

BOSTON TOWNSHIP ZONING

Board of Zoning Appeals – February 25, 2025

Members Present: Paul Kaczmarski, Dave Calaway, Ron Summers, Jerry Ritch, Jay Littler

Also present:

Trustee: Randy Bergdorf

Zoning Secretary: Jerilyn McGuire

Zoning Inspector: Mike Anderson

Al Schrader from Roderick, Linton and Belfance

Amy Anderson – Trustee

Makenzie Sabo – Court Report from Medina Court Reporters

Various community members present for hearing

Paul Kaczmarski called the meeting to order at 6:32pm

Minutes from January 28, 2025, meeting were reviewed. Motion to approve the minutes was made by Paul Kaczmarski and seconded by Dave Calaway. All voting “aye.”

Public portion of the hearing. Paul called the meeting to order and introduced BZA members, all were present.

Tonight, the Boston Township Board of Zoning Appeals will conduct a Public Hearing in regard the applications filed by:

Chad M. Costello of Peninsula Architects, 1775 Main Street, Peninsula, Ohio 44264.

For the property located at 4967 Akron-Cleveland Road, Peninsula (Boston Township), Ohio 44264, Parcel #s 0700188 and 0700013. Owned by Seumar Holdings II, LLC, P.O. Box 68, Cleveland, Ohio 44017 for the establishment the business on the subject property with the name of NAPA 487 Winery and Spa, restaurant and special event venue.

The owner/applicant is seeking the following:

- a. Zoning approval pursuant to Chapters 7A and Chapter 8 for the establishment of the proposed business NAPA 487 Winery and Spa within the Seasons Road Business District.
- b. Request for variance from the Boston Township Zoning Resolution Chapter 11, section 1102.02., requiring ‘For non-residential establishments, no more than 25% of the total parking area shall be in front of the building, the rest shall be either on the side or to the rear of the building.

If approved the applicant shall sign the Zoning Certificate, acknowledging the conditions and requirements. The breach of any condition, safeguard, or requirement shall automatically invalidate the certificate granted and shall constitute a violation of the Zoning Code.

It's noted that notice of the hearing was delivered by mail and published in West Side Leader.

Court reporter in attendance; anyone wishing to speak must sign in the witness sheet will be sworn in by the court reporter

Paul noted the order of the hearing:

The Zoning Inspector will discuss the Zoning Applications and introduce exhibits. Zoning Inspector will also report the comments from the Zoning Commission. The applicant will present their information, the public will have an opportunity to comment, the BZA members will discuss and eventually the application will be acted upon.

Mike A – discussed the application and the plans were presented.

Joe Matava– from Peninsula Architects was present and represented 4967 Akron Cleveland Rd. He presented to the board. Joe indicated plans now are for a 6,000 single story building. Previous plans were for 8,000 square feet. Square footage has decreased.

Plans also include a 4,000 sq ft patio.

They have been through Summit County soil and water. Looking for a building permit by March.

Ritch inquired about day-to-day operations. Response: people can stop in for a glass of wine or make an appointment for a wine tasting. Food will be provided in-house. Hours? Weekdays until 9. Will also be a special event place. Regular hours for drop in wine tasting. Not a burger and fries place. Wine oriented. Not a full restaurant but will be “warming things.” Possibly have a pizza oven outside that is portable.

Dave inquired about staffing if no event. Response was approximately 3-4 people if no event. More of a wedding/special event venue. Will maintenance folks be employed there? – not in house staff. Grounds maintenance will be from an outside landscaping business

Dave inquired about a sign. Per Joe – they will have to come back to the group with the signage. Will not be “loud”

Paul inquired about the sign on the building. It will be externally lit.

Paul inquired about the pizza oven and if it's movable structure? Response was yes – it is movable.

Dave – asked Mr. Chairman if photos can be shared with the crowd? Paul – yes

Plans to have two pavilions – 2,000 sq ft per pavilion. Along with a 4,000 sq foot patio. Total square feet of 14,000

Kaczmariski discussed parking lot/driveway:

- Resolution says if over 5 spaces – spaces must be paved with asphalt or concrete. Gravel is not in compliance with zoning.
- What is the purpose of gravel? Per Joe – a gravel surface is less apt to erosion. Customers will also have more of a country experience, which is the vibe the owner wants. Gravel will portray a more laid-back experience. Will be limestone. Paul – limestone puts off more dust. Impact on

storm water management – none. Line with birch trees. Paul – storm water going to structure on the west. Everything is going towards the front. Not going to pond in back

- Requirements for landscaping and parking spots. Would the owner be ok with proper landscaping within the parking spots? Joe said he'd be OK.

Site plan tonight – different than previously submitted. Cutting costs / budgeting.

Paul inquired about lighting. They are still working through this. Electrical engineer working on it. Antique looking post lights (down only). Any safety lights? Lighting at parking, on building and on patio. Wall mounted lights. Post lights along the entrance and parking lots. In process with engineering package. Lighting is in there.,

Paul indicated he'd like to see where the posts are

Additional notes: There will be a fixed structure for bands to play. Importing wine from CA. Napa Valley wines.

Opened to the public to anyone that would like to speak:

Angela Loughry was sworn in by the court reporter. She indicated that traffic is a big concern, and spa has not been addressed.

