

REGULAR MEETING
AGENDA

PLANNING COMMISSION
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: February 18, 2015
TIME: 6:30 P.M.

WORK SESSION – 6:00 P.M.
Briggs term expires May 2015

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Work Session of January 6, 2015 (roll call)
 - b. Approval of Minutes of the Regular Meeting of January 6, 2015 (roll call)
4. **NEW BUSINESS** (Swear- in applicants)
The Chairman shall inform those present that according to a ruling by the Law Department, anyone wishing to speak at a public hearing is to rise, raise their right hand and the following oath administered. "Do you solemnly swear or affirm that the statements you are about to make are the truth." - Please give your name and address for the record.
 - a. REACH Counseling Services, 5445 Smith Road, Brook Park, OH 44142 – Education Alternatives, 314 Union Street, Bedford is seeking to open a Type I Group Home within an R2 District – 1927.02 Conditional Uses/1915.24 Group Home (roll call)
5. **MISCELLANEOUS**
6. **ADJOURNMENT**
(roll call)

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(Planning Commission Minutes and Agendas posted at www.bedfordoh.gov)

Bedford, Ohio

February 18, 2015

Planning Commission met in a Work Session at Bedford City Hall on Wednesday, February 18, 2015 at 6:10 P.M.

Present: Dickard, Dzomba, Mallis. Absent: Briggs, Powers. Also Present: Secretary Lorree Villers, Building Commissioner Calvin Beverly, Councilwoman Zolata from Ward 3.

The Commission did not have any issues with the minutes of the Work Session or the Regular Meeting minutes of January 6, 2015.

REACH Counseling Services, 5445 Smith Road, Brook Park, OH 44142 – Education Alternatives, 314 Union Street, Bedford who is seeking to open a Type I Group Home within an R2 District – 1927.02 Conditional Uses/1915.24 Group Home.

Mr. Beverly and the Commission reviewed the documents and were unsure of a few items. Secretary Villers read the application to the Commission for clarification and understood this Group Home would be an adolescent residential home with capacity for seven (7) residents. The home would operate 24/7 with three (3) shifts. These residents were adolescents with a serious emotional disturbance or in need of mental health services referred by or were currently receiving mental health services from a hospital, mental health agency or practitioner. The Commission was not sure if the adolescents were there 24/7 or exactly how the home would be ran.

The Commission referenced Ordinance No. 9225-14 (d) which stated “A group home is not permitted within a 500 yard radius of a local School, Library or Group Home”. Mrs. Zolata pointed out there was another group home located at Union Street and Broadway Avenue but nobody knew if this would affect the decision. The Commissioner had not researched whether another group home was in the area or not. There was confusion to whether Educational Alternatives facility was considered a school or not. Questions were raised if these adolescents would roam freely or be accompanied by a house type monitor/assistant, the age of the children, how many occupants, who owned the home and if there was going to be some type of security/alarms. Discussion was held about the additional things that would have to be done prior to the home becoming a Type I Group Home. Mr. Beverly talked about a suppression type system which the applicant was not aware of this additional expense. He would inform the applicant this evening if it was something they needed to consider. Depending on what the Commission learned this evening during the regular meeting would determine the direction of the Commission’s decision for Council acceptance.

Mrs. Zolata did point out that Educational Alternatives were very good neighbors and there was no issues with this facility.

Work Session adjourned at 6:34 P.M.


Secretary


Chairman

Planning Commission met in Regular Session at Bedford City Hall on Wednesday, February 18, 2015 at 6:35 P.M. The roll was called. Present: Dickard, Dzomba, Mallis. Absent: Powers, Briggs. Also in attendance was Building Commissioner Calvin Beverly, Law Director John Montello, Executive Director Gerald Swartz, Christine Swartz, PhD, PCC.

Motion made by Mallis and seconded by Dzomba to excuse both Mrs. Briggs and Mr. Powers. The roll was called. Vote – Yeas: Dickard, Dzomba, Mallis. Nays: None. Motion carried. Secretary Villers clarified this motion was for both Commission members.

Motion made by Dzomba and seconded by Mallis to approve the minutes of the Work Session of January 6, 2015. The roll was called. Vote – Yeas: Dickard, Dzomba, Mallis. Nays: None. Motion carried unanimously.

Motion made by Dzomba and seconded by Mallis to approve the minutes of the Regular Meeting of January 6, 2015. The roll was called. Vote – Yeas: Dickard, Dzomba, Mallis. Nays: None. Motion carried unanimously.

Chairman Dickard informed those present that according to a ruling by the Law Department, anyone wishing to speak at a public hearing is to rise, raise their right hand and the following oath administered. "Do you solemnly swear or affirm that the statements you are about to make are the truth." Then give your name and address for the record.

REACH Counseling Services, 5445 Smith Road, Brook Park, OH 44142 – Education Alternatives, 314 Union Street, Bedford is seeking to open a Type I Group Home within an R2 District – 1927.02 Conditional Uses/1915.24 Group Home

Present: Gerald Swartz, Executive Director Educational Alternatives and Dr. Christine Swartz, Chief Clinical Mental Health Officer for REACH Counseling Services.

