

WESTFIELD TOWNSHIP ZONING COMMISSION  
Public Hearing for Text and Map Amendments  
Parcels #041-156-51-017 and #041-158-51-011  
Landowners - Timothy and Linda Kratzer  
November 27, 2007 @ 7:30 p.m.

Chairman Russ Zupanic called the meeting to order at 7:30 p.m. Roll call indicated five members of the Zoning Commission were present: Russ Zupanic, Jill Kemp, James Likley, Scott Anderson and John Miller.

Others in attendance included: Tim and Linda Kratzer (landowners/applicants), Morris Stutzman (attorney for applicants), Trustee Jeff Plumer, Trustee Carolyn Sims, Agnes Porter (8146 Westfield Road), David Tryon (9064 Friendsville Road), James Gardner (5712 Greenwich Road), Ron Oiler (6969 Buffham Road), Glen Zuber (5833 Greenwich Road), Roger Pries (6941 Greenwich Road, Ken and Lisa Beckman (7583 Greenwich Road), Tom Zellers (5905 Buffham Road), Hershel and Murrelene Drake (10335 Wooster Pike), Susan Brewer (9796 Daniels Road), Melissa Brewer (9796 Daniels Road), Dwayne Kramer (7363 Buffham Road), Rick Perry (6075 Buffham Road), Dennis Delagrang (9730 Westfield Road), Tom Wancata (7859 Westfield Road), Sandy Kalmeyer (6069 Seville Road), Sandy Miller (6089 Seville Road), Gary and Wirtie MacPhail (Seville), Larry Porter (8146 Westfield Road), Liz Bannerman (8146 Westfield Road), John and Beth Lawton (8353 Westfield Road), Martha Evans (7998 Ryan Road), Bryan and Lori Smith (7553 Greenwich Road), Melissa Spitzer (5735 Greenwich Road), Michael Cook (5635 Greenwich Road), Rick & Irish Blankenburg (9303 S. Leroy), Stan Scheetz (225 East Liberty Street, Medina), Tom and Karen Micklas (7360 Buffham Road), Keith Simmerer (8195 Westfield Road), Kevin Daugherty (9275 Daniels Road), Jake Baumann (P.O. Box 538, Perrysville), Ryan Gregoire, Cliff Gregoire, Mike Schmidt, Larry Bensinger and Gary Harris.

**Public Hearing**

Chairman Zupanic - This is actually the official public meeting to discuss two topics. One is the rezoning of the Kratzer acreage and two is the change of our zoning map. Everyone who was here the last couple of meetings know there was some technicality in the notice procedures for the public hearing held 10/23/07 and the Medina County Prosecutor's Office advised that we had to re-notice and reschedule the public hearing and that is why we are here tonight. With that being said, this is considered the first meeting. A lot of you got a phone call from me relative to the October 23, 2007, public meeting and the testimony given. By legal counsel's recommendation we are allowed to take those minutes as long as you give us approval to apply your testimony to tonight's meeting. If you would like to do have it applied to this meeting, please sign this paper up here and everything you said, we heard it, we know what you are talking about, and we can apply it officially to this meeting. So at any time you can come up and sign or wait until after the meeting. At this point I will open up the floor to any public discussion.

James Likley - Before we get started tonight, due to the fact that I am a trustee-elect there's a chance of me hearing this application as a trustee. Since I can't vote on both boards, I'm going to recuse myself from any further proceedings as a Zoning Commission member in the event that it does get to the trustee level after January 1<sup>st</sup>. (Note: Likley recused himself and took a seat in the audience.)

Chairman Zupanic - If you would like to speak, raise your hand and I will call on you to come forward and use this microphone and you have to be sworn in. I'm going to set a time limit of this meeting at 9:30 p.m.

James Gardner was sworn in. I attended the one meeting where this was discussed and there are a couple things I want to clarify. I live straight across from the land proposed to be developed. I want to tell you I am 100% behind this and I'll tell you why. At the last meeting I heard complaints about child molesters and it's going to draw a bad crowd. Well if you have Internet in your house you already have predators amongst you whether you know it or not. That to me is an irrelevant comment. You need to realize that today's world is not perfect. The only way you are going to protect yourself from that is to do what's right, be a good parent and watch your children. Second, low paying jobs, come on, let's get real. I did 20 years in the military and got all kinds of diplomas and degrees for aircraft maintenance but I'm unable to get a good paying job. People talk about Westfield and it employs 7400 people, I think they said. Well when you go down there to apply you can be a security guard, clean up or you can work in the kitchen. The fact is there are very few good paying jobs left in America and certainly not in this area. The other thing that burnt me was a comment - you are just in this for the money. If I were in this for the money I wouldn't have bought in Westfield Township because this is not where the money is at. Another thing I want to address - Seville business failures. What do they have to offer that I want. Let's get realistic. Can I go down to Seville Hardware and get lumber and building materials other than screws and bolts - no. Can I go to Seville and get groceries - no. The thing is \$3/gallon is what we are paying today for gas. I have to drive to Wadsworth, Medina, Fairlawn - what we need is a grocery store local here. We need to go ahead and develop this land. Yeah there may not be a lot of high paying jobs but there will be jobs. Another thing - in my opinion Mr. Kratzer has been pegged as a bad guy. He's not. He's not selling out. He's trying to do something good for the community. He's been here a long time. He's not trying to take the money and run, so let's get over that. Eminent domain - there was some false information given out about that when he lost the land across I-76. Everybody seems to think he made a bunch of money off of that but he didn't and that was years and years ago. So that's a null point too in my opinion. I've heard a bunch of bashing; it upsets me and I'm not happy with it. I think this community could use something like this and he's trying to do this for the best of the community. He's not trying to do this for profiteering and I'm not trying to profit off of my land. We need to move forward and catch up with the rest of the world.

Audience question - Can you please summarize just what is the topic for this evening?

Chairman Zupanic - This is literally a public meeting to discuss two issues that are in front of the board. One issue actually would be a zoning text amendment. Basically Mr. Kratzer has asked us to create a new General Business District that would open the door to a lot broader retail business and whatnot establishments. The other thing is actually the change of our zoning text map which would allow that new business district to be located in about the 105 acres that I believe is his main farm at this point. What we are doing is opening the meeting up to any public comment. If any citizen wishes to make a statement now is the time to do so and when everyone finishes I'm going to close the floor and then it will be discussed amongst the board.

Audience question - Can you clarify the scope of what this new business district will possibly cover as far as what areas of Westfield Township could be directly affected by this.

Chairman Zupanic - Right now it is just a new business district to be added into the text and second is a change in our text map for this 105 acres on Greenwich Road which is before us right now. Those are the two things we are discussing.

There were audience comments/questions on where the business district would be allowed and that the text indicates one needs to have sewer and water and by a main road.

Chairman Zupanic indicated that the only thing in front of the board is changing it in the 105 acres on Greenwich Road. The text is all encompassing but where we apply the text will be at this point just the 105 acres. Any other development would have to go through the whole meeting process. As it stands now every other district that we have in our book could be applied anywhere that you want also.

Jack Greenwald was sworn in. I'm a poor devil but I would rather pay a few bucks for gas than hundreds of dollars to supply the necessary backdrop that this is going to need. You are going to need extra firemen and policemen. You'll need water lines and public services. No way, I'll pay a few more bucks for gas. The other thing, shoot, there goes the neighborhood.

