

YORK TOWNSHIP BOARD OF APPEALS

December 14, 2023

The York Township Board of Zoning Appeals held their monthly meeting in the York Town Hall/Fire complex on December 14, 2023

Chris Kosman called the meeting to order at 6:30 pm.

The Pledge of allegiance was said.

Chris Kosman stated this meeting is being taped for transcription purposes only.

Board Members Present:

Christine Barnes, Richard Hill, Roger Mittler, and Chris Kosman, were present. Ronald Fabich and Alternate Jessica Gerspacher were unable to attend.

Guests:

Bill Kinohy, Brian Scerea, Joseph Cali, Mike Roth, Kenneth Barco-York Township Zoning Commission Board Member, Dan Caudill, Andy Planet, Matt Schmahl, Frank Baluch

Public Hearing – Rent Rite Storage – Matt Schmahl

Chris Kosman explained we are short Board Members tonight. Chris Kosman explained there are four (4) Board Members in attendance and are able to continue with the Public Hearing. Chris Kosman stated if there is a tie vote regarding the decision of for the Public Hearing for Rent Rite it is an automatic no vote. Chris Kosman asked ask Matt Schmahl knowing that knowledge how would you like to proceed with Public Hearing.

Andy Planet introduced himself as the engineer for Matt Schmahl. Andy Planet asked if they would be able to proceed with the meeting and see the general tone of the meeting. Andy Planet asked how does this work; do you need to have three (3) aye votes in order for the Public Hearing for Rent Rite Storage to pass.

Chris Kosman stated we can continue a meeting with a minimal of three Board Members, but because we have four (4) Board members tonight we need to present this to Matt Schmahl for the option. Chris Kosman stated if there is a tie vote regarding the decision of for the Public Hearing for Rent Rite it is an automatic no vote since we have an even number of Board Members.

Chris Kosman stated he thinks it would be difficult to proceed to bring in other Board Members as this time because they are not here at the present time. Chris Kosman explained we could proceed with the Board Members that we have, just letting you know

this might be the possibility. Andy Planet asked if it would be possible for himself and Matt Schmahl to have a moment to talk it over to make the decision as to whether proceed or not. Chris Kosman stated you are able to have a few moments. Steve Ibos explained if the vote is three (3) aye and one (1) nay the variance passes.

Chris Kosman stated there is a possibility this may happen in January also, there will not be an Alternant Board Member present.

Matt Schmahl asked if there is a no vote there is no chance to come back. Chris Kosman answered you would need to appeal the decision.

Andy Planet asked if there was time to get another Public Notice in for January. Steve Ibos answered you do not need to send another Public Notice out, the Board Members would table this Public Hearing and schedule it for January 11, 2024 at 6:30pm at this same location. Steve Ibos stated the Public Hearing for Rent Rite Storage would be the top of the list for January.

Andy Planet asked what the date would be for January. Board Members advised Andy Planet it would be January 11, 2024. Andy Planet and Matt Schmahl decided to table the Public Hearing for tonight and reschedule for January 11, 2024 at 6:30pm.

Richard Hill made a motion to table the Public Hearing for Rent Rite Storage and reschedule to January 11, 2024 due to the lack of a full Board to hear the Public Hearing. Christine Barnes seconded the motion. Roll vote: Christine Barnes-aye; Richard Hill-aye; Roger Mittler-aye; and Chris Kosman-aye.

Chris Kosman mentioned to all in attendance there will be no Public Hearing this evening, anyone wishing to leave at this time may do so.

Mary Lenarth mentioned to all present the Public Hearing for Rent Rite Storage will not be posted again, please come next month on January 11, 2024 at 6:30 pm, same place same time.

Minutes:

The Board Members reviewed carefully the proposed minutes from the November 9, 2023 meeting. Roger Mittler made a motion to approve the proposed minutes. Richard Hill seconded the motion. Role vote: Christine Barnes-aye; Richard Hill-aye; Roger Mittler-aye and Chris Kosman-aye. Minutes approved.

Mary Lenarth explained the minutes for October 12, 2023 were questioned by Rachel Nagle. Board Members, Mary Lenarth and Steve Ibos reviewed the minutes for October 12, 2023. The Board Members all agreed the minutes for October 12, 2023 were approved over thirty (30) days ago, it is too late for Rachel Nagle to appeal them.

Richard Hill asked if someone would find out if the Alternate for either the Zoning Commission Board or the Board of Zoning Appeals would be able to be an Alternate for either board.

Chris Kosman stated if the Trustees appointed them as a dual member to both Boards then they would be able to do that. Richard Hill stated it happens too often that the York Township does not have an Alternate. Steve Ibos stated he will check this out.

Zoning: Steve Ibos.

Steve Ibos stated the only thing he is bringing up to the Board Members from the York Township Trustee meeting is the violations and permits. Steve Ibos explained he is not going to be going into detail. Steve Ibos also stated if anyone would like more information they could contact him or check the minutes from the York Township Trustee meetings.

