

City of Norton
PLANNING COMMISSION
Tuesday, January 8, 2008

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, Janet Jacobs, John Conklin

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

II. PUBLIC APPLICATIONS:

A.) PC Application SPR4-2007:

Major Site Plan Review

3744 Akron Wadsworth Road/PPN's 4603701 & 4605124-25

Chairman Spisak noted that another postponement letter was received on this application. The application stays tabled until the Wednesday, January 23, 2008 Planning Commission meeting.

B.) PC Application SPR5-2007:

Major Sit Plan Review

5111 Wooster Rd. W./PPN;s 4606250, 4606120 & 4607048

Jack Lemon and Sarah Lemon, Owners

Robert C Winebrenner/Winebrenner & Assoc., Agent

Major Site Plan Review to:

- 1. Extend sewer from existing M.H. on S. Wooster Rd. W. to new M.H. #1 on North side.**
- 2. Extend sewer from new M.H. #1 East 246' to new M.H. #2.**
- 3. Provide Sanitary laterals for 3 properties owned by the Lemmons, at 5085, 5111 & 5129 Wooster Rd. W. [Site Improvements for Dedication of 20' Wide Utility Easement to City for Sanitary Sewer Project]**

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

Mr. Robert C. Winebrenner of R.C. Winebrenner & Associates Engineer, approached the Commission he said Mr. Lemmon was not able to be at the meeting, he was in Florida. Chairperson Spisak asked Mr. Winebrenner to outline the project for the Commission. Mr. Winebrenner stated from what he understood, they want to bring in lateral lines. Chairperson Spisak asked if they were going to bring a lateral line from underneath the street, an 8" lateral line from the 12", and address the other two properties with this. Mr. Winebrenner said the three properties will get new laterals and new sanitary sewers, which now have septic. The middle property is under orders from the Barberton Health Department (BHD) to get rid of their septic system and connect to sanitary sewer as soon as possible. Mr. Pritchard stated Mr. Winebrenner had indicated one property is under orders by the BHD. Mr. Pritchard also stated the primary aspect of this meeting is to provide a utility

easement dedicated to the City. He stated there is a separation of existing utilities in order to accomplish that and an easement has to be provided to the City. Mr. Pritchard said the City has not received the easement instrument language or document for the 20' wide utility easement. They need to provide that to the City and the document should be reviewed by and approved by our City Law Director. Mr. Pritchard made a recommendation for conditional approval. Mr. Pritchard said he spoke with Mr. Lemmon that morning; Mrs. Lemmon is in the process of getting that instrument provided to the City. Ms. Jacobs asked if we have to get the approval from Barberton, and asked if it was what BHD was waiting for. Mr. Pritchard stated no, not in terms of the easement. Mr. Pritchard stated this application was primarily to accept the easement for the utility project. Ms. Abbott asked why the middle property is under orders from the Environmental Protection Agency (EPA) or BHD. Mr. Winebrenner said their septic system was not adequate. He said the BHD said if they don't get sanitary sewer to that property, they will abandon the property, which is where Mr. Lemmon lives. Mr. Winebrenner stated Mr. Lemmon owns buildings on both sides, with one further southwest of the rental property; its septic system was fine. He said we are going to run laterals to the building and also to the business building, which is further to the northeast called Buckeye Auto Transport. Mr. Pritchard stated they need to make a connection to the sanitary sewer because the system failed and they are following the Ohio Department of Health (ODH) Rules and Regulations. Mr. Winebrenner stated the reason for an easement is, a water line is between the pavement and the property line with not enough room to put a sanitary sewer line in the right of way on the North side of Wooster Road. He stated it has to be installed on private property, in an easement behind the property line, but out of the right of way. He stated they have to stay 10' away from the water main. Chairperson Spisak asked if this is also part of staying within 300' of an existing sanitary sewer line as well. Mr. Pritchard stated it is 200' which is the opinion of the Attorney General's Office. Chairperson Spisak stated he didn't understand a comment from the City Engineer which was "It's recommended that the two proposed laterals shown going into the two proposed man holes be tied into the proposed 8" sewer line itself." Chairperson Spisak stated he was looking at the lines and they look tied in. Mr. Pritchard stated he couldn't speak for the Engineer, but it appears the center property is being tied into the line and the properties to the east and west are going to the manhole. Mr. Winebrenner stated he talked to Mr. Rick Esdinsky, Municipal Engineer, this morning and knows he meant laterals from these two buildings. He suggested we don't go into the manhole with those laterals but rather the main line, maybe 5' from the manhole. Chairperson Spisak said it's not a junction there with the manhole, it would be off-set a little bit. Mr. Winebrenner stated that was correct. Ms. Jacobs asked if this was in their plans. Mr. Winebrenner stated the drawing was not the plan for the sewer but is very much like it. He further stated they will make changes in order to get Barberton's and Mr. Esdinsky's approval. He mentioned Barberton had not yet signed but has verbally approved it. Chairperson Spisak asked if there were any other questions from the Commission. Chairperson Spisak asked a second time for anyone to speak for or against the applicant. Chairperson Spisak asked for a third and last time for anyone to speak for or against the applicant; no one spoke.