Tom Micklas was sworn in. In regard to some of the comments that were made in the prior meetings, I didn't hear anything about child molesters, but we're all concerned about strangers coming into our area. You need lumber - you've got a local merchant in Lodi Lumber. I support my local merchants. There's also a little local hardware store in Lodi. Local merchants, support that person because he makes his living here in the community. The jobs that those people are offering are minimum wage jobs. How many people here are going to leave their careers to go and work at the jobs that are going to be offered down here. You are going to hire a bunch of kids and there's not enough kids here to support that kind of employment. We have a nice quiet peaceful community. You want to put 5000 cars in a parking lot on a Saturday afternoon, fine, go up to Cleveland. Go up to Steel Yards Commons, nice place. I used to work at LTV and spent 20 years there. Those were good paying manufacturing jobs but they are not there anymore. You got 6000 people applying up there at WalMart. Well, that's the nature of

our economy. I think a lot of the people who live around this development, you've already got an offer.

(audience comment indicated, no offer has been made.)

Tom Micklas continued. The problem with developers is they'll come in and make an offer to a lot of people around the area. Good offers and they'll build up a bunch of stuff and all of a sudden your property value goes to crap and they go in and make you an offer after your property that was worth \$200,000 is now worth \$100,000, your property gets devalued. It keeps going and going. This is a community that we like to live in. People came here because they enjoy the lifestyle that we live. I don't mind getting behind the tractor that's got a big old hay wagon on it and is going 5 mph on a 50 mph road. It's frustrating but I don't mind it because I would rather see that than a WalMart sign on a semi and that's what we're going to get and it's going to get worse and worse. Developers only care about if there is a blade of grass it's got to get covered with concrete and that's not where we want to be.

Murrallene Drake was sworn in. I believe no one has mentioned that Mr. Kratzer has a right to sell his property. I feel he has the right to do so. When we want to rezone something Mr. Kratzer is voting for us to do it and I think he has a right to do it. I live on Wooster Pike and we have farms and 200 acres around us. They've voted on and they developed it. I think you are being really nasty to Mr. Kratzer, that's my opinion.

Chairman Zupanic - Again I ask if you had a chance to speak on October 23<sup>rd</sup> and you wish your testimony to be brought to this meeting, please sign the form that we have up front.

Glen Zuber was sworn in. I believe if we want to get a look at a picture of our future all we have to do is drive between here and Cleveland and every interchange is either fully developed or close to it. Now I'm sure this isn't the only community that fought this kind of thing but they seem to have lost so does that mean that those people are not as smart as we are here in Westfield or is it some other reason that they lost what they were fighting for. I don't know what the answer is.

Ken Beckman was sworn in. I'd like to address a few things that the first gentlemen spoke about. He talked about child molesters and the Internet in your own home. I don't know if there are car keys on the Internet, shoplifters, just stuff in general. Like another gentleman said, your police, fire department, sewers and water are all going to be taxed as well as roads in terms of overuse. He mentioned \$3 for gas - you look in the Gazette on a Friday morning and there's plenty of houses in Medina and Wadsworth if you don't want to drive. People have brought up tax money for schools. All of this money that we will get from these new businesses, there is going to be tax abatements left and right and there's not going to be the money that people think they are going to have for schools. They build this development here, you got, just down the road here these kunkleheads in Lodi want to build this waterpark. Ten years from now it's going to look just like Lodi Outlet Mall, half empty, another white elephant. We don't need it. I have no problem

with somebody who wants to do something with their property but this is just not necessary.

Martha Evans was sworn in. Since I'm probably one of the oldest individuals here I'm going to give a short history lesson. I've been a resident here for more than 60 years. The area of I-71 and I-76 has evolved into a commercial district over the last 50 years from open space, farmland, because the state of Ohio chose this location for the two highways to intersect. Through no fault of us that lived here, progress happened and will continue to do so. Each one of you on the board and possibly 90% of the audience live in a house that is less than 30-40 years old. What was the land that house was built on? I can remember - it was open space and it was farmland. The number of residents that live in Westfield Township has doubled in the last 50 years. Why did you choose this area? Number One because it was readily accessible to the interstate so you could travel to Cleveland, Akron, Ashland, the airport or any surrounding area that you could get to work in 30-50 minutes. You knew you had the right to build or buy here and you also knew it was a commercial district located at an interstate. How did that come about? Well, a farmer saw an opportunity to cash in his investment for retirement and maybe took into the consideration of economics or just to supplement farm income. Those of you who have never been a farmer do not have a clue of what expenses occur and what the profit margin is. I do as a farmer's daughter and then a farmer's wife trying to raise a family. It couldn't be done on a small farm income alone. I once owned the farm that I was raised on. What did I do when economics and health issues became a factor - sold lots to individuals. When I asked why did they choose this lot, the first answer was - I just got off the interstate and it is so easily accessible to get to work. The second was the price and then the lots were only at that time a 150' wide and a minimum of 1 ½ acres. To me that is not country but that's what you folks thought. Okay? The new General Business area as proposed is the best location to me if I have to see this in Westfield Township because the back land abuts up against the interstate. It is not in anyone's backyard or anyone's pasture field. And I believe this is the perfect spot where I would like to see - east of our commercial district all the way to Hulbert Road on the north side of Greenwich Road. Why - the frontage is already commercial, 500' deep. Second, the remaining backland, what good is it? What is it best suited for - certainly not for more houses. Those of you that have company pension plans do not seem to understand that many farmers rely upon selling their farms for retirement income when family members do not want to continue to farm. Or maybe health and economical factors affect why farming is not an option. Small farms are no longer a way to make a living. Infrastructure is not present at this time but it wasn't at the major intersection 50 years ago either. Developers make it happen. Speedway Truck Stop/Pilot paid for the water line. If anyone wanted to tap, they paid Speedway. My house was along that line and that was a hefty amount. Another plus that we would have - we would have some supplement to our taxes. This board has often been asked to consider the east side of Lake Road North, well, right now that is not the ideal place. There is a proposal for Chippewa Lake Park being developed. How would individuals get there - Lake Road. I can see this happening but maybe not in my lifetime, especially if the area becomes a resort/entertainment area. When the area at the intersection has expanded from four to six lanes, development will happen. I watched it. You're not going to stop it and we

have no choice. I have watched all of this happen in my lifetime. Just a word of wisdom from an old survivor, and that's me. You don't always like the way things happen but you do adapt and a survivor adapts. I raised my sons here in Westfield Township and all but one has remained here and made it their home. My family and I are survivors because we adapted to all the changes that have come our way and will continue to do so because progress will happen. No matter what the outcome of this hearing may be, there will be opposition. Please do not forget that there is a possibility of a referendum vote for the whole township, we don't know. All I ask of you as the board is to weigh the facts, keep your personal feelings at bay, make a decision with the past, present and future in mind, and that development may come one way or another, possibly with or without a township vote. And if you want, I am always around to answer questions. I have pictures and I have been here for more than 60 years, which many of you cannot say. So I am a survivor of many years of changes and I will continue to do so.

