

**Brunswick Hills Township Zoning Commission
Regular Meeting Minutes
September 2, 2021**

CALL REGULAR MEETING TO ORDER

Chair Wetterman called the Brunswick Hills Township Zoning Commission September 2, 2021 regular meeting to order at 7:02 p.m. Mr. Norton led the Pledge of Allegiance and a moment of silence for our men and women in the military, first responders and the 13 service men and women who were killed overseas.

A roll call of the board was executed.

- **Board Members in Attendance:** Patti Wetterman (Chair); Bob Norton (Vice Chair); Trica Murphy; Ed Kelly
- **Alternate Board Members in Attendance:** Barb Porter; Dean Collura
- **Board Members Not in Attendance:** Sy Mougrabi (Excused Absence)
- **Others in Attendance:** Trustee Christina Kusnerak, Zoning Liaison; Evelyn Czyz Zoning Inspector; Mary Jean Milanko, Zoning Secretary

Dean Collura was seated for a full board.

APPROVAL OF THE MINUTES

1. Approval of the ZC August 5, 2021 Regular Meeting Minutes

Edits: It was noted the next meeting date on the last page should be September 2, 2021. Mrs. Murphy noted page 4, second paragraph, 9th sentence, change “meaning they are lest apt to be moved frequently” to “meaning they are least apt to be moved frequently”. Page 4, last paragraph, third sentence, change “Mrs. Wetterman refenced the Planning Commission” to “Mrs. Wetterman referenced the Planning Commission”.

Motion: Mrs. Murphy moved to approve the Zoning Commission meeting minutes from August 5, 2021. Mr. Norton seconds. **Roll Call:** Mr. Kelly-yes; Mr. Collura-yes; Mrs. Murphy-yes; Mr. Norton-yes; Mrs. Wetterman-yes.

OLD/CONTINUED BUSINESS:

1. Review of proposed text amendments to the Zoning Resolution

- **NEW DEFINITION OF DAY(S)**
DAY(S): The definition of day(s) is a calendar day unless otherwise noted.

Discussion: Mrs. Wetterman said we are going to send the text amendments to the Planning Commission and the Prosecutor’s office for review and asked the board if there were any questions or edits. Secretary Milanko asked if the board had any changes to the new definition of Day(s) that we are adding to the book. No changes.

Motion: Mr. Norton moved to send to the attorney and the Planning Commission our new definition of Day(s). Mr. Kelly Seconds the motion. **Roll Call:** Mrs. Murphy-yes; Mr. Collura-yes; Mr. Norton-yes; Mr. Kelly-yes; Mrs. Wetterman-yes.

- **Deck Definition:** A raised structure built out of framing without a roof which is directly adjacent to a principal building. ~~and has an average elevation of thirty (30) inches or greater from finished grade.~~ A platform supported by pillars or posts which may be either freestanding or attached to a building.

Motion: Upon no edits, Mr. Norton moved to send the revised definition of a deck to the Planning Commission and the attorney. Mrs. Murphy seconds. **Roll Call:** Mr. Collura-yes; Mr. Kelly-yes; Mrs. Murphy-yes; Mr. Norton-yes; Mrs. Wetterman.

- **Revised definition of Institution:** A building occupied by a non-profit corporation or a non-profit establishment for public use, **including places of worship.**

Motion: Mrs. Murphy moved to send the revised definition of Institution to the attorney and the Planning Commission for recommendation. Mr. Norton seconds. **Roll Call:** Mr. Norton-yes; Mrs. Murphy-yes; Mr. Collura-yes; Mr. Kelly-yes; Mrs. Wetterman-yes.

- **Sec. 303-5. General Regulation of Lots**

C. Projections Into Yard Areas - Every part of a required yard shall be open to the sky, unobstructed, except for the following:

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.

Motion: Mrs. Murphy moved to send Sec. 303-5 with the amendment to the Prosecutor and the Planning Commission. Mr. Collura seconds. **Roll Call:** Mr. Kelly-yes; Mr. Collura-yes; Mrs. Murphy-yes; Mr. Norton-yes; Mrs. Wetterman-yes.

