

YORK TOWNSHIP BOARD OF APPEALS
November 8, 2007

The York Township Board of Zoning Appeals held their monthly meeting in the York Town Hall/Fire Station Complex on November 8, 2007 at 7:30pm.

William Schultz called the meeting to order at 7:30pm.

Board Members Present:

William Pavlick, William Schultz, Roger Mittler, Alverta Moehle, and Eric Squire-alternate were present at the meeting. Pete Ricci, was unable to attend.

Guests Present:

Jennifer Chidsey, Lyman Chidsey, Colene Conley-Trustee, Kevin Graham, Denise Aungst, Janet Graham, David Hull-Chairperson Zoning Commission, Jane Weiland-Trustee, Richard Monroe-Trustee, Dorothy Crouch-Zoning Inspector, Bob Hanwell.

Minutes:

The minutes for today's meeting are being taped for the use of the York Township Board of Appeals.

Public Hearing (Chidsey Amendment reconvened)

William Schultz stated that there is a quorum present and this will be a continuance of the October 18, 2007 meeting, regarding the Chidsey Amendment.

William Schultz stated that he did review the tapes, pictures that were present and the minutes from the October 18, 2007 meeting.

William Schultz and Jane Weiland also made a trip to the Medina County Prosecutor's Office and spent about two (2) hours discussing the Chidsey Amendment.

William Schultz stated that he will recognize Lyman Chidsey as being sworn in, anyone else will need to be sworn in.

Dorothy Crouch stated that William Pavlick cannot sit on the board due to the fact that William Pavlick was not at the previous meeting in October and did not review the tapes or minutes.

William Schultz asked Lyman Chidsey if he would accept the vote of four (4) members of the Board instead of five (5). Lyman Chidsey said he would.

William Schultz swore in Jane Weiland. Jane Weiland stated that per Trina Devanney from the Medina County Prosecutor's Office when you have only four (4) Board members you may have a split vote.

William Schultz explained that if the vote was split, two (2) for the Amendment and two (2) against the Amendment the decision would be no. Lyman Chidsey said that he understood.

William Schultz explained that he feels Lyman Chidsey has out-grown his residential home occupation.

William Schultz stated the Board will be voting on two (2) things.

1. Snow plowing
2. Quite time (9pm and 7am) whether to keep this time.

William Schultz asked if the Board members had any questions. They did not.

William Schultz asked Lyman Chidsey about the starting of the diesel trucks. Lyman Chidsey stated that diesel trucks should run for about 15 minutes to warm up.

Lyman Chidsey showed William Schultz on the drawing of his lot where he parks his truck.

William Schultz swore in Robert Hanwell, lawyer for Lyman Chidsey. Robert Hanwell feels uncomfortable about the two, two split vote. That he would rather postpone the hearing until Pete Ricci would be able to attend.

Roger Mittler asked Robert Hanwell if he would like to talk to Lyman Chidsey in private. Robert Hanwell said he would. Robert Hanwell and Lyman Chidsey left the room.

Upon their return, Robert Hanwell asked if Lyman Chidsey would ask for the Amendment to be continued at a later date would there be an additional fee. Dorothy Crouch stated that there would be no additional fee.

Robert Hanwell asked for a continuance of the Chidsey Amendment Public Hearing.

Roger Mittler reminded Lyman Chidsey that he could not run his snow plow out of his home.

Jane Weiland stated that per Trina Devanney, since the Public Hearing has never official closed, the motions of the meeting on October 18, 2007 are not yet in effect.

William Schultz swore in Colene Conley-Trustee. Colene Conley asked Dorothy Crouch-Zoning Inspector if Dorothy Crouch has sent Lyman Chidsey a letter regarding his work truck on his property. Dorothy Crouch said she did. Colene Conley stated that Lyman Chidsey had a stay regarding his work truck.

William Schultz swore in Dorothy Crouch-Zoning inspector. Dorothy Crouch and Jane Weiland talked to Trina Devanney. Trina Devanney stated that it is true what Jane Weiland had stated. Until the minutes are signed and approved from this Public Hearing

it is not legal. Would the Township probably try to enforce anything during the time the Public Hearing is going on, probably not. Dorothy Crouch stated that if Lyman Chidsey would have his truck or bookkeeper on his property he would be doing so at his own risk.

William Pavlick is to review the tapes, pictures and the minutes for the meeting of October 18, 2007 before the November 27, 2007 meeting.

Alverta Moehle made a motion to recess the Public Hearing for the Chidsey Amendment and continue it on November 27, 2007 at 7:30pm. Eric Squire seconded the motion. All members voted aye in a voice vote.

Adjourn:

Roger Mittler made a motion to adjourn the meeting at 8:10pm Alverta Moehle seconded the motion. All members voted aye in a voice vote. The meeting was adjourned.

William Schultz-Chairperson

Mary Lenarth, Secretary