

Ch. Marzullo called the September 2, 2021 Zoning Commission Regular meeting to order at 7:00 p.m.

Ch. Marzullo stated that this meeting is being recorded for transcription purposes only and the written minutes and attachments, if any, will serve as the official record of this meeting. On behalf of our virtual audience, we ask the public joining us in person to approach the podium in the event they would like to speak, they will need to announce their name and address prior to speaking. Additionally, we ask the audience to save personal conversations for after the meeting as additional voices cause confusion for those attending virtually.

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

Also in attendance: Alternate Arline, Trustee Kalina, Trustee Burns, and Zoning Inspector Wilson

Ch. Marzullo stated that Ms. Wrubel will be stepping up in place of Mr. Schneider as he has an excused absence.

Ch. Marzullo asked if everyone had received and read the minutes from the Zoning Commission continued Public Hearing on August 5, 2021 and if there were any comments or corrections. Mr. Fischer discussed changes and noted on the minutes.

Ch. Marzullo stated he would entertain a motion to approve the August 5, 2021 Zoning Commission continued Public Hearing minutes, as amended.

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

Marzullo – yes; Fischer – yes; Crew – yes; Manley – abstain; Wrubel – yes

Ch. Marzullo asked if everyone had received and read the minutes from the Zoning Commission regular meeting on August 5, 2021 and if there were any comments or corrections. Ch. Marzullo discussed changes and noted changes on the minutes.

Ch. Marzullo stated he would entertain a motion to approve the August 5, 2021 Zoning Commission Regular Meeting minutes, as amended.

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

Marzullo – yes; Fischer – yes; Crew – yes; Manley – abstain; Wrubel – yes

Ch. Marzullo asked if everyone had received and read the minutes from the Zoning Commission special meeting, the continued regular meeting on August 12, 2021 and if there were any comments or corrections. Ch. Marzullo discussed changes and noted changes on the minutes.

Ch. Marzullo stated he would entertain a motion to approve the August 12, 2021 Zoning Commission Special Meeting minutes, as amended.

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

Marzullo – yes; Fischer – yes; Crew – yes; Manley – abstain; Wrubel – yes

Ch. Marzullo stated that takes care of everything on the agenda. Ch. Marzullo updated the Board on the Buzzard Cove Scream Park conditional use application. Ch. Marzullo stated he and Ms. Wrubel did a walk-through of the Buzzard Cove Scream Park site with the Board of Zoning Appeals. Ch. Marzullo stated they applied for the conditional use and the BZA voted it down, so the Buzzard Cove was not granted the conditional use permit and it will not be coming before the Zoning Commission.

Ch. Marzullo stated they did get feedback from the public regarding the last meeting -- 350 Hinckley asked questions regarding the solar screening language in the proposed text amendment that the Board discussed. Ch. Marzullo stated he believes this will be something they will want to revisit in the future.

Ch. Marzullo stated they also received an email from Nikki Long asking him to share with the public the guidance the Zoning Commission received from the Medina County Prosecutor's Office and how the regulations apply to senior housing. Ch. Marzullo stated that they cannot share that, but one of the things pointed out by Mr. Smerigan in the previous meeting is that the general regulations do apply, not just in the R-1 District, but apply across the Township. Ch. Marzullo stated legal counsel provided more insight into the conditional use versus the general regulations.

Ms. Crew asked about the email from 350 Hinckley and what it said.

Ch. Marzullo stated that the email said 350 Hinckley agrees that during the hearing was not the time to discuss removing sections already in the zoning code. Ch. Marzullo read the email into record. 350 Hinckley would like the Board to add additional solar discussion at tonight's meeting, they would like the Board to consider removing Sections 18.5.j or 18.6.j from the Code beginning with some general discussion of why is the code screening anything and more specifically identify the accessory components the current code is screening. Similarly, they would like the Board to consider removing Sections 18.5.i and 18.6.i from the Code beginning with some general discussion of why is the code securing electrical and control equipment. Is this creating some safety hazard for homeowners, fire department and/or the electric service company. It's up to the Commission to decide if they want to look into other sections that screen accessory components or secure electrical control equipment.

