

**WESTFIELD TOWNSHIP
BOARD OF ZONING APPEALS
SPECIAL MEETING
Continuation of Conditional Renewal Permit for Northcoast Soccer
JUNE 12, 2008**

Chairman Schmidt called the special meeting of the Westfield Township Board of Zoning Appeals to order at 7:30 p.m. Permanent Board members Daugherty, Poe, Oiler and Schmidt were present. Alternate member Tom Micklas sat in for a full Board. (Please note that permanent board member Mr. Robert Gecking came in soon after Roll Call.)

MINUTES

Mr. Oiler made a motion to approve the Board's April 14, 2008 minutes as corrected. It was second by Mr. Poe.

ROLL CALL-Oiler-yes, Poe-yes, Daugherty-abstain, Micklas-yes, Schmidt-yes.

CONTINUATION OF THE RENEWAL OF CONDITIONAL USE PERMIT

Northcoast Premier Soccer-8809 Lake Rd.

Mr. Mike Sweeney representing Northcoast Premier Soccer was sworn in. He presented the Board with two separate drawings of the property that being the RR zoned area and the LC zoned area.

Mr. Sweeney: We provided the Board with the details of the parking and the setback where the buffer is from the property line. The engineer measured the minimum distance from different areas on the property.

Mr. Schmidt: There is a letter from the Engineer (Jim Morrison) which stated read as follows:

Items to be addressed as variances in Use Permit for North Coast Soccer Ltd. Site Plan dated June 10, 2008

1. Parking areas and drives have been constructed using natural gravel and recycled pavement grindings, from both concrete and asphalted pavements. We request a variance to continue the use of non sealed stone driveways rather than "hard surface pavement." The expense and difficulty of constructing pavement that can withstand frost heave and poor base conditions on the muck soils of the area are better served with a flexible, easily repairable roadway.
2. Variance to statements in Township Zoning requiring painted parking spaces. The reason being the ineffectiveness and useful life of painting gravel. Parking spaces have been marked as a guide in the past during tournaments, and will continue to use marking as required to facilitate visitor parking.
3. Variance for flexibility in field location and size of playing fields, as noted on the site Plan.

4. Copies of boundary surveys for the two parts of your land are required by Zoning and should be submitted with your application.

Mr. Sweeney: Those are the points Bill Thorne brought up and with the use we are doing today, we have to ask for variances for the chip and seal as the code requires hard surface paving and the vast majority of the property is chip and seal. Regarding permanently painted parking spaces, that variance could go along with the first as it is difficult to permanently mark the parking spaces due to the surface pavement. The third variance regarding field locations have to do with use; as we change the field locations due to wet spots, low areas, reseeding etc. I would suggest we designate the green areas as the recreational areas due to the fact that the field locations can and will change.

Mr. Poe: I'm confused. Are both the drawings submitted the same?

Mr. Sweeney: No. The property has two different zonings. Where the soccer fields are located it is zoned RR. Our use is conditional in that district. The other part of the property is zoned Local Commercial.

Mr. Poe: Are the drives chip and seal or gravel?

Mr. Sweeney: Probably a combination of both. The vast majority are the grindings from the Highway. On a hot day like this, most cars...but we have taken heavy equipment and rolled it. They don't seal like the quality of a new road but it is relatively permanent.

Mr. Poe: Isn't that what they do at the school?

Mr. Sweeney: They do it everywhere. Where I practice in Cleveland at the Metro Parks, they are actually using it as base on the sides of the road to accommodate parking. It doesn't seal itself, but once it is rolled over it begins to bind again. Our drive is not a gravel drive nor is black top. It is somewhere in between.

Mr. Schmidt: What about the area over by the ditch?

Mr. Sweeney: Yes, we got a letter from the Medina County Engineer. (See file). He basically offered three options:

1. Removal of the asphalt grindings and restore the area to what it previously was
2. Temporary removal and stockpiling of the grindings, and removal of the soil in the parking area to a depth sufficient to allow the grindings to be replaces to the previously existing grade
3. Temporary removal and stockpiling of the grindings and submittal of engineering analysis demonstrating that Medina County and FEMA requirements could be met if the grindings were put back in place as fill...If this analysis cannot demonstrate a zero-increase in flood height, then option #2 could be undertaken.

