

**City of Norton**  
**PLANNING COMMISSION**  
**Tuesday, September 13, 2011**

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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 6:03 p.m.

**I. ATTENDANCE:**

**PRESENT:** Mark Spisak, Ralph Dowling, John Conklin, Janet Jacobs, and Richard Easterling

**ALSO PRESENT:** Russ Arters, Supt. of Bldg. & Zoning

**II. PUBLIC APPLICATIONS:**

Chairman Spisak announced the continuation of the Public Meeting for

**Application SPR5-2011**  
**Major Site Plan Review**  
**Wadsworth 1 LLC/Dave Whyte, Owner**  
**Jim Gamble, Agent**  
**Regarding property known as:**  
**3112 Barber Rd/PPN 4608588**  
**Proposing an Entertainment Device Arcade/Internet Café in this facility**  
**(Tabled from 8/23/11)**

Chairman Spisak asked the Agent to step forward to continue with the Public Meeting.

Mr. Jim Gamble, Agent, 216 East Tuscarawas Avenue, Barberton, Ohio, began by apologizing to the Commission for his actions at the prior meeting, saying it was very unprofessional of him. He said at this time, the two men involved as the owner are still at odds, and wished he had never gotten into business with them. He discussed the situation with Mr. Russ Arters, the Superintendent of Building and Zoning. He came to the conclusion that he should just move the license up to the other game room location he has on St. Rt. 261. He talked with his landlord there and he is the only owner of that property, and he is willing to work with Mr. Gamble. As far as he has concerned, he has a lease on the 3112 Barber Road property for 5 years at \$36,000.00 per year at about

\$180,000.00 total, and he will just turn it into a storage/warehouse. He said they would have to foreclose on the property to evict him, or else sue him. Mr. Gamble said he really does not need the license at this location now, he will probably be returning in five or six weeks for the other location. He said he would guarantee there would be none of this hassle the next time. Chairman Spisak asked if Mr. Gamble was withdrawing this application; Mr. Gamble said yes. Chairman Spisak said ok, and thanked him.

Mr. Richard Easterling asked for clarification of the withdrawal. Chairman Spisak said it was done, if he wants to come back to this location, he would have to re-file and pay the fee to submit a new application.

### **III. OLD BUSINESS:**

Chairman Spisak asked if there was any old business. Chairman Spisak said he saw that Council Committee is considering the fees for David B Hartt and Associates to do the consulting for the zoning, but it is still in committee. The fee was quoted in the paper as \$9,500.00 for their service. Mr. Arters confirmed this, saying it was very reasonable. Mr. Arters continued by saying it was in it's first reading, and will probably go to all three readings before Council. Chairman Spisak asked if there was any other old business; no one spoke.

### **IV. NEW BUSINESS;**

Chairman Spisak asked if there was any new business. Chairman Spisak said the only thing he wanted to mention was that their next meeting would probably be a short one. The Board of Zoning and Building Appeals will be meeting the same night as their Commission, only after theirs at 6:30 PM. There will probably be a few minutes to sign and that will be all that is on the Agenda. Chairman Spisak asked if there was any more new business.

Mr. Conklin asked Mr. Arters if there were any new applications. Mr. Arters said yes, he requests that they all be there for the next meeting of Wednesday, October 12<sup>th</sup>, however Mr. Conklin and Mr. Spisak may be out of town. Mr. Arters said there is a day care proposed at the old Isolab/ Perkin Elmer, in the front part of the building. She also has a charter school that she wants to pursue later. She is currently in Doylestown, but is running out of room for it. Mr. Arters said the meeting might have to be moved if there aren't a sufficient number of members for attendance to hear the Site Plan Review. Mr. Conklin asked if the applicant could wait for a Public Hearing. Mr. Arters said no, she wants to move forward because she would like to be in by October 1<sup>st</sup>.

### **IV. CONSIDERATION OF MINUTES:**

Chairman Spisak asked if there were any corrections to the minutes of March 8, 2011, as transcribed by the staff at the City's Law Director's office. Hearing none, Chairman Spisak asked for a motion. **Mr. Conklin moved to accept the minutes for March 8, 2011. Ms. Jacobs seconded the motion.** There was discussion prior to the Roll Call

about a correction that involved Section **IV Minutes**. This was a clerical error, as it should have been numbered as Section **VI Minutes**. The content of that section did not happen at the March 8, 2011 meeting, as there were no minutes considered; it is to be stricken from the minutes. Also, the **V. Adjournment** Section was renumbered to reflect it was **VII. Adjournment**. **Mr. Conklin rescinded his first motion and moved to amend the minutes by striking Section IV's content, as a whole, from the minutes and the Sections were to be re-numbered accordingly; Ms Jacobs seconded the new motion on amending the minutes. ROLL CALL: Mr. Conklin – Yes; Ms. Jacobs-Yes; Mr. Dowling – Yes; Mr. Easterling – Yes; and Chairman Spisak – Yes. The motion carried to approve the amended minutes 5-0.**

