1	STATE OF OHIO ) COUNTY OF MAHONING ) SS:		
2	TOWNSHIP OF POLAND )		
3			
4	POLAND TOWNSHIP BOARD OF ZONING APPEALS		
5	PUBLIC HEARING		
6	AUGUST 1, 2024 - 7:00 P.M.		
7	CASE #ZA-08-24		
8			
9	RE: Case #ZA-08-24 - Anthony Nolfi		
10	Variance Request		
11			
12	Case #ZA-08-24 This is a request from Anthony Nolfi, who seeks a variance to obtain relief from swimming pool		
13	regulations of a required 6' (six) foot high fence around yard or around in-ground swimming pool. The appellant wishes		
14	to purchase an auto safety cover over the pool in lieu of current fence regulations. The property is located at 189		
15	Luteran Lane, Poland Township, Poland, Ohio, known as Lot 2, parcel number 35-043-0-011.00-0 and is an Estate (E) zoning		
16	district.		
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**APPEARANCES:** 1 2 POLAND TOWNSHIP BOARD OF ZONING APPEALS 3 Michael Johnston, Chairman and Member of the Board Ricky Morrison, Vice-Chairman/Member of the Board 4 Robert Durick, Member of the Board John Grahovac, Member of the Board 5 David Long, Member of the Board 6 Patty Magazzine, Zoning Inspector 7 8 ON BEHALF OF THE APPELLANT: 9 Anthony Nolfi, Appellant 10 11 12 PLACE : Poland Township Government Center 3339 Dobbins Road 13 Youngstown, Ohio 44514 14 15 REPORTER: Dena K. Crissman, M.S., R.P.R., C.R.I. Registered Professional Reporter 16 4308 Lyntz Townline Road, S.W. Warren, OH 44481 17 E-mail: dkcrissman@ysu.edu Office: 330-502-8862 18 19 20 21 22 23 24 25

1	PROCEEDINGS			
2	PUBLIC HEARING			
3	(WHEREAS, THE PUBLIC HEARING OF			
4	THE POLAND TOWNSHIP BOARD OF			
5	ZONING APPEALS COMMENCED ON			
6	THURSDAY, AUGUST 1, 2024, AT			
7	7:00 P.M. BEFORE PROCEEDING			
8	WITH CASE #ZA-08-24, THE BOARD			
9	MADE THE FOLLOWING MOTIONS FOR			
10	APPROVAL OF PREVIOUS MINUTES			
11	DISTRIBUTED VIA EMAIL:)			
12	MR. JOHNSTON: Okay. Hey,			
13	good evening, everyone. We're here, tonight,			
14	Thursday, August 1st, for a Poland Board of			
15	Zoning Appeals meeting. We've got a little bit			
16	of old business, and we have one (1) case for			
17	new business tonight, guys.			
18	We're going to start with old business.			
19	Via e-mail, you should have received the			
20	minutes from two (2) cases. I'd like to start,			
21	first, and confirm receipt of Case ZA-04-24.			
22	Has everyone received the minutes and had a			
23	chance to review?			
24	MR. MORRISON: Yes.			
25	MR. GRAHOVAC: Yes.			

1 MR. LONG: Yes. 2 MR. DURICK: Yes. 3 MR. JOHNSTON: Any comments, 4 questions, concerns on these minutes? 5 MR. MORRISON: None. 6 MR. JOHNSTON: Do we hear a motion? 7 8 MS. MAGAZZINE: Excuse me --9 do you have the date of the minutes? 10 MR. JOHNSTON: Oh, yeah, the 11 date -- I'm sorry -- was May 30th, 2024, Case 12 ZA-04-24, Michael and Paula Hayes. Do we hear 13 a motion to approve as written? 14 MR. MORRISON: Motion to 15 approve. 16 MR. JOHNSTON: Do we have a 17 second? 18 MR. GRAHOVAC: I'll be the 19 second. 20 MR. JOHNSTON: Motion to 21 approve, Ricky Morrison -- second by Mr. 22 Grahovac. Poll the Board, please. 23 MS. MAGAZZINE: Ricky 24 Morrison? 25 MR. MORRISON: Yes.

1 MS. MAGAZZINE: John 2 Grahovac? 3 MR. GRAHOVAC: Yes. 4 MS. MAGAZZINE: David Long? 5 MR. LONG: Yes. 6 MS. MAGAZZINE: Robert Durick? 7 8 MR. DURICK: Yes. 9 MS. MAGAZZINE: Michael 10 Johnston? 11 MR. JOHNSTON: Yes. 12 (ROLL CALL VOTE: 5, AYE; 13 0, NAY; 0, ABSTAINED.) 14 MS. MAGAZZINE: Okay. 15 MR. JOHNSTON: The next 16 case -- next set of meeting minutes is from 17 May 30th as well, Case ZA-05-24. This is Mark 18 Rosa -- just want to make sure everyone had a 19 chance to receive and review these meeting 20 minutes. 21 MR. GRAHOVAC: Yes. 22 MR. JOHNSTON: Any questions, 23 concerns, changes? 24 MR. MORRISON: No. 25 MR. GRAHOVAC: No.

