

**WESTFIELD TOWNSHIP
BOARD OF ZONING APPEALS
PUBLIC HEARING/MEETING
OCTOBER 27, 2010**

Chair Schmidt called the public hearing/meeting of the Westfield Township Board of Zoning Appeals to order at 7:30 p.m. Permanent Board members Daugherty, Micklas, Simmerer Schmidt and LeMar were present. Alternate Board members Kelly Courie and Dwayne Kramer were also in attendance. Others in attendance were as follows: Mr. Craig Walkup and Zoning Inspector Matt Witmer.

MINUTES

Approval of September 9, 2010 meeting minutes.

Mr. Daugherty made a motion to approve the Board's September 9 2010 meeting minutes as amended. It was seconded by Mr. Simmerer.

ROLL CALL-Daugherty-yes, Simmerer-yes, Micklas-yes, LeMar-abstain (not present at meeting) Schmidt-yes.

Chair Schmidt stated that all the Board members should have received a letter from Zoning Inspector Witmer about Northcoast Soccer. Chair Schmidt stated a meeting needed to be set up with Northcoast Soccer to discuss all the items that have not been addressed as part of their conditional use permit and referenced in Zoning Inspector Witmer's letter.

Zoning Inspector Witmer gave a brief explanation of the issues and discussion that had taken place with Mr. Carrasco, Mr. Sweeney, and County Pros. Bill Thorne. Zoning Inspector Witmer stated today the Terex machine was down at Northcoast Soccer. They were spraying the grass but no gravel has been laid down as of yet. The back portion of the property has not been touched nor have they contacted the County as required. Zoning Inspector Witmer added that Mr. Carrasco and Mr. Sweeney stated they already contacted the County but that was several years ago and everything has grown over. The southern portion of the parking area near the Chippewa Creek is full of trees which is not represented on their site plan. Zoning Inspector Witmer continued that the whole issue is what is on the property, what is on the site plan and what Northcoast Soccer said they would do or agree to are in conflict and/or missing. The site plan needs to reflect what is there and what they have agreed to as part of the conditional use permit.

The Board decided that a meeting needed to be set up with Northcoast Soccer and County Pros. Thorne. Zoning Inspector Witmer stated he would visit the property and make a list of what has been done to the property and what has not been done. Chair Schmidt stated there was also the issue of games/tournaments taking place the same day the Recycling Center has their big collection day. Zoning Inspector Witmer commented there were approximately 1900 individuals at Northcoast Soccer that weekend. The Board stated that it was originally addressed in Northcoast Soccer's conditional use permit that adequate traffic control personnel were to be in place to address traffic concerns in that area.

Page 2 Westfield Township BZA 10/27/2010

Though it was not part of the latest permit; the Board stated that the congestion due to games/tournaments being held at Northcoast Soccer in conjunction with the operation of the Recycling Center has and continues to produce traffic issues and congestion and adequate traffic control should be provided. Secretary Ferencz stated that could be addressed by the Board as a health, safety and welfare issue. Mr. Daugherty suggested that Board members review the conditional permits that were issued to Northcoast Soccer and other pertinent documents/minutes and a meeting scheduled to have the representatives of Northcoast Soccer come before the Board with the Pros. Office present to address these issues. Zoning Inspector Witmer stated he had a contact from the Medina County Sheriff's Dept. (Mr. Kevin English) that was willing to come in and speak about what should be done from a traffic control standpoint.

Ms. LeMar asked what authority the BZA had and what regarding this issue, has to go before the Trustees? She asked could the BZA revoke Northcoast Soccer's conditional use permit? Zoning Inspector Witmer responded yes and conditionals do not go before the Trustees. The Board also brought up the fact that because this property is split zoned and the front portion is to be reviewed by the Zoning Commission and the rear by the BZA; it would be best that a complete site plan of the entire property be received by both Boards for review so there would be continuity in approving a site plan for Northcoast Soccer. Secretary Ferencz stated she would contact Mr. Thorne and see when he was available to meet with the Board and the representatives from Northcoast Soccer.

At this time Chairman Schmidt recused himself from the meeting due to sitting on the Cloverleaf School Board. Mr. Daugherty stated he too was recusing himself due to the fact public perception was raised that his wife was a part-time employee of the Cloverleaf School District and did not want to compromise the public trust. Alternates Courie and Kramer sat in for a full Board.

Mr. Simmerer made a motion to name Mr. Mickas acting Chairperson for tonight's hearing. It was seconded by Ms. LeMar.

ROLL CALL-Simmerer-yes, LeMar-yes, Kramer-yes, Courie-yes, Micklas-yes.

Cloverleaf Local School District variance requests-8525 Friendsville Rd.

The applicant and representative for the Cloverleaf Local School District Mr. Craig Walkup was sworn in. He stated he was before the Board this evening to request an 18 ft. variance for the proposed backstop for the girl's softball field, a variance for the frontage for the fence that was put around the soccer field as well as the fence height, and for the material of the fence to be chain link.

Mr. Micklas asked if the variance request was just for a backstop or was the District planning to put a fence in around the entire field? Mr. Walkup stated they would like to put a 6 ft. fence around the entire field but what was being requested this evening was just for the backstop.

Page 3 Westfield Township BZA 10/27/2010

Regarding the question of frontage, Zoning Inspector Witmer stated that he was at the Zoning Commission meeting where they looked at the site plan and they considered the parking lot a buffer between the fence and did not view it as frontage and therefore there was no variance request for frontage. There is no buffer between the soccer field and Buffham Rd.

Mr. Simmerer stated he felt the variances should be granted from a health, safety and welfare standpoint to keep the balls contained within a specific area. Mr. Simmerer stated he did not see the requests to be substantial but reasonable.

Ms. Courie stated she spoke to some coaches and the 6 ft. fence request was not unreasonable and added that some coaches would even prefer an 8 ft. fence for safety issues if it could be accommodated. She added she did not have any issues with the variance requests before the Board this evening.

Mr. Kramer stated this was a standard request for baseball fields and did not think the requests were unreasonable or substantial. He concluded this is consistent with every other ball field. Acting Chair Micklas agreed.

Mr. Simmerer made a motion to grant the three variances for the Cloverleaf School District

1. A variance request of Section 205.B (1) 18 ft. variance for the height of the backstop
2. A variance request of Section 205.B. (7) Chain link fence material
3. A variance request of Section 205 B. (1) 2 ft. variance for height of a fence located in front yard as submitted. It was seconded by Mr. Kramer.

ROLL CALL- Simmerer-yes, Kramer-yes, Courie-yes, LeMar-yes, Micklas-yes.

This ruling would be sent to the Township Trustees for final consideration.

MISC.

Chair Schmidt asked if a letter had been written to the Fire Chief about the driveway for the variance granted last month for Mr. Wentz? Secretary Ferencz stated yes a letter had been written.

Having no further business before the Board, Mr. Simmerer made a motion to adjourn the meeting. It was second by Ms. Courie. All Board members were in favor. The meeting was officially adjourned at 8:17 p.m.

Page 4 Westfield Township BZA 10/27/2010

Respectfully Submitted

Kim Ferencz
Zoning Secretary



Mike Schmidt




Kevin Daugherty



Tom Micklas

Keith Simmerer

Kelly Courie



Kathleen LeMar

Dwayne Kramer