Chairman Spisak called for a motion. **Mr. Houser moved to approve SPR5-2007. regarding the Major Site Plan Review application for site improvements for dedication of 20' wide Utility Easement to City for Sanitary Sewer Project in the property known as, 5111 Wooster Road W./PPN's 4606250, 4606120 & 4607048 with the following conditions: 1.) Extend sewer from existing M.H. on S. Wooster Rd. W. to new M.H. #1 on North side; 2.) Extend sewer from new M.H. #1 East 246' to new M.H. #2; and 3.) Provide Sanitary laterals for 3 properties owned by the Lemmons, at 5085, 5111 & 5129 Wooster Rd. W. pending the submittal and approval of the easement instrument. Ms. Abbott seconded the motion. Soon after, Ms. Abbott withdrew her second on the motion. (Mr. Pritchard suggested they may not want to identify specific lengths and distances related to the sanitary sewer because it may change.) Mr. Houser amended his motion based on item Number 2 of his previous motion as follows: to amend point #2 to not specify actual footage. Ms. Jacobs seconded the amended motion. ROLL CALL: Mr. Houser-Yea, Ms. Jacobs-Yea, Ms. Abbott-Yea, Mr. Conklin-Yea, Mr. Spisak-Yea. The amended motion passed 5-0 for PC Resolution #1-2008. The resolution was signed and processed accordingly.**

Chairperson Spisak thanked the applicant.

III. OLD BUSINESS:

A.) SEWER AGREEMENT - Summit County Department of Environmental Services (DOES):

Chairperson Spisak inquired about a report distributed on sewers for the Norton Feasibility Report. Mr. Pritchard stated yes, it was submitted, but just to Council. He further stated there was a meeting Thursday with Summit County Environmental Services to initiate discussions. Mr. Pritchard stated this will be to begin a process of moving forward through an agreement process and provide a clear plan for the City for wastewater management issues. Chairperson Spisak asked if it would be of value to look at the study now or more informative at a later date. Mr. Pritchard stated at a later date. Mr. Pritchard said a recommendation based on an evaluation of the general situation would be to try to partner with Summit County Department of Environmental Services. He further stated this document, done by an independent party has proposed that through a review process, the City of Barberton would agree that the City of Norton work with Summit County DOES exclusively. He stated if this agreement is assembled on a positive note, we could enter into an agreement early this year. He also stated we hope by June or July to begin the engineering process and construction of the Treatment Facility within the City. It will take a four to five year process before it's operational. Chairperson Spisak thanked Mr. Pritchard for the update.

B.) FRED MARTIN MOTORS – Barber Road:

Chairperson Spisak stated he noticed Fred Martin Motors was digging a hole in the middle of their parking lot with a large load of gravel piled to the south side of the main car dealership. He asked if they were doing drainage there. Mr. Pritchard stated he knew they have plans to put some trailers up and make a connection to a lateral. He also stated they will have restrooms in trailers and may be making a temporary connection while doing their renovation. Chairperson Spisak asked how the off-site project was going. Mr. Pritchard stated it was tied up to the Newpark Engineering Report, which was nearly complete and progressing fairly well. Mr. Pritchard mentioned the Engineer was making his final review and comments. The Fred Martin Motors project will require written documentation from Fred Martin Motors indicating a financial contribution for off-site mitigation. Mr. Pritchard also commented he did receive a quote from Mark Majewski, who worked on the City's Zoning Code in 2003. He said it was a quote based on hours, visits to Council and visits to meetings and travel. Mr. Pritchard said he was trying to make a determination if it would be better to piece meal the project or give them one large scope of items to address and have them give us a quote based on that. Mr. Pritchard also stated there will be minor modifications. Mr. Pritchard said it is necessary to tie changes together with a comprehensive plan to make adjustments in our zoning code which require updates.

