

**MONTVILLE TOWNSHIP  
ZONING COMMISSION MEETING  
April 14, 2010**

**PRESENT**

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

**ALSO PRESENT**

J. Emrick, Zoning Inspector  
B. Schwehm, Zoning Secretary  
C. Bellar      G. Ginesi  
M. Boyert     A. Hallock  
                    J. Smith

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**HANDOUTS:** Medina County Department of Planning Services/Staff Report/WECS & OWHH  
Wireless Telecommunication Facilities Regulations Paperwork  
ODOT Letter/D. Roxberry/Trails at Montville Revised Traffic Impact Study

**AGENDA:**

1. Approval of Minutes – March 10, 2010
2. Public Hearing: Zoning Text Amendments  
Chapters 210, 330, 410, 412, 430, 510, 710, 720
3. Discussion: Jeremy Smith/Landscaping Materials Sales/State Route 3
4. Zoning Inspector Updates

The April 14, 2010 meeting of the Montville Township Zoning Commission was called to order at 7:02 p.m. by Chairperson Mr. John Vujevich.

ROLL CALL: Ms. Mary Pawlowski – here; Mr. Alan Piatak – 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 come forward and 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****March 10, 2010**

**MOTION:** Commission Member Wetzel moved to approve the March 10, 2010 meeting minutes as written.

**SECOND:** Commission Member Pawlowski.

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

**2. Public Hearing: Zoning Text Amendments****Chapters 210, 330, 410, 412, 430, 510, 710, 720**

Commission Chairperson Vujevich introduced the agenda item, and Zoning Inspector Emrick explained that she had emailed the Zoning Commission members to tell them that the Medina County Department of Planning Services (MCDPS) was going to disapprove the proposed text amendments for wind turbines and outdoor heating systems. In response to the email, the Zoning Commission (ZC) indicated that they would consider tabling the amendments until the 28<sup>th</sup> of April. Staff from MCDPS would attend that meeting to discuss their recommendations with the ZC.

Zoning Inspector Emrick said that she faxed the comments from MCDPS to Mr. Glen Ginesi, Engineered Process Systems, Ltd., who had previously spoken with the ZC regarding wind turbines.

Mr. Glen Ginesi, 205 Sprowl Road, Huron, Ohio said that he thought the proposed regulations for wind turbines were very good. He was concerned about the regulations relating to sound levels that stated, “sound levels produced by wind turbines shall not exceed 20 decibels above the ambient decibel level measured at any property line.” He thought the requirement was too generous.

Mr. Ginesi said that decibels were on a logarithmic scale – an increase of one was double the previous value. A decibel level of 56 would be twice the level of 55 decibels. He thought ambient noise (falling leaves, etc.) was in the range of 55/56 decibels. Twenty decibels higher would be very loud and hearing protection may be required. (In a factory setting, Mr. Ginesi thought hearing protection was required at 80 decibels.)

Mr. Ginesi also thought the regulations regarding turbine height could be clearer. He thought the objective was to require the setback to be the total height of the tower and the blade in the upright position (measured to the tip of the blade) plus ten feet. He thought it was possible to misinterpret the regulation to believe the setback was the height of the tower plus ten feet.

Mr. Ginesi said the MCDPS referenced specific engineering standards. He thought the objective was to have turbine regulations for net metering situations (turbine connected behind the meter) – not to regulate commercial use of turbines, such as a wind farm. Mr. Ginesi did not believe that Medina County had sufficient wind to support a wind farm.

Mr. Ginesi said it was important to consider that the power companies had stringent standards and would not let someone tie-in unless those standards were met.

Mr. Ginesi thought it would be sufficient if the regulations required a grid tie-in unit and required compliance with the power company regulations – eliminating the need for the Township to interpret the standards.

Commission Chairperson Vujevich said the MCDPS was concerned about the ten-acre minimum.

Mr. Ginesi thought that requirement was a little excessive. He said that if the turbine could be positioned in the rear yard and could meet the setback requirements, the parcel was probably large enough for a wind turbine. Mr. Ginesi said that Trillium Creek had a huge front yard, and he assumed that the parcel was at least ten acres. He understood and could accept the desire to prohibit turbines in the front yard, but said there could be situations where that requirement could be debated.

Commission Chairperson Vujevich said that the ten-acre minimum did not deny having a turbine on a parcel that was less than ten acres. However, it would force the applicant to go to the Board of Zoning Appeals to request a variance.

