

**Brunswick Hills Township Zoning Commission
Organizational Meeting Minutes
February 4, 2021**

CALL REGULAR MEETING TO ORDER

Secretary Milanko called the Brunswick Hills Township Zoning Commission organizational meeting to order at 7:01 p.m. A roll call of the board was executed.

- **Board Members in Attendance:** Trica Murphy, Patti Wetterman, Robert Norton, Ed Kelly
- **Alternate Board Members in Attendance:** Dean Collura, Barb Porter
- **Board Members Not in Attendance:** Sy Mougrabi
- **Others in Attendance:** Evelyn Czyz, Zoning Inspector, Trustee Kusnerak, Mary Jean Milanko, Zoning Secretary

Alternate member, Dean Collura sat in for Mr. Mougrabi to represent a full board.

NEW BUSINESS:

1. Swearing in of Board Members by Trustee

Trustee Kusnerak swore in all board members present in attendance to serve for 2021.

2. Acceptance of Nominations for Chairperson

Secretary Milanko called for nominations of Chair for 2021. **Nomination:** Mrs. Murphy made a motion to nominate Mrs. Wetterman for position of Chair. Mr. Norton seconds the motion. Upon no other nominations, a roll call of the board was made. **Roll Call:** Mr. Norton-yes; Mr. Kelly-yes; Mrs. Murphy-yes; Mr. Collura-yes.

3. Acceptance of Nominations for Vice-Chair

Secretary Milanko called for nominations of Vice Chair for 2021. **Nomination:** Mrs. Wetterman nominated Robert Norton to the position of Vice Chair. Mrs. Murphy seconds the motion. Upon no other nominations a roll call of the board was made. **Roll Call:** Mrs. Wetterman-yes; Mr. Kelly-yes; Mr. Collura-yes; Mrs. Murphy-yes.

4. Review and Adoption of the Zoning Commission ByLaws

- Mrs. Porter referenced page 2 of 4 of the ByLaws, Article VIII: ORDER OF A PUBLIC HEARING #5. Comments from the public attending. Mrs. Porter asked if the board should consider adding that the board reserves the right to limit time devoted to each public comment. Mrs. Porter stated it isn't stated specifically, but if the board can do that should we list it in the ByLaws? Secretary Milanko stated that the Board of Zoning Appeals made that amendment last night to their Public Hearing Guideline procedures. Mrs. Wetterman and Mr. Collura stated it is a good idea and depending on the size of the crowd you can limit it to two minutes per person or five minutes. Mr. Norton stated he had no objection to that. Mrs. Wetterman asked if that needed to be added to page 4 of the ByLaws as well under ARTICLE XIV: CONDUCT OF PERSONS BEFORE THE ZONING COMMISSION which says "During all public hearings and regular meetings, members of the public shall be given equitable opportunity to speak." can be limited due to time constraints. During all public comments, the board retains the right to limit the time of each public comment.

Motion: Mrs. Wetterman made a motion that we add "the board retains the right to limit time devoted to each public comment to page 2 of 4 Article VII #5 and to Article XIV: Conduct of Persons Before The

Zoning Commission after first sentence. Mr. Norton seconds the motion. **Roll Call:** Mrs. Murphy-yes; Mr. Collura-yes; Mrs. Wetterman-yes; Mr. Norton-yes; Mr. Kelly-yes.

➤ Mrs. Porter referenced page two **Emergency Meeting**: in the event of a true emergency, the chairperson with assent of a majority of the Zoning Commission Members contacted by telephone, may call an emergency meeting less than twenty-four (24) hours but will be posted at the town hall and provided to newspapers if requested. Mrs. Porter said the wording is confusing and asked if we should say “may call a meeting less than 24 hours before such meeting and then the meeting will be posted at town hall, etc. from there. Mrs. Porter said it doesn’t say if the meeting will be held in 24 hours or less than 24 hours. Meeting less than 24 hours before such meeting. They may be calling the meeting less than 24 hours before such meeting. Meeting will be posted at the town hall and provided to newspapers if requested.

Secretary Milanko asked if it is an emergency meeting is it because something unexpected just came up or some immediate business came up? Trustee Kusnerak stated there is a difference between an emergency meeting and a special meeting and said with a special meeting you need at least 24-hour notice. An emergency meeting is something comes up and with majority consent of the board you need to meet in two hours – you still have to make notice and you still have to post at town hall, but you are allowed to meet in an emergency basis.

Mrs. Porter said I wasn’t disagreeing with the 24 hours; I was just questioning the wording of it for clarification: “in the event of a true emergency, the chairperson may call an emergency meeting less than twenty-four (24) hours”... Maybe it should say “in less than 24 hours”. Just add the word “in” less than twenty-four (24) we wouldn’t have to change the whole thing. It doesn’t say what the 24 hours is pertaining to, if it pertains to the meeting. Mrs. Porter noted the ZC had an emergency meeting once to schedule a public hearing because we did not schedule it during our regular meeting and we had to schedule it within so many days. It was also noted to change assent to “consent” in this section.

