

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP ZONING COMMISSION

Meeting

REGULAR MEETING MINUTES

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Monday, October 28, 2019 20
7:00 p.m.

The Madison Township Zoning Commission Meeting was called to order at 7:00 p.m. by Chairman Witt, with the following people present: Ms. A. Wisniowski, Mr. J. Hyrne, Mr. B. Diak, Mr. J. Witt, and Mr. R. Rothlisberger. Mr. F. Walland was present as Zoning Inspector, and Mrs. M. Howell.

A motion was presented by Mr. Hyrne to approve the minutes from the September 9, 2019 Meeting, seconded by Mr. Diak.

Roll Call: Mr. Rothlisberger: Yes Chairman Witt: Yes
Mr. Diak: Yes Mr. Hyrne: Yes

Ms. Wisniowski abstained, due to the fact that she was absent from the September 9, 2019 Meeting.

Chairman Witt stated that this evening there is a Preliminary Site Plan Review on the agenda for Mr. Mark Mackovjak, Blue Spruce Storage. Mr. Walland stated for the record that a Preliminary Site Plan Review is now required to determine if the site designer or architect needs to be present at the Public Hearing for the Site Development Plan Review.

Mr. Mackovjak, 7533 South Ridge Rd, Madison, OH.

Mr. Mackovjak stated that he has brought in a conceptual plan drawing for a proposed five thousand square foot (5,000 sq. ft.) storage building, with approximately twenty-nine (29) units. He stated that the actual site plan will be prepared by Barrington Consultants. Mr. Mackovjak stated that this is phase 4 of their storage facility and last year they built a storage building that was around two thousand square feet (2,000 sq. ft.). Mr. Mackovjak stated that the proposed building will be the same building type as the storage buildings located on the property. He stated that the building will be all metal with cement flooring.

Mr. Walland asked Mr. Mackovjak if he was planning on coming in for his Site Plan next month (November). Mr. Mackovjak stated that he would like to. Mr. Walland stated that all of the county approvals need to be in before the Public Hearing for the Site Plan Review will be scheduled. Mr. Mackovjak stated that December would also work. Mr. Mackovjak also stated that the conceptual plan indicates a chain link fence, but the fencing will be some other type of security fencing. Chairman Witt asked if there was going to be any landscaping. Mr. Mackovjak stated that he is not planning on any because there really isn't any visibility from any roadway. Mr. Hyrne asked if this is in lieu of the other structure that was presented to the Board. Mr. Mackovjak stated that he is still planning on a fabric covered structure in the future, but not at this time. Mr. Mackovjak also commented that he is possibly looking to do some type of a greenhouse storage in 2020, for people looking for heated storage.

The Board discussed and agreed that the architect or engineer need not attend the Public Hearing for the Site Development Plan Review.

The Board thanked Mr. Mackovjak for coming in.

Chairman Witt welcomed all residents that were in the audience. Chairman Witt added that someone must want to discuss something with the Board. He informed those in attendance who wished to speak, to please come to the podium and sign in with name and address.

Mr. Dan Cvelbar, 4880 Palisade Dr., Madison, OH.

Mr. Cvelbar stated that there are twenty-seven (27) homes in his community and there is a six (6) acre parcel (Palisade Park Reserve), along the Grand River, which was passed along to the community for everyone's use. He stated that it is pretty apparent that this property may be in jeopardy because one resident has erected multiple structures on this parcel. Mr. Cvelbar informed those in attendance that a swing set, a swimming pool, some wood piles, some rock structures and maybe a corner of a driveway have been placed on this community parcel. He also stated that the residents who live just east of the community parcel have shooed other community residents away when they have tried to enter the community property. Mr. Cvelbar stated that the pool has not been removed, even though a letter was sent to the residents who erected it without a permit on property they do not own. Mr. Cvelbar stated that their community is looking for some help regarding the issues going on. He added that

RECORD OF PROCEEDINGS
MADISON TOWNSHIP ZONING COMMISSION
REGULAR MEETING MINUTES

Minutes of

Meeting

BEAR GRAPHICS 800.325.8094 FORM NO 10148

Held Monday, October 28, 2019 at 7:00 p.m. on 20

the structures are limiting other people's access to the property. Mr. Walland informed those in attendance that he started getting complaints early last year about the pool, and didn't realize it wasn't on the Chapman's property and that there was no permit for the pool. He stated that he went and spoke to the resident, who somehow made the arrangement to pay the taxes on the "community parcel" and made the claim that the Home Owners Association was not active.