Commission Chairperson Vujevich said that Mr. Ginesi spoke primarily about horizontal axis wind turbines. The ZC also had a couple gentlemen speak about vertical axis wind turbines. The ten-acre minimum requirement for vertical axis turbines may be extreme.

Mr. Ginesi said that vertical axis wind turbines were completely different from horizontal axis wind turbines. He did not think vertical axis wind turbines were economically justifiable.

Commission Chairperson Vujevich said he questioned the payback in relationship to the cost. The vertical axis units generated approximately 1,800 kWh per year which was about the amount he used in one month.

Mr. Ginesi said there was a woman in Cincinnati, Ohio who was working on a design for a vertical axis wind turbine that made sense. He said it was huge and could be as big as a building.

Mr. Ginesi said there were a couple of vertical axis turbines outside the Capitol Building in Washington D.C. He doubted that the turbines provided enough power to light one hallway.

Mr. Ginesi said that he was disappointed when he found out the public hearing for the text amendments may be postponed. Referring to Trillium Creek, Mr. Ginesi said that he was hired the Monday after Thanksgiving and would be very hard-pressed to get the turbine in before the end of the year. Some of the tax advantages ended at the end of the year; however, they may be extended. Mr. Ginesi asked for a clarification regarding the process and timeframes for the text amendment approval.

Commission Chairperson Vujevich explained that once a final document of the text amendments was agreed upon, the ZC scheduled their public hearing. The final document was presented to the County Prosecutor's Office for review, as well as the Medina County Department of Planning Services. Their comments were forwarded to

the ZC. The ZC could move forward without implementing the recommendations they made; however, many times good points were raised that needed to be addressed. The ZC could agree to vote upon the proposed text amendments as written, or the ZC could decide to table the amendments to the next meeting date to provide an opportunity for the MCDPS to discuss their comments/recommendations with the ZC.

Assuming the public hearing was tabled to April 28, 2010, Zoning Inspector Emrick said that comments from MCDPS could be heard that night and approved at that time with the noted changes. A final draft with the changes would be prepared for the ZC to review. The amendments could be certified to the Trustees on May 11, 2010 with their public hearing scheduled for May 25<sup>th</sup>. Zoning Inspector Emrick said that the approved changes would become effective thirty days from the date of the Trustees' approval. Once the Trustees approved the amendments, Mr. Ginesi could submit the development plan and begin the review process with the ZC; however, nothing could be started before the effective date of the regulations.

Mr. Ginesi said that they needed to have the appropriate approvals in hand before submitting the grant paperwork to the State of Ohio. Grant processing took approximately eight weeks and needed to be done prior to ordering the turbine. Within one to two weeks of delivery, the turbine could be installed and operating.

Commission Chairperson Vujevich said that the ZC tried to put the regulations for wind energy conversion systems on the fast track. A couple Commission members (Wetzel and Potter) drafted the regulations and presented them to the ZC.

Mr. Ginesi appreciated the attention the item received and thought it was his responsibility on behalf of Trillium Creek to urge continued diligence in addressing the situation. He said they could work within the proposed schedule as indicated above. He confirmed that once the Trustees approved the text amendment, the paperwork could be submitted and the item scheduled for review by the ZC.

Mr. Ginesi thanked Commission Member Wetzel for his work in putting the regulations together. In terms of consumption and size, Mr. Ginesi said anything over 100 kW would likely exceed the maximum height regulations. He did not know if there would be a consumer in the Township that would need more than 100 kW and thought a variance could be requested if the situation presented itself.

Given the location of Trillium Creek, Mr. Ginesi thought they could generate between 150,000 and 175,000 kWh per year – approximately one-half of their consumption. Mr. Ginesi reiterated the fact that he initially thought the site would be better suited for solar, but upon seeing the location – height relative to the rest of the county and open fetch to the southwest – decided a wind turbine would be feasible.

Commission Member Ryan asked if the wind turbine at Trillium Creek would serve both buildings or just one. Mr. Ginesi thought it would just tie into one building.

The Zoning Commission agreed that they wanted to discuss the proposed regulations with the Medina County Department of Planning Services on April 28, 2010.

**MOTION:** Commission Member Ryan moved to table the Zoning Text Amendments Public Hearing until April 28, 2010 at 7:00 p.m. for Chapters 210, 330, 410, 412, 430, 510, 710 and 720.

**SECOND:** Commission Member Wetzel.

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

Before the next ZC meeting, Commission Member Wetzel would review the decibel levels in the proposed text.

