

**WESTFIELD TOWNSHIP ZONING COMMISSION**  
**Regular Meeting – April 10, 2007 @ 7:30 p.m.**

Chairman Russ Zupanic called the meeting to order at 7:30 p.m. Roll call indicated four members of the Zoning Commission were present: Jill Kemp, James Likley, Russ Zupanic and John Miller (alternate). Wayne Brezina and Scott Anderson were absent. Others in attendance included: Trustee Jeff Plumer, Trustee Carolyn Sims, Zoning Inspector Gary Harris, BZA member Ron Oiler, Bruce and Rosemary Broadbridge (10352 Wooster Pike), Dwayne Kramen (7363 Buffham Road), Tom and Karen Micklas (7360 Buffham Road), Bill and Gayle Foster (7048 Ryan Road), Tom and Diane Bombard (5359 Greenwich Road), Dennis Delagrange (9730 Westfield), Donald Iacobucci (9518 Daniels Road) and Tim Kratzer.

**Minutes**

Upon motion by Jim Likley, duly seconded by Jill Kemp, the February 27, 2007, special meeting minutes were unanimously approved and signed.

Upon motion by Jill Kemp, duly seconded by Jim Likley, the March 13, 2007, regular meeting minutes were unanimously approved and signed.

Upon motion by Jill Kemp, duly seconded by John Miller, the March 27, 2007, workshop minutes were unanimously approved and signed.

**Correspondence**

- At the request of Trustee Sims a copy of her e-mail dated 4/7/07 addressed to Tom & Karen Micklas was provided to the board members for review.
- The zoning secretary distributed a copy of the revised pages that reflected the Westfield Township zoning amendments made during 2006.

**Old/New Business**

Chairman Zupanic indicated that Home Occupation and Signage matters continue to be tabled for the present time. He further indicated there was no zoning applications submitted to date for consideration at this meeting. He asked Vice Chair Kemp to report on the workshop held at 3:00 p.m. today in conjunction with the Medina County Department of Planning Services informational meeting.

Kemp – ODOT was there, the county highway engineer, the county sanitary engineer, a couple representatives from Westfield Center, Muskingham/Chippewa Water Conservation, a representative from Economic Development. MCDPS Director Patrice Theken was the meeting facilitator. Briefly the agency comments included:

ODOT – Made the comments that they really can't give us much information until there is a traffic impact study and their concern would only be the intersection of SR224/Lake Road. At this point they are not concerned with Greenwich Road because it's a county road. As to who would be responsible if Greenwich Road needed to be widened, it was indicated that ODOT would probably be responsible because the bridge is theirs – the structure is ODOT's.

County Highway Engineer – Stated that they would need the traffic study to look at but his concern would be the Lake Road/Ryan Road/Route 3 intersections with Greenwich Road. He said it would depend upon the scale of any project that would come along as to what improvements on Greenwich Road would need to be made.

County Sanitary Engineer – Stated there is currently no water or sewer but there have been discussions with Westfield Center and they have some capacity available but it is limited and it might be a first come, first serve basis. He also said if a builder/developer puts them in and pays for them, the county would accept them at that point.

Westfield Center representatives – Said they have not committed the capacity they have available to anyone yet.

Economic Development – Said that Ohio Edison and Time Warner are in that area. Cable runs as far as the 5700 address but there should not be a problem going down further to the 5600 address.

Muskingham Water Conservation – Regarding the Chippewa channel there is a 100' easement on each side that they need for ingress/egress. She also said the culverts and other structures that are there currently are approaching the end of their life span and will need to be replaced. Whatever would be done cannot impact the way those culverts work and how much water they carry and some type of storm water retention would be needed both for the quantity and for the quality of the water that goes into the channel.

County Highway Engineer – Said that currently, according to FEMA, you can build in a floodplain and there aren't a whole lot of regulations. However, the county is looking at adopting regulations that if you fill in floodplains you must build compensatory flood storage to make up for what you've lost in the floodplain.

Likley – The County has been talking about it for almost a year and it should come before the county commissioners within the next month or two for finalization. We have language in our Natural Hazards District that addresses development and building in the floodplain. I have called A.P. James Bennett to verify the strength of our language and he is reviewing it.

