

**Brunswick Hills Township Board of Zoning Appeals
Public Hearing Meeting Minutes
Township Hall & Zoom
March 3, 2021**

Call Meeting to Order

Chair Kersten called the Brunswick Hills Township Board of Zoning Appeals Public Hearing Meeting for March 3, 2021 to order at 7:03 p.m. A roll call of the board was executed.

- **Board Members in Attendance:** Cliff Kersten (Chair), Chris Schigel (Vice Chair), Ron Wetterman, Ann Barron
- **Alternate Board Members in Attendance:** Daryl Lucien (Virtual), Todd Spiker
- **Others in Attendance:** Trustee John Witthuhn, Evelyn Czyz, Zoning Inspector, Fire Chief Anthony Strazzo (Virtual), Fire Prevention Officer Matt Payne, Mary Jean Milanko, Secretary

Alternate, Todd Spiker was seated to represent a full board. Chair Kersten stated a quorum is present. Chair Kersten explained the vote to the applicants: *A YES simple majority with a quorum present is in favor of the applicant. A NO simple majority, or a TIE, vote with a Board of four (4) will deny the applicant's request.* The Brunswick Hills Township Board of Zoning Appeals acts within the regulations of Sec. 519 of the Ohio Revised Code.

APPROVAL OF MINUTES

1. Approval of the February 3, 2021 Organizational Meeting Minutes. **Motion:** Mr. Schigel made a motion to approve as written by Madam Secretary. Mr. Wetterman seconds. **Roll Call:** Mr. Spiker-yes; Ms. Barron-yes; Mr. Schigel-yes; Mr. Wetterman-yes; Mr. Kersten-yes.

2. Approval of the February 3, 2021 Public Hearing Minutes. **Motion:** Mr. Wetterman made a motion to accept the minutes as written by the Secretary. Mr. Schigel seconds. **Roll Call:** Ms. Barron-yes; Mr. Wetterman-yes; Mr. Spiker-yes; Mr. Schigel-yes; Mr. Kersten-yes.

NEW BUSINESS: Public Hearing 1595 Substation Road Proposed Storage Units

CASE # (1) Turnberry Partners, 1285 Marks Road, Valley City Ohio, Conditional Use Zoning for property located at 1595 Substation Road, Brunswick Hills, OH 44212, PP# 001-02C-05-028, Current Zoning I-1 Industrial, for approval of a self-storage unit facility consisting of nine self-storage structures with a total of 467 self-storage units per Sec. 410-2 (B) (2) subject to 804-9 Self Storage Units.

TESTIMONY AND EVIDENCE

Chair Kersten swore in Evelyn Czyz, Zoning Inspector, Fire Chief Anthony Strazzo and Fire Prevention Officer Matt Payne. Mr. Kersten stated all comments will be directed to the board. There will be no talking in the audience or walking around or interruptions to the board. Chair Kersten stated if we take a vote tonight and someone is not satisfied with the decision, they have 30 days to appeal the decision to the Court of Common Pleas in Medina County.

1. Tony (Anthony) Vacanti, Land Use Attorney, with Law Firm of Tucker Ellis, 950 Main Avenue, Suite 11, Cleveland, OH 44113 was sworn in. Mr. Vacanti stated he is representing the owner of Turnberry Partners. Secretary Milanko asked if the applicant, Ms. Amy Skelton, is in the audience. Mr. Vacanti said yes and I have several partners with me that I would like to have testify tonight and asked the Chair for procedure. Mr. Kersten said we will recognize any individual that would like to speak but we do not want everyone getting up and saying the same thing. Mr. Vacanti said we have several individuals with several different

expertise's and will offer several different perspectives. Mr. Vacanti said we have two related pending requests before the board. The first one is a conditional use for self-storage units and the second one is an area variance request from two of the conditional use provisions and asked how the board would like him to address them. Mr. Vacanti said I would like to address the conditional use request first and ask that it be granted conditioned upon the granting of the variances, and then proceed to the variance requests. The board requested he present one case at a time.

Mr. Vacanti said the first case is for a conditional use for self-storage unit use on the subject property. We are asking that the conditional use be granted on the condition of the two variances being granted as well because they directly relate with each other. Mr. Vacanti asked the chair if he can distribute a packet of aerial photos and additional materials. Chair Kersten asked the board if they want to accept them and said we do not have to accept them because all materials should have accompanied the application through the zoning office. Mr. Vacanti noted under Chapter 2506 of the Ohio Revised Code, this board has to accept any evidence presented at this quasi-judicial administrative hearing otherwise I am going to note that for the objective that this board is not accepting evidence as it relates to this conditional use request. He said so I would ask that the board reconsider because that would be an error on an appeal. He said there is no BZA rule written, in my 15 years as a land use and zoning attorney, about a previous submittal. He said this is a quasi-judicial proceeding and we can submit evidence and you are acting as quasi-judicial officers and supposed to focus on the evidence presented today before you. Mr. Vacanti respectfully asked the board to reconsider because it will be a judicial error on appeal. Mr. Kersten said that not everyone on the board will be able to receive it because there are people on this board attending virtually and asked how he will handle that. Mr. Vacanti stated Trustee Witthuhn will adjust the camera so I can visually turn each page in the packet for the audience. Chair Kersten stated we will accept the 10 copies of materials you have (Exhibit:1 Turnberry Partners and Exhibit: 2 Turnberry Partners).

Mr. Vacanti said under the law in Ohio, Ohio is unique under Ohio's Constitution, property rights are fundamental and noted a case in 2006 that diverted from the US Supreme Court the property rights are fundamental in Ohio, so the government has to have good reason to restrict and regulate property rights. Here before you is a conditional use request. He said there are certain uses that the township recognizes are necessary and important for the township, but they just require a little more scrutiny depending on where they are located. Here in the township Zoning Resolution, self-storage units which we are seeking permission to use, are conditionally permitted in the C-3 Highway District and they are also permitted in the I-1 Industrial District. Mr. Vacanti said the Industrial District is the most heavily intense utilized zoning district in the township. Commercial-3 is a little less intense, etc. He said we are talking about manufacturing, assembly and those types of uses. Mr. Vacanti said we are not asking this board to grant those types of uses. We are asking for a very low impact use of storage use. Mr. Vacanti said in your zoning code, there are certain conditional use factors. Mr. Vacanti said I have Ms. Amy Skelton with me today and Brad Steinberg with Quality Storage and they are representatives on behalf of the property owner and I will have them testify as to what they are proposing to do and the various criteria. He said Mr. Jim Yorst (sp?), an architect, is also here and can talk about any structural issues, fire concerns, or any conditional factors that the board may have. Mr. Vacanti said and finally, I have Mr. Dave Lewis who is a Professional Engineer here to answer any questions and review the conditional use criteria so the board feels comfortable that we have addressed all of the questions this board may have.

Mr. Vacanti said the factors are whether the proposed use is harmonious with and in accordance with the general objectives of the Comprehensive Land Use Plan. He said on page 25 of the Comprehensive Plan adopted by your township, it indicates that zoning decisions should be made to help and spur economic growth. It also indicates that a goal of land use decisions should be ensuring that the township is fiscally strong. In addition, it recognizes the unprecedented growth that the township sustained throughout this

process. We are here to submit to you that this proposal for self-storage units in this Industrial District is consistent with those. Right now, it is a vacant property as the board is aware. Once these buildings are constructed, it is substantial going to increase the value of the subject property and increase tax revenue as well. Additionally, there aren't going to be added members to the schools or anything that would be a drain on public facilities at all. Mr. Vacanti said when you have a community that is growing, more and more individuals need storage units. Mr. Vacanti said I've utilized them, so as a growing community there is an increased demand for these types of storage units and that is why we are here before you to address the growth and to provide a service to meet the demand in our own community here.

