

Trustee Public Hearing

5/31/2022

The Trustee Public Hearing was called to order on Tuesday, May 31, 2022 at 6:34 p.m. by Trustee Augustine. Present were Trustees Melissa Augustine, Monique Ascherl, Jack Swedyk, and Fiscal Officer Martha Catherwood. 47 residents attended in person and 17 residents attended virtually.

Ms. Augustine read the legal notice as follows:

The Hinckley Township Board of Trustees will hold a Public Hearing to hear public comment on a proposed Zoning Amendment on Tuesday, May 31, 2022 at 6:30 pm with a Special Meeting to follow for the purpose of discussion and decision on the proposed Map Amendment for 1586 Center Road in the Administration Building located at 1410 Ridge Road, which is on the southwest corner of the intersection of State Routes 3 & 303.

Subject of the hearing is as follows:

To review proposed amendment request to the Hinckley Township Zoning Resolution from the Township Zoning Commission as follows:

Amendment request to the District Map: An application for a Zoning Map Change requested by Highland Board of Education – Chris Wolny 3880 Ridge Road Medina, Ohio 44256 to rezone permanent parcel number 01603D01006 (1586 Center Road Hinckley, Ohio 44233) in the area of RT 303 (Center Road) and RT 3 (Ridge Road) of Hinckley Township from R1 – Residential District to B2 – Hinckley Town Center District.

After the conclusion of this hearing, within twenty (20) days, the Township Board of Trustees shall either adopt, deny, or modify the recommendations of the Township Zoning Commission. If the Board adopts, denies or modifies the Township Zoning Commission's recommendations, a majority vote of the Township Board of Trustees shall be required.

Copies of the proposed amendment will be available for public viewing from the date of this notice to the date of hearing at the Zoning Department located in the Administration Building at 1410 Ridge Road, on Monday 10:00 a.m. to 6:00 p.m., Tuesday through Thursday 9:00 a.m. to 2:00 p.m. and Friday 9:00 a.m. to noon. Information may also be found on the Hinckley Website at www.hinckleytp.org under News and Events titled Township Trustees – Public Hearing.

All interested parties are asked to attend the hearing. Written comments may be sent to the Hinckley Township Board of Trustees, P.O. Box 344, Hinckley, OH 44233. Log into www.hinckleytp.org for Virtual Zoom option.

Trustee Augustine stated that the meeting is being recorded for transcription purposes only.

Zoning Commission Chairman Marcus Fischer outlined the process undertaken by the Zoning Commission and the Medina County Planning Commission. The Medina County Planning Commission voted 9-2 in favor of the rezoning, focusing on their interpretation of the Township Comprehensive Plan. The Township Zoning Commission voted 3-1 against the rezoning, citing the prematurity of the request due to not knowing what type of commercial use is planned. The Township Zoning Commission also felt that the Township Comprehensive Plan did not explicitly support the rezoning.

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Highland Board of Education (BOE) member Chris Wolny provided details on the Board's decision to apply for the rezoning. He explained that it was prudent for the BOE to maximize the potential sale value of the property as a fiduciary agent for the taxpayers of the Highland School District.

Resident Paul McCaudy (River Road) and several other residents focused their comments on the Highland BOE's decision to buy new property to build all three new elementary schools on. These residents expressed their dissatisfaction with the transparency of the BOE during this process in 2014. Additional comments inquiring as to the viability of the former Hinckley Elementary School building were raised. Mr. Wolny replied that any decisions as to viability and future uses are the decision of the future owner of the property.

Mr. Wolny was asked as to why the former Hinckley Elementary School was not demolished; as was the case with the Granger and Sharon buildings. Mr. Wolny replied that initially the Hinckley building was slated to be demolished, but upon further review it was determined that the newer parts of the current building had value to potential buyers and the monies set aside for demolition were placed back into the general funding of the project.

Mr. Wolny provided references as to where detailed information on how the funds for the three elementary schools were utilized; including costs and overages.

