

# RECORD OF PROCEEDINGS

Minutes of

Meeting

## MADISON TOWNSHIP ZONING COMMISSION ORGANIZATIONAL & PUBLIC HEARING MEETING MINUTES

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held Monday, January 14, 2019 20  
7:00 p.m.

Mr. Frank Walland, Zoning Inspector, opened the Madison Township Zoning Commission Organizational Meeting at 7:00 p.m. with the following people present: Ms. Audra Wisniowski, Mr. Jeff Hyrne, Mr. Bob Diak, Mr. John Witt, and Mr. Randy Rothlisberger. Mr. Frank Walland was present as Zoning Inspector, and Mrs. Michele Howell was present.

Mr. Diak nominated Mr. Witt for Chairman, seconded by Mr. Hyrne.

Roll call: Ms. Wisniowski: Yes Mr. Hyrne: Yes Mr. Diak: Yes  
Mr. Rothlisberger: Yes Mr. Witt: Abstain

Mr. Diak nominated Mr. Rothlisberger for Vice-Chairman, seconded by Chairman Witt.

Roll call: Ms. Wisniowski: Yes Mr. Hyrne: Yes Mr. Diak: Yes  
Chairman Witt: Yes Mr. Rothlisberger: Yes

Chairman Witt nominated Ms. Wisniowski for Secretary, seconded by Mr. Hyrne.

Roll call: Ms. Wisniowski: Yes Mr. Hyrne: Yes Mr. Diak: Yes  
Mr. Rothlisberger: Yes Chairman Witt: Yes

A motion to keep the Zoning Commission Meeting on the second Monday of the month at 7 p.m., with the fourth Monday as the alternate date, was presented by Mr. Rothlisberger, seconded by Chairman Witt.

Roll call: All "Ayes."

There being no further business, a motion to close the Organizational Meeting at 7:04 p.m. was presented by Ms. Wisniowski, seconded by Chairman Witt.

Roll call: All "Ayes."

Chairman Witt opened the Madison Township Zoning Commission Regular Meeting at 7:05 p.m. with the following people present: Ms. A. Wisniowski, Mr. J. Hyrne, Mr. B. Diak, Mr. R. Rothlisberger, and Chairman J. Witt. Mr. Frank Walland was present as Zoning Inspector, and Mrs. Michele Howell.

A motion was presented by Mr. Hyrne to approve the minutes from the November 26, 2018 Meeting, seconded by Mr. Diak.

Roll Call: All "Ayes."

Chairman Witt stated for the record that the Public Hearing this evening is for a Re-Zoning request. He informed those in attendance that the re-zoning request is for Ms. Michelle Cali.

Mr. Walland stated for the record that this Public Hearing is Re-Zoning Request #19-001 from R-4, Multiple Dwelling to A-1, Agricultural for Michelle Cali/Leder, Permanent Parcel # 01-A-076-0-00-012-0, located on County Line Road in Madison Township. He also stated that the Lake County Planning Commission met on December 18, 2018 and recommended to approve the proposed zoning district change from R-4 to A-1. Mr. Walland informed those in attendance that the parcel is just north of Broadfield Nursing Home and the intention is to build a home on the property in the future.

Mr. Walland stated that the Neighbor/Owner letters were mailed on January 2, 2019 and the Public Hearing was advertised in The News-Herald Legal Section on January 3, 2019. He also added that there has not been any correspondence from neighbors commenting for or against this request.

Chairman Witt asked if the easement for Broadfield has been addressed.

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Mr. Anthony Leder, 10697 Dormae Ct., Painesville, OH. Mr. Leder stated that in speaking with Mr. Walland, the easement would stay in effect until Broadfield closes. Mr. Leder stated that it is irrelevant to the building of their home, because the easement is located at the southeast corner of the parcel.

A motion to make a recommendation to the Madison Township Board of Trustees to approve the re-zoning of Permanent Parcel # 01-A-076-0-00-012-0 on County Line Road from R-4 to A-1 was presented by Mr. Rothlisberger, seconded by Ms. Wisniowski.

Roll call: Mrs. Wisniowski: Yes Mr. Hyrne: Yes  
Mr. Diak: Yes Mr. Rothlisberger: Yes Chairman Witt: Yes

Mr. Walland informed Ms. Cali that the Madison Township Board of Trustees will have final approval of the re-zoning request and will most likely have their Public Hearing on February 12, 2019.

A motion was presented by Ms. Wisniowski to close the Re-Zoning Public Hearing at 7:16 p.m., seconded by Mr. Diak.

Roll call: All "Ayes."

Mr. Walland informed the Board that Mr. Dan Donaldson, Director of the Lake County Soil and Water Conservation District is present this evening to provide the Board with an overview of what his department's role is and to answer any questions.

