

Vice Ch. Spellman called the December 1, 2016 Hinckley Township Zoning Commission regular meeting to order at 7:00 pm.

Roll Found: Spellman, Powell, Dermody, Schneider and Alternate Marzullo

Vice Ch. Spellman states there is a thin agenda today with plans to discuss 2017 agenda. There are three sets of meeting notes that are in process and Vice Ch. Spellman requested 2 weeks to review the notes before the January meeting. At the January meeting will be the formal review of the October 20, 2016 Special Meeting, November 3, 2016 Public Hearing, November 3, 2016 Regular Meeting and this evenings Regular Meeting.

Old business-

Old business was concluded on the beginning of November with the updates to the text amendments. The trustees passed a resolution to pass the changes and will be in effect in 30 days, December 28, 2016. Trustee Schulte noted the good work done by the committee. Passed "as is" with no concerns.

Grateful comments were offered to the Zoning Secretary (Ms. Peterlin) for keeping the changes organized and keeping up with all the amendments. She was thanked by the Board.

New business-

Vice Ch. Spellman noted that in the past couple years items have been discussed along the way of potentially taking action on, some of that dealt with: solar power, outdoor burning and a number of items for amendments. Vice Ch. Spellman referenced a handout that the secretary has provided which includes an update as to where each amendment is at in the process and has marked the ones that the Commission has officially moved on and closed out of. In the January meeting there will be an update to this table based on the discussion from here tonight. She'll be making updates to this and then removing the closed items from the list. With that said, 2017 is soon approaching and Vice Ch. Spellman stated that he would like to make a more formal plan for the things the Board would like to accomplish in 2017, even if only a quarter of the year at a time.

Vice Ch. Spellman commented that he was able to sit in on an APA session education and collaboration of working with the trustees, BZA and the public. He also commented as to a table of contents as well. He then opened discussion up to the floor.

In reference to table of contents: page 1 already addressed. On page 2 is the entire chapter 11. Site plan review chapter spreadsheet numbers refer to more detailed items. Page numbers refer to location in the book. On page 3 there are items classified as wording or sentence structure; some found by Ms. Peterlin (Zoning Secretary) and some found by the Zoning Commission. On page 4, Zoning Commission reference to the zoning certificates. Zoning conditionals do not need to come to the Zoning Commission before going to the Board of Zoning Appeals (BZA). Referred to self in a couple different ways, needs standardized throughout the book. In a few places referred to Zoning Commission or Planning Commission. This needs clarified. Vice Ch. asked everyone to go through this in more detail before the next meeting. Some of these items go back as far as 2013. There are many things back logged as far as what is wanted to tackle and when.

Vice Ch. Spellman referred to some bullet points:

- 11.2.a may want to move subdivisions on line 4 or changing to conservation development subdivision.
- There was also the height exception to the 6I1 and 6I2 section for more formal wording.
- Bill Schaefer came to the Commission in 2016 requesting wording for fencing in the Conservation Development section.
- The definition of “lot” was already addressed.
- Reference to the policy plan needs addressed. Creating some form of exempt signs in the language as well as time limits regarding real estate signs. Some discussion ensued. Suzanne pointed out the item on the spreadsheet and that it had stemmed from a business owner wanting to put up a large real estate sign where questions were asked about if it is necessary to come to the Zoning Department and what the time limits are.
- Wood burning/ outdoor furnaces has some language proposed along the way.
- Solar and wind energy.
- Marijuana discussion.

Opened to Commission regarding anything they want discussion.

Ms. Dermody asked if there is any need to do the Agricultural thing. There was two things in discussion. That particular person grandfathered, if it was a zoning amendment then it would be open to everyone. This was added to the list.

Mr. Powell mentioned the difference between “approved” and “conditional” use and would like more clarification. Each should be questioned as to if it is a good thing for Hinckley. Vice Ch. Spellman noted that it has been a couple years since last reviewed. Mr. Powell mentioned the Sheets incident.

Mr. Schneider mentioned that at a meeting in Cleveland he was hearing that the Zoning Commission should start looking to the future and consider if the Commission is representing past ideals. Vice Ch. Spellman agreed and suggested this should be looked at for the business and industrial as well. Mr. Schneider suggested that the Comprehensive Plan be reviewed independently by the Board prior to moving forward in 2017. All agreed that was a great suggestion.

Ms. Dermody mentioned this is a good list to start with and can always add to it.

Mr. Marzullo mentioned that this is an ambitious list and maybe a good idea to prioritize the list. Vice Ch. Spellman agreed. Mr. Marzullo stated if the top three things to be tackled are at the top of the agenda could make more headway.

Mr. Schneider suggested getting rid of some items on the list that could be addressed quickly and in the beginning of the year.

Vice CH. Spellman thanked the Trustees for attending. He then mentioned meeting a member of the BZA at a meeting and asking who she was who stated she was the Chair, which was embarrassing. Vice Ch. Spellman asked Mr. Hoop from the BZA to attend the meeting. He requested the sports definitions be tightened up. There has been more hearings for sports, sports medicine, soccer training, gymnastics, Jazzercise etc. and have to have a hearing each time. Mr. Powell added that it would be good to get the Board of Appeals input on what they believe each of these items should be. Multiple conversations ensued. Schneider requested a list from BZA for what should be approved for this board to review.