Keith Simmerer was sworn in. Our house has 4<sup>th</sup> generation Westfield Township residents and our family has lived in this house since 1936. What I would like to address is the question of why we have development going all the way up into Cleveland, yet we've never had development here at the cloverleaf intersection in Westfield Township. These intersections going on into Cleveland are intersections of a highway with a main road so you get off the highway and you're on the main road and now you have relatively easy access to these large businesses. This differs greatly from what we have where we have two highways coming together. We have 224 and 71 and so when you get off 71 you are getting off onto 224, you're not on a main road. You're still on a highway. Our road infrastructure is not suited towards this type of business. Our two lane secondary roads are going to be asked to handle the traffic load of these 10,000 cars parking lots. And they are not designed to do this. Zoning protects us and gives us guidance for land use for the good of the community and when the original plan for the township or the existing plan was put in place there were studies done and the studies indicated the appropriate areas for the types of commercial development where there is some road infrastructure that will handle this type of traffic but Buffham Road really isn't a suitable road to handle this type of traffic pattern. And nobody is going to pay for these to be widened into four lane roads. What this is going to result in is a miserable situation to try and travel through this area. It's just not going to work and that's why these have been set aside as rural residential areas. You know if the road improvements come then you would have somewhere appropriate to put businesses but that's not what we have right now. Just because somebody wants to sell or has a potential buyer doesn't necessarily mean that it's an appropriate use for the community as far as land use goes. I don't feel that this proposal is taking into consideration that our road systems can't handle this kind of traffic and I would like the board to take serious consideration of that - that the traffic patterns of the roads that are surrounding these potential business sites may not be anywhere near adequate for what the potential traffic could be.

Chairman Zupanic - I do have one question for you, you mentioned Buffham - we're not talking about Buffham, we're talking about Greenwich - did you mean Greenwich or Buffham?

Keith Simmerer continued. Well, my understanding was the new business district could come along any major road, thus 224, and I'm saying that Buffham would be an access road if you wanted to use 224.

There were audience comments/questions on where the business district would be allowed and that the text indicates one needs to have sewer and water and by a main road. Chairman Zupanic indicated that we are strictly talking about 105 acres on Greenwich Road. We are not talking about Buffham or anywhere else. There's nothing been presented about going on Buffham. The text implies that it could be anywhere but, again, please be aware that any other zoning that we have here (Local Commercial, Industrial, etc.) can be applied anywhere also. We are talking about 105 acres on Greenwich Road.

Audience question - Would you point out on the map exactly what you are talking about? Chairman Zupanic responded by going to the township map and pointing out the location of the applicant's approximately 105 acres.

Cliff Gregoire was sworn in. First of all I would like to compliment Martha. She did a great job. I also moved into the area about 42 years ago and I moved here because of the highway system and I knew there would be things happen that I'd probably wouldn't like and it has happened but I realize that's all part of it and I'm glad that I'm here. The infrastructure comes after the need. You don't build the infrastructure ahead of the need. So think about it people. I don't know what's wrong with this community. Do we want anything? The guy mentioned 6000 applicants for 300 jobs. We're in the capital of bankruptcies and foreclosures in this part of the country. Don't we need something? Our tax revenue, our school levies, what's wrong with this community. I want proper growth. I don't want shotgun growth but we need something. For those of you who have moved into the area, I don't know why you moved along interstate highways because you know growth is going to happen.

Rick Blankenburg was sworn in. Just a couple of thoughts that came to mind here - Number one, not all of us moved here for the freeway system - I moved here in spite of the freeway system. I like the neighborhood. I like the house. I like the people. Number two, it is about the language. It's not about Mr. Kratzer; he just happens to be the man who made the first application. You know when you go in that you're going to have to suffer a few slings and arrows. Does he have a right to sell his property - you bet he does. Does he have the right to sell it for a use not zoned for that use - not particularly. When he goes in or anybody goes in and asks for a General Business District, I think this is the heart of this issue. It's not about Mr. Kratzer's property. It's about every other piece of vacant land in the area. When you say it has to go through the same procedures, it doesn't because they wouldn't have to get the language changed. That's the bigger chance than getting the piece of property zoned and once one property is zoned a good team of lawyers can come in and use that as precedent to get any other piece of property zoned that way. So it's not quite the same difficulty that the first guy had. I feel the good points that have been made here have to do with the fact that we just do not have the infrastructure over in that area. We have had that area already zoned Local Commercial. How many businesses ate there? I don't see one - nobody has felt the need. We're got

our development as it now exists. If you like the other kind of development you can go up Cleveland way and get all kinds of property at a bargain basement price. You can settle in there and it's already developed.

Lori Smith was sworn in. First of all I'm not against progress and I have nothing against Mr. Kratzer. My issue is all the terminology. I do have a business across the street from me and that business is closed - what is that saying to my value? It's not saying very much. I do live on Greenwich Road. It was stated the last time that this is the area that we're talking about. Again, taxes. You talk about foreclosures. You have all this coming in, your taxes will go up. You're not going to have the money to pay your taxes. You are not going to have any money to pay your mortgage so you will be in foreclosure and all for a retail job. I work in retail. It's minimum wage. It's nothing more. So this is not going to help us out. Again my concern is not directly at Mr. Kratzer, my concern is what it is opening the door to. Why do we want to have something going in this spot and a few years later something go into another this spot? I think as a zoning board that they need to have a master plan and I don't think they have a master plan. I think that they are doing a hodgepodge that they want to allow things to come in when the occasion arises and this is not fair to us. Me and my husband moved out here for the country. We didn't move out here for the highway. We are the younger generation. We feel that we have a right to voice our opinion. Those of you who have been here for 40, 50 years, if you are okay with changes that have been made around you and you haven't spoken up against these changes and you have just gone along, then you have no one to blame but yourself. My husband and I are totally against this. We want to make our voices be heard. So I'm asking the zoning board to really take this into consideration - you need a master plan. You got something at this end of Greenwich and now you've got something possibly at the other end of Greenwich in the waterpark. You've got something on Lake Road, which is now possibly an indoor softball field complex. All of that is going to be feeding in to the same roads - Greenwich and 224. Where is all of this traffic going to go? I just think we need a master plan.

Dwayne Kramer was sworn in. I just want to reiterate what the last two people have said. I'm not against Tim personally. I can sympathize with his situation. He got yanked by the government. They've taken chunks of his farm and everybody feels bad about that and if I was him I would want to get the hell out of there too but I just disagree with the way it's going to be done, that's all. As far as retirement plans, Westfield is my retirement plan. I moved out here to retire. I bought 20 acres down the street and I want to keep it. I moved from Medina because I couldn't take it anymore and I lived in Medina all my life and I've seen what happened there when they first started out with the WalMart. The first thing that went in there was Kmart and all those promises was made on how great it was going to make the community and all these tax dollars and everything. If you watched the elections at all over the last couple of years you see all those school levies and such coming up in Medina. They need money to pay for things. Where's all that tax revenue? You want this development as it stands now and this verbage, move. You don't have to move far, only about 10 miles and you are surrounded by this crap. I moved here to get away from that and I want to keep this community the way it is. Part of Mr. Kratzer's property is zoned Local Commercial. I have no problems

with zoning the rest of it Local Commercial. You want development - I can see to change the rest of it to Local Commercial. You want to put a retirement community or something over there or you want to put a little strip plaza or something in there and have Seville Hardware maybe relocate over there or something, I think that would be great but as far as all this big stuff goes, I'm totally against it. I don't see any community benefit to it at all. As far as progress and people say you can't stop it, it always comes. It does, it comes but you have a say in it. You can shape it. The people that say you can't stop it, it's going to happen anyway - these are the people who sat on their butts and didn't do anything to shape it. You have a say of what happens in your community. That's what this meeting is all about. That's what this board is here for. That's what our voices are for. If you don't want this stuff to come, let them know. I would urge the board to listen to the constituents that put them in office and take everybody's opinion into consideration as well as the benefit for the community. Look past your noses. Look towards the future. You can have development but you can shape it and you can make it where we can work with it as a community.

