

**PAINESVILLE TOWNSHIP ZONING COMMISSION  
MEETING MINUTES**

**Monday, January 9, 2023**

**Painesville Township Office 55 Nye Rd. Painesville Twp., OH 44077**

**Present:** Ted Galuschik, John Haught, Mark Ruth, Darrell Webster, John Everette,  
Jim Corrigan

**Absent:**

**Zoning Inspector:** Harley DeLeon

**Legal Counsel:**

Chairman Ted Galuschik called the meeting to order at 6:30 P.M. The Pledge of Allegiance was recited. A roll call revealed that a quorum was present.

**Public Comment:** None

**Election of Officers:**

- Vice-Chairman:

John Haught made a motion to re-elect Darrell Webster as Vice-Chairman. John Everette seconded.

**Roll Call:** Everette; Aye, Webster; Abstain, Ruth; Aye, Haught; Aye, Chairman; Aye.

Motion Carried.

**Regular Meeting:**

Chairman asked if the Members had any additional comments or edits to the December 19, 2022 Meeting Minutes. Hearing None. Chairman entertained a motion to approve the December 19, 2022 Meeting Minutes.

Mark Ruth made a motion to approve the **December 19, 2022 Meeting Minutes**. John Haught seconded.

**Roll Call:** Everette; Abstain, Webster; Abstain, Ruth; Aye, Haught; Aye, Chairman; Aye.

Motion carried.

**Public Hearing:** None

**Site Plan/Architectural Reviews:** None

**New Business:**

- Receive Case 2023-0001-ZC Zoning Map Amendment of 378 acres or property from FPUD to a modified FPUD District.

Zoning Inspector Harley DeLeon explained that this application was to rezone 378 acres of land. The layout plan to develop the site was provided in the overall view in the application. The completion time was anywhere between ten (10) to twenty (20) plus years. The proposed permitted uses that were planned were provided on the Preliminary Developmentary Plan in the application.

Chairman needed clarification from Zoning Inspector Harley DeLeon that if sent to a Public Hearing, the Zoning Commission would either be recommending to the Trustees for approval or disapproval of the current Site Plan provided for review.

Harley DeLeon responded yes, and let the Commission know that within the application, there was a list provided of proposed permitted uses for the center of the proposed district. If the application were approved by the Trustees, Harley DeLeon would recommend a condition be placed that as each area is being developed, it is brought before the Zoning Commission for review. So that requirements are being met, and what was originally agreed upon is also met.

John Haught asked if the 2005 approval for the area had been considered.

Zoning Inspector Harley DeLeon let the Commission know it was a part of the application provided along with other documents that she had marked in the application.

Mark Ruth asked regarding if developers had come before the Commission for approval of areas that had been planned to be developed in past years. Staff let the Members know that plans had been followed through, except for one area that had not been developed.

Harley DeLeon wanted the Commission to know that the development team has agreed to provide a road extension from the proposed "Pod E" directly to Madison Avenue, as "Pod D" is developed for this proposed district.

John Haught discussed the past history of the area, plans for development since 2005, comparing what is currently being proposed to be developed. As he had been involved then in that proposed development.

A discussion with staff regarding what was different now with the new proposed development.

A discussion was held regarding senior living as a permitted use that was proposed for a past development, comparing what is currently being proposed for the new district for a senior living area.

Staff let the Members know that the proposed district was a huge modification for the Zoning Commission to review and consider for the Township. The Members agreed. The Commission would need to decide if this development meets the Township's comprehensive plan and is good for the Township.

John Haught asked regarding a possible rezoning for the Section 32 portion of the proposed district.

Harley DeLeon replied no. The goal is to keep bigger lot sizes for the South Eastern portion of the development. A compromise between the Township and the development was a town center as a public open space for the community. Which is one of the goals for the Comprehensive Plan.

John Haught asked regarding if the separate proposed "Pods" for development will have a Homeowners Association.

A discussion was held that there will be HOAs for the proposed Pods. It is unsure how or if Pods will be grouped together under one HOA or have separate HOAs.