ZC ByLaws Amendment to Emergency Meeting:

Emergency Meeting - in the event of a true emergency, the chairperson with the ~~assent~~ **consent** of a majority of the Zoning Commission members contacted by telephone, may call an emergency meeting **in** less than twenty-four (24) hours but will be posted at the town hall and provided to newspapers if requested. Such a meeting is open to the public. Publicly accessible minutes shall carry the specific justification for such a meeting.

MOTION: Mr. Collura made a motion under the topic of Emergency Meeting first line with the “consent” instead of assent of the majority of the Zoning Commission; and may call an emergency meeting “in” less than twenty-four (24) hours but will be posted at the town hall...” Mrs. Wetterman seconds. **Roll Call** Vote: Mr. Kelly-yes; Mr. Norton-yes; Mrs. Wetterman-yes; Mr. Collura-yes; Mrs. Murphy-yes.

Mrs. Wetterman referenced page one Article III: Appointment and Terms of Members, line six: “in the absence of a commissioner, an alternate will take their place...” She said commissioner should be changed to “member” because they are talking about members. Secretary Milanko asked if we could change it to “in absence of a commissioner ~~member~~. The board agreed. Mrs. Murphy noted first sentence “2 alternates” and noted 2 should be spelled out: “**two**” alternates.

Motion: Mrs. Wetterman made a motion to amend Article III as referenced. Mrs. Murphy seconds the motion. **Roll Call Vote:** Mrs. Murphy-yes; Mr. Kelly-yes; Mr. Collura-yes; Mr. Norton-yes; Mrs. Wetterman-yes.

Amended Article III

ARTICLE III: APPOINTMENT AND TERMS OF MEMBERS

Members are appointed by the Board of Trustees - Brunswick Hills Township, for a term of five years. Members may be reappointed at the end of their terms at the discretion of the Board of Trustees. Alternate members are appointed for a term of one year. Members will attend a minimum of two Trustee-approved training sessions annually.

The Zoning Commission shall consist of five sitting members and ~~2~~ **two** alternates. The alternates shall attend all meetings and hearings, and in the absence of a commissioner ~~member~~ an alternate will take their place on the Commission for the duration of that issue. If a member is unable to attend any meeting, they must notify the Chairperson and/or Secretary prior to that meeting. Absence of a member for three (3) meetings without prior notice to the Commission may constitute non-feasance and a recommendation should be made to the Trustees for review of their appointment.

A member may be removed by the Board of Trustees in accordance with Section 519.04.

Article IV: Officers and Their Duties

Mrs. Wetterman referenced page one, Article IV: Officers and Their Duties; line 10 Chairperson Pro tempore and said eliminate the word “citizen”. Mrs. Murphy noted the removal of the apostrophe after the word or. **Motion:** Mrs. Wetterman made a motion to remove the apostrophe and the word citizen. Mr. Norton seconds. **Roll Call Vote:** Mrs. Murphy-yes; Mr. Collura-yes; Mrs. Wetterman-yes; Mr. Norton-yes; Mr. Kelly-yes.

Amended Article IV: Officers and Their Duties

Chairperson Pro tempore- where both the chairperson and the vice-chairperson are absent from a meeting ~~or~~ or public hearing, the remainder of the ~~citizen~~ members of the Zoning Commission shall elect a chairperson pro tempore from among their own number by majority vote for that meeting.

Article V: Administrative Assistance

Mrs. Wetterman stated it says Administrative Assistant and asked for clarification on who our Administrative Assistant is. Trustee Kusnerak said Amanda Cameron is the township Administrative Assistant, but Mary Jean Milanko is the Secretary/Administrative Assistant for the zoning boards. Mrs. Wetterman asked if Mary Jean is the one who sends copies of all proposed zoning changes to Medina County Department of Planning Services (MCDPS) or does MCDPS contact Amanda or Mary? Trustee Kusnerak stated the Planning Commission sends their staff report and recommendations to the Township Trustees, the Zoning Inspector, Mary Jean, Zoning Secretary, Fiscal Officer and usually the zoning board chair. Secretary Milanko confirmed and said she then sends it to all Zoning Commission members. No edits or changes made to Article V.

Article IX: Form and Character of Motions

Mrs. Wetterman referenced page two, Article IX Form and Character of Motions and said we need to review that because we had a couple of cases where we had to vote and it would have been beneficial to know why we were voting the way we were. She said we should be stating reasons why we are voting that way and said we should review this so everyone knows how to make a motion in the positive. Secretary Milanko said it states *any of the Zoning Commission members, except the chairperson, may make a substantive motion. The motion shall include not only direction (approval, approval with specified*

conditions, or disapproval), but also recitation of findings that support the motion. Mrs. Wetterman would like further review on motions because we have new board members.

