

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP ZONING COMMISSION  
REGULAR MEETING MINUTES

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held Monday March 24, 2025 20  
7:00 p.m.

The Madison Township Zoning Commission Meeting was called to order at 7:00 P.M. by Chairman Mr. Diak, with the following people present Mr. Witt, Mr. Rothlisberger, Mr. Diak, Mr. Hyrne and Ms. Wisniowski. Mr. M. Ungers was present as Zoning Inspector and Mr. C. Bernard was present as Assistant Zoning Inspector.

Mr. Diak requested a motion to approve the minutes from February 10, 2025 and March 3, 2025. Mr. Hyrne presented a motion to approve the minutes of the February 10, 2025 and March 3, 2025, meeting, seconded by Mr. Witt. With no discussion the minutes were approved.

“All ayes” 5-0

Mr. Diak opened the public hearing for site development plan #25-001 for the Residences of Madison LLC.

Mr. Ungers read the following report

**Site Plan Review for Applicant: Residences of Madison LLC**  
**Hubbard Road**  
**Permanent Parcel # 01-B-096-0-00-013-0**  
**Property Zoned R-4, Multiple Dwelling**

Residences of Madison, LLC have submitted a Site Development Plan to construct and maintain ownership of a private road and 40 addressed units on this multi-family zoned property.

The site plans were reviewed for content in accordance with Section 126 – Site Development Plan Review.

All written approvals have been submitted from the necessary Lake County Offices and the Madison Fire District.

Neighbor/Owner/Applicant letters were mailed on Friday, March 14<sup>th</sup> 2025 and the legal ad was advertised in the News-Herald Legal Section on Friday, March 14<sup>th</sup> 2025.

Two neighboring residents that received letters contacted the zoning office to hear further details of the site plan and had no issue with the answers they were given.

Mr. Diak invited applicants Mr. Michael DiFranco and Mr. Jonathan Berns from the Residences of Madison (3201 Enterprise Pkwy #150 Beechwood, Ohio) and their engineer Mr. Chuck Szucs from Polaris Engineering (34600 Chardon Rd. Willoughby Hills, Ohio) to the podium to address the board.

Mr. DiFranco gave the board a quick overview of the project. Stating it is the same as what was discussed during the preliminary hearing and stating for the record, the development will consist of 8 buildings with 5 units per building on a private drive. All will be 2 bedrooms and 2 baths. They will continue to own the unit and rent them out.

Mr. Ungers mentioned to the board that during the preliminary hearing the board asked for a landscape plan. It has been submitted, and each board member should have a copy of it in front of them. Mr. Diak asked if Mr. DiFranco could discuss/explain the landscaping plan, as there is good number of neighboring residents in attendance, and they will be interested in hearing this. Mr. DiFranco stated one of the first things they did to make things more appealing to the neighbors is, they moved the road more north to create extra room for the neighbors to the south. They have also added 60+ trees planted in various locations and on

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mounted sites, adding this improves the look over a straight wall of trees or a fence. The applicant will maintain these trees for their life and the neighbors won't ever have to worry about them. Mr. DiFranco went into more detail listing the types of trees and the thought process behind location of each. Mr. Berns added that they added some trees along the drive to make it very appealing as you drive into the development.

Mr. Witt asked about sidewalks. Mr. Berns stated as they discussed, they would be willing to put the sidewalks along Hubbard Road but with the drives so close to each other it's not feasible to have sidewalks throughout the development. Mr. Witt asked about the storm drain at the southwest corner, inquiring if it's functional and whether they will tie into it. Mr. Szucs stated that the basin is functional, and they plan to tie in. Mr. Ungers asked if they will be doing this project in phases or all at once. Mr. Berns stated they start at the front and just keep moving back, with the hope of getting some occupied as they finish them. Mr. Ungers asked if the start date is still June. Mr. DiFranco stated it is.