We area going to remove the grindings and 3 or 4 inches of soil which is option #2.

Mr. Schmidt: Then it appears they were not concerned about the parking back there...

Mr. Sweeney: No, no. I personally called them... We have a building in Cleveland (Valley View) that back in the floodway designation was where we were actually told to put the parking.

Mr. Schmidt: According to their letter you were given until June 30, 2008 for completion but then we can give you 30 days...

Mr. Sweeney: We were waiting until we came in front of this Board before we did anything. However, if you went there today, it is lower than what it was before. I assume the Board has a copy of what we tried to come to terms with Mr. Hanna regarding the landscaping.

Mr. Joe Hanna was sworn in.

Mr. Schmidt: The last meeting we technically had with the Board was April 14, 2004. There has been other meetings i.e. with Bill Thorne, but all the Board members probably do not have a copy of the proposed agreement between the two parties regarding the landscape buffer.

Mr. Hanna: Willy has been contacting me. We discussed a fence 6 ft. in height to be purchased from Home Depot or Lowe's. I will agree to the fence but I want to do it in front of the Board because last time I agreed to something on my front porch it didn't work out...

Mr. Schmidt: Are we talking a fence or more trees?

Mr. Hanna: I just want to state that some of the trees that are there now are dead...

Mr. Sweeney: We discussed putting sections of fence between the better trees and keep them. There are certainly trees there that are dead and need to be removed. There are some that are iffy but we thought we would try to give them a chance before we had to remove them. We are going to try to go down the middle of the crest, and where we run into a good size healthy tree, we will go around it... There will definitely be trees on both sides of the crest of the hill on each side of the fence. We will take out all the dead trees.

Mr. Carrasco: Regardless the fence will be only 300 ft.

Secretary Ferencz: Do you affirm that the statements you gave before the Board are the truth to the best of your ability as you shall know it?

Mr. Carrasco: I do.

Mr. Daugherty: Do you have a copy of the landscape buffer?

Mr. Sweeney: The only thing we ever saw was that approved plan that you guys have.

Tom Micklas: You are not talking about continuous fencing; you are talking about fencing then a break...

Mr. Sweeney: That is correct. Where the trees are short, thin or dead we will put up fencing, but if the tree is healthy we will leave it. I saw this type of buffer when I came up I-71. The development has 25 ft. of fence then a couple of nice trees, fence then trees etc.

Mr. Schmidt: What is the height?

Mr. Sweeney: Six (6) ft.

Mr. Hanna: I would rather have trees that grow taller...

Mr. Sweeney: If the tree is healthy lets leave it because then you get both-a tree and fence.

Mr. Daugherty: I was down there tonight and some of those Taccus took off.

Mr. Sweeney: The fence will provide a good base and then a nice reasonable tree...It will be a good screening.

Mr. Daugherty: What are going to do with the smaller pines?

Mr. Sweeney: Let them grow.

Mr. Poe: What kind of fence are you proposing?

Mr. Hanna: It will be a six (6) ft. white plastic privacy fence.

Mr. Carrasco produced a picture of the type of fencing to be constructed.

Mr. Oiler: Wouldn't it be better if you guys discussed and agreed to where and how the fence was going to be constructed?

Mr. Schmidt: I only want to do this once and not over and over. Wouldn't it make more sense to do the fence and get rid of the mounds and the trees? If you wanted to go ahead and plant trees along the fence...I mean the trees have been an issue for many years now. Why not just put up the fence and be done with it?

Mr. Sweeney: I actually believe it would be worse without any trees. It is reasonable now to remove any dead trees and put up a section of fence. The fence will not sit on the ground. Some places it will be 6 inches above the ground some places 8 inches. It will vary as you put in the sections of fence.

Mr. Oiler: Did you agree as to who will maintain the fence?

Mr. Sweeney: It is on our property so we will have to maintain it.

Mr. Daugherty: You will have to maintain the fence and the trees. That is one of the conditions.

Ass't ZI Evans: The person who owns the mound has to maintain it and keep it free from debris...Section 501.

Mr. Daugherty: All this information is suppose to be on a special form. It is the one Jim (Likley) put together.

Trustee Likley was sworn in.

