

City of Norton
PLANNING COMMISSION
Tuesday, July 11, 2006

The Planning Commission of the City of Norton, Ohio, convened for a public meeting in Council Chambers of the Safety Administration Building. Chairman Mark Spisak called the meeting to order at 6:03 p.m.

I. ATTENDANCE:

PRESENT: Mark Spisak, Marguerite Abbott, Todd Houser

ABSENT: Janet Jacobs, John Conklin

ALSO PRESENT: Jeff Pritchard, Director of Planning and Community Development

II. PUBLIC APPLICATIONS:

A.) PC Application R2-2006:

Requesting a Reclassification of the Property Known as:

Eastern Rd./PPN 4602108

Nick & Rose Genis, Owners

Mike Sapp, Broadway Park, LLC, Agent

[To Rezone from R-1 to R-3.]

(This application was tabled at the 5/23/06 meeting.)

Chairman Spisak asked the applicant to step forward and present his opening statement.

Mr. Mike Sapp (agent), 103 Valentine Farms, Akron, Ohio 44333; approached the Commission and stated that he was requesting approval to rezone the Genis property located on Eastern Road from R-1 to R-3. He presented a site plan of a proposed residential community. Mr. Sapp explained that the community would consist of approximately 46 acres and that approximately 10 of those acres were located in Norton with the remaining acreage in New Franklin Village. Mr. Sapp added that they would be bringing city water and sanitary sewer to the site.

Mr. Spisak wondered why he was requesting an R-3 zoning. Mr. Sapp said that the setbacks and lot dimensions of an R-3 zoning are similar to an R-2 zoning. He explained that with the city water and sanitary sewer they will be providing to the property, an R-3 zoning would allow the lots to be 10,000 square feet. Because of the flood plains located on the site, an R-3 zoning would allow more lots and give the project some viability.

Mr. Spisak asked Mr. Sapp if all the homes would be single-family homes. He said yes.

Mrs. Marguerite Abbott asked for the proposed lot sizes. Mr. Sapp said they would be 75 feet wide and 140 feet deep. The front and rear setback requirements are 50 feet and side setbacks are 15 feet. He said the R-2 zoning requirements are 100 feet wide and 150 feet deep and city utilities are not required.

Mrs. Abbott wondered where the lines for sanitary sewer and water would be connected. Mr. Jeff Pritchard said that there was a water pump station directly across the street from the property in question. The sanitary sewer would be available

through the Summit County Department of Environmental Services (SCDOES) because the greatest amount of the project will be located in New Franklin Village. There will, therefore, have to be coordination between the City of Barberton and SCDOES.

Mr. Todd Houser asked the applicant if he was aware of Norton's riparian standards. Mr. Sapp said that he had a copy of them. He said his engineer has reviewed them and has been working closely with Summit County, the Army Corp of Engineers (ACE) and Norton regarding the riparian standards.

Mr. Houser asked him if he was aware that there might be some riparian variances that would have to be requested and approved for this development to proceed. The streams will have to be defined by a qualified professional in order to request a variance. Mr. Sapp said he was aware that the standards have provisions for variances based upon substantiating information from ACE and the Environmental Protection Agency (EPA). Mr. Houser said that mitigation may be conditional on a riparian variance because a community is held to protecting those areas per the Storm Water Phase II permit. Mr. Sapp stated that he understood.

Mr. Houser suggested that their engineer should give attention to Chapter 1470 of the Post-Construction Water Quality Runoff.

Mrs. Abbott asked for the number of homes proposed for the Norton side of the project. Mr. Sapp said currently there are fifteen, but that number would probably decrease because of the floodplain. There was discussion regarding the location of the floodplain in relation to the road. Mr. Houser commented that Federal Emergency Management Agency (FEMA) does not map below one square mile, so no map data exists pertaining to floodplains less than one square mile. All streams and primary headwater streams less than a half-square mile do have floodplains. Mr. Sapp said he appreciated the information and that he would contact the ACE for their input and determination regarding this matter and then submit it to the Commission.

Mr. Houser stated that the Planning Commission wanted a letter from competent wetlands professional to say whether or not the floodplains are on site per Chapter 1472-Riparian and Wetland Setbacks. Wetlands professional can qualitatively provide wetland information that will guide developers. They can also provide an Ohio Rapid Assessment Method (ORAM) evaluation sheet, which the Commission would prefer.

Mr. Spisak asked Mr. Sapp if there were any existing structures on the site. Mr. Sapp said he was not aware of any.

Mrs. Abbott asked Mr. Pritchard if the proposed open spaces were adequate. He stated that it would be premature for him to comment regarding the proposed open space for this development. The site plan presented with the rezoning request was simply to give the Commission an idea of why a rezoning is being requested. The conceptual site plan would be the next step.

