



BZA 1-8-25

The Board of Zoning Appeals for Boston Heights met on January 8, 2025, to discuss a variance request by Fresh Local Produce of Ohio LLC. The request involves increasing the building size from 87,601 to 165,835 square feet and altering the front facade to include split face block and insulated metal panels. The board approved the variance, noting the building's special purpose and the need for aesthetic improvements. The applicant, Anthony Umina, also discussed the need for a sewer line extension, which he will fund, and the potential for a commercial TIF agreement with the village to offset costs. The Planning Commission will review the site plan. Anthony Umina discussed his 70,000 sq. ft. greenhouse, which recycles 95% of its water, with 5% potentially going to the sewer. B. Gorog highlighted the need for a final engineering plan and a 125% performance bond for construction costs. The building's height is below the 75-foot limit, and setbacks are compliant. The project requires Summit County DSS approval for a sanitary sewer before construction. Anthony expressed concern about the timeline for sewer installation, which could take up to three years. The Planning Commission approved the site plan pending final approval and compliance with state and federal laws, including a 125% performance bond.

Election of Chair and Approval of Previous Meeting Minutes

- Bill Hinkle calls the meeting to order and notes the presence of board members Mr. Maccrone, Bill Hinkle, Ms. May, Mr. Fenn, and Mr. Wells.
- Mr. Wells is introduced as a new member appointed by the mayor for the term starting in 2025.
- Ted Chandler is bid farewell and thanked for his eight years of service on the board.
- The board elects Bill Hinkle as the chair for 2025, with a unanimous vote.
- The board reviews and approves the minutes from the June 5, 2024, meeting, noting a correction in the property name from Boston Common Storage to Fresh Local Produce.

Introduction of Fresh Local Produce of Ohio LLC Variance Request

- Bill Hinkle introduces the agenda item for Fresh Local Produce of Ohio LLC, represented by Anthony Umina.
- The request involves an addition to an existing greenhouse in the light manufacturing district.
- The facility was built pursuant to variances issued in 2016, with a permitted building area of up to 127,500 square feet.
- Anthony Umina explains the need for an increase in building size due to increased demand for their lettuce product.

Discussion on Building Design and Materials

- Anthony Umina presents plans for the addition, highlighting the need for split face block and insulated panel materials.
- The board discusses the current building's design, which lacks the approved stone or split face block on the front.
- Anthony Umina explains the structural issues with the greenhouse and the need for traditional construction practices.
- The board considers the aesthetic impact of the proposed design, with Anthony Umina arguing for a more visually appealing solution.



Variance Request for Building Size and Materials

- The board discusses the variance request for increasing the building size to 165,835 square feet.
- The original variance allowed up to 127,500 square feet, but only 87,601 square feet were built.
- The board considers the need for a variance to allow the proposed materials and design for the front of the building.
- The board decides to combine the variance requests for building size and materials into one amendment to the existing variance.

Approval of Variance and Site Plan

- The board discusses the need for a final site plan approval from the Planning Commission.
- The board considers the impact of the proposed design on the surrounding neighborhood and property values.
- The board votes to approve the variance with the amendments discussed, including the increase in building size and the use of split face block and insulated panel materials.
- The board adjourns the meeting, with the variance and site plan approval to be recorded and forwarded to the village hall.

Water Recycling and Septic System Clarifications

- Anthony Umina explains that 95% of the water used in the growing tanks is recycled, while 5% is handled separately and could potentially end up in the sewer.
- B. Goncey and Anthony Umina discuss the natural evaporation process and the lack of runoff due to the recycling system.
- D. Maccarone notes that lettuce is 95% water, implying most of the water used goes into the plants.
- B. Goncey and Anthony Umina clarify that the 5% water does not go into the sewer but could potentially end up in a brook or on the ground.

Building Height and Setback Approvals

- B. Gorog discusses the maximum height of the building, which is 75 feet, and confirms that the existing building and proposed additions are well below this limit.
- B. Gorog mentions that the setbacks were not marked initially but have been corrected by Jason.
- The intensity of the lot and the variances for the size of the building have already been approved.
- B. Gorog recommends submitting final engineering plans and pertinent calculations for review and approval before any construction.

Sanitary Sewer Installation and Performance Bond

- B. Gorog emphasizes the need to install the sanitary sewer before any building additions can be made.
- The performance bond requirement is discussed, with B. Gorog suggesting it should be 125% of the construction cost to protect both the village and the project.



- T. Nemer and B. Gorog discuss the specifics of the performance bond, including its calculation and the need for a flexible bond amount.
- Anthony Umina expresses concern about the timeline for the sanitary sewer installation, which could take up to three years.

Septic System and EPA Compliance

- Anthony Umina argues that the existing septic system is sufficient for the proposed addition, citing an EPA letter that states the system is okay for up to 30 people.
- B. Gorog and B. Goncy express concerns about the potential impact on the wetlands and the need for detailed engineering reviews.
- Anthony Umina mentions a variance granted in 2016 to work close to the wetlands but within the required setback.
- The discussion highlights the need for compliance with federal, state, and local regulations, including wetland delineation and engineering reviews.

Final Approval and Construction Timeline

- T. Nemer proposes approving the site plan pending final approval of the site plan and compliance with all laws and regulations.
- The motion includes a performance bond of 125% of the construction cost to cover all construction-related expenses.
- Anthony Umina expresses concern about the timeline for the sanitary sewer installation and the need to order materials promptly.
- The meeting concludes with a unanimous approval of the site plan and the performance bond, and a roll call to confirm the minutes of the previous meeting.