

WATERVILLE TOWNSHIP ZONING BOARD MEETING

621 Farnsworth Road, Waterville, OH

October 18, 2021

Zoning Board Members

William Burkett
Shelly Hayes, Vice Chair
Rich Hertzfeld
Keith Moosman
Tom Wardell, Chair

Alternate Bob Long

Zoning Secretary

Patty Rupert

Township Trustees

Kyle Hertzfeld
Julie Theroux
Duke Wheeler

Deputy Fiscal Officer

Peggy Michael

Township Zoning Inspector

Jim Fischer

MINUTES

1. **Call to Order / Pledge of Allegiance** – Meeting was called to order by Chair Tom Wardell at 7:00 p.m. Everyone in attendance joined in the Pledge of Allegiance.
2. **Roll Call** – Board Members in attendance were Bill Burkett, Rich Hertzfeld, Shelly Hayes and Tom Wardell. Also in attendance were Zoning Inspector Jim Fischer, Zoning Secretary Patty Rupert, and John Widmer
3. **Approval of Agenda for October 18, 2021** - Bill Burkett made the motion to approve the agenda as submitted. Rich Hertzfeld seconded. **MOTION PASSED.**
4. **Review Meeting Minutes – September 20, 2021**- Rich Hertzfeld made the motion to approve the minutes as submitted. Shelly Hayes seconded. **MOTION PASSED.**
5. **Public Comments** - None
6. **Correspondence – Patty Rupert** - None
7. **Zoning Inspectors Report – Jim Fischer**
Permit No. 032 – new pond permit for
Mark Foster
9310 Noward Road
Waterville, Ohio 43566
Agent – Redfox Custom Homes
Collected \$300.00 Check No. 2438
Permit No. 033 – home alteration permit (covered porch) for
West Rock Development (spec. home)
8501 Valleygate, Coventry Glen 91-01719, Lot 53
Waterville, Ohio 43566
Collected \$125.00 Check No. 6564

Last month Chairman Wardell asked me to suggest a fee addition to the Zoning Fee Schedule for solar panels, which are currently not covered. Our existing fee schedule covers commercial telecommunication towers at a fee of \$1250.00. Using that item as a guide, and since it could be argued that commercial solar panel farms are a similar utility, I would suggest the same amount. I would also suggest that any addition to an existing solar panel farm be the same amount. For a residential solar panel installation. I would suggest a \$300.00 fee and, if any additional panels are installed at a later date, a fee of \$150.00 seems appropriate. In reviewing the fee schedule, I did not find a fee for commercial or residential wind turbines. I would suggest a fee of \$3000.00 each for commercial wind turbines and \$300.00 for a residential wind turbine. Note, all amounts are a place to start and require the board's discussion and approval.

07-07-21 – I spoke with Lee Anne Column who lives in Crimson Hollow whose property is contiguous to the Telluride development. She is complaining about the overgrown

weeds and thistle seed blowing onto their property and the neighboring properties and swimming pools. I am working with Homes by Josh Doyle to have the property mowed. 07-26-21 – I spoke, in person, to Mike Mallery of Homes by Josh Doyle, about the weed problem on the Telluride property located on Dutch Road. We agreed that he would have his maintenance personal take care of the problem by 08-13-21, which was a few days over two weeks. This was the second time we have met in person and the second time I was told two weeks was adequate to get the property mowed or chopped. The first time we were talked about the problem was after the BZA meeting for the Telluride fence. Currently I have left two phone messages to return my call, but he has not. Mr. Mallery has responded to a text from me on 08-16-21, stating his maintenance man has been in the hospital, and they were looking into other options for weed removal. He also responded to a text on 08-24-21, stating that they are trying to get quotes and hire the work done. I cannot get him to give me hard date to perform the work.

08-30-21 – The trustee's authorized me to send a certified letter to Mike Mallery of Homes by Josh Doyle in regards to the ongoing overgrown weed problem on the Telluride property. He called the next day. We spoke about a schedule which was satisfactory to both of us. He did not meet the agreed upon deadline. I have texted him each week since and he has had an excuse each time. My last communication with him was on September 14, 2021. He wrote that he has a lawn company hired to do the work and that the job is on their schedule but no firm date. The work is still not done. I am quite tired of him not responding to the problem.

