

ZONING COMMISSION

Regular Meeting

December 7, 2017

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Ch. Spellman called the meeting to order at 7:00 p.m.

Roll found: Marzullo, Schneider, Powell, Dermody and Spellman.

Also in the audience were Alternates Burns and McCarthy, Trustee Schulte, Fiscal Officer Catherwood and Zoning Inspector Wilson.

Ch. Spellman asked if everyone had received and read the minutes from the Public Hearing held on November 2, 2017. Chairman Spellman entertained a motion to accept and approve the minutes as submitted.

- Motion was made by Vice-Ch. Dermody
- Seconded by Mr. Powell
- No further discussion
- Roll was called

VOTE: Marzullo – Abstained, Schneider – Yes, Powell – Yes, Dermody – Yes, Spellman – Yes

Ch. Spellman asked if everyone had received and read the minutes from the Regular Meeting held on November 2, 2017. Ch. Spellman opened discussion regarding the need to review and approve those minutes.

Chairman Spellman entertained a motion to accept and approve the minutes as submitted.

- Motion was made by Mr. Powell
- Seconded by Mr. Schneider
- No further discussion
- Roll was called

VOTE: Marzullo - Abstained, Schneider – Yes, Powell – Yes, Dermody – Yes, Spellman – Yes

Ch. Spellman returned to the agenda under Old Business and wanted to close the loop on the text and map change amendments that were discussed at the November 27th Trustee Meeting and Public Hearing. Ch. Spellman said that after the Trustees Public Hearing, the Trustees voted 2-0 on the Text Change Amendment and 2-0 on the Map Change Amendment – both items were passed and should be active by the close of the year.

Ch. Spellman said that due to Sunshine laws there would be no discussion but he thanked everyone on the Commission for their efforts; that they did a wonderful job and really listened to what the public had to say.

Ch. Spellman said that there were two items under New Business on the agenda. The first item involves the review and recommendations for a course of action regarding site plan review for 2018 and the other is to have discussions on Proactive Conservation within the Township with the understanding that, at times, the two items may go hand-in-hand.

Ch. Spellman said that in 2017 they reviewed about 6 site plan reviews and at times it would have been helpful to have had a 3rd party interaction. He said that there is a little known line in the Review Procedures that, in fact, allow for the Commission to engage with a 3rd party. What he would like to discuss is to be proactive and have in place the ability to bring on a 3rd party which would be at the expense of the person asking for the review. He would like to discuss this topic at the 2018 Zoning Organization Meeting. The following discussion ensued:

- Vice-Ch. Dermody asked who would we seek advice from
- Trustee Schulte and others thought the first group to approach would be OHM since they know the Township because they did the Master Plan
- Fiscal Officer Catherwood said that a contract would be written so the bill would be submitted to the Township and then it would be billed back to the person requesting the review. It is usually written with a base fee incorporated in the contract with every situation being different so the wording would be unique; it is just the cost of doing business but the applicant should be informed up front
- Mr. Powell felt that we should be proactive
- Mr. Burns felt that it would be better for the township for them to be an expert in conservation development and open spaces; and we shouldn't limit ourselves to one company – we should look at other companies besides OHM
- Mr. Wilson asked who would make the decision as to when a 3rd party would be included in a discussion and Vice-Ch. Dermody felt that would be determined on a case by case basis
- Possibility for an initial 3 person review – Zoning Inspector, Chairman and the Trustee who is the head of Zoning
- Vice-Ch. Dermody asked if this would be something that could appear on an application form
- Mr. McCarthy felt the time-lines could be gotten from the 3rd party
- Ch. Spellman asked Mr. Wilson if he could tell at the start of a process if a 3rd party opinion would be helpful and he said he felt it would be pretty obvious from the start

Ms. Catherwood said it is a lengthy process and cited an example of the process using a 3rd party, OHM, when Sheetz was looking at the Rt. 303/W.130th area. This was done at the informal stage and it gave the parties a clear definition. The cost for that was under \$2,000.00.

Additional discussion ensued:

- Mr. Powell was concerned on who pays for the service if they back out and Ms. Catherwood said that would have to be written into the contract and the fee structure should be discussed by all parties and something that should probably be verified with the prosecutor
- Skyland – what occurred with it and that it is not a done-deal
- Don't like it, it can still be amended

Ch. Spellman asked for thoughts on the qualities to look for with a 3rd party:

- Knowledge of the Township
- Three people looking at it up-front
- Knowledge of Conservation
- SLA Turnaround
- Fee Structure
- Anticipation of in-depth of the review and how it would affect turnaround time

After additional discussion the Township Zoning Commission, Mr. Wilson, the Alternates and Fiscal Officer Catherwood agreed that they were taking a step in the right direction. Trustee Schulte agreed with everyone and said that OHM would be a first choice but felt there are others that should be included in the list; we should ask Medina County Planning.

