

# Village of Richfield

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BOBBIE BESHARA, Mayor  
ROGER SWAN, Council President

SANDY TURK, Finance Director  
MELANIE A. BAKER, Service Director

## PLANNING AND ZONING COMMISSION MEETING

### MINUTES

Tuesday, April 12, 2016 – 7:00 p.m.

**CALL TO ORDER:** Dr. Boester called the meeting to order at 7:00 p.m.

**ROLL CALL:** Charles Boester, Dan Holahan, Bart Sauer, Roger Swan, Ralph Waszak

**OTHERS PRESENT:** Mayor Bobbie Beshara, Planning and Zoning Director Brian Frantz, Law Director Bill Hanna

#### **AGENDA REQUESTS:**

Mr. Frantz requested that the Commission approve the amended agenda which includes Case 8-2016.

**Mr. Swan made a motion to approve the amended agenda and Mr. Holahan seconded his motion. All were in favor.**

**OLD BUSINESS:** None.

#### **NEW BUSINESS:**

Dr. Boester chose to hear Case 9-2016 first as this applicant was the only person present for the meeting.

1. Case No. 9-2016  
Hissong Kenworth Inc.  
2890 Brecksville Road

The request is to construct a 560 square foot storage building within the side yard setback. The colors of the structure would be neutral in color and match the existing building. Mr. Mike Grau, representing Hissong Kenworth was present. He was aware of the need for a variance from the BZA but was requesting feedback from the Commission prior to making application with the BZA. The structure will be used to store truck parts and will not be heated or have any exterior illumination, however, they may install a small interior light. The Commission had no issues with the structure itself.

**Mr. Swan made a motion to deny Case 9-2016 based on the proposed side yard setback. Mr. Holahan seconded his motion. Dr. Boester, Mr. Holahan, Mr. Swan, and Mr. Waszak voted aye; Mr. Sauer voted nay.**

**Mr. Sauer made a motion to rescind the previous motion and Mr. Holahan seconded. All members were in favor.**

**Mr. Sauer then motioned to approve Case No. 9-2016 subject to BZA approval. Mr. Holahan seconded his motion.**

The Commission discussed providing the applicant with a secondary location if the BZA denies the variance request.

**Mr. Sauer motioned to amend his previous motion to approve as amended with the placement of the proposed building on the south lot line as proposed on the drawing, with a secondary preferred location at the western edge of the building as depicted on the site plan provided by Mr. Frantz. Mr. Waszak seconded his motion. Mr. Sauer and Mr. Waszak vote aye; Dr. Boester, Mr. Holahan, and Mr. Swan voted nay. Motion failed.**

Mr. Grau stated the only possible locations for the structure are the proposed location and the location suggested by Mr. Frantz. Mr. Sauer's previous motion to approve the case subject to BZA approval still stood.

**Roll was called, all members were in favor, and Case No. 9-2016 was approved subject to BZA approval.**

2. Case No. 3-2016  
Michael Schwarzwaldler/Patricia J. Novak  
3928 Brecksville Road

The Planning Commission heard and approved this case at the February 23<sup>rd</sup> meeting, however, according to Chapter 1109 Council must refer text amendments to the Planning Commission. Council has approved the text change and referred it back to Planning Commission. A public hearing was scheduled for tonight and surrounding property owners were notified. No members of the public were present.

**Mr. Holahan made a motion to approve and recommend Case No. 3-2016 to Council and Mr. Swan seconded. Dr. Boester, Mr. Holahan, Mr. Swan, and Mr. Waszak voted aye; Mr. Sauer abstained.**

3. Case No. 10-2016  
Village of Richfield  
4034 Wheatley Road

This request consists of a lot consolidation and lot split in order to create a four-acre lot to be sold to Nexen Tire. The eminent domain property is not involved in this request and no action will be taken in regard to that property until the matter is finalized in probate court.

**Mr. Swan made a motion <sup>to</sup> approve Case No. 10-2016 and Mr. Holahan seconded his motion. All members were in favor.**

4. Case No. 8-2016  
Richfield Village Council  
Single-Family Conservation Development (RCD)

A public hearing is scheduled for this text change at the next Planning Commission meeting. If the annexation request for Briarwood does happen, Planning Commission is required to designate a zoning district for the property. The Commission chose to enter into executive session due to imminent litigation.

**Mr. Waszak made a motion to enter into executive session to confer with legal counsel concerning imminent litigation. Mr. Holahan seconded his motion and all members were in favor.**

The Commission members went into executive session at 7:50pm and returned at 9:12pm.

**Mr. Sauer motioned to end executive session and Mr. Holahan seconded. All members were in favor.**

**Mr. Holahan motioned to reenter the regular meeting and Mr. Sauer seconded. All members were in favor.**

**APPROVAL OF MINUTES:**

**APPROVAL OF THE MARCH 22, 2016 MINUTES:**

**Mr. Swan motioned to approve the March 22<sup>nd</sup>, 2016 meeting minutes as submitted Mr. Holahan seconded his motion. Dr. Boester, Mr. Holahan, Mr. Swan, and Mr. Waszak voted aye; Mr. Sauer abstained.**

**MAYORS REPORT:** Mayor Beshara reported that the bathrooms in Masonic Hall are currently under construction and asbestos is being removed. The Service Garage project (3921 Brecksville Road) is going out for bid shortly. Summit County Public Health will be providing local communities with water testing kits for those that have well water. They will be available in the Service Department beginning on April 27<sup>th</sup>. Project Pride is scheduled for April 23<sup>rd</sup> and free shredding and recycling will be available. Mayor Beshara also mentioned the construction of the organic garden behind Village Hall that will provide fruit and vegetables to the employees.

**COUNCIL REPORT:** Mr. Swan reported that Council approved the purchase of a Kubota Track Loader and a Gradall. Council approved the demolition of the brick building behind Village Hall.

**DIRECTOR OF PLANNING AND ZONING REPORT:** Mr. Frantz reported he recently met with the EPA and is close to receiving the covenant not to sue for the Soni property. The Village is also on the verge of signing an agreement with Nexen Tire to sell the four-acre lot on Wheatley Road for construction of their new facility. Nexen is hoping to start the planning process at the end of the year and begin construction in early 2017. He informed the Commission that there will be public hearings for three text amendments at the next meeting.

**COMMENTS FROM THE PUBLIC:** None.

**UNFINISHED BUSINESS:** None.

**ADJOURNMENT:**

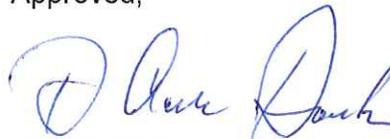
A motion was made by Mr. Waszak to adjourn the meeting. His motion was seconded by Mr. Swan and the meeting was adjourned at 9:40 p.m.

Respectfully submitted,



Kayla Nealon, Clerk  
Planning and Zoning Commission

Approved,



Dr. Charles Boester, Chairman  
Planning and Zoning Commission