

Ch. Kalina called the November 7, 2019 Zoning Commission Regular Meeting to order at 7:00 p.m.

Roll found: Marzullo, Schneider, Powell, Dermody, Kalina

Also in the audience: Alternates Crew and McCarthy, Trustee Schulte and ZI Wilson

Ch. Kalina asked if everyone had received and read the minutes from the October 3, 2019 Zoning Commission Regular Meeting. He asked if there were any comments, and Mr. Schneider stated there was a typo on page 5 of the minutes.

Ch. Kalina stated he would entertain a motion to accept the October 3, 2019 Zoning Commission Regular Meeting Minutes as amended.

- Ms. Dermody moved and Mr. Powell second.
- No further discussion.
- Ch. Kalina called for vote to approve.
- All were in favor.

Marzullo – yes, Schneider – yes, Powell – yes, Dermody – yes, Kalina – yes

Ch. Kalina requested a change from the agenda to address New Business first.

Ch. Kalina stated the first item of New Business are the Trails at Redwood Falls, review of Site Plan for Phase III. Ch. Kalina asked for a clarification for the Zoning Commission Board regarding the previously submitted Final Plat for Phase II. Ch. Kalina questioned if what the Zoning Commission Board received previously as Phase II, included the creation of the additional Conservation Areas.

John Sumodi - 1034 Ridge Road, Hinckley

John Sumodi stated he is representing the Trails at Redwood Falls. Mr. Sumodi stated they are sectioning the conservation areas as they are doing the Phases. Mr. Sumodi stated there is no additional acreage added or delivered, the Plat is as previously submitted, there is no additional conservation area.

Ch. Kalina stated, moving forward, the Zoning Commission Board would like the total open space reflected on the plans.

Ch. Kalina asked Mr. Sumodi to describe his request for the Zoning Commission Board.

Mr. Sumodi stated with respect to the sale of his lot he wants the acreage to remain the same as on the Plat. They would like to change the current language in the deed to reflect that when the property is sold then the Buyer should sign off on everything at that time and the Buyer be part of the process. He wants to make sure the Buyer is aware of conservation and easement areas.

Ch. Kalina explained that what the Board is doing is moving Lot 76 into Phase III and Phase III will now be Phase IV. Further discussion followed.

Mr. Schneider asked if the buyer is aware he is part of the subdivision and Mr. Sumodi stated yes.

Mr. Marzullo asked if Phase II is complete and Mr. Sumodi stated yes. Mr. Marzullo asked if there should be new drawings. Discussion followed.

Trustee Schulte stated that when Zoning Inspector Wilson reviews the final plans and when the Trustees sign off, it will be addressed then.

There were no further comments from the Zoning Commission Board.

Ch. Kalina stated he would entertain a motion to approve the final plat for the Trails at Redwood Falls, Phase III with modifications as noted in the report from the Medina County Department of Planning Services.

- Mr. Powell moved and Mr. Schneider second.
- No further discussion.
- Ch. Kalina called for vote to approve.
- All were in favor.

Marzullo – yes, Schneider – yes, Powell – yes, Dermody – yes, Kalina – yes

Ch. Kalina stated the next agenda item is Kobak field signage as requested by Trustee Burns.

Trustee Burns stated RAH approached the Trustees and asked about field naming rights for the 5 baseball fields for advertising purposes. The field naming rights sold quickly for a total of \$18,000, based on the approval of the Trustees. Trustee Burns stated he contacted the Prosecutor's office and they had no issues. Trustee Burns stated this is important for RAH because they can use the money to maintain the fields.

Ch. Kalina stated his concern was who actually owned the baseball fields. Trustee Burns stated the Township owns the fields. Ch. Kalina stated the Medina County Prosecutor's office stated the Township is exempt from its own zoning. Ch. Kalina stated, regarding the signage, it's his recommendation that the Township follow the process as any other applicant would. Trustee Schulte stated that the Deed lists the Township and RAH as co-owners. Discussion followed regarding ownership of the property.

Mike Oiler, President of RAH, stated that both the Township and RAH are listed on the deed, if the property is not used for recreation it reverts to the Township.

Ch. Kalina asked how many kids use the fields.