1 MR. JOHNSTON: Is there a 2 motion to approve as written? 3 MR. GRAHOVAC: I make a 4 motion that we accept it as written. 5 MR. JOHNSTON: Motion made by 6 Mr. Grahovac. Do we have a second? 7 MR. DURICK: Me. 8 MR. JOHNSTON: Bob Durick 9 seconded that motion -- and a roll call, 10 please. 11 MS. MAGAZZINE: John 12 Grahovac? 13 MR. GRAHOVAC: Yes. 14 MS. MAGAZZINE: Robert 15 Durick? 16 MR. DURICK: Yes. 17 MS. MAGAZZINE: Michael 18 Johnston? MR. JOHNSTON: Yes. 19 20 MS. MAGAZZINE: David Long? 21 MR. LONG: I don't think I 22 can vote to approve this because I wasn't here 23 for that meeting. 24 MS. MAGAZZINE: Oh, okay. 25 MR. JOHNSTON: No problem.

1 MS. MAGAZZINE: Ricky 2 Morrison? 3 MR. MORRISON: Yes. 4 (ROLL CALL VOTE: 4, AYE; 5 0, NAY; 1 ABSTAINED.) 6 MR. JOHNSTON: All right --7 thank you, everyone. 8 (WHEREAS, NEXT ON THE AGENDA, 9 THE POLAND TOWNSHIP BOARD OF 10 ZONING APPEALS HEARD CASE 11 #ZA-08-24. MR. GRAHOVAC WAS IN 12 ATTENDANCE AND VOTED ON THE 13 PREVIOUS MINUTES, BUT RECUSED 14 HIMSELF FROM VOTING ON CASE 15 #ZA-08-24, DUE TO BEING RELATED 16 TO THE APPELLANT. THE LEGAL 17 NOTICE WAS READ INTO THE RECORD. 18 PATTY MAGAZZINE, ZONING 19 INSPECTOR, GAVE A BRIEF 20 BACKGROUND ON THE CASE. THE 21 APPELLANT, ANTHONY NOLFI, 22 PRESENTED THE CASE TO THE BOARD. 23 THE BOARD INQUIRED. EVERYONE 24 WAS GIVEN AMPLE OPPORTUNITY TO 25 SPEAK. THE POLAND TOWNSHIP

1	BOARD OF ZONING APPEALS MADE THE
2	FOLLOWING MOTION IN CASE
3	#ZA-08-24:)
4	MR. JOHNSTON: And with
5	that thank you, John. I'm going to ask if
6	there's any further questions or comments,
7	here or if anyone is prepared to make a
8	motion in this case?
9	MR. MORRISON: I just have a
10	comment that you know, as a Board, these are
11	our laws that we have to stand by. We do have
12	the power, if you will, to change it or to
13	grant the variance.
14	Your presentation was wonderful. I mean,
15	you should be a salesman for this cover and
16	I encourage you to go in front of the Board of
17	Zoning Commission and talk to the Trustees
18	because I understand there are municipalities
19	right here, in our own county, that do accept
20	this; but with that being said, I just don't
21	feel comfortable with this with passing
22	this, and I would like to make a motion to deny
23	this variance.
24	MR. JOHNSTON: A motion on
25	the floor from Ricky Morrison. Do we have a

1 second? 2 MR. LONG: Second. 3 MR. JOHNSTON: Second by 4 Mr. Long. If we could poll the Board, please. 5 MS. MAGAZZINE: Ricky 6 Morrison? 7 MR. MORRISON: Yes. 8 MS. MAGAZZINE: David Long? 9 MR. LONG: Yes. 10 MS. MAGAZZINE: Michael 11 Johnston? 12 MR. JOHNSTON: Yes. 13 MS. MAGAZZINE: Robert 14 Durick? 15 MR. DURICK: Yes. 16 MS. MAGAZZINE: John 17 Grahovac? 18 COURT REPORTER: He's not 19 voting. 20 MR. GRAHOVAC: I abstained. 21 MS. MAGAZZINE: Oh, right --22 I'm so sorry. 23 MR. JOHNSTON: I was going to 24 say, Mr. Nolfi -- this isn't over for you. If 25 you want to pursue this further, like these

1 guys said, there is a pathway for you to do so. 2 MR. NOLFI: It's the 3 timeframe. 4 MR. JOHNSTON: I understand 5 the timeframe, but --6 MR. NOLFI: I started with 7 this. 8 MR. JOHNSTON: -- if anybody 9 is going to sell this, man, it's you. I mean, 10 you really put a great presentation together. 11 I understand both sides of this, and part of 12 what we do here is -- you know, we have like --13 these guys have to interpret these rules. 14 The biggest thing I'm looking at is 15 practical difficulty, and I'm not seeing that 16 you're able to demonstrate any. I don't think the Board is seeing any demonstration of 17 18 practical difficulty. That's the biggest thing 19 that we're looking for here, and we're not 20 seeing that. 21 And being that this is such a case of life 22 safety, it's too big of a thing to overlook, 23 and it sets a precedent in this community, 24 that -- us, as a Board, is now saying, you 25 know -- hey, we can delete a fence on a pool if

