

**WESTFIELD TOWNSHIP TRUSTEES
SPECIAL MEETING
May 28, 2008**

Chairperson, Ms. Sims opened the special meeting @4:10 pm waiting for Assistant Prosecutor, Wm. L. Thorne.

TRUSTEES IN ATTENDANCE: Carolyn Sims, James Likley, Timothy Kratzer. Attendance: Wm. L Thorne, Assist. Prosecutor, Heather Sturdevant, Gary Harris, Mike Sweeney, Rocko, Ron Oiler, Kim Ferencz, Willie Carrasco, Orlando Carrasco, Lee Evans, Mike Schmidt, Fiscal officer, M. Evans also in attendance to take minutes.

TOPICS FOR TODAY'S MEETING

- Multi zoning issues and layers for North Coast Soccer conditional use
- Related Chippewa Valley campground related issues

Information handed out at the meeting:

- Letter from Medina Co. Highway Engineer written April 17, 2008 regarding Chippewa Valley Campground/Kokosing fill area (abandoned swimming pond)
- Stormwater Management & sediment control permit
- Letter from Medina County Highway Engineer – unauthorized grading
- Letter from ODOT to Kokosing – 2 waste areas: Medina Sod Farms & Chippewa Valley Campground
- Sample of a plan by Willie Carrasco for Joe Hanna to approve

The above letters are attached to the minutes in the fiscal officer's office.

Bill Thorne and Willie Carrasco (co-owner of North Coast Soccer) is now present.

The goal of this meeting is to get the board of trustees, zoning inspector, zoning boards, and Mr. Carrasco all on the same page to the multi zoning issues for North Coast Soccer & Chippewa Valley Campground so he could move on.

VISUAL BARRIER has been an on going issue for 5 years.

As of April 14, 2008 the BZA granted a 2-year conditional use permit with the condition that in 60 days Willie, Joe Hanna and Gary Harris would come back to the BZA with a signed plan of a visual barrier that all could live with. To date North Coast has a plan drawn up and has called Mr. Hanna numerous times and cannot seem to get Mr. Hanna's commitment of a time & place to review the plan.

Bill Thorne stated under the township code the BZA makes the determination. At this point there are 2 options:

- ❖ Have a signed agreement by both parties by June 13th or 14th and the BZA sets a timeframe for it to be carried out.
- ❖ June 13th or 14th (whenever the BZA meets to hear this issue again) the BZA makes a determination, set a plan and set a date that is acceptable for the BZA and Mr. Carrasco.

REVIEW OF PARKING ON SITE PLAN – as part of conditional use permit.

- Limited to no information on site plan. Mr. Carrasco presented a revised parking plan with dimensions.
 - Follow Township Zoning – Section 302.E.4.b (Whether the area could be used for parking without a variance)
- 1) Revise site plan – parking & visual barrier mound

- 2) Grindings used in the natural hazards overlay. Once the grindings were rolled it made a surface that is not porous. The Medina County Engineer will need to make this determination if the grindings would have an adverse effect in the floodway.

To get a zoning permit for additional parking in the Natural Hazards Area, Mr. Carrasco must supply the engineers' letter to satisfy Section 302.E.4.b.

Any changes to a conditional use site plan, the applicant must come back to the BZA for approval first before a zoning permit is issued.

The BZA approved the site plan April 14, 2008. The BZA must determine if the approved site plan has minimum parking required for this site Section 502 of the Westfield Township Zoning Code. If the minimum parking requirement is not met without this additional parking and the engineers letter states the area in the natural hazards area cannot be used, then Mr. Carrasco will have to find another location for the additional parking.

The site plan should be complete per Bill Thorne. Use Section 502 to calculate the number of parking spaces required, using the highest number of people at one given time. 180-200 teams at one given time. The present plan reflects there are 1899 parking spaces without the additional 116 parking spaces. The township code requires paved parking and driving surfaces and parking spaces are to be marked. The parking spaces are marked with the field marking material at each game. The rain does wash it away but this is done before each game. If the parking spaces are not marked, a variance would be required.

Question – Can one variance application have multiple zoning variances?

Bill Thorne – Yes

A variance would be applied for and heard before a conditional use application.

Bill Thorne - even if the soccer fields must be rearranged to let them grow back up you must come back to the BZA to show that the parking, buffers etc has not been changed. There will be a separate fee for each amendment.