He said the second factor is whether it is going to be designed and operating and maintaining to be harmonious with the appearance and character of the general vicinity. Mr. Vacanti said as we walk through quickly on these packets you will see that it is. To the north there is an electric sub-station as the board is aware and it wraps around the entire property. He said there is a transportation company to the immediate north as well and then to the south is the county property with a salt dome and trucks are in and out of there. He said I took some pictures and they are included in the packet that I will show the board and members of the public. Mr. Vacanti said this proposed use is consistent and it is actually going to improve the property. Right now, it is vacant and we are proposing single-story units that are low profile. There will be some screening, they are not going to be as visible and they are not large manufacturing type structures that could be built on the subject property under the current zoning. Mr. Vacanti said so I would submit to you it's very harmonious with this Industrial District.

The third factor or criteria is that it won't be hazardous to existing or future neighbors. He said this is less impactful than many of the permitted uses in the Industrial District. **Under Sec. 410-2**, this district allows as a matter of right warehousing, wholesale establishments, manufacturing, processing, cleaning, servicing, testing, repair activities, light manufacturing.

Sec. 410-2

- a. Light manufacturing and assembling of the following:
 - Canvas products such as tents and awnings.
 - Glass and optical products from previously manufactured glass.
 - Jewelry, clocks and watches.
 - Scientific and other precision instruments.
- b. Assembly of the following:
 - Metal products.
 - Paper products.
 - Plastic products.
- c. Services:
 - Automobile, truck, farm machinery, and trailer repair, including body repair and painting

Mr. Vacanti referenced Outdoor storage and said these are permitted uses as a matter of right in this district. Dry cleaning plants, laboratories, manufacturing and processing of fire arms, wood products, sexually oriented businesses and said these are all permitted as a matter of right. He said I submit to you these self-storage units, which are fully secured, video monitored, low profile, very low traffic in and out as the evidence and testimony will show is less impactful and will not be hazardous or disturbing to adjacent land uses especially in light of the other permitted land uses allowed in this district.

Mr. Vacanti said the next criteria is whether it will be adequately served by public facilities and services such as highway, streets, fire and police protection. He said I appreciate the comments from the fire department and I did see that about the concern of hydrants. My client and representatives have been in discussions

with the fire department about converting the detention pond into a fire pond. We've also had discussions with Medina County and from our prospective, that should be sufficient and we are willing to continue to work with the fire department to ensure that everything is up to code, up-to-date and making sure there are no health, safety or welfare issues with regard to that and we will have testimony relating to that.

Mr. Vacanti said the next criteria is it will not be detrimental to the economic welfare of the township. He said it will increase property taxes and right now it is just vacant land sitting there so we will have substantial improvements there and substantial taxes. Also, my client has several other facilities and we donate units to the Brunswick Hills Police Department and evidence will be submitted in regard to that. We are happy to do that and be good neighbors of the community. We continue to offer those types of benefits and services to the community. Criteria whether we will be in compliance with the state, county and township regulations. As our engineering and architectural testimony will show, we are going to be fully compliant with the Ohio Building Code and any other State or Federal regulations and requirements. The last two criteria with the vehicular approaches to the property are designed not to create interference with traffic. Our engineer will testify they have been created and they will be approved. Traffic is not a big issue with this type of use as testimony will show, especially compared to offices and other types of uses. The final criteria is if it will be consistent with the spirit and intent of the zoning resolution. Mr. Vacanti said the intent of the industrial zoning is to allow more industrial uses in this more remote area of the township and this is that type of use and it is less impactful than the other permitted uses.

Mr. Vacanti said there are some specific criteria with regard to the conditional uses for self-storage facilities and they are found in Sec. 804-9 of the Zoning Resolution.

Sec. 804-9 Self Storage Buildings

- 1. Storage shall be limited to household and commercial use only. Storage of toxic or explosive materials as well as industrial materials shall be prohibited.** Mr. Vacanti said they are not permitted; we have a clause in our lease agreement those types of materials are not permitted and not allowed in the facility.
- 2. The minimum lot size shall be two (2) acres and the maximum lot size shall be (3) acres.** Mr. Vacanti said I'm not sure where this came from but it is one of the criteria we are seeking a variance from. Our request is conditional upon this board granting a variance from that 2-3 acre lot size required.
- 3. Maximum structure size shall be 5,000 square feet and the maximum size of any individual storage unit shall be 600 square feet.** Mr. Vacanti said this is another criteria we are seeking a variance from because it is not economically feasible to do that. He said the three other storage units in the township don't have that and it is not industry standard. He said so we can't have that use because the cost of materials and infrastructure doesn't justify that type of limitation so that is one of the reasons we are seeking a variance from that provision.
- 4. A minimum of four (4) parking spaces shall be provided for the leasing office. Parking turnoffs shall be provided from interior drives.** Mr. Vacanti said as you see on your plans, those parking spaces have been provided and we will satisfy that criteria.
- 5. No door openings shall face a residentially zoned areas, provided however, that building may serve as visual barriers.** Mr. Vacanti said none will.
- 6. Master key shall be provided for fire department inspections.** We will comply with that as the testimony will show.

Review of Exhibit 1

Mr. Vacanti said I would like to quickly run through the packet so I can shed some light into what is included on here and I will present to the public. In front of the camera, Mr. Vacanti presented an indexed booklet (Exhibit 1) and said under Tab 1 are examples of other self-storage units that our client has been engaged in. It shows the architectural style, the one-story, structure as opposed to multi-structure units, and the type of materials utilized. Mr. Vacanti said it shows that these are nicer than typical industrial buildings. Tab 2 has information on the materials and if anyone in the public is interested in more information on the materials used, I will provide my email address: Tony.Vacanti@tuckerellis.com and I can email them as I am not going to read them all to you. Tab 3 are letters and acknowledgement from the Brunswick Hills Police Department about the donation of units. We have other units we give to police departments to utilize showing we are good neighbors to the community and there is a benefit to the township and we are happy to support our fire and police. Tab 4 show activity reports at other locations where we operate and it show the infrequency of use and activity. He said traffic will not be an issue and the testimony will show, I believe, one or two per hour of customers if at that. Mr. Vacanti said we are not talking about high volume traffic, unlike an office building which is permitted on this property. Tab 5 is a sample lease agreement that is utilized. He noted under paragraph 6 it prohibits the storage of hazardous materials as indicated in the Zoning Resolution, so this is in compliance with that. Tab 6 is the site plan which was submitted. Mr. Vacanti pointed to the retention pond and said this will be converted to a fire pond after discussions with the fire department, which can be utilized to help in case of a fire the trucks can pump water out of that pond. Tab 7 is an aerial of the subject property taken from the Medina County GIS Map. Mr. Vacanti pointed to the subject property; to the north is a transportation company; location further to the north is the electric sub-station property; and to the south is the county property with the salt dome and trucks. He said this is industrial use and is the character of the area. Tab 8 are pictures I took this morning: the electrical sub-station on the corner and there is also a large cell tower on that property; across the street from that is a water tower and what's nice about this use is that it does not have a high demand for water or electricity; next is the county property to the south with the salt domes and the trucks in and out; and lastly is the Special Service Transportation, Inc. that abuts the property to the north. Tab 9 is the Zoning Map which is available on the website. He pointed to the map the industrial area for subject property and noted that the only other Industrial District is owned by the same property owner and it is already being used so all of these properties in the southern Industrial District are owned by one owner and it's already established industrial use so these are the only remaining industrial properties in the township. Mr. Vacanti thanked the board for accepting the exhibit materials.