- **Sec. 303-6 (N.) Satellite Dishes.** Remove Sec. 303-6 (N.) Satellite Dishes and make Sec. 303-6 (O.) Ponds Sec. 303-6 (N.)

~~**Sec. 303-6 (N.) Satellite Dishes** A satellite dish is a structure designed to receive signals from a transmitter or transmitter relay located in planetary orbit. Satellite dishes with a diameter of more than one (1) meter shall comply with the regulations established below:~~

- ~~1. Permits No person, firm, partnership, corporation, trust or other legal entity shall construct a satellite dish antenna without a permit from the Township Zoning Inspector, nor shall construction commence before a permit is issued.~~

- ~~2. Location~~

- ~~a. In all residential areas satellite dishes shall be constructed between the rear of the principal building and rear lot line. If rear yard reception is not feasible, a location between the principal building and either side lot line may be used, if approved by the Township Zoning Inspector.~~

- ~~b. In all commercial areas, satellite dishes shall be constructed between the area of the principal building and the rear lot line or on the roof.~~

- ~~c. A satellite dish, including its mounting structure, shall not exceed a grade height of fifteen (15) feet in a residential area.~~

- ~~d. Satellite dish antennas shall be no larger than twelve (12) feet in diameter.~~

- ~~e. All parts of the satellite dish antenna, including its concrete slab base or any other substructure, shall be constructed in accordance with setback and yard requirements.~~

- ~~f. No satellite dish antenna shall be linked, physically or electronically, to a receiver which is not located on the same lot, premises or parcel of land as is the satellite dish antenna.~~

- ~~g. No more than one (1) satellite dish is allowed per dwelling unit.~~
- ~~h. Rooftop dishes are not to exceed 24” in diameter in any residential area.~~
- ~~i. There shall be no advertising on a satellite dish antenna, nor shall a satellite dish be used as part of a sign structure.~~
- ~~3. Installation The owner shall be responsible for obtaining any necessary electrical permits from the Medina County Building Department. Satellite dishes shall be installed and mounted to meet or exceed the manufacturer's specifications and shall be grounded to comply with the latest edition of the National Electrical Code. Wiring between the dish and any other structure shall be installed underground in accordance with the latest edition of the National Electrical Code.~~

~~Ø. N. Ponds - Pond(s) shall be constructed such that its surface area and embankments~~

Discussion: Secretary Milanko stated at a previous meeting the board moved to remove the entire section Sec. 303-6 (N) Satellite Dishes and change Sec. 303-6 (O) Ponds to 303-6 (N) Ponds. Secretary Milanko stated she would like to have ZC comments for the Planning Commission and Prosecutor as to why we are proposing removal of this section because they may wonder why we are eliminating an entire section of the regulations. She said Mr. Humphrey brought this up recently and Mrs. Czyz verified that the Zoning Office has not issued a permit for these types of satellite dishes in over 20 years. She said the consensus of the board that this section was relating to large governmental satellite dishes that the township cannot regulate. The board confirmed that reasoning.

Motion: Mrs. Murphy moved to send the proposal to remove Sec. 303-6 (N) and renumber the Pond section to (N) to the Prosecutor and the Planning Commission. Mr. Norton seconds. **Roll Call:** Mr. Kelly-yes Mr. Collura-yes; Mrs. Murphy-yes; Mr. Norton-yes; Mrs. Wetterman-yes.

OLD BUSINESS CONTINUED

2. Review of the Zoning Resolution

- **Review of Sec. 303-5 (G) Outdoor Storage of a Disabled Motor Vehicle** - *The parking of a disabled motor vehicle within a residential district for a period of more than 14 days in any calendar year shall be prohibited unless such vehicle is stored in an enclosed garage or other accessory building.*

Discussion: Mrs. Wetterman asked Trustee Christina Kusnerak, Zoning Liaison, to address the board with updates. Trustee Kusnerak stated if you remember when I brought this section up, there was some sort of confusion on how to enforce that particular section. She stated she talked to the Prosecutor’s Office. She said the definition and the code in our Zoning Resolution is correct and the clarity came with the interpretation of that. Trustee Kusnerak distributed copies to the board of Section 505.173 / Storage of Junk Motor Vehicles of the Ohio Revised Code. She referred to ORC Sec. 505.173 (E.)