William Thorne, an attorney, spoke on behalf of the BOE as to his interpretation of the Township Comprehensive Plan as it related to the property rezoning. He feels that it is clearly indicated in the Plan that what is being proposed by the BOE is a "small expansion of the Town Center" as referenced in the 2015 Comprehensive Plan Update.

Discussion continued as to why the former elementary school was not demolished. Again, Mr. Wolny replied that the Hinckley building was in better condition than the Granger and Sharon buildings. Many residents expressed their support for demolishing the current structure and disagreed with Mr. Thorne's interpretation of the 2015 Comprehensive Plan Update language.

Resident Terry Walrath (Hinckley Hills Road) asked what the estimated sale price difference was in selling the property with its current residential designation v. the proposed B-2 (Town Center District) designation. Mr. Wolny replied that the appraiser has indicated the property could be sold at three times its residential value if it is rezoned B-2 (Town Center District). This estimated appraised value includes the building and the land. Mr. Wolny could not comment on the estimated appraised value if the building was demolished and the BOE was to sell only the land.

Several residents expressed their support for the Township Zoning Commission decision to recommend a denial of the zoning change, indicating that it should remain residential.

Resident Paul O'Neil challenged the BOE on their authority to dispose of the property citing his reading of the Ohio Revised Code. He went on to say he feels an ethical issue exists. Mr. Wolny explained that all State and Local statutes were followed in the unanimous vote of the Highland BOE to dispose of the former Hinckley Elementary School property.

Mr. O'Neil stated he felt that the property should be made available to another school. Mr. Wolny replied that an option exists to place deed restrictions on the property upon transfer to guide future uses.

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Former Township Trustee Jim Burns addressed the audience virtually stating that the former Board of Trustees were asked last year if they wanted to purchase the property; though a price was never discussed. At that time the Trustees responded that the maintenance costs and any capital improvements would not be supported by current Township funding resources. He added that the BOE request should be considered due to their right to maximize the sale of their property.

Mr. Burns continued by expressing his support for bringing water into the town center. He also asked Trustee Ascherl to recuse herself from voting on the rezoning due to her public comments to the Medina County Planning Commission in opposition to the rezoning.

Trustee Ascherl clarified that she spoke to the Medina County Planning Commission on behalf of the residents who had expressed their opposition to the rezoning; she did not indicate how she would vote on the matter at that time and does not see a conflict of interest.

Mr. Wolny was asked if the building was scheduled to be demolished at the time the property was offered for sale to the Township. He replied that at that time the offer included the building. Fiscal Officer Catherwood stated that if the Township had considered purchasing the property at that time the only source of funding for maintenance, repairs and improvements would have been the General Fund. Currently the General Fund supports all the cement roadway repairs at approximately \$1 million annually. It was her opinion at the time, and she maintains that opinion, that roadwork funding would have to be severely cut or eliminated to cover the needs of the supporting the former elementary school property.

Resident Tom Schrader (Walden Reserve) asked what was the original estimate to demolish the building. Mr. Wolny replied originally the estimated cost was \$680,000.00. Several residents continued to express their dissatisfaction that the BOE did not fulfill their original intention of demolishing the building; instead placing the savings in general funding.

William Thorne again emphasized that many of the concerns expressed at the Public Hearing had little to do with the rezoning application; and more to do with addressing the Zoning Resolution. He referenced the 2015 Comprehensive Land Use Map and stated that it clearly includes rezoning this property to a B-2 (Town Center District).

Trustee Swedyk asked Mr. Thorne if there is a timeline indicated in the 2015 Land Use Map for this change. Mr. Thorne replied that there is no timeline per se, but that future B-2 (Town Center District) development is supported at some point.

At this time there being nothing else from the audience.

Ms. Augustine made a motion to adjourn the Public Hearing at 8:12 p.m. Swedyk second.

Vote: ASCH=yes, S=yes, AUG=yes

Minutes of the meeting approved by:

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