

# Westfield Township Board of Zoning Appeals

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BZA Public Hearing  
Westfield Lakes, LLC  
May 30, 2017  
Continuation Meeting

Review of Site Plan and Conditional Use Application from January 11, 2017 and continuation Public Hearing on January 12, 2017.

Attending: Thur- aye, Fleming- aye, Simmerer-aye, Stacy- aye, McGlashan-aye. Not In attendance is Wayne Moore.

Chairman Simmerer called the meeting to order at 6:13 PM.

**Exhibit "A"**- Letter to Scott Bennett of conditions to be met from the BZA dated February 18, 2017.

Scott Bennett-2795 Barber Road, Norton Ohio was sworn in and testified regarding the spacing of fire hydrants and the temporary turn around (for safety vehicles). **Exhibit" B"** is a letter from Chief Fletcher regarding his requests for safety measures. (Turn around, "T" at dead end street and no trees in boulevard or turn around.)

Pressure test will be completed with approval of this site plan review.

Chairman Simmerer read the letter from Medina County Department of Planning Services (**exhibit "C"** May 9, 2017 Application # 116-2016-PP) into the record.

John Walsh, 565 White Pond Drive, Akron Ohio was sworn in to verify the placements of the fire hydrants (marked on the site plan).

Medina County Preliminary Plan was discussed by the BZA regarding the access road to Eastlake Road and the loop road (Chesterfield Drive); divided boulevard entrance; traffic study; zoning is SR Suburban Residential; Tax Maps (12/1/2016); Ohio Department of Transportation (ODOT); Highway Engineer; Health Department; Soil and Water Conservation District; and Columbia Gas.

Staff Comments- regarding 404.C.2a.(recorded subdivisions must be identified); regarding 404.C.2c is naming "Open Spaces" to be considered "Blocks"

Based on Assistant Prosecutor Mike Lyon's recommendation the language of the Home Owners Association document is currently ok and all final HOA language will have to be made before the final approval. Bill Thorne email (December 5, 2016) to Carolyn Sims is Exhibit "D" stating the HOA has to clarify the Open Space language. Carolyn Sims, Zoning Inspector- Discussed draft of Homeowner's Association and legal review. A document was provided to the BZA regarding Maintenance of Open Space and or Common Areas, maintenance of the retention basins and maintenance of private roads as being concerns. This is **Exhibit "D"** into the record.

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Mike Lyons stated that upon the advice per William Thorne (dated on December 5, 2017 and not provided to the BZA) that the HOA as a preliminary draft shows no concern to the Medina County Prosecutor's Office. Their recommendation is to approve the preliminary HOA draft.

**Lee Evans Road Supervisor for Westfield Township testifies** the Resolution of the Board of Township adopting the road district as prescribed by Article 4 of the Medina County Engineering Code for Residential Subdivision Development of Medina County, Ohio (Resolution 2005-04) ( **Exhibit "E"**). Also Included is the Fire Apparatus Access Roads for fire access.

- Low bushes are recommended at the boulevard entrance.
- 2 gas lines on Eastlake Road- MFC and Columbia Gas (set-up a buffer between RR and SR). Columbia Gas has a 25 foot buffer on both sides of their lines. Concerns of MFC gas line and buffer on the property.
- Evans cannot testify on the road core tests (since it is a private road and will not be a public road) and a variance of cul-de-sac and boulevard entrance.
- Vegetation should be low and not include any trees in the boulevard entrance or cul-de-sac. Exhibit F1, F2, and

Article 4; Sign Regulations, Section 406 was discussed by the BZA per Signs Permitted in Suburban Residential Districts. BZA may approve 2 signs per the 100 residents in this development and for safety purpose the 2 signs will not obstruct the view of the drivers and the drivers will be aware of the development. **Exhibit "F"** Signage Plans (2 pages).

- Road Supervisor stated that sidewalks are recommended per Trustees' Resolution 2005-04. Zoning Code was updated In 2009 and the BZA does

**Motion: Stacy makes a motion that sidewalks are not necessary; seconded by Thur. Unanimous: all said aye.**

**Fleming makes a motion to require 2 signs; seconded by Stacy. The BZA voted unanimously to allow 2 signs at the entrance.**

**Fleming makes a motion to prohibit any trees; seconded by McGlashan. The BZA voted unanimously that no trees will be allowed in the boulevard.**

**Exhibit "G"** was read into the record regarding the water and sanitary. (Medina County Sanitary Engineers email to Mike Kendall dated on May 24, 2017.)

**Exhibit "H"** was read into the record regarding the Storm Water Management Permit. (Medina County Highway Engineer's Office email to Mike Kendall on May 26, 2017 was submitted to the BZA.)

**Exhibit "I"** Site Plan and **Exhibit "J"** Updated Site Plan Map will be reviewed by the BZA when they receive the maps.

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Discussion: Regarding the easement of the Rail Road. BZA requested the title search to understand the RR easement.

**Exhibit "K"** Storm Water Management Report 1-2-2017 was submitted for the record.

**Exhibit "L"** Mowing agreement with Trustee Likley and Westfield Lake, LLC was submitted for the record.

**Stacy makes a Motion to continue the Public Hearing for Westfield Lakes, LLC to Thursday; seconded by Fleming. All said aye. Time 8:40 PM**

**Respectfully submitted by:**

**Cheryl Porter, Zoning Secretary**

**Date Approved:** \_\_\_\_\_

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**BZA Chairman Keith Simmerer**

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**BZA Member Andrew Thursday**

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**BZA Member Patrick Fleming**

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**BZA Member Jim Stacy**

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**BZA Member Greg McGlashan**

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