Mark Hartshorn (6795 Shelly Dr. Madison) approached the podium and asked about the zoning of the property. Mr. Ungers stated that the front section of the property was zoned P-1 Professional Business and back portion of the property has been zoned R-4 Multiple Dwelling for a long time and approximately 3 years ago the applicant came to the township and requested to have the front section re-zoned to match the back section. This re-zoning request was passed. Mr. Hartshorn stated he feels he is being ambushed by this request, as he had no knowledge of this project. Mr. Ungers stated that the exact same distribution list, for sending out neighbor letters, that was used for this meeting was also used for the previous meetings. Mr. Hartshorn stated he was always under the impression that only single-family dwellings, which he's fine with, could be built there, not multiple-dwelling units. Mr. Hartshorn asked if anyone looked at how wet the property was. Mr. Ungers stated that the applicant has received all necessary approvals including from the Lake County Engineer and Stormwater Departments. Mr. Hartshorn stated he is also concerned about lighting and whether the property will have dumpsters. Mr. Berns stated there will not be any streetlights. All units will have lighting attached that will be controlled by a photocell. Mr. Berns also stated they will not use dumpsters as a common trash removable process. Each owner will have their own garbage bin, just like single-family homes.

Mr. Hyrne thanked Mr. Hartshorn for his input and added 'we hear your concerns and stated that all of these concerns were the same concerns the board had and discussed at length in previous meetings. Mr. Hartshorn stated he feels ambushed, because he didn't get a letter, and that his rights are being trampled on, as he feels this is a done deal. Mr. Ungers once again assured him that he followed proper procedure and expressed remorse if Mr. Hartshorn feels ambushed. Mrs. Wisniowski wanted to remind everyone that this board can only enforce that section 126 Site Development Plan is being followed.

Matt Hopkins (2178 Compton St. Madison) approached the podium and wanted to confirm that there will only be one entrance into the development. Mr. Ungers stated that is correct. Mr. Hopkins asked about the vegetation between the properties and added he heard they would be putting these trees up on a hilltop. Mr. Berns stated it's not a hilltop but more like swale. Mr. Hopkins asked about the catch basin, adding it constantly clogs and he's the only one who maintains it. Mr. Ungers stated he understood his concerns, but this board has to rely on the Lake County Stormwater Department as their experts and this board is comfortable once the Lake County Stormwater Department signs off on the project. Mr. DiFranco added that the plan includes adding yard drains within the swale area. Mr. Hopkins asked about the utilities. Mr. Szucs stated all utilities will be underground. Mr. Hopkins asked if he could get a copy of the site plan. Mr. Ungers stated he could get him a copy. Mr. Hopkins asked if any of the new trees will be on his property. Mr. Szucs stated none of the new trees will be on his property. Mr. Hopkins stated he's concerned about the maintenance and the roots of these tress. Mr. Berns stated most of the new trees will be evergreens, which have a short root system. Mr. Berns stated that they have no problem working with the neighbors and they are willing to change the type, number, or location to satisfy the neighbors.

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Mr. Hartshorn asked if the Lake County Health District has reviewed this plan and more particularly the pond and will they be helping with the control of mosquitoes. Mr. Diak stated there is no requirement for the Lake County Health District to approve this plan. Mr. Witt added that the purpose of these two ponds is to capture all the water, from the new impervious surfaces, on-site and discharge it down Church Creek. Mr. Witt asked Mr. Bernard if he has any knowledge of how the Heath Department decides where and when to spray for mosquito control. Mr. Bernard stated he is not sure if the Health Department just runs a normal summer schedule or if they also will service “hot spots” as well. Mr. Berns stated that they usually run fountains in the ponds, and this helps keep the pond from becoming a mosquito breeding ground.

Sharon Chaffee (6785 Shelly Dr Madison) approached the podium and stated that it was her belief that this project originally started out as a condominium project. Adding she’s ok with condominiums but is concerned about rentals. Asked if the applicant could elaborate on their vetting process before renting a unit out. Mr. Unger stated that this project was never a condominium project. These units were always slated to be rentals with the applicant maintaining ownership.

