



Planning Commission Meeting Minutes

DATE: September 27, 2011

APPROVED BY: *ju3*

MINUTES OF THE LAKE COUNTY PLANNING COMMISSION September 27, 2011

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.

Vice Chair Hausch called the meeting to order at 5:01 p.m.

ROLL CALL

The following members were present: Messrs. Adams, Brotzman, Morse, Pegoraro (alt for Troy), Schaedlich, Siegel, Smith (alt. for Sines), Welch (alt. for Aufuldish), and Mmes. Hausch. Staff present: Messrs. Boyd, Radachy, and Ms. Myers.

Vice Chair Hausch turned the meeting over to Chair Pesec upon her arrival at 5:15 p.m. during the Land Use and Zoning presentation. Mr. Zondag also arrived at 5:15 p.m.

MINUTES

The following corrections were made to the July 26, 2011 minutes:

- On page 3, second paragraph from bottom of page, second sentence, "requiring three bonds" should be changed to read "requiring three-year bonds".
- Page 3 shows two votes taken on the motion. Remove the vote before the discussion.

Mr. Pegoraro moved to approve the July 26, 2011 minutes as amended and Mr. Schaedlich seconded the motion.

All voted "Aye".

FINANCIAL REPORT

July 2011 Financial Report

Mr. Pegoraro moved to accept the July 2011 Financial Report. Mr. Siegel seconded the motion.

All voted "Aye".

Mr. Adams questioned if there were any additional hits expected on the Planning budget and Mr. Boyd said he was not aware of any.

August 2011 Financial Report

Mr. Pegoraro moved to accept the August 2011 Financial Report. Mr. Schaedlich seconded the motion.

All voted "Aye".

PUBLIC COMMENT

There was no public comment.

LEGAL REPORT

Assistant Prosecutor, Josh Horacek, introduced himself and said he would be taking over as our legal representative for Pat Nocero who will be retiring as of tomorrow.

DIRECTOR'S REPORT

Mr. Boyd reported:

- Mr. Radachy continues consulting with Fairport Harbor on zoning items.
- Mr. Radachy has also been consulting with Madison Township and Painesville Township on proactive zoning text issues.

- The "Eastern Lake County Coastal Tributaries Balanced Growth Plan" is 85% complete. Staff will be meeting with Fairport Harbor Village in the coming weeks to address any questions and solicit their endorsement.
- Mr. Boyd continues to work with the Port Authority on the Coastal Development Plan.
- Staff may submit another Balanced Growth Plan grant application this fall to the Ohio Department of Natural Resources Office of Coastal Management.
- A County Land Bank project is in its extreme infancy of evolving.

ANNOUNCEMENTS

Mr. Radachy announced that the 2011 APA Ohio Cleveland Section Annual Workshop is being held November 18, 2011 and will cost \$85 per person if registration is made early. Please contact the office if you are interested in attending through the Planning Commission.

SUBDIVISION REVIEW

Concord Township – Mountainside Farms, Phase 4, Final Plat Extension

Mr. Radachy introduced the final plat extension resubmission for Mountainside Farms, Phase 4 in Concord Township. The developer is Mountainside Farms LLC and the engineer is Gutoskey and Associates, Inc. Phase 4 consists of 20 acres and is the fifth phase of the Mountainside Farms preliminary plan approved October 30, 2001. Initially, the developer submitted an 11 lot subdivision that was approved in 2005. They revised the Phase 4 subdivision in October 2008 to dedicate a road to connect the rest of the subdivision to Morley Road that will now consist of two blocks for future development.

The following are the proposed comments submitted for the final plat extension:

1. There is no standard for the length of the extension. The regulations only state that you may apply for an extension. *Article III Section 7(F)*
2. The improvement plans have been accepted by the Board of County Commissioners. *Lake County Planning Commission*
3. None. *LCSWCD*
4. Defer to the Planning Commission for length of extension. *Concord Township*

5. No objection to request for extension. *L.C. Sanitary Engineer*
6. This office does not have any issues with the request to extend the filing of the final Plat for Mountainside Farms Phase 4. *Lake County Engineer*

The staff recommended approval for one year. This is the amount of time the Commission has been approving.

Mr. Adams moved to approve the final plat extension for Mountainside Farms, Phase 4 for one year. Mr. Morse seconded the motion.

All voted "Aye".

Mr. Pegoraro asked if there was any talk about putting in a traffic light. Mr. Hadden of the county Engineer's Department said that it was a County road and the area in question meets the sight line requirements.

