

Westfield Township Zoning Commission

Regular Meeting

February 17, 2021

Chairman Doty opens the meeting at 6:30 PM.

Roll call: Doty, Franz, Rumburg, Grimm, Kurtz (virtually)

Also in attendance virtually: Matt Graber, Mark Belmont, Trustee Horner, Ron Oiler, Fred Herrera, Trustee Schmidt, Jason Laver, Jonathan Delozier (Medina County Gazette), ZI Sims, Gerspacher

Meeting Minutes:

Doty makes a motion to accept January 20, 2021, January 27, 2021 and February 10, 2021 meeting minutes as submitted; seconded by Rumburg. Roll call: Doty, Rumburg, Franz, Grimm, Kurtz all said aye.

Alternate Kurtz will be an active ZC member until a new member is appointed.

Doty accepted the zoning map and zoning text application.

Laver talked about the application and explained that the Trustees have had numerous discussions regarding the trailer parking on Route 224 and Lake Road. Riccardi is the owner of part of the parcels and has worked with CESO to put together the application for rezoning of these properties.

Belmont explained that the properties are in two zoning districts (Highway Commercial and Industrial) and the application is requesting a rezoning/ overlay for trailer storage. The existing property has the support of all parcel owners.

Doty asked what area is included in the “overlay” to the Highway Commercial district.

Belmont stated that it is the 40 acres parcels which they are requesting a rezoning in their map amendment.

Doty asked if the properties across Rt. 224 would be able to take advantage of this map amendment overlay.

Belmont stated that those properties would have to apply and ask to have their parcels included to this map amendment.

Doty asked how this is not considered “spot zoning”?

Belmont said that spot zoning would be intrusive to the district that is being changed (Rural Residential becoming commercial) whereas this application is asking for “similar use” of what is allowed. This map and text amendment also falls within the Comprehensive Plan and the intent is to have similar use of the property.

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Laver also explained the quadrant of land has been vacant for too long (over 20 years) and the uses of the HC do not match up with the market in the real estate world. There is not a need for more offices but there is a need for industrial-like uses.

Troy Gershbacher (real estate agent) stated that for 24 years he has tried to sell these properties and to bring in retail; but retail does not seem to be wanted. Gersbacher also stated that he is representing Riccardi and Bombard who are the owners of the properties that are requesting the map overlay.

Doty requested an official transcript of representation in writing.

Belmont agreed that these records will be submitted in writing for the ZC to review.

Doty also requested an official address for notices; Riccardi is Erma Road and Bombard is P.O. Box 148.

Doty noted that one of the parcels did not have an address (PP# 041-15B-49-004 nonconforming lot).

Doty clarified the wrong PP# were on the application and this much be changed as well as Riccardi was spelled incorrectly on the application of the northern most parcel (Rt. 224 and east parcel by the ramp).

Doty requested Lever to provide the deed restrictions even if they do not affect the use.

Rumburg asked for Section 501.D General Requirements to be added to the text.

Belmont stated that the text amendment does not reference back to 501.D but would make the corrections. Outside storage on paved surfaces Section 309.G.4 is included for the parking of the trailers.

Rumburg asked about the rock base for outside storage should be discussed (Section 309.G) and Section 407.D should be included in order to be consistent with the existing zoning. Section 407.D is the change to the Sign Matrix and should be added for the overlay district. Other changes should be Section 407 (paragraphs 1-3 and paragraph 7) changed to 407.3 and 407.7 while getting rid of #1 and remove paragraph 1.

Sims clarified that the changes should be Section 407, Section 407.A.3 and Section 407.A.7 in Article IV.

Rumburg requested that the abbreviations should be consistent...HCIPD and Section 308 page 1 needs to have the addition of Greenwich Overlay District. Rumburg also requested that Omni be included on the list of surrounding properties as well as Riccardi and Bombard as owners.

Doty added that Section 309 text amendment would stay in place as Highway Commercial whereas the abbreviation of HCIPUOD (Highway Commercial Industrial Planned Unit Overlay District) would be used for the new "overlay district". Doty also stated that Omni would have to adhere to the new zoning overlay district and that any changes would have to be amended to this planned unit overlay. If the site plan is changed then the township has control to reject or accept the changes.

Doty asked ZI Sims for clarification of the use of the word "overlay" versus creating a district.

ZI Sims stated that Section 309. A. and Section 309. B. is an optional overlay by application only. The four parcels are presently HC and the map amendment creates a HC with a PUD which by application they can apply for the use of HC with industrial uses.

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ZI Sims states that Section 308 stays the same and the proposed Section 309 is the HCIPUOD.

