

RECORD OF PROCEEDINGS

Minutes of

MADISON TOWNSHIP ZONING COMMISSION REGULAR MEETING & PUBLIC HEARING MINUTES

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

Monday, July 08, 2019

20

7:00 p.m.

The Madison Township Zoning Commission Meeting was called to order at 7:09 p.m. by Chairman Witt, with the following people present: Mr. R. Rothlisberger, Mr. J. Witt, Mr. B. Diak, Mr. J. Hyrne, and Ms. A. Wisniewski. 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 June 10, 2019 Meeting, seconded by Ms. Wisniewski.

Roll Call: All "Ayes."

Mr. Walland informed those in attendance that the applicant for the Public Hearing scheduled for this evening is running behind schedule, so the Board will first hear the preliminary site plans for two (2) different alterations/additions.

Mr. Walland stated for the record that the first preliminary review is for Mr. Brian Mallick, owner of All Extremes, located at 7301 N. Ridge Rd. He informed those in attendance that the applicant's project is for the construction of a 40' X 60' addition to the existing commercial structure. Mr. Walland stated that this preliminary site plan review is for the Board to determine if the project architect or engineer should be present at the Site Plan Review Public Hearing.

Mr. Brian Mallick, 7556 Middle Ridge Rd., Madison, OH.

Mr. Mallick stated for the record that he is proposing to add an addition to his existing commercial structure to expand his business, All Extremes, 7301 N Ridge Rd., Madison, OH.

Mr. Walland informed the Board that he has not done a detailed plan review yet, County approvals will need to be in as well before the scheduling of the Site Plan Review Public Hearing. Mr. Diak asked if the material is still available to match the existing structure. Mr. Mallick stated, yes it is available. Chairman Witt asked if any landscaping would need to be moved. Mr. Mallick stated that the current landscaping would need to be moved south, with the building. Mr. Walland asked Mr. Mallick if the proposed addition was going to be his showroom. Mr. Mallick stated that it would be working bays. Chairman Witt asked if the existing entrance will remain the same. Mr. Mallick confirmed that the existing entrance will remain where it is. Mr. Hyrne asked Mr. Mallick if he was just duplicating the portion of his building to the north. Mr. Mallick confirmed that that is correct. Mr. Hyrne asked if there was going to be any additional parking added. Mr. Mallick stated that there will be no additional parking added.

Mr. Walland asked the Board for their opinion on whether or not a project architect or engineer should attend the Public Hearing for the Site Plan Review. The Board confirmed that there is no need for the project architect or engineer to be present at the Site Plan Review Public Hearing.

Mr. Walland stated for the record that the next preliminary review is for Mr. Brian Sharp, Allstate Insurance Agency, located at 6396 N. Ridge Rd. He informed those in attendance that Mr. Sharp is proposing to construct a 22.92' X 23.60' addition to the existing structure. Mr. Walland reiterated that this preliminary review is for the Board to determine if the project architect or engineer will need to attend the Site Plan Review Public Hearing.

Mr. Walland informed those in attendance that he has already received an exemption letter from Lake County Storm Water for this project. Mr. Hyrne asked if the structure is getting grey siding. Mr. Sharp confirmed that the brick structure will have grey siding installed.

Mr. Brian Sharp, 6396 N. Ridge Rd., Madison, OH.

Mr. Sharp stated for the record that the project is for a one story addition being added to the existing structure. He stated that he is looking to run his insurance business out of the structure, with as many as five (5) employees, currently there are three (3).

Mr. David Rapp, 5553 Hummingbird Ct., Geneva, OH.

Chairman Witt asked Mr. Rapp if there is an existing twenty-two (22') foot curbed cut. Mr. Rapp confirmed that the curb cut is already existing. Mr. Hyrne asked if there is any existing pavement.

