

**NORTH RIDGEVILLE PLANNING COMMISSION
MINUTES OF
REGULAR MEETING AUGUST 8, 2017**

To Order:

Chairperson Swallow called the Planning Commission meeting to order with the pledge to the flag at 7:00 p.m.

Roll Call:

Present were members Jim Maleski, Jim Smolik, Council Liaison Bernadine Butkowski and Chairperson Jennifer Swallow.

Absent and excused was member Tim Anderson.

Also present was Chief Building Official Guy Fursdon, Assistant Law Director Toni Morgan and Deputy Clerk of Council Donna Tjotjos.

Minutes:

Chairperson Swallow asked if there were any corrections to the minutes dated July 11, 2017. She stated if there are no objections, those minutes will stand approved as presented and will be placed on file.

Correspondence:

Old Business:

Chairperson Swallow noted there was no correspondence or old business for this meeting. She asked the Clerk to read the first application.

NEW BUSINESS:

It was moved by Smolik and seconded by Maleski to suspend the by-laws to read Administrative Officer comments received after cloture for each application.

Chairperson Swallow asked the Clerk to call the roll.

Yes, 4 No, 0

Deputy Clerk Tjotjos announced the motion passed by a vote of four to zero.

APPLICATION:

APPLICANT: Joe Molnar, Bob Schmitt Homes, Inc., 9095 Gatestone Road

OWNER: Same
REQUEST: Final plat approval of Ridgefield Subdivision No. 14. in an R-1 District.
LOCATION: Extension of Hummingbird Lane and Longbrook Drive in Ridgefield Subdivision 14.
Permanent Parcel Nos. 07-00-001-000-363 and east of 07-00-001-000-364

Application was read along with comments received from Chief Building Official Fursdon, Police Chief Freeman, Safety-Service Director Armbruster, Assistant City Engineer Becker, and Fire Chief Reese.

Chairperson Swallow asked if a representative was present and if they could step to the podium and state their name and address for the record.

Applicant Joe Molnar of Bob Schmitt Homes, 9095 Gatestone Road explained he was there tonight asking for final approval for Ridgefield Homes Subdivision number fourteen which is the extension of Hummingbird Lane and is also tying into Longbrook. It consists of twelve cluster lots and three single family homes.

Chairperson Swallow opened the floor for questions and comments of the Planning Commission members.

Member Smolik asked who would be responsible for maintaining the retention basin.

Applicant Joe Molnar stated right now it is the owner and in the future it will be the responsibility of the Homeowner's Association as it is currently in the rest of the subdivision.

Member Smolik asked if the construction was all approved and complete for this phase.

Applicant Joe Molnar stated they haven't started construction of it; however the retention basin is in.

Chairperson Swallow asked if there were any other comments or questions from the Commission. Hearing none she asked if there were any comments or questions from the audience. Hearing none, she addressed the Administration and asked if they had any additional comments or questions. Hearing no comments, she entertained a motion.

It was moved by Maleski and seconded by Smolik to approve the final plat of Ridgefield Subdivision No. 14. in an R-1 District.

Chairperson Swallow asked the Clerk to call the roll.

Yes, 4 No, 0

Deputy Clerk of Council Tjotjos announced the motion passed by a vote of four to zero.

APPLICANT: Anthony M. Valore, HCAV Investments LLC, 23550 Center Ridge Road #101, Westlake, OH 44145
OWNER: Same
REQUEST: Final plat approval of Crosscreek Subdivision
LOCATION: Greenlawn Drive; west of Aurensen and west of Behm Drive in an R-1 District.
Permanent Parcel Nos. 07-00-027-101-105, 07-00-028-+103-132, 07-00-028-103-099, 07-00-028-103-196

Application was read along with Administrative Officer's comments received from Chief Building Official Fursdon, Police Chief Freeman, Safety-Service Director Armbruster, City Engineer Becker, and Fire Chief Reese.

Chairperson Swallow asked if a representative was present and if they could step to the podium and state their name and address for the record.