Tim Brotzman (6899 Chapel Rd. Madison) approached the podium and stated he had a few questions. Mr. Brotzman stated that there is a floodplain on this property, and he wanted to know how the elevation of these houses compares to the floodplain elevation and would like to know where the floodplain is located relative to the units. Mr. Brotzman asked how many square feet each unit is and what the estimated monthly rent is. Mr. Brotzman asked if the board considered forcing them to connect into Compton Street, since Chapel Grove Estates was laid out with this in mind. Mr. Brotzman stated he noticed a hammerhead at the end of the street and wanted to know if the school officials and Madison Fire Chief were ok with the hammerhead turnaround. Mr. Brotzman asked if there were curtain drains in the side yards of each unit. Mr. Berns and Mr. Szucs stated they will try to answer some of Mr. Brotzman’s concerns. Mr. Szucs stated that the units will be about two and half feet above the elevation of the floodplain. Mr. Szucs stated that Mr. Steve Houser from Lake County Stormwater Department reviewed the plan and was fine with all the water calculations. Mr. Szucs stated the floodplain shown on the plan is when it’s at capacity during a 100-year flood.

Mr. Berns wanted to address the question of how they will hire out their potential renters. Mr. Berns stated they do a comprehensive background check on each applicant. Mr. Berns stated he prides himself on owning a safe community, adding he would never own/operate a community that he didn’t feel safe in past dark. Mr. Berns stated he’s committed to making sure this community is not only good for his residents but also good for the neighbors and to make that happen every renter has his personal cell phone number, and he is willing to share it with any neighbor who wishes to have it. Mr. Berns stated he’s 100% accountable for everything. Mr. Berns stated their target audience is the senior population, but age will not be the determining factor in deciding to rent. Mr. Berns stated his normal renter stays approximately 10 years, adding that when unit turnover it costs him money on repairs and updating so the goal is to get good quality renters and keep them for as long as possible.

Mr. DiFranco wanted to clear up a few questions that were asked. Mr. Brotzman asked about curtain drains; Mr. DiFranco stated they would have curtain drains and all the water would go to the catch basin and ultimately the ponds. Mr. Hartshorn asked about lighting, Mr. DiFranco stated there will not be large, high streetlights. All lights will be attached to the buildings and controlled with photocells and will operate when it gets dark outside. Mr. DiFranco stated that the landscape plan is flexible. He thought they were doing what the board and neighboring residents were asking for in a previous meeting. Mr. Berns added they have no problem working with the neighbors in terms of the landscaping plan.

Luke Wolosonovich (2110 Hubbard Rd. Madison) approached the podium and stated one of his biggest concerns was if there would be a property manager on-site at the location, adding that he felt he got the answer he needed from Mr. Berns. Mr. Wolosonovich stated he felt



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there should be a cul-de-sac at the end of the road as opposed to the hammerhead that is being proposed. Mr. Wolosonovich asked if it would be possible to have lighting at the entrance of the street for safety reasons. Mr. Berns stated now he’s not sure what they’ll do at the entrance, whether it be a sign or lights. Mr. Berns stated the main goal now is to blend into the community as best they can.

Mr. Hartshorn asked if the township has a plan or would discuss what to do about the extra traffic, adding it’s already very difficult to exit Chapel Grove Estates in the morning. Mr. Berns stated it’s hard to predict something such as traffic, adding that people are always coming and going at different times. Mr. Hartshorn stated he understood Mr. Berns but just wanted to know if it would become a big issue will the township investigate it. Mr. Diak stated that over the years the township has had several traffic studies completed and it always comes down to volume, adding you would be surprised by the volume needed to warrant any action. Mr. Ungers stated he understood Mr. Hartshorn’s concern but realistically doesn’t believe it will ever be addressed. Mr. Witt added that traffic studies typically will just tell you the traffic flow at specific times, adding that if the goal is to obtain a traffic light, that is a very difficult thing to get accomplished.