Karen Micklas was sworn in. Once again I don't have anything against Mr. Kratzer either. My concern is about the jobs that it will bring in - they would be jobs for my grandchildren or children. They would not be jobs as a working member of the community that would actually afford me the home that I am living in. If it were a larger business or a business like Westfield that at least pays decent salaries, I don't see that with the retail. We have that all down at the Outlet Mall. We have a lot of job turnovers and that's a big concern. I am concerned that it is not going to benefit the community in jobs. Yes, maybe for our youth, but it would not help the major members of our community. I'm a computer programmer. I am very well paid but it's very difficult for me to find a well-paying job in Medina that I can find in Cleveland and I've looked all over the community. It just does not pay like it does in the Cleveland and Akron areas. I don't see that the retail stores are going to do any better and it's just going to be minimum wage and if you walk down to the Outlet Mall, there's probably only 65-70% of the stores fully operational on a regular basis. And we also have, I pulled all the sheriff's reports, from the truck stops - we have an average of 200 reports from just the T/A, which does not even include Pilot, which would also add crime in the area if we had another development like this. I have the reports if you would like them - 268 pages and I would be more than happy to recopy those for anyone.

David Tryon was sworn in. A statement was made that it's not about the money. I totally disagree as I believe most everybody in here should or does. It's always about the money. You don't develop land without making money. Anybody's land that surrounds this area, they are going to be approached and they are going to make money and that's how this thing spreads and sprawls out so if that is what you want, it will happen. If it's not what you want then I say stand up and tell them you don't want it. I don't want it. I remember when Friendsville Road was a dirt road going to Wooster so I didn't just move into the area. You drive west on Greenwich Road and you get into Homerville Township, the zoning there is a whole lot different. That's why you don't see all the little houses here, there and everywhere - they paid attention to that in the past. It's still rural and this is pretty close to not being rural any more.

Irish Blankenburg was sworn in. My husband and I began our sojourn to this community about five years ago from North Olmsted. We lived less than one mile from Great Northern Mall. Having something right down the street is not going to eclipse the time that you need to get from point A to point B. I don't mind driving to Medina or Wooster or Wadsworth. I do not want this thing here. I have a couple of reasons. Malls don't last long. Southpark Mall, 4 - 5 years old, it is in big trouble. Half of the stores are gone as of Christmas whether they are successful or not as they have not renewed their lease. Legacy Village is having problems - \$95 a square foot Legacy Village rent. Parker Park \$90-\$95 a square foot. It's got a lot of traffic but it don't have a lot of buyers. People are going to go to things until they are no longer new and then they are not going to support it. Westgate Mall has been completely torn down; they are rebuilding it and going back to just the sort of look that you get when you drive in downtown Wadsworth or when you drive on the square in Medina. Having a situation like a mall or a shopping center with big box stores and, I don't care what they tell you, they lie through their teeth. There will be big box stores because those are the ones that can come in and float their businesses until it takes hold or until it dies. We would be better off if this land would be developed into light industry. That way you got the same people coming in every day and they become part of the community instead of people coming in and out hither and yon and don't care. We moved here, bought eight acres because we couldn't afford more but I wanted 50; I want to hoard the land because I like it. The whole point is this is our wages and we are the younger generation. I moved out of the nut house to get down here. I knew that eventually it would catch up. I really thought I had ten years, not five. Yeah, I knew I-71 was there. We knew that this expansion was going on. The house that we sold backed on, the property behind us backed on to Steams Road and I told Rick, with you or without you I am out of here before they build that stupid road. They are connecting I-480 to I-90. Who is behind this - the guy who owns Crocker Park. He is not paying for this to be done; the idiots in North Olmsted are paying for it to be done. ODOT is not paying for it. We paid for the traffic studies, we paid for all of this goofiness and there is no advantage. If anybody in North Olmsted thinks that people are going to get off at 480 and go to Great Northern when they can just zoom through and go to Crocker Park, the new place, they are not, which is the other reason we moved. We fought that fight and we lost. We go to a football party at my brother-in-law's house in Avon and they were promised that Avon would not develop west and north of 83 & 90. Guess what - they lied.

Ryan Gregoire was sworn in. I have lived here my whole life and I've seen a lot of change and all that stuff. Growing up out here, I shot my first deer where MacDonald's is. Things have changed through the years. I have a real problem with this whole thing because there is a piece of property that is backed by two highways. If you shoot this thing down Kratzer is going to find another use for his property and some big money is going to come in here and shove this thing down our throat and bring development in here whether we like it or not. It's going to be next to somebody that lives on Buffham Road or lives on Lake Road or lives on Friendsville Road. Right now we have an opportunity to embrace this thing, make it halfway decent, it's backed by highways. Every time some changes happen in here, it does affect people. But this is an ideal

situation. Talk about a retirement center - who wants to retire and live next to a highway right in their backyard. It's not a great location for a retirement center. Most of the property or part of the property is already Local Commercial. We are just stepping it up a little bit to this Business District. Everyone is talking about the worse case scenario - a mall, a shopping center. What if it is Summa Health Care or Crystal Clinic or something similar that is looking at something here? There could be good paying jobs here. We have the chance in this community to make this thing work. This is an ideal piece of property for whatever could go into this business district here and I think we really need to consider that as a community and a board. I've been here my whole life. Speedway, McDonalds, Arby's - it's changing. Every day it changes. Every house that we build in this community impacts our schools, our taxes on fire and on police. Usually a commercial venture supports itself in its own way so please take that into consideration.

James Gardner (already sworn in). I just have one thing to say. I was basically accused of looking out for my own interest to sell my land at a profit. I'm here to make you guys, anybody here, a good deal. You give me fair market value for that land - it's yours tomorrow.

Ron Oiler was sworn in. I would like to propose something to the Board. Having been a senior consultant for many, many years and working with many companies, I would like to suggest to the board and propose to the applicant that we use a technique that I used many times and that is the technique and the process of negotiation and mediation. You set a meeting as soon as possible and take the language that has been presented to you and the language that we have in our zoning text, take the easel and a post board, and post to it the areas that become sticking points for you as you go through that language. Then come back to the board and go through those and iron out the issues so that we can do the things fairly, honestly and justly for all the township people and for our client. Then we can say that we have done justice to this.

Jake Baumann was sworn in. Whether you are for it or against it, I have a hard time saying no to jobs. Without jobs you got an area that is going downhill and jobs are in short supply and I just can't see saying no to 2000 jobs. I mean to me that just doesn't make a lick of sense and even if they are not even real high paid, your kids or somebody you know has got to work somewhere and jobs don't just fall out of the sky, they have to be produced. I'm a businessman and I don't have a job. I have to go produce mine. I have to go figure out how to make money. This is a chance to put some money together and I just can't see saying no to it. Anytime you have a tax base like that, it really does produce taxes. I got a place in Florida that is near a couple of communities and the one community is all residential and the taxes are sky high and the next community has a lot of business and business pays a lot of the taxes and there taxes are a lot lower. I just have a hard time saying no to jobs because without jobs you are in trouble. Also I'm in retail and if that thing was built I could actually open a store over there. Right now I have to go somewhere to open a store because there is nothing around so to me it's a mistake not to take jobs when they are available. I just can't picture not doing it.

Mr. Greenwald (already sworn in). I've said it before and I'll say it again. I live on Social Security and I'm lucky to maintain my own house. Slowly my bank account that I had when I retired is going downhill, which I don't really mind, but I have a feeling that once these businesses go in the extra firemen, policemen and other necessary taxes that us homeowners are going to have to pay, I'm going to move. Not because I want to, because the gadgone business is kicking me out and I really don't appreciate it. I do my shopping now locally when I can. I compare prices at the hardware store in Seville and by the time I spend gas going from there to Wooster, I do my shopping in Seville. I don't have a problem there unless I need big buck items like when I had the garage built. What I'm trying to say is that dollars are important but life and lifestyle is more so.

