



MEDINA COUNTY PLANNING COMMISSION  
MINUTES OF MEETING  
WEDNESDAY, APRIL 1, 2015, 6:30 P.M.  
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE ROOM

**Attendees / Representing (from sign-in sheet):**

Wilbert Geiss, Homer Township

**MCPC Members and Alternates in Attendance:**

**MCPC Members:**

Mark Kolesar  
Val Jesionek  
Sally Albrecht, 6:54 p.m.  
Pat McNamara  
Paul Jeffers

**MCPC Alternates:**

Jerry Cook, (for Adam Friedrich)  
Kevin Ball, (for Tim Smith)

**MCDPS Staff:**

Cheryl Heinly, Admin Assistant  
Rob Henwood, Planning Director  
Susan Hirsch, Principal Planner

Val Jesionek called the meeting to order at 6:30 p.m. and began with the Pledge of Allegiance.

**I. ROLL CALL**

Ms. Jesionek, Mr. Kolesar, Mr. McNamara, Mr. Ball, Mr. Cook, and Mr. Jeffers were all present at the time roll was called.

**II. MINUTES**

Ms. Jesionek asked if there were any questions or comments regarding the March 4, 2015 minutes. There was none.

*Mr. Jeffers moved to approve the minutes as presented. Mr. McNamara seconded the motion. All voted AYE and the motion carried.*

**III. CORRESPONDENCE**

There was no Correspondence

**IV. CONSENT CALENDAR**

**A. Forest Glen, 014-2015, PP, Preliminary Plan Extension Request, Sharon Township**

Ms. Hirsch prepared the staff report to the Commission regarding the above captioned subdivision located south of Ridgewood Road, east of Kingsmill Lane and west of Medina Line Road.

The developer requests an extension of the approved Preliminary Plan for one year per Medina County Subdivision Regulations, Article IV, Section 404 C. 2.e 5.b.

The original Preliminary Plan for the subdivision was approved in March of 2006. After the initial approval, the Preliminary Plan was extended for one year in years 2008 through 2010. Since the original Preliminary Plan expired it was resubmitted and approval on March 2, 2011. In March of 2013, the 2011 Resubmitted Preliminary Plan was granted a 1-year extension until March 6, 2014, and on March 5, 2014, the Preliminary Plan was granted a 1-year extension until March 5, 2015.

**B. West Chase Landings, Ph 5, 019-2015, FP, Final Plat, Brunswick Hills Township**

Ms. Hirsch prepared the staff report to the Commission regarding the above captioned subdivision located east of Marks Road, west of Substation Road, and north of Center Road (S.R 303).

The proposed subdivision is currently zoned R-1 and is being developed under the Brunswick Hills Township Conservation Development standards.

The subdivision is being developed in six phases, with the creation of four internal streets that will be publicly dedicated with a 60' right-of-way. Phases one through four have been approved and are improved.

The Final Plat for Phase 4 was approved by the Medina County Planning Commission (MCPC) on July 11, 2007. The Original Preliminary Plan was approved on July 2, 2003. A current Preliminary Plan was approved on July 11, 2012, and revised on April 24, 2014. The revision divided Phase 5 into Phases 5 & 6.

In Phase 5, the applicant proposes to subdivide 16 of the remaining 34 sublots of West Chase Landings Subdivision and provide a Block C-4 for the remaining sublots. The proposed subdivision is in substantial conformity with the Preliminary Plan approved April 24, 2014. The 16 sublots to be developed are along Stag Thicket Lane.

**Discussion:**

There was no discussion.

*Mr. McNamara moved to approve the Consent Calendar consisting of Forest Glen Preliminary Plan Extension Request and West Chase Landings Final Plat with the staff recommendations of Approval with Modifications for both subdivisions. Mr. Jeffers seconded the motion. Mr. Kolesar voted NAY. All other members voted AYE and the motion carried.*

**V. OLD BUSINESS**

There were no items in Old Business.

## VI. NEW BUSINESS

### A. Brunswick Hills Text Amendment, 018-2015, TA

Mr. Henwood presented the staff report to the Commission regarding the above captioned text amendment to add a definition for “Garage Sale” to Article II Definitions.

The amendment proposed by the Brunswick Hills Township Zoning Commission, is to add a definition for “Garage Sale” Section 303-13 Garage/Yard Sales.

#### **Discussion:**

Ms. Jesionek asked if there was any conversation with the Township trustees. Mr. Henwood said no. Ms. Jesionek said so by forwarding this to them this would be the first time they would know of this. Mr. Henwood said they were forwarded the staff report upon its completion but there has been no discussion. He said they did forward to the Prosecutor’s office and were offered some “tweaks.” He stated that when he thought of a definition, it was more of a sale conducted out of someone’s garage or on their driveway. He thought they were biting off more than they should.

Ms. Hirsch said this was submitted a year ago for informal review and they could not agree on the regulations. She said this was somewhat a backdoor way to approach it. Mr. Henwood said he was torn on this one whether he should recommend for disapproval or not. He thought it was a way around regulating, but they have been working on this for quite a while so his guess is that they are going to do it.

Mr. Jeffers questioned if they tried bringing this before the zoning commission for a text change to regulate it into their regulations. Ms. Hirsch did not think it ever got to the zoning commission. Mr. Henwood said he did not think it got very far.