Mrs. Abbott asked if the surrounding areas were zoned R-1. Mr. Pritchard said yes; but other developments on Eastern, Cleveland Massillon and Fairland Roads have recently been rezoned to R-3.

The Commission thanked the applicant.

Chairman Spisak asked three times if anyone present wanted to speak for or against the application; no one spoke. He then called for a motion. **Mrs. Abbott moved to approve PC Application R2-2006, regarding the rezoning of Eastern Road/PPN 4602108 from R-1 to R-3. Mr. Houser seconded the motion. ROLL CALL: Mrs. Abbott-Yea, Mr. Houser-Yea, Mr. Spisak-Yea. The motion passed 3-0, approving PC Application R2-2006, by PC Resolution No. 13-2006. The resolution was sent to the Administration for it's information and to Council for it's action.**

Mr. Houser told the applicant he could contact the Administration with any questions. Mr. Sapp said he would contact Mr. Pritchard.

Mrs. Abbott wondered if this development would have much of an impact on Norton Schools. Mr. Pritchard said yes; even the proposed homes on the New Franklin Village side would affect Norton Schools. Mr. Pritchard noted that another possible development was proposed in New Franklin Village that would also affect Norton Schools. The Commission discussed other new projects and the increase of the number of children that would be attending Norton Schools.

There was discussion regarding the floodplain on the parcel. If lots were lost due to the floodplain, there would not be many located in Norton.

III. OLD BUSINESS:

A.) Seiberling Family Reunion:

Mr. Spisak reported that the Seiberling family reunion would be soon. He stated that they would not be coming through Norton as a group as originally planned; they would be driving separate cars. There would be approximately 150 Seiberling relatives attending.

IV. NEW BUSINESS:

A.) Comprehensive Plan Citizens Working Group:

Mr. Pritchard announced that the Comprehensive Plan Citizens Working Group meeting scheduled on July 13, 2006, was canceled and rescheduled for August 10, 2006.

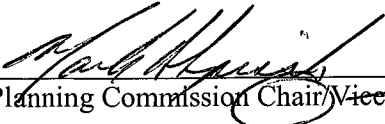
V. CONSIDERATION OF MINUTES:

A.) Planning Commission Minutes of the Tuesday, June 27, 2006, meeting:

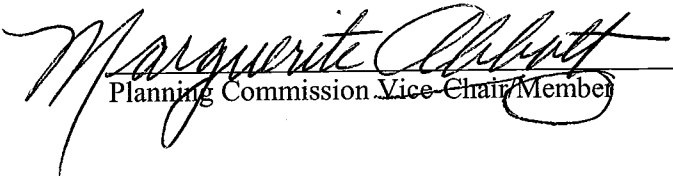
The Commission reviewed the minutes from the Tuesday, June 27, 2006, meeting. Chairman Spisak noted that on page three, paragraph eight, the word 'presented' should be 'present'. With no further corrections, Chairman Spisak called for a motion. **Mr. Houser moved to approve the minutes of Tuesday, June 27, 2006, with the correction; seconded by Mrs. Abbott. ROLL CALL: Mr. Houser-Yea, Mrs. Abbott-Yea, Mr. Spisak-Yea. The motion passed 3-0, approving the minutes with the correction. They were signed and processed accordingly.**

VI. ADJOURNMENT:

Chairman Spisak announced that the next meeting was scheduled for Tuesday, July 25, 2006, at 6:00 p.m. With no further business coming before the Board, Chairman Spisak adjourned the meeting at 6:35 p.m.



Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

8/22/06
Date

**RESOLUTION
PLANNING COMMISSION**

July 11, 2006

PC RESOLUTION NO.: **13-2006**

RE: **PC Application R2-2006**
 Requesting a Reclassification of the Property Known as:
 Eastern Rd./PPN 4602108
 Nick & Rose Genis, Owners
 Mike Sapp, Broadway Park, LLC, Agent
 [To Rezone from R-1 to R-3.]
 (This application was tabled on 5/23/06.)

The Planning Commission does hereby make the following recommendations on the above:

Move to approve ~~deny/table~~ PC Application R2-2006, regarding the rezoning of Eastern Road/
PPN's 4602108 from R-1 to R-3.:

Vote on Motion: FOR 3 AGAINST 0 ABSTAIN

Therefore PC Application R2-2006 is:

APPROVED X DENIED TABLED

This resolution shall be sent to:
Administration for it's action or for it's X information, and
Council for it's X action or for it's information.



Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

7/11/06
Date