Ch. Marzullo stated that he believes they were discussing the necessity for the screening whether or not it is a necessity. Ch. Marzullo stated he thinks they should put that in because there are other parts of the resolution that allow or require screening. Generally speaking, they are on borders between other districts, something that involves mounding, specifically it defines the width of trees, how far spaced they can be, it is in depth. Ch. Marzullo believes there is a concern as far as aesthetics with this kind of stuff in the residential districts, although in a rural township the aesthetic is whatever the property owner wants it to be. Ch. Marzullo stated he doesn't know if they need to place an undue burden on someone who is trying to put in alternative energy facilities. Ms. Crew stated she agrees.

Ch. Marzullo stated he has reached out to the Chairman of the Board of Zoning Appeals to try to get an idea of what in the Code is causing confusion for them and if there's anything the Zoning Commission can do to alleviate that.

Ch. Marzullo stated they also discussed if they want to review the Table of Uses in each of these districts and this might be added to the New Business. Additionally, a potential item of New Business could be a consideration of the creation of a third business district, specifically they have talked about the area by the Hinckley Lake Reservation.

Mr. Fischer stated that depending on what happens with the Comprehensive Plan and how quickly it happens, some of these things might be considered after the Comprehensive Plan comes out so they can better understand what the community wants and if there is need for a third business district.

Ch. Marzullo asked Trustee Kalina if there is any kind of timeline on when an audit would be completed.

Trustee Kalina stated that he is going to be completing an application while he is waiting for approval from the rest of the Board of Trustees to submit the application. Ultimately, the Board of Trustees has to authorize applying for the application to receive a grant. The Medina County Department of Planning Services is offering communities in Medina County a grant in order to help fund comprehensive plan updates and that will pay up to 50% of the update. Right now, we know our initial budget will be \$7,500 to perform the audit, we don't know what the audit will bring in terms of recommendations, at that point there will be second project that could require additional funding. Trustee Kalina stated his goal right now is to apply for the full 50% because he is not aware of any other communities at this point that are going to be making the same application, they have a pool of about \$5,000. At the Trustee meeting on the 7th he will be asking the Board for their support to submit that application, and he will then immediately turn that application into the Department of Planning Services for review. Trustee Kalina stated he doesn't know what their timeline is.

Trustee Kalina stated on a side note, there was talk about potentially getting together with the Board of Appeals and that was always a goal they had discussed. Trustee Kalina stated he would like to share with the new Board members how the zoning works, how the process and procedures work regarding zoning, and the Department of Planning Services is available to meet with our Township to provide that training just for us on the 20th and the 24th.

Ch. Marzullo asked if it was one day or the other, and Trustee Kalina stated it would be one day. Trustee Kalina stated he feels its important for everyone on the Board, especially the new members, to get a better idea of what goes on with zoning in Medina County. Trustee Kalina would also invite the Board of Zoning Appeals to participate, it's important for both boards.

Trustee Kalina stated he doesn't have any specifics regarding the timeline, but he felt it was important to go after the grant. Ch. Marzullo asked if he had any indication of the length of the process, and Trustee Kalina stated it would take some time. Ch. Marzullo asked how long the actual audit would take, and Trustee Kalina stated it would take a minimum of a couple months, but probably longer. Trustee Kalina stated he had a conversation the day before with Commissioner Hambley regarding holding remote meetings and at this point there has not been any discussion to bringing back remote meetings, and Trustee Kalina stated he feels more people might participate if they could hold remote meetings.

Discussion followed regarding meeting with Medina County Planning and when everyone can meet. The Zoning Commission members were in favor and interested in attending the training.

Ch. Marzullo asked if there has been any discussion regarding zoning workshops. Zoning Inspector Wilson stated he believes those were stopped for now because of Covid. Discussion followed.

Ch. Marzullo asked Zoning Inspector Wilson what are some of the items that they could work through to help the zoning office. Zoning Inspector Wilson stated he doesn't have anything specific, but they continue to build houses in Hinckley and they continue to be busy with decks and additions, and things haven't slowed down much. Zoning Inspector Wilson stated they will make a list of concerns they have when they get into the comprehensive plan.

Ch. Marzullo asked if the Zoning Commission will have any role in the comprehensive plan update and at what point would they be involved. Trustee Kalina stated that everyone is a resident and he feels everyone on the Board would want to be involved with the process.

Ch. Marzullo stated that on October 6 at 7:00 p.m. the Western Reserve Land Conservancy is holding a presentation at Hinckley Township Town Hall where they will talk about land conservation and some of the initiatives they have tried to undertake in order to maintain lands as rural or rehabbing land to make it better. Ch. Marzullo stated he strongly recommends this to anyone interested in keeping Hinckley rural.