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Mr. Rapp stated that there is existing pavement for the entrance and parking area to the west side. Mr. Hyrne asked if there is a need to get an additional curb cut. Mr. Rapp stated no it is just widening the existing curb cut. Mr. Walland stated that garbage disposal needs to be on the site plan. Mr. Rapp added that there will be minimal refuse, no dumpster necessary. Mr. Sharp stated that the Fire Department and Lake County Building Department have already approved. Mr. Walland stated that he will need letters attesting to that. Mr. Diak asked if this is a new or existing business. Mr. Sharp stated that he is an existing business. Mr. Rapp added that they have been working with Lake County Storm Water and they are good with everything.

Mr. Walland asked the Board for their opinion on whether or not a project architect or engineer should attend the Public Hearing for the Site Plan Review. The Board confirmed that there is no need for the project architect or engineer to be present at the Site Plan Review Public Hearing as long as there are no major changes to the site plan.

Mrs. Howell stated for the record that all required documents must be turned in to Mr. Walland before he will schedule a Public Hearing for a Site Plan Review for either project.

Mr. Sharp stated that he thought this hearing was to grant permission to move forward with his project. Mr. Walland stated for the record that this is a preliminary site plan review for the Board to determine whether or not an architect or engineer must be present at the Site Plan Review Public Hearing and all approvals must be in to the Zoning Office before a Site Plan Review Public Hearing will be scheduled.

Mr. Walland stated for the record that the Public Hearing for this evening is for Re-Zoning Request #19-002 for Mr. Michael Profeta, 1300 Madison Properties, LLC located at 1300 Belleair Ave, Permanent Parcel #'s: 01-B-098-C-00-056-0, 01-B-098-C-00-055-0, 01-B-098-C-00-054-0, 01-B-098-0-00-004-0, 01-B-098-0-00-003-0, 01-B-098-0-00-002-0, and 01-B-098-0-00-001-0. Mr. Walland stated that the request is to Re-zone the properties from R-2, Single Family Residential to A-1, Agricultural.

Mr. Walland stated for the record that the neighbor/applicant letters were mailed on June 19, 2019 and the Public Hearing was advertised in The News-Herald Legal Section on June 21, 2019 and that the Zoning Office had one resident call just inquiring as to whether or not it was mandatory that they show up for the hearing.

He also informed those in attendance that the Lake County Planning Commission has not reviewed the request, it is on their July schedule and that he will be requesting a motion to continue the Public Hearing until August 12, 2019. Mr. Walland invited Mr. Profeta to the podium to provide information to the Board regarding his re-zoning request.

Mr. Michael Profeta, 1300 Belleair Ave., Madison, OH.

Mr. Profeta stated for the record that they are preparing the ground on the west side of the property to plant grapes, taking the first step to becoming a winery. He also stated that he has met with people from Ohio State University Extension who deal with vineyards and they came out to take a look at the property. Mr. Profeta stated that the plan is to have vines planted come spring of 2020. He also stated that as far as the house goes, there is still restoration work going on.

Chairman Witt asked Mr. Profeta if he intends on combining the seven (7) separate parcels into one (1) parcel. Mr. Profeta stated that if that makes sense he has no objection to doing that. Chairman Witt asked if Mr. Profeta knew what the total acreage is for the parcels. Mr. Profeta stated that it is almost five (5) acres. Chairman Witt asked if the actual building is going to be multi purposed. Mr. Profeta stated that has not been decided yet, but for the purposes of the discussion this evening the focus is on the winery and that several portions of the building are going to be used to support the winery, as well as the white house that is on a separate lot on the west side of Belleair. Mr. Diak asked if the large house will be used as the production facility. Mr. Profeta stated that the west end of the basement will be utilized for the production of wine. Mr. Profeta informed those in attendance that the past month has been spent repairing the sea wall. Ms. Wisniewski asked about the overnight guests. Mr. Profeta stated that that has been part

