

Ch. Calabro called the February 9, 2022 regular meeting of the Board of Zoning Appeals to order at 7:02 p.m.

Ch. Calabro stated that this meeting is being taped for transcription purposes only and the written minutes and attachments, if any, will serve as the official record of this meeting.

Roll Found: Calabro, Hoop, Zeleznak, Budd, Schaefer - Mr. Schaefer has moved up as a regular member.

Also in the audience: Zoning Inspector Wilson and Trustee Augustine attended virtually

Ch. Calabro stated there were some housekeeping items they need to address from the January meeting. First is to discuss, nominate and vote on a Chair and Vice-Chair.

Mr. Zeleznak nominated Josephine Calabro as Chairperson and Mr. Schaefer seconded.

The Board was polled

All in favor

Calabro – yes; Hoop – yes; Zeleznak – yes; Budd – yes; Schaefer – yes

Ch. Calabro asked for a nomination for Vice -Chair.

Mr. Zeleznak nominated Jeff Hoop for Vice-Chairperson and Mr. Schaefer seconded.

The Board was polled

All in favor

Calabro – yes; Hoop – yes; Zeleznak – yes; Budd – yes; Schaefer – yes

Ch. Calabro stated that regarding the Organizational Procedures that were reviewed at the January meeting, the following changes should be noted:

Item 2 – change the last paragraph to read as follows:

Note: Notification of meetings and hearings will be mailed to persons providing a self-addressed stamped envelope per notice to the Zoning Secretary or emailed to persons who request a notice by contacting the Township Administration Office through the Public Distribution process.

Item 4 - because they added the paragraph regarding special meetings it should read:

4. Site Inspections – see also #12

Item 8. Change the second sentence to read as follows:

The Zoning Secretary and/or Zoning Inspector will assist in the preparation and presentation of the application of Conditional Use Request, Variance or Appeal of Zoning Inspector Decision and may offer their presentation at the Public Hearing, or testify, by request of the Chairman or Members, when appropriate.

Ch. Calabro asked if everyone was in agreement with the changes and everyone was in agreement.

Ch. Calabro asked for a motion to accept the Organizational Procedures for 2022 with the 3 changes:

Mr. Schaefer moved and Mr. Budd seconded. There was no further discussion. The Board was polled and all were in favor.

Ch. Calabro asked if everyone had a chance to review the minutes from the January 12, 2022 Board of Zoning Appeals Organizational Meeting and if there were any questions, comments, additions or deletions. There were none.

Ch. Calabro asked for a motion to approve the minutes from the January 12, 2022 Organizational Meeting. Mr. Schaefer moved and Mr. Zeleznak seconded. There was no further discussion. The Board was polled and all were in favor.

Ch. Calabro asked if everyone had a chance to review the minutes from the January 12, 2022 Regular Meeting and if there were any questions, comments, additions or deletions. There were none.

Ch. Calabro asked for a motion to approve the minutes from the January 12, 2022 Regular Meeting. Mr. Zeleznak moved and Mr. Schaefer seconded. There was no further discussion. The Board was polled and all were in favor.

Ch. Calabro asked if everyone had a chance to review the minutes from the January 26, 2022 public hearing for Baker and if there were any questions, comments, additions or deletions. Mr. Zeleznak had a change which was noted on the original set of minutes.

Ch. Calabro asked for a motion to approve the minutes from the January 26, 2022 Public Hearing for Baker, as amended. Mr. Budd moved and Mr. Schaefer seconded. There was no further discussion. The Board was polled and all were in favor.

Ch. Calabro asked if everyone had a chance to review the minutes from the January 26, 2022 public hearing for Hinckley Land Holdings and if there were any questions, comments, additions or deletions. There were none.

Ch. Calabro asked for a motion to approve the minutes from the January 26, 2022 Public Hearing for Hinckley Land Holdings. Mr. Schaefer moved and Mr. Budd seconded. There was no further discussion. The Board was polled and all were in favor.

Ch. Calabro stated they do not have a public hearing for the end of February, so the next meeting is the Regular Meeting of March 9, 2022. Ch. Calabro stated that in their Procedures, at the Board's discretion, they can hear a Public Hearing at a regular meeting time if the request is submitted within 28 days prior to the Regular Meeting. Ch. Calabro stated there is an applicant that submitted a full application as of this day (February 9, 2022) which is exactly 28 days to the next Regular Meeting. Ch. Calabro stated that time is of the essence for this applicant because he has already signed a lease and is paying rent and cannot do anything without a conditional use permit. Ch. Calabro stated that is the applicant's hardship in asking for the hearing to be pushed up to the Regular Meeting date – March 9 as opposed to March 23, 2022.