10-08-2021 – Finally some progress on the Telluride property has been accomplished. The area from Dutch Road, north to where the crops are planted has been taken care of. Unfortunately, zero work was performed north of the crop fields to the north Telluride property line. This is the main area that the neighbors have been complaining about. Mike is aware of this. I will continue to monitor the problem.

09-20-21 – I spoke with Kyle Newkirk about a possible flower farm on a property on Stiles Road. All were general question. He did ask about an accessory building before a home was built.

09-27-2021 – I spoke with Patricia Schwee who had questions about the property that is for sale at 7750 Dutch Road (the old Betty Shultz property). She was thinking about starting a vineyard with a retail wine tasting business. She also had questions about possibly converting the riding arena into an events center that could be rented out. We had a long discussion. The property is still for sale.

10-05-2021 – I spoke with Sandra Hale. She had set back questions about a piece of property.

10-06-2021 – I spoke with Anthony from Nexis. Nexis would like to place a triple wide mobile home on the compressor station property for permanent office space. I told him that mobile home structures were not allowed in the township and did not meet the architectural requirements as outlined in our zoning resolution. I referred him to the compressor station section of the zoning resolution.

10-07-2021 – I spoke with Brian Carroll. He had questions about plot plans.

10-07-2021 – I spoke with Kreg Moosman, 10001 Neapolis Waterville Road. I have received a complaint that there may be a commercial trucking business operating from the property which is currently zoned Agriculture. He did say he has on commercial licensed multi axle dump truck that is contracted out some days of each week and has an employee driver that operates the vehicle. I explained that his property was not zoned to operate the business. I explained his options, (1) request a conditional use permit, (2) remove and park the truck on a property which is zoned properly, (3) not use the truck for commercial business. A home occupation permit was not an option. Does not allow for an employee.

8. **Old Business**

Zoning Resolution Review – John Widmer – Review of all sections. Began review with questions board members had from previous reviews where John was not in attendance.

Key points discussed were as follows:

Add Manufactured Home Park to prohibited uses in table. Move square footage from 900 to 1200.

Ponds – remove last section

AIR B&B, Monclova township does not allow unless a commercial business. Looking to protect a way of life in the township. May have a detrimental effect on neighboring properties. Special Use permit for short term rental. Shorten 6 month rental period to 30-60 days. How do we allow to operate in our township? Houses must be owner occupied for more than 6 months out of the calendar. Standards 1-9, focus on A&B. John will write more restrictive, perhaps 25% or 3 months.

Solar Panels D.1 – Mounting about solar panels. Inoperable being removed. John will add graphics to include permitted mountings.

Pool lighting – As Jim writes permits, he will begin review of lighting section as well. Can we limit light timing? While in use? Include lighting indication as part of site plan for pools.

Section 14 – PMT/veloux – old terminology. Change to good quality black and white reproduction of original print.

14.2.C.5 – Reference to detailed site plan – take out “recommended”. We feel the need for professional expertise could be contested.

14.1.D – Written application versus zoning certificate, some confusion on interpretation. Applicants must complete forms provided by the zoning inspector or (the way Jim has been doing it is okay).

Last text amendment , accessory uses (refer to John’s comments). Section 7. (4.3 - ? Page 19)

Between b& c. square footage be limited to 50% of the primary dwelling or 1,000 sq. ft. max.

9. **New Business** – Betty Schultz’s house being sold. Son Steve is fixing up houses. Wants to buy sister out. Son is living in main house. Cannot rent out houses. Children and live there, or a caregiver. Jim will check with Bill Harbert.
10. **Trustee Comments** - None
11. **Member Comments** - None

Adjournment – With no further business to discuss Shelly Hayes made the motion to adjourn. Rich Hertzfeld seconded. **MOTION PASSED.**

Next meeting November 15, 2021