Commission Chairperson Vujevich asked Zoning Inspector Emrick to check on the acreage of the parcel at Trillium Creek before the next ZC meeting.

### **3. Discussion: Jeremy Smith/Landscaping Materials Sales/State Route 3**

Commission Chairperson Vujevich introduced the agenda item.

Zoning Inspector Emrick said she was approached by Mr. Bellar, a real estate agent, regarding the possibility of a business on State Route 3. The business would be operated by Smith Brothers which was currently located in Medina Township. They sold shavings, woodchips, gravel, sand, horse food, dog food, etc. Zoning Inspector Emrick said that the products would be stored outside in open block squares (similar to what Peter's Landscaping used to store their landscaping materials). She added that Mr. Bellar said it would be a temporary use – only operating eight months out of the year.

Zoning Inspector Emrick said she did not believe it could be classified as a temporary retail sale, nor did she see where it fit as a permitted use or conditionally permitted use. She said that the ultimate decision was hers as to if the use was a permitted or conditionally permitted use, but she would like the Zoning Commission to consider the use and offer their comments.

The proposed location was in the Rural Commercial District – north of Chippewa Road on State Route 3 - across from Boyert's. Mr. Alan Hallock, Hallock Properties, said the driveway for the business would be an extension of Paradise Road.

Mr. Bellar passed out a diagram indicating a proposed layout of the property. (See Attachment I)

Zoning Inspector Emrick said that when she initially spoke to Mr. Bellar, he indicated there would be a sales office in a trailer. She told him that a sales trailer was not permitted. Referring to the layout, Zoning Inspector Emrick inquired about the proposed structure for the sales office.

Mr. Jeremy Smith, 3087 Marks Road, Medina, Ohio said that the business was very seasonal – spring, summer and fall. The structure would be something suitable to the Township that could be removed from the site during the winter (since they would not be open during the winter).

Commission Member Piatak asked if the business planned to be at the proposed location for an extended period of time. Mr. Smith said that they planned to be there for several years – just not year-round.

Commission Member Wetzel said Peter's Landscaping essentially did something very similar. Zoning Inspector Emrick said that Peter's Landscaping was similar but did not retail/wholesale landscaping materials. The materials were used in the operation of their business – landscaping and landscaping maintenance.

Mr. Smith said that their business and Peter's Landscaping business were completely different – other than the fact that they both used mulch. Mr. Smith said the proposed location in Montville Township would not be their main business office/location.

Commission Chairperson Vujevich asked if the proposed business would be considered general retail (Section 430.1 H.). Zoning Inspector Emrick said that it may be considered general retail, but the specific use was not listed in Section 430.3 C.

Alternate Commission Member Siegfried suggested looking at Section 430.3 F. 1. to consider if the proposed use could be a "trade/contractor's facility." Zoning Inspector Emrick said she did not think it fit into that category.

Mr. Mike Boyert, Boyert's Greenhouse, asked for a definition of Rural Commercial.

Commission Member Ryan read the following:

To provide a Rural Commercial District (R/C) that encourages a broader range of general commercial activities and community facilities, including personal service facilities, general retail, automotive and agricultural uses that are not necessarily dependent on the availability of sanitary sewers. Such areas may include outdoor storage and display activities, provided the outdoor activities do not adversely impact adjacent residential uses.

Mr. Boyert said that he strived to keep a neat, clean place that was user friendly and aesthetically pleasing to the community. He said that Smith Brothers operated what he would call a good, clean small business operation in Medina Township. In his mind the operation would not correlate with Peter's Landscaping. He thought they were totally different businesses/operations. He said the Township looked for job opportunities and good, sound businesses. He thought Smith Brothers had the opportunity to make the Township a better place. He felt very strongly that Smith Brothers was a good operation that would add to the community.

Commission Chairperson Vujevich said that the Commission was not debating that the proposed business fit into the rural character of the area and added to the aesthetics of the Township. The issue was determining if the use was included in the zoning text. If it was not currently addressed in the code, should the code be amended to include such

uses? The business fit the general description of the zoning district; however, the permitted and conditionally permitted uses did not specifically address the proposed use.

Zoning Inspector Emrick said the Zoning Office always tried to fit new businesses into the uses as described in the code. She knew how important the commercial development of the Township was to the community. She would like to see Smith Brothers in the Township, but struggled with determining where the use fit into the existing zoning regulations.

Mr. Bellar commented that it seemed as though the township would like to see the business in the community; but at this time, did not know where it fit into the different uses listed in the zoning text.