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of the discussions that a portion of the building might be utilized as a Bed & Breakfast. Mr. Walland stated that that is a whole other plan review which would be a Conditional Use through the Madison Township Board of Zoning Appeals. Chairman Witt asked if there would be any future addition work to the north towards the lake. Mr. Profeta stated that there would be no additions to the north besides patio space. Chairman Witt asked what the vineyard proximity would be to the Township Park. Mr. Profeta stated that it will be adjacent to, about twenty (20') feet from the property line, with a metal fence as a physical barrier. Mr. Profeta stated that there has already been a meeting with the fire marshal and a sprinkler system has been installed. Chairman Witt asked if there are plans to have food preparation. Mr. Profeta stated that the only thing that would be available is small plates, not meals. Chairman Witt asked if Mr. Profeta has been provided minimum and maximum occupancy numbers. Mr. Profeta stated that he has not been provided those numbers yet, but when those figures are provided he will oblige by them. Chairman Witt commented that the parking will be figured from the square footage of space patrons would be utilizing. Chairman Witt asked if Mr. Profeta knew how far away the vineyard would be from the residential homes in the area. Mr. Profeta stated that the vineyard will be located along the west side of the property, with no residential homes close to the vines. Mr. Diak asked if the home was ever occupied. Ms. Wisniewski commented that the home never had bathrooms finished.

Mr. Jim Bliss, 1359 Belleair, Madison, OH.

Mr. Bliss stated for the record that his concern is the increase of traffic and that Belleair is a very narrow road. Mr. Walland replied that when the access and parking are reviewed the road will be part of that review. The Board commented that the road is definitely narrow. Chairman Witt asked Mr. Profeta for an educated guess as to how many parking spaces he thought he might need. Mr. Profeta stated that he would need to follow the rules and regulations for parking. Chairman Witt asked when Lt. Sopko met with Mr. Profeta, did Lt. Sopko indicate any emergency access issues. Mr. Profeta stated that he has met the access part, but that it was the life safety that the fire department needed addressing, which was based off of the number of bedrooms, and because there are more than five (5), the requirement for the sprinkler system was deemed necessary.

Mrs. Cynthia Doherty, 6783 Beach Dr., Madison, OH.

Mrs. Doherty stated that her property is located on the east side of Mr. Profeta's property. Mrs. Doherty asked what are the advantages to being zoned Agricultural versus Residential, other than she believes there is a tax break and also, once this re-zoning takes place will Mr. Profeta be able to have a pig farm or cows on the property. Mrs. Howell stated that the township cannot regulate agricultural activities except in platted subdivisions. Mrs. Doherty asked how this might impact her property, for example trash receptacles. Mr. Walland stated that the Board would have a Site Plan Review and the placement of trash receptacles would be part of the review.

Mr. James Doherty, 6783 Beach Dr., Madison, OH.

Mr. Doherty asked the Board if the township has re-zoned a small parcel agricultural in the past. Mrs. Howell read the lot area requirement for the A-1 District from the Zoning Resolution (20,000 square feet). Mr. Doherty asked if the A-1 classification allows for a business, like a bed & breakfast. Mrs. Howell stated that a B&B is permitted even in the R-2 Zoning District. Mr. Doherty stated that the potential volume of cars and what the hours of operation will be are two concerns he has. Mr. Doherty stated that he likes the idea of the B&B, but he is just concerned about the volume and hours of operation. Mr. Walland reiterated that the B&B would go thru the Madison Township Board of Zoning Appeals as a Conditional Use. Mr. Profeta added that the tasting room for the winery will be located on the west side of the building.

A motion to continue the Public Hearing until August 12, 2019 was presented by Mr. Rothlisberger, seconded by Mr. Hyrne.

Roll call: All "Ayes."

Mr. Walland informed the Board that he spoke with Mr. Dave Radachy from the Lake County Planning Commission and Mr. Radachy will be handling the data portion of the Comprehensive Plan Review.

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Mr. Hyrne asked where the text changes stood at this point. Mrs. Howell stated that the Trustees will have their Public Hearing tomorrow for the proposed text changes.

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

Roll call: All "Ayes."



John Witt, Chairman



Audra Wisniowski, Secretary