

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP BOARD OF ZONING APPEALS
REGULAR MEETING AND PUBLIC HEARING MINUTES

Meeting

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

Held Thursday July 10, 2025
7:00 p.m.

The Madison Township Board of Zoning Appeals Meeting was called to order at 7:01 p.m. by Chairman T. Brass, with the following people present Mr. B. Dubiel, Ms. L. Boban, Mr. T. Brass, Mr. J. Boyle and Ms. L. Diak. Mr. M. Ungers was absent as Zoning Inspector and Mr. C. Bernard was present as Assistant Zoning Inspector.

Mr. Brass requested a motion to approve the minutes from June 12, 2025, Regular Meeting Minutes. Ms. Diak presented a motion to approve the minutes from June 12, 2025, Regular Meeting Minutes, seconded by Mr. Boyle. There was no discussion.

“All Ayes” - Minutes approved 5-0.

Mr. Brass opened the public hearing for Conditional Use Permit #25-003. A request for a conditional use permit for the purpose of constructing and operating a marijuana cultivation facility.

Mr. Bernard read the following:

Conditional Use Permit Application: #25-003

Applicant: Buckeye Relief

Location of Variance Request: Vacant Land along Green Rd

Permanent Parcel # 01-B-126-0-00-033-0

Property Owner: Green Family Trust

Property Zoned:
A-1 – Agricultural

The applicant is seeking a Conditional Use Permit to construct and operate a Marijuana Cultivation Facility on the property. Madison Township Conditionally Permits Marijuana Cultivation Facilities in the A-1 Agricultural Zoning District. This Hearing with the Board of Zoning Appeals, is to determine if this proposal is good Use for this property. The Zoning Commission would then have to approve any Full Site Development Site Plan.

The Neighbor/Applicant letters were mailed on June 28th, 2025 and the Public Hearing was advertised in The News-Herald Legal Section on June 30th 2025.

The Zoning Office received one written response regarding this Hearing from neighboring property owner, Steven Kaleal, located at 2389 Green Rd. stating, he is not in favor of this Conditional Use Permit.

Mr. Brass asked anyone wishing to speak tonight to please stand, raise their right hand as he administered the oath of accuracy.

Mr. Brass invited the representative for Buckeye Relief (Matthew Kispert – Vice President of Buckeye Relief 1220 Granger Ave. Lakewood, Ohio) to the podium to discuss the project.

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Mr. Brass asked if the structures shown on the prints will be the actual structures they plan to build or is this just general rendering. Mr. Kispert stated they do not have a finalized site plan just yet, as they were waiting to get past this meeting. Mr. Kispert added that they intend to build something very similar to what is shown on the prints. Mr. Brass asked if they plan to control their run off of storm water with a retention pond. Mr. Kispert stated that was correct. Mr. Brass asked if the water used in the hydroponic process would be recycled and reused on location. Mr. Kispert stated that excess water is re-filtered and sent to the sanitary, adding they are expecting about 10% run-off from that hydroponic watering system. Mr. Brass asked if any neighbor would need to be worried about contaminated run-off leaving their property and reaching a neighboring property. Mr. Kispert stated that will not be an issue.

Ms. Diak asked if Buckeye Relief had any other growing facilities located locally. Mr. Kispert stated they have an indoor facility currently in Eastlake. Ms. Diak asked how long has that been operational. Mr. Kispert stated that facility has been operational since 2018. Mr. Brass asked if they have received any complaints from the surrounding neighbors. Mr. Kispert stated to his knowledge there has been zero issues with the facility or neighbors. Mr. Brass stated that as he understood it, the Eastlake facility is a cultivation and processing facility but this one in Madison will only be a cultivation facility. Mr. Kispert stated that was correct. Mr. Brass added that he’s talked to people who have visited the Eastlake facility and they stated it is very well run, everything is regulated by the State of Ohio and it’s very secure.

Ms. Diak asked if they will just be transporting the mature plants to Eastlake for processing. Mr. Kispert stated they will be transporting dried, packed and sealed or frozen material for processing. Mr. Brass asked if they plan to add processing to this facility in the future. Mr. Kispert stated that is not the plan at this time. Ms. Diak asked if procedure of processing is just the processing of turning the dried or frozen material into products to be sold. Mr. Kispert stated, yes that is correct.

