

**MEDINA TOWNSHIP
COMPREHENSIVE PLAN
STEERING COMMITTEE MEETING
MARCH 31st, 2014**

The Medina Township Comprehensive Plan Steering Committee met in Regular Session on March 31st, 2014. Chairman Ostmann called the meeting to order at 7:01pm.

Roll Call

Mr. Ostmann called for a roll of all members. James Apana, Michael Baach, Robin Gray, Allan Hallock, Susan McKiernan, Bill Ostmann, Anthony Ratajczak, Gail Gordon Sommers, Cynthia Szunyog and the general public were in attendance. Brandi Rosselli from Mackin Engineering was also present. Paul Sevougian, Chris Traynor and non-voting members Chief Crumley and Rob Henwood were absent.

Approval of Minutes

The minutes were tabled until the members review them and corrections are made. A correction needs to be made in Policy Area four (4) by crossing out “in parking areas”.

Review of Public Meeting Summary

Mr. Ostmann asked for comments on the public survey and flip chart results that were at the various stations. Mrs. Rosselli said the main overall discussion centered around Route 3 and I71. The majority of residents that attended the meeting did not want to see development there and definitely not commercial development. The owner of the property was there and gave a different point of view but he did not hear any additional support for the plans that he had when we heard from the residents that attended the meeting. They would like to see the interchange remain undeveloped or lightly developed, rural residential or residential. Mr. Ostmann found the suggestion put a farm stand and a clock tower with a welcome area in the triangle at Weymouth and Pierce Roads. Mr. Hallock said that was part of his original plan for the township, to have gateways. Mr. Hallock also read that there is contradiction because there is too much congestion in the Route 3-I71 area. Mrs. Rosselli said this is not a zoning process this is a comprehensive plan process so you can talk about gateways and where it might be appropriate to encourage gateway development, signage or landscaping to let people know they are entering Medina Township. That has not been addressed in the comprehensive plan but can be included and potential locations can be discussed. Mr. Hallock said that the property at Weymouth and Pierce is privately owned and would be a great property to do a passive park even if it is with the park district. Mr. Apana said people want to see more park areas. Mr. Hallock said we have a lot of natural resources.

Mr. Ostmann again asked if anyone had a comment on the Public Meeting (Open House). Ms. Gray said it was a very good turnout. Ms. Rosselli said close to seventy (70) people signed in.

Mrs. Rosselli also said it is on page 3.3 to pursue joint service options with the City of Medina, Medina School District and Medina County Park District but there isn't anything in the plan about gateway development. Park development is different than gateway development.

Process for Finalizing Plan

Mrs. Rosselli said that from this point forward she has provided a full draft plan to the committee in advance of the meeting for review and she asked for comments at this meeting. She said everything in the plan has been previously discussed.

After tonight's discussion, a final plan would be drafted that is ready for the public's review. The Plan will be available for a forty-five (45) day public comment period. The plan will be available in printed form at the Townhall and the library and on the website. There will be comment forms on line and printed copies will be at the townhall. They need to be returned to Mrs. Rosselli. All comments will be compiled and sent to the Trustees and Committee for their review. If there is a large number of comments, her recommendation is to hold another meeting. If there are not a large number of comments, her recommendation is to proceed with the adoption of the plan. What is included in the adoption process is a legally advertised formal public hearing held by the Trustees. Depending on the amount of comments and what the comments are the Trustees may feel comfortable moving forward with the adoption of the document or they may want additional comments addressed if need be. If comments need to be addressed those are to be sent to Mrs. Rosselli and she will make the changes that are requested. If major changes have been made to the plan then she suggests holding another public hearing. Once the Trustees are comfortable after the public hearing or hearings then they can proceed with the adoption by resolution. Mr. Baach asked if that means that if there are comments of any sort that it is up to the Trustees to determine if they are persuasive or not. Mrs. Rosselli said the Trustees are the governing body so they have the ultimate responsibility and they are the ultimate body that will adopt the plan. She suggests having the Prosecutor at the meeting to advise in terms of whether the comments are substantial or enough that you need to go back and make changes. If there are minor comments like grammatical changes, little tiny changes here or there they can still proceed with adoption.