Steve Ibos mentioned as of today he has had a lot of permits coming in for the end of the year. Steve Ibos stated he is up about eighty-four (84) permits might be a couple more in the works.

Steve Ibos gave a brief up date regarding the proposed York Township Comprehensive Plan.

Steve Ibos stated the York Township Zoning Commission is not required to send the York Township Comprehensive Plan to the Medina County Planning Commission for their approval. The Medina County Planning Commission will be glad to look at it and give the York Township Zoning Commission feedback on it. Steve Ibos mentioned once the York Township Zoning Commission has completed the proposed York Township Comprehensive Plan they will schedule a Public Hearing for the York Township Trustees, York Township Board of Zoning and Appeals and the public. Steve Ibos is not sure of the date to the Public Hearing at this time.

Christine Barnes asked if there was an update regarding the retention pond at Wolff Brothers Supply, Inc. Steve Ibos stated they have filled the pond so that is less than a foot and a half deep. Steve Ibos stated it is not a pond. Christine Barnes asked what is in the middle of the retention pond. Steve Ibos answered it is a construction drain.

Christine Barnes stated it looks like Wolff Brothers Supply, Inc. is doing a lot work out by the road. Steve Ibos stated Wolff Brothers Supply, Inc. planted the arbovities. Christine Barnes stated the work is going further to the east. Steve Ibos answered they are doing work down there for the drainage, they actually hit a water pipe and had to do additional work to fix the main that was going down that road. Christine Barnes stated so Wolff Brothers Supply, Inc. was having trouble with drainage. Steve Ibos answered it happened with the addition that Wolff Brothers Supply put on.

Richard Hill stated the drain that Wolff Brothers Supply, Inc. put in years ago was ruined when Fetchco put the water line in and it did not drain properly, the pipe stayed full of water and that is what they were repairing along the road.

Steve Ibos stated Wolff Brothers Supply, Inc. put shields on the lights by the dock area. The lights that showed up on the west side of the new addition for Wolff Brothers Supply, Inc. Wolff Brothers Supply, Inc. were told that was not approved as part of the plan, so Wolff Brothers Supply, Inc. turned them off and they are to be removed.

Steve Ibos also mentioned Wolff Brothers Supply, Inc. also installed doors on the west side of the building that were not approved. Steve Ibos stated they have Amazon boxes so they can have deliveries after hours.

Steve Ibos stated Wolff Brothers Supply, Inc. wants to know what they are able to do about additional signs. Steve Ibos and Board Members discuss additional signs for Wolff Brother Supply, Inc.

Old Business:

Chris Kosman asked if there was any Old Business.

There was no Old Business.

New Business:

Mary Lenarth gave Board Members a proposed schedule of meetings for the York Township Board of Appeals and the York Township Zoning Commission and asked if this ok to them so that she would be able to forward the schedule to the Medina edition of the Medina Gazette.

Mary Lenarth explained on the usual schedule for the York Township Zoning Commission is every first Thursday of the month. It was noticed this year the Fourth of July is on a Thursday. The York Township Zoning Commission decided to change that meeting to July 2, 2024 instead. Board Members did not have any problems or concern with the York Township Board of Appeals meeting schedule for 2024.

Roger Mittler suggested having an Organizational Meeting on January 9, 2024 to make it easier for everyone for the first York Township Board of Appeals meeting of the year.

Roger Mittler made a motion to have an Organizational Meeting on January 9, 2024 at 6:30 pm. Richard Hill seconded the motion. Roll vote: Christine Barnes-aye; Richard Hill-aye; Roger Mittler-aye; and Chris Kosman-aye. Motion approved.

Richard Hill has a feeling that the York Township Board of Appeals should have a Court Recorder at their February 11, 2024 meeting.

Chris Kosman stated that he looked into this before and asked Heidi Carroll from the Prosecutor's office. Chris Kosman explained Heidi Carroll did not give him a lot of information but she did say there are a few Court Recorder out there but they do need to be contact them ahead of time and see who is available to do it. Steve Ibos will check into it for the January 11, 2024 meeting.

Chris Kosman asked if there was any other New Business.

Chris Kosman mentioned as some of the Board Members know he must resign from the York Township Board of Appeals since he will be a York Township Trustee. Chris Kosman stated he brought in his letter of resignation thanking the Board Members for being allowed to be served on the York Township Board of Appeals and serve with the Board Members and they helped him a lot, mentored him, helped him grow in knowledge and appreciated the opportunity.

Chris Kosman gave the Board Members his letter.

The Board Members all thanked Chris Kosman for all the he has accomplished with the York Township Board of Appeals.

Adjourn:

Richard Hill made a motion to adjourn the meeting at 7:15 pm. Roger Mittler seconded the motion. All Members voted aye in a voice vote. Motion adjourned.

Chris Kosman, Chairperson

Mary Lenarth, Secretary