Mr. Brass stated he drove by the site today and they were doing core sampling of the soil and asked what will that data be used for. Mr. Kispert stated that will help them determine the water table and how much work will be required to get the site ready. Mr. Bernard asked if the purchase agreement is contingent with the results from the soil samples. Mr. Kispert stated, not necessarily.

Mr. Dubiel stated that over the years the township has been approached by various people looking to do all sorts of projects on that property but each time the applicant has backed out once they realized how wet the property is. Mr. Kispert stated that the engineers are working on the site plan now and they will address all of those issues.

Ms. Boban asked about the odor that will be released during operation. How strong will that be and will it be inconvenient to the neighbors and will they have any effects to it. Mr. Kispert stated that what is released is just an odor, no active ingredients in marijuana (THC) is released in the odor. Adding the odor is more of a sweet smell, it won’t smell like it does when it is being burned. Mr. Kispert added and for the most part, unless you’re standing on the property, most of the time you won’t notice any smell. Mr. Kispert added that under certain weather conditions the neighbors across the street may occasionally smell it.

Mr. Bernard asked how loud will the HVAC system be, will it impact the neighbors. Mr. Kispert stated that the HVAC system will be just like the HVAC systems all other nurseries use. Noise will not be an issue. Mr. Bernard asked what type/style and height of fencing will be used. Mr. Kispert stated that it will be eight (8) feet high chain link fence with barbed wire at the top as regulated by the State of Ohio.

Mr. Brass asked if Buckeye Relief would be using Madison Township Police Department for an escort during transportation. Mr. Kispert stated that they usually contract with a third-party contractor for security adding that in Eastlake a lot of the Eastlake Policeman also have

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part time jobs with this third-party contractor. Mr. Brass asked how many employees do they plan to have on site. Mr. Kispert stated they are planning on 15-20 employees the first year.

Mr. Boyle asked if they plan to add any additional greenhouses. Mr. Kispert stated this plan would max out currently what is permitted by the State of Ohio, adding, if the State of Ohio ever increased permitted amount, they may consider adding additional greenhouses on the property.

Mr. Brass asked the board if they had any further questions. Seeing none, he opened the podium up to the public.

Pierrette Toulouse (2401 Green Rd.) wanted to know why Buckeye Relief chose the Green Road property for this project. Mr. Kispert stated it checked a lot of boxes for them, including size, shape, location, proper zoning, access to utilities, and access to US RT 20 for transport. Ms. Toulouse asked why they didn't choose a parcel in south Madison. Mr. Kispert stated once they found this parcel, and it fit their needs, they stopped looking for other locations. Ms. Toulouse asked how Mr. Kispert would feel if this would be across from his house. Mr. Kispert stated he has lived in high agricultural areas and never had an issue. Ms. Toulouse asked about noise from the fans. Mr. Kispert stated again that the fans (HVAC system) will be a standard system that many nurseries use and will not be able heard unless you are standing on the property.

Mario Toulouse (2401 Green Rd.) asked if he could get the address to Buckeye Relief other facility in Eastlake. He would like to stop by and check it out. Mr. Toulouse asked how close are the neighbors to that facility. Mr. Kispert stated those neighbors are significantly closer then what is being presented tonight. Mr. Toulouse stated he is very concerned about the smell.

Raymond Marthey (2315 Green Rd.) stated he's been a resident of Madison Township for 45 years and has lived in his current home for 33 year and stated that this area is completely surrounded by homes and farm land and growing marijuana is very different then growing any other crop and it doesn't fit our community.

Mr. Bernard read the following email from Steve Kaleal (2389 Green Rd.)

Marijuana Cultivation Facility,
To whom it may concern, I have lived here since 2019 and enjoy the community. I'M so worried about the drastic change of having a Marijuana Cultivation Facility near resident housing due to several factors.

1. The odor that Marijuana gives off is so strong that it will affect air quality, the smell the plant gives off is so strong that it could affect a person. I have allergy induced asthma and take medication sometimes due to heavy polen in the air.

