

**SAGAMORE HILLS TOWNSHIP
ZONING COMMISSION – REGULAR MEETING**

Monday, January 25, 2021 – media notified

The meeting was called to order by Dr. Koncal at 7:00 p.m.

R/C: Dr. Woodruff-present; Chasar-present; Lachina-present; Dr. Koncal-present; Witkiewicz-present.

Mr. Chasar made a motion to approve the minutes from the November 23, 2020 Regular Meeting. Seconded by Mr. Witkiewicz. R/C Vote: all in favor

There was no further business to discuss from 2020. Dr. Woodruff made a motion to closeout 2020. Seconded by Mr. Witkiewicz. R/C Vote: all in favor

The floor was open for nominations for Chair. Dr. Woodruff made a motion to nominate Dr. Koncal for Chair. Dr. Koncal asked whether there were any further nominations for chair. There were no further nominations for chair. Motion seconded by Mr. Lachina. R/C Vote: all in favor

Dr. Koncal nominated Dwight Chasar as Vice Chair. Seconded by Mr. Lachina. R/C Vote: all in favor

Dr. Koncal requested that the title of Chair and Vice Chair not be on the signs, just their names. Signs only to be used if there is a large group of people attending the meeting.

Dr. Koncal said that last year there was a problem with a dumpster at the front of a church. Dwight came up with some wording to consider putting in the Commercial District 5.99 General Restrictions as follows:

“J. Dumpsters and other trash collection receptacles shall be located behind the set-back building line, but preferably in back of the main building.”

Dr. Koncal asked the board to think about this for next month’s meeting.

Before continuing, Dr. Koncal recognized Ted Bodnovich of 11757 Valley View Drive to share the reason why he was attending the meeting.

Mr. Bodnovich said he had a few questions in reference to the Heartridge development.

The first question was whether Mr. Karnow ever came in with his plan that had been accepted by Summit County before he started work on the property.

Mr. Snell replied the soil/construction work that he is doing now was approved by Summit County Soil and Water. This work is being done under the supervision of Summit County Soil and Water.

Mr. Snell said there is a plan that was delivered to the township about a week or two ago. Mr. Snell was not aware this plan was at the township or how it came to be at the township. It is dated January 8, 2021. This plan will have to go to Summit County Planning Commission for review, but it has to be approved by the zoning commission.

Mr. Snell passed out a copy of an email with drawings of Heartridge Phase 1 Plat that he and Ray received late afternoon on Friday, January 22, 2021 from Mr. Karnow.

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There is a rule that the zoning commission is to receive drawings ten days in advance of their zoning meeting so the drawings can be reviewed prior to the meeting.

Mr. Snell noted on the drawing the road going into Phase I is from Hawthorne Drive and the road behind Mr. Bodnovich's house. There is not a road going out to Dunham Road, which means all of the construction vehicles etc. would be entering and exiting from the existing Hawthorne Drive. Mr. Snell always thought the plan was to come out to Dunham Road first. The plan has some changes. Mr. Snell reviewed some of the changes.

The final plan needs to be approved by the zoning commission first then Summit County.

Mr. Bodnovich shared his concerns regarding his well water and the retention pond at the back of his property. He had the well tested as the zoning commission asked him to because Mr. Karnow requested it. Mr. Karnow didn't contact Mr. Bodnovich about the well, but did contact him for an easement over his property which Mr. Bodnovich denied him.

Mr. Bodnovich also shared his concerns about the trees that Mr. Karnow harvested off of his property. Mr. Snell said this is a private matter between Mr. Karnow and Mr. Bodnovich.

There was a discussion regarding Mr. Bodnovich's well water and the activity on the Heartridge property.

Mr. Bodnovich also shared his concerns regarding the zoning minutes. Mr. Snell addressed this issue.

Mr. Snell said he would email the plans that he and Ray received by email last Friday from Mr. Karnow. Mr. Snell asked Mr. Bodnovich to share it with his neighbors.

There was a discussion regarding the Heartridge property and retention pond. Mr. Snell to contact Summit Soil and Water about the water issues.

Dr. Koncal said that Mr. Karnow would probably be at the next zoning commission meeting on February 22, 2021.

Mr. Bodnovich thanked the board for listening to his concerns.

A discussion regarding Hawthorne Drive and the retention pond continued after Mr. Bodnovich left. Mr. Snell summarized the plan submittal/permit process. If Mr. Bodnovich's water supply is affected, Mr. Snell said Mr. Karnow should provide a public water line for Mr. Bodnovich.

There was a brief discussion regarding Section Seven, specifically 7.2. The sentence did not read correctly. Mr. Snell said this did not have to go before the Planning Commission as it was just changing the order of the words in the sentence.

Mr. Chasar made a motion to correct 7.2 as follows:

Hedge, living fence, or non-deciduous trees within thirty (30) feet of any public right-of-way shall not exceed three (3) feet in height above the road level.

Motion second by Mr. Witkiewicz. R/C Vote: all in favor

Mr. Snell said Section Sixteen Oil and Gas Regulations was never formally deleted from the zoning resolution. It never went to the Summit County Planning Commission. Dr. Koncal said he thought the board had removed it and the only thing in Section Oil and Gas Regulations was to be a statement saying that it would be up to the state regulations. Mr. Snell responded that we did remove it but it did not go to Summit County Planning Commission.