Chairman Spisak asked if there were any corrections to the minutes of March 22, 2011, as transcribed by the staff at the City's Law Director's office. Chairman Spisak initialed several changes made to the minutes. Chairman Spisak asked for a motion on the amended minutes. **Mr. Easterling moved to accept the minutes as amended for March 22, 2011. Mr. Dowling seconded the motion. ROLL CALL: Mr. Easterling – Yes; Mr. Dowling – Yes; Ms. Jacobs – Yes; Mr. Conklin – Yes; and Chairman Spisak – Yes. The motion carried to approve the amended minutes 5-0.**

Chairman Spisak asked if there were any corrections to the minutes of April 12, 2011, as transcribed by the staff at the City's Law Director's office. Chairman Spisak initialed several changes made to the minutes. **Chairman Spisak moved to accept the minutes as amended for April 12, 2011. Mr. Easterling seconded the motion. ROLL CALL: Chairman Spisak – Yes; Mr. Easterling – Yes; Ms. Jacobs-Yes; Mr. Dowling – Yes; and Mr. Conklin – Yes. The motion to approve the amended minutes 5-0.**

Chairman Spisak asked if there were any corrections to the minutes of April 26, 2011. After much discussion, there were too many corrections found to accept the minutes that night. The Interim Secretary is to re-work the minutes, transcribed by the staff at the City's Law Director's office, and present them for consideration at a later date.

Chairman Spisak asked if there were any corrections to the minutes of May 24, 2011, as transcribed by the staff at the City's Law Director's office. Chairman Spisak initialed several changes made to the minutes. **Chairman Spisak moved to accept the minutes as amended for May 24, 2011. Ms Jacobs seconded the motion. ROLL CALL: Chairman Spisak – Yes; Ms. Jacobs-Yes; Mr. Dowling – Yes; Mr. Easterling – Yes; and Mr. Conklin – Yes. The motion carried to approve the amended minutes 5-0.**

Chairman Spisak asked if there were any corrections to the minutes of June 28, 2011. **Hearing none, Chairman Spisak moved to accept the minutes as written for June 28, 2011. Ms. Jacobs seconded the motion. ROLL CALL: Chairman Spisak – Yes; Ms. Jacobs-Yes; Mr. Dowling – Abstain; Mr. Conklin – Abstain; and Mr. Easterling – Yes. The motion carried to approve minutes as written 3-0-2.**

Chairman Spisak asked if there were any corrections to the minutes of July 12, 2011. Mr. Dowling said there were a few editorials were fixed prior to the meeting tonight. **Chairman Spisak moved to accept the minutes as written for July 12, 2011. Ms. Jacobs seconded the motion. ROLL CALL: Chairman Spisak – Yes; Ms. Jacobs-Yes; Mr. Conklin – Abstain; Mr. Dowling – Yes; and Mr. Easterling – Yes. The motion carried to approve the minutes as written 4-0-1.**

Chairman Spisak asked if there were any corrections to the minutes of August 9, 2011, as transcribed by Karla Richards, Clerk of Council. A few changes were made prior to the meeting, correcting the members who attended the meeting. Chairman Spisak initialed a change made to add Attorney Tom Gibson to the Audience attendance sheet for that night. **Chairman Spisak moved to accept the minutes as amended for August 9, 2011. Mr. Dowling seconded the motion. ROLL CALL: Chairman Spisak – Yes; Mr. Dowling – Yes; Mr. Conklin – Yes; Ms. Jacobs-Yes; and Mr. Easterling – Yes. The motion carried to approve the amended minutes 5-0.**

There was discussion about how many more outstanding minutes there were. The Interim Secretary said three sets had yet to be transcribed, which were June 14<sup>th</sup>, July 26<sup>th</sup>, and August 23<sup>rd</sup>.

Chairman Spisak thanked everyone for their patience in approving the minutes that evening, as it was a long tedious process.

**V. ADJOURNMENT:**

Chairman Spisak said the next meeting would be September 27, 2011 at 6:00 PM.

With no further business before the Commission, the Chairman adjourned the meeting at 7:17PM.

  
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Planning Commission Chair/  
Vice-Chair

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

12/13/11  
Date

PLANNING COMMISSION  
AUDIENCE ATTENDANCE RECORD

The following individuals were present and wished to speak at the Meeting of the Planning Commission held on Tuesday, September 13, 2011

**PLEASE PRINT:**

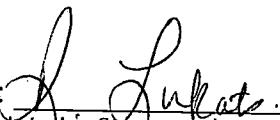
NAME:

STREET ADDRESS (NO P.O. BOX):

CITY & ZIP CODE:

Forrest Fuller	1740 S Maple St. Atwater OH 44201	
James Gambh	216 <sup>e</sup> Tusc Ave	Barberton, Oh 44203

Signed:

  
Interim Stenographer