Trustee Likley: We have it on the website and I'm sure we have forms here.

Mr. Daugherty: That's great but I would like to see one filled out like the code asks for. The Zoning Inspector should make sure it is filled out in full. Jim, does that special form also call out Section 605 and 606 of the Zoning Resolution?

Trustee Likley: I don't have the form in front of me but I would imagine if it is pertaining to the site plan it would be part of the requirements for the application.

Mr. Daugherty: That would aid in us going down the requirements for the site plan.

Trustee Likley: That was the goal, not only for the applicant but the Board as well.

Mr. Schmidt: We need to make sure the fence and trees get done this time and hopefully to everyone's satisfaction.

Mr. Sweeney: We will get started as soon as possible. We could probably get the fence by next week so what kind of time frame to put it up-30 days? No later than 30 days from today. We will get together and agree what trees can stay which ones will go.

Ass't ZI Lee Evans and ZI Gary Harris presented forms to the Board but they were not the special form which Mr. Daugherty referenced this evening.

Trustee Likley: There is a separate application for variances, conditionals and site plan with a worksheet attached to the site plan application of the list of requirements.

Mr. Sweeney: We had the Engineer review and address Section 807 3.D of the Zoning Resolution or something like that. It was the section Bill Thorne referenced at the meeting. I believe it would be the same list. The Engineer went down the list and showed the parking, the buffer, the setbacks, and the contours to 2 ft.

Mr. Daugherty: No, this reference is to Section 605 and Section 606.

Mr. Schmidt: We need to be sure that we have some type of wording that within 30 days...

Mr. Poe: Before we do that I would like to see a drawing showing where the fence is going to go and where the trees are going to go. Then I want to know if all the parties are happy with that...Sign a piece of paper or something so the Board knows everyone is happy with what is going on.

Mr. Sweeney: Would it be o.k. if Joe and I just walked down and showed a red line where a piece of fence would be...Somewhere there is an approved drawing...

Mr. Schmidt: It shows the individual mounds I believe.

Mr. Sweeney: It is an aerial view or something that shows where the trees are...I never had a copy of that drawing.

Mr. Daugherty: That plan shows a bunch of trees that don't even exist. It showed a bunch of varieties of trees that never got put in.

Mr. Sweeney: At least it is a reference point that's professional, it's not just something Joe and I drew up. I think that we should come back to the Board and tell you what we have agreed to and then we do what we agree to.

Mr. Schmidt: Kim, do you have a copy of that drawing?

Mr. Daugherty: Or do you want to submit a new drawing that will show the actual trees that exist, the fence sections that will be erected and any new trees that will be planted. It does not have to be fancy.

(The referenced drawing was produced to the Board).

Mr. Daugherty: The sweet gums were not even there. There's no measurements on the drawing either.

Mr. Schmidt: I would like to see a drawing with the fence and trees as they are and will exist.

Secretary Ferencz: I would like to offer a few suggestions to the Board.

Mr. Schmidt: Sure.

Secretary Ferencz: I would suggest the applicant go back and provide the Board all the information you need i.e. a drawing that can be given to each Board member and myself so the Board could review in advance and then call a meeting and determine what needs

to be done in terms of this buffer not what the applicant and Mr. Hanna agree to. At the meeting with Bill Thorne, he stated adamantly that it is the Board's decision as to what an adequate buffer would be and to not let this become what is agreed upon by the applicant and Mr. Hanna. I'm not saying that the Board should not work with the applicant and Mr. Hanna but the Board should state what you want, have the applicant come back with a drawing, review it and set a time frame for completion.

Also, I would like to add that I do not believe the Board can grant the conditional while there are three variances that are pending on the property in question. If some of the variances are not granted, that may modify their conditional use i.e. the change of size and configuration of the fields.

Mr. Daugherty: I don't think we are that far.

Mr. Sweeney: At one time the drawing you are looking at was an approved plan. We paid to have this plan drawn up to verify what was to be done. This is an approved plan.

Secretary Ferencz: But you are revising it.

Mr. Sweeney: We are revising it to show a fence but this is an approved plan and the best basis to work off of.

Mr. Daugherty: Well you could plant every one of those trees on this plan if you want to. However, this is not what you want to do now.