Review of Exhibit 2

Mr. Vacanti said there is a second packet (Exhibit 2) that are mostly pictures and auditor record cards. He said these are two existing self-storage facilities off of Pearl Road in the township. Included with this aerial are the property record cards from the auditor and the first is R&B Storage at 2292-2294 Pearl Road and I will note the acreage is well over at 7.89 acres which is well over the 2-3 acre requirement for the conditional use we are seeking a variance from. He said the structure size are well over the 5,000 sq. foot structure size requirement. The next is a property card for 2317 Pearl Road self-storage units and again you will find that the acreage is 14.25 acres and our subject property is almost 6-7 acres. Mr. Vacanti said these properties are greater than what is in the zoning code and that's why we are seeking a variance from that. The third facility is right off of Center Road and Marks and again the acreage is greater than the 2-3 acres with 4.45 acres. The structure size which is shown on the public auditor's site are larger than the 5,000 sq. ft. requirement. Mr. Vacanti said why is that relevant? Under Ohio Law, similar properties should be treated similarly; also, it shows it is not economically viable to have these smaller types of uses and that's why we are here before you.

Testimony & Evidence Continued

I'd like to introduce Brad Steinberg and Amy Skelton and combined they have 20 years of experience in self-storage management experience and development.

2. Brad Steinberg, 1285 Marks Road, Brunswick Hills was sworn in. Mr. Steinberg said I've been involved in many types of businesses whether it be ownership or consulting over the last 30 years and in the last few years, I've had much more intensive roles in the self-storage arena working specifically with Leader Storage who is a developer that would be involved with this property and owning the property. I've also worked on developing my own personal projects at this time with Ms. Skelton. Mr. Vacanti to Mr. Steinberg: You heard the presentation I gave and is there anything you disagreed with or did everything appear accurate to the best of your knowledge? Mr. Steinberg said shockingly, the attorney got it right tonight. Mr. Vacanti asked him to tell the board exactly what you will be doing on the subject property. Mr. Steinberg said we find that there is a significant need as the communities grow to provide these types of services so the trend in our business now days is much more to have climate-controlled facilities. He said one of the facilities mentioned earlier is a Leader Storage property, but it just doesn't have as much of the climate control so folks can put in furniture, carpets, documents and things like that and those things will be protected. Mr. Steinberg said we will have a mix on this property. He said it is synergistic so everybody wins and there will be everything they want and need and we will generate a business here and tax dollars and continue to work closely with the community and township.

Mr. Vacanti to Mr. Steinberg: You are familiar with the property and the area around it so how would you characterize it? Mr. Steinberg said I wouldn't say it is very pretty; it's very industrial and I think a lot of people and myself personally don't find an electrical sub-station very attractive – it's a necessary component in today's society. Mr. Vacanti to Mr. Steinberg: In your opinion with your knowledge of the area, do you feel this proposed development would be harmonious with the area? Mr. Steinberg said I've considered this as I read over the township's plan and it is hard to say it is directly harmonious because it is not going to be as unattractive as an electrical sub-station or salt domes, etc. However, it provides an opportunity in that type of area or use that will benefit the community in a way that won't attract esthetically or from a service perspective. Mr. Vacanti to Mr. Steinberg: In your experience in your other self-storage developments, have they been disruptive to adjacent properties in the immediate area? Have you experienced any issues? Mr. Steinberg stated absolutely not. It's been quite the opposite. He said in addition to residents, sometimes small businesses are in need of additional storage space. He said perhaps in the peak season someone may want to use that and additionally there may be folks in the community that have a home-based business that needs a place to store inventory, etc. Mr. Steinberg said so we actually become quite friendly to the neighboring businesses and it works out very well. Mr. Steinberg said I know this comes up in a few different ways for your needs and visitation to the property on a given weekend is less than one visitor per hour. He said we can go a day and have three people come in on a weekend. He said now on the heavier busier days on a weekend in the summer when the weather is good, now you are talking at most two to four visitors per hour. So, you are talking about three cars coming in there every hour; a very light usage. He said this shows up in the maintenance of our facilities as it is not as bad because the facilities that are more like a retail use where there are people coming in all day long. Mr. Vacanti to Mr. Steinberg: Those access logs submitted; did you have an opportunity to look at them? Are they consistent? Mr. Steinberg said they are and we've talked on a bigger picture and we did not go through an entire year of access logs and analyze them; we are talking somewhat anecdotal perspective, but the reality is when we looked today one of the facilities had three people come in.

Mr. Vacanti to Mr. Steinberg: With regard to the facility and the need for essential governmental services, do you have a high demand for police? You do self-monitoring video, correct? Mr. Steinberg said we a tremendous amount of security. The gate requires specific codes that each individual has, which we also

provide the codes to the police department for their use and also for them to come in and inspect if they have any reason to look. They are welcome on the property anytime. We also have video cameras and people's usage internal and external cameras. Mr. Steinberg said with all that it becomes quite a deterrent so I don't even know how necessary all that security really is but perhaps if we didn't have all of that security, we might have problems. He said the biggest problem is if there is snow and they slide into a door and they damage a piece of property.

Mr. Vacanti to Mr. Steinberg: Do you have a high demand for water services? Mr. Steinberg said no. There is almost no demand for water. There are a couple of employees on site and they might use the restroom or get a drink of water. He said there is very minimal electricity. There is lighting which we will be focusing inward to the property, so we don't have light pollution going on. Mr. Steinberg said there is lighting and the cameras obviously has to run and the security has to run, but other than that, there is not really much need for electricity. Mr. Vacanti to Mr. Steinberg: Now with regard to hazardous or flammable materials, is the lease accurate in identifying those a prohibited? Mr. Steinberg said absolutely. It is a big issue for us and I will say that I would be disingenuous if I stood up here and said to you it's never happened before; that no where on this earth that has a storage unit that had gasoline in it. It is a prohibited use, we do speak directly with people on that and anytime there is any notice, knowledge, or anything to any of the employees we have the right to go into that unit and inspect. He said if there is a leak of any type of liquid, it could be water, it doesn't matter, we will go in and inspect. If there is an aroma we will go in and inspect so we want to be sure we are as safe as possible here.

Mr. Vacanti to Mr. Steinberg: Now, you are aware of the letter from the Fire Department about concerns over the lack of hydrants in the immediate vicinity. Mr. Vacanti asked if he was aware of discussions on-going about creating a fire pond and are you willing, on behalf of the owner and developer, to agree on condition that hey, we will create a fire pond? Mr. Steinberg said yes. Not only do we agree to that, we actually think that it was a really creative solution to this problem and it is a great example of corroboration between us and the township.

3. Anthony Strazzo, Fire Chief, Brunswick Hills Township Fire Department. Chief Strazzo said if I may interject here for just a moment on behalf of the Fire Department. There have really been no discussions or a single email that was sent, so let's not misrepresent the discussions. You have mentioned that several times and the Fire Department has not agreed to a fire pond and after further review, that is actually at this time, that resolved is off the table given your current layout. Thank you.

Mr. Steinberg said ok, I guess we will address that and circle back to you and come up with a solution. Mr. Vacanti said we are willing to work with the Fire Department and we will be fully compliant with the building code. Mr. Steinberg said absolutely. We are aware about the concerns about where hydrants currently are. Mr. Kersten said the Chief said there has been nothing done since and there is nothing on the table. Mr. Steinberg said I was under the impression from the communication that I read.....Mr. Kersten interjected and said that is our Chief and he said there is nothing. Mr. Vacanti said I read the same communication. Mr. Steinberg said I understand Sir, and I agree that we need to circle back to come up with a solution.