C.) JOHNSON MEADOWS:

Chairperson Spisak asked how the Johnson Meadows project was coming. Mr. Pritchard stated they were going back and forth with reviews and comments on the improvement plans. Mr. Pritchard said he had met with the Engineer a few weeks ago and is in the process of making modifications. Ms. Abbott asked if the application is in danger of running out of time. Mr. Pritchard stated if the improvement plan is squared away in a final plat within a one year period, they are ok. The final plat application process is straightforward and is equivalent to preparing a preliminary plat. Mr. Pritchard stated he believes there may be an issue in regards to the cul-de-sac. He stated it would be in regards to getting it engineered, redesigned or getting a new cost estimate for that cul-de-sac area. Chairperson Spisak asked if this would be a dedicated road; Mr. Pritchard stated yes. Ms. Abbott asked if sewer and water had been negotiated with Barberton. Mr. Pritchard stated it was part of requirements and terms of the preliminary plat. He said Barberton has indicated they have the capacity and will accept the flows. He stated we have the available capacity within our agreement to send flows to Barberton. Mr. Houser asked if the process for sub-dividing the property had started. Mr. Pritchard stated no, the improvement plans need to be completed, and then they can submit a final plat.

Chairperson Spisak asked if there was any other old Business.

D.) CLEVELAND MASSILLON ROAD –Water Extension & Widening Project:

Mr. Conklin asked at one time there was a proposal to run a water line down to the middle school on Cleveland-Massillon Road was still active. Mr. Pritchard stated yes. Ms. Jacobs asked if the water line was going down to Greenridge Road. Mr. Pritchard stated yes, the project is to initiate in 2009. He further stated the City was having a safety study conducted on the Cleveland-Massillon Road Widening Project. This project information will be for Cleveland-Massillon Road widening Phase 1 and Phase 2 from State Route 224 down to Shannon Road. Chairperson Spisak asked Mr. Pritchard to explain the phases. Mr. Pritchard stated Phase 1 would be from the intersection of Greenwich Road up to State Route 224. Phase 2 would be from south of the intersection down to Shannon Road. Mr. Conklin asked if these projects will run simultaneous or one the first year and one the next year. Mr. Pritchard stated they are to run sequential.

E.) TOPIA CENTER - Cleveland - Massillon Road:

Ms. Abbott stated she heard comments on the difference of construction and completion of the Wellness Center vs. Topia Center. She commented how these projects showed the difference in financing versus no financing. She further stated the professional landscaping of the Wellness Center vs. Topia Center was also noticed. Mr. Pritchard stated we have met with the Topia property owner and finances are in order, he should be proceeding with the project soon. Chairperson Spisak asked if there was a reason for the lapse of progress. Mr. Pritchard stated he thought it came down to funding issues, which should be in place this month or next month. Ms. Abbott stated it was not submitted for site plan review and is new construction. She asked if a sidewalk across the front would be required. Mr. Pritchard stated yes, and would have to be realigned later in accordance with the Cleveland-Massillon Road Widening Project.

F.) WATERLINE PROJECT – Barber Road/West:

Mr. Conklin asked if the waterline project on State Route 261 west of Barber Road was still active. Mr. Pritchard stated yes. He further stated the projects which are lined up and received funding are: Gardner Boulevard-Phase 3, Connect Road, Berry Road, McGowan Road, Wadsworth Road, Cleveland-Massillon Road. He stated we should have confirmation in June or July regarding Cleveland-Massillon Road. Mr. Conklin asked if Gardner Boulevard, Phase 3 will be this summer. Mr. Pritchard stated possibly, they intend on starting Gardner Boulevard-Phase 3, Connect Road, Berry Road, McGowan Road and Wadsworth Road this year. He also said all temporary waterlines within these projects should be completed by 2009.

G.) FIRE STATION – Greenwich Road:

Ms. Abbot asked if they have picked a new site for the new Fire Station. Mr. Pritchard stated they are looking at converting the Community Center into a new Fire Station. He further stated that two or three architects have looked at the site and its potential. Mr. Pritchard also stated if this is done, we are obviously looking at the need of a new Community Center. He said there has also been discussion of a dual building or an addition to the building to house both Police and Fire Departments. He further stated he is trying to push a “green” building with geo thermal to save the citizens and the city money with utilities. Ms. Abbott asked if the Seniors would be put at the old Fire Station. Mr. Pritchard stated once the decision is made to convert the Community Center into a Fire Station or Fire Station/Police Department, the parcel of the old Fire Station would be on the market. Ms. Abbott stated the seniors are very possessive about the Senior Center. Mr. Pritchard stated he understood. He also stated the City has services that need provided to the citizens but are very constrained at this point. Mr. Pritchard stated we have substandard buildings and equipment; in the interim, we will have to make adjustments. Chairperson Spisak thanked him for the updates.

Chairperson Spisak asked if there was any other Old Business; there were none.