Zoning Inspector Emrick said that was correct. Commission Chairperson Vujevich reiterated that the necessary provisions may not currently be included in the zoning text.

Alternate Commission Member Siegfried again referred to Section 430.3 F. 1. and thought the use may fit into that category as a trade under “other similar facilities.” Zoning Inspector Emrick did not believe the proposed business use fit into that category. Commission Chairperson Vujevich agreed that it did not fit into that category.

Mr. Smith said that they currently operated under agriculture – as an operating farm – at their site in Medina Township. Mulch production was considered an agricultural use. He understood that it would not be produced on the site in Montville Township, but it was an agricultural product that was being sold.

Commission Member Ryan suggested that the proposed business may fit under “personal service facilities” (Section 430.3 C. 2.). The proposed business was related to maintaining a homeowner’s property.

Commission Member Wetzel thought the proposed business met the purpose for the Rural Commercial Zoning District and wondered if an application for a variance may be appropriate.

Zoning Inspector Emrick said that the use met the general purpose of the district, but it was difficult to identify the appropriate category for the type of business that was proposed.

Commission Chairperson Vujevich said the use was something that had not been anticipated. Commission Member Ryan and Commission Member Wetzel said that it would be impossible to identify every possible use that may be proposed over the next twenty-five years.

Alternate Commission Member Siegfried said that the proposed use fit into what the ZC envisioned for the Rural Commercial District.

Zoning Inspector Emrick asked Mr. Smith for more information regarding the materials that would be sold and the general operation of the business.

Mr. Smith said mulches, topsoil, compost, garden blend mixes, rocks, boulders, bagged rock material, etc. would be sold. The main business out of the Montville Township location would be the delivery of materials with homeowner pickup available.

Alternate Commission Member Siegfried asked what Eco Bricks were. Mr. Smith said that they were compressed hardwood sawdust used for firewood that burned two and one-half times longer than wood.

Mr. Hallock asked about permitted uses. The ZC commission said that if the use was not listed as permitted or conditionally permitted, the use was not allowed.

Commission Chairperson Vujevich wondered if the purpose could override the uses or the uses override the purpose. Alternate Commission Member Siegfried said that the general did not override the detail.

Commission Member Pawlowski referred to Section 430.3 F. 1. and thought the proposed business fit under that category. She thought the ZC's intent was to cover a broad range of uses.

Commission Chairperson Vujevich asked for a clarification between commercial and retail. He wondered if general commercial included a retail establishment. Alternate Commission Member Siegfried said that it certainly did not exclude it.

Commission Chairperson Vujevich asked if the business would be selling materials on a retail basis. Mr. Smith replied that was correct.

Zoning Inspector Emrick did not think that the business was a trade or could be considered a contractor. The business was not a landscaping business; they were only delivering the product.

Alternate Commission Member Siegfried said that Smith Brothers was not actually contracting to do the landscaping.

Commission Member Wetzel said Smith Brothers could be selling to a landscaper in many cases.

Commission Member Piatak asked what category could be added to the zoning text to include the use. Would it be under general commercial?

Commission Member Ryan thought text should be added for a retail service.

Commission Chairperson Vujevich thought the proposed use was a personal service facility because it provided landscaping materials to homeowners to maintain their landscaping, etc.

Commission Member Wetzel said that Boyert's did not do all of their sales inside a building. Some of the items were outside. Zoning Inspector Emrick said that Boyert's was agriculturally exempt.

Zoning Inspector Emrick thought the best fit was under personal services. However, in looking at the definition for personal services, it did not appear to fit with those uses. She read the following definition:

Personal services usually include the following laundry, including cleaning and pressing, linen service, diaper service, beauty shop, barber shop, shoe repair, funeral services, steam baths, reducing salons and health clubs, clothing-retail, clothing-rental, locker rentals, porter services, and domestic services.

Commission Member Piatak asked about the timeframe for moving forward with the project. Mr. Smith said the season was upon on them.

Commission Chairperson Vujevich said that the personal services category seemed like the best fit, but the use did not seem to fit the definition.

Commission Members Piatak and Ryan thought another category was needed in the zoning text to include the use. Commission Member Piatak suggested a category for landscaping.

Alternate Commission Member Siegfried said that retail would be appropriate if the text did not stipulate within an enclosed building.

Mr. Hallock wondered if the zoning code was meant to be very limited. He thought there were only about a dozen different uses identified in the zoning text.