Mr. Kersten asked Mr. Vacanti to return to the podium and said I'm a little concerned and I was going to wait to the end, but I'm a little concerned about this Brunswick Hills Police Department and you give them lockers, etc. and \$23,000 you've spent with them and you are willing to do this with them if you get this set of lockers (units) going in. He said if I'm sitting out there in the audience, this sounds like..... I'm not accusing you of anything so don't get me wrong, but by giving us all of this and broadcasting it all out there virtually, it doesn't sound right. Mr. Vacanti said I think there are community stewards in every community. There are businesses that make donations. Mr. Kersten said that's good; you can keep that to yourself. It just doesn't

sound good when you are giving a packet that shows where you have given the Police Department \$23,000 dollars and you've got in here eight pages of every time a police car or somebody from the Police Department went into that locker. Mr. Vacanti said we have nothing to hide. Mr. Kersten said I know how people think today and when you start presenting the board something like that, to me it doesn't look good. Mr. Vacanti said my apologies. One of the criteria is whether there is a benefit to the township and whether essential services will be disrupted and that was just an example. He said if I was trying to hide it, I wouldn't have presented it. Mr. Kersten said I appreciate that, but when you start saying monies you've gave to the township because they let you have other lockers, etc., there are a lot of people right away that are going to start thinking it doesn't sound right. Mr. Vacanti said I can tell you, and I've been involved in many communities, it is not atypical for businesses in the community to offer and donate something to that community. He said it happens at football games with advertisements. I represent a telecommunications company and they have allowed public service and it has never been raised as an issue so I apology if you interpreted it that way. Mr. Kersten said myself, I don't know how the other board members feel about it, but I feel its an issue that we will be talking about. Mr. Kersten asked if board members had any comments.

Mr. Steinberg said, to be clear, and I don't know if the documentation reads differently, but we have provided the use of one larger unit 10x25. Just the use of that unit, no funds have changed hands. We haven't donated money to the Police and they haven't given us money. We let them use that one unit. Mr. Kersten said then how did you come up with this \$23,000? Mr. Steinberg said that is the value of that unit. Mr. Kersten said that is the value to the township. Mr. Steinberg yes. If we were to rent that out to a paying customer, that is what they would have paid us over that time. However, we are allowing the township to utilize that and this how we work closely with all of our communities. Mr. Kersten said I brought it up so you can explain it. Mr. Steinberg said I respect the concern and that's why I wanted to clarify that because it could look to some folks as if we are doing something unethical. He said we are above board on this and maybe we could have presented it differently to avoid confusion. Mr. Vacanti to Mr. Steinberg: And finally, Brad, we are willing to provide the Police and Fire Departments with a master key, correct? Mr. Steinberg said correct.

Questions by the Board

Ms. Barron stated to Mr. Steinberg that you said these are pretty safe units. but you don't have a safety officer. She asked if there are employees at these facilities and what they might be? Mr. Steinberg said yes, there are a couple of employees that work with us; maintenance, on-site management and we have leadership over those with on-site management. Mr. Steinberg said the other good thing is with these two facilities being relatively close to one another, we are able to service them even more effectively, I believe. He said this is one of the reasons why we like to have multiple facilities in a common area. Ms. Barron asked how many employees generally? Three? Mr. Steinberg said are you asking me how many staff are on-site at a time or in general? Ms. Barron said in general. Mr. Steinberg said in general we have about six different people that would be addressing this facility. Ms. Barron said the new one? Mr. Steinberg said yes. The maintenance person and the upper-level management will be across multiples. He said there will be about three or four on-site and one or two maintenance servicing more than one facility and then the leadership. Ms. Barron said the security is all digital, but you don't have an actual security staff or anything. Mr. Steinberg said we have security staff but it is not industry standard to have security staff there and in fact, a lot of facilities in lesser populated areas; non directly urban areas, sometimes they have security at the gates. We don't feel that is appropriate. We have the gates because we want to send a message to any wrong doers that they are not welcome here. Mr. Steinberg said the nice thing with the video is we can access that from the web anywhere so it doesn't matter who is living where or working where, they can always address it. He said we are looking at even further technology advanced cameras that do a lot more if we have a problem or if there was a fire, we could get a license plate to assist the Police if there were any concerns.

Ms. Barron asked if there will be any kind of retail at the facility. Mr. Steinberg said across the business if you have ever been to one of these storage facilities you will see they have boxes of packing material and it really is not a very good business for us. He said at this point we foresee having the locks that folks might want to buy. They are welcome to use their own, but we will have locks available for the primary retail. Ms. Barron said you've quoted the industry standard and asked what is the life span expectancy for these facilities? Mr. Steinberg said it really depends on a lot of factors like the fact we live in an area with a varying climate with the rain and the snow and then maintenance. He said the facilities could last 10-20 years if you are not maintaining them. If you are maintaining them, you are looking closer to 40 years, but again it is a wide range because it has to do with usage and the maintenance. We find that the areas our facilities are in we don't have quite the turnover of clientele; we have a longer-term clientele than the industry standard which tends to have a little less wear and tear on our facilities. He said we try to keep things as tightly controlled as possible.

Ms. Barron said you mentioned again the industry standard and I would like to know if there were any actual marketing or demographic studies for the need. You said there was a need for this other facility but there two currently existing close by. Are there any marketing, demographics or feasibility studies that would indicate the actual need for this? Mr. Steinberg said not completed at this time, however, the issue is when you look at the traditional business at Center/Marks, the traditional occupancy there is about 93%, which for all intent and purposes is 100% but you have turnover. You have vacancies and things like a unit that might be donated, or a family unit, but because folks have to move out, it has to be cleaned and someone moves in. Our biggest concern are the folks on our waiting list for the climate control. Mr. Vacanti to Mr. Steinberg: You are involved with the Center & Marks storage facility with first-hand knowledge, right? Mr. Steinberg said I do have first-hand knowledge; not an ownership, not everyday operations. Ms. Barron said so you don't have any kind of study of how many units you really need, you are using a guesstimate, but you also said earlier that the industry standard wouldn't support the three acres; you wanted all six acres built up. She said if we don't have any numbers, how do we know that that's not supportable on the three acres the conditional use would support. Mr. Steinberg said that is a great question and for starters, our folks were chatting a little while earlier and my premise was the size of the property right now is not large enough. I would prefer bigger because of what we see with the growth in the community and the current usage. Mr. Steinberg said when you really look at the property size where the facilities are there is a pond and we have nearly four acres of use out of almost seven. He said the Center/Marks facility is almost five acres in almost exclusively storage facilities with some green space in the front. He said I believe we can have a successful business with 600 or 700 units as opposed to the 467 we have on our plan now. That is based on our experience for over 20 years in the business.

Ms. Barron said not to discount your experience, I don't know much about storage units. I just Googled it and I found several articles that expect declining usage through time and articles are from 2018. Ms. Barron said so without an actual thorough examination, I would question just industry standard we think it's going to work, versus having something concrete that will help us do our job to be proper stewards for the land. Mr. Steinberg said I will say we have been hearing the same story for quite some time when there was doom and gloom in the 2008 financial crisis and we thought people would just get rid of stuff, but we are busier than ever. Even with the financial crisis recently and during the pandemic, we haven't lost occupancy but in fact have only grown. Mr. Steinberg said all of our facilities are above 90%, so I appreciate what you are saying and I apologize that I don't have anything more concrete on a feasibility study, but we will take note of that and address the issue and then respond to the board. Mr. Vacanti to Mr. Steinberg, Brad are you familiar with the cost of constructing these types of facilities and the number of units that are necessary to make it economically viable, in your opinion? Mr. Steinberg said in terms of economic viability, so many people have done so much construction in their homes and some businesses with vacancy took this opportunity to improve their facilities, that building materials are out of control. He said 2x4's used to be

\$2.00 and now they are \$5.00. He said so our costs have gone much higher in terms of construction in general; steel in general internationally and so it would not be a scenario if we were to cut this property down in half, we would be looking in the vicinity of 200 – 220 units and it just not economically viable for us to do that.