Subdivision Activity Report

Mr. Radachy reported on the following subdivision activity since the last meeting:

- Lake Terrace #4 – Western Reserve Community Development Corporation wants to finish this project. They are looking to cul-de-sac the end of Lake Terrace and Beachfront Drives and adding 15 additional sublots. This would bring them to 61 lots in the development and they will also be increasing open space. They were initially approved for 64 lots.
- We are meeting with the Prosecutor concerning Kimball Estates tomorrow.
- We worked on five lot splits and 16 lot line adjustments.
- The LaMalfa lot split plat will expire in December, 2011. He will send a letter notifying them. They may ask for an extension.

LAND USE AND ZONING REVIEW

The September 22, 2011 Land Use and Zoning meeting was cancelled after the deadline and prior to Perry Township submitting the following requests for recommendation.

Perry Township – District Change 3A-70-A-02-7, ER-2, Estate Residential 2 to ER-1, Estate Residential 1

Mr. Radachy stated the adjacent lot to the north and adjacent lot to the west are zoned ER-1. The property consists of 4.73 acres. The Comprehensive Plan map shows this land will not have sanitary sewer service in the next 20-40 years. The property has been ER-2 since ER-2 was created on August 29, 1978. The lands zoned R and ER-1 were rezoned to these classifications in 2004. This land is basically similar to the lot next door.

The staff recommends Perry Township make the district change.

Mr. Schaedlich moved to approve the Perry Township district change from E-2 to E-1 and Mr. Smith seconded the motion.

All voted "Aye".

Ms. Hausch turned the meeting over to the Chair at this time.

Perry Township – Text Amendment to Section 407, Water Quality & Erosion and Sedimentation Control

The USEPA changed their regulations, prompting this text amendment. The U.S. EPA expanded the National Pollutant Discharge Elimination System Storm Water Program in 2002 to include small municipalities and small construction sites. Perry Township is removing language from Section 407.02 A. This will require all users to use Section 407.02 B.

Staff proposed recommending the Township define the following terms: BMP; Clean Water Act; detention facility; development area; disturbed area; drainage; erosion; extend detention, dry; extend detention, wet; post development; soil disturbance; water quality volume; Rainwater and Land Development Manual; wetland, nature; wetland, constructed; infiltration basin; bioretention cells; sand and other media filters; enhanced WQy swales; and vegetated filter strips.

Additional staff proposed recommendations are listed below:

1. Recommend adding language requiring approval through site plan review.
2. Recommend adding language stating the developer has to get approval from State and Federal agencies prior to getting a zoning permit.

3. Recommend adding the following language from the new Ohio Permit ahead of Table 1: Runoff coefficients required by the OEPA for use in determining the water quality volume can be determined by using the list in Table 1.
4. Recommend adding the language below in ***bold italics*** to the language after Table 1: ... incorporated into the BMP for sediment storage and/or reduced infiltration capacity. ***This volume shall be incorporated into the sections of storm water practices where pollutants will accumulate.***

Mr. Pegoraro moved to recommend the Perry Township text amendment to Section 407, Water Quality & Erosion and Sedimentation Control be made with the above staff recommendations. Mr. Schaedlich seconded the motion.

All voted "Aye".

Land Use and Zoning Committee

We received a resignation letter from the new Concord Township representative; Kathy Miller, who no longer lives in Concord Township and would not be able to fulfill her commitment with the Land Use and Zoning Committee. A letter requesting a replacement representative has been mailed to the Concord Township Trustees.

Mr. Howard Haycox, who was a member of the Committee from 2002 to 2008, has passed away. A copy of the obituary is in tonight's packet.

REPORTS OF SPECIAL COMMITTEES

Lake County Coastal Plan Committee

Mr. Boyd reported that the Lake County Coastal Plan Committee minutes were in the packages mailed to the members. There are two or three projects currently in progress directly related to the Coastal Development Plan. It is good to see the communities embrace the Plan and improve their coasts. Madison Township hired engineers who, in August, finalized their plans for the Madison Township Park. They are also pursuing hiring a consultant to do technical work on the plans for Stanton Park. Perry Township is also working on future plans to enhance their coast.

Landscape Committee

Mr. Radachy reminded the members of the Landscape Committee that there would be a meeting tonight right after this meeting.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

There was no new business to discuss.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

Mr. Siegel moved and Mr. Adams seconded the motion to adjourn the September 27, 2011 Planning Commission meeting.

All voted "Aye".

The meeting adjourned at 5:25 p.m.