Someone (BZA, zoning inspector, or Carolyn) needs to sit down with Mr. Carrasco and let him know what he needs to have on the site plan to make it complete. On the 14th the only thing that needs reviewed is the buffer but the board needs to start working on a truly accurate base site plan. The board made as many errors as the applicant. The conditional use has been approved until October 31, 2009.

If the visual barrier is worked out, then it needs to be part of that site plan. Mr. Carrasco and the board makes a list of what needs to be on the site plan and set a date to work on this site plan. It is Mr. Carrasco's responsibility to know that his business' conditional use expired October 2007 but as a courtesy the township could have notified you. The point being – Mr. Carrasco always comes before the board after the first tournament in April saying I must have my permit, I have tournaments scheduled. It is Mr. Carrasco's responsibility to come to the board as soon as the conditional use expires to assure ample time for processing before any activity.

Bill Thorne – Get a zoning code and read the conditional section and then meet with Gary and or the board however they want to do it and make sure everything that is required is on the site plan. Likley – On June 14th 2008 could you have a complete site plan? Look at all the conditions that were agreed to in the past and are still part of the conditions. It is important that every item is written down, every item is clearly understood by the applicant, by the board and if there are time frames that have to be established for any of it, they are established. So when Gary looks at it and someone calls him stating there is a violation, he can say no there isn't because it meets the boards requirements as of this date and there has been no amendments since then. Once this base line has been established and you want to make an amendment to that base line then you must come back for an amendment process.

Bill Thorne – Your conditional needs to be complete so when the judges look at it and Gary goes in and says there is a violation of this conditional, he can point to something not just a bunch of minutes. It should be in the physical order that you get, anything that's important enough that you want to require compliance should be in the conditional that's granted, not in the minutes.

FILLING OF SWIMMING POND

Question – Does this require a separate conditional use per Section 602.D, does it need a separate site plan review?

Bill Thorne – No. The language of it, it's for his purpose and not for the benefit of a governmental entity, this is not a governmental staging area. If he wants to fill it in, it doesn't make any difference where he is getting the fill from, the end result is he is filling it in for his own personal use. If there is not a zoning certificate required to fill in a pond, then Section 302.E.4 does not apply.

Storm Water Permit was issued to Mr. Carasso to fill in the swimming pond and store additional fill. A copy of the permit is on file.

Question – Is filling the pond considered a structure because it is in the ground?

Bill Thorne – Not generally - No but if it was filled in and going to be a parking lot, yes then it would be.

Question – Can Willie use grindings as fill for this lake?

Bill Thorne – I do not have an answer for that. The permit may specify.

Question – Are we looking at the terms of the Kokosing contract that now has been signed over as Willie's contract? Or is it a combination of Kokosing waste site or is there a whole new contract under Mr. Carasso's name?

Bill Thorne – I don't know, I was just looking at what was said that he now has a right to take this fill and fill his property. Even though the fill is coming from the state job, it would only be a waste area if the intent would be to remove it. If he is storing the fill for his personal benefit on his own property it is not a waste site.

Question – Does it go to the Kokosing contract or is there different language because it was just signed over to him as landowner instead of Kokosing leasing the land for the purpose of a waste fill and it's now being turned over to him. Does this documentation apply to the purpose that is was when it was Kokosing's?

Bill Thorne – That was a 3rd party contract and now he is telling you that his personal property will be used for personal property fill. This is not a government project any longer. If he was to tell you right now that he is building a parking lot that is a different scenario.

WILLIE'S SIGN

The campground sign that was located on Gregoire's property was removed. Willie was showing the board where he wants to put his sign. Willie would like it to be located to the south of the 60' drive that accesses his property. Willie is permitted one (1) sign not to exceed (30) square feet and must not be more than twenty (20) feet high. The sign must be 20' from the property line and 10' from the road right of way as per Section 407.B.2.a.

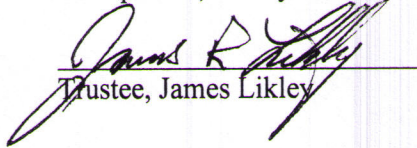
CELL TOWER


Ms. Sims will provide Bill Thorne with a copy of the information that she has concerning the cell tower. There was discussion but no decisions were made.


Meeting adjourned @ 6:00 pm.

Approved July 11, 2008

Chairperson, Carolyn Sims


Trustee, James Likley


Fiscal Officer, M. Evans


Trustee, Timothy Kratzer