Mr. Sweeney: We are in this mess because of Ryan and Cliff's agreement and we are trying to fix this and we are willing to do whatever is necessary. I think we can lay out the fence on this drawing and show what trees will remain and which ones are dead and will be removed and/or X out the trees that do not exist.

Mr. Daugherty: There is satellite imagery out there that shows pretty good pictures of what is on one's property. If you could print one out like Maps Live or Google Earth and mark what trees are existing, which are dead and which one's that don't exist. Then on that picture you can show where the sections of fence will be located. I guarantee you are not going to go out there and find those mounds because it is one continuous weed patch. You will not be able to see this is the end of bed #1 this is the beginning of bed #2.

Mr. Sweeney: Ryan said there are distinctive breaks between the beds there for the water to run through. So we need to get the drawings to you so you have a chance to review them and then meet again in 2-3 wks. Then you guys can make a decision and it will be another 30 days to install it. It's your guy's decision.

Mr. Daugherty: If you want to go ahead and install the fence I don't have a problem with that.

Mr. Sweeney: The thing is we would agree but then we never brought it back to you for you guys to approve and then we spend \$5,000.00....

Mr. Poe: You should wait until we review and approve it.

Mr. Sweeney: I'd put the trees in now. We met the next day after your last meeting.

Mr. Oiler: I want to see a drawing but I would also like to see an agreement between the two parties that you agree to and sign it.

Mr. Schmidt: At that point and time you can get together with Gary to process the 3 variances you need and next time we meet we can deal with all the issues.

Mr. Poe: Is the parking only 35 ft. from the Chippewa Ditch? It looks like there is room to move it farther away.

Mr. Sweeney: I believe that's to the end of the property line.

Mr. Schmidt: The Engineer does not seem to be concerned with that.

Mr. Poe: The Muskingum Water Shed seems to be concerned that it needs to be 60 ft....

Mr. Sweeney: They just want clear and free access to the creek so they can clean it.

Mr. Carrasco: If I need to move it then tell me where.

Mr. Sweeney: They are asking for an easement that is reasonably clear of 60 ft. and what better than a nice paved drive for that.

Mr. Poe: What they are saying is the County has a great drainage system and it's the ditches. If those ditches are messed up then they would have to put in pipes and pay to maintain them so it becomes a financial issue.

Mr. Carrasco: Right now it's feasible because I have to take the chips out

Ass ZI Evans: They were told what they needed before they came back. The only way you will get them to conform is if their conditional is pulled. We have told them time and time again. Now we are still having a discussion on it and there are still things that need to be done. That site plan Mr. Sweeney presented was just dropped off at noon today. The Zoning Inspector and I have not had a chance to go over it. This is an ongoing thing. Even if they have a temporary conditional the original should be pulled and give them a conditional for 30 days and make them come back. If they don't comply then they can't play soccer. They have played around with all of this for 5 years and we need to put an end to this and get it done. They show two entrances and the book only allows for one. They are showing Local Commercial and they don't want to pave it yet it is required in the code. You can't approve something that is not done correctly. If they are going to ask

for variances, then they need to ask for one for the LC to put the gravel in. They have two different districts and they are trying to group it all together. They have grindings they say get hard but then say they can't put a hard surface in. If you can put grindings in and they are staying then pave it like it's suppose to be, and strip the parking. I don't have the people on Buffham Rd. or Hanna complaining about the dust because it is hard surfaced the way it is suppose to be. The Board has got to stop this and make it the way it should be.

Mr. Sweeney: The purpose of this meeting was a continuation of the April 14, 2008 meeting and that was to address the buffer. At the last meeting we were asked to bring the site plan up to the minimum requirements. We asked the Engineer to get it done as quickly as possible. We had no intention of doing the site plan at this meeting.

Mr. Schmidt: You are right the site plan issues were brought up at the meeting with Bill Thorne which was held after the April 14, 2008 hearing.

Mr. Sweeney: We did not come to this meeting to show you the site plan and ask you to approve everything. That was not our goal at all. We did not try to sneak something in. We are just here to address the buffer.