IV. NEW BUSINESS:

Chairperson Spisak asked for nominations for the Election of Officers for 2008. Ms. Abbott moved to retain the present Officers. Mr. Conklin seconded the motion. **ROLL CALL: Ms. Abbott-Yea, Mr. Conklin-Yea, Mr. Spisak-Yea, Mr. Houser-Yea, Ms. Jacobs-Yea. The motion passed 5 - 0.**

Chairperson Spisak asked if there was any other New Business; there were none.

V. CONSIDERATION OF MINUTES:

Minutes of 11-27-07 meeting were considered.

Chairperson Spisak moved to accept the 11-27-08 minutes as corrected; Seconded by Ms. Abbott. ROLL CALL: Chairperson Spisak-Yea, Ms. Abbott-Abstain, Ms. Jacobs-Yea, Mr. Houser-Yea, Mr. Conklin-Yea. Motion passed 4-1-0.

Minutes of 12-11-07 meeting were considered.

Ms. Abbott moved to accept the 12-11-07 minutes as corrected; Seconded by Ms. Jacobs. ROLL CALL: Chairperson Spisak-Yea, Mr. Conklin-Yea, Mr. Houser-Yea, Ms. Abbott-Yea, Ms. Jacobs-Yea, Chairperson Spisak-Yea. Motion passed 5 - 0.

Chairperson Spisak asked if there were was anything else for the Board to discuss; there was none.

VI. ADJOURNMENT:

Chairman Spisak announced the next meeting was scheduled for Wednesday, January 23, 2008 at 6:00 p.m. With no further business coming before the Commission, Chairperson Spisak adjourned the meeting at 7:14 p.m.



Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

2/12/08
Date

**PLANNING COMMISSION
RESOLUTION
February 12, 2008**

PC RESOLUTION NO.: 4 - 2008

**RE: PC Application SPR 4 - 2007
Major Site Plan Review
3744 Akron Wadsworth Road/PPN's 4603701 & 4605124-25
Dr. Michelle Messner - Creekside Animal Clinic, Owner
Dimaio Associates Architects, Inc., Agent
[Site Improvements for New Animal Clinic]**

The Planning Commission does hereby make the following recommendation(s) on the above:
Move to ~~approve~~/deny/table PC Application SPR 4-2007, regarding the Major Site Plan
Review application for site improvements to permit a new animal clinic on the property
known as, 3744 Akron Wadsworth Road/PPN's 4603701 & 4605124-25 with the following
conditions(s):

With the condition that a variance for sign location will be
required from the Building Zoning & Appeals Board.

Vote on Motion: FOR 5 AGAINST 0 ABSTAIN —


Therefore PC Resolution No. 4 - 2008 has been:

APPROVED ✓ DENIED — TABLED —

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



Planning Commission Chair/Vice-Chair



Planning Commission Vice Chair/Member

2/12/08
Date

**RESOLUTION
PLANNING COMMISSION**

January 8, 2008

PC RESOLUTION NO.: 1 -2008

RE: **PC Application SPR 5-2007**
Major Site Plan Review
5111 Wooster Rd.W./PPN's 4606250, 4606120 & 4607048
Jack & Sarah Lemon, Owners
Robert C. Winebrenner/Winebrenner & Assoc., Agent

- To:**
- 1. Extend sewer from existing M.H. on S. Wooster Rd. W. to new M.H. #1 on North Side**
 - 2. Extend sewer from new M.H. #1 East 246' to new M.H. #2**
 - 3. Provide Sanitary laterals for 3 properties owned by the Lemmons, at 5085, 5111, & 5129 Wooster Rd. W.**
- [Site Improvements for Dedication of 20' Wide Utility Easement to city for Sanitary Sewer Project.]**

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

Move to ~~approve/deny/table~~ PC Application SPR 5-2007, regarding the Major Site Plan Review application for site improvements for dedication of 20' wide Utility Easement to City for Sanitary Sewer Project on the property known as, 11 Wooster Rd. W./PPN's 4606250, 4606120 & 4607048 with the following condition(s):

- 1) Pending the submittal and approval of easement instrument and 2) Amend Point #2 to not specify actual footage.

Vote on Motion: FOR 5 AGAINST 0 ABSTAIN —

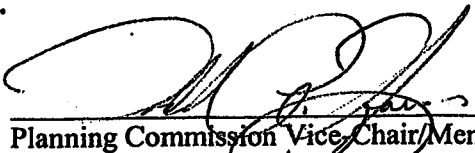
Therefore PC Resolution No. 1-2008 has been:

APPROVED X DENIED — TABLED —

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



Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

1/8/08
Date