Mr. Dan Donaldson, Lake County Soil and Water Conservation Department, 125 E. Erie St., Painesville, OH. Mr. Donaldson thanked the Board for inviting him to their meeting. He informed those in attendance that his department has been in Lake County for seventy-five (75) years. He stated that the department was started on the heels of the "dust bowl," because there was a lot of concern for soil and water conservation.

Mr. Donaldson stated that his department got its start because of all of the federal programs and agents that were trying to tell people how to farm, which did not go over very well. The federal agents started working with local conservation districts led by local boards and staff to help implement state and federal programs. He added that his department got its start in agriculture and has applied a lot of the technology from agriculture to modern day circumstances. Mr. Donaldson stated that they do a lot of stormwater work, working very closely with the Lake County Stormwater Department.

Mr. Donaldson informed those in attendance that Lake County is the smallest county in Ohio, fairly urbanized, but is still almost always in the top ten (10) in agriculture production in the state of Ohio and as high as the top three (3), thanks to our nursery and grape growing industries. He stated that his department works with the nursery industry quite a bit, especially on water quality initiatives.

Mr. Donaldson stated that most of his departments' practices are to help alleviate environmental impacts. He stated that they also have an education department that works with local schools. He also stated that they work with land owners to preserve farms through a conservation easement. He informed those in attendance that department has a new round of funding for farms forty (40) acres or more, who are interested in preserving the land for farming.

Mr. Donaldson stated that they work on restoration projects through grant programs and now a plan is pre-approved in order to receive grant money. He stated it makes the process much smoother.



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Mr. Donaldson also stated that his department does receive site plans at the preliminary level and review for erosion and sediment control, wetland impact, adherence to local zoning and riparian setbacks. He stated that all of that work needs to be done before the plan goes to the building department, and then most sites are inspected every other week to ensure compliance.

Mr. Donaldson informed those in attendance that his department operates with a volunteer Board, who are elected for three (3) year terms and Mr. Jeff Hyrne has been on that Board for nine (9) years.

Chairman Witt asked Mr. Donaldson how his department works with the Engineer's Office to help regulate site plans. Mr. Donaldson stated that there are about eleven (11) different county agencies that are involved in the land development business. Mr. Donaldson added that stormwater management is regulated through Lake County Stormwater Management Department, except for during construction. He stated that during construction, earth disturbing activity, the Soil and Water Conservation District is the department that monitors the activity. Mr. Donaldson stated then there is the wetland jurisdiction issue, the only entity that has jurisdiction with wetlands is the Army Corps of Engineers in the state of Ohio. He added that the Army Corps of Engineers oversees all of the wetlands that are hydraulically connected to jurisdictional waters. He stated that an isolated wetland is regulated by the state of Ohio.

The Board thanked Mr. Donaldson for providing the Board with an overview of the Lake County Soil and Water Conservation District. Mr. Donaldson stated that he handed out flyers for their district tree sale and that he has additional flyers he can leave.

Chairman Witt asked if there was any new or old business. Mr. Walland replied that there are several parts of the Madison Township Zoning Resolution that need updated/improved.

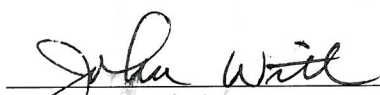
Mr. Walland also informed the Board that the BZA has a continued CUP for the Wyndham's on Bennett Rd., which is for a place of public assembly for a natural spiritual club, known as Paganism. He stated there has been three meetings so far for the Conditional Use and there is one property owner to the north that has voiced their objection to the CUP. Mr. Walland stated that there has only been one noise complaint to the police department over the years. He stated that the BZA is in the process of establishing reasonable conditions for the CUP.

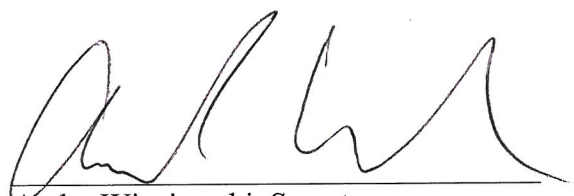
Mr. Walland informed the Board that a proposed Planned Unit Development (PUD) has been submitted for property on Green Road. He stated that he is trying to iron out all of the drainage issues that might occur there, because the developer has proposed the run-off to exit the property at the northwest corner onto a nursery, which has a couple irrigation ponds. He added that he has spoken to Mr. Donaldson, who doesn't think it is a good idea because not all the contaminants settle out. Mr. Walland also stated that Ms. Rakoci wanted to get feedback from the BZA as to whether they felt this was doable, because she didn't want to invest any more money in the project if it was not desirable. He stated in his opinion he felt the BZA was not in favor of the proposed PUD as it was presented.

Mr. Walland also informed the Board that Mr. David Rapp had a Variance Request for his property on N. Ridge Rd., which the BZA approved.

There being no further business before the Board, a motion to adjourn the Meeting at 8:13 p.m. was presented by Ms. Wisniowski, seconded by Mr. Hyrne.

Roll call: All "Ayes."

  
John Witt, Chairman

  
Audra Wisniowski, Secretary

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