Mr. Carrasco: Some people are a little bit unfair here. We are under a little bit of pressure right now. I don't want to come to anymore meetings. I am trying to solve the problem as best as I can. At the last meeting we said we would work together and solve this. We had a meeting with Joe (Hanna). Joe has been busy. I have called Joe every day and asked to meet with him. It sounds like we are here at the last minute. I called the Engineer and said please hurry as fast as you can. The Engineer is not gonna drop everything for Willie, last minute Willie. We are doing the best we can as fast we can.

Lee Evans: You were told to bring in a drawing and the Board still doesn't have a drawing to look at.

Mr. Sweeney: Immediately we tried to come to some agreement with Joe but to be honest it wasn't until tonight that he said he was o.k. with the fence. We went back and forth with the option of the trees. Joe did not want to sign anything until we came before the Board and I can understand that. I understand you need something to approve 100%. So it will be another 2 wks. to 30 days before all this is completed...I understand that.

Willie Carrasco: I even went out and bought some trees. I asked him, please Joe come out and look at the trees. He did and wanted bigger trees so I got some bigger trees. Then he started talking about a fence.

Mr. Schmidt: According to my recollection, from the last meeting, you were supposed to decide what you were going to do and submit a plan for the mounds. That is not here.

Mr. Sweeney: We could not turn anything in because we could not get Joe to decide what he wanted. If he told us what he wanted the first day it would have been done.

Mr. Schmidt: I know I talked to Gary...

Mr. Sweeney: After the last meeting we were supposed to finalize the buffer, meet with Joe (Hanna) and come to some type of agreement and bring it back before the Board and do it within 30 days. If we do not then we get our wrist slapped. This is what I understood the process to be.

Mr. Poe: It is very frustrating for everyone. Let's make it clear we are a governmental entity and subject to the rules and regulations and not just what is being looked at today. What is going to happen 5 yrs from now when someone looks back at this and says what the heck were they talking about? We need a drawing that we have to approve. At the next meeting we have lets make sure it is the last meeting.

Mr. Sweeney: I agree. As you know this is a very long complicated story...Nobody wants it finished more than us. I don't even want to think about how much money we have wrapped up in the mounds. If we could have come to an agreement with Joe this probably would have already been done.

Trustee Likley: I think the comment Secretary Ferencz made earlier that the decision needs to be to the satisfaction of the Board not Mr. Hanna is valid. You could dedicate someone to go out there and decide this is where a section of fence should go, this tree should remain, this tree should go etc. This could be decided by a representative of the Board or the entire Board. Then a drawing can be brought before the Board and the Board could go down the list of conditions and it would be end of story. Finished. End of discussion. It is to the satisfaction of the Board. If you think you are going to satisfy everybody up there you are not. You need to satisfy yourselves in accordance with the code. Take a tape measure. Mark there will be a 40 ft. gap between this section of fence and the next or trees or whatever. Decide what trees are adequate or tell them they have to plant additional trees. You have to be satisfied with your decision and the fact that the Board has met its obligation.

Mr. Oiler: Regarding the variances are we dealing with two different properties?

The Board stated the property is zoned RR and LC.

Mr. Daugherty: All we are looking tonight is at the Residential.

Mr. Schmidt: Well, we are really looking at the whole site plan.

Mr. Daugherty: Who did the site plan for the LC?

Mr. Sweeney: We did not do that. You asked when we brought in the RR to bring in the LC as well.

Mr. Daugherty: Well then we are not making a decision on the LC portion.

Mr. Sweeney: You guys asked when we did the site plan for the RR to bring in the LC to see the big picture.

Mr. Oiler: Was there ever an approved site plan by the Zoning Commission for the LC portion.

Mr. Sweeney: I don't know I would assume Willie did. Everything I have been involved with has been the RR and the conditional use permit.

Mr. Oiler: You show two entrances on the LC zoned portion. Are they used simultaneously?

Mr. Sweeney: There is ingress/egress on both drives but 75% or higher go out the paved drive or the soccer drive. The other drive is actually part of the campground.

Willie Carrasco: Sometimes the police makes us close down one drive and everybody goes out the other drive.

Asst ZI: The book permits one ingress/egress.

Mr. Sweeney: The soccer field has that. We are showing everything...Cliff's property...Everybody's property.

Lee Evans: You are showing two soccer entrances.

