

Garrettsville Planning Commission Minutes

April 5, 2007

Public Hearing

At 7:00 pm a public hearing was called to consider the formal request for a Conditional Use Permit application by Site Quest, Lt., for Alltel Communications for an easement to Village property located on vacant property on Brosius Road. Site Quest, Ltd. wishes to construct a wireless telecommunications facility consisting of a 190' tall monopole type antenna tower and a single story pre-fabricated 11'5" x 20' 0" radio shelter within a fenced compound. This location is currently in an OC, "Open Conservation", zoning district.

Mr. Mike Pitchure, P.E, of Site Quest, LTD, was in attendance to discuss the proposed facility as ¼ mile north of the current water plant, 210 feet from the Brosius Road right-of-way, and 275' from the nearest neighbor. The compound would be completely fenced with 8 foot high chain link fence, three rows of barbed wire, and screened with three rows of arborvitae. There would be no screening at the gate, with security lighting at the front door and at the back of the building.

The building would be sided with an exposed aggregate surface on all sides. The monopole tower height has been lowered from the proposed 230' to 190'; therefore, F.A.A. lighting may not be required. The tower is designed to fit four more wireless carrier receivers.

With no further discussion the public hearing was closed at 7:15 pm.

Planning Commission Meeting

The Planning Commission Meeting was called to order by Chairman, Steve Hadzinsky at 7:15 pm, with Don Harvey, Jeff Kaiser, Craig Moser, (Mayor), Mark Manlove (Solicitor), and Jan Boehm (Zoning Inspector) present. Mr. J. Kehoe was absent.

After the Pledge of Allegiance, Mr. Hadzinsky requested a motion to approve the minutes of the last meeting; there was no discussion. The minutes of the March 8, 2006, were approved when Jeff Kaiser motioned the approved the minutes and Don Harvey seconded the motion.

Vote: Ayes – Unanimous

As requested previously by the Planning Commission, Mr. S. Carlisle of the Portage County Health Department was present to explain the updated rules of January 1, 2007, for water pollution, the installation of septic systems, and the enforcement of these rules with its relevance to the current Zoning Ordinances of the Village of Garrettsville.

Because the Design Review Board failed to have a quorum present at their meeting to rule on the proposed sign submitted by Mr. Roger Angel, the Planning Commission reviewed the proposed Dairy Queen signage for 8013 State Street in the C-2 zoning district. The proposed sign will have three separate units with a total of 72' 1" sq. ft. and stand 20' tall. The colors are to the standard "Dairy Queen" colors. Both the size and height indicated are in compliance with the Village Ordinances.

Mr. Craig Moser motioned and Jeff Kaiser seconded the motion to approve the Dairy Queen signage at 8013 State Street.

Vote: Ayes – Unanimous

At this time Mr. Craig Moser motioned to approve the Conditional Use Permit for the construction of the 190' tall monopole type antenna tower and the single story pre-fabricated 11'5" x 20'0" radio shelter on Brosius Road in the "OC" or Open Conservation zoning district. Mr. Jeff Kaiser seconded the motion.

Vote: Ayes – Unanimous

Mr. Rob Warren was in attendance for another reading and further discussion on the proposed rezoning amendment for the property located at 8454 Windham Street from R-1 to C-3 zoning. The history of the property was reviewed; the appropriateness of the C-3 vs. C-2 zoning districts, the infrastructure related issues such as a possible water line spur, Mr. Warren's letter from the E.P.A. for septic approval, and the Fire Chief's concern regarding the location of the nearest water hydrant was covered.

The ordinance to change the zoning at 8454 Windham Road from R-1 to C-3, amend the current zoning map, and repeal all prior inconsistencies was recommended to Council for discussion on April 11, 2007, by a motion from Craig Moser, and seconded by Jeff Kaiser.

Vote: Ayes – Unanimous

Mr. Jeffery Csorba was in attendance to receive the Planning Commission's appointment to Garrettsville's Design Review Board. This appointment would fill the vacancy left with the resignation of Dave Kirk. Craig Moser motioned to approve the appointment and Steve Hadzinsky seconded the motion

Vote: Ayes – Unanimous

The yearly renewal of the Conditional Zoning Certificate for Ms. D. L. Darling, 11085 North Street, for a Bed and Breakfast in the R-2 zoning district was reviewed at this time. Craig Moser motioned for a continuance of the Conditional Zoning Certificate and Steve Hadzinsky seconded the motion.

Vote: Ayes – Unanimous

Dave Kirk, from the audience, brought plans for the expansion of his garage at 10688 Freedom Street. There was a discussion at this time. The proposed garage expansion would be located on a corner lot, which technically has two front yards, and would require a request for a variance from the current zoning ordinances. More details were requested.

Mr. Chad Harris of 10563 Liberty Street was in attendance with concerns regarding the I.G.A. gas station light shields still not in place after Mr. Mike Porter's assurance at the January 4, 2007, meeting, when Mr. Porter stated he had "already talked to the engineers who would have the shields in place within a week". Mr. Moser is to contact Mr. Porter regarding the light shields.

Mr. Harris also stated there are "smells of gas" emanating from the I.G.A. gas station which can be smelled to the church at the corner of Freedom and Windham Streets especially the evening of April 2, 2007. Mr. Steve Hadzinsky will investigate the complaint and contact the Akron E.P.A. for information regarding any evaporation issues.

Review of Ordinance 2007-19 amending section 1135.01 (b) and adding to the last sentence of the codified ordinance of the Village of Garrettsville to include nondiscriminatory language to insure compliance with the Ohio Civil Rights Commission declaring an emergency and repealing all prior inconsistent ordinances, and Ordinance 2007-20 which amends section 1135.01 (a) (13) of the codified ordinance of the Village of Garrettsville also in order to comply with the Ohio Revised Code and provide an enforceable definition for single family dwelling, and repealing all prior inconsistent ordinances was discussed at this time. The definition of single family homes was reviewed with relation to an adult family home, number of unrelated individuals in one home, number of cars, and traffic being a legitimate issue with driveway space.

Dave Kirk, from the audience, questioned the relation of unrelated individuals in one home to village income tax issues.

Craig Moser motioned to approve Ordinance 2007-20 and send the ordinances to Council, Jeff Kaiser seconded the motion.

Vote: Ayes – Unanimous

Ordinance 2007-19 will be again reviewed at the May 3, 2007 meeting.

A discussion regarding cul-de-sacs for future developments commenced at this time. Don Harvey suggested the Planning Commission follow the village plan with its desire for continuous and connected streets, and the provision of land for the right of way for future connected streets. Mark Manlove (Solicitor) is to draft an Ordinance for review of provisions for future connected streets. Also discussed was the Planning Commission's discussion as to when to hold the developers responsible for provision of land for continuous and connected streets; the location of the right of way connections to be designated as Village property.

Current zoning fees were discussed as possibly being outdated; this discussion was tabled until the next meeting as fees from surrounding municipalities are being researched.

The following statement was verbally read by the mayor:

We, the Planning Commission, Village Solicitor, Mayor and Zoning Inspector, apologize in regards to the property at 8399 Center Street, owned by Andrew W. Krcmar. It should be stated that after review, Mr. Krcmar is in full compliance of all laws and ordinances within the Village of Garrettsville.

We apologize for any inference, which was made in regards to the legality of this property. Further we welcome Mr. Krcmar and his disabled tenants as part of our community.

A motion was called to adjourn the meeting by Chairman Steve Hadzinsky. Don Harvey motioned, and Jeff Kaiser seconded the motion.

Vote: Ayes – Unanimous