Mr. Schigel asked Mr. Steinberg are you the landowner, are you going to be the property owner or are you kind of like the manager for the business? Mr. Schigel said I'm confused on exactly what your role is. Mr. Steinberg said in terms of this business specifically, I act more like a consultant. He said going forward, Ms. Skelton and I are going to develop additional properties of our own outside of the existing Leader business. He said but, in this business, I guess I'm called a manager, but I'm not active on a daily basis manager, I'm a consultant, we look at numbers, we discuss different ways to do the business and we talk about what we want to do as a retail business. He said I'm advocating for a lot less. He said I am a consultant in this scenario, but involved in development and my role is supposed to evolve for any business this organization does in the future.

Mr. Wetterman asked for clarification and said in your application 467 units are mentioned and yet on the site plan it calls for 581 units – what's the difference? Mr. Steinberg said the retention pond has to increase. Mr. Wetterman said I added up the number of square feet for your storage spaces, it didn't include your pond. Mr. Steinberg said no, I am aware, but what I'm saying is if you look at the plans there as-is, we have to redo the drawings because we've been told the retention pond has to be bigger, we are going to lose space so we will have less units. Ms. Barron so the number in the application and the number on the plan is not the correct number. When will we have the revised site plans that have the accurate information on them? Mr. Steinberg said I don't have the exact date for you, but will get that for you. He said the challenge has to do with when we get final approval, building materials and when we can move forward to see where we are going to go with that. He said if it is required to know exactly how many units, I'll be happy to provide that at the appropriate time.

Mr. Wetterman said, just so you understand, when you come here asking for a conditional, we have to have the accurate figures. Mr. Steinberg said I didn't read that in any of the code we looked at that said we have to submit the exact final number of units, but I maybe incorrect. Mr. Vacanti said just to make a note, the area requirements are not limited to a number of units; it's the 5,000 square foot limit per building and the acre limit. So that's why these plans are developing as we continue to have these discussions and try to address the fire concerns – the total number of units may change as a result of that. Mr. Vacanti said there isn't a specific resolution provision governing the number of units so that's why we're happy to commit to providing that information to this board once we determine the size of the fire pond. Mr. Kersten said there is something saying how many units you can have; you're trying to get more units on an acreage, right?

Mr. Steinberg said not necessarily because sometimes it really comes out as a unit mix. For instance, if I wanted to maximize the number of units, they would all be 5x5. Mr. Kersten referred to the application packet that show 460, but when you do all of the figures and counting, I come up with 581. That's 161 more units than you are showing here. Mr. Steinberg said the plans are evolving and with the increased size of the retention pond, we don't have the same amount of space. Mr. Kersten asked about the retention pond. Mr. Wetterman said the retention pond is already there. Mr. Kersten asked what is the size of the retention pond? Mr. Steinberg said we've been told it needs to increase. Mr. Wetterman said that has nothing to do with the number of units. Mr. Kersten said Mr. Steinberg just said it does. Mr. Steinberg said it has to do with the amount of buildable space. Mr. Wetterman said buildable space, I understand that, but as he mentioned, total square feet of building use – according to the Ohio Revised Code, which we go by in our book, you are allowed 5,000 square feet. Mr. Steinberg said I don't believe that is in the Ohio Revised Code. Mr. Vacanti stated it's not. I can tell you there is no requirement in the Ohio Revised Code for 5,000 square

feet; I have no idea where that requirement came from. Mr. Steinberg said the three properties that you have right now in the township have buildings in excess of 10,000 square feet in the buildings. Mr. Steinberg said I'm not an expert but there is something about fire walls based on size, but there is no limitation in the Ohio Revised Code that I'm aware of for 5,000. He said and the 2-3 acre requirement I don't believe is a Ohio Revised Code requirement. Mr. Schigel said the one thing that might help clarify, when write something in a positive to approve, we right it to approve the square footage, 5,000 for example. He said if you say you need 18,000 square feet, we right to approve 13,000 additional square feet, so if we don't have the exact amount of square feet that you are looking for and that might change but we aren't able to write in the positive exactly what we may be approving tonight. Mr. Schigel said I think that is what the board is trying to say and that's why its important that we have the exact square footage when we write it.

Mr. Vacanti was talking with his client in the audience and Mr. Kersten said I would appreciate you don't do that. Mr. Vacanti said I am allowed to have attorney client discussions. Mr. Kersten said I made it very clear at the beginning of the meeting that you can sit down next to her, but I said there would be no walking around the meeting and conversations. Mr. Vacanti said under the Ohio Revised Code I am allowed to ask questions and I am allowed to consult with my client. Mr. Kersten said I don't want anyone walking around. If you want to talk to her go over there and sit next to her, that's my ruling. Mr. Vacanti said note my objection for the record.

Mr. Vacanti said I do want to request from this board and this might shed some light. I do appreciate Ms. Barron looking on Google, but I do want to stress this is a Quasi-Judicial hearing so any decisions have to be based on what is here presented in front of this board. No disrespect at all, I just have to say for the record that you limit the discussion and investigation to what's being presented, but we appreciate and will follow up on those items. He said one thing I'd like to present to this board as I think there may be a couple of gray areas about discussions with the Fire Department and the fire pond. Mr. Vacanti said that is why I was consulting with my client and we are willing to request that this board table consideration of this so we can complete our discussions with the Fire Department, so we have a concrete number of units and we can avoid this type of confusion so we can get the additional information that this board wants. Mr. Steinberg agreed and said I do want to respond to what you said and you referenced square footage of the buildings and we talked about unit mix and the number of units. Mr. Steinberg said and the number of units at this point has nothing to do with the square footage. Mr. Wetterman referred to the plan and said I am referring to the unit mix. Mr. Steinberg said as you look at that plan right now it is from a company called Trachte Building Systems. Trachte is a vendor that we work with till we get to the final point. He said we have the square footage that we are allowed to develop to but the question is what do we put in 10x10's, 10x20's, 10x5's, 15x20's? He said we go through with them and they assist and help us to design based on a lot of demographic information from the area. He said we have experience but they are the real experts. Mr. Steinberg said if you look at the second building, it's a climate-controlled building and you will see a unit that is 10x20 and below it is a 10x5. He said the outer ones at the top are 10x10 and have service from an outside door. He said we can move the wall and make them both 10x15 and it doesn't change the square footage, but it could ultimately change unit size because we could take 10x10's and make them 5x10's. He said I've doubled the unit count, but I haven't changed the square footage. Mr. Steinberg said when we come to you folks, its more about square footage. Mr. Schigel said that's why I mentioned that we have to write to a very specific square footage, but you don't have that square footage because you have to look at the retention pond? Mr. Vacanti said yes. Mr. Steinberg said we apologize for the confusion as we thought we were in a little better position with the Fire Department and the Chief made it very clear so the request is to table so we can do our best to solve those challenges and then come back to the board for final approval.