Chairman Zupanic – I think we as a community can't put our heads in the sand and think this is going to go away because something will be coming. I don't know what but development will come.

Likley – I keep hearing that this is ripe for development but I think our current zoning addresses the issue. I think this proposal is contrary to our comprehensive plan. We increased our lot size and increased frontage. I believe we have taken a proactive approach in our present zoning plan. This area is available for planned development with smaller lot sizes. I think we are heading in the wrong direction to try to write language to accommodate this proposal.

Chairman Zupanic – I don't think anybody even mentioned writing language. Everything we talked about is looking at a comprehensive plan. It states that we need to address it every 5 -10 years and it's been 12. Within the comprehensive plan it talks about our zoning supports our infrastructure and, from what I heard, our infrastructure is changing and so is what's happening to this whole area. We need to readdress the plan. I did speak with the planner that is currently doing the Lafayette Township plan, Bob Arnold. He will create a proposal for us and give us an overview of what services he might provide. It might be something that we want to look at.

Likley –These last few meetings have not been addressed to the comprehensive plan, just to this proposal. If you want to look at a plan and doing a community survey and going through the process, let's address that.

Chairman Zupanic – Lafayette Township has a group of citizens (25-30) and they meet regularly and the planner basically said what is important to your community. They did a nice job of what's important, what are the nice aspects, what do you enjoy, etc. and they are now looking into each of those segments. We might want to readdress those issues as they do change.

There were discussions/comments (many at the same time and with interruptions) relative to the non-proposal; the status of the comprehensive plan, when it was done and updated and whether it should be readdressed at this time; that a grant might be available for matching funds for a comp plan rewrite; what area/district was possibly being considered for zoning review (HC, LC, Lake Road, Greenwich Road or what); whether zoning was being written by the board for a new district; the changing rural establishment; the soccer field/campground area that is now zoned LC; the new road going back to the soccer fields; the 500' wide strip of LC along Greenwich Road to the East; development in LC along Greenwich Road; development at the old truck stop; what the future needs of the township will be in 5-10 years from now. There were varying opinions on whether the meeting set up and facilitated by Medina County Department of Planning Services this afternoon was productive or informative or a waste of time.

Likley – Greenwich Road is presently zoned Local Commercial. LC addresses the needs, wants and desires of the local community. It has been zoned LC for a long time. The market will drive the businesses along there. We have language that addresses the lot sizes, the size of the building, the signage, setbacks, etc.

Chairman Zupanic – We as a community don't know what's going to happen 10 years from now, but our zoning text will give direction and it provides a framework of what's

going to happen. The only thing we have done so far is to ask a question – is our framework really what is the right thing to do with that area. I would like to readdress our comprehensive plan and get a planner on board to take a look at what we have written and whether it is the right thing for now or is there something that needs to be changed. I believe it's our job as a board to address it.

Likley – We still have to get clarification of what can be built in the flood plain and I've asked the Prosecutor's Office to review our language. Much of that north of SR224, east of Lake Road – that's been changed to LC but the campgrounds is within the 100-year floodplain. I would be willing to look at permitted and conditional uses in HC to encourage some type of development at the old truck stop. It's been an eyesore for a long time.

Sims – I just want to really help you guys get the horse back in front of the cart here. I would like to know each of your individual opinions on creating a district between Lake and Greenwich that allows for big box retail.

Chairman Zupanic had to quiet the audience as talking/comments were getting out of control.

Chairman Zupanic – There has been no application for big box retail. There's been nothing talked about changing the zoning to big box retail. There was a proposed development that spurred discussion about what is going to happen in this area.

Sims – I need you - I would like to know your individual opinions on big box retail on Greenwich Road.

Chairman Zupanic – Does anybody want to tell what your personal feelings are? My personal belief is that I cannot give a decision of what is best to go in there.

Disorderly comments/interruptions ...

Chairman Zupanic – I live in this community also. I want to get people to give me an idea, redo our comprehensive plan, update it and get a better idea of what is happening in our community. I don't want to be blindsided with any development nor do I want to spot zone. If we are going to develop an area I want to make sure we talk about the whole area.