1 this requirement is met. Even though, it's 2 kind of new -- if they change the zoning law, 3 great. I know a lot of communities are going 4 that way; and I know, as a nation, it's going 5 that way. And I know a friend of mine in 6 Canfield is doing a pool with the same, exact 7 cover -- so I get it. 8 Unfortunately, it's not approved here, but 9 it's not over for you. There is a pathway if 10 you want to continue to pursue this. 11 MR. NOLFI: Okay. MR. JOHNSTON: 12 I appreciate 13 you coming in -- any other business from this 14 Board tonight? 15 MR. MORRISON: No. 16 MR. JOHNSTON: Is there a 17 motion to adjourn? 18 FROM THE BOARD: Adjourn. MR. LONG: Second. 19 20 COURT REPORTER: Wait a 21 minute. Who made the motion to adjourn? 22 MR. MORRISON: Thank you, Mr. 23 Nolfi. 24 MS. MAGAZZINE: Who made the 25 motion?

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1	MR. MORRISON: (INDICATING
2	WITH RAISED HAND.)
3	MS. MAGAZZINE: Morrison.
4	MR. JOHNSTON: Ricky
5	Morrison.
6	COURT REPORTER: Morrison
7	and the second was Mr. Long?
8	MR. JOHNSTON: Yes.
9	COURT REPORTER: Thank you.
10	MR. JOHNSTON: Good evening,
11	everyone.
12	(WHEREUPON, THE PUBLIC HEARING
13	BEFORE THE POLAND TOWNSHIP BOARD
14	OF ZONING APPEALS, IN CASE
15	#ZA-08-24, CONCLUDED AT 7:37
16	P.M. ALL EXHIBITS AND ORIGINAL
17	DOCUMENTATION WERE RETAINED BY
18	THE POLAND TOWNSHIP ZONING
19	OFFICE AND FILED/INCORPORATED
20	INTO THE CASE RECORD.)
21	* * *
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1	STATE OF OHIO ) ) ss. REPORTER'S CERTIFICATE		
2	) SS. REPORTER'S CERTIFICATE COUNTY OF MAHONING)		
3			
4			
5			
6			
7			
8	I certify that the above and foregoing is a true		
9	and partial transcript of the minutes and motions made		
10	during the Public Hearing, as shown by stenotype notes		
11	written by me, in the presence of the witnesses at the time		
12	of the Public Hearing.		
13			
14	Dena K. Crissman, M.S., R.P.R., C.R.A.		
15	Dena Kay Crissman, Notary Public My Commission Expires 2-08-2029		
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19	Art or other		
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COURT REPORTER: [4] 9/18 11/20	10/24 11/4 13/10	
12/6 12/9	ask [1] 8/5	DOCUMENTATION [1] 12/17
FROM THE BOARD: [1] 11/18	ATTENDANCE [1] 7/12	doing [1] 11/6
MR. DURICK: [5] 4/2 5/8 6/7 6/16 9/15	AUGUST [3] 1/6 3/6 3/14	don't [3] 6/21 8/20 10/16
MR. GRAHOVAC: [8] 3/25 4/18 5/3	August 1st [1] 3/14	DUE [1] 7/15
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MR. JOHNSTON: [27]	AYE [2] 5/12 7/4	during [1] 13/10
MR. LONG: [6] 4/1 5/5 6/21 9/2 9/9	D	
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MR. MORRISON: [11] 3/24 4/5 4/14	be [2] 4/18 8/15	EMAIL [1] 3/11
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MR. NOLFI: [3] 10/2 10/6 11/11	BEFORE [2] 3/7 12/13	Estate [1] 1/15
MS. MAGAZZINE: [21]	BEHALF [1] 2/8	Even [1] 11/1
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4	Center [1] 2/12	foregoing [1] 13/8
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1	Mr. Long [1] 9/4	Q
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lot [2] 1/15 11/3	partial [1] 13/9	same [1] 11/6
Luteran [1] 1/15 Lyntz [1] 2/16	passing [1] 8/21	say [1]  9/24 saying [1]  10/24
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minute [1] 11/21 minutes [9] 3/10 3/20 3/22 4/4 4/9 5/16	property [1] 1/14	started [1] 10/6 STATE [2] 1/1 13/1
5/20 7/13 13/9	PUBLIC [7] 1/5 3/2 3/3 12/12 13/10	stenotype [1] 13/10
Morrison [9] 2/3 4/21 4/24 7/2 8/25 9/6	13/12 13/14 purchase [1] 1/14	such [1] 10/21
12/3 12/5 12/6	purchase [1] 1/14 pursue [2] 9/25 11/10	sure [1] 5/18
motion [15] motions [2] 3/9 13/9	put [1] 10/10	swimming [2] 1/12 1/13
Mr [5] 4/21 6/6 7/11 11/22 12/7		Т
Mr. [2] 9/4 9/24		talk [1] 8/17

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