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We need to send it to Summit County Planning Commission and let them know we are going to eliminate this section.

Mr. Snell to provide a statement in regard to Section Sixteen Oil and Gas. Mr. Snell to send the sentence to the board for their review before it is sent to Summit County Planning Commission for their review.

Mr. Lachina made a motion to send this to Summit County Planning Commission. Seconded by Dr. Woodruff. R/C Vote: all in favor

Dr. Koncal said while looking through the zoning book, he noticed in Section Five Commercial that #21 adult entertainment establishment on Page 5-12 was still there. Dr. Koncal thought everything had been removed in regard to adult entertainment. All the adult entertainment definitions were removed because there were state regulations regarding this. Everything else regarding adult entertainment was removed in this section in 2015.

The conclusion was that this particularly section was overlooked.

Mr. Snell suggested that he and Joanne go back to their 2015 notes to figure out what was taken out or not. Mr. Snell said in the meantime the board could take action now to remove it from the zoning book.

Dr. Woodruff made a motion to remove Section #21 on page 5-12 out of the new zoning book as a correction from 2015. Seconded by Mr. Witkiewicz. R/C Vote: all in favor

Dr. Koncal passed out some information to the board on commercial parking from the Copley zoning book with a few notations. Dr. Koncal and Dwight briefly spoke about this. Dr. Koncal said they are not going to change anything in our required parking for commercial except to potentially think about what Copley does. Copley allows you to take up to 30% of the required number of parking spaces and not put them in right away if you don't think you are going to need it, but has to be on the plan for a later use. Based on the zoning inspector's determination that parking is needed, then they have to put it in. The 30% deferred parking has to be approved by the Board of Zoning Appeals, not the Zoning Commission.

Dr. Woodruff asked how you endorse this and make it practical for the zoning inspector five years down the road.

There was a discussion on parking areas near local restaurants in Sagamore Hills.

Dr. Koncal said the board should start thinking about this for the next year as a project. Mr. Chasar suggested everyone write out their thoughts on why this might not work.

Dr. Koncal passed out some information on setbacks to think about for future meetings. This was brought about by a suggestion Jack Donnelly brought up to us about a year ago.

Dr. Koncal gave a brief explanation of his setback drawings. Dr. Koncal asked the board to think about this for future meetings. Jeff made a few comments about the drawings.

Jeff mentioned someone on Nesbitt wants to have chickens. Jeff spoke with Ray. We cannot regulate agriculture, and we cannot regulate agriculture that is not in a platted subdivision. This house is not in a platted subdivision so they are allowed to have chickens. Ray advised them they are allowed to have chickens.

Because it has drawn a lot of attention to Sagamore Hills, Jeff mentioned that Acadia Farms was recently sold. The front of the property is commercial (a few hundred feet back) and the back of the property is residential. There is no public sewer, just septic. It would be hard to get sewer.

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New owners hosted a party and plan on hosting another party. The owner called Jeff and he wanted an Air B & B. Jeff told him no short-term rentals. Owner might be interested in operating something like a hotel or party center; a small party gathering venue. He had a long list. Jeff told him he would not advise him, but an application would have to be made to zoning. Jeff told him he would also need a permit from the OHIO EPA to run a commercial operation.

The first 300-400 feet in the front is commercial and the property in the back is residential. The house is in the front. Jeff said we will be watching this very carefully.

Ray reported at the old Cannery at Sagamore Square there were holes in the wall. Ray told the owner he needed county permits which he did not have. The county shut him down. He also took over the Loose Moose. Ray asked whether the liquor license could transfer over. Jeff replied, yes, they could transfer it over with management approval. There was also a truck parked overnight. Ray told him he has to move it. It can be there during the day but not overnight. There was a brief discussion about the French doors they want to install.

Ray contacted Sagamore Square and told management we have a maintenance code that he can enforce. They need to clean up the area.

Ray said there is a bounce house going into the middle of Sagamore Square.

Ray reported there will be two issues brought before the BZA. The owner of a house in Hidden Ridge wants to add another 2-car garage to his existing 3-car garage. A resident on Valley View wants to add a built-in swimming pool on the side of the residence.

There was a brief discussion on a real estate agent that contacted Ray that wanted to be on the agenda tonight, but never returned Ray's calls. The agent was not very forthcoming with information.

Jeff said he will send an email tomorrow to Mr. Karnow telling him he has to send a submission to the zoning commission of final plans with enough large copies for the board to review.

Mr. Chasar asked whether something transpired at the house at the corner of Sandy Hill and Wood Hollow. Mr. Fantozzi replied the daughter is taking over the house. She started to clean up the outside, but winter hit. Ray will keep an eye on this.

Ray said there is a parked vehicle in Eaton with old tags and a flat tire sitting in someone's driveway. He sent a second letter to them.

There is another house on Wood Hollow close to Valley View Road. Ray has been in contact with them because of the siding peeling. The owner is waiting for a home improvement loan to go through so they can get started on it.

Ray contacted Schumacher Homes because the house on S. Boyden needed silt fencing.

Dr. Woodruff made a motion to adjourn at 8:37 p.m. Seconded by Mr. Witkiewicz.
R/C vote: all in favor