

**Brunswick Hills Township
Zoning Commission Regular Meeting Minutes
August 1, 2024**

Call Meeting to Order

Chair Wetterman called the Brunswick Hills Township Zoning Commission August 1, 2024 regular meeting to order at 7:00 p.m.

A roll call of the board was executed.

- **Board Members in Attendance:** Ms. Brunn, Mr. DeCastra, Mr. McFarland, Mrs. Wetterman, Mr. Kelly
- **Alternate Board Members as voting members:** Mr. Witt, Mr. Smerek
- **Board Members Absent:**
- **Others in Attendance:** Trustee Mrs. Murphy, Mr. Strazzo, Fire Chief, Mr. Humphrey, Assistant Zoning Inspector, Dalith Beck, Zoning Secretary

Mr. Kelly led the Pledge of Allegiance and a moment of silence for our troops and first responders.

APPROVAL OF THE MINUTES:

Approval of the ZC July 11, 2024 regular meeting minutes

Mrs. Wetterman asked the board if there were any additions or corrections to the minutes, Mr. DeCastra pointed out that a couple of times his last name was misspelled, no other changes were requested. Mrs. Wetterman asked for a motion to approve the minutes.

Motion: Ms. Brunn motioned to accept the minutes as written for the Zoning Commission regular meeting, July 11, 2024. Mr. McFarland seconds the motion. **Roll Call:** Mrs. Wetterman- yes, Mr. McFarland- yes, Mr. DeCastra- yes, Ms. Brunn- yes, Mr. Kelly- abstain.

OLD / CONTINUED BUSINESS:

Review of C1, C2 and C3- Continued reviewing from last meeting.

We focused on number 20-25 which will conclude the C1 and C2 zoning areas, Mr. DeCastra will update the sheet with all the comments and then we will move forward to looking at C3.

- #20- Display or showroom where merchandise sold is stored elsewhere
 - Mr. DeCastra shared that we could clean that up to encompass all other retail establishments. Mr. Brunn and Mrs. Wetterman agreed with that.
- #21- Carpenter, cabinet, upholstering, sheet metal, plumbing, heating, roofing, air conditioning, sign painting, painting, and other similar establishments.
 - Mr. DeCastra suggested it can be updated to home remodeling and repair services.
 - Mr. McFarland added trades and Mrs. Wetterman suggested building trades.
 - After discussion, final wording suggested- Establishments providing public services relating to home repair, building trade services and home building and repair.
- #22- Motel and hotels
 - Mr. DeCastra stated not much would need to be changed there. We will maintain it as is.
- #23- Accessory uses clearly incidental to the uses permitted on the same premises
- #24- Signs - As regulated by Article V hereof
- #25- Parking and Loading - As regulated by Article VI hereof
 - Mr. DeCastra stated that these 3 above are conditioned and approved in all 3 zones. Mr. DeCastra asked if we want to define or limit the idea of accessories?
 - Mr. McFarland asked if this is all in the zoning document? Since it says “hereof”, Mr. DeCastra stated yes it’s in the same document (zoning regulation)
 - Mr. Witt shared that it seems to be somewhat redundant

- Mr. Smerek asked in regards to the accessory uses. Who determines what is considered incidental or not?
Mr. DeCastra stated it would be the Zoning Inspector, when they are processing the application for the Zoning Certificate.
Mr. DeCastra stated he will do a complete update for next month with all of our comments/changes we requested for us to all look at and make any adjustments at that point.
- Mr. Humphrey shared that he would keep those three separates as there are different regulations for signs compared to parking and loading. Mr. DeCastra stated we are not going to combine them and that we were speaking about #23.

NEW BUSINESS:

TDOE, LLC/Tony Destro- 301 Marks Road PP#00102A10033- Site plan

Applicant is present and stated his name and address as recorded above. He stated that he is proposing his site plan review, in order to put a residential addition outside of his commercial building. Mr. Destro Stated that it would be 900 sq feet and that he also applied for a variance as well since its smaller than 1,200 sq feet. He stated he can make it bigger than 900 sq feet, however he doesn't need something bigger.

Mrs. Wetterman asked who developed the plans and Mr. Destro stated that he had. Mrs. Wetterman shared that normally, its required to have someone that is approved to draw up plans like these. Mr. Destro stated that he went through the checklist and has everything that was listed on the checklist. Mrs. Wetterman asked what kind of business he has there, Mr. Destro replied welding (fabrication of things people design and built, fabrication, repair trucks, trailers, lawn chairs)

Mrs. Wetterman shared that there were some zoning requirements that have been filed about cars on the property. Mr. Destro stated that some where removed, and that there are 2 cars that need to be taken to the scrap yard. Mrs. Wetterman asked when will that be completed and Mr. Destro stated that he could do it anytime but just has not done it yet because he has been doing all of these other things. He was waiting for the variance to be able to keep materials in the front, since it's a conditionally use and that meeting is coming up in September.

Mr. DeCastra asked the commission to get everyone's understanding and interpretation of 902-2C, because it states that when a Zoning Certificate is submitted, if it's a multi residential use or a nonresidential use, a site plan is required – however what we have before us today is a conditional residential use on a commercial zoned property. Mr. DeCastra asked if we feel that a site plan would have been required for this type of application request? Mr. DeCastra stated that it's something that we should understand.

Mr. Humphrey stated that because its commercial property you need to have a site plan. Mr. DeCastra stated that is not what the wording states. The commercial building is already in the property. Mr. Humphrey stated that the building will be commercial and he will need to follow the building code for a commercial building even though it is residential. Mr. Humphrey asked Chief Strazzo in regards to the electric, plumbing, etc.

