

Ch. Marzullo called the August 12, 2021 Zoning Commission continued Regular Meeting to order at 7:01 p.m.

Ch. Marzullo stated the purpose of this meeting is to continue the agenda items from the August 5, 2021 Regular meeting.

Ch. Marzullo stated this meeting is being taped for transcription purposes and the minutes of the meeting will serve as the public record.

Roll: Marzullo, Fischer, Schneider, Crew, Wruble, Manley has an excused absence

In the Audience: Alternate Arline, Trustees Kalina and Augustine, and Zoning Inspector Wilson

Ch. Marzullo stated they will be following the agenda from the previous meeting ,and the Board has already been through the Pine Valley Plat and Tire Max.

Ch. Marzullo stated that the first item is Pride One Senior Housing. Ch. Marzullo stated that what led to the continuation were questions that arose regarding individual lots as required by the general regulations. The Board decided it was necessary to meet with legal counsel to clear up a couple questions. Ch. Marzullo asked if all of the Board members had read through the legal opinion and if there were any questions or comments. There were none.

Ch. Marzullo again reviewed the Preliminary Plan Site Review Requirements.

Ch. Marzullo stated that the Zoning Commission can approve the plan as submitted or approve it with conditions or they can deny the site plan because it doesn't meet the requirements. Ch. Marzullo asked if there were any more questions and there were none.

Ch. Marzullo asked for a Motion to approve the Senior Housing Site Plan as submitted.

- Mr. Fischer moved and Mr. Schneider second.
- There was no further discussion.
- Ch. Marzullo called for vote to approve
- All were in favor.

Marzullo – yes; Fischer – yes; Schneider – yes; Crew – yes; Wrubel – yes

Ch. Marzullo stated the Motion passes 5-0; the preliminary site plan has been approved as submitted.

Mr. Fischer stated he has some thoughts as to what Mr. George Smerigan said regarding mounding. Discussion followed.

Mr. Schneider asked if the Pride One group could please look at the watershed to make sure the culverts are sized properly to catch more water before it goes onto Route 303.

Ch. Marzullo then stated they will finalize their discussion and determine what to do with the proposed text amendments. The Medina County Planning Commission stated they were good to go with the proposed language for solar panels. There were solid points brought up regarding screening, they have limited requirements for screening, but if a neighbor doesn't like something they can screen in their own way.

Ch. Marzullo stated there was a recommendation to remove the proposed addition of I and stay with what was originally written so there is continuity throughout the Zoning Regulations. Mr. Marzullo stated he agreed with this. Mr. Fischer stated he agreed because the language is in other sections, and they should leave as is in order to be consistent throughout the Zoning Regulations. Discussion followed.

Ch. Marzullo asked if there were any other comments regarding the solar language, and there were none.

Ch. Marzullo stated the next discussion topic is the proposed text amendment for Conservation Developments. The Board's proposed amendment is no lot shall be less than 500 feet from the public right of way or 100 feet from the project boundary. Ch. Marzullo stated that the Medina County Planning Commission recommended adjusting the boundary limitations, and Ch. Marzullo stated he's not sure he agrees with that. Ch. Marzullo stated the Medina County Planning Commission thought the language was too extreme, and Ch. Marzullo asked for the Board's thoughts.

Ms. Wruble stated their intention was to preserve the character of the community. Also the setbacks could be safety issues, and they are doing the Township a service by making the proposed requirement.

Mr. Fischer stated that looking at the proposed language from a health and safety issue, it encourages pedestrian circulation with a safe buffer zone, this would encourage safe distancing from the main roads.

Mr. Schneider stated that 500 feet is not long, they are looking for the preservation of Hinckley.

Ms. Crew stated she felt the comments from the Medina County Planning Commission didn't address what their Board is trying to do. Ms. Crew stated she is still in agreement with the 500 feet so the project wouldn't be seen from the street.

Ch. Marzullo stated that they are trying to determine what is best for the entire Township; they are trying to look at it from every point of view, and he would be open to adjusting the setbacks.

Wrubel
Ms. ~~Wrubel~~ stated they are not changing the yield plan, they just want to keep everything in the middle of the development.

Ch. Marzullo stated this will make it more expensive for the developer, and do they want to put that on the developer.

Mr. Schneider stated they really want what is best for the residents. Mr. Fischer stated that he doesn't recall seeing any negative comments regarding the proposed language.

Mr. Smerigan stated he doesn't see why the Board should hesitate to make the setbacks what is best for the Township, a developer has a right to develop. The issue they always have are the buffers and they haven't taken anything away from the landowner. They get the same yield, and they are still doing better than he could have with a traditional development. Mr. Smerigan stated they are not bound by what the Medina County Planning Commission recommends, and he doesn't think the proposed setbacks are excessive.

Ch. Marzullo stated he doesn't think the proposed setbacks are detrimental, and there is still a big savings for the developer. Ch. Marzullo stated he feels this keeps Hinckley more rural and this keeps the buffer around the development.

Ch. Marzullo asked if there were any more comments regarding the proposed text amendments for Conservation Developments and there were none.

Ch. Marzullo asked if there were any comments regarding the proposed text amendments for Automobile Service Station.

Gary Wolny – 2505 Laurel Road, Hinckley

Mr. Wolny stated that the Medina County Planning Commission has considered language where there was a distinction made for minor and major in the definition for Automobile Service Station, and the Medina County Planning Commission agreed that would be a good addition. Mr. Wolny stated that with respect to service station as written now, when you look at the I-2 definition it says automobile service and repair; the distinction is the business that is going in, and Mr. Wolny would like the Board to consider that.

