

Ch. Fischer called the October 6, 2022 Zoning Commission Regular Meeting to order at 7:00 p.m.

Roll found: Fischer, Crew had an excused absence, Marzullo, Manley, Spellman, Engleman

In the audience were Trustees Augustine and Ascherl

Ch. Fischer stated that Ms. Engleman would be a voting member at this meeting due to the absence of Ms. Crew.

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

Ch. Fischer stated that on behalf of the virtual audience, we ask that the public joining in person 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 that the audience save personal conversation for after the meeting as additional voices cause confusion for those attending virtually.

Ch. Fischer asked if everyone had received and reviewed the minutes from the Zoning Commission Regular Meeting on September 1, 2022 and if there were any comments or corrections. Ms. Engleman stated she will abstain herself from the September 1, 2022 and August 30, 2022 meeting minutes as she was not a voting member at those meetings. There were no amendments.

Ch. Fischer stated he would entertain a motion to approve the September 1, 2022 Zoning Commission Regular Meeting minutes.

- Mr. Spellman moved and Mr. Marzullo second.
- There was no further discussion.
- Board was polled.
- All were in favor.

Ch. Fischer asked if everyone had received and reviewed the minutes from the Zoning Commission Special Meeting on August 30, 2022 and if there were any comments or corrections. There were no amendments.

Ch. Fischer stated he would entertain a motion to approve the August 30, 2022 Zoning Commission Special Meeting minutes.

- Mr. Manley moved and Mr. Spellman second.
- There was no further discussion.
- Board was polled.
- All were in favor.

Ch. Fischer asked if everyone had received and reviewed the minutes from the Zoning Commission Special Meeting on September 30, 2022 and if there were any comments or corrections. Mr. Marzullo and Mr. Spellman stated they would abstain from the vote on these minutes. There were no amendments.

Ch. Fischer stated he would entertain a motion to approve the September 30, 2022 Zoning Commission Special Meeting minutes.

- Ms. Engleman moved and Mr. Fischer second.
- There was no further discussion.
- Board was polled.
- All were in favor.

Ch. Fischer stated the Medina Planning Commission has reviewed the map amendment as it relates to the change from B-2 to B-3, which they approved as written. Ch. Fischer stated the Medina Planning Commission has reviewed the text amendment in its entirety and they found an inconsistency in Chapter 3 as far as numbering. Additionally, there were some comments regarding items in Subsection 6R1.6, which were the result of a mistake by the Medina Planning Commission. Ch. Fischer stated he spoke with Rob Henwood from the Medina Planning Commission regarding the error, and Mr. Henwood indicated that would be noted. Ch. Fischer stated these were the only comments from the Medina Planning Commission and the only thing the Board would need to address is the minor numbering change in Chapter 3. Ch. Fischer stated that the text amendment was approved with modifications at the Medina Planning Commission meeting, and Ch. Fischer stated the Medina Planning Commission commended the Board on all the work they have done so far.

Ch. Fischer stated he wanted to mention that Medina Planning Commission member Chris Kalina commented regarding Section 4.15 which is the similar use findings - the Board should be careful passing this along to a different group and not controlling it themselves. Ch. Fischer stated he commented in response that these are primarily Duncan Factor considerations and that is why this move to the Board of Zoning Appeals was suggested. Ch. Fischer noted that Assistant Prosecutor Brian Richter has reviewed this and stated this is something the Board can continue to consider.

Ch. Fischer stated regarding the proposed rezoning of the B-1 District by Buzzards Cove, he received a call from Medina Planning Services prior to the Medina Planning Commission meeting and Planning Services requested the Zoning Commission hold their public hearing first to allow for the opportunity to hear comments from the affected property owners before Medina Planning Services provides their assessment. Ch. Fischer stated this matter will now be heard at the Medina Planning Commission November meeting. Ch. Fischer stated they would have the Medina Planning Commission comments by the Zoning Commission's November meeting, so this shouldn't delay things.

Ch. Fischer asked if there were any comments, and there were none.

Chairman's Report

Ch. Fischer stated he wanted to note that after the Special Meeting on September 30 he sent each of the Zoning Commission members an email to explain that the reason for the September 30 Special Meeting was because the public notice required for a Public Hearing on October 6 was not sent in a timely manner due to oversight, so they couldn't hold the public hearing on October 6. Ch. Fischer stated the public

hearing will now be on October 10, 2022. Ch. Fischer stated it will be his recommendation that they continue that public hearing to November 3, 2022, which will align with their regular meeting and they will have the Medina Planning Commission's full report on the remainder of their map amendments.

Ch. Fischer confirmed there is a Public Hearing set for October 10, 2022 at 6:30 p.m., and the public notice has been posted. Ch. Fischer stated that given the size of the map amendment, they are not required to notify by mail each of the affected property owners involved in the map amendment; however, given the scope of the B-1 to R-1 rezoning, Ch. Fischer requested the Zoning Department notify each of the affected property owners by mail, and they have already received comments on the proposed map amendment.

Ch. Fischer stated the next Regular Zoning Commission meeting will be on November 3, 2022 at 7:00 p.m. and most likely the October 10, 2022 public hearing will be continued to November 3. This will mean the Regular Meeting on November 3 will follow the conclusion of the Public Hearing on that day.

Ch. Fischer asked if anyone else had anything, and there were no comments from the Board or the public.

Ch. Fischer entertained a motion to adjourn the October 6, 2022 Zoning Commission Regular Meeting.

- Mr. Marzullo moved and Ms. Engleman second.
- No further discussion.
- Board was polled.
- All were in favor.

The Zoning Commission Regular Meeting was adjourned at 7:13 p.m.

Judi Stupka, Recording Secretary

Minutes Approved: _____, 2022

Marcus Fischer, Chairman

(Absent)
Michelle Crew, Vice-Chairman

Matt Marzullo, Member

Dave Manley, Member

Bill Spellman, Member

Cindy Engleman, Member