

**Zoning Commission Meeting
March 3, 2011**

Members/Attendance: X Ron Massullo
 X Jack Shetler
 X Gene McCullough
 X Joan Madej
 X Tim Marucci

Also in attendance: X Bob Monus, Zoning Inspector
 X Michele Richards, Recording Secretary

Ron Massullo called the meeting to order at 7:01 p.m.

1st Order of Business:

Ron Massullo stated that the first order of business is to approve the minutes from the meeting held on January 6, 2011. Joan Madej made a motion to accept the corrected minutes from the January 6, 2011 meeting. Jack Shetler seconded the motion.

Voting:

Yes Joan Madej
Yes Jack Shetler
Yes Ron Massullo
Yes Gene McCullough
Yes Tim Marucci

Motion carried.

2nd Order of Business:

The second order of business is the ongoing discussion of signage and size. Jack Shetler distributed information to the Board members regarding real estate signage in other townships. Shetler stated that he and Steve Platz met on several occasions last year and checked with Austintown, Boardman and Beaver townships regarding their zoning restrictions on real estate signage. Ron Massullo asked Steve Platz to speak.

**Steve Platz
4021 Via Cassia**

Platz referred to the handout information and stated that the areas on the spreadsheet (Austintown, Boardman, and Beaver) allow signage larger than what Poland Zoning allows. Platz stated that he is requesting that Poland Zoning be similar to these jurisdictions. Platz stated that a sixteen (16) square foot, four foot by four foot (4'x4') sign is reasonable for most areas of the township, except for the larger parcels, which he is proposing a thirty-two (32) square foot, four foot by eight foot (4'x8') sign.

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Joan Madej asked if there are any setbacks. Platz stated that the signs cannot be in the right of way. The current zoning provides that the signs cannot be in the setback. There is also language in the zoning about triangular corridors at intersections that you cannot obstruct visibility.

After further discussion, the following motion was made:

Motion

Joan Madej made a motion to accept the Poland proposal as per the information submitted by Jack Shetler.

This motion was not immediately seconded, further discussion entailed.

Ron Massullo stated he has no objection; however, he would like the proposed language written prior to a decision being made. Platz stated he could provide the language for the next meeting.

Shetler stated that this issue is approximately fourteen (14) months old and he would like to see that it is resolved, before it gets to be twenty-four (24) months old or even longer. Massullo stated that he will have more meetings this year than last year.

Jack Shetler asked who will do the verbiage for the proposed language? Monus stated that the Board does.

Joan Madej requested the proposed verbiage to read as follows:

Page 33, Article 7, Section 4 (e):

Remove – not to exceed four (4) square feet

Replace with - Residential Districts under two (2) acres, four (4) square feet

Residential Districts over two (2) acres, sixteen (16) square feet, maximum height six (6) feet

OF, TC, BP Districts: Under two (2) acres, sixteen (16) square feet, maximum height six (6) feet

OF, TC, BP Districts: Over two (2) acres, thirty-two (32) square feet, maximum height six (6) feet

This proposed verbiage is to be added at the end of the above motion made by Joan Madej.

Jack Shetler seconded the motion.

Voting:

Yes Joan Madej

Yes Jack Shetler

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Yes Gene McCullough
Yes Tim Marucci
Yes Ron Massullo

Motion carried.

Monus requested an additional item be addressed. Under Section 7.31 Sign Regulations, item 2, General Provisions, the last part of the following sentence should be removed from the book, "The following regulations shall apply to all signs in all zoning districts, except AG Agricultural Districts". Monus stated he is dealing with some legal issues that are exempting every sign in the AG district that should be regulated. Monus is requesting that the verbiage "except AG Agricultural Districts" be removed. The sentence should read "The following regulations shall apply to all signs in all zoning districts."

Motion

Joan Madej made a motion to remove the verbiage "except AG Agricultural Districts", under Section 7.31 Sign Regulations, item 2, General Provisions. Tim Marucci seconded the motion.

Voting:

Yes Joan Madej
Yes Tim Marucci
Yes Jack Shetler
Yes Gene McCullough
Yes Ron Massullo

Motion carried.