Trustee Kusnerak referenced character of motions: (*approval, approval with specified conditions or disapproval*) and asked for examples of what kind of conditions the ZC would put on an applicant. Mrs. Wetterman stated the example of a condition placed on a recent applicant that a zoning letter for Conservation District shall be provided before we make a recommendation to the Trustees for their final decision. Mrs. Wetterman said in one particular case we were missing a Conservation letter that was required for that particular zoning. Trustee Kusnerak and Mrs. Czyz said so in that case it would be a conditional approval based on receiving that documentation. Mrs. Czyz stated so when it goes before the Trustees, they can say yes, we may approve this, but it is conditional on receiving the specified documentation. No edits to Article IX.

ARTICLE XII: ADMINISTRATIVE CALENDAR

Mrs. Wetterman referenced the following items under Administrative Calendar on page three:

Submission Deadline for Zoning Commission: The first Wednesday of the month by Noon to the Zoning Inspector to be placed on the following month's agenda.

Review, update and adopt Zoning maps as needed.

Copies of the agenda, applications previously filed with the Zoning Commission pursuant to Article XI. of the Brunswick Hills Township Zoning Resolution, staff reports, and related documents shall be delivered to each of the Zoning Commission members no less than five (5) working days prior to a public hearing and regular meeting.

Mrs. Wetterman asked who reviews and updates the zoning maps as needed. Mrs. Czyz said myself and the Trustees. Mrs. Wetterman asked if we want to keep *no less than five (5) working days* in there on receiving our related documents and asked if that is enough time? Mrs. Czyz said the first Wednesday of the month is the filing deadline so you get it the next day at your meeting. Mrs. Czyz said that is why it is good to keep the first Wednesday of the month deadline because the BZA meets that night and the ZC meets the next night and it works great for distributing documents. Trustee Kusnerak stated the five days is in there so the board will have time to review the information for the meeting.

Mrs. Wetterman asked if we need to add something that says they need to submit 15 copies of application requests? Mrs. Czyz stated we receive 15 copies and that is on each application. Mrs. Wetterman thanked Mrs. Czyz for her recent work in updating the zoning applications.

Motion to Approve the Zoning Commission Bylaws: Motion: Mrs. Wetterman made a motion to adopt the Brunswick Hills Zoning Commission Bylaws as amended. Mr. Collura seconds. **Roll Call:** Mr. Norton-yes; Mr. Kelly-yes; Mr. Collura-yes; Mrs. Murphy-yes; Mrs. Wetterman-yes.

5. Re-Adoption of the Brunswick Hills Township Comprehensive Land Use Plan

Mrs. Wetterman stated we've been asked to look at the plan to see if it is still acceptable. Mr. Collura said there are a few sections that need review. Mrs. Wetterman stated we will add review of the plan to a future agenda item.

Motion: Mrs. Murphy made a motion to readopt the Brunswick Hills Township Comprehensive Land Use Plan. Mrs. Wetterman seconds. **Roll Call:** Mr. Kelly-yes; Mr. Norton-yes; Mrs. Wetterman-yes; Mr. Collura-yes; Mrs. Murphy yes.

6. Set Zoning Commission Meeting Date and Time

Secretary Milanko stated traditionally the Zoning Commission has met the first Thursday of the month at 7:00 p.m. **Motion:** Mr. Norton made a motion to keep the same meeting date and time. Mrs. Murphy seconds the motion. **Roll Call:** Mrs. Wetterman-yes; Mr. Norton-yes; Mr. Kelly-yes; Mrs. Murphy-yes; Mr. Collura-yes.

7. Set Zoning Commission Submission Deadline to be placed on the Zoning Commission Agenda

Secretary Milanko stated the submission deadline is the first Wednesday of the month, by noon, to the Zoning Inspector to be placed on the following month's meeting agenda. **Motion:** Mrs. Murphy made a motion to maintain the same Zoning Commission submission deadline. Mr. Norton seconds the motion. **Roll Call:** Mr. Collura-yes; Mrs. Murphy-yes; Mr. Kelly-yes; Mr. Norton-yes; Mrs. Wetterman-yes.

ADDITIONAL BUSINESS: None

MOTION TO ADJOURN ORGANIZAITONAL MEETING

Motion: Mrs. Murphy made a motion to adjourn the organizational meeting. Mrs. Wetterman seconds. **Roll Call:** All in favor. Meeting officially adjourned at 7:52 p.m.

Respectfully Submitted,

Mary Jean Milanko, Secretary

Patti Wetterman, Chair

Date