

**Zoning Commission  
Public Hearing –Zoning Amendment  
Permitted Uses in the 6IA.2 District - Continued  
May 18, 2006**

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Ch. Kamps called an executive session to order at 7:00 pm. Present were Kamps, Pope, Pajk, Powell, Ascherl and Siarkowski. Mr. Ron O’Leary, attorney, was also present at the closed door session. The executive session adjourned at 7:20 pm.

Ch. Kamps called the public meeting to order at 7:30 pm.

Roll found: Kamps, Pope, Pajk, Powell, Ascherl and Siarkowski present. Also present Trustee Schulte, and 14 guests in the audience, Mr. Fadel and attorney Ron O’Leary.

Ch. Kamps read into the record a letter from the Medina County Engineer, Mike Salay. (See attached letter)

Ch. Kamps opened the discussion to anyone wishing to contribute pertaining to the roads and engineer’s comments.

Clerk Garret read a letter of disapproval of the truck terminal submitted by Susan Peterlin of 1675 Meadow Dr. Hinckley.

Kevin Myer, 2275 Laurel Road questioned whether the residents could be guaranteed that the trucks would not be caring hazardous materials.

Mr. John Fadel: Yes.

Steve Pesek, 2411 Countrybrooke Drive: We are against it.

Al Hennings, 1951 W. 130<sup>th</sup>: None of the trucks obey the speed limit now on W 130th. I am concerned that there will be trucks on Laurel Rd. day and night.

A resident of 2411 Countrybrooke Drive (no name given) stated his disapproval of changing the zoning to allow the truck terminal.

Jim Groh, 2424 Countrybrooke Drive: How can you guarantee that a private truck driver will not cut through and use W. 130<sup>th</sup> south? How can you enforce that a driver coming off of Rt. 271 will not take the quickest route to a facility? They will take the quickest way there and it may be that they get off at Rt. 217 come in Ridge Rd. to Rt. 303 or Rt. 606.

Ch. Kamps: Those roads are all state highways. All trucks with license plates are permitted to use those roads. Hinckley Township does not have the legal rights to stop those trucks. It is a redundant question. There is no absolute guarantee.

Ch. Kamps offered Mr. Fadel an opportunity to make a concluding statement.

Mr. Fadel: The Cleveland Plain Dealer printed a comment regarding this area. The area is moving towards being a regional distribution center with significant manufacturing activities. This distribution idea or warehousing idea is an improvement to the area. The letter read

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tonight even said that things here are changing. This area has been designated industrial by Hinckley. The zoning does make it arbitrary on what happens. It is not substantially different from Aldi's. It is not substantially different for the area. I am happy to see that the Medina County Engineers measurement is what I have been saying is that there is 5 or 6 times more traffic north as there is south. It makes sense to approve this. Why should you approve? What re your rulings? If you disapprove this, then the trustees have to vote unanimously. I know there are different thoughts on what you are going to do here. I appreciate that. If you are at all measuring this 50 -50 which way it should go, I beg you to approve. If you have a string negative feeling against, I understand. But, if you are not sure, I beg you to approve. The unanimous decision by the trustees is going to be difficult enough. We are all there when Ron (Garapick) stood up and stated his personal opinion of it and stated what the trustees had discussed. To get a unanimous decision after that is going to be very difficult. But, if you are thinking why to approve, I ask you to approve. Let the trustee make a majority vote or not. It would be up to them. But move it to them, as a decision. And move to the fact that the zoning that you're ruling is zoning about the development of industrial property. The houses are a half a mile away. There is no new discussion. They are a half a mile away. It is measured on GPS. The house that is the closest is a half a mile away. We see tonight that we do not have a lot of people here. We know that the first meeting was created by a memo that went to the Countrybrooke residents, and begged them to come and the words were there. I challenged at the last meeting – I challenged the resident to come. They didn't come. This was a created environment. The negativity is a created environment and I will not go over all the details. I want you to vote for; I want you to move this to the trustees in a fair vote from the majority of the trustees. I want you to approve because it is damaging to me an as owner. It is fair to vote for it in the industrial section.