Applicant Sam Suhail, Suhail and Suhail, 18405 May Court, Chagrin Falls, Ohio; Engineer for the project stated that the owner is not present today. He stated this final phase consists of sixty-three single family lots and the variance for the thirty-five percent cluster lots was received as the Chief Building Official indicated in his comments. Construction is almost complete and they are in the process of putting in the mounds and should be done within the next couple of weeks. He stated this project was unique in a couple of ways. He noted the sanitary sewer pump station will take the sanitary sewer toward Center Ridge Road. The city has opened up the channel and made it more stream-lined from the turnpike. They put in a culvert in the subdivision that actually matches the culvert under the turnpike. Any obstructions from the west, the city will take care of. Further downstream, they took care of the flow issues from their property line all the way to the turnpike. The other thing is that they have provided water line easements from the area he showed on the drawing. He showed the area off Aurensen where they installed a grass staged drive with some asphalt on the sides and that is actually meant to promote pedestrian traffic. The original intent was to connect that street. The residents on that street did not want that. Both the developer and the city's safety service wanted it because it provides for a second access. The win-win situation was that there isn't a connection, but there is still the area for emergency vehicles to get in if need be. It will look like a walking path. The city was to install a sidewalk. He stated the other item is that they provided a waterline easement from the point he showed on the drawing. They provided two stubs for the city to, at their convenience; tie into the existing water main on Behm and Aurensen. He showed the area where they are installing a roundabout circle in the middle of the subdivision to allow for two way ingress and egress for traffic flow. They installed that because they didn't have the additional access for emergency. He showed the storm sewer retention on the drawing. Construction is almost completed at this point and they are here asking for final approval.

Chairperson Swallow opened the floor for questions and comments of the Planning Commission

members.

Member Smolik stated there was a comment made regarding the eighty-five foot single family width and asked if that is being verified.

Applicant Sam Suhail responded yes.

Member Butkowski stated she had questions about the water line. The applicant stated that they are taking the water line from Aurensen and Behm out to their street.

Applicant Sam Suhail stated they provided stubs for Aurensen and Behm. The city can make the connection from point to point in the easement that was provided to the city.

Member Butkowski asked how much that would cost to do that.

Applicant Sam Suhail stated he didn't know how much it would cost the city.

Member Butkowski asked how much it would cost the applicant to do the connection since he has it all torn up and the city wouldn't have to rip up everything all over again. She asked why the applicant doesn't just do it.

Applicant Sam Suhail stated that the agreement with the city was that they would provide the stubs and easement to the city.

Member Butkowski stated she was suggesting that since they are doing all that with the water line anyway and since it wouldn't cost the applicant anything near what it would cost the city to do it, she suggested that they just do it now and just do it.

Applicant Sam Suhail stated that the city doesn't have the appetite to do it right away.

Member Butkowski interrupted and stated the residents have the appetite to have it done because it will give them better water pressure and better hydrant pressure and since the applicant is doing all that stuff there, it isn't going to cost them very much to do that.

Applicant Sam Suhail stated that it isn't about the cost.

Member Butkowski stated that she is just suggesting that it is something that could be done in good faith. The applicant has been doing a lot of building in the city and the city has helped him out in various places. That would be the least he could do.

Applicant Sam Suhail stated that this project actually has been over and beyond what normal developers would actually do and what normal developments require. This has taken a toll on the developer and that is not something they would entertain.

Member Butkowski stated she understands what it costs to develop, as she has developed, and she knows that it doesn't cost very much to do.

Applicant Sam Suhail stated when implementing the stubs, the city did provide the two hydrants. The materials were provided by the city. It was a struggle for that little bit to finish. He knows that the connection will not happen by them.

Member Butkowski stated she knows he can't make that decision.

Applicant Sam Suhail stated from what he knows it seems like an impossible task. Chairperson Swallow asked if there were any other comments from the Commission.

Member Smolik asked how many feet are we talking about with that water line.

Applicant Sam Suhail stated approximately four hundred feet.

Member Smolik asked if they are posting a bond since construction is not complete.

Applicant Sam Suhail stated that the construction is almost complete and he didn't believe there was a bond requirement.

Chief Building Official Fursdon stated not if they have it complete when the city goes to sign the plat.

Member Smolik asked if the City Engineer has approved the site improvements.

