

Zoning Commission

Regular Meeting

June 7, 2007

1

Ch. Kamps called the regular monthly meeting to order at 7:30 p.m.

Roll found: Pope, Walrath, Pajk, Powell, Siarkowski and Ascherl present. Trustees Rhodes, Garapick, and Schulte, and David Manley were in attendance. Also present were Mrs. Martha Catherwood and prospective residents, Mr. and Mrs. Milhalik.

Review of Minutes:

The minutes of the May 3, 2007 regular meeting were reviewed. Mr. Walrath made a motion to accept the minutes as submitted. Mrs. Pajk second.

No further discussion.

Vote: Powell – yes Walrath – yes Siarkowski – yes Pope – yes Kamps – yes

Correspondence and Clerk's Report:

The Board reviewed the Zoning Fee Reports for April and May and the Medina County Transfers for May. Ch. Kamps commented that April and May 2007 were slow months compared to these same months in 2006.

New Business:

Although not on tonight's agenda, Mr. And Mrs. Milhalik were in attendance to discuss with the Zoning Commission certain issues regarding their desire to relocate to Hinckley Township. They asked the board about zoning requirements governing home-based businesses. They explained that they would like to purchase property in Hinckley to build their home and conduct a small, one-man business in an accessory building that would be located on their property.

Ch. Kamps explained that a "home based home occupation" requires a conditional use permit and he then listed the requirements to obtain a conditional use permit in the Mihaliks' district of interest.

Board Members explained the various requirements for detached accessory buildings and conditional use permits for "home based home occupations" and the costs incurred when filing with the Board of Zoning Appeals.

Ch. Kamps thanked the Mihaliks for their attendance at this meeting.

Mr. Ron Garapick explained that the trustees have filed a request for a conditional use permit, 1) renewing the permit the township holds for the Youth Fields located at 1616 Ridge Road and 2) requesting to include in that permit new property purchased from Tim Montowski for the construction of the new service center.

Mr. Pope made a motion to approve the renewal and update of the existing conditional use

Zoning Commission

Regular Meeting

June 7, 2007

2

permit for 1616 Ridge Road to include any new parcels to also be used for governmental purposes.

Mr. Powell second.

No further discussion.

Vote: Ascherl – yes Powell –yes Pajk – yes Pope – yes Kamps – yes

Ch. Kamps stated that he will forward this recommendation to the Board of Zoning Appeals.

Ch. Kamps introduced the guest speaker, Kyle Dreyfuss-Wells. Mrs. Dreyfuss-Wells is the Director of the Chagrin River Watershed Partners Inc., an organization that works with member communities on model natural resource management zoning, implementation of NPDES Phase II Storm Water Management Programs, and a range of other member services including funding applications, development plan review, and landowner assistance.

Ch. Kamps had previously distributed a draft version of a model regulation for the establishment of Riparian Setback Regulations created by the Chagrin River Watershed Partners, Inc. This draft, dated May 2007 and made part of these minutes, has specific changes that reflect Hinckley Township's proposed Section 18 of the Zoning Regulations for riparian setbacks and has 2 items relating to variances.

Mrs. Dreyfuss-Wells discussed in detail and presented a PowerPoint presentation on the Basics of Riparian and Wetland Setback Model Resolution. (See attached copy of PowerPoint presentation).

Discussion of the map that was obtained from the Soil and Water Office in Medina. The map depicts 120-, 75-, and 25-foot setbacks along waterways in Medina County.

Ch. Kamps discussed the points that refer to the variance section.

Mr. Powell stated that it is important that the Board of Zoning Appeals gets adequate training this topic. Ch. Kamps agreed.

Mrs. Dreyfuss-Wells suggested that once this resolution is adopted, conducting a work session with the Board of Zoning Appeals would be an appropriate way to teach the Board about riparian setback legislation and how the legislation specifically relates to township zoning. She explained that the Board of Zoning Appeals takes ownership of the riparian setback legislation once the Zoning Commission passes it. She offered to assist in educating the BZA regarding riparian legislation.

Ch. Kamps explained that he forwarded a copy of the NOACA model ordinance and the

Zoning Commission

Regular Meeting

June 7, 2007

3

Chagrin Watershed Partners model ordinance to Assistant Medina County Prosecutor, James Bennett. Mr. Bennett wrote a detailed response to the Chagrin Watershed Partners model ordinance (see attached letter dated May 25, 2007)

Mrs. Dreyfuss-Wells stated that in areas of dispute within the regulations, the written definition should control, while the map functions as a guide.

Ch. Kamps took polled the Board to determine whether the board was in favor of this shortened version of the riparian setback regulation.

All members present were in favor of this version over the NOACA version.

A date for the next work session was discussed. After June 30, 2007 was suggested, it was determined that Thursday, June 21, 2007, at 7:00 p.m., was a better choice for most members as well as Mrs. Dreyfuss-Wells.

Trustee Schulte thanked the board for choosing this shorter version of the model ordinance.

Discussion of EPA violations that have been levied on a new development on Stony Hill Road. This property has 11 violations of the Storm Water permit. This indicates that the EPA is conducting inspections.

Mrs. Dreyfuss-Wells stated that it is important for government entities to work together and sort out and take care of these and any violations. She mentioned that in other communities, if a project had these types of violations, the project would be halted until the violations are sufficiently rectified.

Trustee Schulte is in support of proceeding in a timely manner to get the Riparian Legislation passed.

Ch. Kamps has plans to present this to the Medina County Planning Department in July and also vote on this issue at the next regular board meeting in July.

Trustee Schulte stated that this model ordinance would be forwarded to Patrice Thekan at the Medina County Planning Department.

Mrs. Dreyfuss-Wells suggested the Board to notify Mr. Bennett that he can contact the Geauga County Prosecutor to discuss this further.

The board received copies of the map depicting the waterways within the township.

Mr. Powell made a motion to adjourn the meeting at 9:15 pm.

Mrs. Pajk second.

Zoning Commission

Regular Meeting

June 7, 2007

4

Vote: Kamps – yes Pope – yes Pajk – yes Walrath – yes Powell – yes

Minutes Approved: _____, 2007

Jim Kamps, Chairman

Chuck Pope, Vice-Chairman

Diane Pajk, Member

Terry Walrath, Member

Calvin Powell, Member

Toni Ascherl, Alternate Member

Karen Siarkowski, Alternate Member