The ZC indicated that there were more than a dozen uses listed – there were dozens of permitted and conditionally permitted uses.

Mr. Hallock wondered if the list of uses should be finite or infinite.

Alternate Commission Member Siegfried said that it was not intended to be an infinite list. Commission Chairperson Vujevich said it was a finite list, but the Township tried to make it as broad as possible.

Mr. Hallock said that the ZC may have to frequently revise the text to redefine uses.

Alternate Commission Member Siegfried said that the code was often reviewed; and when necessary, the text was redefined based on reality.

Mr. Hallock thought the Zoning Resolution was a living document. He thought it seemed like the ZC was trying to determine how Mr. Smith's business did not fit, rather than trying to find a fit for the use.

Commission Chairperson Vujevich and Alternate Commission Member Siegfried said the ZC was trying very hard to figure out where the proposed use could fit into the zoning regulations that already existed. Fitting it into the existing regulations would allow the item to move forward in a timelier manner.

Zoning Inspector Emrick reviewed information from the Ohio Revised Code to determine if the use may fall under the agricultural category. Commission Member Ryan thought there was a stipulation included in the regulations for agricultural uses that required the product to be produced on the property.

Commission Member Wetzel said the transaction would occur in a completely enclosed building and then the materials were delivered or picked up.

Zoning Inspector Emrick thought retail in an enclosed building referred to a Walmart or a similar business.

Commission Member Ryan said that the text indicated that the Board of Zoning Appeals (BZA) or Zoning Commission could consider the portion of the display area versus the storage area.

Zoning Inspector Emrick said the proposed plan included a lot of storage/display area – approximately 90 percent.

Commission Member Wetzel said that it was up to the BZA or ZC to determine what seemed reasonable. He said that it would not be practical to store the materials inside; the smell alone would be an issue. He thought the intent was to give some discretion to the Commission and Board in situations like this one. He did not think the Township wanted to exclude a retail business that was a little different than Walmart, etc.

Zoning Inspector Emrick agreed that the intent was not to make exclusions; however, she did not believe retail in a completely enclosed building covered the proposed use. She indicated that the following footnote applied when Town & Country's development plan was reviewed:

In determining a use to be a retail use, the Zoning Commission or BZA may consider the proportion of the display area vs. storage area and the proportion of the building façade devoted to display windows.

Commission Member Wetzel noted that there would not be a lot of display windows in this situation.

Zoning Inspector Emrick said that in good conscience she could not say that this use was retail in a completely enclosed building.

Commission Member Wetzel thought Mr. Smith should be afforded the opportunity to do retail or agriculture. He did not think this opportunity should be excluded.

Zoning Inspector Emrick said that maybe the zoning text should be changed.

Alternate Commission Member Siegfried said that Zoning Inspector Emrick was not suggesting excluding the use. She was saying that the proposed use did not necessarily fall into any of the existing use categories.

Commission Chairperson Vujevich said the proposed business included retail, but could also be considered a service. Commission Member Wetzel thought it fit into the retail category – they delivered a smelly, bulky, outdoor product.

Alternate Commission Member Siegfried thought the text may need to be changed.

Referring to Section 430.3 C. 2., Commission Member Wetzel reiterated that the proposed use was not providing a personal service.

Commission Member Pawlowski thought the use was a retail use and the zoning text needed to be amended; however, she wondered if the business could be conducted (on a short term basis) under Section 430.3 I. 3. which provided for “temporary retail sales and special events.”

Zoning Inspector Emrick said that the proposed use did not meet the criteria for a temporary retail sale or special event. The proposed enclosures were permanent structures. Mr. Smith said the huge, concrete blocks used to create the storage areas could be removed.

In reviewing the specifics of Section 330.4, Temporary Sales and Special Events, no more than three separate events were allowed. The maximum timeframe was sixty days. Commission Member Pawlowski thought the text could be revised in sixty days to allow for the proposed use.

Mr. Smith said that the property had not yet been purchased; and from a business perspective, he would not want to move forward and find out in sixty days he could not continue to operate.

The ZC acknowledged the risk involved. Commission Member Pawlowski said it appeared that the Commission was in agreement that the text needed to be revised.

Mr. Smith said that in addition to the retail operation, he provided a service to every customer that came through the door. He considered the business a retail/service operation.

Hearing that there seemed to be a consensus among the members of the Zoning Commission, Mr. Bellar asked Mr. Smith if he felt comfortable enough to move forward. Mr. Smith said it was a gamble, and it would be a terrible situation for anything to change after purchasing the property.