Mr. Oiler said they have over 600 kids in youth baseball and they are bringing in all of Highland Youth basketball, there could possibly be 1000 kids using the field.

Mr. McCarthy asked what RAH is asking of the Zoning Commission Board and who will decide what names are used.

Trustee Burns asked if there is a regulation that states this proposed signage project cannot be done.

Further discussion followed.

Trustee Schulte stated it's really a matter of making sure everything is legal regarding the deed.

Ch. Kalina stated that Trustee Burns is trying to be proactive and upfront with the Zoning Commission to make sure everything is ok regarding this project. Ch. Kalina stated he is in favor of it.

Trustee Burns stated the deed shows the Township owns the property and RAH has rights to it. Discussion followed.

Mr. Schaefer asked if the content of the signs will be monitored by anyone.

Trustee Burns stated the Prosecutor's office will give RAH guidance, but it will be appropriate content.

Further discussion followed.

Mr. Marzullo asked if there is language regarding illumination of the grounds. Discussion followed.

There were no further comments and Mr. Oiler thanked the Zoning Commission Board for their time.

Ch. Kalina then moved to Old Business regarding agritourism and agriculture.

Ch. Kalina stated that Trustee Schulte serves on the Medina County Planning Commission and Trustee Schulte shared the Brunswick Hills text amendment regarding agritourism and agriculture and one of the issues that was addressed was if existing agritourism businesses were grandfathered in and the staff of the Medina County Planning Commission commented that existing agritourism businesses are grandfathered in, but they should be inspected for safety purposes. Ch. Kalina stated this was a topic of discussion at the last Board meeting and he wanted to share these Medina County Planning Commission comments from Brunswick Hills.

Ch. Kalina then shared with the Zoning Commission Board and the audience a summary of all of the comments from the last Zoning Commission meeting regarding agritourism and agriculture.

Ch. Kalina stated that the proposed language makes it clear that land in any district in the Township can be used for agriculture purposes. For residents building a new agricultural building or structure in a platted subdivision on a lot less than 5 acres there was discussion at the last meeting for a standard setback of 15 feet, regardless of district. The front yard setback for new agricultural buildings was not addressed at the last meeting, Ch. Kalina suggested a front yard setback of not less than the principal building.

Ch. Kalina asked for comments regarding the suggested language. Mr. Marzullo stated he liked the language for the front yard setback. Mr. Marzullo asked if it makes sense to make a new regulation because the Zoning

Commission Board can do it or just let people do what they've always done. If there are standardized setbacks then people with small yards will have less space for their use.

Ch. Kalina stated that residents are already regulated regarding setbacks, this language is only addressing a new agricultural building. Discussion followed regarding the 15 foot setback language.

Mr. McCarthy stated his feeling is that the downside of letting people do what they want is greater than the downside of having a setback. Residents have the variance process if they want less of a setback, however, if a resident builds on the property line then their neighbor has no recourse if it becomes an issue.

Mr. Marzullo stated his concern is that there are hundreds of residents affected by this language who may not realize they are in platted subdivisions.

Ms. Dermody stated she likes the language, she believes no one on the Zoning Commission Board wants heavy regulation, the language is intended to make sure the surrounding area is safe and not an eyesore.

Further discussion followed.

Mr. Powell stated he didn't realize there were so many people in platted subdivisions and he agrees there should be some kind of buffer.

Mr. Schaefer stated he believes everyone has a right to do what they want with their property. The language being discussed only has to do with agricultural and it's beneficial for safety reasons so residents can access every side of their building.

Trustee Schulte stated he encourages the language. He speaks to many residents and hears their concerns and issues and he feels this language would benefit residents.

Ms. Crew stated she feels the language is good.

Ch. Kalina asked for comments from the audience. There were none.

Ch. Kalina then discussed agritourism. The proposed language requests that an agritourism business provide information to safety services so they know what they are dealing with.

Ch. Kalina suggested language, based on discussion at the previous meeting, that a property owner should provide evidence that a proposed new building and/or structure complies with the minimum setbacks and height regulations. Additionally, the property owner should provide evidence that there is sufficient off street parking facilities available as determined by the Hinckley Township Zoning Resolution.

Mr. Marzullo asked if the Township is allowed to regulate the size of parking and Ch. Kalina stated they can only regulate that there is sufficient off-street parking.

