

**MINUTES OF THE
LAKE COUNTY PLANNING COMMISSION
October 30, 2007**

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Chairman Brotzman called the meeting to order at 7:02 p.m.

ROLL CALL

The following members were present: Messrs. Adams, Brotzman, Klco (alt. for Troy), Morse, Schaedlich, Siegel, Zondag, and Messes. Hausch and Pesec. Staff present: Messrs. Webster, Radachy, and Ms. Truesdell.

MINUTES

Mr. Morse asked that his name be spelled correctly on page 8.

Ms. Hausch moved and Mr. Siegel seconded the motion to approve the minutes of September 25, 2007 as amended.

All voted "Aye".

FINANCIAL REPORT

Mr. Schaedlich moved and Mr. Zondag seconded the motion to approve the Financial Report for September, 2007 as submitted.

All voted "Aye".

PUBLIC COMMENT

LEGAL REPORT

Mr. Condon said there were no legal issues to report.

DIRECTOR'S REPORT

Mr. Webster said that staff has not received the final review from the Madison Village Comprehensive Plan Committee. The Madison Township Comprehensive Plan should be ready for review in November. The Village expressed the desire to review their plan at the same time as the Township. A meeting with North Perry Village will be arranged as soon as they approve the final report.

ANNOUNCEMENTS

Mr. Radachy said that the first of four American Planning Association Audio Conferences will be held November 7, 2007 from 4:00 to 5:00 in the conference room.

The topic will be *Staying Out of Court by Avoiding Pitfalls*. There will be two more conferences in March and one in June of 2008.

SUBDIVISION REVIEW

Subdivision Activity Report

Mr. Radachy said that Commons of Concord, a commercial subdivision just south of Gristmill off Crile Road, had their improvement plans approved by the Commissioners.

LAND USE AND ZONING REVIEW

There were no Land Use and Zoning cases this month.

REPORTS OF SPECIAL COMMITTEES

Lake County Coastal Plan Committee

Mr. Webster said they met last month and the minutes were included in the mailout.

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

Public Records Policy

Mr. Webster said that Charles Coulson, Prosecuting Attorney, sent a memo regarding the New Public Records Law as set forth in Substitute House Bill Number 9 of the 126th General Assembly. Important new or changed duties include adoption of a model policy, distributing the policy to the records custodian of the office, displaying a poster regarding the policy, and including the public records policy in the office's manual or handbook, if either exists. The new law requires that we adopt a model policy for our office as soon as possible. Although this policy can be changed at any time thereafter, it is important to have a policy in place. The public must ask for specific records but do not have to state the reason or identify themselves.

Mr. Condon said that records must reflect the business of the office. Personal emails are not public records because they do not reflect the work of the office and therefore are not public records. Public records in the form of emails are not to be deleted. The cost of one letter size copy is \$0.08. The fee schedule for other sized copies is the cost of reproduction only and was previously adopted by the Planning Commission. The Prosecutor's office is working on a retention schedule for emails.

Ms. Haush moved and Mr. Schaedlich seconded the motion to approve the Public Records Policy.

All voted "Aye."

Lake County, Ohio Subdivision Regulations, Articles IV & V – First Draft

Mr. Radachy said that staff is updating Articles IV & V of the Subdivision Regulations.

Included are wetlands, agricultural buffers, and hillside regulations which have revised and updated standards after consultation with the County Engineer. There are revisions in bonding for both construction and maintenance. He introduced two new concepts of width-to-lot ratio and common driveways for the purpose of seeking the Board's opinion.

Width-to-depth ratio was authorized under 711.133 of the Ohio Revised Code which gave staff the ability to review lots over 5 acres and 20 acres and under. These are approved with no plat and done under staff approval. Flag lots are lots that have a small frontage on the road and are 100 feet wide or greater where the lot widens out to provide a building site. They can go back as far as 3,000 to 4,000 feet with no limit. Bowling alley lots have the proper frontage, with the houses up front on the road, but the lots can go back 3,000 feet. The reasons to regulate the depth are because it is not an efficient land use pattern, water and sanitary sewers are difficult to provide as well as the difficulty with pressure for water lines. Sanitary sewer connections are difficult because of the distance from the main. Townships and the County are subsidizing the development. However, if width-to-depth is regulated, we take away an inexpensive way to develop land and owners with large acreages and limited frontages would be forced into the major subdivision process. Mr. Radachy said that if the townships wanted to regulate this, their zoning would override ours.