Ms. Gray asked if the Zoning Commission will have any type of participation prior to the Public Hearing. Mrs. Rosselli said they will be part of the public to review the plan and she would assume that any Board of the Township would review the plan within those forty-five (45) days. If the Trustees want to send them copies individually they can but it is not a requirement.

Ms. Gray asked, if a Trustee wanted to insert something into the Comprehensive Plan, is the Steering Committee's approval needed or can it just be added. Mrs. Rosselli said the Trustees are the ultimate body that will be adopting the plan so they have the final say in terms of what they want to see in the plan however, all three of the Trustees have told Mrs. Rosselli that they want this to be a public process. They did not want to lead the process. They assigned this committee to develop the plan and she would assume their comments would come in during the public comment or prior to the plan being released to the public. The Steering Committee is an advisory body to the Trustees and it is their ultimate decision.

Ms. Gray asked again if the Trustees were to add something to the plan would it be segregated that the Trustees would like to have this or would it be comingled with the plan. Mrs. Rosselli said no, you are going to have a plan; it's not going to say the Committee said this and the Trustees said this. You are going to have a final plan that has chapters and text and there aren't going to be comments in your plan. It's going to be your draft plan and it's going to be presented to the public as a draft document.

Process for Finalizing Plan Con't

Mr. Baach said we got pretty close to finalizing this the last time (2008) and asked if there has been anything to tell Mrs. Rosselli if anyone is going to protest or file any kind of legal challenge to what we are doing here. Mrs. Rosselli said to keep in mind that your Comprehensive Plan is not a legally binding document, it is an advisory document. It is not like the Zoning Resolution which is a legal document that places regulations on what you can and cannot do with your property. The Comprehensive Plan is a policy document; it's a guiding document that should be used by the Trustees and Zoning body as a guide in terms of making updates to your zoning or other regulatory documents. It in itself however is not a legally binding document. Nobody can ever take your Comprehensive Plan to court and say, it says this in your Comprehensive Plan so I can't do this with my property so I am going to sue you. Mr. Baach said he is thinking more of process. He said in 2008 they got about this far and then there were challenges to how the process went. He asked if we had anything like that so far. Mrs. Rosselli said no, we have had meetings open to the public, we have had two (2) public open houses, there will be a public comment period and there will be a public hearing. She can't see where there would be challenges to the process; however, there have been dissenting views as to what goes into the plan, particularly the one policy area, but it has been an open and public process.

POLICY AREAS

Policy Area Three (3)

Mrs. Rosselli said she made the changes that were sent to her from the last Steering Committee meeting and everyone should have the updated policies.

Ms. Gray requested a discussion on the clusters that were being recommended in some of the policy areas as well as the definition of institutional/public. Ms. Gray was concerned about policy area three (3). She said initially the committee voted on what they would like to see in this policy area. It was agricultural use, conservative subdivisions and clustered residential uses. She had focused on the density and open space requirements; detached residential dwellings preferred at a density of one (1) dwelling unit per 3.3 acres. She said there are no sewers there and she would like to see the clustered residential uses removed. Mrs. Szunyog asked if there was a possibility that this area could have sewers. Mr. Ostmann said anything can be sewered. Mr. Ostmann said conservation subdivisions have been talked about and the problem he sees with that is that there is no way to guarantee that the open space will remain in perpetuity. Mrs. Szunyog said she believes there are legal ways to do that. Mr. Ostmann said where there is open space there is often disputes about who is going to maintain it and how it will be used. With larger lot sizes the homeowners usually build their homes on the setback line to have more wooded areas behind the home that is created open space which controls disputes. Mr. Hallock said there are deed restrictions. Mrs. Rosselli said there are deed restrictions with the property that would explain what they can do with the property. Mrs. Szunyog asked what Ms. Gray's concern was with a clustered development. Ms. Gray said she would like to keep the area rural residential and she would like to keep that in certain parts of the township.