Commission Chairperson Vujevich asked if the item would be eligible to go to the BZA for a variance. Alternate Commission Member Siegfried said a use variance would be necessary and those were difficult to get approved. Zoning Inspector Emrick agreed that it was very difficult to get a use variance.

Zoning Inspector Emrick said the text could be amended, but that was not going to make an immediate difference for Mr. Smith.

Zoning Inspector Emrick said that the proposed use may be permitted under Section 430.3 C. 9. which referenced "other services." This category was related to other services – as opposed to providing a personal service. The delivery of materials provided a service to homeowners. The Zoning Commission and Zoning Inspector Emrick agreed that the proposed use could fit into the category.

Zoning Inspector Emrick said that a development plan review would be required. A package of materials was given to Mr. Smith describing the review/approval process. The Zoning Resolution was available online for reference.

Zoning Inspector Emrick suggested fencing the facility. The ZC discussed the nature of the building that would be included in the plan. Commission Member Wetzel thought landscaping around the building may enhance sales and questioned removing the building from the site during the offseason. Commission Chairperson Vujevich said a mound would be required along State Route 3. Mr. Smith said a mound was shown on the proposed layout. The required side yard was twenty-five feet; the parcel was 3.67 acres. Buildings and structures (including walls) would have to be 100 feet from an active well. A paved customer parking area would be required. Parking space requirements were included in the zoning text. Confirmation of ODOT driveway approval would also be necessary.

Zoning Inspector Emrick said that the text revisions relating to retail would be addressed in the near future.

#### **4. Zoning Inspector Updates**

Zoning Inspector Emrick said the Trails at Montville asked for their pavement and landscaping bonds to be released. It appeared the pavement was completed and the

bond could be released; however, the landscaping was not completed and that bond could not yet be released.

It was apparent to Zoning Inspector Emrick that the ingress and egress on State Route 3 was actively being used. She contacted Ms. Julie Cichello, Ohio Department of Transportation (ODOT), and told her that the driveway had not been removed and the right-of-way had not been restored. Ms. Dawn Roxberry, ODOT, responded to Mr. Dave Conwill as follows:

It has come to our attention that the construction driveway for the Trails of Montville on SR3 is still being used for ingress/egress to the site. Your construction permit expired on 3/2/2010. Therefore, the driveway must either be removed with the R/W restored to its original state or the driveway must be blocked off at the R/W line so it is not able to be used. Please let me know when this is taken care of.

Zoning Inspector Emrick said that when she spoke with Mr. Conwill regarding the bonds, she would ask him about the driveway.

Zoning Inspector Emrick said that the first building in Phase II of the Trails at Montville that was moved to Phase I had not yet been started.

Commission Member Piatak asked if the asphalt trail had been finished or reviewed as part of the landscaping. He noticed some temporary pipes across the stream that might have been for construction vehicles. Field Assistant Jeffers had told Commission Member Piatak that he thought the pipes were for the trail.

Zoning Inspector Emrick said she did not see any trails. Commission Chairperson Vujevich said that the Medina County Park District would be doing the trails, but they did not plan to do the trails at this time.

Zoning Inspector Emrick said that she met with Mr. Hallock and a real estate agent regarding the Cobblestone commercial area. They thought the property would be more marketable if the area had mixed-use zoning (similar to Crocker Park with apartments upstairs and commercial downstairs). She wondered if that was something the ZC would consider.

Commission Chairperson Vujevich said it was a concept that was considered in the Comprehensive Plan.

Alternate Commission Member Siegfried said that the concept was tried in Brunswick but was not successful. Fake facades were used on the second stories.

Zoning Inspector Emrick indicated that she would research information regarding mixed-use zoning for the ZC to discuss and consider.

The ZC asked about Delux Restaurant at Montville Commons. Zoning Inspector Emrick said that she had not heard from the gentleman who received the occupancy permit.

The ZC indicated that the overall appearance of the Montville Commons' site was beginning to deteriorate.

Zoning Inspector Emrick indicated that the last time she spoke with Mr. Howe regarding Discount Drug Mart, they were moving forward. She had noticed a sold sign on the Williams property.

**MOTION:** Commission Member Ryan moved to adjourn the meeting.

**SECOND:** Commission Member Wetzel.

A collective oral vote was taken with all Zoning Commission members in favor of adjourning. The April 14, 2010 Zoning Commission meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Bonnie Schwehm

Signature \_\_\_\_\_  
Chairperson

Date \_\_\_\_\_