Ch. Marzullo stated that, to some extent, he agrees with Mr. Wolny that B-1 and B-2 are meant for retail operations. Ch. Marzullo stated the Board is tasked with removing ambiguity and using words like minor and major can lead to ambiguity. Discussion followed.

Ms. Crew stated that she likes the new definition and that she wouldn't know how to define major and minor.

Ms. ^{Wrubel} ~~Wrubel~~ stated the proposed language won't affect any plans already submitted, and she doesn't see any issue with the proposed language. Further discussion followed.

Larry Bindoffer – 2666 Center Road, Hinckley

Mr. Bindoffer had a question about the TireMax project, and Ch. Marzullo stated that the project didn't receive a conditional use permit so the project doesn't exist.

Mr. Schneider stated that the whole purpose of the proposed new definition was to get rid of antiquated language. Discussion followed.

Ch. Marzullo stated that the concern is removing the repair from B-1 to I-2 and asked the Board if there is a concern regarding if they want repair in Industrial and not Business or does it fit in a retail business district.

Mr. Fischer stated that he likes the idea of providing better definitions. Repair itself would meet the definition so, by clarifying, the Board has provided a nice job with the definition, maybe next time they can consider reviewing the schedule of uses.

Ch. Marzullo stated the schedule of uses needs to be updated. Mr. Fischer suggested reviewing the schedule of uses later, and Mr. Schneider agreed they could always review the schedule of uses later.

Ch. Marzullo stated that he is trying to decide if they should keep the proposed language as recommended or should they add a third automobile use that included repair. Discussion followed.

Ch. Marzullo took a moment to review the recommendations from the Medina County Planning Commission regarding the proposed language for the definition of Automobile Service Station. Ch. Marzullo stated that he doesn't see anywhere in their comments that says they should deviate from the proposed amendments.

Ms. Crew stated the definition needs to be updated, and Zoning Inspector Wilson stated that he likes the idea of removing repair because a lot of that is in I-2 already.

Ch. Marzullo asked if everyone would like to move forward with the proposed language, and the Board agreed to move forward. Mr. Arline stated that the definitions provide clarity.

Ms. Crew made a motion to accept the proposed text amendment changes as provided.

- Ms. Wrubel second.
- There was no further discussion.
- Ch. Marzullo called for vote to approve
- All were in favor.

Marzullo – yes; Fischer – yes; Schneider – yes; Crew – yes; Wrubel – yes

Ch. Marzullo stated the next item is the Buzzard Cove Scream Park packet.

Zoning Inspector Wilson stated that the public hearing will be held on August 25, 2021. Zoning Inspector Wilson stated that 3 years ago they were issued a temporary permit and it grew into a 3 month event, so they proposed that the Scream Park group come to the Board for a conditional use permit for the outdoor part. Zoning Inspector Wilson stated this is a conditional use request in order to monitor the Scream Park from year to year. Zoning Inspector Wilson stated he walked the hay ride path, and it is pretty much all on the driving range.

Ch. Marzullo asked if this will be different from previous years, and Zoning Inspector Wilson stated that it's not really different, this year they are proposing a tent to make the Scream Park more scary.

Ch. Marzullo stated he is curious what the residents have to say, and Mr. Fischer asked if Ch. Marzullo intended to submit a letter to the Board of Zoning Appeals regarding the project. Ch. Marzullo stated he is happy to submit a letter if the Board has anything they want relayed. Mr. Fischer stated he has one concern regarding if the conditional use can be evaluated. Mr. Schneider stated there is a concern regarding the length of time for all the noise at the park. Ch. Marzullo stated the site review for the Buzzard Cove Scream Park will be August 21, 2021 at 10:00 a.m.

Ch. Marzullo delivered his Chairman's report. Ch. Marzullo stated that there were a couple emails that came in, one from 350 Hinckley asking them to remove the screening requirements from the proposed language. Ch. Marzullo stated that a couple people expressed how well the Board is handling difficult situations.

Ch. Marzullo asked if there were any other comments, and Trustee Kalina stated that with regard to Conservation Developments, the Board has flexibility and can issue a waiver, if necessary. Ch. Marzullo thanked Trustee Kalina for his comments.

Zoning Inspector Wilson stated that he had talked with the Army Corps regarding the water at the proposed senior housing and when the delineation study was done and sent to the Army Corps of Engineers. They said there are 3 or 4 pockets of wetlands, and the Army Corps sent it to the Ohio EPA. Zoning Inspector Wilson stated that the Ohio EPA is serviced out of Twinsburg, and they will do an extensive study of wetlands. They will make a decision regarding if Pride One has to do anything, and if so, what they have to do. Zoning Inspector Wilson stated neither the Army Corps nor the EPA seemed concerned about anything major.

Ch. Marzullo asked if there was anything else and there wasn't.

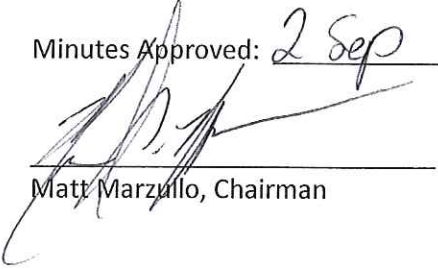
Ch. Marzullo entertained a motion to adjourn the August 12, 2021 continued Zoning Commission Regular Meeting.


- Ms. Wrubel moved and Mr. Schneider second.
- No further discussion.
- All were in favor.

The Zoning Commission Regular Meeting was adjourned at 8:50 p.m.

Judi Stupka, Recording Secretary

Minutes Approved: 2 Sep, 2021



Matt Marzullo, Chairman


Marcus Fischer, Vice-Chairman

Bruce Schneider, Member


Michelle Crew, Member


Dave Manley, Member (absent)


Lindsey Wrubel, Member