

ZONING COMMISSION

Regular Meeting

October 4, 2018

Page 1 of 5

Int. Ch. Dermody called the regular meeting to order at 7:00 p.m.

Roll found: Dermody, Powell, Schneider, Marzullo and McCarthy.

Also in the audience were Alt. ZC Member Mr. Kalina, Trustee Schulte, Zoning Inspector Tom Wilson, George Smerigan (Tactical Planning), David Terry, 2 members of the Police Department, Jeff Hoop from the BZA, Kevin Meyer, Lisa Nickell, Laurel Jordan, John Turnrdzik (sp), Nancy Meyers, Lynne Bianchini, Sue Campbell, Shawn Pepera, Heather Stupecki, John Tupealis (sp), Angela Chesnick, Teresa Smith, Nick Klag, Ricki Roseman, Cindy Engleman, Garrett Robison, Segrid Slavick, John Howard, Leora Judson, Diane Judson, James Judson, Gerry Parle, Paul Oberst, Mr. and Mrs. Simonis, Kevin Kosik, Gary Weiss, Joe and Judy Sasala, Jim Bialosky, Chris Studor, Den, Joseph Stupecki, and Donna Boleman from the BZA.

Int. Ch. Dermody asked if everyone had received and read the minutes from the Terry Properties LTD continued Public Hearing held on August 2, 2018. There were no comments.

Int. Ch. Dermody entertained a Motion to accept the minutes for the August 2, 2018 Terry Properties LTD continued Public Hearing Minutes:

- Motion was made by Mr. Marzullo
- Seconded by Mr. Schneider
- No further discussion
- Roll was called

VOTE: McCarthy – Abstained, Marzullo – Yes, Schneider – Yes, Powell – Yes, Dermody – Yes

Int. Ch. Dermody asked if everyone had received and read the minutes from the Terry Properties LTD continued Public Hearing held on September 6, 2018. There were no comments.

Int. Ch. Dermody entertained a Motion to accept the minutes for the September 6, 2018 Terry Properties LTD continued Public Hearing Minutes:

- Motion was made by Mr. McCarthy
- Seconded by Mr. Marzullo
- No further discussion
- Roll was called

VOTE: McCarthy – Yes, Marzullo – Yes, Schneider – Yes, Powell – Yes, Dermody – Yes

Int. Ch. Dermody asked if everyone had received and read the minutes from the ZC Regular Meeting held on September 6, 2018. There were no comments.

Int. Ch. Dermody entertained a Motion to accept the minutes for the September 6, 2018 ZC Regular Meeting Minutes:

- Motion was made by Mr. Schneider
- Seconded by Mr. Powell
- No further discussion

ZONING COMMISSION

Regular Meeting

October 4, 2018

Page 2 of 5

- Roll was called

VOTE: McCarthy – Yes, Marzullo – Yes, Schneider – Yes, Powell – Yes, Dermody – Yes

Int. Ch. Dermody asked if everyone had received and read the minutes from the Zoning Commission Work Session held on September 10, 2018. There were no comments.

Int. Ch. Dermody entertained a Motion to accept the minutes for the September 10, 2018 Zoning Commission Work Session Minutes:

- Motion was made by Mr. McCarthy
- Seconded by Mr. Marzullo
- No further discussion
- Roll was called

VOTE: McCarthy – Yes, Marzullo – Yes, Schneider – Yes, Powell – Yes, Dermody – Yes

Int. Ch. Dermody said that there was a final review of Terry Properties LTD Text and Map Amendment proposal for Senior Housing Planned Unit Development and they have received a couple of more times:

- A letter from Mr. Hartt, CT Consultants
- A letter from Amy Lyon-Galvin, MCSE
- A letter from Colin Johnson, MCHD
- Letters from residents were entered into record: Randolph Labusky, John & Linda Janmey, Becky Coyner, Gerald Parle, Stephen Dice and Dennis Krysh

Int. Ch. Dermody stated that they have heard a lot of public comment from community members during the Public Hearings held, reviewed communications; information from residents and information from the Hinckley Township and the Medina County. Int. Ch. Dermody said that the Zoning Commission has reviewed it all including everyone's pros and cons. She said that before they go to the next step, they are going to listen to George Smerigan give his final report. Once Mr. Smerigan gives his report, the next step will be to forward to the Hinckley Township Trustees. She added that everyone should understand that the Zoning Commission's review process is finished and the Board will not take any more public comment - everything is complete and the Zoning Commission is now closed.

With that said, Int. Ch. Dermody asked Mr. Smerigan to review his final report. Mr. Smerigan said that he has completed his report dated September 2018. He said that his document was titled "Application for Zoning Text and Map Amendments Terry Properties, LTD. – Pavluk Family Limited Partnership" (*which will be attached to the minutes for reference*). Mr. Smerigan stated that he would not read the report word for word, but provide a summary of his points, although, adding that anyone who would like to read the following 10 page document may do so. Mr. Smerigan summary was provided as follows:

- "In summary, it is my professional opinion that the proposed text and map amendments to create a site specific senior housing planned unit development on the Pavluk Family Limited Partnership property known as Permanent Parcel No. 016-03C-03-003 with a development density of one dwelling unit per acre is not consistent with the Hinckley Township Comprehension Plan or the spirit and intention of the Hinckley Township Zoning Resolution. It is my further opinion that such a zoning change would not be consistent with maintaining the rural character of the neighborhood and the Township. In my opinion, the applicant has failed to provide dramatic increase in density, or an

ZONING COMMISSION

Regular Meeting

October 4, 2018

Page 3 of 5

amendment that is compatible and consistent with the Zoning Resolution. Based upon my evaluation of the evidence, the subject site has value and can be used as zoned. It is therefore my professional recommendation that the Zoning Commission recommend that the Township Trustees reject both amendments.”