Mr. Radachy said that the other topic to consider is common drives which are defined as 2 to 6 lots using one driveway access. There are presently no standards and no limit to the length of private drives. Regulation would prohibit private streets without safety improvements such as cul-de-sacs or fire hydrants. A lot of these are 3,600 feet which exceed our maximum cul-de-sac length by 2,600 feet. The property owners have to maintain them. The problem is that safety vehicles, in most cases, cannot get back to the homes. If we do not have the ability to regulate common drives, we cannot tell people that if they have a 3,600 foot long drive, they will need a cul-de-sac at the end, and a fire hydrant attached to a pond or a fire hydrant attached to a water line. There is also no control over the location of the driveways.

Ms. Pesec said we should look at the health and safety of the residents above all. If the township would prefer it another way, they can refine this. Mr. Webster said under the current changes in the state law, they have also given that ability to the Planning Commission.

Mr. Condon said that firefighters are putting themselves at risk, fighting a fire, with no water.

Mr. Zondag moved to direct staff to work on the common driveway language and easement portion of the Lake County Subdivision Regulations. Mr. Klco seconded the motion.

All voted "Aye."

Mr. Adams suggested that the regulations be proposed to the townships as suggestions for their zoning consideration and if nothing happens, we would take action.

Mr. Condon said that would have to be researched.

Jackson Street Grade Separation & Relocation
Vrooman Road Bridge
Casement Avenue Relocation

Mr. Webster presented a map showing the proposed new alignment for Jackson Street including a grade separation over the Norfolk & Southern tracks. The County Engineer is considering aligning the new Jackson Street with the proposed Jackson – Route 44 interchange north of the present one. The County Engineer has been discussing the proposed project with local property owners on the north side of Jackson Street. After discussions with the City of Painesville, they decided to move forward with this project.

There is a need to update the current county Major Highway Map. There was a revision in July and November of 1957. The next map revision was done in January of 1970. The first two were done by resolution of the Planning Commission. The revision that brought in Alternate 5 of the original Vrooman Road plan which would have put Vrooman Road east of Lane Road was done by a public meeting and was adopted and made officially part of the Major Highway Plan.

Mr. Webster presented a map showing the relocation of Casement Avenue in Painesville City which will be completed in the Spring.

Mr. Adams questioned the reason for the relocation as opposed to constructing a bulkhead.

Mr. Webster said that he was presenting these projects for information only. The Major Highway Map done in 1957 was adopted in 1960 as part of the Lake County Comprehensive Plan. In 1969, Perry Township requested to go with Alternate 5 for Vrooman Road. The Planning Commission held a public meeting and adopted changing this to Alternate 5. The original map has that change on it. However, the original map is in need of updating.

Mr. Webster said if it is a change to the comprehensive plan, the Planning Commission would need to do it. But he did not know if we needed to have a public hearing or just adopt a resolution of change. He could not find anything from the Prosecutor's office. The adoption of the Comprehensive Plan will make it easier to obtain federal and state funding for a project.

Ms. Pesec asked for members to participate in a committee to review the new additions to the Subdivision Regulations. Mr. Siegel volunteered and nominated Ms. Pesec to serve as chairperson. She will work with staff to determine the make-up of the committee.

PUBLIC COMMENT

Mr. Adams recognized Mr. Zondag's accomplishments as the Director of the Ohio State University Extension Agency since 2000 and a horticulture/nature educator with the office dating back to 1982. He recently received the American Nursery Extension Award in Washington D. C. As an extension specialist, he was recognized from among other nurserymen across the country for promoting marketing, commercial production, and his years of contribution to Lake County agriculture.

ADJOURNMENT

Mr. Siegel moved and Mr. Adams seconded the motion to adjourn.

All voted "Aye."

The meeting adjourned at 8:22 p.m.