Ch. Spellman returned to the second item on the agenda – Proactive Conservation. He felt that they need to be the advocate for maintaining the rural feeling in Hinckley. The members who attended the training session in Cleveland about the Western Reserve Land Conservancy felt that perhaps they could come and talk with Hinckley Residents concerning conservancy. The following discussion ensued:

- Backed by the Zoning Commission, Trustees – together or just Trustees – whose duty is it
- Location of Conservation Area
- Need to be a united front; proactive and give landowners alternatives and suggestions
- Which properties in Hinckley and surrounding areas are currently signed up with the Western Reserve Conservancy
- Need for a training program
- Hard to get people to see what may affect them 5 years down the line
- How to get the word out to the public and let them know options available
- Ms. Catherwood added that with estate planning there are extra tax benefits; an easement on the land; different options
- Put a levy on the ballot; who is the steward; need a 3rd party input

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- Learning options
- Mr. Wilson added that he was surprised to learn how small some of the conservation projects can be – it doesn't have to be big acreage projects
- Vice-Ch. Dermody said that college educated people are coming back to own and work on small specialized farms

After further discussion Ch. Spellman entertained a motion to send a letter to the Western Reserve Conservancy requesting an engagement for future discussion; amended to include other agencies:

- Motion was made by Mr. Schneider
- Seconded by Mr. Powell
- No further discussion
- All in favor

VOTE: Marzullo – Yes, Schneider – Yes, Powell – Yes, Dermody – Yes, Spellman – Yes

Ch. Spellman added he would like to get the letter sent out by the end of the year. Mr. Powell said that there were a lot of volunteers that came forward when they did the Comprehensive Plan; perhaps those same people would like to volunteer for the Conservation discussion.

Ch. Spellman stated that the Board would proceed with the Agenda and asked for Board Member reports.

Vice-Ch. Dermody stated that she was going to raise the issue concerning conservancy. She also feels there is a need to discuss using Pervious Concrete in parking lots.

For the Chairman Report Ch. Spellman gave a reminder of the January 2018 Organizational Meeting and distributed handouts concerning the Zoning Commission Organization Meeting Items; changes and recommendations will be discussed at the Organizational Meeting. The second item Ch. Spellman raised was the current member terms:

- Burns – 12/31/17
- McCarthy – 12/31/17
- Dermody – 12/31/21
- Schneider – 12/31/17
- Marzullo – 12/31/18
- Powell – 12/31/19
- Spellman – 12/31/20

Trustee Schulte said that they will need to get the new Trustees seated before any discussions will be made.

Board Member Powell - No

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Board Member Schneider reported back on the last BZA meeting concerning sheds and septic mound system run-off issues.

Board Member Marzullo – No

Ch. Spellman asked if there was any discussion from the floor.

Alternate Burns said that he wanted to thank everyone and he would be moving into the Trustee position. Ch. Spellman said a vacancy to fill his spot would be available.

Ms. Catherwood - No

Mr. Wilson stated the following:

- A revised site plan for Mr. Terry at 2601 Center Road
- Section 11.13 resubmitted for approval
- Includes 3 major changes
 - Additional permanent addition to the building
 - Set-back which will need another variance (need 25 feet)
 - Fire Inspector said there will be a need to have a 20 ft. driveway on west side of the building
- Mr. Terry will be asked to resubmit the site plan with another fee
- The changes are substantial enough to warrant him coming before the board but he will need to get a variance first although an informal meeting would be ok
- Need to set a date for the next hearing

Ch. Spellman noted the next regular Zoning Commission Meeting will be January 4, 2018 which will directly follow the Organization Meeting that will start at 7:00 pm.

Trustee Schulte added that Mr. Terry will need to submit a plan to the Commission. Mr. Terry also has a BZA hearing in January and has asked for a Preliminary review. Ch. Spellman said they are willing to talk with him with the understanding that they will not sign off on anything until the variance is granted.

Ch. Spellman stated that he would entertain a Motion to adjourn the Zoning Commission Meeting.

- Motion was made by Mr. Marzullo
- Seconded by Vice-Ch. Dermody
- No further discussion
- All in favor

VOTE: Marzullo – Yes, Schneider – Yes, Powell – Yes, Dermody – Yes, Spellman - Yes

The Zoning Commission meeting was adjourned at 8.29 pm.

Carolyn Chism, Recording Secretary

Minutes Approved: _____, 2018

William Spellman, Chairman

Diane Dermody, Vice-Chairman

Calvin Powell, Member

Bruce Schneider, Member

Matt Marzullo, Member