetterman-yes; Mr. Mougrabi-yes; Mr. Collura-yes; Mrs. Murphy-yes.

3. Review of Zoning Resolution

A. Sec. 1108 Decisions by Board of Trustees vs. ORC 519.12 (H)

Chair Murphy stated last month we discussed A. Sec. 1108 Decisions by Board of Trustees vs. ORC. 519.12 (H) and asked for further comments. Mr. Collura said based on how the election went this week, he was not sure it was worth challenging the Prosecutor’s Office opinion if it is going to go according to the Ohio Revised Code (with reference to our zoning book stating “Unanimous vote” vs. ORC stating “Majority vote” of Trustees). Mr. Collura said I believe there was some discussion as to whether we should delete that section in our zoning book and maybe that is the right way to go. Chair Murphy asked if we should just reference the Ohio Revised Code? She said there are other townships that reference the Ohio Revised Code, so is there a motion to make a recommendation to remove that? A motion was not made and there was further discussion.

Chair Murphy asked about getting a recommendation/opinion from the Prosecutor’s Office on the entire Article XI? She said the question is whether all of Article XI should follow Ohio Revised Code 519.12. Secretary Milanko stated in the past, the information was drafted in the form of an email or a letter and sent to the Prosecutor for comments and recommendations. Mr. Humphrey asked if you want to re-word the whole section? Chair Murphy stated my question is if all of Article XI of our Zoning Resolution has to follow Ohio Revised Code Sec. 519.12, or if it is just section (H) of ORC 519.12.

Chair Murphy stated we will review that between now and our next meeting and go from there. Mr. Collura stated my understanding from the Prosecutor’s letter is that anytime there is a conflict between our zoning code and the ORC on “unanimous” vs. “majority”, the ORC governs.

B. Sec. 802-1, Article VII – Conditional Zoning Certificates

Chair Murphy stated I don’t think this item should be on the agenda because I think I was just referencing this section in the Zoning Resolution that talks about applications. She said I was referencing the need for notarized signatures on certain applications. Chair Murphy said to remove this from the agenda items.

Sec. 802-1 (B). Fifteen (15) copies of a site plan conforming to the provisions of Section 904.

Mrs. Porter referenced Sec. 802-1 (B.), and asked if we should add an electronic copy as well as 15 printed copies are required because the Planning Commission requires both printed and electronic copies. Chair Murphy said I don't believe the Planning Commission gets Conditional Zoning Certificates. Chair Murphy stated, however, there is another section in our book where the electronic copies would apply. Secretary Milanko agreed and said for Zoning Map Amendments, Site Plans from developers, etc. Chair Murphy said I think your comments would go under Sec. 1103 Contents of Application for Amendment to Zoning Resolution and that's where we could put the electronic copies required. The board agreed to table discussion of electronic copies of applications to the next meeting and the board will determine where that language needs to go in the Zoning Resolution. Mrs. Czyz wanted to verify that the electronic copies are in addition to the 15 printed copies of each application. Secretary Milanko stated yes. The electronic copy issue came up when Medina County Planning Commission started to require both. Secretary Milanko stated we should have the electronic copy as well because it can be emailed to the Board Members and the Prosecutor's Office if need be.

C. Sec. 1102 Initiation of Amendments (A) (2)

Chair Murphy stated this section was not meant to be an agenda item; she was just referencing it during discussion at the last meeting. Item removed from the agenda.

4. Confirm Proposed Text Amendment to Sec. 303-5 General Regulations (C) (6) Projections into Yards

➤ **Proposed Zoning Resolution Amendment to Sec. 303-5 General Regulations (C) (6):**

6. Terraces, unenclosed porches, decks, uncovered platforms, and similar unenclosed ornamental and architectural features may project a maximum of ten (10) feet into a required front ~~or rear~~ yard.

Chair Murphy stated this agenda item is for the board to confirm the proposed amendment of the Zoning Resolution. She stated we discussed this at the last meeting and looked at the 2006 Zoning Resolution language and determined it was a typo (brought to the attention of the board by Wes Humphrey, Assistant Zoning Inspector) and it is on the agenda so the board does not lose sight of it.

ADDITIONAL BUSINESS:

1. Virtual Training: Secretary Milanko reminded the board about the virtual training on The Sunshine Laws on November 12, 2020.

2. ZC Next Meeting Date: Mrs. Wetterman said since there is no new business for the December meeting, she would like to discuss the possibility of cancelling the December Zoning Commission Meeting and setting up a meeting date for the Organizational Meeting in January. Chair Murphy agreed on cancelling the December meeting because Medina County moved into Level 3 Red with Covid.

Motion to Cancel December 3, 2020 Meeting: Mrs. Wetterman made a motion that the board cancel the December 3, 2020 Zoning Commission meeting. Mrs. Murphy seconds the motion. **Roll Call:** Mr. Collura-; yes Mr. Mougabi-yes; Mrs. Wetterman-yes; Mrs. Porter-yes; Mrs. Murphy-yes. Motion carries to cancel the December 3, 2020 meeting.

3. Organizational Meeting Date: The board tentatively set January 7, 2021 as the Organizational Meeting date pending on when the Trustees have their Organizational Meeting. January 14, 2021 is the alternate date.

Motion: Mrs. Wetterman made a motion to set the Zoning Commission Organizational Meeting for January 7, 2021 at the Town Hall if the Trustees have not had their meeting; the alternate date will be set for January 14, 2021. Mrs. Porter seconds. **Roll Call:** Mr. Collura-yes; Mr. Mougrabi-yes; Mrs. Porter-yes; Mrs. Wetterman-yes; Mrs. Murphy-yes.

PUBLIC COMMENT:

1. Ron Wetterman, 1085 Substation Road, Brunswick Hills: Mr. Wetterman asked for a better clarification of the applications for Area and Use variances and wants to get the point across for each application: one variance per lot number. He said this has already been verified by the Prosecutor and other townships in Ohio.

ANNOUNCEMENT OF NEXT MEETING DATE: Thursday, January 7, 2021 or January 14, 2021 @ 7 p.m.

MOTION TO ADJOURN:

Motion: Mrs. Wetterman made a motion to adjourn. Mrs. Murphy seconds. **Roll call:** All in favor. Meeting officially adjourned at 7:50 p.m.

Respectfully Submitted

Mary Jean Milanko, Zoning Secretary

Zoning Commission

Date