

BRIMFIELD TOWNSHIP BOARD OF ZONING APPEALS

MINUTES of May 21, 2014

Brimfield Town Hall Meeting Room – 1333 Tallmadge Road, Kent

Present: President Bruce Knippenberg Vice President Lisa Cotton
Scot Etling Vince Murdocco Cheryl Rueschman

Absent: Ed Shuttly

Staff: Dick Messner, Zoning Inspector
Wendi O’Neal, Zoning Secretary

Public Present:

Name	Phone	Company / E-mail
Becky Smith		
Jerry Hambleton		Lakeview Village
Bo LeBlanc		Estate Homes
Tom Finley		Omni
David Williams		Williams, Wester, Knotloski & Can
Marko Zlatic		Omni
Sue Sarich		Creekside Condo
Joshua Bell		Bell Construction
Lori Fanger		Pleasant Lakes, Estates
Greg Bailey	Greg.bailey24@yahoo.com	Pleasant Lakes
Mark & Susan Bentz		Creekside
Bruce & Rosana Berzton		Pleasant Lakes
Craig Saruk		
Andrew Brickley		

CALL TO ORDER:

Bruce Knippenberg calls the Wednesday, May 21, 2014 meeting of the Brimfield Township Board of Zoning Appeals to order at 7:00 pm.

Bruce Knippenberg does roll call:

Cotten = Here **Etling** = Here **Knippenberg** = Here
Murdocco = Here **Shuttly** = Absent **Rueschman** = Here

Cheryl Rueschman has voting rights this meeting.

Chairman Bruce Knippenberg dually notes that the meeting has been advertised per the Ohio Revised Code.

MOTION#2014-0019

A motion is made to accept the Agenda by **Lisa Cotten**, seconded by **Scot Etling**. Motion carries.

MOTION#2014-0020

A motion to accept the Minutes of the April 16, 2014 Board of Zoning Appeals is made by **Cheryl Rueschman**, seconded by **Lisa Cotten**. Motion carries.

PUBLIC COMMENTS:

SWEARING IN OF APPLICANTS AND COMMENTERS:

Chairman Bruce Knippenberg welcomes everyone in attendance, states that this is a semi-judicial board, so if you have any comments or questions or any statements regarding anything on the agenda this evening we ask that you state your name and address for the record and confirm that you swear to tell the truth in any statements made tonight. If you do have questions/comments I ask that you please direct them to the Board, and we will try and keep it as orderly as possible.

Chairman Bruce Knippenberg states that we have a single application for a Conditional Use Zoning Certificate.

APPLICATIONS:

Conditional Use Zoning Certificate
Applicant: Bell Restoration
Location: 5138 State Route 43
Parcel: 04-005-00-00-026-000

Dick Messner gives a briefing of the applicant, location and company.

- Bell Restoration Business
- Purchased Property in General Commercial District – Section 309.02.B.2 Conditional Permitted for Carpentry/Cabinetry/Heating/Air Conditioning/etc.
- Explains the presentation/pictures of location/proposed buildings on property.
- Corner Lot on the Southeast corner of State Route 43 and Meloy Road. On Brimfield Side, Kent is on the North Side.
- Last lot in Brimfield in the General Commercial District
- Goes over the proposed sketch. Some discussion of parking, and storage of commercial vehicles, No toxic materials on site, if any it would be minimum and disposed of quickly from the cite.

Chairman Bruce Knippenberg asks if the waste or trash, or containers would be enclosed.

Dick Messner states yes, if they are using dumpsters, they would outside in the back of the building on the Meloy side probably, and Mr. Bell could address those concerns.

Chairman Bruce Knippenberg asks Mr. Bell if he could inform the Board of his plans.

Joshua Bell: Resides in Cuyahoga Falls, Bell Construction is the name of the company, as Dick explained.

- Explained the proposed future building hopefully within the next five years depending on the luck of the company.
- The current front building is going to be our office.
- Roughly about 8-12 employees currently at any given time.
- Back building looks bad on the outside, but is structurally good to go, renovating that, then launching a context division, because we do renovation work, if fire damage or flood damage, getting into the Non-forest contents, something that is non-forest is something that is non-porous, so we would take it into the context division and we would clean that. Eventually will have that running.
- Specialty Division, Bell Pro handles fire, flood litigation, cleaning fire/flood damage homes at cites.

