

WESTFIELD TOWNSHIP BOARD OF ZONING APPEALS

January 8, 2007 @ 7:30 p.m.

Organizational/Regular Meeting

Continued Review of Shetterly and Talmon Variances and
Continued Review of NCPS Tree Line Screening

Zoning Secretary Marlene Oiler called the meeting to order at 7:30 p.m. Roll call indicated five members of the Board of Zoning Appeals were present: Michael Schmidt, Larry Bensinger, Kevin Daugherty, Robert Gecking and Ron Oiler. Others in attendance included Trustee Tim Kratzer, Zoning Commission member Jim Likley, Guillermo Carrasco, Ryan Gregoire, Mike Sweeney and Rocco Valerro.

The following is a condensed summary of tonight's meeting, which was recorded on audiotape.

Nominations for the office of Chair for 2007 were opened. Kevin Daugherty nominated Mike Schmidt, seconded by Robert Gecking. There were no further nominations. The vote was unanimous and Mike Schmidt will be Chair for the year 2007. The meeting was turned over to the Chair. Chair Mike Schmidt called for nominations for the office of Vice Chair for 2007. Robert Gecking nominated Larry Bensinger, seconded by Ron Oiler. There were no further nominations. The vote was unanimous and Larry Bensinger will be Vice Chair for the year 2007.

A motion was made by Kevin Daugherty to re-adopt the Westfield Township Board of Zoning Appeals Rules of Procedure (adopted April 1988 and amended April 2000). Ron Oiler seconded the motion and the vote was unanimous.

MINUTES

Upon motion by Larry Bensinger, duly seconded by Ron Oiler, the December 11, 2006, minutes were unanimously approved with the following corrections – page 2, 1st paragraph, 2nd line, 2nd word should read “advice” and page 3, last paragraph, 5th line, the last word “on” should be deleted.

CORRESPONDENCE

A flyer from the Medina County Department of Planning Services announcing the January 25, 2007, zoning workshop was distributed with the date of February 22, 2007, being announced for the February workshop. The workshops are held at their office located at 124 West Washington Street, Medina, and are from 6:30 p.m. – 9 p.m. All board members were encouraged to attend. Jim Likley stated that attendance at a zoning workshop/seminar would be counted as a meeting for payment purposes as authorized by the trustees.

OLD BUSINESS:

- (1) Craig Shetterly variance for property at 7911 Westfield Landing Road – as reported by the zoning secretary on behalf of the zoning inspector - Gary Harris met Shetterly at the premises to check the property and building because of the

stipulations on the variance. There were a few farm implements outside the building, a dirt pile and some stacked wood and inside was a camper and a tractor, etc. – as was stated by Shetterly at the 12/11/06 meeting. The consensus of the board was that due to extenuating circumstances no further action would be taken at this time but the board will review this matter in one year.

- (2) Russell Talmon variance for property at 8320 Westfield Road – the secretary reported that she had talked with Talmon on 12/20/06 and 1/4/07 and he explained that he had missed the 12/11/06 meeting because of working late and because of his job he may not be able to attend tonight's meeting. He had said the reason for the delay in building the house was due to medical problems (herniated disc) and being out of work for several weeks. Talmon had dropped off at the township office a note explaining the delay along with a copy of the Medina County Building Department permit dated 12/27/06. The consensus of the board was that due to extenuating circumstances along with the issuance of a building permit to build the house no further action would be taken at this time but the board will review this matter in six months.
- (3) North Coast Premier Soccer screening plan (as to Item #9 of conditional use) – Mike Sweeney indicated that the report of Environmental Enhancement Inc. (John McDermott) had been reviewed by them and NCPS had contacted Ryan Gregoire to proceed with the weed eating of the grass/briars from the mound, removal of dead trees and replacement with pine trees. Sweeney then deferred to Ryan Gregoire to report on the work that had been done on the tree line screening.

Gregoire indicated that Mike and Willie contacted him to replace the dead trees and to do the work suggested in the report. We bought a total of 46 pine trees from 4-10' tall (white pine, Norway spruce, blue spruce, etc.) and off our property we got 14 decent white pines. We have been going through and interspacing them. The trees were put in closer together to provide more immediate screening in key locations. In a few years some of those may have to be moved because they are too close together but we wanted to provide tight screening now.

Going north down the drive in the first mound four dead taxus were removed and replacement pines were put in and then we interspersed some smaller blue spruces down in front the other taxus. That mound is pretty much done.

The first mound is not as tight as the second mound because the second mound, if you are sitting on his porch there's a road that goes to the east, we really got them tight in there to block some of that stuff.

The third mound is not done yet but we will be putting in some of the bigger trees (5 or 6) plus 3-4 small ones. Those trees are laying on the ground there waiting for decent weather to plant. Some of the Austrians that were planted in the spring weren't doing as good but they were still living so we took them out and down to mounds four and five. The goal is to get pretty much a double row of trees all the way down.

In the fifth and sixth mounds the taxus are doing better and are smaller. If the taxus were still green and doing halfway decent they were left and we're trying to get stuff in around them. If the taxus die, another tree will be put in but we're trying to keep stuff tight.

We're trying to do a mixture of what John suggested plus what I think needs done to tighten it up and provide some more immediate screening – it's not going to be 100% screening but it's getting better. Basically everything had been planted according to the drawing I showed you but with the weeds some couldn't be seen. Some of the forsythia on the backside is 36" tall now – they are different sizes, some a rabbit got or a weed eater got. Once the forsythia takes off and with five years of growth, it will provide even more screening. It's going to be a work in progress.

Schmidt - Forsythia grow pretty fast.

Bensinger – In his report/review he talked about the yews.

Gregoire - Taxus are yews.

