

Westfield Township Board of Zoning Appeals

January 30, 2017
Organizational Meeting

Roll call: Simmerer- aye, Fleming- aye, McGlashan- aye, Stacy- aye. Absent: Thur and Moore.

Also in attendance: Bill Thorne

Kevin Daugherty resigned as BZA Chair on January 12, 2017. BZA called a new meeting to nominate new Chair and Vice Chair positions.

Stacy makes a motion to nominate Keith Simmerer for chair; seconded by Fleming. Roll call: Stacy-aye, Fleming- aye, McGlashan-aye, Simmerer abstain. The motion passes.

Stacy makes a motion to nominate Greg McGlashan for vice-chair; seconded by Fleming. Roll call: Stacy- aye, Fleming- aye, Simmerer-aye, McGlashan- abstain. The motion passes.

Stacy makes a motion to close the Organizational Meeting; seconded by McGlashan. Roll call: Stacy-aye, McGlashan- aye, Simmerer- aye, Fleming- aye. The motion passes.

Regular Meeting

Instructional Information to handle Conditional Use and Site Plan Review

Attending: Simmerer, Fleming, Stacy, McGlashan,

Also in attendance: William Thorne

- Conditions may be put on the approval of a Site Plan.
- 1. No protection for Open Spaces: HOA document needed and reviewed by the MC Prosecutor's Office
- 2. General Standards should be included:
 - a. Maintenance of Open Space Property
 - b. Landscaping of entrance and Open Spaces
 - c. Trustees are not in charge of Homeowners ' property (provisions need to be stated in HOA)
 - d. Public Roads addressed county standards and "Performance Board"
 - e. Rail Road Easement addressed since the information was not understood by property owner.
 - f. Continue the Public Hearing with the Site Plan and then provide conditions that need to be met

Article VI- Preliminary approval was discussed by the Board. There were also concerns with the Site Plan zoning code text language (pg. 80)

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Questions regarding easement were addressed by the Board. Bennett needs to show there is or isn't any easement for the RR (Rail Road) property. Acceptable source would be a title search.

Site Plan must show if there are any easements that were not on the preliminary Site Plan. Acceptable source would be a title search.

Subdivision Regulations were discussed by the Board.

William Thorne stated that granting a preliminary approval is not known in other Zoning Text Language. If BZA grants Site Plan approval then it will continue to the Medina County Planning Commission for approval as long as the MC Planning Commission doesn't find something with compliance of subdivision Zoning Code.

The following are conditions which need to be met prior to a Site Plan Approval:

- Title Search for easements on property; RR, oil/well (distribution lines?)
- Private Road standards and maintenance- legal responsibility
- HOA document and legal responsibility (not to be dissolved or turned over to the Trustees needs to be addressed)
- Public Roads- County Engineer review and approval
- Retention Ponds- how they will adversely affect other properties and maintenance
- County Plan for Storm Water Management
- Electronic copy of HOA and review by the MC Prosecutor's Office
- Fencing of the oil/gas well?
- How will the emptying of storage tanks be done? Lines or trucks?
- Recreational Area- Maintenance
- Central Sewer/ Septic (easements need to be vacated)
- Fire Chief addresses the safety of the area (roads and access to gas/oil wells. Something in writing from the Fire Chief for the records.
- Pending answers that the Board may have which will require an answer from the Medina County Prosecutor's Office.
- Pending approval of the MC Planning Commission

Letter will be written and provided to Bennett by Porter and Chairman Simmerer.

Stacy makes a motion for Secretary Porter to draft a letter to Scott Bennett with approval of Chairman Simmerer; seconded by McGlashan. Roll call: All said aye.

Stacy makes a motion to adjourn at 8:10 PM; seconded by Fleming. All said aye.

Respectfully submitted by:

Cheryl Porter, Zoning Secretary

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Date Approved: April 5, 2017

Chairman Keith Simmerer

Vice Chairman Greg McGlashan

Pat Fleming, BZA Board Member

Wayne Moore, BZA Board Member

Jim Stacy, BZA Board Member

Andrew Thur, BZA Board Member