Likley – I'm opposed to this proposal. I don't think it fits in the community. I don't think it fits to the comprehensive plan that we used to write our zoning text. I think our zoning text is very complete; it's a work in process. I think our zoning addresses the possibility of development whether it's in HC into RR – there's options for every large landowner in Westfield Township from 30 acres on up to come before the BZA for a planned development. We can't zone farmland to be dairy cows and corn. If farmers choose to sell their land, we can't stop them. If a developer comes in and wants to build

homes they have the zoning code to follow. If we want to look at a comprehensive plan update, let's start that.

Miller - I have a lot of opinions. A few meetings ago I think I heard the residents speak out that they didn't want this change. I don't really want it myself. I don't need a big box store. I can drive to Medina or Wadsworth. If we bring in big box stores eventually the Wal-Mart's show up and drive your family businesses out of the country.

Kemp – In my opinion, the way I feel about it doesn't really matter.

Disorderly comments/interruptions ...

Kemp - What I want is to get as much information that I can get from everybody and that includes updating the comprehensive plan. If we update our comprehensive plan, I'm here to represent the residents of this township – my personal feelings shouldn't matter. The only way we can know what the residents want is to update the comprehensive plan. All we have done so far is try and gain as much information and as much knowledge as we can to better equip us with handling what comes before us.

Sims – With the information that you were given in listening to the residents how are you representing their opinions, do you feel that the residents are interested in big box retail on Greenwich Road.

Kemp – I don't feel that I can base my opinion on the residents that showed up at that meeting. I think we need the comprehensive plan to get answers from the whole community because, as I said before, the people that show up at any of our meetings are the ones that are against it. I want information from more people.

There were discussions/comments (many talking at the same time and with interruptions) relative to the suggested comprehensive plan review process and when the initial survey was done (early 1990's); that the second review was done approximately 2002 by NorthStar and all they did was update what was there.

Chairman Zupanic – Like I said, I met with a planner last week and he's going to get back to me with a plan with what he wishes to do and then we have to go to the trustees to see if we can get funding. He said he likes to get a well-rounded group of people from the community (people from every aspect of life) and then he goes through a gyration of meetings to get a general feel for what's happening and then those people bring in more people so when all is said and done there is a pretty good idea of what people want.

Sims – So let me understand this, are you as a commission or are you not as a commission initiating a proposal for a new district from Lake to Seville on Greenwich Road?

Chairman Zupanic – At no time did we ever say anything like that.

Sims – So you are no longer going to be discussing the possibility of a district from Lake to Seville?

Chairman Zupanic – At no time did we ever do that – although I do want to take a look at that area in a comprehensive plan. I specifically talked to the planner about reviewing a certain area and he was against it and said we should take a look at everything. From what I understand there is grant money that could be available and we just need to get a quote. We need to get some input from a planner and find out what direction to go.

Sims – Now that the construction has started you need to understand how the flow of traffic will impact whatever is to come here and I would recommend to the board at this time that you allow the majority of that construction, which will happen over the next two years, to develop and postpone your comprehensive plan until you understand how the new flow of traffic is going to affect those businesses.

Chairman Zupanic – Your concerns are noted but I don't want to wait any longer to pursue a comprehensive plan rewrite.

Sims – I don't know where I'm at with the supporting of money for a rewrite of the comprehensive plan.

Chairman Zupanic – We want more information, or at least I do.

Kemp – To me that's what we have been about these past few months – gathering as much information as we can.

Miller – As to the traffic pattern and the higher speed ramps, I don't believe people are going to slow down enough to come off unless they need to get gas or want to stop at McDonald's or such. The people this is going to impact with these lanes and everything else that is going on are the local people who get on and off this intersection. Rather than expand our vision so far out we need to look at what can we do to make this truck stop area more presentable in the next few years. With all this construction going on why do we have to make a decision today on something that is going to change two years from now? We should be addressing only the Lake Road corridor. As to the comprehensive plan, I don't know why that little segment needs a whole comprehensive plan readdressed.

Chairman Zupanic – As I said earlier, my original thought was to just address that area but after speaking with a planner, he suggested doing the whole township and he's smarter than I am about planning.

Miller – As to this PUD thing, I was kind of upset that the PUD responds to the whole township. Whatever you do on PUD you can't just do local, it has to be the whole township.