Ch. Calabro stated it is up to the Board and hopefully they will have a full quorum for the March regular meeting. Mr. Zeleznak stated that Mr. Schaefer made him aware that he will not be available for the March 9 meeting and Mr. Zeleznak stated that there may not be a full Board.

Zoning Inspector Wilson asked how many Board members are needed for a quorum and Mr. Schaefer stated 3. Zoning Inspector Wilson stated that if there is only one board member missing then they should be okay. Mr. Zeleznak stated they need to give the applicant the choice of having the hearing when they are not a full board.

Zoning Inspector Wilson explained that the applicant is teaching martial arts at a friend's studio and he wants to get into his own studio, so the applicant has made arrangements to rent in the I-2 District, and in I-2, indoor recreation and sports is a conditional use so Zoning Inspector Wilson explained to the applicant that he has to come in for a conditional use permit. Zoning Inspector Wilson stated the applicant has a 3 year lease, but now he is paying month to month and he doesn't want to bring all his equipment in until he gets the conditional use permit. Zoning Inspector Wilson stated the applicant said he would appreciate if they could hear the conditional use sooner than the end of March. Zoning Inspector Wilson stated it would need to be advertised and there would need to be a site review, which would be March 5. Zoning Inspector Wilson stated it is an empty warehouse with an office.

Mr. Schaefer suggested that they could hold a vote on whether to hold the public hearing at the March 9 regular meeting and if the vote passes it could be made conditionally on the fact that Zoning Inspector Wilson calls and lets the applicant know there will be a short Board. Ch. Calabro stated they won't vote on it, they are just discussing it because the decision is at their discretion and Ch. Calabro stated she wanted to discuss this with the Board members.

Ch. Calabro stated that by March 9 they may have a full Board because they are currently interviewing for the open positions on the Board. Ch. Calabro asked if the Board members are okay with what they have discussed and everyone was in agreement. Ch. Calabro asked Zoning Inspector Wilson to call the applicant and let him know that they are willing to hold a Regular Meeting with a Public Hearing on March 9, 2022 with a site visit on March 5 at 10:00 a.m.

Ch. Calabro stated there are a lot of changes happening to the Board. Ch. Calabro stated that Julie Mainzer is no longer on the Board, she was a Board member for 10 years and Ch. Calabro is grateful for Julie's service and wants to thank Julie for her service.

Ch. Calabro stated that as of the end of February, Mr. Budd has decided to move on from the Board. Ch. Calabro stated she appreciates Mr. Budd's service and he was a valuable asset to the Board and he will be missed. Mr. Budd thanked everyone and stated it has been a pleasure serving with everyone and wishes everyone continued good fortune.

Mr. Schaefer stated that he attended the Ag Pro meeting which took place on January 27, 2022 and discussed what they went over. Mr. Schaefer stated they discussed the different liabilities and permits that would be needed and whether there will be produce stands and things like that. They also covered what they called damage claims and liability. Mr. Schaefer stated he will prepare a written summary of what he learned and distribute to the Board of Zoning Appeals and Zoning Commission.

Ch. Calabro stated that at one time a member from each Board (BZA and Zoning Commission) would attend the meeting of the other Board and in situations where there are more complicated issues it might be beneficial for someone on the Board of Zoning Appeals to attend the Zoning Commission meetings. Discussion followed.

Zoning Inspector Wilson stated he spoke with the applicant requesting the early Public Hearing and let him know that there was the possibility of a short Board and the applicant was fine with that and wanted to have the hearing on March 9, 2022.

Ch. Calabro asked if there was anything else and there was nothing.

Ch. Calabro stated she would entertain a motion to adjourn the February 9, 2022 Regular Meeting. Mr. Budd moved and Mr. Schaefer seconded. The Board was polled collectively and all were in favor.

The Regular Meeting was adjourned at 7:29 p.m.

Judi Stupka, Recording Secretary

Minutes Approved: _____, 2022

Josephine Calabro, Chairperson

Jeff Hoop, Vice-Chairperson

Dave Zeleznak, Member

Bill Budd, Member

Bill Schaefer, Member