Chief Building Official Fursdon stated he believes that the construction drawings have been approved, but they would have to talk with Engineering to see if they have fully approved all the construction down there. If they have everything done to the Engineer's satisfaction when they go to sign the plat, a performance bond is not required; just a maintenance bond would be required by ordinance.

Member Smolik stated as far as the plat goes he sees a lot of easement language missing; such as, conveying the land for the storm water, sanitary to the city. He didn't see any language on the plat to that. He stated that it just states third party utility easement. There is nothing conveying any of the public infrastructures to the city; including the ditch easement as well.

Applicant Sam Suhail stated that he would have to look at that but normally it is on the front page of the plat. He stated that they are dedicating the entire right-of-way.

Member Smolik stated correct, but there are utilities that are outside of the right-of-way that are in easements which have to be conveyed to the city. He mentioned the water line, the portion of

the sanitary force main, the storm sewer runs going back to the retention basin, etc.

Applicant Sam Suhail stated that he believes it is on the plat, but he can't say at this point if it is on there, but it will be.

Member Smolik stated there are schematics showing the easement but no language conveying it.

Chairperson Swallow asked if there was usually a final document that comes in that would show that easement prior to it being filed.

Chief Building Official Fursdon stated that there is a twenty foot easement that is being described in the two locations. It states note: Parcel A, storm sewer and water main easement dedicated to the city of North Ridgeville. He isn't sure where parcel A is located.

Member Smolik stated that is the sanitary force main, the pump station.

Applicant Sam Suhail stated that should cover it.

Member Smolik stated that would be up to law but based on what he is reading from the plat, it does not convey this to the city.

Assistant Law Director Morgan stated that will be double checked just to make sure but this has never been an issue before. They have worked with us very well in the past. She thanked Member Smolik for bringing it up.

Member Smolik asked if there will be actual grass areas within those circles and cul-de-sacs. He asked if that was going to be the Homeowner's Association that maintains it.

Applicant Sam Suhail stated no, not within the cul-de-sac. As the Engineer, he isn't aware of whether or not it is in the subdivider's agreement or if it is in the Homeowner's Association by-laws. He asked if it wasn't stated that anything in the right-of-way is the city's responsibility.

Member Butkowski stated that the city never maintains the grass areas within a subdivision.

Chief Building Official Fursdon stated that it should be in the subdivider's agreement that the HOA maintains that grass area on the cul-de-sacs.

Member Smolik asked if the retention basin was going to be city maintained or HOA maintained.

Applicant Sam Suhail stated it will be HOA's responsibility to maintain.

Chairperson Swallow asked if there were any other comments or questions from the Commission. Hearing none, she opened the floor to the Administration for questions and

comments. Hearing none, she opened the floor to the members of the audience for questions and comments. She asked that they step to the podium and state their name and address.

Anne Todd of 36460 Behm stated her property borders there. She asked whose responsibility is it for the area she showed on the drawing. She stated that it is overgrown with weeds right now. They have been planting bushes and trees trying to block the view. She stated she didn't know whose property it is in order to know who is maintaining it. She didn't know if it was going to be vacant land or something planted there. They are getting a lot of kids cutting through their property. They are heading toward the creek. They didn't have that problem until the building started. Right now it is overgrown and they aren't cutting through.

Applicant Sam Suhail stated that it will be maintained by the HOA.

Anne Todd stated they can't access it because of the creek. She stated that it is on her side of the creek. It isn't on their side of the creek.

Applicant Sam Suhail stated that they can come through Behm.

Chief Building Official Fursdon asked if there were any wetlands in that area.

Applicant Sam Suhail stated no.

Chief Building Official Fursdon stated that the HOA will have to do something with that or the city is going to be down there with the HOA to tell them to cut down the weeds and brush or at least a certain distance back from those property lines.

Chairperson Swallow asked if there was anyone else who would like to speak.

Pat Wysocki of 7480 Noll Drive stated that she has a map that shows that there are wetlands in there. She asked if that had changed since the city went in there.

Chief Building Official Fursdon stated that he is not aware of any wetlands on that property and there is no one here from engineering. You just can't go in and disturb wetlands. It may have been that the wetlands determination has changed and is no longer considered wetlands.

