

Westfield Township Zoning Commission

Regular Meeting
September 20, 2017

Chairman Doty called the meeting to order at 6:30 PM.

Roll call: Haumesser- aye, Rumburg- aye, Doty- aye, Miller- aye, O'Neil- aye, Franz- aye (alternate). Also in attendance: Trustee Schmidt, ZI Sims, Mark Majewski

Minutes to be approved

Rumburg makes a motion to accept the August 15, 2017 meeting minutes as submitted; seconded by Doty. Roll call: Rumburg- aye, Doty- aye, Miller- aye, O'Neil- aye, Haumesser- aye. The motion passes.

Doty makes a motion to accept the September 7, 2017 with corrections; seconded by Haumesser. Roll call: Doty- aye, Rumburg- aye, Haumesser- aye, Miller- aye, O'Neil- aye. The motion passes.

Doty discussed the past Public Hearing held on 9-7-17 regarding the proposed Text /Map amendment Greenwich Road Overlay and explained to the absent ZC members that there was no action taken, in part because there were only three members and with this task he would like a full board to be present in order to take any action.

Doty stated that he had talked with Rob Henwood from Medina County Planning Services (MCPC). He explained that the proposed text amendment would just need some "tweaking"; discussion about removing a couple of uses, such as dry cleaning and maybe crematorium, as well as looking into the land within the Natural Hazards District being included into the Planned Development acreage calculations.

Examples were discussed using examples such as a 10 acre site or 20-acre site might include a couple of acres that are in the Natural Hazards Overlay and the Board discussed how to allow the NH area to be included as green space or open space in the proposed required acreage minimums for a planned development application eligibility. The changes were based on the comments from the public at the previous public hearing.

Doty said that Rob Henwood explained the "cleanest way" is to resubmit the new proposed text amendment to the MCPC. Documents could be sent to Assistant Prosecutors Mike Lyons; (prosecutors' office did not respond to Medina County Planning Service (MCPS) request for comments) and then back to Planning Commission for their recommendations. Repeating the process may take a couple of months depending on submission and cut off due dates.

Therefore, depending on how dramatic the changes, Doty did not feel that the text amendment would have to go back to Planning Services because the proposed amendments were minor. Most are proposed changes or deletions of "Uses" based on a residents concerns and/or were accepting changes suggested by MCPS in their original recommendations that were already reviewed and approved by the Planning Commission.

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The ZC discussed:

Natural Hazards: Planning Services already raised this change to the ZC in their formal review to be included into the calculations for green space. The land would then be part of the offset to meet the requirements.

The ZC Board discussed if the proposed text amendment should be referred back to the MCPS. The ZC Board decided to wait until the end of the meeting to discuss if this would be necessary based on the proposed changes.

Majewski, the professional land planner stated that he took a look at the proposed changes based on the public hearing and made the following recommendations to the ZC Board. He did not see a conflict of the Natural Hazards District and would maintain the NH District as written even within the proposed Planned Residential Development (PRD). Residential Uses are permitted in the Natural Hazards area.

He stated that there were voluntary development options: Rural Residential or Residential Planned Development and allow the Natural Hazard areas to be included as open space for the acreage calculations in the proposed Office/ Industrial Planned Development (OIPD) acreage requires, however not allow OIPD uses to be located in the Natural Hazards areas.

Land Completely located in NH District cannot have an OIPD. However when property overlaps into the NH District then that portion could be included in the calculations minimum required acreage.

The NH District states that you would not be able to do this in a Planned Residential District (PRD) but only in RR.

Majewski suggested the following remedy by adding the new text: PRD- Open space (see attached sheet Exhibit 1) and recommend addition to:

303-B.1 Add to chart: Uses: h. Common Open Space within a Planned Residential District in the East Greenwich Overlay District. (OIPD within NH Districts would be left alone.)

308- E. 2. The “Qualifying Condition for OIPD” Add A. B. C.(see below for language in bold).