Chairman Bruce Knippenberg so those would be the only materials that would be brought on site, are those that need cleaned up and stored?

Joshua Bell: Yes, Sir, for the most part, the only thing we would keep on site would be a small amount of plywood, things like that because we do emergency calls.

Lisa Cotten: Would that be stored inside the building?

Joshua Bell: Yes, ma'm.

Lisa Cotten: Now tell us a little bit about the content stuff, I'm assuming you take stuff from homes were there was smoke damage, and bring it to your location or?

Joshua Bell: That would be the future plan, Yes ma'm. We would bring it in in a box truck, and what we do is on the proposed cite, the back building we have a proposed driveway that we could back into an existing garage door here. We would then unload, clean it and then return it back to site.

Lisa Cotten: So none of the contents would be sitting outside or visible to any of the adjacent property owners?

Joshua Bell: No ma'm. That was the reason for the proposal of the building as the view here, because as we grow and if we are taking on more contents then we have somewhere to store it inside.

Lisa Cotten: What about dumpsters? Where would those be located?

Joshua Bell: Dumpsters, what we wanted to do is place the dumpster here and fence it in. Most of all our work is done on-site. So we don't, we do have a dumpster at our current site, but it is a small 7 yard dumpster, so it's nothing significant, we don't do a whole lot of dumping at our actual office; we do everything on site with dumpsters delivered so anything that we run into it is very minimal, with small jobs so we wouldn't be bringing much back to the office as far as dumping.

Bruce Knippenberg: What about your company vehicles? Will there be indoor storage for all those? Any on site or not inside?

Joshua Bell: Yes, sir. Most of all of our company vehicles are actually in use. So what the guys do is, the guys actually use our company vehicles, they don't actually stay at all times, so on the company vehicles when the employees come in, they would be parking right here. So its our employees that use our company vehicles.

Bruce Knippenberg: There won't be over-night storage?

Joshua Bell: We have a box truck that we use, that doesn't leave the site unless we are using it for emergency services.

So yes'sir that would stay on site.

Vince Murdocco: Do have trailers or anything like that?

Joshua Bell: Yes, sir we do. Right now we have a box trailer that we currently don't use much, so we have actually thought about getting rid of it. We do have a flatbed trailer, and we had talked about running our fenced in area here, all the way so that we could back our flatbed trailer in there with the dumpster that it is not visible.

Cheryl Rueschman: Your fence that you are referring to is that enclosed totally so that it cannot be seen from anybody outside or is that someone can see through?

Joshua Bell: It would actually a dog-eared fence; close together and would not be able to see into it at six feet high would be enclosed around the building.

Bruce Knippenberg: Are any of these buildings capable of storing your vehicles inside? You really are only allowed one vehicle outside for over-night parking.

Joshua Bell: Ok, right now that would be pretty much the only one that would be outside. It is the box truck. Right now we don't have anything that would accommodate us to park anything inside. And again that is our hope in the future is to build a building that would bays on the side that we would be able to pull our future vehicles into the building.

Greg Bailey, 954 Sanctuary View Drive, asked what a conditional permit was.

Bruce Knippenberg explained the reasoning behind the conditional permit as it allows the residents and the Board to set conditions and/or know what is going to be different than what the book permits in itself.

Cheryl Rueschman: Asks if when in the future, you say you hope to build?

Joshua Bell: The one we are proposing, we have a plan within the next five years to build.

Vince Murdocco asks if the company was affiliated with any others.

Joshua Bell: No, sir, we do share business but we are separate.

MOTION#2014-0021

A motion was made by **Lisa Cotten** to grant a Conditional Use Zoning Permit under 309.02.B.2 to applicant Bell Construction that would be subject to the conditions of Chapter Four (4) Section 400.10.B, Sub-sections 9, 12, 18, 22 and the additional conditions that you up-hold that only one (1) box truck would be stored outside on the site over-night, the flatbed trailer and any other items like that be stored in the fence area and the property owner would construct a six (6) foot fence in accordance with what was presenting this evening to enclose the trailer and that kind of stuff and dumpster area. Also no hazardous waste would be stored on the site. This motion was seconded by **Scot Etling**. Motion Carries.

Bruce Knippenberg asks Joshua Bell if he was ok and agreed to all of the conditions.