Mr. Walland stated that he has had a few conversations with Mr. Cvelbar and maybe someone else from the neighborhood, and sent a letter to Ms. Chapman informing her that there was no permit for the pool and that a permit could not be issued because the pool is not on her property and it needed to be removed. Mr. Walland stated that he will check with Mr. Pasqualone, the Township Solicitor, to see if there is anything else the Township can do. Chairman Witt asked if there was an HOA. Mr. Cvelbar stated that from what he has heard there was no required filing for an association when it was first started. He added that in their deeds it states they are granted use of the community parcel.

Mr. Walland informed those in attendance that he will get a legal opinion from the Township Solicitor. Mrs. Howell asked Mr. Cvelbar to provide his phone number or email address, so that the Zoning Office can provide him with the information from Mr. Pasqualone. Mr. Hyrne added that the residents should still work on establishing their association. Mr. Hyrne also informed the residents that their association does not have to be filed, as long they are meeting as a group and putting members and officers in place on paper, you have then met as a group and established your association with officers. He added that it doesn't matter if it goes any further than that. Chairman Witt recommended that the residents take minutes for their meetings.

Chairman Witt informed the Board that Mr. Gauntner gave him a Legal Decision for a Winery in a non-typical zoned area (residential). Mrs. Howell provided the Board members with a copy of the article.

Chairman Witt asked Mr. Walland if there was any old business. Mr. Walland stated that Mr. Rick Osborne called and requested a walk-through of Mary's Diner Site. Mr. Walland stated that there were a few things missing, like the enclosure on the dumpster, and the landscape does not follow what is on the Site Plan drawings. The Board discussed and agreed that the changes to the landscaping need to be noted on the Site Plan with signature and date.

Ms. Wisniewski asked if there is anything in our Zoning for feral cat colonies. Mr. Walland stated that there is nothing regarding feral cat colonies in our Zoning Resolution. Ms. Wisniewski stated that her father was wondering if there is anything in regards to parking in the road, at the end of Green Road. Mr. Walland asked what road the cars are parked on. Ms. Wisniewski stated they are parked on Shore Drive.

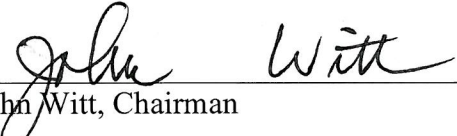
Mrs. Howell informed the Board that the trailer that was on Lake Rd & Argyle has been taken down. Ms. Wisniewski stated that there is a house just south of the power lines on Haines Road that needs checking out. Mr. Walland stated he will have Ronny check it out.

Mr. Hyrne asked Mr. Walland if he has done anything else regarding the Comprehensive Plan or the PUD Section. Mr. Walland stated that he has not had time for either one this month.

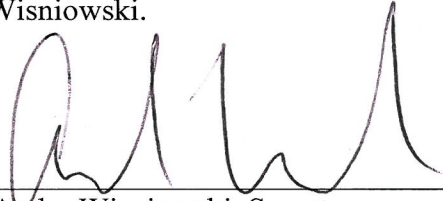
Mr. Walland informed the Board that he is now requiring anyone with more than just a shed to have a survey done for their property. He informed the Board that a resident on Chapel Rd. has encroached the required setback from the ROW and is now applying for a variance.

There being no further business before the Board, a motion to adjourn the Meeting at 8:23 p.m. was presented by Mr. Hyrne, seconded by Ms. Wisniewski.

Roll call: All "Ayes."



John Witt, Chairman



Audra Wisniewski, Secretary