

**MONTVILLE TOWNSHIP
ZONING COMMISSION MEETING
March 9, 2011**

PRESENT

John Vujevich, Chairperson
Alan Piatak, Vice Chairperson
Mary Pawlowski
Pat Ryan
Dave Wetzel
Ron Potter, Alternate
Elayne Siegfried, Alternate

ALSO PRESENT

J. Emrick, Zoning Inspector
B. Schwehm, Zoning Secretary

HANDOUTS: University Hospitals Medical Facilities Site Preparation Package Plan
Revised ZC & BZA Bylaws/Proposed Chapters 740 & 750

AGENDA: 1. Approval of Minutes – February 23, 2011
2. Review: University Hospitals
3. Discussion: Bylaws/Proposed Chapters/Procedures Manual
4. Zoning Inspector Updates

The March 9, 2011 meeting of the Montville Township Zoning Commission was called to order at 7:08 p.m. by Chairperson, Mr. John Vujevich.

ROLL CALL: Mr. Alan Piatak – here; Ms. Mary Pawlowski – here; Mr. Dave Wetzel – here; Ms. Pat Ryan – here; Mr. John Vujevich – here.

Commission Chairperson Vujevich asked, “Has the meeting been properly advertised and the necessary contiguous property owners notified?”

Zoning Inspector Emrick responded, “Yes.”

Commission Chairperson Vujevich said, “Everyone in attendance should sign in if they have not already done so. Anyone who wishes to speak should state their name and address for the record. The meeting is taped for transcription purposes. The official minutes of the meeting are the typed transcripts.

1. Approval of Minutes

February 23, 2011

MOTION: Commission Member Wetzel moved to approve the February 23, 2011 meeting minutes as written.

SECOND: Commission Member Ryan

ROLL CALL: Ms. Mary Pawlowski – aye; Ms. Pat Ryan – aye; Mr. Alan Piatak – aye; Mr. Dave Wetzel – aye; Mr. John Vujevich – aye.

2. Review: University Hospitals

Because he works for University Hospitals (UH), Commission Chairperson Vujevich recused himself as Chairperson. Commission Vice-Chairperson Piatak served as Chairperson for the agenda item.

Commission Chairperson Piatak explained that approval granted on December 8, 2010 for the land disturbance included a couple of additional provisions that required additional information to be submitted as follows:

1. *Revised grading plan reflecting changes along State Route 18*
2. *Catalog cuts for the retaining wall*

Referring to Sheet 6 of 21, Commission Chairperson Piatak said that the grading on the original plan extended into the right-of-way. The new plan showed the grading outside of the right-of-way and complied with the request.

Commission Chairperson Piatak said a section of the proposed retaining wall was shown on Sheet 13 of 21 and satisfied the second requirement listed above. The first note indicated that a segmented Versa-Lok block (modular wall unit) would be used.

At the time of approval, the following restrictions were added as notes to the plan:

1. *Pertaining to the relocated stream S1, the revised grading plan will have the same floodplain width as shown on the current plan.*
2. *A Landscape Plan will be provided to the Township for approval before a conservation easement is deeded over to a conservatory.*

When the original plan was approved, Mr. Newberry explained the benefits of having a wide floodplain. The Commission required the floodplain width to remain the same width on the revised plan as was shown on the original plan. Referring to Sheet 6 of 21, Commission Chairperson Piatak said the grading limits were moved southward out of the right-of-way; but as requested, the floodplain width remained the same.

Commission Chairperson Piatak said Sheet 15 of 21 showed the planting plan.

Referring to Chapter 530, Landscaping and Screening Requirements, and the requirements of Section 530.4, Commission Chairperson Piatak pointed out that a landscaping mound was not shown along Normandy Park Drive. Once established, the conservation easement may prevent University Hospitals from doing any additional work within the easement. Considering the limits of disturbance along Normandy Park Drive that were shown on Sheet 6 and the existing buffer, Commission Chairperson Piatak thought the intent of the landscaping section was met.

Commission Member Wetzel asked how many acres would be included in the conservation easement. Commission Chairperson Piatak said the conservation easement was not delineated on the plan; however, Mr. Newberry identified it as being east of the right-of-way on Normandy Park Drive and extending eastward through the restoration area.

Commission Member Wetzel said that some conservancies were very passive, and he wondered what would happen if 30-40 percent of the plants died.

Commission Chairperson Piatak referred to Sheet 15 of 21. The plants that were shown were all part of the wetland mitigation package, which included a five-year monitoring program by the Army Corps of Engineers and the Ohio EPA. At the five-year point, the vegetation should be well established.

Commission Member Wetzel thought the Township should confirm compliance with the landscaping plan prior to the five-year inspection since the Township would not be able to monitor the conservancy's activities.

Commission Chairperson Piatak pointed out that after the land was placed in a conservation easement, University Hospitals may not be able to provide a landscaping mound along Normandy Park Drive due to the restrictions of the conservation easement agreement. Commission Chairperson Piatak read the following landscaping requirements from Section 530.4:

- A. *A landscaping strip shall be provided along any portion of a lot that abuts a street right-of-way, interrupted only by points of vehicular or pedestrian access.*
- B. *The minimum width of the landscaping strip on all non-residential streets shall be:*
 - 1. *30 feet for lots in non-residential districts;*
 - 2. *An elevated earth berm with a minimum height of three (3) feet measured from the finished elevation of the street centerline.*

Commission Chairperson Piatak referred to Section 530.2:

- B. *Sections 530.4 through 530.10 establish numerical requirements and standards that carry out the purposes of Chapter 530. However, it should be recognized that existing vegetation and other natural features may also adequately achieve the intended standards and objectives of each section, and precise compliance with all of the numerical standards may be preempted or unnecessary because of existing or proposed conditions on the site or adjacent property. Therefore, when complying with this Chapter the Township may permit, as determined by the Zoning Commission, the flexible arrangement of the plant material to best achieve the intent of this Chapter and the purposes of the numerical standards, to preserve existing natural features, and to assure that other health and safety objectives and standards of the Township or any other regulatory agency are not compromised.*

The Zoning Commission agreed that the existing trees/wooded area along Normandy Park Drive provided a sufficient buffer and the mounding requirements of Section 530.4 were not necessary.