Mr. Brotzman asked if a cul-de-sac was considered over the hammerhead that is being proposed. Mr. Ungers stated that the Madison Fire District approved the plan with the hammerhead turn around and the board is ok with it as well. Mr. Berns stated he felt cul-de-sacs can be dangerous as people will whip around those when trying to turn around.

Mr. Brotzman asked how many borings were completed on the property and what was the ambient water table at the time of the boring. Mr. DiFranco stated he believed there were over eight separate borings taken and the ambient water table was six feet higher than the bottom of the storm basin.

Mr. Witt asked, based on some of the comments, if the board is considering putting any conditions on the site plan. Mr. Diak stated he felt it’s important that the applicant works closely with the neighbor before installing the landscaping. Mr. Berns stated he has no problem working with the neighbors before starting. It was decided that another public meeting will be scheduled before the start of the landscaping install for the neighbors to voice their concerns. Mr. Hyrne stated that he understands everyone concerns and the board has tried to incorporate all of the neighbor concerns into this plan. Mr. Berns stated on the plan there are about sixty trees, and he would have no issue working with the neighbors on types and location of the trees, but he would like to limit the number to what’s on the plan. Mr. Ungers made it clear that he would be more than willing to schedule another meeting, but everyone must understand that the applicant has a right to plant trees anywhere he wishes on his property.

Mr. Bernard addressed one of Mr. Brotzman’s questions concerning the extension and connectivity of Compton St. Mr. Bernard stated that he asked Mr. Dave Radachy of the Lake County Planning & Community Development questions and Mr. Radachy stated you can’t really force the connectivity of a private road into a public road.

Mr. Diak requested a motion to approve the site development plan #25-001. Mr. Rothlisberger made a motion to approve the site development plan #25-001, second by Ms. Wisniowski. No further discussion.

All ayes 5-0Site Development Plan #25-001 passes

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7:00 p.m.**

Mr. Hyrne made a motion to close the public hearing for site development plan #25-001, seconded by Mr. Witt.

**“All ayes” 5-0**

Public hearing for Site Development Plan closed at 8:21PM

Mr. Diak opened public hearing #25-002 for Text Amendment Changes.

Mr. Ungers read the following brief:

The Zoning Commission has discussed and reviewed text changes to the Sections 101, 128, 130 and 142.4.5.29

**\*\*Neighbor/Owner/Applicant Letters were mailed on Friday, March 14<sup>th</sup> 2025 and the Legal Ad was advertised in The News-Herald Legal Section on Friday, March 14<sup>th</sup> 2025.**

Mr. Rothlisberger had a comment in section 130 – Accessory Structures and the inclusion of inflatable swimming pools. He would like to see that removed. The board agreed and that text language was removed.

Mr. Diak requested a motion to approve the text changes and present them to the township trustees for their consideration. Ms. Wisniowski made a motion to approve the text amendment changes and send them to the township trustees, second by Rothlisberger. No was no further comment.

**“All ayes” 5-0**

Mr. Ungers will present the text amendment change to the township trustees at their next meeting.

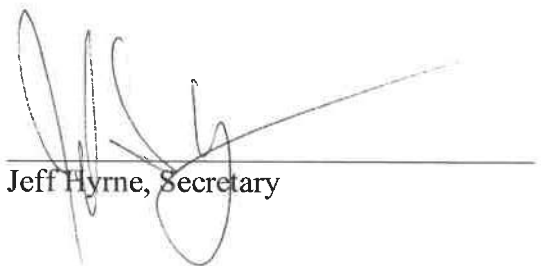
With nothing further for the board, Mr. Hyrne made a motion to adjourn the meeting, seconded by Mr. Rothlisberger.

**“All ayes” 5-0**

**Meeting adjourned at 8:25 PM**



Bob Diak, Chairman



Jeff Hyrne, Secretary