A discussion was held regarding the School District being made aware of the proposed development, possibly increasing student numbers. Staff let the Members know that the school district is aware and trying to prepare. The school district can express concerns if needed.

John Haught asked regarding housing developments having enough parking, so as to not cause traffic flow issues.

Staff replied that the roads for the district are being proposed as public. Parking would not be permitted in the right of way on public roads. A requirement with setbacks will be to fit a full size car in a driveway, and have two (2) off street parking spaces available. A discussion was held regarding setbacks and any

possible what ifs which could possibly be for proposed townhomes that may be built in the proposed development.

John Haught brought up that there could be enough living areas or housing that could support shopping. A discussion was held regarding what type of establishments are being thought to be added to the proposed district. One story type structures. Boutique shopping, studios for exercise such as yoga, and art studios, restaurants for example inside the development. People would come for the experience of visiting. A walkable town center. The Trustees would like to see an area for entertainment, and family. On the outside of the town center could be more like a corner store. A list of proposed permitted uses is given in the application.

Harley DeLeon let the commission know if they have any questions or concerns, she can forward them to the appropriate person.

John Haught asked regarding taking into consideration traffic flow. Especially when coming into the Township from Painesville City or leaving the Township either way. Staff let the Members know that a preliminary traffic study has been provided in the application. Unfortunately some areas are not included within that study.

John Haught asked if it was necessary to have each Pod or area come before the Commission for approval.

Staff let the Commission know that as the development of each pod in the proposed district begins, they will need to be reviewed to ensure that requirements are being met. These requirements are density, setbacks, and whatnot. The Trustees have concerns and are requiring that each dwelling type and style be approved by the Trustees prior for each individual pod. The Commission could either have the approvals go before the Commission and the Trustees. Or just the Trustees.

Mark Ruth clarified regarding if an honor has been fulfilled from the 2005 development of the area. Harley DeLeon replied yes except for one portion.

A discussion was held regarding the Sidley's wanting to leave a legacy in the Township and wanting to have a good quality development. What other plans could be proposed such as a B an B with the Mansion. A possible brewery.

Marth Ruth asked regarding the historical experience with the developers with the Township.

A discussion was held regarding the developers being local and having other areas in the Township that have been developed.

Chairman asked questions for Zoning Inspector Harley DeLeon as follows:

1. Which road connection is being planned to be developed for the proposed district.
2. The proposed North South road into Madison Avenue is proposed to be 275 feet East of the current intersection of Madison Ave. and Riverside Dr. The county engineer will not approve that road. As it should be 500 feet. A discussion was held regarding the proposed North South Road and what had been in development in or since 2005.
3. Chairman would like to possibly increase some of the 55ft width lots to 60ft to reach the twenty percent (20%) open space required. As only seventeen percent (17%) open space is being proposed.

Chairman commented that he was unsure whether having each pod come before the Commission to be approved would be doable, as he feels that the public would like to know sooner how traffic will be

affected to connected streets. Chairman also expressed concerns for the number of variances that will need to be approved, affecting the recommendation of approval of the Site Plan to the Trustees. With each new phase being developed, Chairman was wondering if the variances could be taken care of sooner rather than later.

Harley DeLeon let the Commission know what was discussed with the developers regarding the road connection with existing streets. The compromise discussed with the developers and such for the road connection for the proposed district was Bellmore and Foxfire.

Chairman would like the road connection clarified for the February Meeting.

Harley DeLeon replied that it's dated December 21, 2022 for road connection in the application.

Harley DeLeon let the Commission know that Dave Radachy had said that the proposed North South road into Madison Avenue that is proposed to be 275 feet East of the current intersection of Madison Ave. and Riverside Dr was ok.

A discussion was held regarding the road.

Chairman needed clarification from Dave Radachy.

Harley DeLeon let the Commission know that the proposed variances would not need to go before the Board of Zoning Appeals. The variances could go before the Commission and the Trustees.

Chairman asked regarding being able to get to the twenty percent (20%) open space required, from the seventeen percent (17%) proposed.

Staff let the Members know that The Commission could recommend an approval to the Trustees with a condition that the twenty percent (20%) open space is met.