Schmidt - Are you going to have enough trees to finish everything.

Gregoire – I'll have enough to do mounds one, two and three for sure. I've started moving trees down to four and I'm taking some of Austrians as well as some newer trees - just trying to make it all work. They are not all 10' but it works good to have a variety. I've got a little tree next to a big one and until they grow into one another it's fine. The different size pine worked out good once I got them into the ground.

Daugherty – It's much more like what I had in mind.

Schmidt – Yes.

Bensinger – Do you have any intention mulching that area. That was one of the comments in the report – weed eating. It says here the perception for screen planting such as this are pine and/or spruce trees of fairly uniform shape, size and density planted in 2-3 rows with 12'-15' spacing in a mulched bed.

Gregoire – We mulched around the bases of the original trees that we planted but we haven't done the whole mound. The problem with mulching something like that is once you mulch it you have to pull weeds. The weeds are going to grow unless you maintain it. We seeded it at one time but it's tough to keep the weeds out.

Schmidt – I don't think that was the intent of all this either – the intent was for screening and not for a landscaping project. We are not trying to make a manicured entrance or exit to some type of development. Ryan – 2 or 3 times a year weed eating the mound would be good.

Gregoire – I think 3-4 times a year weed eating would be as good as anything – try to maintain it so it only gets up so high and then cut the weeds down. We disturbed a lot of those mounds and we've had to put some more dirt around and build out the mound in some places to put in additional pines.

Bensinger – Did most of these have to be put in with that big spade you have. Did anything go in on the side of the mound facing Hanna.

Gregoire – Most of those I bought balled and burlaped. Nothing was put in on the side facing Hanna because I would probably have to move a lot of that stuff in a few years and if it was put there, I couldn't get to it. There is forsythia back there all down that backside in between the rows and it should grow at least 6-8' tall untrimmed and that will give you low ground cover once it takes off.

Bensinger – Aren't the yews that the report refers to on his side.

Gregoire – The taxus are on the top of the mound – they are on the crest of the whole thing and behind there is some forsythia.

Bensinger – The report says there is an additional 47 yews that while alive are showing minimal growth and may potentially need replaced. If you have to replace those can you get in there.

Gregoire – I might have to move some stuff but I should be able to get to them. A lot of the taxus I can get out with a backhoe or if they are dead I can reach over and pull them out and then get a smaller white pine or something in. The taxes that are there are struggling but they can still screen. If something dies out they can be replaced with other pines.

Chairman Schmidt to Mike Sweeney (NCPS) – What do you feel about this, Mike, about what has been done.

Sweeney – Seeing what he's done is pretty much what John was recommending and more what we planned. I understand John's assessment of the 47 struggling taxus but if you are comfortable with what Ryan said.

Schmidt – By adding some pine trees, it helps. The first year was under bad conditions but this appears to be progressing.

Gregoire – We dug the trees – there was a snowstorm – then rain – the mounds settled out – then the winds – it wasn't the greatest solution to plant but to get these guys playing soccer in the time frame stated, that was about the only choice we had. I think it was progressed, at this point, to what you guys were actually looking for from the getgo.

Bensinger – Item 3 of the report says I recommend using white pine to replace the sweetgum trees also.

Schmidt – In the farthest two mounds – five and six.

Gregoire – Some of those Austrian’s I’m pulling out of mounds one, two and three are being placed in with the sweetgum. The last mound I can’t get to the sweetgum because there is a pile of dirt there but we’re slowly taking some of the Austrians out that I planted out front to make room for the newer trees up front and putting them in with the sweetgum down farther. I’ve pulled some sweetgum and planted along the side field and put them in other places around there. Most of the suggestion I’m following but if they are alive and we’ve got another tree in front of it for screening they’re not hurting anything and I see no reason to pull it. There were probably a dozen sweetgum that were dead that have been removed.

Sweeney – I think to be fair to John in his assessment of it, he looked at it in late November/December when they were not doing anything for the screening but the objective of it is for the screening when soccer is being played, which is primarily late spring, a little bit in the summer, and then in the fall and that’s when they do have their leaves and they are fine at that time. As long as they are healthy ones they should give us good screening.

Gregoire – It gives you a little color and something different than just all green in the fall. They are down in the farther mound and there’s only a dozen or so left and I’m trying to screen with them and use something else in front or behind them to make it work.

Schmidt – Okay, I think it has progressed along nicely. Does anybody else have any questions for Ryan or Mike Sweeney.

Gecking – I’m quite comfortable with what’s out there now.

Daugherty – I feel very satisfied that this is what was needed.

A motion was made by Kevin Daugherty that based upon the independent third party written review by Environmental Enhancement Inc., the testimony presented tonight on behalf of North Coast Premier Soccer, and the work that has been done to date, the violation of Item 9 of the temporary Conditional Use Permit issued November 12, 2005, to North Coast Premier Soccer no longer exists. Ron Oiler seconded the motion.

Roll call vote:	Ron Oiler	- yes
	Robert Gecking	- yes
	Kevin Daugherty	- yes
	Larry Bensinger	- yes
	Mike Schmidt	- yes

NEW BUSINESS

There was no new business.

ANNOUNCEMENTS

- Westfield Township Trustees meeting nights have been changed to the 1st and 3rd Mondays of each month at 7:00 p.m.
- Westfield Township Zoning Commission meeting is Tuesday, January 9, 2007, at 7:30 p.m.

ADJOURNMENT

Upon motion by Robert Gecking, seconded by Larry Bensinger, it was unanimous that the meeting be adjourned. The meeting was adjourned at 8:10 p.m.

Marlene L. Oiler, Certified PP, PLS
Westfield Township Board of Zoning Appeals Secretary

(Minutes approved 5/2/07.)