

Westfield Township Board of Trustees

Regular Meeting
August 15, 2016

Schmidt called the meeting to order at 7:15 PM.

Pledge of Allegiance

Roll call: Thombs- aye, Likley- aye, Schmidt- aye.

Executive Session- Pass at this time

Comments from the floor- Charles Hubbert- Medina County Chief Building Official- property on 6699 Buffham Road- Lease for a cell phone tower. The email to Bill Thorne addressed an application to support a new wireless carrier on this property. Years ago an application was for a modular building on this property for telecommunication equipment. The building was never built but an amended building plan was provided. Bill Thorne informed Hubbert that it was the Trustees decision and the lease didn't approve a raised platform. Charles Hubbert stated that he denied the building application for the raised platform and roof. The applicant was not a representative of the land owner who would be the Westfield Township Trustees. A third set of drawings have been submitted for a raised metal platform without a roof. Hubbert would like to know if there has been any change from the Trustees regarding this new application. The Trustees have not received any new information since August 3, 2016 and the Trustees do not authorize any new construction on this leased property. Hubbert will deny the permit again on the same grounds that the Applicant is not authorized by the land owners. The Applicant will still maintain their appeal rights of the decision.

Minutes to be approved

Likley makes a motion to approve the August 1, 2016 meeting minutes as submitted; seconded by Schmidt. Roll call: Schmidt- aye, Likley- aye, Thombs- aye. The motion is passes.

Thombs asked about July 5, 2016 meeting minutes being created. Porter was not at this meeting and there was no recording due to technical difficulties. Schmidt will write a summary of the meeting.

Road Report

- Evans provided the Trustees copies of the contract for financial assistance through the Ohio Public Works Commission. This contract is submitted through the MC Engineer's Office. Projected cost is \$110,000.00 which \$81,400.00 will be paid by the OPWC and the township will be responsible for \$28,600.00.
- 2 culverts are in on Mud Lake Road.
- Tractor is fixed.
- Cemetery- ditch is mowed and sprayed
- Sarver had to request in writing an extension by September 2, 2016 since they have not completed the shimming according to the contract. Evans will contact Sarver again regarding their incomplete work and breach of contract.

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- Salt shed is filled (approx. 550 tons of salt)

Zoning Report – Report from ZI Sims at the WFRD meeting

- Blue Beacon proposed truck wash in Highway Commercial District- submitted an application for a building extension and a queuing lane extension. BZA will hear this site plan that some of the zoning. Trustee Likley and BZA board member Keith Simmerer both reviewed this proposal and also spoke with Bill Thorne regarding some noncompliance issues with this application. ZI Sims will issue a nonconforming list to the BZA board at the time of the Public Hearing to address some of these issues. The site plan has been submitted to the Medina County Building Engineers.
- Delagrang lot split- 3 parcels (109, 17 and 7 acres) into 5 parcels. ZI Sims spoke with Bill Thorne and the parcels are in compliance. Susan Hirsch and Bill Thorne must now decide if this is a minor or a large lot subdivision. This must be decided prior to having the lots recorded. These lots will be auctioned and the buyer may purchase separately or as one parcel. Recording will be done after the auction. There are 2 nonconforming issues that will be created preexisting to the changes of the zoning code. Susan Hirsch explained that the septic tanks must be on separate lots. Gas and oil wells are on some of these properties and need to be considered (200ft. radius) when deciding on the houses.
- Truck Stops of America- 2 proposals for the BZA (biofuel tank aisle and canopy) and modular car wash (rejected due to not having the set-back). Biofuel has been sent to the Medina County Building Department but we are waiting for an updated site-plan amendment to bring to the BZA.
- Trader Fenton is in breach of the agreement when 3 front-end loaders appeared on his property. They are believed to be purchased from the Waste/ Recycling Center after his written agreement with the Township that no new equipment will appear on his property. Bill Thorne will decide if the machines are part of the written violation. Bill Hudson has contacted Bill Thorne about this property.
- Kratzer Law Suit- the 9th Court of Appeals has upheld Judge Collier's decision to remand the case back to the BZA and denied Kratzer's cross appeal. As of Friday, Kratzer's Attorneys have not contacted the Prosecutor's Office to notify how they will proceed.
- Zoning Commission meeting is cancelled due to vacations of the Board Members.
- Lot split- Ryan Road (14 acres with no house) will present at a later time after further investigation. There is a request from a survey company. There are no legal descriptions
- Received a letter from a consultant regarding the cell towers (swapping equipment). ZI Sims called and told them there is more information needed.
- Permit- Peterson 5638 Kennard Road (barn with canopy) and wants to enclose. This is agriculturally exempt.
- Michael Riley- denied permit for the cabin kit but they wish to build on the vacant parcel and will not comply with zoning.
- Larry Riffle- 8949 Seville Road- Withdrawn and voided his check since June 27, 2016.

Schmidt spoke with Mike Lyons regarding the Kratzer law suit and there is no new information. The Prosecutor's Office has not heard from the Kratzer Attorneys at this time.

Fire Station Report

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August 17, 2016 next meeting

Old Business

Likley wrote a letter to the Medina County Township Association regarding the Solid Waste Committee's discussion of the process that will be voted on. Likley asked for other Trustees in the county to offer suggestions. Brunswick carries considerable weight in the process and all of the municipalities wanted to have time to get feedback from their councils.

The Brownfield Grant was not granted

Cell Tower- same as discussed previously

Hall Rental- nothing for the month of September at this time.

Likley sent an email for ZI Sims to touch base with Mike Sweeney North Coast Soccer and the traffic situation from the soccer tournaments. Likley will follow up with this.

New Business

Marijuana Zoning-several communities are putting together zoning to safe guard their properties. Townships can zone 'no planting areas' and Thombs would like to discuss this with Bill Thorne in order to have him present legal guidelines or a resolution for the township's zoning.

Announcements

September 6, 2016 Trustees Special Meeting @ 7:00 PM

Fiscal Officer's Report

- Bills in the amount of \$37,041.12. Evans pay was shorted in April in the amount of \$12.70.
- Workman's Comp payment was the second half owed by the township

Likley makes a motion to pay the bills in the amount of \$37,041.12 as submitted; seconded by Schmidt. Roll call: Schmidt- aye, Thombs- aye, Likley- aye. The motion passes.

- Fund status in the amount of \$590,923.23 with \$248,870.88 in pooled investments and checking has \$342,052.35.
- Likley asked how much is remaining in invoice with DS Architect for fire station- \$ 6,900.00.
- When the amended Certificate of Resources comes back everything should be current.
- There will be a cost in May to get the levy on the ballot.

Thombs makes a motion to adjourn; seconded by Schmidt. All said aye.

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Respectfully submitted by: Cheryl Porter, Zoning Secretary

Date approved: 6 September 2016

Trustee Michael Schmidt, Chair

Trustee James Likley

Trustee William Thombs