Ch. Kalina then stated signage should comply with Section 10 of the Resolution.

Mr. Schneider asked if there is language in the Zoning Regulations regarding parking requirements and Ch. Kalina stated there is a chart.

Mr. Marzullo asked if Trustee Schulte or Trustee Burns have heard anything from residents regarding agritourism and Trustee Schulte said they have been approached a few times but nothing much.

Further discussion followed regarding agritourism.

Ch. Kalina stated if everyone thinks they want to move forward with the proposed language he can turn it over to Ms. Peterlin to prepare for presentation to the Department of Planning Services.

Ms. Dermody asked if the proposed language regarding “hereafter” applies to anything that happens in the future and Ch. Kalina stated yes, he was trying to differentiate from what is going on right now and what is going on in the future.

Ch. Kalina stated he believes that the Zoning Commission Board and the community have done an excellent job coming up with the proposed language.

Jim McClintock – 2205 Stony Hill Road, Hinckley

Mr. McClintock stated he was confused by the language regarding the setbacks for agricultural buildings. Discussion followed to clarify the language regarding agriculture and agritourism.

There were no other comments.

Ch. Kalina asked if the Zoning Commission Board would like to forward the language to Ms. Peterlin for preparation.

Ch. Kalina stated the Zoning Commission Board could submit the agritourism and agriculture language and some of the solar language that should be cleaned up regarding solar panels on accessory buildings. Ch. Kalina had proposed language expanding where the solar panels could go. Discussion followed.

Ch. Kalina made a motion to extend the 11/7/19 Zoning Commission meeting by 15 minutes to discuss solar panel language.

- Ms. Dermody second.
- No further discussion.
- All were in favor.

Further discussion followed regarding the solar panel language, particularly language regarding prohibiting solar panels from facing the street.

Mr. Marzullo stated he thinks they should decide how quickly they want to get the agritourism/agriculture language in the books because if they attach the solar language piece it could possibly be another two months, so the Zoning Commission Board needs to consider if they want to move forward with the agritourism/agriculture language and wait on the solar panel language.

Ch. Kalina stated he would forward the language for agritourism/agriculture to Ms. Peterlin to prepare for their review at their next meeting and the Zoning Commission Board can wait to further discuss the solar panel language.

Ch. Kalina discussed the Chairman's Report:

Ch. Kalina had conversations with Trustee Schulte regarding interpretation and procedures, new Board business; Ch. Kalina attended the Leadership Medina County OSU Extension Government Academy on Taxation and Zoning. Also, Ch. Kalina had talked to Lafayette Township and Ch. Kalina reviewed conservation easement questions for Trustee Lutzko. Ch. Kalina spoke with Trustee Burns regarding the Kobak fields and Ch. Kalina had a meeting regarding Redwood Falls.

Ch. Kalina asked if there were any more comments or questions and a resident in the audience asked to speak.

Gary Jennrich - 1672 Skyline Drive, Hinckley

Mr. Jennrich expressed his concern of noise abuse by Buzzard Cove. Buzzard Cove received permission to have a Halloween barn and a scream park and it was open until midnight. The noise is too loud. Many neighbors complained at the Trustee meeting. The Police Chief spoke to the business but Mr. Jennrich stated it didn't make a difference. After the residents complained the business came to the Zoning Inspector to get a special permit which allowed them to continue for 3 more weeks. This is very frustrating for the neighbors and residents because when they call the Police Department they have been told there is nothing that can be done. Discussion followed regarding the residents' frustrations associated with the noise and what can be done for next year to minimize the noise.

There were no further comments.

Ch. Kalina entertained a motion to adjourn the November 7, 2019 Zoning Commission Regular Meeting.

- Ms. Dermody moved and Mr. Powell second.
- No further discussion.
- Ch. Kalina called for vote to approve.
- All were in favor.

The Zoning Commission Regular Meeting was adjourned at 9:30 p.m.

Judi Stupka, Recording Secretary

Minutes Approved: _____, 2019

Christopher Kalina, Chairman

Diane Dermody, Vice-Chairman

Calvin Powell, Member

Bruce Schneider, Member

Matt Marzullo, Member