Pat Wysocki stated that those homes in the area she pointed to on the map were moved over because there was additional wetland that was taken out.

Chief Building Official Fursdon stated that was done because of the flood zone and not because of the wetlands. Flood zone is different than wetlands.

Pat Wysocki stated she assumed the new water main for the new development is coming off Center Ridge.

Applicant Sam Suhail stated yes.

Pat Wysocki asked if the water source for the stubs was coming off of 83 and that the city could connect there in the future.

Chief Building Official Fursdon stated yes, that is what is being stated.

Pat Wysocki stated that they have had an abundance of wildlife taken from their property. They have had seven raccoons and three possums taken off their property and asked if there was anything the city can do.

Chief Building Official Fursdon stated not that he is aware other than to contact the Animal Control Officer.

Kenneth Padley of 36450 Aurensen Road explained he has lived there for fifty years. He stated that the applicant has dug the ditches and has cleaned them out very good. It all goes over to the retention pond. He asked if they cleaned the ditches all the way out to Center Ridge Road.

Applicant Sam Suhail stated he didn't know.

Kenneth Padley stated if we have a big rain that retention pond will flood and it will be all over the place. During the last one, that ditch overflowed. He asked that they check out the ditch to Center Ridge Road. He mentioned that they hauled dirt in the back and now the lots are two to three feet higher than his lot. He asked that they check that out. He mentioned that there have been construction vehicles accessing the subdivision through that emergency path and that isn't supposed to happen. He stated that access is for emergency vehicles only. He has spoken to the homeowners in the area and they have all agreed if they get heavy rain they will get flooded.

Chairperson Swallow asked if there was anyone else.

Gil Camargo of 36495 Aurensen Road reiterated what the last gentleman said in regard to the opening. That was supposed to be for safety forces only and that was why the sidewalks were in place for the children to cut through to go to the library. It wasn't for cars to come through to make it an easy cut through. It was supposed to be for emergency access only. The intent was to keep that neighborhood quiet and he would like it to stay that way.

Chairperson Swallow asked if the applicant could comment.

Applicant Sam Suhail asked if they were referring to construction vehicles because he was not aware.

Chairperson Swallow stated that there were two individuals who have spoken about construction

vehicles moving through there and it was supposed to be for just emergency vehicles.

Chief Building Official Fursdon stated not during construction. They have to have certain access. It is not the intent for that to be for local traffic to go through there after everything is completed.

Chairperson Swallow stated that after construction, if there are complaints, they should then call the police department.

Chief Building Official Fursdon stated yes, after construction is finished.

Merilyn Bright at 36145 Behm stated she agrees with the gentleman regarding the raising of the grade. She is concerned about the grade in this new development because when it flows off of that, it is going to flow into the creek and overflow into those residents on Behm and Aurensen. She asked what the city would do to guarantee that the grade isn't going to be raised. She stated there was a dump truck that came down to do construction work and it is a closed off street. It was a one-time deal as she hasn't seen it happen again, but what will the city do if it does happens again and they don't have visual proof. She stated she has heard rumor that Aurensen will be accessed again as a cut-through for use of car traffic.

Chief Building Official Fursdon stated that is not known to the city.

Merilyn Bright asked for a guarantee that it isn't going to be used as an access road.

Chief Building Official Fursdon stated he can't speak for the Mayor or City Council.

Merilyn Bright asked what that meant and if it can still happen.

Chief Building Official Fursdon stated anything is possible, but it would have to come before Planning Commission to be approved.

Applicant Sam Suhail stated that they haven't changed anything.

Chief Building Official Fursdon stated the only way it could change is through approval through Planning Commission. In regards to the water, they can't turn storm water onto any adjacent properties. It is intended to run into that ditch and into their retention basin. That is all engineered and designed.

Merilyn Bright stated that this gentleman just stated that his grade is lower than the grade next to him.

Chief Building Official Fursdon stated that there is a grading plan that is approved by engineering that the developer has to follow.

Shana Camargo of 36145 Aurensen asked if there were any plans of fixing their road as it has been destroyed.