Harley DeLeon held a discussion with the Members regarding having thirty (30) days from the Public Hearing to send a recommendation of approval or denial to the Trustees. Whether the Commission can continue a Public Hearing until more information is provided if needed and a decision is reached.

Chairman reiterated the need for a traffic study for the full development for the affected areas around the development. For all the phases.

John Haught asked regarding the sewer system.

Harley DeLeon replied the Red Creek Interceptor is being put in.

A discussion between the Members regarding the Public Hearing: hearing what the developers have to say, hearing who is for and against the development, and everyone being able to ask questions.

Chairman let the Commission know what is expected at the Meeting, and what will be expected of them to continue or close the Public Hearing and send a recommendation to the Trustees.

John Haught explained the reason he asked regarding the sewer system was that it could slow down planning and building of the development.

Harley DeLeon replied that she thinks it has already been bid out. There is sanitary capacity for around 250 homes through the city of Painesville. The plan may be to develop areas A and B, and then move on with the sewer system for the rest of the development.

Zoning Secretary Rachel Muro reminded the Commission that a vote was needed to set a Public Hearing for Case 2023-0001-ZC.

Chairman entertained a motion to set for a Public Hearing for **Case 2023-0001-ZC** for February 13, 2023. Darrell Webster made a motion to set **Case 2023-0001-ZC** to a Public Hearing for February 13, 2023. John Haught seconded.

**Roll Call:** Haught; Aye, Everette; Aye, Ruth; Aye, Webster; Aye, Chairman; Aye.  
Motion carried.

- Discuss modifying regular monthly meeting date due to legal advisor's schedule conflict.

Legal Advisor Jeremy Iosue asked to move either the time of the monthly meeting or the date of the monthly meeting, as he had a schedule conflict.

A discussion had been started over an email thread. The discussion was moved to the current meeting.

John Haught voiced his concern that there were many other variables that can be affected by changing the Zoning Commission Meetings to a new date.

Darrell Webster suggested to see if a representative could be sent in Jeremy's place.

Mark Ruth asked how long the Zoning Commission Meetings had been on the same schedule. Harley DeLeon replied that the meetings have always been the second Monday of every month for a while that she knew of.

Darrell Webster reminded the Commission that variances are sometimes asked for of applicants, and The Board of Zoning Appeals meets the Tuesday after the Zoning Commission. This could affect applicants needing to get fees and paperwork in, in time for Board of Zoning Appeal Meetings. This helps keep the flow for developers and such moving.

John Everette needed clarification which way the Commission was thinking. Chairman replied that some of the Members may be leaning towards keeping the Zoning Commission Meeting scheduled the same as it has been, the second monday of every month. Chairman let staff know that with the upcoming February 13, 2023 Public Hearing, there should be a legal representative in attendance at the meeting.

Zoning Secretary Rachel Muro let the Members know what she was available for with date change or time change of the monthly meeting; but would agree that keeping the meeting on the same schedule currently is best for Legal Notices and Meeting Packets.

John Haught shared his concern that this could also affect the Public who may like to come to a meeting and not be able to attend due to a new time.

Chairman let Zoning Inspector Harley DeLeon that the Commission would like to keep the monthly meeting on the same schedule, the second monday of every month, at 6:30 P.M. Chairman asked staff to make sure a legal representative is available for the upcoming February 13th meeting.

Commission Members needed clarification if a vote was needed to keep the same schedule of the monthly meeting.

Chairman explained that since there was a consensus to keep the same schedule, a vote was not needed.

**Old Business:** None

**Dispensation of Closed Public Hearings:** None

**Items being held for Public Hearing:** None

**Zoning Inspector's Report:**

Zoning Inspector Harley DeLeon did not have anything to report to the Commission Members.

**Any Further Business to come before the Commission:**

Chairman adjourned the Meeting at 7:52 P.M.

**Next Meeting will be on Monday, February 13, 2023.**

Respectfully submitted,



**Ted Galuschik, Chairman**



**Rachel Muro, Zoning Secretary**