Mr. Kolesar asked if staff has seen anything like this before. Ms. Hirsch said if it is not there why bother. Mr. Henwood said because something was removed the regulation was taken away so there is no reason for it to be there.

Mr. Jeffers thought this would be difficult to regulate from just a definition.

Mr. McNamara said once this board approves it, then it will go back to the Township, they will chose to do what they wish with the Board’s recommendation. Mr. Henwood said yes, that is correct. He said he was reluctant to approve it. Mr. Henwood said he understood.

Mr. Kolesar asked if the Township gave an idea if this was one-step of more work ahead to be brought to the Board later. Mr. Henwood said no.

*Mr. Kolesar moved to disapprove staff recommendations of Approval with Modifications for the Brunswick Hills Text Amendment. Mr. Cook seconded the motion. All voted AYE and the motion carried.*

Mr. Henwood questioned for clarification if the reason for the disapproval was that they are choosing to add a definition that is not part of the regulation. Mr. Kolesar said yes. Mr. Jeffers stated he did not think you could enforce from a definition. That definition is not a stock definition of a Garage Sale and he thought if that was brought into court stating it as such, when it is putting in enforceable language about running a garage sale, they are not backing it up with meaning in the zoning resolution.

## **B. Homer Township Text Amendment, 016-2015, TA**

Mr. Hirsch presented the staff report to the Commission regarding the above captioned text amendment regarding Section 301-4, Site Plan Review; Section 901-1, Zoning Inspector, Section 901-2, Board of Zoning Appeals; Section 1001-1, Composition and Appointment; Section 1001-3, Quorum; Section 1001-5A, Appeals; Section 1001-5B, Variances; Section 1001-5C, Exceptions; Section 1001-6, Procedure; Section 1001-8, Appeals; Section 1101-1, Composition & Appointment ; Section 1101-3, Quorum and New Appendices E-H.

The amendments are being proposed by the Homer Township Zoning Commission.

### **Discussion:**

Mr. Cook asked what the recommendation was in regards to the appendix. He asked if it was to modify it by eliminating the text references. Ms. Hirsch answered that it was to correct it so that c and d were added to the appendix. She

Wilbert Geiss, Homer Township, said from his standpoint that it would be easiest to reference that particular section and not put the text in.

Mr. Geiss said he was not privy to the staff report as he just got back from out of town the day before. He said he has comments from the Prosecutor's office, but not from the Planning staff. He said all the comments were good and he would take them back to the zoning commission.

*Mr. Jeffers moved to approve staff recommendations of Approval with Modifications for the Homer Township Text Amendment. Mr. Cook seconded the motion. All voted AYE and the motion carried.*

## **C. Wadsworth Township Text Amendment, 006-2015 MA**

Mr. Henwood presented the staff report to the Commission regarding the above captioned text amendment regarding Sections 305-19 Swimming Pools, 305-30 Gas and Oil Wells, & 306 Rear Lot Development.

The WTZC has submitted the above listed text changes as they have been tasked (by the Trustees) "with revising the current book of zoning regulations and making it a more user friendly document for both developers and residents of Wadsworth Township."

\*\*Ms. Albrecht, planning board member, came in and sat at table, 6:54 p.m.

### **Discussion:**

Mr. Jeffers questioned if they stated any reasoning for the 300-feet. Mr. Henwood said no and said he was not sure if the international building code was still 300-feet or not. He said he has seen 300 feet before and it is a lot of area.

Ms. Jesionek said years ago that it depended on the depth of the well, how far away an accessory structure had to be. She did not know if that was still current.

Mr. Jeffers asked if Mr. Henwood knew there was a section that discussed capped wells. Mr. Henwood said no.

*Mr. Kolesar moved to accept staff recommendations of Approval with Modifications for the Wadsworth Township Text Amendment. Mr. Jeffers seconded the motion. All voted AYE and the motion carried.*

**VII. PLANNING DIRECTOR’S REPORT**

Mr. Henwood said he had nothing to add.

**VIII. PUBLIC PARTICIPATION**

There was no Public Participation.

**IX. OTHER BUSINESS**

Mr. McNamara commented that he read on last month’s minutes the discussion regarding Brunswick [City] dropping off the Commission. He wanted to let them know that they do not intend to do so. Mr. Henwood clarified by saying, did Brunswick City have interest in continuing with submitting their zoning map and text amendments. He said there was a memorandum of understanding that was between the chair of the zoning commission, chair of the Brunswick City planning commission at the time, and Commissioner Hambley. Mr. Henwood said under the agreement the City would submit text and map amendments as Townships do.

Mr. Henwood said Ms. Bowers raised the issue that she was concerned that Brunswick City felt they were required to do so. He stated depending on your understanding of the memorandum, there was just an agreement made. He said if Brunswick derives some value from the staffs work, they are more than happy to do it. He thought Ms. Bowers was concerned it might have been an impediment to timely process of things, but the staff is happy to provide the assistance if the City derives value from it. Mr. McNamara said they do and thanked Mr. Henwood.

**X. ADJOURNMENT**

*Mr. McNamara moved to adjourn the April 1, 2015 MCPC meeting at 7:00 p.m. Mr. Jeffers seconded the motion. All voted AYE and the motion carried.*

\_\_\_\_\_  
Lynda Bowers, President

\_\_\_\_\_  
Cheryl Heinly, Admin Asst.