I have evidence through checking Google search along with driving behind a car just with raw marijuana inside its strong/ just a small amount.

HEAR IS WHAT I FOUND ON THE INTERNET

A) .Yes, the smell of marijuana can potentially make some individuals feel sick, even without direct consumption.

This can be due to a few reasons:

- Allergies: Some individuals may have a cannabis allergy, which can be triggered by inhaling cannabis pollen.
- B) Sensitivity to smell: The pungent odor of marijuana can be irritating or trigger an adverse reaction in people sensitive to strong smells.

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- Psychological association: For some people, the smell might trigger memories or associations with negative experiences with marijuana, leading to feelings of nausea or anxiety, [according to a Reddit discussion](#).

I have grandchildren who visit often due the allergies they have I would be concerned this strong smell would affect them.

The next factor I would like to address is PROPERTY VALUE. I would never have bought this property if I knew Marijuana Cultivation Facility was across the street along with one that was going to be built in the future.

Help,

this is so upsetting and I hope whoever decides to allow this permit will come over to my residence one day and stay for a short time just to smell how strong the odor is.

sincerely,

Steve Kaleal

2389 Green Road

Mr. Brass asked if the HVAC system will be a filtered system. Mr. Kispert stated it’s basically just like a machine pumping Febreze in the air. Mr. Kispert added that there are some upgrades that could be made to the system is odor is a problem and Buckeye Relief would be willing to look into those if needed. Mr. Kispert added that all the plants are female plants and therefore do not generate any pollen that would be released.

Mr. Brass asked how often do they get inspected by the State of Ohio. Mr. Kispert stated the State of Ohio does an annual inspection but are able to do random inspections at any time. Mr. Kispert added that the State of Ohio also has access to their full security system and can log in and see what is going on at any time.

Mr. Tim Brown (Madison Township Administrator) wanted to address the board and public to provide the township’s point of view on this project. Mr. Brown handed out the voting information from the state issue ballot #2 – the legalization of recreational marijuana in 2023. Mr. Brown read through the voting results for Madison Village, Madison Township, Lake County and the State of Ohio and the results show that it was overwhelming approved. Mr. Brown added that the Madison Township Trustees took these results into consideration when they approved the new zoning. Mr. Brown stated he has been to Buckeye Relief’s Eastlake facility 3 times and stated it’s one of the most secure facilities he has ever seen, even dating back to his days in law enforcement, adding driving by you don’t even know what it is.

Ms. Toulouse asked what will this bring to Madison Township in terms of money. Mr. Brass stated it will only bring in property tax. Ms. Toulouse asked about a subdivision, wouldn’t that bring in more property tax money then this facility adding that those new homes will have people that will spend money at all of our local businesses. Mr. Dubiel stated that over the years the Township has been approached numerous times about what can be done on that property and every time the applicant backed out once they realized the drainage issue. Ms. Diak added that when a new housing development goes in, it’s actually very costly to the community because of the services that need to be provided.

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Mr. Brass requested a motion to approve Conditional Use Permit #25-003. Ms. Diak made a motion to approve the Conditional Use Permit #25-003, seconded by Mr. Boyle. There was no discussion.

Roll Call: Mr. Dubiel Abstain, Mr. Brass – YES, Ms. Diak – YES, Mr. Boyle – YES, Ms. Boban – YES
Conditional Use Permit #25-003 Passes 4-0

Mr. Brass requested a motion to close the public hearing for Conditional Use Permit #25-003. Mr. Dubiel made a motion to close the public hearing for Conditional Use Permit #25-003, seconded by Mr. Brass. There was no discussion.

All “Ayes.” 5-0 Public Hearing is closed at 7:44PM.

Mr. Brass opened the public hearing for variance request #25-004. A request for a use variance for the repurposing existing structures at 7774 Warner Rd (Stewart Lodge).