Chief Strazzo stated that he will need to file the Ohio Building Code, whether it's a stand alone residential house on an empty lot or this, he would have to follow the code. Mr. Humphrey stated then it changes the sizing of the commercial building. Mr. DeCastra stated, then what we are dealing with is a commercial

addition that's going to be used for residential activity. Mr. DeCastra asked Mr. Destro if he understands that. Mr. Destro replied yes. Mr. DeCastra stated that we are not dealing with a residential application we are dealing with a commercial addition that then will be used for residential activity. Mr. DeCastra asked if everyone in the commission understood and agreed with that. There were no objections. Mrs. Wetterman asked Mr. Destro if he has submitted plans to the building department. Mr. Destro stated he wants to make sure he can put it there first.

Fire Chief Strazzo brought up information for consideration for the board. He stated that Mr. Destro in order to operate the welding business, has a non-conforming variance that he had submitted back in 2019 and it continued the C1 zoning usage of that property. Chief Strazzo stated that welding doesn't fit into the permitted uses or the conditional uses for C1 property, but it does fit into the industrial. It's not in industrial section which is further supported by the building department which issued a certificate of occupancy to the welding business under a factory/industrial certificate of occupancy. Chief Strazzo explained that this is an industrial facility that is on the C1 property. In addition, Chief Strazzo shared that Mr. Destro has some outstanding items, not only Zoning violations that need to be taken care of but as well as some fire violations that need taken care of.

Chief Strazzo shared with the board that when Mr. Destro applied in November of 2019 for a non conforming variance, there were several items that he had stated in his testimony at that time that he has not fulfilled. Chief Strazzo stated that he will highlight a couple of those.

Mr. DeCastra stated that those would be something the Board of Zoning Appeals need to handle and manage. Chief Strazzo stated that he feels its relevant to the case, Mr. DeCastra disagreed as that's something that has been issued and this is new. Mr. DeCastra stated that the information would be good for the Board of Zoning Appeals and it should not implicate what's in front of us since it's a specific site plan and it would not be fair for us to judge something new that Mr. Destro wants to do on past things that the Board of Zoning Appeals has already issued to him.

Mr. DeCastra advised Mr. Destro that the site plans needs to be done by a professional engineer per the regulation that we have- "The site plan needs to be authorized by a person dully authorized by the state of Ohio to perform such work" because we don't have confidence that the measurements are correct. We don't have the accuracy that an engineer as approved and reviewed the diagrams. Mr. Destro stated he will get one. Mrs. Wetterman stated that it's in the zoning book on page 110 and referenced the following: *Plan Requirements All site development plans shall be prepared by persons duly authorized by the State of Ohio to perform such work, shall be at an appropriate scale, but not less than one-inch equals one hundred feet (1' = 100'), and shall contain, at a minimum, the following.* Mrs. Wetterman stated that there is a list from A-N. Mr. Destro stated he went through the list. Mr. DeCastra advised that we understand that but it needs to be professionally done so it let's us know with confidence.

Mrs. Wetterman asked if there were any other comments. No further comments from the board.

Mr. DeCastra advised that there cant be any recommendation as we don't have the proper documentation and advised Mr. Destro to submit it 14 days before the September meeting with a professional engineering stamp. Mr. McFarland advised that it could also be from a registered architect as well. Mrs. Wetterman agreed.

Motion: Mr. DeCastra motioned that will we continue this converstation with 301 Marks road application for an addition to the property for resiential use to be continued in the September meeting. Ms. Brunn seconds the motion.

Roll Call: Mr. McFarland- yes, Mr. Kelly- yes, Mr. DeCastra-yes, Ms. Brunn-yes, Mrs. Wetterman- yes

PUBLIC COMMENT:

Cathy McBride, 325 Marks Rd.

Stated she lived 100 feet from the back of Mr. Destro’s property. She shared that he is a decent hard working man. He is a great neighbor and a good human being. Mrs. McBride asked the board to let him run his business.

Ron Wetterman, 1085 Substation Rd

Advised he is a board member of the Brunswick Hills Township Board of Zoning Appeals. Mr. Wetterman stated that the board has schedule Mr. Destro for next Wednesday, August 6th and wanted to know if that is officially moved.

Trustee Ms. Trica Murphy stated that the applicant has requested a continuation, therefore the meeting will be opened and the continuation will be given for that.

Mrs. Wetterman asked if there was any more public comment, being none the board moved forward with the next item.

TRAINING:

Mandatory Fraud Reporting and Training was presented by Trustee Murphy

Ms. Beck (Secretary) gave a reminder of upcoming trainings:

- Tuesday, August 20th, 6:30 pm- Site Plan Review
- Thursday, October 24th, 6:30 pm- Current Trends in Zoning

All Workshops will be held at the Medina County University Center
6300 Technology Ln, Medina, OH 44256

The board was asked to RSVP to Secretary Ms. Beck if they are interested in attending.

ANNOUNCEMENT OF NEXT MEETING: Thursday, September 5th, 2024 at 7pm.
Comprehensive Plan Meeting will be held on August 12th from 6-8pm

MOTION TO ADJOURN:

Mr. DeCastra motioned to adjourn, Mrs. Wetterman seconds.

Roll Call: Mr. Brunn- yes, Mr. Kelly- yes, McFarland- yes, Mr. DeCastra- yes, Mrs. Wetterman- yes

Meeting adjourned at 7:45 pm.

Respectfully Submitted,
Dalith Beck, Zoning Secretary

Patricia Wetterman, Chair

Date