

Westfield Township

Zoning Board Public Hearing Minutes

March 27, 2012

At 7:31 pm the Heather Sturdevant, Chairman of the Zoning Board called the meeting to order.

Members in attendance: Sue Brewer, Greg Brezina, Jill Kemp, Scott Anderson, Heather Sturdevant and Sherry Clarkson. Guests in attendance were: Dennis Hoops, Matt Witmer, Coleen Gearhart, Dave Raco, Bill Thombs, Thomas Whelan, Richard Fletcher and Gary Harris.

Chairman Sturdevant advised the public meeting being held was to hear the proposed Zoning Text Amendment and/or addition to the Westfield Township Resolution, Under Article III, District Regulation, HC Highway Service Commercial District, Section 306, Page 34, Item B 2. Conditional Uses "Walk in Clinic" for general care.

Chairman Sturdevant opened the floor for general discussion of the item. Mr. Dave Raco, Director of Retail Services representing TA Travel Centers of America introduced himself and advised that driver mortality rate is under the national average, about 13 years, making the average driver death rate at age 61 years. Drivers have a sedentary job, whereby sitting and driving 3-5 weeks at a time, which makes them more subject to health problems, being high blood pressure, diabetes and high cholesterol. Drivers will drive 3-5 weeks, being home for one week and being back on the road. It is very hard for drivers to obtain the proper medical care, due to the fact that they are driving over a 40 ton rig and it makes it very hard to find medical care. It was noted in general TA Travel Centers of America is providing better meal planning menus, fitness centers, maps of some areas to walk, and more healthy snacks at their operation centers. There are new regulations coming down the path whereby drivers will need to meet certain criteria (e.g. Sleep apnea, diabetes). TA is trying to get a network together throughout their areas, where drivers can get the needed medical attention. The drivers are in need of DOT physicals, which the clinics can provide, whereby when a truck driver is on the road, they can seek the medical attention they need and when they are home for one week, they need not do the physicals which they are in need of and can attend to other personal matters.

Chairman Sturdevant advised that the TA application is being proposed as a conditional use, the Trustees will need to approve, and the BZA will need to make a final determination if this can be done. By a permitted use, if applying for one, this means that TA as well as anyone else in the area can apply for a use of this type. Conditional use will require you coming back to the BZA. Mr. Raco advised he was not aware of this and asked for input from the board. Chairman Sturdevant advised permitted use is whereby anyone within the area can apply and we would change the language in our zoning code to meet the needs. By a conditional use the BZA acts more like a judicial board and makes the decision whether they will permit this use. At the present time, since we have submitted this to the Planning Commission, we cannot change mid stream, since we are in the application process. We just have to

make you aware of the processes involved, so in the event this would not go through, you as an applicant have another process to go through. Mr. Raco asked what the next steps would be. Chairman Sturdevant advised that the matter has been submitted to the Planning Commission and a meeting is scheduled for April 4<sup>th</sup> and this is on their agenda. They will review and Chairman Sturdevant will go to the meeting and address any questions they may have, by law, we have to do this. At the meeting they will make a recommendation on whether to approve this or not. We will continue the hearing tonight and after hearing comments, we will schedule another date for a hearing and after discussion a decision could be made after closing the meeting for public comments. Once this is done it will go to the Board of Trustees for action, which they too will hold a public meeting, although the matter will not need to go back to the Planning Commission. Once the decision is made, our zoning inspector will contact you to submit another application. Once the application is received the Zoning Secretary will schedule a formal hearing date with the BZA and will contact you with the date. I am sorry that it seems like a lot of meetings, but this is the way formal government runs. We will keep you apprised of what is going on and when it is going on, so you know what our schedules are.

Bill Thombs, 8189 Friendsville Road spoke and asked who oversees the medical training, who is liable? Mr. Raco advised they have a legal department, which is a medical clinic suitability questionnaire. It is a large document which has to have certain certifications, and the clinic operator has to have two different policies for Medical Malpractice with limits that are established under the guidelines of running the clinic under TA Travel Centers of America. This information is submitted, and then validated by the legal department. TA runs the business as a tenant run business, not running it themselves. There is the ability that the drivers are covered under the clinic wherever they go throughout the states via the clinic set up, so medicines are properly disbursed and taken.