Mr. Bernard read the following:

Use Variance: #25-004

Applicant: Michael Hirsch

Location of Variance Request: 7774 Warner Rd

Permanent Parcel # 01-A-063-0-00-003-0
01-A-064-0-00-010-0
01-A-065-0-00-006-0

Property Owner: 7774 Warner Rd LLC

Property Zoned:
A-1 – Agricultural

The applicant is seeking a Use Variance to Renovate, Construct & Operate Private Lodging Facilities on the property. Madison Township does not Permit Lodging in the A-1 Agricultural Zoning District. This property Use has long been legal non-conforming, operating as a Lodging Facility prior to the adoption of Madison Township Zoning. This Hearing with the Board of Zoning Appeals, is to determine if the Applicants Site Plan proposal is good Use for this property and if so, should a Variance be granted for the alterations to the existing structures and construction of additional dwellings on the property.

The Neighbor/Applicant letters were mailed on June 28th, 2025 and the Public Hearing was advertised in The News-Herald Legal Section on June 30th 2025.

The Zoning Office received no response regarding this hearing.

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Mr. Brass invited the representative for 7774 Warner Rd. LLC (Michael Hirsh 7774 Warner Rd.) to the podium. Mr. Hirsch approached the podium and read the following:

Introduction

Good evening, and thank you for the opportunity to present our vision for 7774 Warner Road. We're here to request support for a use variance that would allow us to thoughtfully reimagine this historic property into an elevated, nature-inspired retreat that reflects the charm and character of Madison.

The Site Today

This 11.5-acre property, formerly known as Steward Lodge, once operated as an intermediate care facility housing more than 80 residents and staff around the clock 365 days a year. The facility closed in April 2024 and has remained vacant ever since. A deed restriction now prevents any future use as a care facility.

While the structure carries a deep history—especially the original Century House, built shortly after the Civil War—it's time for a new chapter. Our proposal embraces that legacy while reducing density, revitalizing the land, and introducing a concept that supports local tourism in a tasteful and responsible way.

Our Vision:
Vineyard Lodge & Cabins

Our plan is to create a boutique-style lodging experience that offers visitors a refined yet relaxed escape into nature just minutes from Madison & The Grand River Wine Region. Key elements include:

- Removal of the East Wing, which once held 36 beds, to open the landscape and reduce the built footprint.
- Restoration of the historic Century House, transformed into a beautifully appointed 1-2 bedroom suites for staff housing. The ground floor will include a management office and two private staff office to ensure round-the-clock care of the property.
- Conversion of the West Wing into a curated amenity space featuring a fireplace, kitchenette, lounge seating, and entertainment like foosball, ping-pong, a pool table, library, and communal living room for guests.

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- Redevelopment of the existing barn into 14 upscale one-bedroom guest suites, each with its own kitchen, bathroom, and living area.
- Construction of 14 brand-new one-bedroom, one-bath cabins, carefully placed along the pond and wooded areas to create privacy and tranquil views.
- Shuttle van service to nearby wineries and scenic spots, offering guests a seamless and safe way to explore the region without adding to local traffic.
- Two acres of vineyard plantings throughout the property, guided by expert collaboration with viticulturist Vincent Williams Vines—bringing elegance, beauty, and a sense of place to the grounds.
- A small maintenance building to be built across Warner Road for discreet support of vineyard and site operations.

Key Operational Details

- This will be a 100% electric facility supported by an on-site well (producing up to 5,000 gallons daily) and an existing wastewater treatment system with all permits in place.
- There will be no restaurant, no liquor license, and no food or alcohol sold on-site. Guests will enjoy the convenience of nearby dining options, as all meals and refreshments will be sourced from the surrounding local businesses. We're proud to encourage our patrons to explore and support Madison's vibrant food and beverage scene
- The maximum occupancy is limited to 60–65 guests, with only 3 to 4 new arrivals per week—ensuring minimal traffic and a peaceful environment for both visitors and neighbors.

A Respectful Addition to Madison

This is not a high-volume hotel or commercial venture. It's a quiet, well-maintained destination that celebrates the best of the region—its history, its landscape, and its wine culture.

Our intention is to:

- Preserve and enhance the land
- Create something tasteful and timeless
- Support nearby businesses through tourism
- Offer a low-impact use that fits naturally within the neighborhood

We believe this project will be something Madison Township can be proud of, a place that complements the community, not competes with it.

