

Village of Middlefield Planning & Zoning
Minutes
March 12, 2024

The Village of Middlefield's Planning & Zoning meeting was called to order at 6:00 p.m. with the following members present: Mr. Scott Klein, Mayor Garlich, Mr. Linberg, Mr. David Dietrich, and Ms. Carissa Shaffer.

Also present: Leslie McCoy-Village Administrator, Mr. Luke McConville- Village Solicitor, Mr. John Boksansky-Zoning Inspector, Mr. Tom Cappello- Village Engineer, Mr. Daniel MacRaild, Mr. William Hickox, Ms. Heather Kochy, Mr. Alex Duncan, The Vystrcil Family, Ms. Ann Wichert-Maple Leaf, Mr. Charles White, and Ms. Sabine Weizer.

Agenda: No Additions/Deletions.

Minutes: The minutes of the February 6, 2024 meeting were presented for approval. **Mr. Dietrich made a motion to approve the minutes as presented, motion seconded by Mr. Linberg. All in favor: Yeas (5).**

PUBLIC HEARING:

Mr. Klein opened the Public Hearing at 6:01 pm.

- 1. Sherpa Development Corporation, LLC Hartville Hardware 15264-15310 Kinsman Road, Proposed new construction on PPN's (annexation/ consolidation pending): 18-084600, a 1.25 acre parcel, 18-084900, a 24.09 acre parcel and 19-072866, a 1.13 acre parcel. Request is for a 56% lot coverage where 40% lot coverage is permitted in a GC- General Commercial zoning district per Section 1155.01 Schedule of Dimension and Area Requirement by District.**

Mr. Klein stated this property is not officially annexed into the Village territory yet. Mr. McConville stated Planning and Zoning can discuss the variances and hold a public hearing for public participation. Mr. McConville recommends that Planning and Zoning Commission tables this matter until the annexation into the Village has been completed which will be done at the Council meeting on Thursday. Mr. McConville stated a Planning and Zoning meeting after Thursday's Council meeting would be appropriate to grant any zoning variances for the Hartville project.

Mr. Dan MacRaild- Middlefield Village Resident has concerns on the percentage of lot coverage increase. Mr. Boksansky stated the plans do include the storm water retention, all structures, and the parking lot.

Mr. Hickox stated he has privacy and safety issues as his property is adjacent to the property of Hartville Hardware. His main concern is the traffic and the lights that will be on the property. Mayor Garlich stated the Village will make sure Hartville Hardware meets all requirements and the lighting will not be an issue.

Mr. Klein made a motion to table Sherpa Development Corp lot coverage approval until the annexation is complete, motion seconded by Mr. Dietrich. All in favor: Yeas (5).

Mr. Klein closed the Public Hearing at 6:13 pm.

NEW BUSINESS:

- 1. Revisit Noise Ordinance:** Mr. Boksansky stated the removal of trees for the Smallwood Subdivision development project is a noise concern and an ongoing

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issue. The noise is coming from the trucks and businesses on the Industrial Parkway to the west across S State St. Mr. Linberg stated he has had issues with the noise for a long time. Mr. Linberg stated the Village noise ordinance is a lot louder than other municipalities in Northeast Ohio whose are substantially low. The Village noise ordinance is at 75 decibels and other local municipality have much lower decibels. Mayor Garlich stated there will be more monitoring of the decimals of noise in the Village and possibly dropping the decimals.

2. **Adult Use Recreational Marijuana; Continue discussion with Updates:** Mr. Dietrich stated the possible need for an ordinance establishing a moratorium on dispensaries and use in the Village until the State processes for permitting and State licensing is established. Mayor Garlich stated something does need to be drafted because the Village does not want a dispensary in the Village. Mr. McConville stated he will research and draft up an ordinance.
3. **Middlefield Township Property:** Mr. Klein stated the property looks condemned and there are multiple signs on the property. Mr. Klein stated there are animals living in the abandoned buildings and neighbors would like to see something be done about the property. The current property owner does not live in Middlefield. Mayor Garlich stated the Village needs to work with the township to see what can be done about the property. Mr. Vystroil stated he believes there is visible asbestos within the structures on the property.
4. **15885 West High Street Property Condition Report:** Mr. Boksansky stated he has been trying to get this property in compliance with zoning requirements. Mr. Boksansky stated there are several exterior code violations at the premises. Mr. Boksansky would like to discuss utilizing the nuisance abatement proceedings regarding the hopeful remedy of this longstanding property concern. Photos of the property are included in the packet. Mr. Boksansky stated the Village can make the repairs and charge the property owners back for the repairs on their Village taxes. Mr. McConville stated the Village can remediate the nuisance and assess the property and the costs of remediation.

OLD BUSINESS:

1. **Residential Rain Garden continue draft ordinance review:** Mr. Boksansky has included input from the Geauga Soil and Water Conservation District. Mr. Boksansky stated they gave the sizes of the garden and to be considered a rain garden it would need to be next to the roof. Mr. Boksansky stated there is one on Linda Ave and West High St. Mr. McConville stated the rain gardens should comply with inspections done on the rain garden to determine whether it is actually a rain garden or a noncompliant yard. Mr. McConville stated the Village should start regulating the current rain and butterfly gardens and the definition of a rain and butterfly garden needs to be more specific and detailed. Mr. McConville stated there needs to be a statement that any rain garden needs to be tied into an existing storm water system and it needs to be able to capture or remove storm water from the rear yard.

PUBLIC DISCUSSION:

ZONING INSPECTORS REPORT – Mr. Boksansky stated the report is included in the packet. Mr. Boksansky was able to issue 6 out of 8 permits for the month of February.

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PENDING

- 1) 15971 Pierce St. Extension of a nonconforming structure/ use. Applicant is considering option(s) for next step(s) regarding his improvement proposal.
- 2) Smallwood Sub Division Preliminary Plan approved 11/7/2023 off S. State Ave prepared by C.W. Courtney Company Owner is River Oaks Investment Company. Final plan anticipated for review in 2024.

Mr. Klein made a motion to adjourn the Planning & Zoning Commission at 7:07 pm, motion seconded by Mr. Dietrich. All in favor: Yeas (4).

Next meeting is on Tuesday, April 9, 2024 at 6 PM.

There being no further business before the Planning & Zoning Commission the meeting adjourned at 6:52 pm.

Leslie McCoy – Village Administrator

Scott Klein-Chairman

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