



# Planning Commission Memorandum

---

**To:** Karla Richards, Clerk of Council  
**From:** Pat Ryan, Interim Boards & Commissions Secretary *PR*  
**Date:** 2-24-2010  
**Re:** Approved/Signed Planning Commission Minutes:  
Tuesday, February 16, 2010

---

Attached you will find a copy of the approved/signed Planning Commission minutes from Tuesday, February 16, 2010.

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. Sec.)  
Administrative Officer  
Finance Director  
Planning Commission  
Fire Chief  
Council  
Engineer  
Capital One  
Supt. of Building & Zoning

**Cc:** PC File/App. File  
Posting

**City of Norton**  
**PLANNING COMMISSION**  
Tuesday, February 16, 2010

---

The Planning Commission 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 6:00p.m.

**I. ATTENDANCE:**

**PRESENT:** Mark Spisak, Ralph Dowling, Todd Houser, John Conklin, Janet Jacobs

**ABSENT:**

**ALSO PRESENT:** Russ Arters-Supt. of Building and Zoning, Pat Ryan-Zoning Inspector

Chairman Spisak changed the order of the Agenda to elect officers prior to the first Application.

**II. NEW BUSINESS:**

**1) Election of Officers**

Chairman Spisak called for nominations for Chairman. Mr. Houser nominated Mr. Spisak. Mr. Conklin seconded. There were no other nominations. **ROLL CALL:** Mr. Dowling-Yes, Mr. Conklin-Yes, Ms. Jacobs-Yes, Mr. Houser-Yes, Mr. Spisak-Yes. Mr. Spisak was elected Chairman for 2010 with a 5-0 vote.

Chairman Spisak asked for nominations for Vice-Chairman. Mr. Conklin nominated Mr. Dowling. Ms. Jacobs seconded. There were no other nominations. **ROLL CALL:** Mr. Conklin-Yes, Ms. Jacobs-Yes, Mr. Houser-Yes, Mr. Spisak-Yes, Mr. Dowling-Yes. Mr. Dowling was elected Vice-Chairman for 2010 with a 5-0 vote.

**III. PUBLIC APPLICATIONS:**

**1) PC Application AG1-2010**

**NEW Agricultural District**  
**George and Theresa Blankenship, Owners**  
**Regarding the property known as**  
**3580 Hametown Road PPN 4607252**  
**[For a NEW Agricultural District Classification]**

Chairman Spisak introduced the Application and asked the applicant to come forward. Mr. George (Tom) Blankenship of 3220 Reimer Road, Norton, Ohio came to the podium. Chairman Spisak asked if this was an existing agricultural district. Ms. Ryan stated the property has been under agricultural classification for County tax purposes but it has never come through the City for classification as an Agricultural District.

Mr. Conklin asked if the applicant had ever applied before. Mr. Blankenship stated he assumed it was in place and was just recently informed had never been classified as an Agricultural District by the City.

Chairman Spisak asked if everything else was in order with the application. Ms. Ryan stated it was.

Chairman Spisak inquired about the request from the City for an easement along Hudson Run Creek located at the rear of the Blankenship property. Mr. Arters stated an easement would be a recommendation in the Commission's resolution, which would be forwarded to City Council for their action. Mr. Arters said he spoke to Mr. Blankenship just prior to the meeting and recommended he speak to Rick Ryland for further information so he has a greater understanding of the request. Mr. Arters explained the easement is for a sanitary sewer trunk line that will follow Hudson Run Creek. This trunk line is one of a few that the City is planning to install to add sanitary sewers to the City.

Chairman Spisak said it was his understanding there is a 75 foot Riparian setback on either side of the creek and the City is asking for an additional 25 feet per side in addition to the setback. Mr. Arters confirmed this.

Mr. Houser asked if there was an additional extension based on the 100-year floodplain. Mr. Arters stated the floodplain and wetland area is larger than the riparian so the overall setback is greater than the 75' riparian setback.

Mr. Blankenship asked for further explanation and Mr. Houser stated that because the 100-year floodplain is larger than the riparian area the setback is extended to the edge of the floodplain.

Mr. Dowling asked if a sewer line could run within the setbacks. Ms. Ryan stated they are allowed to cross the setback. Mr. Houser added that proper permits must be acquired to do so.

Mr. Conklin asked if the lines are allowed to cross it or run parallel to the setback. Mr. Houser replied it should be minimized wherever practical and added it depends on the final detailed plan. Mr. Arters stated this is still very preliminary.

Mr. Conklin stated he was uncomfortable with just putting in a distance and felt that it was forcing the easement on the applicant. Mr. Arters stated their resolution is a recommendation to Council and Council takes final action. Mr. Conklin added he felt the Commission should recommend the Agricultural District and the easement should be another presentation when Mr. Blankenship was more informed. Mr. Houser stated he feels the Commission should be informed of the plans at the earliest step of the process before it is designed for early planning purposes.