Doty asked why Section 309 is being shown as both “permitted” and “conditional”.

Belmont stated that this section was copied and pasted from the existing HC.

Sims clarified that the Trustees wanted to include additional used in HC and Industrial so there is flexibility by application.

Rumburg pointed out that ‘not exceeding 7500 feet is permitted’ and ‘not exceeding 3500 feet is conditional’.

Belmont stated that this was cut and pasted from existing zoning and they did not want to change since it was already approved through zoning.

Doty asked if the “cut and paste” still made sense?

Grimm asked about Section 306 being redundant since “e to p” are new.

Doty also stated that the “overlay” district should not mirror the HC since it does not make sense; for example, Garden Supply gets denied but a change in the application from conditional could request Garden Supply in the permitted section. Section 306.B.2 would need to be looked at.

Grimm asked for clarification of Research and Testing that is permitted in 1.h.

Belmont explained that would be materials testing such as pieces of steel that would be used for beams versus pharmaceutical testing. Testing of steel would be permitted under B.1.e in the Industrial District.

Doty requested Belmont to “clean up” permitted and conditional uses in the application prior to being sent to Medina County Planning Services.

Belmont agreed to make the changes and have the application back to the ZC for review prior to providing a clean application to the Medina County Planning Services (MCPS) for their March 1, 2021 deadline.

Rumburg will relook at the application (digital copy) and 9 paper copies will be needed for the March 17, 2021 Public Hearing.

Herrera explained that the site will be run by Milestone Trailers Supplies which will have chassis and trailers on the property and the official website is Milecorp.com. The trailers are ‘fairly new’ and Herrera is the representative to Milestone. Herrera stated there are over 70 locations and the properties are 5 acres and more. This property will store 300-400 trailers and they will be moving in and out daily using a switch horse.

Franz asked if they are 53-foot enclosed trailers?

Herrera said, “yes” the trailers will be on the property not the tractors (trucks).

Kurtz questioned the gravel lot maintenance and the mud being brought onto Lake Road.

Belmont stated that the apron would be paved according to Section 501 and the gravel will be maintained so the trailers are not destroyed.

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Laver said there will be a lease between the parties and to maintain the stone in a professional matter.

Doty clarified that the application requires asphalt/ pavement or chip and tar.

Laver said due to cost they could not maintain a paved surface and the Trustees approved the gravel since it would be properly and professionally maintained.

Herrera also stated that due to the elevation of the site the trailers would not be visible to Lake Road.

Sims suggested to the ZC that the addition of Article 5 Parking be required and stated that only in the overlay district would this be allowed.

Doty made a point to the applicant that a courtesy was being extended since there are current mistakes in the application that must be fixed prior to sending it to MCPS.

Doty makes a motion for ZC to transmit the application text and map amendment to the Medina County Planning Services for this approval or disapproval or suggestions and the application will not be transmitted until the following are complete: 1. Authorization of Owner/ Applicants in writing; 2. Proper notice of name, address, phone number of applicants; 3. PP# corrected on Map Amendment Application; 4. Article IV Sign Zoning correction; 5. Article V corrected; 6. Any other corrections for consistency in the text language such as name and acronym for the new district; 7. Omni added to owners; 8. Conditional vs Permitted uses cleaned-up; 9. ZC receives and reviews for issues then the Zoning Commission will submit to Medina County Planning Services for review; seconded by Franz. Roll call: Doty- aye, Franz- aye, Rumburg- aye, Grimm- aye, Kurtz- aye.

Doty stated that the ZC will not have the recommendations from the MCPC in time to hold a Public Hearing according to the Ohio Revised Code (ORC) 519.1.2. which is out of our control. To make the forty-five day ORC deadline we will set our tentative Public Hearing for March 17, 2021. This will be procedural so deadlines and due process for Applicant are met.

Belmont thanked the ZC and said there were no issues with the tentative public hearing date.

Doty makes a motion to hold a public hearing on March 17, 2021 for the Text Amendment Application provided by Riccardi and Bombard and Map Amendment Application by Riccardi and Bombard and applicable notice of requirements are met; seconded by Grimm. Roll call: Doty- aye, Grimm- aye, Franz- aye, Rumburg- aye, Kurtz- aye.

Doty makes a motion to adjourn at 8:40 PM; seconded by Franz. All said aye.

Respectfully submitted by:

Cheryl Porter, Zoning Secretary

Date approved: March 17,2021

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Joseph Doty, Chairman of Zoning Commission

Jack Franz, Vice-chair of Zoning Commission

Carol Rumburg, ZC Board Member

Terri Grimm, ZC Board Member

Jack Kurtz, ZC Alternate Board Member