Ms. Wrubel stated that at her law practice a couple things have come up that she would like to mention, one is the advent of Airbnb and Vrbo and how they are handled – is that a residential use versus a business use. Ms. Wrubel stated she has some clients where these issues came up, and it cause some major issues with people in the communities where they are. Ms. Wrubel stated the other matter is pertaining to group homes, also called adult family homes. Ms. Wrubel stated there really isn't anything defined in the Zoning Code and she realizes they are limited in some instances because of fair housing

laws as to how they can handle that, but she has dealt with matters where these homes are rented to a company that solely provides housing to persons with disabilities and there is little to no supervision of the people who live there and they are not adequately cared for and it becomes an issue sometimes as to whether or not this is a business use.

Ch. Marzullo stated he believes they have already addressed care facilities and he believes it is a conditional use in B-1 but more specifically when there are multiple families in one home. Ch. Marzullo stated in the past they wanted to address in-law suites, but they ultimately decided to remove it from the agenda.

Mr. Fischer stated he feels Ms. Wrubel is bringing up a good point, there is one home on a lot and there could be 4 or 5 adults living in that one home. Discussion followed.

Mr. Manley stated there used to be a group home on W. 130th. Mr. Fischer stated he would be interested in seeing language on that. They could look at it as a corporation that is renting space, this might allow them to explore options for prohibiting a corporation from renting a home for purposes like this. Ms. Wrubel stated she has prepared language for this for another Township.

Ch. Marzullo stated he thinks it is a very complicated situation to address because he doesn't want to preclude people from enjoying the Township, but he doesn't want people coming in and creating a potential nuisance or problem for current residents. Ms. Wrubel stated in her personal dealings it basically is the people who are hired to assist the residents of these homes that are the issue, they are supposed to be there 24/7 and a lot of times they are not licensed and it is difficult to control the situation without having language that addresses it. Ch. Marzullo stated he wonders if the single family situation would provide some relief from this.

Ms. Crew asked how this goes with the comprehensive plan and what the thoughts would be to opening up to apartments and other facilities. Ms. Crew stated that she wonders if this opens things up to other apartment type buildings. Discussion followed.

Ch. Marzullo stated he appreciates that the Airbnb and Vrbo were brought up because in some cities they are a very big problem.

Ch. Marzullo stated he would like to get a decision on meeting with the Department of Planning Services, and the Board decided to meet on the 24th at 7:00 p.m.

Ch. Marzullo asked if anyone from the public wanted to speak.

Nikki Long – 1941 Parker, Hinckley

Ms. Long stated that regarding further defining boarding houses, in addition to corporations they may want to expand it to not-for-profits. Ms. Long described an article she found regarding a not-for-profit group renting to a group of ~~minors~~ juveniles that went before the local zoning board.

Ch. Marzullo asked if there was anything else.

There was no further business or comments.

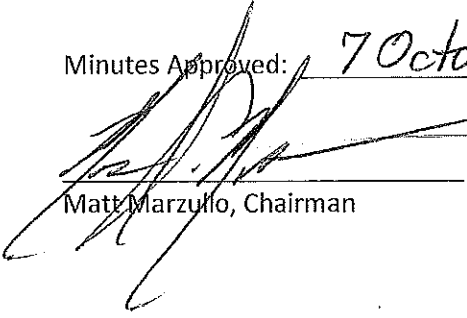
Ch. Marzullo entertained a motion to adjourn the September 2, 2021 Zoning Commission Regular Meeting.

- Mr. Manley moved and Ms. Crew second.
- No further discussion.
- All were in favor.

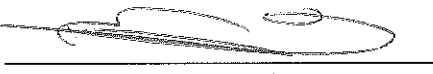
The Zoning Commission Regular Meeting was adjourned at 7:57 p.m.

Judi Stupka, Recording Secretary

Minutes Approved: 7 October, 2021



Matt Marzullo, Chairman

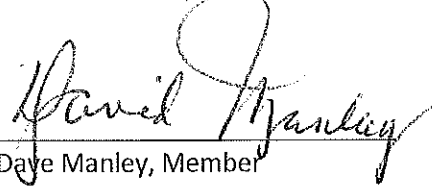


Marcus Fischer, Vice-Chairman

(absent)

Bruce Schneider, Member

Michelle Crew, Member



Dave Manley, Member

Lindsey Wrubel, Alternate