Policy Area Three (3) Con't

Mr. Ostmann said he is the largest landowner in that policy area and he has already split his land up into three (3) acre lots or it is to remain a golf course. Mr. Hallock said the legal process involved in creating that district is very comprehensive and complicated, it would have to go through every committee in the Township to be approved.

Mr. Ostmann motioned to remove from Policy Area Three (3) to remove conservation subdivisions and clustered residential units from policy Area Three (3). Ms. Gray seconded the motion. A show of hands for approval was three (3), five (5) against and one (1) abstention. The motion was denied.

Ms. Gray would like to see public uses and institutional uses separated and defined as to what type of public use and what type of institutional use. She would like to see that in all the policy areas. Ms. Rosselli said the existing land uses are currently defined on page 2.15 and institutional /public is defined there. Her recommendation would be to leave the definition there and not include it on every page. She also said institutional/public are treated very similar in processes like this. It is not a public/ institutional as you can see (2.15). Ms. Gray would like quasi-public removed, an example is a public university.

Policy Area Six (6)

Ms. Gray asked if there are plans to have increased single family residential dwellings in this area and she also did not understand what infill to the existing subdivision means. Mrs. Rosselli said if future preferred land uses are single family residential dwellings, infill means if something would happen to a property (fire or condemnation, etc.) then the infill would be replacing what was there before.

Mr. Ostmann asked why we would add "discourage the use of pass through traffic on N. Huntington Street through traffic calming methods" because that road was opened to alleviate congestion on Pearl Road. Mr. Ostmann doesn't feel adding "discouraging pass through traffic on N. Huntington" should be in Policy Area Six (6) because we have a traffic problem. It was unanimous to eliminate that statement in Policy Area Six (6).

Ms. Gray said she doesn't feel comfortable with putting PUD's and cluster or conservation subdivisions with the pumping station on Watkins Road.

Mrs. Rosselli said there have been several months of discussion on the pros and cons of PUD's or cluster and conservation subdivisions in policy area six (6), she asked for a vote.

Mr. Ostmann motioned to remove the line "encourage Planned Unit Developments or cluster and conservation subdivisions to allow for large expanses of natural open space and to protect woodlands" out of Policy Area Six (6). Mrs. McKiernan seconded the motion. A show of hands for approval was five (5) yes, three (3) against with one (1) abstention. The motion carried.

They will remove the sentence "new development should tap into the existing public sanitary sewer system". That is not in the Townships jurisdiction.

Policy Area One (1)

Ms. Gray said she has the same concerns about Policy Area One (1) regarding Planned Unit Developments.

Mr. Ostmann motioned to remove “Encourage Planned Developments or Cluster and Conservation Subdivisions to permit dwellings on smaller lots while preserving larger amounts of open and natural areas”. Ms. Gray seconded the motion. Mrs. Szunyog said it is an extremely sensitive natural area and only sees the major area that could be developed as residential is the center where the Rocky River is currently through the whole area. She said the reason we need some kind of open space development is because it is such a sensitive natural area. We don’t want people mowing lawns right up to the Rocky River and throwing fertilizer and weed killer right up to the banks. A show of hands for approval was two (2) yes and six (6) no. The motion was denied.

Mrs. Rosselli asked if they still wanted the statement “potential bike/hike trail system exists along the interurban easement maintained by the Ohio Edison for a major transmission line that runs through this part of the Township” left in Policy Area 1 (page 3.5). The committee said to leave it in.

Policy Area Two (2)

Mrs. Rosselli said the previous plan talked about ODOT starting engineering efforts in the future widening of Fenn Road, south of the City of Medina (page 3.7). Did committee want that left in? Committee said yes.