My name is Morris Stutzman and I'm here this evening on behalf of Tim and Linda Kratzer. I appreciate the opportunity to speak to you again. I believe it was about a month ago that we spoke. I believe I ended my comments that evening by telling you that change is something that we live with but obviously it is something that many of us don't like and I think that is probably apparent from all the discussion that we have heard over the last 2 1/2 hours a month ago and probably 2 hours this evening. Change is difficult for all of us but I appreciate all the time that all of you have devoted. I would like to just make a couple of comments this evening because I need to underscore some things that have come out here and to make sure that we all understand everything here. First of all let me just commend the lady who gave us the historical perspective in terms of some of the changes that has happened here in the township, which have related to the major state and regional highways that go through it. Certainly those highways do impact the township. While your comprehensive plan isn't the most current plan around the last update was in 2003, that plan does very clearly say that the township and its land development is affected by those roads and it also acknowledges the likelihood of increased development along those roads. Now we can all talk about the need to update that particular plan, and I agree that's a good idea to do and should be done, but I dare say when you update the plan I don't think you're going to say anything much different in regard to those particular highways and the fact that there is going to be increased pressure for development along those highways. Look at the current situation. You have basically two commercial districts in Westfield Township. You have a Highway Commercial district and you have a Local Commercial district. Only one of those districts is really applicable to the land along these major highways and that's the Highway Commercial district. That's the only one. Now what's the purpose of the Highway Commercial district? The purpose of that district is to provide locations for those businesses that provide accommodations and services to through automobile and truck traffic on US-224, I-76 and I-71. The permitted uses in the HC district include restaurants and motels and then the conditional uses include drive-in establishments such as your fast-food restaurants, gasoline stations, automotive repair, truck repair, auto wash - those kinds of things. Okay, you have the HC district. We propose the General Business District as an alternative to the HC district for property that is located along these major highways and we have attempted to include in that district a variety of uses other than those uses that are simply providing accommodations to auto and truck through traffic on these major highways. We have tried to include uses that would benefit not only people who are coming to Westfield Township from other communities

but uses, which will benefit the residents of Westfield Township themselves. Now there's been a lot of talk about the retail use of this particular development and clearly that is a permitted use in the General Business District but again, thanks to the one gentlemen who pointed out, there are a lot of other uses that could come into this property. There are professional office buildings. He mentioned I believe the Crystal Clinic, for example, and I don't know whether they would come or not but the point being there are a lot of other kinds of businesses and establishments that would be permitted uses in this business district which would be a direct benefit to the residents of Westfield Township and which are other than retail. I mentioned before about the significant economic benefit to Westfield Township and I'm absolutely amazed that people want to basically turn aside and even perhaps ridicule the potential of maybe an additional 2000 jobs in this community. I mean jobs are jobs and jobs add to the tax base of the community. Buildings add to the tax base of the community. That farm out there is now generating \$2000 of taxes every year. If this 105 acres gets developed, as we would like to see it developed, and again, we don't know what all that will be, but the real estate tax alone that will be generated from that will be in the millions of dollars and the biggest beneficiaries of that real estate tax will be the township and the schools. I think it's hard to turn aside the potential economic benefit that could be realized by the community from this kind of development. I realize that the board has received the report from the Medina County Planning Commission since we met last time and I would like to address that briefly. When we proposed the General Business District, we tried to do an alternative. I mean the Kratzer's could have come in here and we could have said let's do a HC district and let's do some more truck stops and motels out on this property. We didn't want to do that; they didn't want to do it. They wanted to do a greater variety of uses than all of that. So we proposed the General Business District and we attempted to draft it to the way that is consistent to your current zoning code. You already have a code and we looked at your current zoning code and we tried to draft it in a way that is consistent with the kinds of requirements that you have in your Local Commercial, that you have in Industrial, that you have in your Rural Residential where you have setbacks and you have other things in there. This is what we attempted to do. I know that the Medina County Planning Commission said that they would prefer a planned unit development and would prefer that you would go in that direction. As you know the Westfield code does not make allowance for a planned unit development and so if we went in that direction it would again require a zoning text amendment along with a map amendment, which basically would bring us back to the same place. In other words, it's a different way of getting to the same place. The reason we did what we did is basically we were trying to be consistent with your code and not rewrite the whole code for us but just trying to amend it. We also understand what the Planning Commission has said that they have a concern about the traffic impact. A lot of the people here talked about the traffic impact and the need for infrastructure and about the concern with the interchange area, the need for roadway improvements and all of that. We understand that at some point in time, if we are permitted to do this, we are going to have to come up with a site plan and we are going to have to show you exactly what we propose to do with this property. We know when that time comes we are going to have to answer a lot of those questions and there's going to have to be improvements that will have to be made but ladies and gentlemen, this is a zoning request, this is all that is before you at this point of

time and while the cost of doing all these studies that the Planning Commission suggested to us may be insignificant to large developers, I can assure you they are not insignificant to the landowners, such as the Kratzers. I mean these are very significant expenditures, particularly when it's uncertain whether they can even utilize the land for the purpose for which they would like to use it for. They don't even know if they can use it for that and you are asking them to go out and spend hundreds of thousands of dollars just to do the studies to show they could make the improvements that would be needed to do this kind of development. Finally, let me just say, I indicated before that this kind of application was not filed without a lot of soul searching by the Kratzer's because other options do exist. They filed this application because they are lifelong residents of Westfield Township and they really believe that the potential economic benefits that could inure to the township would result in giving you an opportunity to look at it and they also felt that this approach would give the township the opportunity to have greater control of the development of this area. In other words, it gives the township a seat at the table and a greater voice in the development than what some of the other options would. I simply hope that you value this as much as they do. We filed these applications on August 28<sup>th</sup> and that's about 90 days ago. I know this kind of hearing according to the statutes is supposed to take place within 40 days and we are well beyond that at this point and we have tried to be patient with everything and I certainly have asked the Kratzer's to be patient with everything, but I hope we can come to a decision. I think they deserve a decision to be made and I hope when you make a decision you think about the future of Westfield Township. Think about where this property is located. Think about the fact that you only have the one real commercial district now, the HC. Think about the fact that this is an alternative to having just this one district. I hope you think about the fact of the potential economical benefit that something like this can offer. Think about the desire of the Kratzer's to give the township a seat at the table and to make the township a partner in terms of what happens in this particular area and I hope you value it as much as they do. This is something that they have committed themselves to in making a development in this particular area and they would like the township to be part of it and so I would urge you to reach a decision and I would request, in their behalf, that the decision be in the affirmative.

Chairman Zupanic - It's 9 o'clock and I set a limit at 9:30. I would like to expedite this but I want everyone to have a chance to talk, if I could limit to possibly 2 minutes to let everybody talk.

Bryan Smith was sworn in. I'm a resident of Greenwich Road and we've lived there nine years. We moved from a number of different states since 04 but we do like this community. We do like it because it is rural residential and it's my feeling that I would like it to stay that way, but I also want to be honest. My grandparents own a 350-acre farm. The next generation did farm it for a while and now it's basically being broken down into different lots because a lot of people just don't farm anymore. I think of their property and I look at Kratzer's property and I think if I owned Tim Kratzer's property I would sell also. Now that doesn't mean that I accept or like the idea of what they proposed. Originally the first meeting that I came to there was an architectural drawing of a proposed development and to me it looked pretty specific of exactly would go into

there. It was basically big box stores and retail. A lot of other people have talked about other things but I think the original plan and the developer and the architect already have their formed opinion on what this is going to turn into. So if we truly do have an opportunity to shape and mold then I would say let's look at that. I would like to personally keep it in a way to maybe match some of the existing development already over in that area. For example, you have the bank off of Route 3 and Greenwich Road, like the Curves and that whole area there, close to Panther Parkway. What I like in a lot of communities is how the architecture matches, all the buildings look the same and the big box stores are going to make their businesses the way they want them to look. Nothing is going to look attractive, you are going to kind of lose that rural community feel. I do agree with a lot of people, we need to support a lot of local businesses here and not really the big box stores. I'm not opposed to anybody developing their property but I'm just not in favor of a WalMart or any of those stores coming in here because we already have them in close proximity. I can't say that I would want to build a house with the highway behind me as well so I think there are other alternatives other than just residential but I'm not in favor of this proposed situation but I'm not against any development at all.