Joshua Bell answered, Yes, sir.

VARIANCES: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

Omni Properties

Informational Meeting for Pleasant Lakes Subdivision

Omni Properties: **Patrick Finley**, 26110 Emery Road, Cleveland, Ohio 44128. Managing Partner for Omni Properties.

Marko Zlatic, 26110 Emery Road, Cleveland, Ohio 44128.

Proposal for Pleasant Lake Subdivision.

Local company, 85% of projects are in Northeastern Ohio. Accountable. Pepper Pike example, houses ranges from \$900,000 to 5 million, Make it clear and public record, that we intend to do our fair share and then some, in terms of the enhancing the existing project, even though we may not own parts of the land that we will be improving, parts of the streets we would be improving, obviously that's in our best interest to do more than our fair share in terms of the enhancement to the street and some of the issues you see on the site today. Approved for 924 units on this site, our proposal is 27% less in density, approximately 671 units. No subsidized units. Byredwood.com will list more product types. Overlook staying very similar.

Questions: All answered by **Patrick Finley** unless stated otherwise; no questions were asked by Patrick Finley.

Q: **Bruce Berztoin**, 772 Plum Drive –

Where would the 9 - 2-unit condo units be? Where is Waterford?

Are you adding any units to Creekside, to the empty lots?

What about the Cul-de-sac?

Improvement of streets, bad shape, who is going to fund that?

Concern on extra traffic when opening Sanctuary View Drive.

With the new construction is Sanctuary View Drive going to be plowed by Brimfield?

Will there be a maintenance fee?

Would that apply to the apartments?

A: Waterford is off of State Route 43, and Sanctuary View Drive which has currently 5 duplexes in there.

Couldn't join the subdivision due to the wetlands.

There are to be 5 buildings to be built on the site that are duplexes.

Yes, single buildings.

If we are to join or create new association, either way whatever our responsibility is joining the subdivision, if we were to pay \$100 to join, we would pay \$125 so that \$25 could be used for some of the existing infrastructure. Formula would be 25% more than we would have to pay to join into the association.

The plan has always been planned to be completed, the infrastructure is already in place. With 27% less density than what was approved, then there would be less traffic from that aspect.

It is a dedicated street, maintained by the Township. Many of the new will be private.

Yes, there is a master association, but yes by virtue of development there will be a maintenance fee.

Yes, apartments have to join the master so yes.

Q: What type of price point are you looking at that for the detached units that would be in Creekside?

- A: Similar to the Lakeview, increase the value. Last transfer I seen, was in the \$160 range.
- Q: **Bruce Knippenberg** – Any plans with the open space or are you still going along with what has been there?
- A: Definitely increased the open space in the plan, questions of walking trails, etc. Bias towards trails that makes people unhappy. One more reason to contribute more to the associations.
- Q: **Gary Hamilton**, 4636 Creekside. When this gets complete, there is going to be more traffic within Pleasant Lakes, any consideration for a traffic light at 43 and Sanctuary or Howe?
- Is there a way to inform the state of this plan that is moving forward to get them involved in this proposed street light?
- A: **Dick Messner**: That is up to ODOT. Which was turned down before. Portage County Engineer will doing the final say on that road.
- Q: **John Mancini**, 884 Lakeview Court, expresses concern of the 39 children on Sanctuary View Drive, and plans to slow down or stop the traffic in that area.
- A: **Dick Messner**: Only ideas, or suggestions, to calm putting in a round-about or slow moving circle. County Engineer is going to have the final say for the road.
- Q: **Mark Bentz**, 4630 Creekside Drive. Are you planning on building a model condo in Creekside or would they go to another location?
- A: We would not build them ourselves, that would be up to the builders, we would significantly influence the build of a model. Going to incentive but can't guaranteed.
- Q: **Bruce Knippenberg**: Are you going to be responsible for only this section to the south?
- A: We would be responsible for the single story garden story and we would find a builder/s to build, in which we would control architectural views, so they are consistent.
- Q: **Bob LaBlanc**, 4510 Pleasant Lakes, is the current infrastructure going to support all the additional buildings, sewer flooding and that such?
- What about the unfinished cul-de-sac behind my house? Do you know why that stop? Heard it was because the land was not buildable with the wetlands on it. So that will eventually be completed?
- A: Been designed with very specific retention requirements. We would adhere to those, with the double check with the county specs and inspectors.
- Not a typical for developments to be phased, so probably part of the phasing. We did a wetland study and there are some but it is buildable. We expect to finish project off, it will be up the market as to how fast they absorb, certainly would like to think within the five year plan.
- Q: **Lori Fanger**, 924 Sanctuary View, on the short end with 39 children, going to be 45 children very soon on own little piece of street. Concern with safety, now that it will be completed. When do you plan on putting the road through?
- When that road goes through, we will lose bussing as our entire community will be within a mile from the school, do you have of putting in improvements on 43 so that our children can be safe walkers across that five lane highway, 43 and across that bridge to get to school? Our children will be walkers, and very unsafe for the district to consider our kids walkers. And hard to sell to families that have to walk on dangerous road to school. That would take away our bussing. We need sidewalks and safe way to get across that highway.
- Sidewalks would help.