Dr. Swartz and Mr. Swartz, previously sworn in, were present this evening. Dr. Swartz said she was seeking to move children into the home. They were working on getting a license for a Group Home, working on policies and procedures. Educational Alternatives (EA) was an accredited day treatment facility with very high standards. REACH Counseling Services was four (4) years in the making, licensed and credited through OhioDMHAS. In 2011, they were before the Planning Commission for EA. The home located at 314 Union Street was the focus for a therapeutic safe place with the hopes these children would attend EA. This home would still be staffed while the children attended EA. This was not a group home parent model but a staffing model with a Gold Standard rating for hiring and training. The focus was to assist these children. REACH Counseling Services did individual counseling for outpatient mental help, Community Psychiatric Supportive Treatment. (See attached)

Mr. Dzomba asked the ages of these children. Dr. Swartz explained the range was five to eighteen years old but the age each group would be kept at the same ages. Currently they were considering the age group of 8 to 12 years of age. Even with trained staffing a six year old would not be in the same group as a 17 year old to avoid conflict. It was determined the younger children would not be at the age to come and go as they pleased. Dr. Swartz said their motto was "eyeball to eyeball"; this was to keep the children safe and free from being accused of something they didn't do. The focus was have seven (7) children with 1 to 3 advisors when the children were present. Mr. Mallis clarified this would fall under the Commercial Codes. Mr. Beverly reiterated once there were more than five (5) people but less than 16 it would be designated as an OBC R-4 which required a sprinkling system. He said either way a fire suppression would be required whether it was a commercial or residential designation. This suppression system would be determined by the Design Professional as an R-4 Commercial Code or a residential code. Dr. Swartz

asked how a sprinkling system affected a very large family. Mr. Beverly said a "family" was different than a "group home". Mr. Montello asked if a household number was important to Mr. Swartz. Mr. Swartz said yes. Mr. Mallis suggested their Design Professional contact Mr. Beverly to discuss the options because the requirements were different. Mr. Swartz was not expecting the cost of suppression system for five children.

Mr. Dzomba asked about an alarm system. It was determined the windows and doors would be alarmed.

Mr. Montello brought up the fact that there was another group home located at Union Street and Broadway Avenue but nobody knew the distance. Ordinance No. 9225-14 (d) reflected a 500 yard radius of a local school, library or another group home. (See attached) The City amended the group home section in the codified last fall. It was determined EA was not considered a "school". Mr. Swartz clarified EA did not have a school designation. The group home in question was considered an adult group home. Mr. Swartz understood if this adult group home fell within the 500 yard radius then their request could be denied. Mr. Mallis suggested this item be tabled this evening so additional information could be gathered by both parties. He stated for the record EA had been great and the City commended them for what they have accomplished with the children. It was determined the home would need a sprinkling system but the other group home was the issue.

After a private group discussion it was clarified it was a slang to call it an actual "group home" because it was actually a *Type I Residential Treatment Center* separate from an adult group home. The applicant was requesting a license from the *Ohio Department of Mental Health and Addiction Services* for a child residential center. Mr. Mallis questioned what type of treatment; it was determined it was not alcohol or drug type treatment which also was considered a restriction. Dr. Swartz explained it was the children that they served that often did not have a family home to go to for various reasons. Their facility could provide a place for these children after their visit at EA. The concept was to serve the child in a wider continuum. Their professional focus was all about helping the children during the day hours at EA or if need be in the evening for housing. Mr. Montello said the definitions could be argued at a later date if that was necessary but the Commission didn't have a clear picture for determination.

Mr. Mallis explained the decision of the Planning Commission was not final, the item would still need to be considered by Council. It was important the Commission did not violate the Ordinance recently passed by Council or any of the Codified Ordinances on the books.

It was determined both parties needed to do some research before the Commission could make a recommendation.

Motion made by Dzomba and seconded by Mallis to table the application of REACH Counseling Services, 5445 Smith Road, Brook Park, OH 44142 – Education Alternatives, 314 Union Street, Bedford who is seeking to open a Type I Group Home within an R2 District because the Commission, Administration and REACH's design professional needed to do additional research.

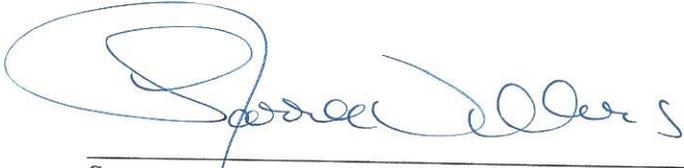
The roll was called. Vote – Yeas: Dickard, Dzomba, Mallis. Nays: None. Motion carried unanimously.

It was announced this evening's item would go to the next Planning Commission meeting.

ADJOURNMENT

There being no further business to come before the Board, it was moved by Dzomba and seconded by Mallis to adjourn. The roll was called. Vote – Yeas: Dickard, Dzomba, Mallis. Nays: None. Motion carried unanimously.

Meeting adjourned at 7:06 P.M.


Secretary


Chairman