Policy Area Eight (8)

Ms. Gray asked that the sentence “future plans indicate that Fenn Road is slated to become an east/west truck route to permit heavy trucks to bypass the City of Medina” be removed from Policy Area eight (8) (page 3.17). Mr. Ostmann said it will never be a bypass. Mr. Hallock said it is out of our control. The committee agreed so it will be removed.

Policy Area Four (4)

Mrs. Rosselli said in Policy Area Four (4) (page 3.11) it states “The Township has been working to designate S.R. 3 which bisects this area as a part of the Scenic Byway system”. Mrs. Rosselli will make some changes to that sentence.

Policy Area Seven (7)

Mrs. Rosselli said in Policy Area seven (7) (page 3.16) it states “encourage widening of the right of way on Pearl Road as properties develop or redevelop. ODOT is already widening Route 42. The committee said to leave this in. The majority of the people who responded to the survey said they wanted to see N. Jefferson Street extended to Fenn Road to alleviate congestion on Pearl Road. Ms. Gray asked what mixed use development meant. Mrs. Rosselli said it means different types of developments; commercial and residential together, office and retail together, apartments or condos. It is very appropriate for a commercial corridor.

SC3/31/14

Maps

Mrs. Szunyog asked if the maps are going to be updated to show Medina Marsh and conservation easements. Mrs. Rosselli will take care of it.

Policy Area Four (4)

Ms. Gray asked if a Planned Unit Development (PUD) district on vacant properties that will create a conceptual plan to identify a preferred development pattern for this area be removed from Policy Area Four (4) (page 3.12). Mrs. Rosselli said it was discussed previously that these will be consistent. The committee did discuss not encouraging commercial in this policy area as the plan stands now. The majority of the people at the public meeting wanted this area and the township as a whole to remain rural and open.

Mayor Hanwell's Offer of Use of City Building Department and Industrial Zone

Ms. Gray discussed Mayor Hanwell's suggestion that Medina Township utilize the City Building Department. She is concerned because there is nothing in the Comprehensive Plan about industrial being prohibited. The committee decided not to put industrial in the Comprehensive Plan. She asked how zoning is going to make a determination on something going forward. She said the Comprehensive Plan is supposed to be a tool as guidance going forward for our community, zoning and Trustees. Mrs. Szunyog said it has not been recommended in this plan and no one is forced to do what is suggested in this plan. Since industrial is not suggested she doesn't think it can be prohibited in this plan. Mr. Hallock said your recommendation is a positive statement. Ms. Gray said the previous Comprehensive Plan states that the residents want the community to stay somewhat rural and feels something should be put in this plan regarding industrial to prevent litigation. Mrs. Szunyog said this is not a legal document but a guiding document. Mr. Hallock said people's opinions and what we are doing here is not the same thing. We know we can't exist without government, institutional and commercial. Mrs. Rosselli said it doesn't specifically say "we want to stay primarily residential and keep out industrial". It talks about the future and the Township's main goal to protect the natural resources while providing opportunities for responsible development. The goals are not intended to prevent growth but rather insure that development and redevelopment that occurs is properly planned and appropriate to the existing character. Nowhere in here does it talk about industrial but she can put a sentence in there if the committee wants.

Ms. Gray motioned that commercial and industrial land use the policies on commercial and industrial land use indicate that these areas shall be limited, controlled and designed to maintain the overall rural and suburban residential character of the community. (To be added to the Comprehensive Plan). Mr. Ostmann seconded the motion. A show of hands for approval was two (2) and seven (7) against. The motion was denied.

Finalization of Plan for Public Review and Comment

Mrs. Rosselli will make the necessary changes that were discussed tonite. She asked that everyone review the changes and if she doesn't hear from them by April 11, she will assume all agree. She will proceed to have the plan put out for public review and comment. A legal notice will be put in the Gazette and the plan will be put on the website, the Library and at the townhall.

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Minutes

Mr. Ostmann asked the members to review the minutes and give any changes to Celia.