- A: Sanctuary View, will probably be one of the first improvements that we will do.
- A: **Dick Messner:** That would be a school board decision. And on 43, that is a state decision. There are no plans of sidewalks down 43 to Sanctuary View Drive. Police Department do studies and Trustees would probably authorize it, for the police enforce lower speed limits in that area if it was approved by the county.
- A: **Bruce Knippenberg:** 43 is a state road, not Township.
- A: Sidewalks would continue on Sanctuary View Drive, and whatever we need to do to cooperate with the governing bodies to find a creative solution to your concern, we are happy to do.
- Q: Concern to be address, lives in the back half where just off by herself, is the need of parking. Is there any area for parking?
- A: Heard that from Jerry, suggestion a duplex was on to be put in, but leave it for parking. Half as much density in that section should help.
- Q: Can you elaborate on the green space? Are you going to be clearing a lot more trees along the interstate that would create sound issues for homeowners?
- A: We walked it today, there are some trees we can save that help, but no false hope, there will be less trees, but we will buffer as planned. Not opposed to sidestepping the trees and greenery.
- Q: **John Mancini:** They were willing to put in two cul-de-sacs in on Sanctuary View, but the county and Regional Planning want that to be a through street no matter what. Doesn't look like we are getting two cul-de-sacs. We need to address Portage County and Regional Planning. Important for these kids to be safe.
- Q: **Lisa Cotten:** What is the likelihood of putting stops signs in there?
- A: **Dick Messner:** It would be up to the county Engineer.
- Q: How long until this all starts?
- A: **Dick Messner:** Depends how long it takes to get through all the Subdivision reviews, at the county level and through our office.
- Q: **Bruce Knippenberg:** What is your expectance rate of your apartments? What is your fill rate? Sure you are not going to build all at once. Total number of units? Pool and clubhouse for the entire complex or just for the luxury or garden? Is there on-site management? What is the parking ratio on the apartment complex? Are those roof parking in the center there?
- A: In terms of rental, expected of pool, clubhouse, 1100 sq.ft, is probably \$1050-\$1000 monthly. It would be phased. Guess probably 1/3, 1/3, 1/3 over a 3 year process, so probably 60 a year. 216 on garden and 218 on luxury. Restricted to the garden as one of the amenities. Yes, on both totally separate. Leasing manager, and maintenance manager. 2 car per unit parking ratio, as the requirement. Should be a little above. Yes.
- Q: For the apartments, what is the typical turnover, do you see people coming and going or do they rent for long-term, years?
- A: The single story is very little turn-over, usually empty-nesters. The 30% don't stay long. Average stay time is 4-6 years.

GOOD OF THE ORDER:

MOTION#2014-0022

A motion was made by **Vince Murdocco**, to approve the March 19, 2014 Board of Zoning Appeals Minutes, seconded by **Lisa Cotten**. Motion carries.

SET NEXT MEETING:

Next meeting is scheduled for Wednesday, June 18, 2014 at 7:00 PM.

ADJOURN: MOTION#2014-0018

A motion was made by **Scot Etling** to adjourn the May 21, 2014 Board of Zoning Appeals meeting, and was seconded by **Lisa Cotten** at 8:45 PM.

Chairman Bruce Knippenberg

Vice Lisa Cotten

Scot Etling

Vince Murdocco

Ed Shuttly

Secretary Wendi O'Neal

Alternate: Cheryl Rueschman