3rd Order of Business:

Wind turbine pre-emptive zoning. Jack Shetler stated that this discussion will be lengthy. Joan Madej stated she would like to make a motion to table the issue. Ron Massullo stated that a lot of time has been invested in this issue. He stated that the proposed article is very well done. Jack Shetler stated that the proposed article needs to be discussed but there is not enough time at tonight's meeting to do this. Massullo stated he is not opposed to tabling this issue. The article is very well written and he really has no further questions regarding it. This issue does exist in other areas. Jack Shetler stated he would just like to be sure that all board members have read the proposed article and understand it. Shetler stated that he would like to table the section on wind turbines to the next meeting.

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Motion

Jack Shetler made a motion to table the proposed Article XII, Green Energy, until the next meeting. Ron Massullo seconded the motion.

Voting:

Yes Jack Shetler
Yes Ron Massullo
Yes Joan Madej
Yes Gene McCullough
Yes Tim Marucci

Motion carried.

4th Order of Business:

Massullo distributed some maintenance housekeeping issues to the board members that was previously discussed several years ago. Massullo stated that the current zoning book does not address these issues. He would like the board members to review this information and discuss at a later date.

Old Business:

Massullo stated that he has a request by Thom Sutcliffe, representing RDW, to address the Commission to discuss the possibility of modifying the PUD (Planned Unit Development) at the Preserve at Yellow Creek. He also wishes to discuss creating fee simple lots for the remaining portion of the PUD.

**Thom Sutcliff
RDW Company
6600 Seville Drive
Canfield, OH 44406**

Sutcliffe stated he is present at tonight's meeting to update the board since the last meeting. He stated he is not asking for a zone change, just a change in the structure, going from a condominium to a fee simple arrangement. Sutcliffe stated that at the last meeting he was asked by the board how the residents feel about this proposed arrangement. Sutcliffe stated he has signed letters from the residents that are for the fee simple arrangement. He presented the letters to the board. Jack Shetler stated that this is what the board had asked for. Shetler asked what the next step is.

Sutcliffe stated that his next step is to go the Mahoning County Planning Commission and he is scheduled for their next meeting, which is the third Tuesday of the month, March 15, 2011.

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Sutcliffe referred to a drawing of the PUD, which shows how he intends to replot the parcel. Hank Grover is doing the drawing work for him. Phase 1 is the only area that will be replatted.

Gene McCullough asked Sutcliffe if he asking for a fee simple arrangement for the whole parcel or just Phase I. Sutcliffe replied the entire parcel, however, Phase I is the only section that will be physically replatted. The infrastructure is complete in Phase I.

Massullo asked how many parcels there are in Phase I. Sutcliffe replied there are six (6) structures in Phase I.

Jack Shetler asked when the Board will vote on this issue. Monus explained in this case it was a PUD approved by the commission and Trustees. Since there are comprehensive changes to the PUD, the board will need to approve the changes, and then it goes to the Planning Commission for their approval.

Massullo stated that he would like to have direction from legal counsel before a decision or a vote is made with this issue. He stated the Board has no language on a proposal and would like to discuss this with legal counsel prior to a decision being made.

Sutcliffe stated that he submitted a three page document on the fee simple concept to the Board at last month's meeting. He was also asked to obtain letters of approval from the property owners, which he did at tonight's meeting. He stated he has given the Board what they have asked for and any questions or issues were resolved in the previous process, which was three years ago.

After further discussion, the following motion was made:

Motion

Joan Madej made a motion to accept the proposal by Thom Sutcliffe, from a Planned Unit Development (PUD) condominium to a fee simple lot structure at the Preserve at Yellow Creek, for the entire development. Jack Shetler seconded the motion.

Voting:

Yes Joan Madej
Yes Jack Shetler
Yes Tim Marucci
Yes Gene McCullough
No Ron Massullo

Motion carried.

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New Business:

Gene McCullough discussed the article in *The Vindicator* regarding the Rubino case heard in January.

A discussion was held regarding days and times for future meetings. The Board agreed to meet on the first Wednesday of the month at 6:00 p.m.

Meeting adjourned at 8:42 p.m.

Submitted by:
Michele Richards/Recording Secretary

cc: Trustees (3)
Board of Zoning Appeals (7)
Zoning Commission (6)
J. Granitto (1)
File (1)