

Zoning Commission

Regular Meeting

February 1, 2007

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Ch. Kamps called the Public Meeting to order at 7:30 pm.

Roll found: Kamps, Pope, Walrath, Powell, Siarkowski and Ascherl present. Mrs. Pajk is on medical leave until April. Trustee Schulte, Bill Shaffer also present.

Review of Minutes:

The minutes of the organizational meeting held January 4, 2007 were reviewed.

Mr. Walrath made a motion to accept the minutes as submitted.

Vote: Ascherl – yes Powell – yes Walrath – yes Pope – yes Kamps – yes

The minutes of the regular meeting held January 4, 2007 were reviewed.

Mr. Powell made a motion to accept the minutes as corrected.

Mr. Walrath second.

Vote: Ascherl – yes Powell – yes Walrath – yes Pope – yes Kamps – yes

Correspondence and Clerk's Report:

The January 2007 Medina County transfers were not available at this date.

The Zoning Department Fee Report for December was reviewed.

Ch. Kamps read a letter received from Mr. Larry Zirker. (See attached copy) Mr. Zirker has questions regarding the possibility of rezoning land on Boston Road.

The Board discussed the details regarding Mr. Zirker's land on Boston Road and the zoning regulations, neighborhood public opinion and zoning on the North Royalton side of the street. It was decided by the Board that Mr. Zirker be told to submit a proposal for further discussion.

Old Business:

The proposal to create 3-acre zoning within the township has had no formal resolution.

Ch. Kamps reiterated that the trustees initially requested the zoning board to research the feasibility of 3-acre zoning. Based on information from Attorney Slagter and D.B. Hartt, 3-acre zoning would not adequately coincide with the present Master Policy Plan.

Mr. Pope stated that he feels there are other measures of conservation that the township could adopt to preserve land.

Mr. Pope made a motion to discontinue the pursuit of 3-acre zoning in the Township.

Mr. Powell stated that it was his opinion that the trustees should be the ones to make an official request and presentation for the 3-acre request. He feels that the trustees did not want to use adequate financial resources to hire the legal advice to pursue this issue.

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Ch. Kamps agreed. He wrote a letter to Mr. Slagter concerning this matter and received no response. Mr. Schulte was a co-author of that letter.

Mr. Schulte reported that both he and Mr. Rhodes have tried to contact the lawyer to no avail. Mr. Schulte also stated that he was aware that the 3-acre minimum did not align well with the current Master Policy Plan.

Ch. Kamps asked Mr. Schulte for direction on how this matter should proceed, whether he wants to seek additional expertise or to cease the pursuit. Ch. Kamps stated that the 3-acre proposal has been a topic in the township for about 3 years.

Mr. Schulte agreed with Mr. Pope's opinion that alternative zoning regulations can be very useful to assist in preserving land. He mentioned that the riparian setback regulations can be an effective method for this.

Ch. Kamps agreed with this opinion, and stated that tools such as riparian setback regulations would have a stronger chance if litigation ever became an issue.

Mr. Walrath stated that he agreed with Mr. Powell's comment.

Martha Catherwood, resident, commented that each of the three trustees has his own agenda or personal pet projects. She suggested that combining the green space plan, the riparian setback, possibly the 3-acre plan and the township's geography and by putting these components together, a master zoning plan can be created. It is her desire to use all these tools to implement a plan that can withstand a court action should one come up.

Ch. Kamps replied that this is the goal of riparian setback regulations.

Ch. Kamps reiterated Mr. Pope's motion.

Mr. Walrath seconded the motion.

Ch. Kamps explained that a vote of "YES" indicates that the 3-acre proposal is not feasible today, removing the 3-acre proposal from further discussions, a vote of "NO" indicates the desire to further pursue the 3-acre proposal.

Vote: Ascherl – no Powell – no Walrath – yes Pope – yes Kamps – yes

Ch. Kamps will relay this information to Trustee Rhodes.

The language for "Section 10: Signs" of the zoning regulations was reviewed in detail. (See attached revisions)

Discussion of when a particular point is not mentioned in the zoning text, it is prohibited.

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Mr. Walrath made a motion to accept the amendments to Section 10, Signs as noted on the attached and to have them forwarded to the Medina County Planning Department.

Mr. Pope second.

Vote: Ascherl – yes Powell – yes Walrath – yes Pope – yes Kamps – yes

New Business:

Discussion of windmills and wind power generators being used to generate electricity. The zoning regulations state that structures may not be taller than twenty-two feet in height. The basis for the height regulation was based on the length of the fire truck ladder, a constraint that does not exist today. A new, modern, small windmill will be about 50 to 60 feet tall. A larger structure can be up to 160 feet. The Trustees have received notice of interest from a resident that may be submitting a formal request for a zoning change regarding heights of structures in order to construct one of these wind devices.

Mr. Pope distributed information obtained from the internet pertaining to wind capturing structures.

Chairman's Report:

Discussion of the riparian setback draft that was submitted to the prosecutor for review. Ch. Kamps is looking forward to a response on this topic.

Ch. Kamps spoke with Andy Vitra regarding the legal aspect of the riparian setback ordinances. Mr. Vitra offered to visit the board again to assist with writing the regulation. He also reported that all trustees are in favor of the riparian regulation getting written and approved.

The City of Brunswick was audited by the EPA for Phase II Plan compliance. Brunswick passed the audit; they have a complete set of riparian setback regulations, including steep slopes etc. They have had significant development taking place the past few years and this could be the reason they were audited.

Mr. Schulte on behalf of the Trustees offered funding to obtain an outside source to assist in the riparian regulations formulation if the prosecutor's office does not come through with adequate advice on a timely basis.

There will be a work session on Saturday, February 3, 2007 at the township to discuss ri

riparian setback regulations.

Mr. Walrath made a motion to adjourn at 9:10 pm.

Mr. Powell second.

Vote: Ascherl – yes Powell – yes Walrath – yes Pope – yes Kamps – yes

Signatures on following page

Zoning Commission

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Patty Garrett, Zoning Clerk

Minutes Approved: _____, 2007

Jim Kamps, Chairman

_____ *absent* _____
Diane Pajk, Member

Calvin Powell, Member

Karen Siarkowski, Alternate Member

Chuck Pope, Vice-Chairman

Terry Walrath, Member

Toni Ascherl, Alternate Member