Int. Ch. Dermody thanked Mr. Smerigan for his information and his report. She then asked if anyone else had any questions or information. Int. Ch. Dermody said that she would read the first document:

- **Amendment 1:** An application for a Zoning Text Amendment requesting to adopt proposed Section 6R3: Senior Housing Planned Unit Development (PUD) District – Route 303 & West 130th Street location (Pavluk Family Limited Partnership Property Permanent Parcel 016-03C-03-003).

Int. Ch. Dermody entertained a Motion to accept Amendment 1:

- Motion was made by Mr. Powell
- Seconded by Mr. Schneider
- No further discussion
- Roll was called

**VOTE: McCarthy – No, Marzullo – No, Schneider – No, Powell – No, Dermody – No
Motion was Denied – 0-5**

Int. Ch. Dermody said she would read the second document:

- **Amendment 2:** An application for a Zoning Map Change to rezone 60 Acre Pavluk Family Limited Partnership property, (owner The Pavluk Family Limited Partnership of 424 East Cowan Drive Houston, Texas 77007), located at 2330 Center Road, Hinckley, Ohio 44233 Permanent Parcel 016-03C-03-003, in the area of Rt 303 (Center Road) between Stony Hill and W. 130th Street of Hinckley Township from R1 – Residential District to the proposed R3 – Senior Housing Planned Unit Development District.

Int. Ch. Dermody entertained a Motion to accept Amendment 2:

- Motion was made by Mr. Schneider
- Seconded by Mr. Marzullo
- No further discussion
- Roll was called

**VOTE: McCarthy – No, Marzullo – No, Schneider – No, Powell – No, Dermody – No
Motion was Denied – 0-5**

Int. Ch. Dermody stated that she would entertain a motion to send the Zoning Commission recommendation to the Hinckley Township Trustees pursuant to the ORC.:

- Motion was made by Mr. McCarthy
- Seconded by Mr. Powell
- No further discussion
- Roll was called

ZONING COMMISSION

Regular Meeting

October 4, 2018

Page 4 of 5

VOTE: McCarthy – Yes, Marzullo – Yes, Schneider – Yes, Powell – Yes, Dermody – Yes

Int. Ch. Dermody wished to thank Suzanne and Carolyn for all of the work they did the last several months. It was greatly appreciated along with everyone who has helped.

Mr. Smerigan reminded everyone that the next step will be with the Trustees. He said the Trustees can't do anything until they have an official meeting. Once they have an official meeting they will once again go through the same process that they already completed with the Zoning Commission.

Trustee Schulte reminded everyone that the next Trustee meeting will take place on 10/16/2018 but it will be to obtain the information from the Zoning Commission. At that time, a date and time will be given when the Trustees will hold their Public Hearing to hear public comment on the proposed amendments.

Reports from Zoning Members:

Mr. Schneider attended the BZA Regular Meeting and stated that a Variance Request was submitted to the BZA to install a solar panel system on a residential property. He volunteered to research or investigate the subject matter and provide a report back to the Zoning Commission for further discussion.

Int. Ch. Dermody stated that the next meeting will be a special meeting and held on October 11, 2018 at 7:00 pm for the purpose to review the final development plan for the Trails of Redwood Falls (Skyland Development). Mr. Smerigan noted that he had completed his final review for Phase I and forwarded his report to the Zoning Department for distribution.

Int. Ch. Dermody asked if anyone was going to be attending the OTA Meeting to be held on October 18, 2018 in Montville Township at 7:00. Some Zoning Commission members were planning on attending while one member wasn't sure if he could attend until the evening of the program.

Int. Ch. Dermody said that the next Zoning Commission Meeting will be held on Thursday November 1, 2018 at 7:00 p.m.

Int. Ch. Dermody stated that she would entertain a Motion to adjourn the Zoning Commission Regular Meeting:

- Motion was made by Mr. Powell
- Seconded by Mr. Marzullo

- No further discussion
- Roll was called

VOTE: McCarthy – Yes, Marzullo – yes, Schneider – Yes, Powell– Yes, Dermody - Yes

The Zoning Commission meeting was adjourned at 7:25 p.m.

Carolyn Chism, Recording Secretary

ZONING COMMISSION

Regular Meeting

October 4, 2018

Page 5 of 5

Minutes Approved: _____, 2018

Diane Dermody, Int. Chairman

Calvin Powell, Int. Vice-Chairman

Bruce Schneider, Member

Matt Marzullo, Member

Sean McCarthy, Alternate