- a. Only property located within the East Greenwich Overlay District north of East Greenwich Road may be approved for an OIPD.
- b. Property proposed for an OIPD shall: contain a total of either:
 - A. At least twenty (20) contiguous acres exclusive of existing public rights-of-way (including at least fifteen (15) acres of property which is not in the NH Natural Hazards District); or***

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- B. Total at least ten (10) contiguous acres to be developed and maintained as a single lot for a single use (including at least eight (8) acres of property which is not in the NH Natural Hazards District); or**
- C. At least five (5) contiguous acres if the property abuts an existing OIPD and is not in the NH Natural Hazards District.**
- II. Have access to an existing improved public road and frontage thereon of not less than one hundred (100) feet.
- III. Not be divided by existing public roads or other areas which limit use for purposes of the OIPD.
- c. The land for which an OIPD application is submitted must be in single ownership of the subject of an application filled collectively by all owners of the properties intended to be included within the OIPD. All land included within a planned industrial development shall be under the control of the applicant, whether that applicant is an individual, partnership, or corporation of group of individuals, partnerships or corporations. Applicants shall present firm evidence, at the time of application, of unified control of the entire area within the proposed development.

308- D-4 IV added:

Natural Hazards Overlay Areas: Where land proposed to be included within a PRD is located within a Natural Hazard District, that part of the PRD shall be subject to the requirements applicable to the NH District and the applicable requirements shall supersede the requirements for PRD. The use of land within an NH District for PRD common open space shall be encouraged.

Other issues discussed:

During Public Comment on 9-7-17, some concerns for uses were brought to the attention of the Board based on Heather Sturtevant's comments requesting to delete the following:

- Dry Cleaning, Crematorium, Pest Control and Animal Hospital.

The ZC Board discussed that Animal Hospitals are already in the area (Cloverleaf Animal Hospital, Seville Animal Hospital and Wadsworth) and the ZC Board did not feel they would need to be removed from the list of use. Animal hospitals are valuable to the community and appear to be a thriving business use.

Discussion of Conditional Uses:

Animal Hospitals and Kennels- ZC Board unanimously voted aye.

ZC Board made changes/ removals for "permitted uses" based on resident concerns:

- Dry Cleaning removed

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- Pest Control (storing chemicals was discussed) but the ZC Board felt this would be regulated by the state and the ZC Board unanimously voted to leave it in and to place into “conditional permitted use”
- Crematorium- State regulated and ZC Board unanimously voted to leave it in and to place into “conditional permitted use”

Pest and Crematorium are moved from “permitted use” to “conditionally permitted use” to best address resident concerns.

The ZC Board agreed that the changes are minor and don’t radically change the proposed intent of the Text and that Planning Commission has already made the recommendations.

ZI Sims stated that the ZC Board has been working on this text for some time and there have only been a couple of casual questions or public inquiries.

Doty stated that the tweaks are based on public comments and within their previous scope of review. It was the consensus of the ZC Board that the proposed changes were minor, and did not feel the minor changes were reason enough to warrant going back to MCPC. All the changes are in favor of the suggestions of the public at the previous public hearing, or the professional land planner and/or addressed by Planning Services in the recommendations

Doty makes a motion to adopt the changes that are the result of discussion of ZC, and/or the paid professional land planning consultant or public comments on 9-7-17; seconded by Miller. Roll call: Doty- aye, Miller- aye, Haumesser- aye, Rumburg- aye, O’Neil- aye. The motion passes.

Doty makes a motion to hold a Public Hearing on October 11, 2017 at 6:30 PM for the changes to Section 303 B. RR District and proposed East Greenwich Overlay District and Map; seconded by Miller. Roll call: Doty- aye, Miller- aye, Haumesser- aye, Rumburg- aye, O’Neil- aye. The motion passes.

ZC Board discussed whether or not to send notification letters to all property owners that are contiguous to the discussed district. Notice to property owner would be a courtesy, however, it is not required by the Ohio Revised Code.

Doty makes a motion to send letter to the property owners who are contiguous to the East Greenwich Overlay District; The motion dies due to lack of a second.

Doty makes a motion to adjourn at 8:20 PM; seconded by Haumesser. All said aye.

Respectfully submitted by:

Cheryl Porter, Zoning Secretary

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Date approved: 11-15-2017

Joseph Doty, ZC Chairman

John Miller, ZC Vice Chairman

Debbie Haumesser, ZC Board Member

Carol Rumburg, ZC Board Member

*Rory O'Neil, ZC Board Member
Member*

Jack Franz, ZC Alternate Board