Kemp – Even with that when I went up to speak with the Planning Commission it was just to gather information. This was one option. Nobody even said this is what we want to do. It's just an option they gave us information on.

Chairman Zupanic – I don't know that's what we want to do. I want to make sure that our zoning fits what truly is the direction that this community wants.

Unidentified man – You have an unique opportunity here. You're trapped right now between Medina, which didn't properly plan, and Wadsworth where the same thing is happening. You have an opportunity that's really not going to come into full view until this whole highway mess gets figured out. The traffic and things is really going to change things down there. Development is coming, you can't stop it, but properly managed and conformed you can control it so that it looks presentable. I think that is all that we really want here. Development is going to be here whether we want it or not, especially with a community sitting at a juncture of two major freeways. I'm all for this committee that you suggested; I would like to be a part of it.

There was more general discussion/comments relative to the soccer fields, the Carrasco property, the floodplains, the new road going to the soccer fields/campground and potential development going in those areas, development of all the current LC areas, looking at changing permitted and conditional uses in LC and HC.

Chairman Zupanic – We need to address the facts of what is happening. There are a lot of what ifs and I can't answer that.

Likley – We have zoning language that addresses LC and the permitted and conditional uses. If that area is developed to the present zoning code in LC we would have businesses that would cater to the public needs and market demand is going to dictate that. I think we are fortunate to have the zoning text as complete as we have it. Our zoning text controls development. We have a limit of 7,500 sq. ft. but if a business comes in and says they need 9,000 sq. ft., it can apply for a variance or we can change that language on our own to 9,000 or 10,000 sq. ft. As I said before, we can't tell land owners they can't sell their land but we all have a zoning resolution that we are limited by.

Miller – You talk about the soccer fields might not always be there but we've got the soccer fields contained, so to speak – it's got the highways around it and it's got some other open land in the floodplain. It is contained.

Likley – I think other than the 4-5 weekends of tournaments and the congestion that we all kind of put up with at SR224 and Lake Road, the soccer fields are an excellent use of that acreage. There's no buildings – there's no parking lots – there's no lights that flood the area all night. I hope that Mr. Carrasco can move forward with his plans for a sports facility there. I've heard a lot of interest. There might be some concerns but I think that his proposal presented before the trustees for that change from RR to LC was an excellent argument. I think if he continues with what he's planned for that parcel it could be a

good thing for that land because so much of it is in the floodplain and it takes up a large area of land without a lot of buildings or parking lots.

Chairman Zupanic – I have no problem with that being there also. I don't have a problem with the use of it but I can't guarantee that it will be there forever.

Sims – Tomorrow when 30 residents call me and say what did they say, help me tell them what it is that you said here. You are not creating a district, correct?

Chairman Zupanic – At no time did we ever say we were.

Sims – You are just gathering information for Kratzer's proposed proposal so that you are prepared.

Chairman Zupanic – We are gathering information period. That's it.

Sims – If you were to propose a district... You would be making a motion and asking...

Chairman Zupanic – I'm not going to propose any district. I'm not going to make a motion.

Likley – The conversation in the past several meetings has been from Lake Road to Hulbert, whether it's for Mr. Kratzer's property or not, it's that whole section that has been the discussion. If we're not doing that and we're going to concentrate on the comprehensive plan then let's make a motion that this board pursue the comprehensive plan for Westfield Township.

Chairman Zupanic – Would anybody like to make a motion?

Likley – I make a motion to pursue the review of the comprehensive plan.

Kemp – I second the motion.

Voting and Discussion –

Likley – Are we going to go through the steps, pursue grant money, get the money to review, take surveys and do all the processes for a comprehensive plan?

Chairman Zupanic – That's what I would like to do.

Likley – Then I would say yes.

Kemp – Yes.

Miller – For discussion purposes I'm happy with the comprehensive plan that has been dictated by the people a number of years ago and I don't believe it requires a change yet and to that point, I say no.

Zupanic – Yes.

MOTION PASSED.

