

City of Norton
PLANNING COMMISSION
Tuesday, September 25, 2007

The Planning Commission (PC) of the City of Norton, Ohio, convened for a public meeting in Council Chambers of the Safety Administration Building. Chairperson Mark Spisak called the meeting to order at 6:02 p.m.

I. ATTENDANCE:

PRESENT: Mark Spisak, Todd Houser, Marguerite Abbott, John Conklin

ABSENT: Janet Jacobs

ALSO PRESENT: Jeff Pritchard, Director of Planning and Community Development
Russ Arters, Superintendent of Building and Zoning
Pat Ryan, Building and Zoning Inspector
Mike Schultz, Interim Fire Chief

II. PUBLIC APPLICATIONS:

A.) PC Application SPR 1-2007:

Major Site Plan Review

3672 Wadsworth Road/PPN 4608187

B.B.C. Co. (Englefield Oil Company), Owner

[To add aboveground storage tanks.]

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

Mr. John Gordon, Englefield Oil Company, 447 James Parkway, Heath, Ohio 43056, approached the Commission and said that he was proposing additional storage tanks for the exterior of the building at 3672 Wadsworth Road to help accommodate the growing automobile fuel needs. This would mean that an additional fifty-feet of Fire District toward the eastern portion of the property would also be needed.

Mr. John Conklin said that he thought Englefield Oil Company was a bulk oil distributor and not necessarily an automotive fuel distributor. Mr. Gordon said they were both. Mr. Conklin asked him if oil and fuel would be stored in the tanks. Mr. Gordon said yes, but it was not gasoline, only motor fuels. Mr. Conklin asked Mr. Gordon to elaborate.

Mr. Michael May, Engineer for Englefield Oil Company, 447 James Parkway, Heath, Ohio 43056, approached the Commission and explained that Englefield Oil Company is currently storing class 3-B liquids, mostly oils, lube oils, automotive transmission fluid, etc. in the facility in question. His understanding is that they were going to expand those product lines to the exterior storage and they may add additional product lines, which are yet to be determined. Mr. May asked Mr. Conklin if his elaboration helped. Mr. Conklin asked if it meant that they would be storing any type of automotive fuel, short of gasoline. Mr. May said yes.

Mr. Russ Arters stated that Mr. Mike Schultz, Interim Fire Chief, was present to answer any questions regarding the fire district issues pertaining to this application. He presented comments from the former Fire Chief, Mr. James Calco, dated April 28, 2006, regarding this facility. (See attached.)

Mr. Conklin asked the applicant if they would retain the existing internal storage. Mr. Gordon said yes.

Mr. Spisak asked for the height measurements of the concrete berm that would surround the exterior tanks. Mr. May said that the calculation had not yet been figured, but they would follow the Spill Prevention Control and Countermeasure Plans (SPCC Plans).

Mr. Spisak asked if the applicant had pictures and/or drawings of the dimensions of the tanks. Mr. Gordon said no, but he had the tanks will be silver, eight-feet in diameter and twenty-feet tall.

Mrs. Abbott asked if this would be a distribution center. Mr. Gordon said yes. The product would have to be placed into the tanks, so delivery trucks would have to deliver the fuel. Mr. Spisak said that was how it was currently being utilized. He then asked the size of the existing tank. Mr. Gordon said it was a sixty thousand-gallon tank. He said they were requesting twelve, eight thousand-gallon tanks, which would be ninety-six thousand gallons of exterior storage.

Mrs. Abbott asked if all the fuel was to service the Duke Station. Mr. Gordon explained that the Duke Station gets their gasoline products from a terminal by a transport, which are the large trucks that deliver to gasoline stations. The fuel regarding this request will be delivered by smaller trucks to local car dealerships for such things as oil changes.

Mr. Conklin asked if there were any long term plans of involving the storing of ethanol? Mr. Gordon answered no.

Mr. Houser wondered how the water containment procedures for periodic water would be handled. Mr. May said there are presently a couple of different ways to handle precipitation. If the bermed areas are valved they have to be evaluated for petroleum products in storm water. He said there usually is not a valve, a pump is used to pump out any precipitation that does not evaporate. Mr. May said they did not anticipate the placement of a valve.

Mr. Houser wondered if there would be absorbent materials on site, based on the SPCC Plans. Mr. Gordon said yes.

