



Planning Commission Memorandum

To: Karla Richards, Clerk of Council
From: Pat Ryan, Interim Boards & Commissions Secretary *PR*
Date: 8-26-09
Re: Approved/Signed Planning Commission Minutes:
Tuesday, July 28, 2009

Attached you will find a copy of the approved/signed Planning Commission minutes from Tuesday, July 28, 2009.

Note that the original document has been forwarded to, and will be on file with the Clerk of Council as the official record.

E-mail: Mayor (per Admin. Asst.)
Administrative Officer
Finance Director
Planning Commission
Fire Chief
Capital One

cc: Director of Planning & Community Development
Superintendent of Building & Zoning
Council
PC File/Posting

City of Norton
PLANNING COMMISSION
Tuesday July 28, 2009

The Planning Commission (PC) of the City of Norton, Ohio, convened for a public meeting in Council Chambers at the Safety Administration Building. Chairman Spisak called the meeting to order at 6:04 p.m.

I. ATTENDANCE:

PRESENT: Mark Spisak, Ralph Dowling, John Conklin

ABSENT: Janet Jacobs, Todd Houser

ALSO PRESENT: Pat Ryan, Zoning Inspector

II. PUBLIC APPLICATIONS:

- A.) **PC Application CUP1-2009**
2181 Wadsworth Rd. Suite C/PPN 4607470
Nicholas Hourmouzis, property owner
James F. Gamble, Agent/business owner
[To operate a Class I Skilled Game Amusement Arcade]

Chairman Spisak announced the first application and asked the Applicant to come forward and present his application. Mr. James Gamble of 216 E. Tuscarawas St., Barberton, stated he purchased the machines at a reasonable price from his brotehr and would like to open this business to get into something different than what he is currently doing. He would like to do this by the rules, there would be no alcohol and no children allowed. Chairman Spisak asked Mr. Arters and Ms. Ryan if Mr. Gamble had satisfied all the requirements of the City. Mr. Arters stated this business would be in the proper location and there were no other issues. Mr. Dowling asked about the requirement that the business be 50 feet from all property lines and stated that this requirement probably would apply to a new building more than this situation. Mr. Arters agreed and stated this use meets the setback requirement or is very close and it is an existing building not new. Chairman Spisak inquired if there would be any food served. Mr. Gamble stated if people were hungry they would order food in, such as pizza, and they would have beverages on hand but there would be no kitchen. Mr. Gamble stated there are 2 bathrooms, both handicapped accessible. Mr. Dowling asked if there was a game room at this location before. Mr. Arters replied there was and then it closed for awhile, reopened after our regulations went into effect and they were asked to conform to these regulations but decided to close. Chairman Spisak asked if there was any more discussion. Being none, Chairman Spisak asked for a motion.

Mr. Dowling made a motion to approve Application CUP1-2009, Conditional Use Permit for a Class I Skilled Game Amusement Arcade at 2181 Wadsworth Rd. Suite C. Mr. Conklin seconded. ROLL CALL: Mr. Dowling -Yes, Mr. Conklin -Yes, Mr. Spisak-Yes. Motion passed 3-0.

Mr. Arters reviewed with Mr. Gamble the procedure for obtaining his operating and machine licenses and a few items that are required by the Fire and Police Departments.

III. OLD BUSINESS:

Chairman Spisak noted the topic of Outdoor Wood Burning Furnaces and Other Alternative Energy Sources is on the Agenda. Chairman Spisak asked if there was anything new on this. Mr. Arters stated the Orrville code seemed like a good fit and if the Commission has any comments on this please pass them on. Chairman Spisak referred to Section B2 in the Orrville code where it speaks to an existing woodburner and a residence is built within 300 feet then the existing unit stack height must conform. Mr. Arters does not have a problem with this. Ms. Ryan stated that by having this section in the code it could be addressed as a potential issue for the person installing the unit next to a vacant building site so they are aware of a future requirement. Mr. Dowling asked about the 30-day limit for conformance. Mr. Arters

stated the owner of the woodburner will have approximately 3-4 months from the beginning of construction to make the stack conform and this should be plenty of time. Ms. Ryan stated she called Orrville and they viewed this section as a preventative nuisance measure. Ms. Ryan also asked Orrville about newspapers being listed as a prohibited burn material and the woman from Orrville stated she thought they were prohibiting large quantities of newspaper not fire starter for kindling. The commission said they would look at the reworked version and send it onto Council. Mr. Conklin asked if they should be considering windmills at this time. Mr. Arters stated nothing is really happening right now but there are a lot of things that will probably come forward in the next year or two. Mr. Arters mentioned he just received a pamphlet from UL about a month or so back and they are just getting around to approving them so he felt this issue could be handled with a paragraph regarding these. The Commission agreed they would like to add a paragraph for windmills. Chairman Spisak asked if there were any other comments on this issue. There were none. Chairman Spisak went to the second area of Old Business, Chapter 1292. The Commission discussed the map from the original ordinance and the area shown as a black circle at the Barber Rd. and I-76/224 interchange. Ms. Ryan stated the black circle was put there to designate an existing adult use at the time of passage. Chairman Spisak asked why the Industrial area shown on the map labeled Exhibit I did not match the Industrial zone on the zoning map. Ms. Ryan explained the area shown on the Exhibit was smaller because it took into account the setbacks from Residential and Business zones. The Commission decided to continue to review this.

IV. NEW BUSINESS:

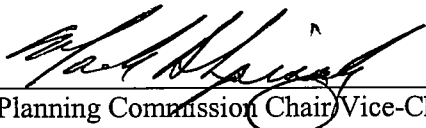
Spisak asked if there was any other New Business. There was none.

V. CONSIDERATION OF MINUTES:


Chairman Spisak stated there were no minutes to approve.

VI. ADJOURNMENT:

Chairman Spisak announced the next meeting is scheduled for Tuesday, August 11, 2009, at 6:00 p.m. With no further business before the Commission, Chairman Spisak adjourned the meeting at 7:25 p.m.



Planning Commission Chair/Vice-Chair



Planning Commission Vice-Chair/Member

8/25/09
Date