Mr. Richard Fletcher, Fire Chief of Westfield Township- Mr. Fletcher advised he does not have any concerns/problems and advised that when the clinic was first opened, although not legally, he received a call from the individual introducing themselves and talking to him which was very pro-active. He advised he does not have any problem with a 911 after discussing if an emergency would arise, as in previous conversations held the protocols set up by the clinic.

Coleen Gearhart – 8250 Harrisville Road advised she is the nurse practitioner who was at the clinic and talked to Mr. Fletcher advised she will be more than willing to answer any questions anyone has . Chairman Sturdevant asked “Do you prescribe medications on site or go to a pharmacy?” It was noted that they have a working relationship with a pharmacy which delivers and that if some truck drivers prefer a call to a pharmacy, they also can accommodate their wishes. Chairman Sturdevant advised in reading through some of the information submitted from the Federal Motor Carriers Safety Administration it provided information regarding high blood pressure, diabetes and driving. If a driver is found to have this, is what you do considered a diagnosis and if so, would the driver face the loss of their CDL? It was noted that they can driver as long as they are being treated and as an example as long as they are within certain limits as provided by the DOT physical limits are met, if above limits, the driver could face the loss of their CDL license or temporarily if limits are not met. It was noted that in the

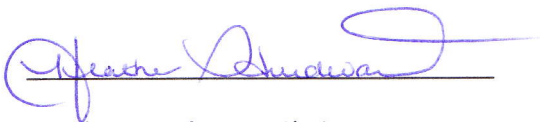


event someone is above the limit, depending upon blood pressure, they will be given medicine and a date which they HAVE to return or go back for a physical and meet requirements. It was asked if anyone had any further questions, there being none, Chairman Sturdevant advised that the Planning Commission will be hearing this on April 4<sup>th</sup>. Upon their recommendations to our board, usually within 1-2 weeks, since this is a short application, I am sure that we will receive it back rather quickly and we can schedule a continuance of a public hearing. Chairman Sturdevant advised since this being a pretty short subject, and this being a re-continuation, we do not need to post a public notice in the paper, she asked for a motion to continue the public hearing for April 10<sup>th</sup> for TA Travel Centers of America application for conditional use for a walk in clinic for general care for April 10<sup>th</sup> at 7:30pm. Such motion was made by Jill Kemp and a second to the motion made by Scott Anderson. A roll call was made: Greg Brezina-aye; Jill Kemp-aye; Sue Brewer-aye; Scott Anderson-aye; Heather Sturdevant-aye. The motion was carried.

It was noted to Mr. Rico the next meeting he will need to attend is on April 10<sup>th</sup> at 7:30 pm. We will then certify our decision and have to the Trustees within 5 days and then they will set their public hearing. With that noticed, since this was a public hearing we cannot discuss any other general matters tonight, the meeting was adjourned at 7:54 pm.

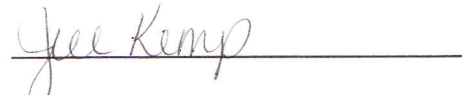
Respectfully Submitted,

Sheryl Clarkson, Zoning Secretary



Heather Sturdevant, Chairman

5-8-12  
Date



Jill Kemp, Co-Chairman

5-8-12  
Date

\_\_\_\_\_  
Scott Anderson, Member

\_\_\_\_\_  
Date

Sue Brewer, Member



Greg Brezina, Member

Date  
5/8/12  
Date

ZONING Comm

March 27, 2012

# PLEASE SIGN IN

NAME: ADDRESS: PHONE #

PLEASE PRINT YOUR NAME & ADDRESS

M. D. Witmer 5606 BUFFUMPS

Coleen Gearhart 8250 Vandemere Rd. Lodi OH 44254

PAVE KACO 1574 HEAVENLY VIEW LANE VALLEY CTR, 44280

BILL THOMBS 8189 FRIENDSVILLE RD

Thomas Whelan 7878 Rye Rd Serrille 334 769 5488

GARY HARRIS 7947 LK RD

Multiple sets of horizontal dashed lines for additional sign-in entries.