Mr. Houser asked how the fuel would be pumped from the trucks into storage tanks. Mr. May explained that trucks pull into the building and offload through valves at the base of the tanks within a contained area.

Chairperson asked if there were any further questions or comments from the Commission.

Mr. Spisak asked Interim Fire Chief Schultz to explain the fire district and the requested expansion of it. Mr. Schultz said it was a variance giving permission to store above the amount set in the Codified Ordinances. It is also a guarantee that fire protection can be provided to that area, which can be done with the mutual aid agreements. He said that he spoke with former Fire Chief Calco and reviewed the plans. This facility has a great containment system, it has been located on Wadsworth Road for a while and there has not been any issues in the past.

Mr. Spisak asked if the Fire District variance would be given by the PC, the Fire Department or Council. Mr. Pritchard and Mr. Arters agreed that it would have to be approved through Council as a resolution.

Chairperson Spisak asked three times if anyone present wanted to speak for or against the application; no one spoke.

Chairperson Spisak moved to approve PC Application SPR 1-2007, regarding the Major Site Plan Review application to add aboveground storage tanks on the property known as 3672 Wadsworth Road/PPN 4608187, with the following condition: With the approval of a new Fire District. (revised). Mr. Conklin seconded the motion. ROLL CALL: Mr. Spisak-Yea, Mr. Conklin-Yea, Mrs. Abbott-Yea, Mr. Houser-Yea. The motion passed 4-0, approving PC Application SPR 1-2007, by PC Resolution No. 08-2007. The resolution was sent to the Administration for it's information and to Council for it's action.

Chairperson Spisak thanked the applicant.

III. OLD BUSINESS:

A.) Proposed Amendment to Norton Zoning Code regarding Dimensions:

Mr. Pritchard said that he and Ms. Ryan were reviewing the dimension codes from Montville Township, Ms. Ryan's home township, and Bath Township. He said it seemed the two together would fit with what is in the Norton Comprehensive Plan. He said they are still working on a drafted document for the PC's review. With the PC's approval, they would present a draft at the

next meeting. The PC agreed to wait until the next meeting. Mr. Spisak said that it would be a good idea to consider the Comprehensive Plan while reviewing the dimensions.

B.) Wastewater Treatment Facility Feasibility Study:

Chairperson Spisak asked for a status report of the Wastewater Treatment Facility Feasibility Study. Mr. Pritchard said that a drafted copy of the feasibility study was received and reviewed by the Administration and they have provided comments to URS. He said that essentially, the study found that at this time, Norton should continue with Summit County for sanitary and Barberton for water until other options become available. Mr. Pritchard said we should hopefully be receiving a final draft of the feasibility study within the next two weeks.

IV. NEW BUSINESS:

A.) OPC Cleveland Planning and Zoning Workshop:

Chairperson Spisak announced that the OPC Cleveland Planning and Workshop was being held on Friday, November 5, 2007. He explained that if any members were able to attend, they needed to fill out the registration form and submit it to the Secretary as soon as possible. The Secretary asked the members to please inform her whether or not they were going to attend. Mr. Pritchard noted that Mr. Houser would be a presenter at the workshop again this year.

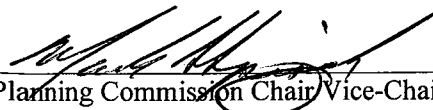
V. CONSIDERATION OF MINUTES:

A.) Planning Commission Minutes of the Tuesday, September 11, 2007 meeting:

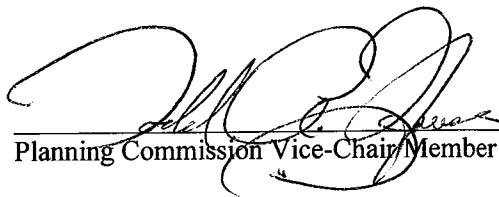
The Commission reviewed the minutes of Tuesday, September 11, 2007. Mrs. Abbott moved to approve the minutes of Tuesday, September 11, 2007 as submitted; seconded by Mr. Houser. ROLL CALL: Mrs. Abbott-Yea, Mr. Houser-Yea, Mr. Conklin-Yea, Mr. Spisak-Yea. The motion passed 4-0, approving the minutes as corrected. They were signed and processed accordingly.

VI. ADJOURNMENT:

Chairperson Spisak announced that the next meeting was scheduled for Tuesday, October 16, 2007 at 6:00 p.m. With no further business coming before the Commission, Chairperson Spisak adjourned the meeting at 6:26 p.m.



Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

10/16/07
Date



City of Norton

FIRE DIVISION

3230 Greenwich Road
Norton, Ohio 44203

Phone: (330) 825-3086
Fax: (330) 825-7320

James R. Calco
Chief

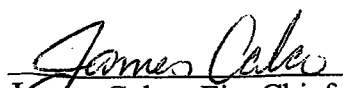
To: Russ Arters
From: Jim Calco
Subject: Englefield Oil Company
Date: April 28, 2006

On April 27, F.F. Craig Potter and I inspected Englefield Oil on Wadsworth Road. The reason for our inspection was, at your request, to determine the viability of a proposed plan to add twelve outside storage tanks for motor oil/hydraulic fluid/ATF. Returning today, I met with Gale Amacher the Operations Manager for Englefield Oil. Mr. Amacher informed me that, in addition to the proposed additional tanks, a spill containment system would be installed inside the building which would be plumbed into a 3000 gallon underground tank outside the loading area. This system would be a major improvement in the safety and environmental aspects of the operation considering there is currently NO containment system for the delivery or transport trucks. Mr. Amacher also informed me that with the addition of the outside tanks, the old barn located on the side of the property would be torn down in order to provide access to the loading docks at the rear of the building.

In reviewing Ordinance #117-1994 which created the Fire District for Englefield Oil Company, I found that the original intent was to transfer product, from tankers brought inside the building, into eight indoor storage tanks. This transfer of product is now being done from outside the building. Additionally, the area originally intended for placement of the tanker is being used for tote storage and also has rack storage in place.

Also, according to the attached January 2001 letter, it appears that there "is no vehicle in place to modify a fire district". If this is true, and, if this has not since been addressed, I would suggest that a new Fire District be created and then vacate the old Fire District so as not to create a gap in time that the property was not covered under a Fire District.

I believe that Englefield Oil's proposal is a win/win for both Englefield Oil and the City of Norton and recommend approval.


James Calco, Fire Chief

**RESOLUTION
PLANNING COMMISSION**

September 25, 2007

PC RESOLUTION NO.: **08-2007**

RE: **PC Application SPR 1-2007**
 Major Site Plan Review
 3672 Wadsworth Road/PPN 4608187
 B. B. CV. Co. (Englefield Oil Company), Owner
 [To add aboveground storage tanks.]

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

Move to ~~approve/deny/table~~ PC Application SPR 1-2007, regarding the Major Site Plan Review application to add aboveground storage tanks on the property known as 3672 Wadsworth Road/PPN 4608187, with the following condition(s):

WITH APPROVAL OF NEW FIRE DISTRICT (Revised)

Vote on Motion: FOR 4 AGAINST 0 ABSTAIN 0

Therefore PC Resolution No. 08-2007 has been:

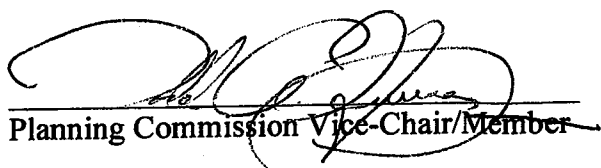
APPROVED DENIED TABLED

This resolution shall be sent to:

Administration for its action or for its information, and
Council for its action or for its information.



Planning Commission Chair



Planning Commission Vice-Chair/Member

9/25/07
Date

**AUDIENCE ATTENDANCE RECORD
PLANNING COMMISSION**

The following individuals were present and wished to speak at the Meeting of the Planning Commission held on Tuesday, September 25, 2007

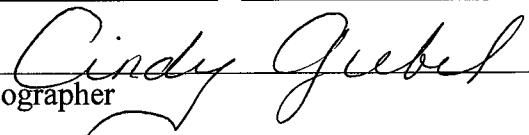
PLEASE PRINT YOUR NAME CLEARLY:
(PLEASE NOTE: P.O. BOX ADDRESSES ARE NOT PERMITTED)

NAME:	STREET ADDRESS (<u>NO PO BOX</u>):	CITY & ZIP CODE:
_____	_____	_____
John S Gordon	228 447 James Parkway Englefield Oil	Heath, Ohio 43056
_____	_____	_____

The following was present at the meeting but did not sign in:

Michael May, Engineer for Englefield Oil Company, 447 James Parkway, Heath, Ohio 43056

Signed



Stenographer