

## ZONING COMMISSION

Public Hearing

April 5, 2018

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Prior to the start of the Public Hearing, Trustee Schulte officially swore in Alternate Member Christopher Kalina.

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

Roll found: Spellman, Dermody, Schneider, McCarthy and Kalina. Powell and Marzullo had excused absences.

Also in the audience were Trustee Schulte, Trustee Burns, Zoning Inspector Wilson, Administrative and Zoning Office Manager Peterlin, George Smerigan, Bryan Ciphers, Bob Reed Jr., Drew Painting, Ann Marie Brobst and Mark Slys.

Ch. Spellman welcomed the public to the hearing and introduced the Zoning Commission Members to the hearing attendees. Ch. Spellman proceeded to give attendees a public hearing overview:

- Per ORC Chapter 519, all text and/or map amendments to Township zoning must go through a specific and well defined process; part of which ensures the right to public input into the process
- This meeting is for the purpose of hearing public comments regarding
  - Proposed text amendment changes submitted to Medina County Planning Commission (MCPC) on 3/1/18
  - Proposed text amendment changes as submitted to Medina County Planning Services (MCPC) on 4/4/18
- Comment can be positive, negative, or neutral
- All who would like to comment must sign the sign in sheet with their name and address. Presenters will be taken in the order in which signed in. Please note that everyone who wishes to speak will be allowed to speak
- All comments must be directed to the Zoning Commission
- This public hearing will be taped for transcription purposes and written minutes will be record of this meeting
- Order should prevail throughout this hearing and debates, argumentative questioning, and/or cross-examining are not allowed
- Comment must be specific to the topic at hand
- All comments will be taken into consideration as the Zoning Commission finalizes the draft resolution

Vice-Ch. Dermody proceeded to read the Notice of Hearing that was available for viewing on March 21, 2018.

Ch. Spellman said that he would cover the changes in more detail but that all changes are in the Conservation Development. He highlighted the following changes:

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- 6R1.7.B – To solidify the calculation for density and requiring a Yield Plan
- 6R1.7.C – Setback codes
- 6R1.7.D – Turning over Common Areas to the HOA
- 6R1.7.E - Minimum size of the lots; all dwelling access must be from within the Conservation Development; and minimum size of the first floor

Ch. Spellman made reference to the correspondence from the Medina County Planning Commission dated 03/01/18 and the Planning Services with their vote and recommendations.

Ch. Spellman opened the floor to public comments. Comments were taken in the order that the attendees signed in when they entered the room. All speakers were asked to step to the podium by stating their name and abiding by the ground rules.

Ch. Spellman asked Bryan Ciphers if he had any comments and he passed.

### **Comments by Bob Reed, Jr.:**

Mr. Reed wanted to know if the new Skyland Development maintained the 2 acre minimum. Ch. Spellman said that, although this was an unrelated topic to the Conservation Amendments, he briefly explained that Skyland Development was designed under Conservation Development; how calculations were made; and, restricted open space. Mr. Reed questioned how the lots could be so small with septic and he was informed they would be having County sewers.

Mr. Smerigan said he would reserve his comments for the response to the county's decision.

Trustee Burns had no comments.

### **Comments by Drew Painting:**

Mr. Painting said that he realized that his question was also off topic but his concerns were regarding the Skyland Development and the size of the lots. Ch. Spellman gave the ranges. Mr. Painting realized he came to the wrong meeting concerning the Skyland Development.

Ann Marie Brobst said she had no comments.

### **Comments by Bryan Ciphers:**

Mr. Ciphers decided to take the podium.

- Was concerned about language changes - parking lots, common areas and setbacks
- Ch. Spellman read 6R1.7.B
- Mr. Smerigan explained setbacks
- Mr. McCarthy and Trustee Burns discussed the calculations with the setbacks
- Mr. Smerigan explained the need for the language change

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- Ch. Spellman explained the additions of the ponds, wetlands, restricted open space, water runoff
- Mr. Cipher asked how the 20 acres were a factor in the calculations for Skyland
- Ch. Spellman gave a brief history of how the 20 acres were included

Mark Slys said he had no comments.

At the completion of all of the public comments, Ch. Spellman explained the process and thanked everyone for attending the public hearing and for speaking. He said that this was the first time since he has been on the Zoning Commission that they have ever received a vote of disapproval from the Planning Commission. Ch. Spellman said they would discuss each proposed Conservation Text Amendments separately.

### **6R1.7.B Project Area/Permitted Density:**

- It appeared there was a misunderstanding of the term “yield plans.” Mr. Smerigan reiterated why it was important to include both choices
- Planning Commission felt it was unfair to the developer and not understanding the term “yield plan”
- Mr. Smerigan said he was surprised they didn’t understand the term “yield plan” and stated his reason for why it should be included
- Mr. Smerigan gave an example from the Hunting Valley Code
- Ideas included leaving it as is or adding a definition of “Yield Plan”
- Mr. Kalina stated the uniqueness of how Hinckley uses Conservation Development as opposed to other townships and cities
- Discussion on how the Planning Services didn’t understand the term “Yield Plan” and if there is a need to propose a definition; Trustee Burns said he doesn’t want any misunderstandings
- Mr. Smerigan reminded everyone that no one has to do a Conservation Development, they choose to do a Conservation Development
- Ch. Spellman said the intent is not to be anti-anything
- Mr. Smerigan said we need to make it density neutral but the County is recommendations only; the duty is not to make the County happy
- Mr. McCarthy said he wants to maximize open space as opposed to maximizing houses; what matters is if the Township and residents are happy with it
- Mr. Schneider said that we shouldn’t go back to square one if we are happy
- Mr. Kalina gave the definition for Yield Plan as – “Yield Plan – A plan showing a standard sub-division that could realistically be on the parcel proposed for the Conservation Development Sub-Division”

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Ch. Spellman reiterated the process and told everyone that they could stick around for the Regular Meeting which will take place following the Public Hearing.

Ch. Spellman stated that he would entertain a Motion to adjourn the Public Hearing for the Township Zoning Commission.

- Motion was made by Mr. McCarthy
- Seconded by Mr. Kalina
- No further discussion
- Roll was called

**VOTE: Kalina – yes, McCarthy – Yes, Schneider – Yes, Dermody – Yes, Spellman - Yes**

The Public Hearing was adjourned at 7:59 pm.

Carolyn Chism, Recording Secretary

Minutes Approved: \_\_\_\_\_, 2018

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William Spellman, Chairman

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Diane Dermody, Vice-Chairman

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Bruce Schneider, Member

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Sean McCarthy, Alternate

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Christopher Kalina, Alternate