

Garrettsville Planning Commission Minutes

August 6, 2009

Chairman, Steve Hadzinsky called the August meeting of the Garrettsville Planning Commission to order with Jeff Kaiser, Jerry Kehoe, Mayor Craig Moser, Don Harvey, Michele Stuck, Solicitor, Jan Boehm, and Zoning Inspector present.

After the Pledge of Allegiance, Chairman Hadzinsky requested a motion to approve the minutes of the last meeting. There was no discussion; the minutes of July 2, 2009, were approved when Mayor Moser motioned to approve the minutes; Jerry Kehoe seconded the motion.

Vote: Ayes – Unanimous

Mrs. Rinearson was in attendance to discuss issues of independent farm produce vendors throughout the Village and her Farmers Market location at the South Street Park.

Mrs. Rinearson's concerns were the vendors, who have set up stands at various locations throughout the Village such as business parking lots, in areas, which Mrs. Rinearson believes to be more advantageous for visibility and the ability to sell their merchandise. Mrs. Rinearson also believes permitting these vendors throughout the Village defeats her purposes for a Farmer's Market to generate revenue for her nonprofit organization; she also believes her Farmer's Market proceeded correctly, requesting permission from the Village; using permitted Village locations.

Mrs. Rinearson is looking for an ordinance to prohibit these individual vendors throughout the Village. If the Village is unable to prohibit the independent vendors, the present Farmers Market at the Village Park may be forced to disband, as the present location is not as visible, and able to generate the sales as the independent vendors do throughout the Village in more visible and advantageous commercial parking lots.

The above open air markets were referenced and defined in Garrettsville's Codified Ordinance Chapters 729, 1177.05, (d), and 1179.05. Fees for vendors were discussed.

Chairman Hadzinsky stated the Village did not wish to permit the idea of ignoring the current ordinances pertaining to open air markets; he was trying to offer a solution to Mrs. Rinearson's dilemma.

Mr. Patrick, from the audience, suggested several ideas, as well moving Mrs. Rinearson's Farmers Market to the driveway upon entering the South Street Park to be more visible.

It was agreed upon, the present ordinance would be reviewed, and Ms. Stuck would research other ordinances for possibly more definitive phrasing.

Shanelle and Rick Waggoner were in attendance to request a Change in Use/Occupancy Zoning permit for the basement of 8015 A State Street. The property was currently vacant; the proposed use is a dance studio.

Inspections have been conducted by J. Sheehan, water/sewer department, and Fire Officer Connor. A conditional Change in Use/Occupancy is necessary as Fire Chief Friess was on vacation and unable to approve his portion of the zoning application. If any fire safety issues are found by Chief Friess, Mr. Waggoner has agreed to correct any violations; the application will be revisited at the September meeting.

After reviewing the above, Mayor Moser motioned to grant a Conditional Commercial Change in Use/Occupancy, conditional upon the approval of Fire Chief Friess. Jerry Kehoe seconded the above motion.

Vote: Ayes – Unanimous

Mrs. Barb Bejger, from the audience, asked if sidewalk sales in the Central Business District would be considered open air markets, it was discussed they were excluded as Ordinance 729.01 (c) states.

Mayor Moser made a motion to recommend to Council consideration of ordinance regarding farm markets and the sale of merchandise within the Village. Jerry Kehoe seconded the above motion.

At this time Mr. Harvey requested a discussion, and had questions concerning the zoning overlay for senior housing or Ordinance 2009-41. After a lengthy discussion of the above Mr. Harvey's questions and concerns were answered.

Chairman Hadzinsky requested a motion for adjournment, Mayor Moser motioned and Jerry Kehoe seconded the motion,

Vote: Ayes – Unanimous

Planning Commission Chairman

Zoning Inspector