At t his time there were no questions from any of the board members and Ch. Kamps concluded the public comments.

Mr. Pope made a motion to approve the request of Mr. John Fadel to add "*inter-company distribution warehouse*" to Section 6IA.2 of the Zoning Regulations of Hincley Township.

Mrs. Pajk second.

Ch. Kamps opened the motion for discussion of the Board members.

Ch.; Kamps polled the board for comments.

Ms. Ascherl, Mrs. Siarkowski, Mr. Powell, MR. Walrath, Mrs. Pajk and Mr. Pope had no comment sat this time.

CH. Kamps: I do have some comments. I think we have tried to be a fair as we can with this hearing. I have tried to hear all of the comments, allowed the public ample time. This is the third session for public comments. I have passed out to the board a copy of the map that Mr. Fadel had furnished two weeks ago. I have taken the liberty of drawing some extra descriptive items on the map. Mr. Fadel just indicated that the nearest house is, Mr. Groh's house, is screened by considerably large wooded area away from the proposed building. It may not be quite a half mile but according to my estimation, and there is not a scale on this map. It is

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probably over 2000 feet, give or take a foot or tow. There is a house on the cul-de-sac and that may be a couple of hundred feet closer to the proposed building. I would remind the board that we do have industrial zoning in that particular area. Long years ago, Hincley Township zoning was put into place in 1958, fully active in 1962, later on there was a Master Policy Plan developed that would support the zoning. As a part of that Master Policy Plan, it was determined that Hincley should have some industry in town to help off-set the heavy tax burden caused by the residential part of the community. The burden on the schools – so we do have an industrial zone in Hincley. The plan has been reviewed on at least three different occasions over a period of about 30 years, and our Master Policy Plan continues to indicate that we should have industrial areas in Hincley. Our most recent Master Policy Plan speaks of the issue that someday other areas along W. 130<sup>th</sup> Street south of Laurel Road might possibly be possible industrial areas to match what is across the street in Brunswick.

Directly across from Great Lakes Way on the other side of W. 130<sup>th</sup> St. is zoned for heavy industry. The truck terminal and warehouses are permitted. Many of the neighbors that have spoken of the objectionable things that are associated with a truck terminal. It has been my experience over the last few years, living on Rt. 303, it has gotten that I do not hear the traffic. Truck power has been muffled down. I understand that Great Lakes Construction has a lot of noise with bull-dozers. There are other areas to the north of this site that has tractor trailers. If this does not pass, we have not deprived Mr. Fadel of the entire amount of use of this particular site. There are still viable options that could be utilized. To the south of the proposed building site is considerable amount of activity, some of it being construction, some of it being inside building warehouse –type activity on a continuing basis in that particular area. We have a request to allow a change in zoning. I would again remind the board that this goes to the trustees regardless of how we vote. This will be forwarded with our recommendations pertaining to how we vote on this issue. In order for the trustees to overturn our recommendation, the trustees will need to vote unanimously in their decision. They do have the right to make an alternative decision and recommendation as far as the amendment. They can change the language; make it a conditionally permitted use. This board can do that if we so desire.

Mrs. Pajk reminded the board that the zoning change, if approved would change the whole district and just not just this parcel.

**Vote: Powell - no      Walrath – no      Pajk – no      Pope – no      Kamps – yes**

The information will be forwarded to the trustees with the recommendation is disapproval of the requested amendment at their meeting on Tuesday, May 30, 2006.

The hearing was adjourned at 8:01 pm.

*Signatures on following page*

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Patty Garrett, Zoning Clerk

Minutes Approved: \_\_\_\_\_, 2006

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Jim Kamps, Chairman

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Chuck Pope, Vice-Chairman

\_\_\_\_\_  
Diane Pajk, Member

\_\_\_\_\_  
Terry Walrath, Member

\_\_\_\_\_  
Calvin Powell, Member

\_\_\_\_\_  
Toni Ascherl, Alternate Member

\_\_\_\_\_  
Karen Siarkowski, Alternate Member