Thank you for considering our proposal. We're committed to transparency, collaboration, and excellence. We hope to earn your support for this use variance and begin the process of bringing new life—and quiet beauty—to 7774 Warner Road.

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Ms. Diak asked if Mr. Hirsch knew why the seller put a deed restriction on the deed stating the facility could no longer be used as an assisted living facility. Mr. Hirsch stated that in order for the seller to build a new facility they needed to close this one and ensure that it couldn't be used as an assisted living facility in the future. Ms. Diak asked for clarification on which buildings would be removed. Mr. Hirsch presented a site plan showing which structures would be staying and which ones would be removed.

Mr. Brass wanted it to be clear that even though the site plan is showing future cabins, tonight's meeting is only for the use variance to repurpose the existing buildings. Mr. Brass added that the township needs to get some language on the books before the board can address the proposed cabins.

Ms. Boban said she really liked the plan and liked that the applicant didn't plan to add a restaurant. Mr. Hirsch stated there are enough wineries close by that they do not feel the need to have a restaurant.

Mr. Brass asked about the package plan that is across the road and is it up to code. Mr. Hirsch stated they test it regularly, adding that since the facility currently isn't being used they have the property manager flush the system once a week to keep it running.

Ms. Diak asked if this facility could never be converted into something with permanent residents without a major zoning change. Mr. Bernard stated that is correct, it would require a significant zoning change. Mr. Hirsch stated that this project is currently budgeted at 10 million dollars and it's unlikely that someone would invest that much money and then switch course soon after the project is completed.

With the board being satisfied, Mr. Brass invited any public who wished to speak to approach the podium.

Tom Perko (7651 Warner Rd.) stated his biggest concern is the increased traffic. Mr. Perko stated that the posted speed limit is 55 mph and with the hills on Warner Rd. it makes it very challenging to get out of his driveway and this will only add to the problem. Mr. Perko is also concerned about having transient people around and close to his property.

Gary Somenitz (327 State Rd.) stated he was also concerned with traffic and the location of the current driveway. Mr. Somenitz stated that once you come over the hill you come up on a car pulling out of that location very quickly and with the increased traffic, that will be a hazard. Mr. Somenitz asked if it would be possible to re-locate the driveway to the top of the hill. Mr. Somenitz asked if tonight's meeting was only to convert the existing structures. Mr. Brass stated that is correct. Mr. Brass re-iterated that the zoning commission will need to create zoning language, that will need to be passed by the township trustees before Mr. Hirsch can even apply for the construction of the cabins in the rear of the property.

Mr. Hirsch wanted to address the traffic concerns. Mr. Hirsch stated he feels the traffic will actually be reduced, as Stewart Lodge housed approximately 80 residents plus staff. Many residents had daily visitors and there were numerous emergency vehicles entering and exiting the property. Mr. Hirsch stated that the amount of people on site, which will also be seasonal, will be much less.

Mr. Perko asked about the septic system. Mr. Hirsch stated they do not have a septic system, they have a treatment plant. Mr. Hirsch stated that every 90 days the water from the plant is tested and those results are submitted to the Ohio Environmental Protection Agency (OEPA).

Mr. Somenitz asked if there are any plans to change the pond at all. Mr. Hirsch stated they only plan to dredge it.

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Mr. Brass requested a motion to approve the Use Variance #25-004. Mr. Boyle made a motion to approve the Use Variance #25-004, seconded by Mr. Dubiel. There was no discussion.

“All Ayes” Use Variance #25-004 Passes 5-0

Mr. Brass requested a motion to close the public hearing for Use Variance #25-004. Mr. Dubiel made a motion to close the public hearing for Use Variance #25-004, seconded by Mr. Boyle. There was no discussion.

All “Ayes.” 5-0 Public Hearing is closed at 8:12PM.

There being no further business before the Board, Mr. Brass requested a motion to adjourn the meeting. A motion to adjourn the meeting was presented by Ms. Diak, seconded by Ms. Boban.

All “Ayes.” – Meeting adjourned at 8:14PM


Mr. Tom Brass, Chairman


Ms. Lora Diak, Secretary

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