Vice Ch. Spellman asked if there is anything more apt to say “no”. Ms. Peterlin asked what part of the criteria of the review process for the Conditional is by the Board of Zoning Appeals – looking at just the use or similar use as what is defined as a Conditional Use or is there other facets that are considered – whether it be parking, safety etc. and the criteria defined for a Conditional Use.

Mr. Powell mentioned that it may be good to look back on why conditional use was used at that time and was it arbitrary. Trustee Catherwood gave an example of why something was made conditional based on the impact of a business moving in where it shouldn't.

Mr. Powell suggested that this Commission should review the BZA hearings and minutes to review.

Trustee Schulte mentioned that Rob Henwood had a recommendation that was not done. Chapter 6.R1/R2 in the purpose statement introduction that starts out like a bullet list then it gives some items that should be bulleted out that should be made cleaner. Trustee Schulte also mentioned that the voters are presenting ideas such as the senior citizens and developers. APA meeting mentioned: home occupation, signs, medical marijuana. APA was a worthwhile event, it offered a history lesson. Further dialogue ensued.

Trustee Catherwood stated that she does have something to add to the list. She reported the topic of an in-law suite has been a recurring topic to address. Trustee Catherwood states that she does believe people should be able to do what they want on their own properties. Catherwood would like this to be considered as a conditional use that way if someone starts to use the property as rent then, this could be checked. Trustee Catherwood mentioned the importance of police and fire needing to know that there are two families on the property. Trustee Catherwood would like to have a conditional use approved so that it can be known what the family home is instead of doing this on the sly. Vice Ch. Spellman asked if there are any Townships who have something similar to compare. Further dialogue ensued. Mr. Powell stated that this is not an easy issue to address even though he would like to see this as well. Mr. Marzullo added that he would like to see this on the book as well but, has some concerns about the number of structures within the two acre limit. Further dialogue ensued.

General conversation led to additional conversation for the need for senior housing in this area.

Zoning Inspector Wilson mentioned that $\frac{3}{4}$ acre but, the book states need to have 33,000 square feet and its off by the language needs changed but, $\frac{3}{4}$ acre is actually 32,670 which seems to be an oversight.

Vice Ch. Spellman states that he will work with the secretary to make a solid list. Open discussion as to goals for the early quarter. Ms. Dermody stated two items she would like see at the top of the list: the square foot and the in-law suite. Vice Ch. Spellman suggested starting with the text changes and chipping away at the list then, discussion for the in-law suite.

Trustee Schulte suggested continuing the conversations about medical marijuana. The Medina County Planning Commission has sent out their agenda and will be further discussing which leaves the Township wide open.

Vice Ch. Spellman stated that he will work with Secretary to compile the list from this discussion.

Secretary Ms. Peterlin added a request for confirmation for attendance.

Vice Chairman Report - Sharon Center has passed on a review of resolution for not allowing dispensaries, processing or growth of medical marijuana.

Vice Ch. Spellman also states what an excellent opportunity the APA sessions are. One of the responsibilities listed is the importance of continuing to educate oneself. One highlight was that planning board basics, sunshine laws, etc. One of the best items is the refresher of what the purpose of zoning. It is to protect: property values, protect natural resources, ensure natural use, and ensure future use. Make sure zoning rules are fair and not arbitrary. Be able to defend why a rule is being made. At the Zoning basics, mentioned to have a Zoning Comprehensive Plan and that it should be reviewed every five years. Recommendation that proper records are kept for votes and why certain decisions are made and running an effective meeting. Roberts Rules of Orders was referenced with kudos to the Commission for consistent meeting format such as calling the meeting to order, old business and new business. 2016 there was a motion set that went right into the vote. There needs to be an opportunity for debate when a motion is made. Under public records request and freedom act: there was a mention as to writing notes and if they are public record. The importance is if the notes are for own personal use and not shared. Stated to not pass notes, no texts messages etc. Vice Ch. Spellman has a link to forward to anyone on the board with all the presentations.

Chairman report- skipped.

Board member reports- Alternate Marzullo inquired about his position as he is in a 12 month alternate position in his final month. Trustee Schulte provided details regarding the vacancies with both Zoning Boards and that Mr. Marzullo will be contacted to discuss further.

Other business- next regular Zoning Commission meeting is scheduled for Thursday, January 5, 2017 at 7:00 pm will start with the Organizational Meeting with the Regular Meeting to follow directly after that.

Public- No further comment.

Vice Ch. Spellman asked for a motion to adjourn the Regular Meeting. Ms. Dermody moved and Mr. Schneider seconded. Board polled all in favor, all responded "I".

Meeting Adjourned at 8:22 pm

Heather Bell, Pro-Tem Recording Secretary

Bill Spellman, Vice-Chairman

Calvin Powell, Member

Diane Dermody, Member

Bruce Schneider, Member

Matthew Marzullo (Alt) Member