Mr. Sweeney: That is the campground entrance.

Lee Evans: It says soccer entrance.

Mr. Daugherty: What do you consider your main soccer entrance?

Mr. Sweeney: That would be to the north. The best way is the new road.

Mr. Schmidt: I will make myself available to look at the mound. I could meet you there tomorrow at 10:00 a.m. I have a meeting at 8:00 a.m.

Mr. Sweeney: I can't be there tomorrow.

Mr. Schmidt: Will you be there this weekend?

Mr. Sweeney: Yes. I don't have my schedule for the weekend but I will be there.

Mr. Schmidt: You have my number.

Mr. Sweeney: Yes.

Mr. Schmidt: We will get it done this weekend. Can you get the maps Mr. Daugherty mentioned before?

Mr. Sweeney: Yes.

Trustee Carolyn Simms was sworn in.

Trustee Simms: The Auditor's website has a Birds Eye View which gives you an angled view of the parcels. This is an excellent resource to use. We have tried to accelerate this process for Mr. Carrasco by having the meeting with Bill Thorne. I understood from that meeting that this Board could design and decide what would be appropriate screening. I would hope the Board would go with that approach but it is your decision. In addition, I met with Dan Wilhout on another issue but we also discussed the Natural Hazard Overlay District in the Zoning Resolution Section 302 E.4.b which states, "No structure or uses would adversely affect the efficiency or unduly restrict the capacity of the channels or floodways of any stream, drainage ditch, or any other drainage facility or system." This is in regards to their expanded parking in the floodway. Even though his letter does not specifically address that, he verbally felt that if the #2 Option was put in properly and Mr. Carrasco received his permit that it would not unduly affect the capacity of the channel and in fact it would have more conductivity. However, this does not address the issue of permeability. Does not this affect the ability to absorb any more of that floodway? That answer would be up to another agency.

Mr. Schmidt: Does that mean we have to be concerned with the 35 ft. instead of the 60 ft.?

Trustee Simms: If we had a chance to review the site plan prior maybe these questions could have been addressed.

Mr. Poe: Here is the Chippewa Ditch and it is showing 35 ft. We don't know if that is 35 ft. from the property line or to the crown of the ditch. So I asked before if Mr. Carrasco is going to be digging that up, if they could move it to maintain that 60 ft. so there would be more permeability and access to the ditch.

Trustee Simms: I would ask Mr. Carrasco to confirm that the dark line on the plan is actually his property line which runs to the Chippewa Ditch which is actually Chippewa Canal. Mr. Carrasco do you own to the center line of the canal?

Mr. Carrasco: Yes.

Trustee Simms: Is that dark line your property line?

Mr. Carrasco: Yes.

Trustee Simms: The Zoning Resolution has an offset from the property line for parking.

The Board should have received a letter from Debbie Russell from the Muskingum Watershed District and what was explained to Mr. Carrasco is that there are three separate agencies i.e. Township, County Watershed District which have their own requirements that Mr. Carrasco is responsible to follow. Mr. Carrasco has not yet received his permit as of my meeting with Mr. Wilhout but it would be inspected.

It was also my recollection that the Board would review the site plan for completeness and that it was in compliance with the requirements pertinent to the Zoning Resolution.

Mr. Schmidt: That is correct, but until Mr. Carrasco has all the necessary permits can we really do that.

Trustee Simms: This meeting is to deal with the issue of the buffer but in addition per the meeting with Bill Thorne, since the site plan was modified per the expanded parking, the Board would have to determine if that parking was adequate per a calculation based on what parking was existing and what would be required for this use. Also, there was the issue if this parking was in the Natural Hazard Overlay District and if it would adversely affect the conductivity. This will not be able to be determined until he has chosen option provided by the County for his required permit to build in the floodplain.

Ass't ZI Evans: The parking requirement is one space for every 4 seats.

Mr. Daugherty: There are no seats for the soccer field. So there are no parking requirements.

Trustee Simms: Parking is addressed under Section 501 and 505. Section 507 addresses the offsets. Again, the Board should have been given an opportunity to review this in advance.

Mr. Schmidt: It was not required tonight but they brought it to us.

Mr. Sweeney: There is no use that addresses what we would need for parking.