ORC Sec. 505.173 (E.) As used in this section, “junk motor vehicle” means a motor vehicle that meets all of the following criteria:

- 1) Three model years old, or older;
- 2) Apparently inoperable;
- 3) Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission.

Trustee Kusnerak stated it lists three criteria's and one of the criteria is "Apparently Inoperable" which was the big question with the different opinions on it. She said because the ORC says "apparently inoperable", it doesn't matter if the vehicle is currently tagged. If it appears to be inoperable, then the Zoning Office will do what they need to do by sending a letter, etc. Trustee Kusnerak said the board does not need to review Sec. 303-5 (G) Outdoor Storage of a Disabled or Junk Vehicle of the code further because we have the clarity on it. The board agreed to remove this section and research into definition of "disabled" and "inoperable" off the agenda.

NEW BUSINESS:

- 1. Review of the Comprehensive Land Use Plan for Updates**
- 2. Review questions in the plan and bring in writing new questions or ideas for the questionnaires**

Discussion: Mrs. Wetterman asked the board if we can table this business until the next meeting and the board agreed. She asked the secretary to note for the record and add to the October agenda under Continued Business.

ADDITIONAL BUSINESS: None

PUBLIC COMMENT:

1. Grant for Comprehensive Plan Updates. Evelyn Czyz, Zoning Inspector, stated she received an email today from the Director of Planning Services along with the other Zoning Inspectors in Medina County:

Good afternoon. I am contacting you to determine if your community has plans to update your comprehensive plan or zoning resolution in 2022. This information will assist us in planning for the FY2022 budget when determining potential funds for the Medina County Comprehensive Plan Grant Assistance Program. The Commissioners established the program to provide a one-to-one match for the cost of professional planning assistance by matching up to 50% of a planning project with a maximum grant award of \$5,000.

Thank you for your consideration. Please contact me if you have questions or need further information.

Sincerely, DT (Denise Testa, Director of Planning Services)

Discussion: Mrs. Czyz said she wrote back indicating that our Zoning Commission is planning on updating our comprehensive plan in the near future and asked to be kept in the loop with any and all changes and updates on the potential funding for this endeavor. She said she will inform the board if additional information comes in. She said she has a concern when they say *assistance by matching up to 50% of a planning project with a maximum grant award of \$5,000* and asked if they mean for all 17 townships that they are only going to award \$5,000, or is the grant only up to \$5,000 per township? Mrs. Czyz said either way, if it is 17 townships dividing up that \$5,000, we would be lucky if we could even cover the cost of postage alone for the survey with less than \$500 or even that. Mrs. Czyz said if it is \$5,000, of course we would take it but last time it was quite expensive to do the Comprehensive Land Use Plan. Mrs. Wetterman said if I remember correctly, it was over \$30,000. Mrs. Czyz said it is a very costly endeavor and will keep the board informed on this. Mrs. Wetterman asked if she could get clarification on this from Planning Services. Mrs. Czyz said she will try to get more information for the next meeting but they may not know because they haven't submitted for their budget yet for how many townships in Medina County might be applying. She said she didn't know if this was just for the 17 townships, or if it also included the five villages in the county.

2. Planning Commission Submission Schedule. Secretary Milanko stated she did not have the Planning Commission schedule with her, but she will fill out the application and send the text amendments with hopes we can make their next agenda.

ANNOUNCEMENT OF NEXT MEETING DATE: Thursday, October 7, 2021 @ 7 p.m.

MOTION TO ADJOURN: Mr. Norton moved to adjourn. Mrs. Murphy seconds. **Roll Call:** All in favor to adjourn. Meeting officially adjourned at 7:28 p.m.

Respectfully Submitted,
Mary Jean Milanko, Zoning Secretary

Patricia Wetterman, Chair

Date