Chairman Zupanic (in response to questions from the audience) – The planner I met with (Bob Arnold) is going to come back to me with a quote on what his charges would be to get a full-blown review of our comprehensive plan. From what I understand the planner wishes to get a community group of about 20-30 people involved. Once I get the proposal it will be presented to the trustees because the trustees are the ones that would actually fund the review. From what I understand there is money available for matching grants and there are a lot of other things that could happen. There's been discussion about teaming up with Seville or Westfield Center or Lafayette – there's a whole lot of stuff. The planner is going to come to me with the proposal that he deems to be the best. At that point we'll review that proposal. I think as a group here we will decide whether we want to pursue that or maybe get another quote. We talked to NorthStar Planning earlier and this is the second planner.

Chairman Zupanic (in response to questions from the audience as to whether there could be no zoning changes in the meantime) – At no point was anything officially presented to this board requesting a change in zoning but if somebody would make an application, we would have to hear that application and vote on it accordingly.

If you are interested in serving on the comprehensive plan review committee, leave your name and number up here as I'm sure they will be looking for people to serve. But we need to make sure that we can get funding.

Likley – One thing you should know if you are interested in the process, it's a long process. It's very time consuming. The last thing that we need is someone to say you're going to do it, come to the first 4, 5 or 6 meetings and then say I just don't have the time to do the final part of it. Just be aware it's a long process and it can be kind of tedious and you don't get paid.

Chairman Zupanic – I would suggest that you take a look at the papers and see what Lafayette Township has done as they are going through the process right now. That information is at their township office (Mr. Arnold is doing their review.). I have seen the information and it is very interesting.

Secretary – Mr. Arnold is presenting to the Lafayette Township residents an overview of what they have learned so far in regard to their comprehensive plan – it is this Thursday night (April 12) at 7 p.m. at the Medina Country Club on SR 162 – it's open to the public.

Sims – Arnold is highly regarded throughout Medina and I think the residents who are here are just looking for security and that the people who are picked as a steering committee are representative of the township without motive or profit on their own. Arnold is well regarded throughout the county and has done a successful job with Lafayette and others.

There was discussion about changing the regular meeting night in May because of the Election Day conflict. The consensus was that the regular meeting night would be changed from to Tuesday, May 15, 2007, at 7:30 p.m.

Sims – Before you go, I'm sure you all received a letter from Kratzer's attorney about the public document that you received. What advice have you received from Bill Thorne or have any of you spoke with him regarding that.

Likley – I called him and asked him to give me a call back. From what I gathered in the discussion earlier that day or the day before with him that it was a public record and should be assumed as such.

Plumer – That's not completely accurate. You need to put the codicil on there that Bill said he was sending a letter to the attorney and giving him a number of days to reply before allowing us to give it to anybody. He did not give me an exact date.

Likley – The initial ruling that we got from Mr. Thorne was that it is a public record. What we are waiting on is to get a written response from the Prosecutor's Office to clarify that before it can be released. Also for your information as we approve the meeting minutes, they go on the website. The usual procedure is that we approve last month's minutes at this meeting and, once approved, they are sent to the website for posting and it usually only takes a few days before they are posted.

The secretary explained that if anyone had a public document request it is preferable to give it to her either before or after the meeting. There is always extra paper up here to write down your name, address and exactly what you are requesting. With the new copier the cost is 5 cents/page plus mailing costs if you want something mailed or it can be picked up at the mailbox at the back of the township building that is used for internal pickup etc.

Karen Micklas indicated she had created the comprehensive plan as a pdf document for possible inclusion on the township website. It was indicated to her that the township trustees are the committee that decides what goes on the website and they would have to review it and proof it before it could be submitted to the website.

Bombard – So that I understand, the self-initiatives by this board are ended for now – self-initiatives for any zoning changes. Since you are going with the comprehensive plan, the self-directed initiatives by the board are ended for now, at least temporarily. The reason why I'm asking, I was hoping for a self-initiative by your zoning board on my property.

Chairman Zupanic – If I read you correctly, yes. Yes for now, for us to work on the comprehensive plan. I don't think that anybody on the board really wants to propose any zoning changes at this point.

**Announcements**

Next regular meeting will be Tuesday, May 15, 2007, at 7:30 p.m.

**Adjournment**

Upon motion by Jill Kemp, duly seconded by John Miller, and unanimously passed, the meeting adjourned at 9:20 p.m.

Marlene L. Oiler, Certified PP, PLS  
Westfield Township Zoning Commission Secretary

(Minutes approved 5/21/07 and signed 6/12/07.)