Anthony Strazzo, Fire Chief, Brunswick Hills Fire Department asked the chair if he could ask additional questions to Mr. Steinberg and the staff that is there for the record. Chief Strazzo said to Mr. Steinberg, so

you have eight buildings listed on the property and asked if he had the square footage of each of those buildings? Mr. Steinberg said I have the square footage as of right now, but I don't know if it is the final square footage or if they will be smaller because of the changes in the retention pond. Chief Strazzo asked if he can list the current square footage with the notation there is potential for change in the future. Mr. Steinberg said Building A: 14,500 square feet; B: 17,400 square feet; C: 17,400 square feet; D: 7,600 square feet; E: 8,550 square feet; G: 5,700; F: 5,700 and Building H: 10,800 square feet. Chief Strazzo said for the board I had him do that because in the self-storage section of the zoning code 804-9, it does say that the maximum structure size shall be 5,000 square feet and the maximum individual storage size shall be 600 square feet. He said however, when you look at their index, it doesn't appear that any individual unit is over the 600 square feet. Chief Strazzo said to Mr. Steinberg, you said in your leasing agreement you state no hazardous materials can be stored in the units. Chief Strazzo asked, are you familiar with the inside self-storage industry publication for self-storage operators? Mr. Steinberg said I read their website frequently. Chief Strazzo said one of their recent articles was related to the hazardous waste that are stored in storage units and they mention the fact that as an operator you cannot guarantee that your renters or users are storing hazardous materials and basically what the article says is that once they sign that paperwork you are assuming that they are not storing, but honestly you have no idea what they are bringing in because it is in boxes. He said there could be 5-gallon gasoline cans in 100 different boxes. He said in regard to that, you made a comment that there have been no incidences of hazardous materials contributing to a fire. Chief Strazzo wanted to share his screen but it was disabled, but I would like to offer for the record that on January 18, 2019 there is an article entitled: *Fire Fighters Confront Propane Tanks, Ammo, Fuel Containers in Clovis Storage Fire*. He said it was a storage unit in Clovis, California and these are common occurrences and this is why as the Fire Chief I am going to advocate for a positive water supply, meaning a piped water supply versus a pond water supply. He said in Section 507 of the Ohio Fire Code it says required water supply: *An approved water supply capable of supplying the required firefighting flow for fire protection shall be provided to premises upon which facilities or buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.* Chief Strazzo said furthermore, given the size of the property, there is a specification that says where required *where a portion of the building or facility is constructed or moved into or within the jurisdiction that is more than 400 square feet from a hydrant on a fire apparatus access road as measured by an approved route around the exterior of the facility building, an on-site fire hydrant may be required by the Fire Code Official.* Chief Strazzo said that just goes to further state that given the size of this property which you're looking to develop, multiple hydrants would have to be placed throughout the property to meet that 400-foot specification.

Chief Strazzo said so the board is aware, Mr. Steinberg has mentioned several times that a master key will be provided for the Fire Department and they are selling that like that is a gracious thing they are doing for us, that is actually required by the Ohio Fire Code so they really don't have a choice in that, but we appreciate their willingness to cooperate with the Fire Code. Mr. Steinberg said to respond to a couple of points; when I stated that we have not had any problems, that's right. He said I have not been involved with Leader Storage for the entire 20+ years of its existence, but to the best of my knowledge our organization has never had a problem with a fire. He said I appreciate outside of the confines of this proceeding you found an article that referenced an incident and I cannot sit here and tell you that we've never had a scenario where someone brings something in; I actually admitted that earlier. He said additionally, I would suggest that in your township you have numerous properties with rental scenarios going on and I would offer to you that you cannot guarantee any of what is going on inside any of those rental properties. So, is it fair to say because I cannot 100% guarantee that there isn't fallible item in a storage unit and we should be penalized because your own land lords can't guarantee they run an illegal activity? They can't guarantee there are no hazardous materials or illegal activities going on; it's the same kind of scenario with us. Mr. Steinberg said and if I came across earlier that we were doing something magnanimous I apologize. We are acknowledging we are aware that is the required law for us to provide access for you to inspect.

Mr. Kersten said the big thing here is what the Chief laid out is that he is not going to be in approval of the pond; hydrants are going to have to be involved. He said I know there is no water on Substation Road. He said you asked for a continuance and I think the best thing you can do is that I'll ask the board to vote to grant you one; we will grant you a continuance.

Motion to Continue Hearing: Mr. Kersten made a motion to grant you a continuance on both cases.
Discussion on the motion: Mr. Kersten asked how long they would need? Mr. Vacanti asked permission to discuss with his clients. Evelyn Czyz stated she would like to ask Brad Steinberg a couple of questions.

Testimony & Evidence Continued:

Evelyn Czyz, Zoning Inspector said my concern is not only to what has been said, but also some different areas. Ms. Czyz said you said you have lots of security cameras, are they going to be inside and outside as well? She said inside being in the corridors? Mr. Steinberg said the final design is again a little fluid at this point, but yes, we have cameras inside the corridors as well as external cameras on the buildings. Ms. Czyz asked will entry be from inside and outside into the storage units? Mr. Steinberg said a unit will have one point of entry; it might be an internal or it could be an external and I would be happy to show you on these plans what the current state is. Ms. Czyz said before we go there, will there be any outdoor storage? Mr. Steinberg said I don't believe that is in the plans or intentions at this point. Ms. Czyz said, when you come back, I want a definitive answer. Mr. Steinberg acknowledged that. Ms. Czyz asked if there will be a fence put to the back of the property so that the adjoining property owners have some kind of buffer and some kind of privacy from these storage units? Mr. Steinberg said that is something I am not prepared to answer at this point, perhaps one of my colleagues is. Ms. Czyz said ok, so maybe that is something you can think about while it is being delayed.

Ms. Czyz directed questions to Tony Vacanti. Ms. Czyz noted the plans and said this lettering is very, very small and asked if there is any chance of getting a much larger map, please; and can we have one for the whole board? Mr. Vacanti said absolutely. Ms. Czyz and Secretary Milanko confirmed we will need 15 copies. Ms. Czyz said is that satisfactory for everyone as these are very hard to read and I would like to mark some of them up. The board agreed.

Mr. Steinberg returned to the podium and said Ms. Barron I have an update for you. He said I said we didn't have a feasibility study, but it is contracted and in progress, so the feasibility study is already in progress and we will have that for you at the time we come back at the least.

Todd Spiker said we were talking about the pond not being an option because there are two fire hydrants on Substation Road and asked if there is any way of piping it down there? Mr. Spiker asked if the Fire Chief is still on virtually? Mr. Kersten said the Chief said there is one at 303 and Substation. Mr. Spiker said right, and there is one at Laurel and Substation. Mr. Schigel stated he said that is more than 2000 feet away. Mr. Spiker said it is available whether they pay for half and the township paid for half, could we have it piped to them? He said is there an option for them to do that? Mr. Kersten said yes that would be an option, but that would be the Fire Chief and then come back to us with the information. Mr. Spiker said there are a lot of buildings around there so if it is not for them, it should be something for the township building, the trucking company and the houses there. Mr. Spiker said they should have the water anyway. Mr. Wetterman said it is a county road and there is county water, so actually that is up to the county. Mr. Spiker said to the applicants if that is the only thing stopping you, find a way so you can get it whether you pay for it. He said it will help the county it will help the hills and everybody.

Mr. Vacanti said, Mr. Spiker, I appreciate that question and we do have a Professional Engineer here who was going to present, and I know the board will accept our request to table it and 30 days should be sufficient

and we will move fast on it for this board. Mr. Kersten said 30 days? Mr. Vacanti said 30 days, but we do have Dave Lewis who is a Professional Engineer and can answer your question right now. Mr. Kersten said let's set the continuance date first. Mr. Kersten said how many days do you need? Mr. Vacanti said 30 days. Ms. Czyz said your next meeting date is April 7th. Mr. Schigel said we have two cases that night. Mr. Kersten said he didn't realize we had two cases that night and asked if we received the information. Ms. Czyz stated you will receive it tonight. Mr. Kersten asked if one was Southwest Baptist Church. Secretary Milanko said Southwest Baptist Church was continued to May 5th. Mr. Vacanti said Mr. Chair, actually 60 days would suffice because we want to make sure that we can address any Fire Department issues. Secretary Milanko asked when is 60 days. Mr. Schigel asked if the date Wednesday, May 5th would suffice for you, that's 62 days. Secretary Milanko reminded the Vice Chair that we do have a continuance hearing on May 5th for Southwest Baptist Church.

