

BOSTON TOWNSHIP Board of Zoning Appeals Meeting - Tuesday, December 27, 2022

Present: Paul Kaczmarek-Chair, Jay Littler, Jerry Ritch, Ron Summers

Zoning Administrator: Laura Brock Zoning Inspector: Mike Anderson

Trustees: Randy Bergdorf, Amy Anderson

Legal Counsel: Al Schrader and Court Recorder: Michael Rennillo

Others: Laura Woyma, Traci Ward, Holly Zelenskie, Joni Rapp, Jessica Nagy, Nick Janigian, Mike Stokes, Shawn Frazier, Tom, John, Joseph, and Tina Brock, Candice and Gary Parr, Aaron McHenry

Paul called the regular meeting to order at 6:30pm.

Motion by Paul, seconded by Jerry to approve the minutes from November 22, 2022, as submitted.

Voting: all yes.

Public Meeting called to order 6:35pm.

Paul introduces the first applicant, Laura Higgins-Woyma of Brilliant Electric Sign Company on behalf of Earth'n Wood by Kurtz brothers 5347 Akron Cleveland Road. Variance Request: 2'7" extension of allotted ground mounted sign regulation 1201.04(Ground signs shall not exceed 6' in height above existing ground level).

Paul read the order of procedure for the public hearing: Order, Introduction, General Statement, Purpose, Notice, and Order of Hearing. Laura swears in and states who she is and that she is representing Earth'n Wood in the design of a much-needed ground sign according to Tracy Ward, who is the Marketing Specialist for Earth'n Wood.

Tracy swears in and states that they are receiving feedback from customers that they cannot see the sign from the road and are having difficulties finding the establishment. In addition, the road is terribly busy and can be hard for people viewing the current low-lying sign.

Paul asked Laura about it being digital, Laura responds that it is an automatic control and Tracy said it will be a slide show that only runs while business is operating. No further comments were made on that.

Exhibit A: Sign Document

Paul asked about flashing, Tracy states it will be a scroll. Paul reads 1201.7, which refers to the types of signs permitted. Jerry asked about the content that would be scrolling. Tracy continues with the hours, events and nothing that would distract drivers.

There was discussion on the lot size and no dimensions were included in the map or proposal, that did not sit well with all parties involved.

Paul stated his biggest issue was the electrical display and the height proposal.

Ron asked how much traffic the business on Akron Cleveland Road receives and Laura stated it is about 60/40 retail, the second largest from homeowners.

Paul makes motion to approve: Jay: Yes, Jerry: No, Ron: No, Paul: No

Paul recommends they rethink their design and do a new application, consulting chapter 908(Variations) in the resolution book.

Closed.

Laura Brock steps out for the Nick Janigian case and Jerry Ritch fills in for those minutes.

Public Meeting concerning variance request by Nick Janigian for property located at 1460 West Hines Hill Road.

Mr. Kaczmariski began the meeting by reviewing the procedures for a public meeting. He indicated that in this situation there were three items that needed a variance: Residency requirements, Sign Height, and the use of the first floor as an art museum/gallery and space for exhibitions and booked private events.

He then reviewed the Zoning Board's comments regarding this application. He said that they expressed concern that an approval would set a precedent for future B&Bs within the Township.

Nick Janigian presented his case for a variance. He stated that his situation is detailed in the letter he wrote and in his application. He acknowledged that his application does not comply with our regulations for residency and sign height as the sign would be two feet higher than allowed.

Mr. Kaczmariski then asked for comments from people attending the meeting. They are as follows:
Mike Stokes – Lives about two miles down the road from the church and is thrilled that Nick would invest in the building

Candice Parr – While walking her dog people ask her where they can get coffee and meet with other people. What Nick wants to do would be great.

Thomas Brock – He had questions about the sign and expressed concern about the number of people attending the events. Nick responded that the sign would be in its original place and that no more than fifteen to twenty people would be there at any one time.

Shawn Frazier – Lives in the area and thinks Nick should be given the opportunity to refurbish the church.

Aaron McHenry – Lives in the area and would like to see it refurbished.

Jessica Nagy – Nick's mother. She knows the history of the church and is proud of what Nick is attempting to do.

Tom Brock (again) – wanted to know if a cap on attendance would be placed at events, also had some concerns about the parking lot.

Joni Rapp – Neighbor – has seen changes in park attendance. Concerned about traffic, speeding, running stop signs and additional people coming into the area.

That ended the comment part of the meeting.

Ritch then asked Nick if his initial intention in purchasing the building was to convert it to a B & B. He answered yes. He was then asked if he was aware of the zoning restrictions, to which he again answered yes and indicated he was originally planning to live in the building. He then stated that obtaining grants for the restoration of the building was limited or nonexistent if he lived there. However, if he did not live on the premises, funding grants would be more available. That is when he decided to live off the premises.

Kaczmariski then asked about the septic system and according to Nick he has discussed his situation with the EPA and his proposed upgraded system will work. He was also asked about the kitchen and indicated there will be no cooking on the property. Kaczmariski then inquired about the percentage of total revenue generated by the B & B. Nick feels that about forty percent of his revenue will come from the B & B.

Ritch again asked about limits of attendance for planned events. Nick claims that they would not exceed fifteen to twenty people per event.

Littler asked about the basement and Nick said that there was nothing planned for that area. There was some discussion about Park's opinion on Nick's project. He felt that they supported it.

At this point Kaczmariski felt that because there were so many moving parts to this request that we table it until our meeting in January.

The motion was made by Kaczmariski and seconded by Ritch. All voted yes.

Motion by Paul, seconded by Jerry to adjourn at 8:13pm, all in favor.

Minutes taken and prepared by Laura Brock and Jerry Ritch

Approvals: _____

Paul Kaczmariski
Chairperson

Laura Brock
Zoning Administrator