Trustee Likley: The closest use as discussed in the meeting with Bill Thorne was 4 seats per vehicle.

Mr. Schmidt: You have to compare apples to apples not apples to oranges. If you go back over the years and see how we have approved their plan, right or wrong we felt their parking was adequate.

Trustee Likley: Well now you can support it with the numbers.

Mr. Schmidt: We have determined the number of parking spaces is adequate per proxy.

Mr. Sweeney: We have based the number on our use.

Is that the right number on the counted number of spaces based on the area they have designated as parking?

Mr. Schmidt: Is 1,902 parking spaces the right number of spaces?

Trustee Simms: At the meeting with Bill Thorne we stated that if the Board needed assistance in determining how many spaces were required the Trustees would get the Board professional assistance if the Board felt uncomfortable or unable to make that decision.

Mr. Sweeney: I can tell you how we approach it. It is simple math to come up with the most cars we would have there at one given time. It is based on traffic safety and flow. When we felt we have needed more parking we have added more parking. We added this latest parking not because we needed it but because people wanted to be able to get to that specific area. This is the math. We have 30 soccer fields. There are 15 players on a team so there are 30 kids (family). Worst case scenario they all drove individually so that would be 30 families = 900 cars. For scheduling purposes we rarely start the games at the same time. We usually schedule 3-4 starting times in an hr. but for simplicity lets say we schedule 2 starting times an hour which means more traffic flow more cars. So if you change the starting times every 15 minutes people will be coming and going all day long. So while these games are going on two more teams show up. So at that point, there would be a 50% increase if we did it on an ½ hr. change (450 more cars.) For each field, there is a maximum of 3 refs and 2 coaches. That is 5 more people or 150 more cars. That is 1500 parking spaces being utilized if everyone drives themselves. We have 1902 designated parking spaces on the site plan. We still have 400 spaces for people to come and go.

Now there is the issue of the tournaments. There are a large amount of people coming in from out of town. About 25% show up in a bus. Again it is a functioning of scheduling. Those younger players only have 8 on a team so there are even less people involved then the case I stated previously. The staggered scheduled has worked well in controlling the traffic flow and numbers of cars.

The Board stated they were satisfied that there is ample parking provided for the soccer field.

Mr. Daugherty: If we go down the list we may find they will need numerous variances. They are only permitted one entrance and they have 2 ½.

Mr. Sweeney: The ½ we are not allowed to use. The new road put in by the State is probably our legal entrance. We are not allowed to use Buffham Rd. The only way the rear parcel is attached to the road is that new cul de sac. I don't know legally or technically as we attach our two parcels...In the taking of land from the campground for the Freeway, we lost the drive to Lake Rd.

There was discussion about the entrance to the soccer fields and the camp grounds. It was determined that the entrance to the soccer field was off the cul de sac.

Mr. Daugherty: I would like to see for the next meeting the properly filled out forms, the planting diagram...

Trustee Simms: I just spoke to Zoning Inspector Harris and he has not even had a chance to review what Mr. Sweeney submitted for completeness. So the first step is for Mr. Harris to review the site plan application and corresponding information for completeness and then he can pass it on to the Board for distribution.

Mr. Daugherty: I would also like to see the applications for the variances

Mr. Poe: Do we need to mention the parking issue?

Mr. Schmidt: We can do that at the site plan review.

Mr. Oiler: Unless they change the parking. If anything is changed it has to come back to the Board for review and approval.

Mr. Carrasco: I understand.

Mr. Schmidt: I think we learned we are not going to please everybody but we have to please ourselves as a Board. You will call me (Mr. Sweeney) and you will get the map you need and we will walk the site and determine where the fence will go, what trees will go and what trees will remain. Once we have that information we will set up another meeting to review and give 30 days to install.

Mr. Poe: Do we need a variance for a 6 ft. fence?

Trustee Likley: If the Board determines that a 6 ft. fence is necessary then that variance could be waived. That may be an option but you may want to check with legal counsel.

It was determined after review of the Zoning Resolution that a 6 ft. fence was permissible.

Secretary Ferencz: Only one application is needed for all the variances at this time Mr. Carrasco needs to apply for. However, if in the future Mr. Carrasco needs a variance, he would need to fill out a new application and pay another fee.