Lisa Beckman was sworn in. I kind of take offense to a couple of things that Mr. Kratzer's attorney said. This affects all of us. Every person that comes here, everyone that comes home from work at night, they are hungry, they are tired, they want to put their feet up, they don't want to come to these meetings. Every person in the room is affected. This will change the way all of us live once development comes this way, it's going to change our property value. It's going to change everything, traffic flow, crime rate, everything. And as far as the tax abatement, the tax question that Mr. Kratzer's attorney brought up, I want to understand why Medina has no money. They have every retail establishment I've ever seen in my life in Medina and they have no money and their taxes are sky high.

David Tryon (already sworn in). I was up before and I said I think it's all about the money. With the exception of the people on the zoning board here tonight how many people are paid to be here to speak tonight - there's only one that I know about. There was talk about this being brought to a vote and I really believe that is the way it's going to have to be handled and should be handled. There are too many people on opposing sides and, if it's possible, then the township residents need to vote on this.

Tom Micklas (already sworn in). Mr. Kratzer's representative talked about the future of our community. That's why we are here because we don't want to see what has happened in other communities. Nobody begrudges Tim Kratzer but there a lot of better ways to do things on this property. Consider the future of the people who are in this room and why we are all here and that's the future you want to look at.

Karen Micklas - Hey, Tim, why don't you price your property and maybe someone here will buy it?

Zoning Secretary Marlene Oiler - For clarification, the vote tonight is just upon the text and map amendment and any proposal whatsoever for any type of building or development would have to come back before the board with a site plan for review?

Chairman Zupanic - Correct, it would be at the site plan review.

Carolyn Sims was sworn in. This is a large decision and I would encourage you to take your time. I'm interested in and we waited a long time to understand your opinions and testimony. I also think it would behoove the board and the residents to understand the recommendations through planning services. One of the main concerns was the intersection of 224 and Lake onto Greenwich and the highway and I've been waiting to hear your opinions on how this proposed text and map amendment would affect that. The other thing - there is confusion about the two separate applications here. One is the text amendment which could apply to anywhere within the township. Then if the text amendment is approved, then the map amendment would be to take Kratzer's property and put it in that newly created district. Does everybody understand that? I've been waiting for the answer and discussion as to what is the definition of a major road as it doesn't seem to have a definition and I field a lot of resident phone calls, do I live on a major road. Other things are some information with the studies where Russ you had requested that we have a meeting with planning services some time ago, I believe it was some time in April, and during that time each of the county departments gave their concerns and I've yet to hear any of that discussion and there were concerns with the Chippewa canal, the flood plain, a traffic study, those things. What's going to be there - get that information so it's based on fact and not on emotion. I'm sure some people felt that me and Mr. Kratzer are normally on an opposite end of an issue, which we probably are. We have opposing opinions on a lot of items but Mr. Kratzer deserves this board to dive into that information as an applicant and so that it's understood the engineering and the logic and not just the spirit and the emotion of it so I'm really looking and hoping that you postpone your vote. I've also heard a couple of things that may not altogether be accurate. One of the things that I thought I heard Mr. Stutzman say that we don't have a planned unit development. We do in Rural Residential and that is what the majority of Mr. Kratzer's property is. I've also heard concern for the school and early on Tim and Mike Schmidt had met with the principal of the school and we have had a financial advisor for Cloverleaf look into the scenario and to the best of their knowledge the difference in the game would be Mr. Kratzer's parcel is currently in CAUV and it gains a lower tax and then it would just be the difference to the commercial tax. The other question that I would like the answer to is the text reads that it is for water and sewer available and I would want to hear how that was going to come about and those residents coming from wherever that water and sewer is coming from would like to know that too. Those are the questions that I'm hoping the commission takes the time, answers, looks at that information, review planning services and then also, Jeff and I had made a commitment to those residents that were older and had written letters, couldn't attend meetings, that those letters be read into the record and I didn't see you moving forward with that commitment either. Do you plan on doing that?

Chairman Zupanic — We plan on having a vote on whether we will read or not.

Carolyn Sims continued. Then there were several letters from the county prosecutor, one of which stated that to ensure that everyone was familiar with the letters that you could read them into the record. But more important than the prosecutor's opinion is Jeff and I's personal commitment to those people who, for whatever reason, can't make it to the meeting and some of them are, I would say over a third of them were pro-Kratzer, and maybe a third of those were written by Kratzer's family so we need to get those into the record too.

Audience comment - That was very unprofessional.

Dwayne Kramer (already sworn in). I was just curious and need some clarification on something. If you intend to vote on this issue, is it my understanding Mr. Anderson that you are related to Mr. Kratzer in some way, shape or from?

Scott Anderson -I am not. To keep this perfectly straight, I am not related to Mr. Kratzer whatsoever. My wife is.

Audience - So there is a relationship there. Do you plan then to recuse yourself from voting on the Kratzer development because of that?

Scott Anderson – I do not and if you have any more concerns about it you can ask Assistant Prosecutor Thorne.

Chairman Zupanic - Mr. Thorne has basically said that his relationship is not an issue.

It was a concern earlier and it was brought up and Mr. Thorne basically gave his advice and according to the prosecutor, it's not a conflict of interest. We do have that in writing.

Attorney Stutzman - It seems to be an issue that the text includes major roads or highways, such as US-224, I-76 and I-71, which is what we intended to refer to. I have indicated before our willingness to work with the township in improving the language if there is a desire to do so. If the board would feel that they would like to delete the words, major roads or highways such as, so that it would simply read " in close proximity to US 224, I-76 and I-71" we have no objection to that.

Chairman Zupanic - Does anybody else have any comments? Okay at this time I am going to close the public meeting section of it and now we are going to have time for the board to discuss. You are more than welcome to stay and listen but again we are not going to field any questions from the public.

#### Zoning Commission Discussion

Chairman Zupanic - To address the issue about the letters, on November 13<sup>th</sup> I talked to James Bennett, assistant prosecutor and he responded to my concern regarding letters from residents as follows:

"You requested this office issue an opinion regarding whether the Zoning Commission may consider letters it has received regarding a proposed zoning change. Specifically the Zoning Commission is considering certain zoning amendments at tonight's meeting. In response numerous citizens have submitted letters to the Zoning Commission expressing their opinions on the changes.

Your first question was whether the Zoning Commission was allowed to consider these letters. As we discussed on the telephone, the Zoning Commission is a legislative body, not a quasi-judicial one. As a result you are not just taking evidence rather you are allowed to consider the opinions of citizens as well as unsworn statements. Thus the Zoning Commission may consider the letters that it has received.

Your second question was how to verify that the person writing the letter is who they claim to be. Unless the person is at the meeting it is probably difficult to conclusively prove who wrote the letter. However you also should not assume that the letters are fictitious without proof. Clearly letters may be less reliable than live statements. As a result the Zoning Commission may decide what weight to give the letters and may (or may not) give them less weight than live statements.