MOTION: Commission Member Wetzel moved to approve the University Hospitals' Medical Facilities Site Preparation Package issued for bid on 02/2011 as written and to include an inspection at the fifty-four to sixty month time period to check the mitigation planting design.

SECOND: Commission Member Pawlowski

ROLL CALL: Ms. Pat Ryan – aye; Ms. Mary Pawlowski – aye; Mr. Dave Wetzel – aye; Mr. Alan Piatak – aye.

The plan indicated that the site work was to begin March 1, 2011. Zoning Inspector Emrick planned to ask what contractor would be doing the site work.

Commission Chairperson Vujevich returned to take his seat on the Zoning Commission and served as Chairperson for the remainder of the meeting.

3. Discussion: Bylaws/Proposed Chapters/Procedures Manual

Zoning Inspector Emrick said that the Powers and Duties were inserted into the bylaws and Article IV was changed to provide provisions to elect a chairperson and vice-chairperson for the Board of Zoning Appeals (BZA) and Zoning Commission. She planned to forward a copy of the BZA bylaws to the BZA for their review.

Since information regarding appeals, variances and amendments was not included in the current Zoning Resolution, Zoning Secretary Schwehm thought Chapter 740, Appeals and Variances, (See Attachment I) and Chapter 750, Amendments, (See Attachment II) should become part of the zoning text.

The Zoning Commission agreed that the information should become part of the Zoning Resolution.

MOTION: Commission Member Piatak moved to accept the Zoning Commission Bylaws as presented.

SECOND: Commission Member Wetzel

ROLL CALL: Ms. Pat Ryan – aye; Ms. Mary Pawlowski – aye; Mr. Dave Wetzel – aye; Mr. Alan Piatak – aye; Mr. John Vujevich – aye.

MOTION: Commission Member Piatak moved to set a Public Hearing for Text Amendments adding Chapter 740, Appeals and Variances, and Chapter 750, Amendments, for April 13, 2011 at 7:00 p.m.

SECOND: Commission Member Ryan

ROLL CALL: Ms. Mary Pawlowski – aye; Mr. Dave Wetzel – aye; Ms. Pat Ryan – aye; Mr. Alan Piatak – aye; Mr. John Vujevich – aye.

4. Zoning Inspector Updates

Zoning Inspector Emrick said that Ganley Nissan applied for a variance to put an interstate pole sign on a pole that was located on Strickland's property. The general manager at Ganley Nissan originally thought the pole was on Nissan's property. The application was pulled from the BZA's agenda. To increase their exposure, Ganley

Nissan now planned to ask for a variance for two additional interstate pole signs – one for Nissan trucks and commercial vehicles that would be located in the middle of the frontage on the interstate highway and one for a Nissan sign located near the northeast corner of the property. Both signs met the zoning regulations.

Zoning Inspector Emrick said that she would be reviewing BP's conditional for compliance. She planned to ask what the intent was for the restaurant building on the corner parcel.

Commission Member Ryan asked about the status of adding brick to the Safety Services Building. Zoning Inspector Emrick said the projected cost for the brick was less than expected, but a decision had not yet been made. A different color of HardiPlank siding had been selected; a beige color was chosen instead of the woodland cream (yellow) color.

Zoning Inspector Emrick had not heard anything more regarding Montville Commons, but she planned to call Mr. Mike Wohlwend.

Acme (in Medina City on State Route 3) planned to complete the improvements to the intersection this year, but the building project was planned for 2012.

The zoning office and police department had been working together regarding the home (which had been vandalized) on the Williams' property on State Route 3. Drug Mart indicated that they were going out to bid for the demolition of the buildings.

A variance was granted for the Summa Emergency Department addition in order for Summa to own the land upon which the building would be located. The driveway frontage on State Route 18 was used as frontage (like was done for the lot in the back). Zoning Inspector Emrick was told that the pond in the front would not be cleaned; it would remain in its natural state. Commission Member Piatak said that was what Signet indicated when they came in for their approvals.

Zoning Inspector Emrick did not know the outcome of the Valore property auction; however, she noticed that the house was for rent and the telephone number listed was from the area in which Mr. Valore's office was located.

Alternate Commission Member Siegfried asked about drainage issues at Hill 'n Dale. Water flowed across River Styx Road from Hill 'n Dale during the recent floods. Zoning Inspector Emrick indicated that she would check into the situation.

Zoning Inspector Emrick said that Chief Acklin was compiling a list of residents who experienced flooding during the recent rains. At the present time, there were not enough residents on the list to declare an emergency and apply for FEMA funding. Residents who suffered damage from the storm/flooding should contact Chief Acklin.

MOTION: Commission Member Piatak moved to adjourn the meeting.

SECOND: Commission Member Ryan

A collective oral vote was taken with all Zoning Commission members in favor of adjourning. The March 9, 2011 Zoning Commission meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Bonnie Schwehm

Signature _____
Chairperson

Date _____