Trustee Simms: Mr. Thorne stated that all the variances could be applied for on one application at the same time, but each variance needs to be addressed individually.

Mr. Daugherty: I have a question. If they show a 6 ft. fence on the drawing and the code only allows a 4 ft. fence but the Board requires them to put in a 6 ft. fence do they need to apply for a variance?

Trustee Likley: Yes. If the code only permits a 6 ft. fence than a variance must be applied for. A site plan can be reviewed and approved pending variances being approved. If the variances are not granted then the site plan is null and void. A site plan can take place and then if variances are needed, they can be requested or the necessary adjustments to the site plan to be in compliance with the code can be made and no variances would then be required.

Mr. Evans: What if what is required to be done per the site plan review by the Board is not completed within a required time-frame? Does that nullify the site plan?

Trustee Likley: No, there should still be a time frame because the site plan is part of the conditional use. So if the site plan is not complied with within a certain time frame, then the conditional use is pulled and the use is not permitted.

Mr. Schmidt: With that said, then I would like to talk about Westfield Storage at a later time.

Mr. Daugherty: Then if we haven't approved the site plan, do they really have a conditional use permit today?

Trustee Simms: ZI Harris has not even looked at this site plan. There was a approval of a site plan before the modified site plan was submitted. The ZI will review it for completeness and then submit it to this Board for approval.

Mr. Schmidt: I will get together with Mr. Sweeney on Saturday and go over...

Mr. Poe: Are you going to tell them what forms to fill out and all the variances that would be required?

Mr. Schmidt: No, that is Gary Harris' job.

Mr. Daugherty: It would be nice if they came back the next time with their variances applied for so we can deal with all this at the same time.

Trustee Likley: I would suggest the Board make a motion to permit Mr. Schmidt to be the Board representative to meet with Mr. Sweeney and to come up with a plan and accept his recommendation for what is to be completed so when it is brought back before the Board it is a done issue. I assume that some of the existing trees that can remain do remain and if more trees need to be planted than that is the decision.

Mr. Daugherty: Why can't Mr. Schmidt be the Board representative that goes out and helps Mr. Sweeney develop a plan but then is brought back before the entire Board for review and approval/denial? It would appear we are relinquishing our authority as a Board...I mean I know Mike will do a good job...

Mr. Poe: I agree. I want to see a drawing and I would like to have it presented to the entire Board. We don't want to put anyone in the position of impropriety and I think that is what we would be doing if we just let Mike make the decision. I think it is necessary for us all to see the plan.

Trustee Simms: If the whole Board wanted to attend it would need to be advertised as a special meeting.

Mr. Daugherty made a motion for the continuance of the Northcoast Soccer to be determined at a future date pending all applications (variances) and subsequent documentation be received and reviewed by the Zoning Inspector for completion. Mr. Oiler second.

ROLL CALL-Daugherty-yes, Oiler-yes, Poe-yes, Micklas-yes, Schmidt-yes.

Trustee Likley: Could you set a meeting just to review the landscape mound so it could move along then worry about the site plan and variances later?

Mr. Daugherty: I would like to rescind my motion.

Mr. Oiler: I second.

ROLL CALL: Daugherty-yes, Oiler-yes, Poe-yes, Micklas-yes, Schmidt-yes.

Mr. Daugherty then made a motion to set a special meeting for the continuation of the renewal of the conditional use permit (landscape buffer) for Northcoast Soccer for June 19, 2008 at 7:30 p.m. It was second by Mr. Oiler.

ROLL CALL-Daugherty-yes, Oiler-yes, Micklas-yes, Poe-yes, Schmidt-yes.

NEW BUSINESS

Secretary Ferencz stated that the Board also needed to set a hearing date for the Scott May variance request. The Board set the public hearing for the Scott May variance for June 30, 2008 at 7:30 p.m.

Having no further business before the Board, Mr. Daugherty made a motion to adjourn the meeting. It was second by Mr. Oiler. All Board members were in favor. The meeting was officially adjourned at 9:40 p.m.

Respectfully Submitted

Kim Ferencz
Zoning Secretary

Mike Schmidt

Kevin Daugherty

Ron Oiler

Tom Micklas

Tom Micklas