Per Joe – the spa is part of future plans. Regarding traffic - they worked with Summit County for traffic study. The county had them realign the driveway. The facility will be used more in the evening than the day. Has a traffic light been considered? Joe thinks it would be a good idea but not sure who would make that decision. The entrance will be lit.

Amy Anderson was sworn in by the court reporter. Amy spoke regarding the street and indicated there will be 2 lights on Seasons to State Rd

Spa – looking at Waldon Inn as a reference. Would like to locate small 3 or 4 buildings in the back. Will have a bathroom. Future phase.

Traffic study – from TMS engineer. Realigned parking per engineer.

Steven – from the Wine Mill was sworn in by the court reporter. He's concerned about the impact on the Wine Mill. Business plan for the new winery is like what they do at the Wine Mill. The Wine Mill is in a historic building. Traffic nightmares at Hidden Lakes have occurred. Steven is glad they are doing something with traffic. They (at the Wine Mill) have worked with the community. Paul inquired about full capacity - # of patrons – 100 or under. Per Steven – they try to keep at 100.

Occupants for new winery – total 335 if everything in use. Paul inquired about possible use of fire pits on property near the lake. Per Joe – only hard surface proposed.

Ryan Dotson spoke– his concern is about occupancy. Is the parking lot enough to handle full occupancy? Per Joe – the idea is that there will be sufficient parking. Pavilions will be reserved ahead of time. Capacity could be known ahead of time. Could have a private event and be open to the public but will be aware of capacity issues. Joe reassured the owner does not want people parking on the street. Can learn to dial back party numbers of attendees. They will try to find the right balance.

Steve (from the Will Mill) parking is an "I don't know." 40 people could attend and all could come individually.

Paul to Mike – regarding parking spot requirements; requirements are one parking space per 100 sq feet of area. Paul – building and pavilions are under roof. 100 spaces are needed to accommodate the building and pavilions. But with the additional 4,000 sq feet of patio – they could need 140 spaces. Currently have under 140 spaces. What's the interpretation? Pg 79. Paul and Mike both interpret this as building area, not patio area. Losing some spots due to landscaping. Spaces should still be in excess of zoning requirements.

Jay Littler – any plans to make sure they park in the driveway and not in the circle out front? Joe – there should be directional signs.

Mike A – fire plans. Should be marked as a fire lane.

Paul – dumpster enclosure? Same Materiality as building? Joe – not sure exactly. Now on south side probably metal enclosure of dark color.

Paul commented – he likes the application and proposal. Concern is that site plan is different than what inspector reviewed. Additional pavilions. New drive. If we act tonight there are items we don't have documentation for. Joe – pieces should be there shortly. Joe – can this be approved based on architectural site plan?

Paul – suggested motion to approve but hold off on zoning certificate. Thinks commission should relook at new site plan.

Dave – we have been working on corridor for a long time, and this is something we like to see. Don't see big changes other than swapping out some buildings. Not enough to hold up.

Jay – concerned about consistency. We want this project, but we have rules. Would like assurance to get to the zoning commission.

Joe – very sure he can get what we need in a week. Concerned the county won't review drawings without zoning approval.

Paul – gravel – aids storm water management. Looking at decreasing number of spaces and adding landscaping

Paul – motioned to approve the variance for the parking in front of the building.

Paul also motioned to approve the application for the conditional use zoning permit subject to the following conditions:

- 1) The application is approved with drawings received on 2/25/2025
- 2) The drawings received and reviewed by the BZA on 2/25/2025 must be reviewed by the Zoning Commission.
- 3) Parking:
 - a) Eight (8) parking spaces are to be dedicated to landscaping.
 - b) Gravel is approved for parking spaces assuming the remainder is concrete.

- 4) The business ensures that the on-site employee(s) are enrolled to participate in the RITA/JEDD income tax program

Dave Calaway seconded the motions.

Voting:

Dave Calway - yes

Jerry Ritch – yes

Jay Littler – yes

Ron Summers – yes

Paul Kaczmariski – yes

Motions carried through.

Per Court reporter:

If drawings are different – that will require re-review by Zoning Commission and the BZA.

Drawings have been inconsistent.

Need consistent with tonight.

Zoning Inspector Report

- 5772 Akron Cleveland. McShane. Indoor storage facility. Incomplete app
- Don El – change of use inquiry to apartment. Asked zoning board about their input. Business use or residential use?
- Jenkins on Oakhill – barn dominium. Working on application.
- Solar panels – Appalachian Outfitters. No permit is needed.
- 3886 Oak Hill – runway
- 5650 AC – Direct Aire – moving forward
- Wyoga Lake Rd – plans – traffic lights. Vacated section of Wyoga Lake Rd.
- Zoning board – working on text changes
- Village market – gas station
- Napa plan/winery.

Randy – representing the trustees: Mark Majewski is retiring. He has served as a consultant with updates to the Zoning Resolution. We appreciate his efforts. Randy is looking for a back up.

Randy – condolences to Paul’s family regarding the recent passing of Paul’s father.

Paul Kaczmariski motioned to adjourn at 7:56pm. Next meeting will be held on March 25, 2025.

Paul Kaczmariski, Chairperson

Jerilyn McGuire, Secretary