Motion to Continue Hearings for 1595 Substation Road: Mr. Kersten made a motion that we continue both cases to May 5, 2021 at 7:00 p.m. here. **Discussion on the Motion:** Mr. Schigel wanted to clarify if Southwest Baptist Church was on April 7th or May 5th. Secretary Milanko referenced the minutes and said during the meeting there was discussion on the church needing to go back to the Building Department and the Fire Department with non-compliance issues they need to provide information for and the question was how much time would that take. She said there was discussion for April 7th but Chief Strazzo said the follow up with the Building Department would take at least 30 days for them and thought that April 7th probably wasn't realistic. She said so the board made a motion. Mr. Kersten said I did make a motion for May 5th. Secretary Milanko said yes. Mr. Kersten said we have two cases for April 7th. Ms. Czyz stated you have one case for April 7th. Mr. Kersten asked if it was a big case and what they are asking for. Ms. Czyz stated its for a variance. Mr. Kersten said we can continue this case to April 7th. Secretary Milanko and a couple of board members said they asked for 60 days. Mr. Steinberg said 30, 40, 60 days, whatever is the board's convenience; we'd rather not go any further. Mr. Kersten said May is not going to work because we have a big case coming up. Mr. Steinberg said April will be fine for us then. Mr. Kersten said he could do April 14th. Ms. Czyz said schedule it April 7th. Secretary Milanko stated the minutes also say if there a special meeting, there is an extra cost to the applicant. Ms. Czyz said April 7th is enough time. Mr. Schigel asked the applicants if they were comfortable with April 7th. Mr. Vacanti said we will move mountains. Mr. Kersten wanted to make sure we were giving them enough time and said we could schedule it April 14th or 15th. Mr. Vacanti said he appreciates the board's concern. Mr. Steinberg said the concern for us is Fire Chief's availability. We want to be respectful of his time. He said we will make ourselves available and we understand he has other responsibilities than just us. Mr. Kersten said let's set if for April 7th and if there is a hang up, you may give our secretary a call and we will work from there.

Restated Motion to Continue 1595 Substation Road: Mr. Kersten made a motion that we continue these to cases to April 7, 2021 at 7:00 p.m. at this hall. Mr. Wetterman seconds the motion. **Roll Call:** Ms. Barron-yes; Mr. Spiker-yes; Mr. Wetterman-yes; Mr. Schigel-yes; Mr. Kersten-yes. Secretary Milanko stated to Mr. Vacanti and the applicants, we will hear the garage variance request case first and then yours.

Mr. Steinberg asked if the board would like to hear more information about the technical information on the hydrant now? Mr. Spiker said yes, I have a couple of questions and the other thing is when I look at this, can it be scaled down to fit within the allotted space? He said I think you already answered that when you said it doesn't make it feasible with the square footage. Mr. Spiker asked the Zoning Inspector if they have a 6.8 acreage for the parcel, is that able to be broken down to meet those requirements without a variance? Ms. Czyz said no, they are doing it on the whole thing. Mr. Spiker said they are doing it on the whole thing but can they break it down. I know they have to have setbacks and everything, but can it be done with driveways between the buildings so it is all within the building in the 2-3 acres? Mr. Spiker said the pond takes it down to 4 acres. Ms. Czyz said I have not looked at that so I cannot give you an answer on that.

Mr. Steinberg said you bring up a good question and a good point and said when we do look at the useable space beyond the pond, we are looking somewhere in the vicinity beyond the pond and green space; the useable space that we will use to build is approximately 4 acres. He said so from a building perspective, a variance perspective and useable space perspective we are talking about going from what is in your code 2-3 acres, which I understand we will present information on that question, totally 4 acres. He said not that we want to consider that at this time, but that is the answer your question and we will address it in a month. Mr. Steinberg says it's the size of the space and unfortunately it does include the pond, which is over an acre in itself. Mr. Steinberg asked if there were any other questions before we address the fire issue. Mr. Spiker said the last thing I really had was, and I know with the structure size, it says 5000 and I just wanted to know why it says 5,000 in our Zoning Resolution? He said when I read everything, I did notice there were bigger ones. Ms. Czyz said if there were bigger ones they may have also applied for variances. Mr. Spiker said I understand that but was just wondering why it is in there. Mr. Steinberg said my point is that is a very big question and we will be talking about it when we get to the area variance, so I appreciate that as well.

Mr. Wetterman said you just answered part of my question on 5,000 per building, but there are no limitations to how many buildings you can have on that lot? Mr. Steinberg said I don't believe there is any code restrictions on that, but there are issues and codes around the size of the driveways in between buildings, but not in terms of how many buildings or how many units; it's really about square footage and space between them. Mr. Schigel said that is one of the things we have to ask for. Ms. Czyz said with the acreage, you have to take into consideration the infrastructure; the size of the buildings and the infrastructure, which means parking, the driveways, etc. Mr. Wetterman said when I go over those numbers, I get over 80,000 square feet and I'm using your numbers, so excuse me for being confused. Mr. Steinberg said I appreciate that and I think those are some concerns that we are best off tabling because the board has already accepted our request. Mr. Steinberg said with regard to some of the technical issues, I'm more focused on the business itself than the technical issues and the law so that is why we have these gentlemen here and we will have them when we come back. Mr. Steinberg asked the board if they would like to hear more about the fire issues. Mr. Spiker said yes, I'd like to hear it while it is fresh in our minds. Mr. Kersten said I don't know what is going to develop with the Fire Chief, we are not in that part of it. If you can't get together with him or it is going to take longer, please call the secretary or the Zoning Inspector and they will get in touch with me and we will increase your time; we aren't going to just cut you off. Mr. Steinberg said we appreciate that. Mr. Kersten said this is a large project, it is not like a swimming pool in the back yard. Mr. Vacanti introduced Mr. David Lewis.

4. David H. Lewis, 8691 Wadsworth Road, Suite 100, Wadsworth, Ohio was sworn in. Mr. Lewis said I am the owner and President of Lewis Land Professionals; Civil Engineering and Surveying and I've been in business for approximately 20 years. Prior to that, I was an Engineer and my engineering background in Medina County goes back to 1986. He said I've engineered probably 50 or so mini storage facilities just like the one we are talking about, as well as many of the subdivisions in the area you might live in. I've engineered over 35 miles of streets and highways in Medina County. Ms. Czyz said many of them in Brunswick Hills. Mr. Lewis said as the project Civil Engineer on record, it will be my responsibility to do the detailed engineering plans for the utilities serving the site as well storm water management as well as the fire protection site improvements. He said regarding the available piped water, there is a 4-inch water main in Substation Road. I contacted the Medina County Sanitary Engineer who is in charge of that and they told me that they did not feel that that pipe was ideally situated or suited for extension of a 6-inch fire line. He said so the fire hydrants are 6-inch pipes and the pipe that is in the road is a 4-inch diameter pipe. He said there is certainly a water tower about 2,000 feet up the street; I did not inquire if the county has plans to extend the pipe down because 4 inches quite honestly, they told me is smaller than their minimum standard which is an 8-inch diameter pipe. He said it was my understanding there are plans to upgrade that pipe, but we did not talk about when and where and who would pay for that.