Chief Building Official Fursdon stated she would have to check with the Street Department as he didn't know what they have scheduled for resurfacing.

Chairperson Swallow asked if there were any other questions or comments from the audience. Hearing none, she asked if there were any other questions or comments from the Planning Commission. She entertained a motion.

It was moved by Smolik and seconded by Swallow to approve the final plat approval of Crosscreek Subdivision with the condition that they include the conveyance of the storm and sanitary and water line easements on the final plat.

Chairperson Swallow asked the Clerk to call the roll.

Yes, 4 No, 0

Deputy Clerk Tjotjos announced the motion passed by a vote of four to zero.

APPLICANT: Jim Alan, Jim Rumbaugh, The Meritage Group, 772 Pine Valley Drive, Pittsburgh, PA 15239

OWNER: Winfield Farms Development, LLC, 772 Pine Valley Drive, Pittsburgh, PA 15239

REQUEST: Final plat approval of The Reserves at Winfield Farms Subdivision

LOCATION: North side of Chestnut Ridge Road, west of Victoria Lane, east of Bender Road and south of Terrell Drive in an R-1 District.
Permanent Parcel No. 07-00-036-000-001

Application was read along with Administrative Officer's comments received from Chief Building Official Fursdon, Police Chief Freeman, Safety-Service Director Armbruster, City Engineer Becker, and Fire Chief Reese.

Chairperson Swallow asked if a representative was present and if they could step to the podium and state their name and address for the record.

Applicant Travis Crane from TGC Engineering, 1310 Sharon Copley Road, Sharon Center, OH explained that they are requesting final plat approval for this first phase of this subdivision.

Chairperson Swallow opened the floor for questions and comments from the Planning Commission members.

Member Butkowski asked if this subdivision was all in North Ridgeville.

Applicant Travis Crane stated what is on the plat is in North Ridgeville. He explained the level of progress they are making with Eaton Township for that portion of the subdivision.

Member Smolik asked if the cul-de-sacs were concrete or grass island.

Applicant Travis Crane stated that there is no island.

Member Smolik stated that it is solid concrete. There is a temporary turnaround in Block C. He asked who owned Block C.

Applicant Travis Crane stated that the developer owns Block C.

Member Smolik asked if he was going to have a temporary turnaround dedicated easement for that.

Applicant Travis Crane stated that is something that will be dedicated once the extension and knockout on Chestnut Ridge happens.

Member Smolik stated that it appears that there is no language for storm and sanitary sewer on the plat.

Applicant Travis Crane stated that he will check and will be followed up with the Engineering Department.

Chairperson Swallow asked if there were any other comments from the Commission. Hearing none, she opened the floor to the Administration for questions and comments.

Chief Building Official Fursdon asked if there was approval from Eaton Township for the extension out to Center Ridge Road.

Applicant Travis Crane explained stated they have preliminary approval. They had a hold up with FPA and NOWACA because the map had to be modified and they are now in the engineering phase.

Chairperson Swallow asked if there were any comments from the audience. She asked that they step to the podium and state their name and address.

Matt Kline of 9254 Calista stated that Ryan Homes had a VIP event occurring and so; there is already a lot of traffic and cars on that road already. Someone needs to get a stop sign coming from that location. Right now, there is only one stop sign in a four way intersection. People coming down Elizabeth are not stopping. He showed the area on the map.

Representative from Ryan Homes stated that there may be one on order and it hasn't been installed, but it will be now. It will be solved.

Chairperson Swallow addressed Chief Building Official Fursdon and asked if there is a process they have to go through for that stop sign.

Chief Building Official Fursdon stated that it is the developer's responsibility and he believes they hire the city to produce those signs. That is part of the subdivider's agreement.

Assistant Law Director Morgan added the reason the city requests that is because we want to ensure they are all the right height, etc. in order to keep it standard.

Chairperson Swallow stated she understood why but she wanted to make sure that it was part of the plan that has been approved. She asked if there were any other comments from the audience. Hearing none, she entertained a motion.

It was moved by Smolik and seconded by Butkowski to approve the final plat of The Reserves at Winfield Farms Subdivision with the condition that appropriate language regarding easements are placed on the final plat.

