

Village of Middlefield Planning & Zoning

Minutes

October 8, 2024

The Village of Middlefield's Planning & Zoning meeting was called to order at 6:00 p.m. with the following members present: Mayor Garlich, Ms. Carissa Shaffer, Mr. Linberg, and Mr. Dietrich. Mr. Scott Klein is excused.

Also present: Leslie McCoy-Village Administrator, Mr. Luke McConville- Village Solicitor, Mr. John Boksansky-Zoning Inspector, Ms. Ann Wishart- Maple Leaf, Mr. Alex Duncan, Ms. Sabine Weizer, Mr. Sam Morrow, Mr. James Baker, Ms. Kelli Linberg, and Ms. Heather Baker.

Agenda: No Additions/Deletions.

Minutes: The minutes of the September 10, 2024 meeting were presented for approval. **Mr. Garlich made a motion to approve the minutes as presented, motion seconded by Mr. Dietrich. All in favor: Yeas (3). Mr. Linberg abstained. (1)**

PUBLIC HEARING:

NEW BUSINESS:

- 1. Discussion item relating to adult-use marijuana dispensary. Current Village of Middlefield, Ohio dispensary moratorium expires December 31, 2024.** Mr. Boksansky stated adult dispensaries are starting to show interest in opening a dispensary. Ms. McCoy stated it is also to bring it the the attention of the planning and zoning commission that the moratorium will be expiring at the end of the year. Mr. McConville stated for the extension is if it is for the moratorium it would just be done legislatively. Mr. McConville stated one thing to remember is that Villages have the right to pass legislation by emergency to ban retail dispensaries. Mr. McConville stated the way to go is to pass an Ordinance before the moratorium expires at the end of the year.
- 2. 15401-15439 W. High Street Middlefield Square- Hammerschmidt LLC, and Karali Properties LLC (Burger King) Reciprocal Easement Agreement:** Mr. Boksansky stated Hammerschmidt sold the property to Karali Properties and they are requesting a reciprocal easement agreement. **Mr. Dietrich made a motion to approve the reciprocal easement agreement, motion seconded by Mr. Linberg. All in favor: Yeas (4).**

OLD BUSINESS:

- 1. Noise Ordinance Update. Current Study review, discussion re: findings and potential ordinance adjustment(s):** Mayor Garlich stated he would like the committee to be able to review the noise study more. Mayor Garlich stated he would like it to be fair for residents and for the industries. Mayor Garlich stated he does not see any takeaways which is why he would like it to be reviewed more by the committee. Mr. Linberg stated he would like someone to come out and inspect Kraftmaid to see if there is anything that can be done to decrease the noise coming from there. Ms. Baker (resident of Kenwood) stated the biggest issue for them is the noise during sleeping hours. Ms. Linberg stated the noise frequency is worst at night and can be very disruptive. Ms. Weizer stated the noise has significantly increased in January of this year. Mayor Garlich will keep this on the agenda for the following Planning and Zoning meeting.
- 2. 16216 Kinsman Property conditions (located in Middlefield Township) next steps. For Sale Sign posted with contact info noticed 7/25/2024. Some offered have transpired:** Mr. Boksansky stated he was emailing with Paul Porter- Middlefield

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Township Trustee and Paul stated he would do his best to get updates from the property owner. Mayor Garlich stated the sign is washed out and you can't see it from the road. Mr. Boksansky stated he will give an update once he gets one from Mr. Porter.

PUBLIC DISCUSSION:

ZONING INSPECTORS REPORT – Mr. Boksansky stated the report is included in the packet. Mr. Boksansky was able to issue all permits applied for in the month of September.

PENDING

- 1) Smallwood Sub Division Preliminary Plan approved 11/7/2023 off S. State Ave prepared by C.W. Courtney Company Owner is River Oaks Investment Company. Final plan anticipated for review in 2024.
- 2) 15885 West High Street Property Nuisance 1313.00 letter started. Letter was sent: compliance date is 5/23/2024. Painting estimate rec'd \$6,200. Nuisance abatement compliance pending.
- 3) Zoning Ord changes Public Hearings scheduled July 11, 2024: Ord 24-134 1157.04 changing the number of parking spaces required. 1 per 250 SF of retail/ commercial space. August 8, 2024: Ord. 24-136, 1155.01 changing lot coverage to 60% from 40% and 1131.05 modifying the definition of "lot coverage" and "structure". Completed and enacted third reading 9/12/2024.

Mr. Dietrich made a motion to adjourn the Planning & Zoning Commission at 6:47 pm, motion seconded by Mr. Linberg. All in favor: Yeas (4).

Next meeting is on Tuesday, November 12, 2024 at 6 PM.

There being no further business before the Planning & Zoning Commission the meeting adjourned at 6:47 pm.

Leslie McCoy – Village Administrator

Scott Klein-Chairman