Mr. Lewis said one thing I can do for our upcoming meeting is evaluate that pipe, the length of the pipe and the cost to extend the proper size pipe down to the facility, share that with the owners, the Fire Chief

He said since it's in the long-term plan of Medina County to upgrade that pipe size, there may be some cooperation with them as well, but I don't know that for tonight's meeting. He said I will ask those questions and will report a game plan when we come back to satisfy that need. Mr. Kersten said and the game plan will be with the Chief of the Fire Department. Mr. Lewis said yes and I will personally meet with him or have a Zoom meeting. Mr. Kersten said he is the one who will have to prove a lot of what's in there as far as fire protection goes. Mr. Lewis said correct and it was the conversations with the Sanitary Engineer and the Medina County Highway Engineer and I believe it was actually the Medina County Highway Engineer that suggested that a fire pond might be a satisfactory approach. Mr. Kersten said a fire pond? Mr. Lewis said yes, we put those in a lot of our subdivisions. Mr. Kersten said you will have to talk to the Chief about that. Mr. Lewis said I understand, but just so everyone knows, fire ponds are a necessity where we have no other options. They are not the preferred alternative; certainly, piped water is the alternative because you are not sucking up fish and frogs and putting them through your fire apparatus. He said we understand that, but it is an approved alternative and that is why we were considering that as an option.

Mr. Schigel said he has a question because he is not a Civil Engineer and said whether your property, storage units or not, that property in question with no water source is there really much than can be done with any type of manufacturing on that property as a I-1 if there is no relevant water source. Mr. Lewis said you bring up a good point. With a 4-inch water main, no matter who locates there they are going to have the same issue, so as the site sits today, nobody is going to be able to provide the piped water fire protection that the Chief would prefer. He said hopefully the Sanitary Engineer, myself and the Chief can come up with some ideas and I'll present the cost estimates to the applicant and then they can evaluate if that fits within their budget. Mr. Lewis said I think my cost estimate for a fire pond was \$25,000; I think to bring piped water down from the water tower for a sufficient size to extend hydrants will probably be closer to \$150,000 - \$200,000 so those are things I will go through and get a detailed cost estimate to see if that is something they can do. Mr. Lewis said this could be a deal killer for the project if that is the only alternative.

Mr. Lewis said one other thing that I wanted to mention on the question earlier if we could break up the site with a lot split and maybe do a land between the buildings and divide up the site to where it complies closer to the 3-acres. He said the site is 6.8 acres, so if we divided it in half, we would still exceed the 3-acres, but maybe we could subtract out the retention basin, which we still for need storm water management or something to that affect and we could maybe get the useable size down to where you all felt it would comply. He said but it does create additional hardships when we run a property line down between the buildings, the buildings are only spaced about 30 feet apart for the driveways so when we put a property line down through there, now we have a front yard setback, a side yard setback and a rear yard setback. He said if the property line zig zags through there, we are creating setback issues and we might end up asking for six more variances. Mr. Lewis said in my opinion, that's not the proper way to go avoid addressing the 2-3 acre issue because you are going to end up with the same thing anyway. He said I just wanted to mention that as we did consider that and I was also the surveyor to split the property and its my understanding that when Turnberry Partners purchased the property there was no option to purchase part, it was take the rest of the property or none of it. That was my understanding when I did the survey. The other thing that I might add is there was a question about the buffering to adjoining properties. He said we are bordered to the north by an industrial property, bordered to the south by the Medina County Commissioner's property and the township leases property off of Ohio Edison for the maintenance facility and the best thing about this parcel is to the rear of the property there is about a 275-foot strip of land back there that is a high-tension wire easement that is not going to be developed. He said so there is already a 275-foot built in buffer between our facility and the residences so I think that is something important to note if I were sitting in your chair that would be significant information

to know. Mr. Lewis said I believe that is all unless I missed one of your questions. Mr. Kersten said we were just interested in the water and asked Mr. Spiker if he got all of his answers. Mr. Spiker said yes. Mr. Wetterman asked if the fire pond would be useable for sprinkler systems in the building? Mr. Lewis said yes, it can be used for a fire suppression system. What we would do in that case we would put in a pump.... how a fire (dry?) hydrant works is the pipe goes into the pond with a strainer so we don't suck out the fish or frogs and then the fire truck has a pump on the truck and it pumps water out of the truck and fills its tanker truck, which then they use the tanker truck to either drive to somewhere where they are fighting the fire or they can run a fire hose through the proper truck and spray it on the fire right there. He said had we gone that route or if we go that route, we would set up the fire pond and the dry hydrant would benefit not only the storage facility, but it would benefit all the neighboring properties. Mr. Lewis said the industrial facility right next door does not have any fire hydrants and now there would be a fire pond if we'd gone that way, so I just wanted to point out it would be a benefit. I know there are some maintenance issues and that is probably what the Chief is concerned about, but there is some benefit to having them. Mr. Lewis said when we go to the Medina County Planning Commission with a new subdivision, its very common to require a fire pond just because there is no other option. Mr. Kersten thanked the applicants and said we look forward to seeing you in April and that will be it for tonight.

PUBLIC COMMENT:

1. Trustee John Witthuhn said to Mr. Lewis, you mentioned a 4-inch water supply line. What's the length of that supply line? Does it go all the way down Substation Road, do you have any idea? Mr. Lewis said yes, I believe it runs the whole length of Substation and its on the west side of the road; but it is only a 4-inch. Mr. Lewis said I don't know why there is a 4-inch there. I don't know if it was a left-over Lorain rural water and sometimes rural water has water lines scattered around and they provided water service, but no fire protection. He said it was very common for them to have a 4-inch, but I don't know if that pipe was taken over by Medina County. He said when I talked to Mr. Senko, he thought that the pressure probably would be adequate for fire hydrants, but it's their policy not to put fire hydrants with 4 inches in diameter. Trustee Witthuhn said when you say the length of Substation Road, you're saying Rt. 303 south for a good portion of the township. Ms. Czyz said I was just going to ask the same question. Mr. Lewis said Rt. 303 south and I believe it goes at least through the township maintenance facility.

Additional Business: Mr. Schigel said we have two decision letters to sign tonight

1. Redwood Apartments. Mr. Kersten made a motion to approve the Redwood decision letter as submitted by the secretary. Mr. Schigel seconds. **Roll Call:** Mr. Spiker-yes; Ms. Barron-yes; Mr. Wetterman-yes; Mr. Schigel-yes; Mr. Kersten-yes.

2. Thomas Tesmer, 4632 Boston Road, Brunswick Hills for a pole barn. Mr. Kersten made a motion to accept the decision letter as submitted by the secretary. Mr. Schigel seconds. Roll Call: Mr. Schigel-yes; Ms. Barron-yes; Mr. Spiker-yes; Mr. Wetterman-yes; Mr. Kersten-yes.

3. Secretary Milanko stated the Zoning Inspector received a new application request by the deadline for the April 7, 2021 meeting which will be distributed to you before you leave.

4. Ms. Barron asked Mr. Vacanti and Mr. Lewis if the board will get a copy of the larger plan that Evelyn Czyz asked about. Mr. Vacanti said it will depend on some of the conversations with the Chief, so as soon as we are able, we will get it to you. Hopefully it won't be the night of but we are under a tight timeframe and we will get it to you as soon as we can. Mr. Vacanti said we want to make sure it is a concrete plan. Ms. Czyz stated Secretary Milanko will be notified and she can send it out to the board.

CASE # (2) Anthony R. Vacanti, Esq, Counsel for owner, 950 Tucker Ellis, Main Avenue, Suite 1100, Cleveland, OH 44113, Variance request for 1595 Substation Road, Brunswick Hills, OH 44212, PP# 001-02C-05-028, Current Zoning I-1 Industrial, for proposed self-storage unit facility consisting of nine self-storage structures with a total of 467 self-storage units per Sec. 804-9 (2) and (3).

[CASE #2 TABLED]

MOTION TO ADJOURN: Mr. Kersten made a motion to adjourn. Mr. Schigel seconds. **Roll Call:** All in favor to adjourn. Meeting officially adjourned at 8:50 p.m.

Respectfully Submitted,

Mary Jean Milanko, Secretary

Cliff Kersten, Chair

Date