Chairperson Swallow asked the Clerk to call the roll.

Yes, 4 No, 0

Deputy Clerk Tjotjos announced the motion passed by a vote of four to zero.

APPLICANT: Tony Perez, Lemmon and Lemmon, Inc., 1201 S. Main Street, North Canton, OH 44720

OWNER: Bagley Lorain Properties, LLC, 9095 Gatestone Road

REQUEST: Final site plan approval for Danbury of North Ridgeville Assisted Living and Independent Living.

LOCATION: Northeast corner of Lorain Road and Bagley Road in a Special Development District.

Permanent Parcel Nos. 07-00-011-102-149 and 07-00-011-102-150

Application was read along with Administrative Officer's comments received from Chief Building Official Fursdon, Police Chief Freeman, Safety-Service Director Armbruster, City Engineer Becker, and Fire Chief Reese.

Chairperson Swallow asked if a representative was present and if they could step to the podium and state their name and address for the record.

Applicant Tony Perez of Lemmon and Lemmon Inc, 1201 S. Main Street, North Canton, OH explained they are presenting a living campus on the northeast corner of Lorain and Bagley

Road. There are two buildings on the site. There will be a memory care and an assisted living building that will be two stories. On the south side of the property there will be an independent living building. They are hoping to start late this year or early next year pending approval.

Chairperson Swallow opened the floor for questions and comments of the Planning Commission members.

Member Smolik asked if there were any conditions placed on the variance given by the Board of Zoning and Building Appeals.

Deputy Clerk Tjotjos stated no.

Chairperson Swallow asked if there were any other comments from the Commission.

Member Butkowski asked if they were putting any sidewalks along Lorain Road.

Applicant Tony Perez stated Lorain Road goes up on an incline and they are going to look to see if it is possible per the city Engineer. It will more than likely be further from Lorain Road in that area. He stated that they will work with the city.

Member Butkowski stated that she didn't think there could be one put there. It would have to be a flying sidewalk. It's not even safe to walk up there.

Chairperson Swallow asked if there were any other comments from the Commission. Hearing none, she opened the floor to the Administration for questions and comments. Hearing none, she opened the floor to the members of the audience for questions and comments. She asked that they step to the podium and state their name and address.

Mr. John Nisky of 8304 Chesapeake Drive stated his concern is the landscaping and buffering and said that the last time this type of case was brought forward, they talked about installing five foot swales with trees on top.

Applicant Tony Perez stated during the Board of Zoning and Building Appeals meeting, landscaping was discussed. He spoke with the one neighbor that was in attendance and gave him his card and he will do the same with him. Since the ordinance says they have to keep as many trees as possible, he can't tell him that is what will be done because they have to maintain what is there first. He does see a berm there, but there won't be a fence there. He doesn't know at this time, what trees can be kept and what trees can't.

John Nisky stated with his particular lot, there aren't any trees there to speak of and it is pretty open.

Applicant Tony Perez stated that he will work with the city and the neighbors. He agrees, he

doesn't want to see a straight fence across there. There may be some type of berm there.

John Nisky stated the other issue there relates to a swampy area he showed on the drawing. He stated he gets two feet of water from the snow and run off. He does believe that drainage is a big concern.

Applicant Tony Perez stated that it will be addressed with the city Engineer. Obviously, he is not going to push any drainage toward another property, His Civil Engineer stated that there will be swales installed on the east and south side to pull everything back off.

Chairperson Swallow asked if there were further comments from the Planning Commission. Hearing none, she entertained a motion.

It was moved by Butkowski and seconded by Maleski to approve the final site plan approval for Danbury of North Ridgeville Assisted Living and Independent Living.

Chairperson Swallow asked the Clerk to call the roll.


Yes, 4 No, 0

Deputy Clerk Tjotjos announced the motion passed by a vote of four to zero.

ADJOURNMENT:

Chairperson Swallow stated the next regular meeting will be September 12, 2017. She then adjourned the meeting.

The meeting was adjourned at 8:26 p.m.



Chairperson



Deputy Clerk of Council, Donna Tjotjos

9/12/17

Date Approved