

Richfield Township Board of Zoning Appeals  
February 10, 2020

The special meeting was opened at 6:30 p.m. on January 20, 2020 with the following in attendance:

Jeff Smola  
Natalie Grubb  
Geoffrey Graham

Zoning Inspector, Laurie Pinney  
Summit County Prosecutors Office Assistant Prosecuting Attorney, Ray Hartsough  
Court Reporter Lena Duncan

There were approximately twenty-two attendees, including approximately six applicant representatives for the one case on the agenda.

Board members Christi Gable and Robert Kapitan had provided prior notice that they would be unable to attend.

A motion was made by Mr. Smola and seconded by Mr. Graham to go into executive session with legal counsel. The motion passed with unanimous approval. The board came out of executive session at 7:04 p.m.

Ray Hartsough, legal counsel for Richfield Township provided an opinion that the board has the ability to grant an area or use variance that is 100% of the requirement.

John Slagter, legal counsel for the applicant presented information regarding the application and took questions from the board. Property owner John Allega answered questions regarding whether the scope of the variance request is for the first building only or the entire approximately sixty-acre property. He responded that the request is for the entire property.

Michael Gatto, real estate developer agent for the propoerty was sworn in at 7:50 p.m. and state he has represented the property since 2007 and has been unable to execute a sale due to zoning restrictions. Mark Majewski, a planner with North Star Planning and Design was sworn in at 8:27 and provided his insights on the zoning restrictions in this district. It was noted that Mr. Allega had not been sworn in and he was retroactively sworn in at 8:27 p.m.

Trustee Janet Jankura was sworn in at 8:35 p.m. and discussed with the board why she was in support of the request. Paul Thurston, of Becknell Industrial was sworn in at 9:07 p.m. And provided information. Mr. Allega and Ms. Jankura answered additional questions. Zoning Inspector Laurie Pinney was sworn in at 10:07 p.m. and provided information on prior 100% variance requests. Mark Totten, chairman of the zoning commission was sworn in at 10:11 p.m. And provided information on a letter in support of the request that had been sent by the zoning commission members.

Opponents Jim Vocaire, Mike Caruso and Becky Vocaire were each sworn in and provided reasons for opposing the request.

Mr. Smola suggested a five-minute recess and Ms. Grubb alternatively suggested the board go into executive session. A motion was made by Mr. Smola and seconded by Ms. Grubb to go into executive session with legal counsel at 10:37 p.m. The motion passed with unanimous approval of those in attendance.

The board came out of executive session at 11:09 p.m. and a motion was made by Mr. Smola to approve the variance as requested. The motion was seconded by Mr. Graham but failed with votes of approval by Mr. Smola and Mr. Graham and an abstention by Ms. Grubb.

Having no further business, a motion was made to adjourn by Mr. Smola at 11:13 p.m. The motion was seconded by Ms. Grubb and received unanimous approval of those in attendance.

Chairperson \_\_\_\_\_ Secretary \_\_\_\_\_ Date \_\_\_\_\_