Annual Update of Comprehensive Plan

Ms. Gray said the comprehensive plan states that it will be reviewed annually. Mrs. Rosselli said normally a report is provided annually in terms of progress and if changes need to be made and it is not full update to a plan. Mr. Ostmann asked that if putting that in there does it mean we should be looking at it annually. Mrs. Rosselli said yes, it should be looked at annually either by this committee or a sub-committee.

Public Comment

Mr. Ostmann opened the floor for public comment.

Jim Bilek (3414 Hamlin Road) commented on the vote taken regarding Policy Area Three (3) and asked how many committee members were residents of that area. He feels the rest of the committee didn't understand the gravity of the vote and asked how they could be for it in that policy area when they are not residents of that area. Mrs. Rosselli said they divided the Township into policy areas and the Comprehensive Plan is for the entire Township. The Committee is looking at the Township and voting on the policies as a whole, not just the area they live in. He asked how a PUD is funded and was told it was funded by the developer. He asked if they get abatements and was told the Township has never give abatements. He asked what is zoning allows in Policy Area Four (4). Current zoning is RR and BL. What does lot coverage mean and he was told that was being removed.

Sandra Bilek (3414 Hamlin Road) has problems with the verbiage in Policy Area six (6). She asked that the definition of public use be re-defined because public use could mean a landfill. Mrs. Rosselli said it cannot be used for a business that is for-profit. She made comments on the surveys and feels they should be word for word. She also felt the Government of the Township should be in the Comprehensive Plan (Zoning Commission, Board of Zoning Appeals, Trustees, etc.)

Sally Gardner (3333 Foskett Road) said Sandra's comment about the Government portion being in the Comprehensive Plan is directed by the Ohio Revised Code and what their responsibilities are. She also thanked the Committee for all their time and thought in the planning process for this plan.

Joe Samson (Silver Ridge Trail) said the light at Hamilton and Route 3 only allows several cars to go through and as far as the development of that corner it may create more traffic congestion. Chief Arbogast said periodically ODOT does traffic counts and they are going to upgrade those intersections. He asked when the comprehensive plan will be available for review. A legal notice will be in the Gazette after April 11, 2014.

SC3/31/14

Public Comment Con't

Jim Bilek (3414 Hamlin Road) said Policy Area Eight (8) states future plans indicate that Fenn Road is slated to become an east/west truck route to permit heavy trucks to bypass the City of Medina. Mrs. Rosselli said this was in the 2008 draft plan and he was told heavy trucks already use Fenn Road.

Albert Calderon (owner of property at I71 and Route 3) said he purchased the land commercial and wanted to put the Township on notice that if they violate the law for which that was appropriated he will sue. Mr. Ostmann said it was never commercial. Mr. Calderon said it was commercial and when people wanted to build houses near his property he did not object. Mr. Ostmann said he researched it and the property was never zoned commercial.

Reina Calderon (209 S. Prospect St., Bowling Green, Oh) is interested in the Committee giving some history on the 2008 plan which is the basis for this Committee. She said that draft plan identified uses for I71 and 3 besides residential that included retail. Mr. Ostmann said there was no public input on the 2008 plan so it was never approved. Mr. Hallock stated he was on the committee in 2008 and it was his motion that it would be decided to be commercial because they did not want single family residential and it was a very sensitive area and they could protect it.

Albert Calderon (Owner of property at I71 and Route 3) presented the committee with his plan for the I71 and Route 3 area. He was very upset with the committee and said if they try to limit his use of his land he will sue.

Mr. Hallock asked if he could speak and said the Committee is not trying to limit Mr. Calderon's use. They are not a decision making body, they are an advisory group. He said the Township is very open and if Mr. Calderon submits a plan to the Township they will help him to find the proper use for his property. Mr. Calderon thanked him for his explanation.

Mr. Ostmann adjourned the meeting at 9:15 pm.



Bill Ostmann, Chairman