Your third question was whether you were required to actually read each letter into the record. I am assuming that you do not have any specific rules of procedure or past practices which address this issue. Unless you have adopted a contrary rule you are not required to read each letter into the record. However, each Zoning Commission member should be familiar with all the material in the record, including the letters. You may choose to have the letters read into the record to prove that each member is familiar with them.

Your fourth question was whether the recommendations of the Medina County Planning Commission are binding on the Zoning Commission. As you are aware, the township is required to send any proposed zoning changes to the County Planning Commission. The Planning Commission then makes recommendations to the township. The Zoning Commission should strongly consider these recommendations but the recommendations **are not binding**. You may follow the recommendations, modify the recommendations, or reject the recommendations. " If you have any questions, please give me a call.

Chairman Zupanic - Regarding reading the letters I'm going to put that in front of the board for a vote. The prosecutor basically gave the opinion that we can enter them into the record without reading them but we must make sure that we all have read them and we know what they say. Do we feel that we want to read the letters at this meeting?  
John Miller - My discussion will be the fact that in one of our meetings we did say we would read the letters to the people in the audience. I think we should follow through with that.

Chairman Zupanic - Anybody else have discussion? Okay, I'll take a vote. Shall we read the letters in this open meeting? Call we take a roll call?

Roll Call Vote:

John Miller - I vote that we read the letters.  
Jill Kemp - I vote no.  
Scott Anderson - I vote no.  
Russ Zupanic - I also vote no

Chairman Zupanic - They are included in the public meeting record. They are official and they are actually public record.

Chairman Zupanic - From what I heard from the citizens it seems that traffic is a major concern, development is a major concern, retail establishments seems to be a major concern, I believe those are valid issues. The problem that I have right now and I'm looking at the future and looking at the past and I look at our text map and what is brought in front of the board actually has some valid points but it may be too broad.

In addition I think our current text and our current zoning map are vintage 1950. If you take a look at how we have our township, our development is going down Greenwich Road - this is residential area. I'm looking at traffic and if we were to develop now as we have it, Greenwich Road would be 7500 sq. ft. buildings going up and down and I think if we are looking at curbing development we need to address that issue. If I could have my way I would take a look at restricting that type of development and actually having more of a spot development. I think we need to sit down and actually hash through it. I think that's probably something valid and we might want to consider something like that. In addition I think we might want to look at what is the future of the township. Local Commercial going up Greenwich just doesn't sit well with me and I think if we are looking at actually curbing it we need to centralize it.

Scott Anderson - I'm not really crazy about having all the traffic on the road. I agree with Russ as far as trying to change this a little bit but the amount of traffic on the road, I don't like it either and people don't obey the law, the speed limit. With the business coming in it would limit the speed to a degree and it would need to come down to at least 45 mph, but we need to modify this a little bit.

John Miller - I've got a lot to say. First of all I don't know whether anyone on this board has an agenda and I hope not. I don't agree with doing a vote tonight on either the proposal or the text or the zoning or map amendment. First thought, we are not depriving Mr. Kratzer of selling his land. It's already zoned Light Commercial up front and Rural Residential. He can still sell the land as it is. Secondly, there were statements that no one wants to live close to the highway. Apparently you haven't driven up Route 18 and 71, Route 303 and 71, Route 77 and 18 - there are multiple housing allotments right around those and very expensive homes right up close to the road. They actually put up sound retainer walls. I prefer to not cover this ground with concrete and pavement for buildings and parking lot. I would like to see it developed in a more rural setting as per our comprehensive plan calls for. It's still in effect as far as I'm concerned. I think the Medina County Planning Commission's recommendation has a lot to say - the traffic

study, the zoning or the sewer and water coming down there. How's it going to affect everything around the rest of the township. We haven't even done a study on that and in my mind that means we can't do a vote on it. I think we should utilize the existing HC that is at the old truck stop prior to more HC or even developing a General Business district. If we are going to develop anything in that area, it can be developed and sold as a planned unit development that doesn't spread all over the township where a General Business district once put in is duplicable anywhere there is water, sewer or highway as I understand it. I don't believe we need a text change to conform to the plans that are proposed. I think we need to do some planning and map out a master plan of what we would like to see this township do and for that we need a comprehensive plan to be redone, resubmitted and acted upon. Change may happen. Some of your old people have been in this township a long time. I've been here about 47 years so I feel sorry for us all. We don't have to have a change tomorrow or next week. This happens in a planned, easy going way that this whole township really wants. This is what the residents are all telling us they want except for the people who stand to profit from it. I don't begrudge Mr. Kratzer selling his land; he has that right. He has already sold a bunch of land and sold I don't know how much dirt to make a pond and fill. Anybody travel out Lake Road on a soccer game, do you enjoy the traffic on Lake Road. Just think they will be coming down Lake Road and across Greenwich, maybe the same way or more so. I believe a traffic study needs to go in before anything we do. I don't think jobs are a major contributing factor. The pay wise to the community improvement is not going to be significant. The services required for this development, if a development goes in, will long linger after the stores leave or close down. Once it's rezoned the developer doesn't have or we don't have to give him permission for what kind of stores he's going to put in, he's going to put in what sells so if you are going to do a controlling zoning for that area it has to be a planned unit development that is specific to that area and cannot be placed all over the township wherever there might be highway accessible water and sewer. I have a concern, not necessarily a personal concern of Mr. Anderson voting, I have a concern that he is in the locale of the property that will either affect him positively or negatively. That's all I've got to say.

Chairman Zupanic - Do you want to do any discussions amongst yourselves or ask questions. Again, just to open up discussion, I'm all for a comprehensive plan. We should have started this when we first put the letter to the trustees that we wanted to spend the money. I know everybody here on the Zoning Commission gave a letter recommending that and I know everybody on the Board of Zoning Appeals did the same and, again I ask the trustees to do this. As to the concern about not taking a vote tonight, I don't have a problem with that but I don't want to drag it out. I want to get an answer going. I want to get something going here. What do you propose?

John Miller - I don't really have a good suggestion at this point other than what the Medina County Planning Commission said in all their notes where they disapprove it. They disapproved everything because it's not a good plan for our area. It doesn't match our comprehensive plan. We don't have water and sewer. We don't have traffic studies. We don't have the roads accessible for that much traffic as for 5000 cars per day. As in the article in today's Gazette, many counties right now are doing things and townships

are doing things to protect the farmland. We've got a good piece of farmland down there. It could be used for farmland. Mr. Kratzer won't get high money out of it and I understand that he would like to profit off of it, I don't begrudge him of that. However there is some other way to use this other than big box stores. I hate to see our small town stores go to pot because we have everybody running over to WalMart.

Chairman Zupanic -I think you are focusing too much on big box stores.

Jill Kemp - and WalMart.

John Miller - In the proposal of text we have the options of those things. And I understand Mr. Stutzman had offered us to give him some recommendations of changes. I think we should review that extensively and get together with him.

Chairman Zupanic - Are you willing to sit with the board and go through this and see what is best for the township. Is that something that the board would like to do. I don't want to drag this out.

John Miller - I'm saying sit with a group of people, like a developer, like the Medina County Planning Commission, and we work it out correctly rather than sitting here taking a vote on something we are not prepared for.

Chairman Zupanic - I guess what you guys brought to us, in my opinion, I think the 500' on each side of Greenwich Road is ridiculous. I think that is zoning from the 1950s down Greenwich Road and I think that is something we really need to take a look at. And again I do think that the General Business is too vague and I think the whole issue of big box stores has reached some confusion and I think we might want to look into that a little bit differently. I don't know if you would be willing to talk about that. I think there is a lot of discussion that we need to do.