Mr. Arters stated it was up to the Commission if they wanted to just consider the Agricultural District application or add language for an easement.

**Note: The podium microphone stopped working at this point and the speaker was not totally audible on the recording\***

Mr. Blankenship stated he would not be in favor of agreeing to an easement at this meeting and would like to hear more about the details since he just heard about this a few hours ago.

Mr. Conklin said the 100' easement is for a sewer line that may be 30 years away and did not see the need to rush.

Mr. Dowling asked if we know where the floodplain boundary is located. Mr. Houser said that is yet to be determined and will be part of a presentation when the project is proposed. Mr. Dowling said that if you can't build within the floodplain the easement is not depriving the applicant of any land.

Mr. Dowling asked what Mr. Blankenship uses the property for currently. Mr. Blankenship replied agriculture, farming. Mr. Blankenship stated there is a small area in the back they use for recreation.

Chairman Spisak asked the Commission members if they were in favor of adding language regarding an easement in their resolution. The members indicated they were not comfortable adding the easement language.

Chairman Spisak called for a motion.

**Mr. Dowling made a motion to approve Application AG1-2010 - a New Agricultural District for 3580 Hametown Road.**

**Mr. Conklin seconded.**

**ROLL CALL: Mr. Conklin-Yes, Ms. Jacobs-Yes, Mr. Houser-Yes, Mr. Dowling-Yes, Mr. Spisak-Yes. Motion to approve passed 5-0.**

Chairman Spisak explained the Resolution recommending approval would go to Council for their action. Chairman Spisak thanked the applicant.

#### IV. OLD BUSINESS:

Chairman Spisak asked if there was any Old Business.

Mr. Houser asked what the progress was on the determination of defined bed and bank on the Fire Station site. Mr. Arters stated they did have approvals from Summit County Soil and Water Conservation District (SWCD) and the determination was delayed by the snow, but things are moving forward. Ms. Ryan handed out the letter from Ms. Cindy Fink at SWCD. Chairman Spisak asked if there was any other Old Business. There was none.

#### V. CONSIDERATION OF MINUTES:

Chairman Spisak asked if there were any corrections or additions to the minutes from December 8, 2009. Mr. Dowling noted on the first page, first paragraph the word 'would' was misspelled. Mr. Houser stated on the second page, second paragraph, 4<sup>th</sup> sentence, 'NOACA' should be replaced with 'task force'.

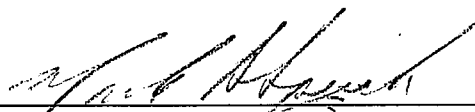
**Chairman Spisak made a motion to approve the minutes as corrected.**

**Mr. Houser seconded.**

**ROLL CALL: Mr. Dowling-Yes, Mr. Conklin-Yes, Ms. Jacobs-Yes, Mr. Houser-Yes, Mr. Spisak-Yes. Motion to accept the minutes as corrected passed 5-0.**

#### VI. ADJOURNMENT:

Chairman Spisak announced the next meeting is scheduled for Tuesday, February 23, 2010, at 6:00 p.m. With no further business before the Commission, Chairman adjourned the meeting at 6:35pm.

  
\_\_\_\_\_  
Planning Commission Chair/Vice-Chair

2/23/2010  
Date

  
\_\_\_\_\_  
Planning Commission Vice-Chair/Member



# Planning Commission Memorandum

---

**To:** Karla Richards, Clerk of Council  
Council

**From:** Pat Ryan, Interim Boards & Commissions Secretary *PR*

**Date:** 2-17-2010

**Re:** PC Resolution No. 1-2010

Support of Renewal of an Agricultural District Classification, Application AG1-2010.

---

Attached you will find a copy of PC Resolution No. 1-2010 supporting a New Agricultural District Classification for property located at 3580 Hametown Road/PPN 4607252.

The original resolution has been forwarded to, and will be on file with the Clerk of Council for the official record.

**E-Mail:** Mayor (per Admin. Sec.)  
Administrative Officer  
Planning Commission  
Board of Zoning & Building Appeals  
Municipal Engineer  
Supt. of Building & Zoning

**cc:** PC Minutes  
File

**RESOLUTION  
PLANNING COMMISSION**

February 16, 2010

PC RESOLUTION NO.: 1 - 2010

RE: Application AG1-2010  
NEW Agricultural District  
George and Theresa Blankenship, Owners  
Property known as 3580 Hametown Road/ PPN 4607252  
[Requesting New Agricultural District Classification]

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

Approve

Vote on Motion: FOR 5 AGAINST 0 ABSTAIN 0

Therefore PC Resolution No. 1-2010 has been:

APPROVED ✓ DENIED     TABLED    

This resolution shall be sent to:

Administration for     it's action or for X 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

2/16/2010  
Date