Jill Kemp -I agree with that.

Chairman Zupanic -I guess I'm at a loss to know how we want to proceed. Do you have any suggestions? I'm trying to get something going here. I want to get - let's put it this way, I think what is in front of our board right now is 3 options: #1 to vote and we can vote to either approve it or deny it or we could discuss this further and see what we can come up with.

Attorney Stutzman - I'm not quite sure what we are discussing. Are we discussing the text amendment and seeing how it can be drafted in a way that makes the board more comfortable, for example?

Chairman Zupanic - We need to find out about the traffic study and there are issues with close proximity. There's a lot of things that is going to be a huge impact to our township in the years to come. I'm already 10 minutes over my allotted time of 9:30 in closing the meeting. I think we need to continue this for further discussion because I don't know if

we are ready to make a decision at this point, but I understand you need to have a decision, yes, no or whatnot.

Attorney Stutzman - A traffic study would take a number of months to complete. It's very expensive. In my 30 years I've never done a traffic study with a zoning request but I've done a number of them in connection with a site plan. The Medina County Planning Commission report is the first time that I have encountered a suggestion that you do the traffic study when you do the rezoning request. Those things are very, very expensive.

Chairman Zupanic -I understand.

Attorney Stutzman - I'm not sure at this point we are prepared to do it because you are asking us to spend thousands of dollars before we can even do something with the property that we would like to do.

Chairman Zupanic - I don't want to be the only one talking here, but it sounds like the board here realizes that there is potential for something to happen there but I think the board, if I may speak for the board, is uncomfortable because I think it is too broad at this point and so what do we do to proceed.

Jill Kemp - The traffic study - in the past we have always done that with the site plan. When we had the problems with T/A, the traffic studies weren't done until we had a site plan before us. So I think it is unreasonable to ask for a traffic study at this time

Chairman Zupanic - We are putting the cart before the horse.

Jill Kemp - Right, besides what we want in there and then the traffic study can be applied to whatever changes we make to the zoning text and get a more accurate report.

Chairman Zupanic - It seems the other problem we have here is being way to broad of a request to the board. If we accept it we're opening up Pandora's box.

There was discussion about how to go about any changes to the amendments either before or after the vote and about sitting down with the application for that type of discussion.

Chairman Zupanic - About making modifications first, I did talk with the prosecutor about that and it is his opinion that we can modify what is brought in front of the board as long as we have an agreement with the applicants to actually go into future meetings and, like you said, hash it out. We can see if we can work out an agreement between everybody that would be beneficial.

John Miller - My concern is I would like it to be more planned out and thought through than accepting something that we don't know what it's going to be. These people don't want that. These people want a plan, a plan from us, a plan from them, a plan from Medina County Planning Commission all to fit together that suite us all.

Chairman Zupanic - Sounds like a comprehensive plan that we asked for many, many months ago.

Jill Kemp - We have a responsibility to give the applicant an answer in a reasonable amount of time

Chairman Zupanic - We can do a yes vote; we can do a no vote; or we can continue this to sit down with them to see if we can hash out and modify.

John Miller - I'm asking for us to work and get a plan that meets what they are trying to do, what the township can be restricting, what the people want us to do and maybe we'll have time to do a mini-comprehensive plan, I don't know, and at the same time, a mini-traffic study, I don't know. Some of this stuff needs to be thought through before we come out and say yes to anything.

Attorney Stutzman - A comprehensive plan and traffic study will take far longer than what we would expect this application to go. If it's a matter of sitting down with your representatives to talk about the language in the amendment that we have proposed and trying to tighten the language in a way that these people are more comfortable with it, I would be happy to do that with you between now and your next meeting. If it's a question of trying to do a comprehensive plan, mini or maxi, or trying to do a traffic study or something - those take months to complete and that would be a waste for all of us at this point of time. We would want an answer before six months would expire, which is what we would need to a traffic study minimum, maybe more.

John Miller — Then to the report of the Medina County Planning Commission, maybe he says their discussion is not binding, however, they've done a lot more insight and research on this and they disapproved both suggestions - the text and map amendment. If we can't do that then I have to say I disapprove because I go with what these people know and they know far more than I do in this plan.

Jill Kemp - I think that as far as the Planning Commission's idea - they disapprove of it the way it is because they want a planned unit development and maybe that is not something that we want. I think it's more up to the residents and the Zoning Commission members to decide what we want in our township. I don't think we have to go along with that and the prosecutor said we don't have to go along with what the Planning Commission said.

John Miller - It's not completely binding but they've got recommendations there that we need to look into before we say yes or no.

Chairman Zupanic – I guess we have to be reasonable too. There is no way that a developer is going in there if it is not able to be developed. If sewer and water is not available, it will not be developed.

Jill Kemp - Right.

Chairman Zupanic - I guess what I see a zoning text to be would be the road map for future development. And again I stated this previously our current road map is vintage 1950. I really do believe that we need to re-look and research that because I think what we have here, to be blunt, my concerns are - I'm looking at a water park going into Lodi.

John Miller - You're looking at the suggested water park going in there. It's not going there yet.

Chairman Zupanic - That's right, just like we are looking at this suggestion. I'm also looking at what is happening in Chippewa Lake - they're talking about hotels and everything else - again suggestions. All the stuff that is happening is just overwhelming to me and the way that our zoning is currently set up, my fear is that if something does happen within Lodi, our Greenwich Road is just opened up to development. You talk about congestion, there's 500' on each side of Greenwich that is ready for 7500 sq. ft.

John Miller - If you allow these text changes to be approved, it will make it even worse because all of Greenwich Road that has water lines, all of Friendsville Road that has water lines - they are open to what we talking about here.

Chairman Zupanic - But a future comprehensive plan would take a look at that and that's something that I personally want to see.

John Miller - I'm just saying we are not ready to make a decision on this text because we haven't agreed upon the text. How can you vote yes or no - I have to say no until we agree upon the text.

Chairman Zupanic - I'm going back to the discussion a few minutes ago that you would like to see this meeting tabled to sit with them and hash out what we are talking about.

John Miller - I would like the Medina County Planning Commission. I would like the developer who actually has some input in it, what's going to happen. There's no water and sewer down there yet so why are we even considering it at this point.

Chairman Zupanic - I understand why they brought this in front of us and I think we need to look at it logically.

Jill Kemp - All I can say, the very first time I went to the Planning Commission back in March or April, Marlene and I went, Patrice's comments, and there were two others that sat in on the meeting, - her comments were that we have the opportunity to tailor something very nice for the township.

John Miller - Let's tailor, let's not approve something before we tailor it.

Jill Kemp - The prosecutor said there were three options: yes, no and how did he word the third option.

Chairman Zupanic - What we would do for the third option is continue this meeting and we would set up a workshop with the gentlemen here and hash through our concerns. We would not be voting tonight.

The board indicated they were willing to hold a workshop for this purpose. The board and the applicant and his attorney indicated that Tuesday, December 4, 2007, at 7:00 p.m. would be an agreeable date for the workshop. There would be no voting at the workshop. Any revised language would be discussed at the next regular meeting, which is December 11, 2007, at 7:30 p.m.

**Adjournment/Continuation of Meeting**

Upon motion by Scott Anderson, duly seconded by Jill Kemp, it was unanimous that the hearing be continued. Adjourned at 9:45 p.m.

Marlene L. Oiler, Certified PP, PLS

Westfield Township Zoning Commission Secretary

(Approved 12/11/07.)