

The North Royalton **Planning Commission** met in the Council Chambers, 13834 Ridge Road to hold a **Public Hearing**, on **Wednesday, April 20, 2011**. The meeting was called to order by Chairman Tony Sandora at 7:06 P.M.

Present: Mayor Stefanik, Chairman Tony Sandora, Don Willey, Victor Bull, Mike McCarthy, Building Commissioner Rito Alvarez, City Engineer Mark Schmitzer, Law Director Tom Kelly, Secretary Julie Broestl

Chairman Sandora: Good evening ladies and gentlemen welcome to the North Royalton Planning Commission meeting for Wednesday, April 20, 2011. Mrs. Broestl, please call the roll. Please stand for the opening ceremony, the Pledge of Allegiance.

The pledge was recited by all.

Public Hearing:

**City of North Royalton**, 14631 York Road, PPN: 483-29-001, Public Facility Zoned.  
**Site Plan Approval for a concrete walkway and fence.**

Chairman Sandora: The applicant is here. Mr. Swim could you

From the audience Ed Swim spoke out and said Pete Ragone is going to speak on his behalf.

Pete Ragone approached the microphone.

Chairman Sandora: Step forward please and give your name and address for the record and tell us what you would like to do.

Pete Ragone: Good evening. My name is Pete Ragone and I'm with Rushmore Builders and Construction. I am the contractor that Baseball Boosters has hired to install the walkway at the baseball diamonds. What we are going to be doing is diamond seven in the outfield just in front of the existing home run fence, we are going to install a five foot walkway approximately 245 feet long from the south end to an area where the Boosters Baseball will install a gate and then we are going to install a little return walkway and then a set of concrete steps with railings going down to the new diamond, eight, down at the bottom. So, that people from diamond eight have access to get to concession stands, restrooms, etc.

Chairman Sandora: Anything else?

Pete Ragone turns to the Baseball Booster representative

Pete Ragone: Is there anything else they need to know? That North Royalton Baseball Boosters is donating this to the City and assuming all financial responsibilities. They also will be putting a new eight foot fence in front of the new walkway to serve as the new home run fence for that field.

Chairman Sandora: what type of fence would that be?

Pete Ragone: The same as existing, chain link. They are going to match the existing fence.

Chairman Sandora: Anybody in the audience have anything they would like to say?  
Nothing?

Moved by Chairman Sandora, seconded by Don Willey to **move this to the regular order of business.**

Chairman Sandora: It has been moved and seconded. Mrs. Broestl, please call the roll.

Don Willey: Yes  
Mike McCarthy: Yes  
Victor Bull: Yes  
Mayor Stefanik: Yes  
Chairman Sandora: Yes

**Yeas – all. Nays – none.  
Motion carried. (5-0)**

**Zillich Interiors and George Glus, 11645-11755 State Road, Residential District Zoned.  
Sketch Plan Approval for Proposed Subdivision for Quarry Park.**

Chairman Sandora: The applicant is here. Please step forward state your name and address for the record and what you would like to do, give us your presentation.

Greg Zillich approached the microphone.

Greg Zillich: My name is Greg Zillich, 7619 Pleasant Run, Seven Hills, Ohio. I'm here to present plans for R1-A subdivision. It consists of thirty lots, approximately on 16.25 acres on State Road.

Chairman Sandora: And what is your development going to consist of?

Greg Zillich: This consists of 30 single family homes.

Chairman Sandora: Are these cluster homes?

Greg Zillich: Yes. Five 20,000 square foot lots and the balance are clusters.

Don Willey: Mr. Chairman.

Chairman Sandora: Not yet Mr. Willey.

Don Willey: Oh, I'm sorry.

Chairman Sandora: I open it up to any discussion from anybody in the audience at this time, anyone in the audience have anything that they would like to ask or any questions? Step forward and come up to the microphone and state your name and address.

Mrs. Laurel Wolf approached the microphone.

Mrs. Wolf: Laurel Wolf, 11694 State Road. I'm right across the street from this proposed area. I would like to know what this is going to do to the value of our homes that are presently here. I have multiple questions if that's all right?

Chairman Sandora: Go ahead and ask your questions.

Mrs. Wolf: Is this also going to cause the necessity of the widening of State Road, thus for bringing State Road further into our properties that are right now having a 100-foot frontage? I also want to know who is going to buy all these homes. Right now my home has been on the market for almost a year and a half, had no reception at all of any kind of any request to purchase. I have a single family home that is, I don't even know what you all it, a raised ranch. It has like a second area above over the garage and it has a little over an acre of property, two garages, two out buildings, and it offers a lot more then what these homes are going to do. What's that going to do to my value and how are they going to find people to come buy those homes when my home can't sell after a year and a half being on the property? My price is very reasonable. What is going to happen to North Royalton? I thought North Royalton was always going to be taken care of their residents by putting in better homes, not cluster homes, which would then increase the value of our properties here. Thank you.

Chairman Sandora: Thank you. Somebody else? Step forward please and state your name and address for the record.

Coreen Steele approached the microphone.

Coreen Steele: My name is Coreen Steele. I live at 11633 State Road. This development would be right next store to me and I'm not real happy about it. I don't feel that it would increase the value of my property. It would bring people right on my doorstep. That's all I have to say.

Chairman Sandora: Thank you. Anybody else? The young lady in the back.

Mrs. Donna Redmond approached the microphone.

Mrs. Redmond: My name is Donna Redmond. I live at 11670 State Road. This would be directly across from this proposed development. When I came up to see the plans yesterday, I was horrified. It's not a development it is a City. He will need his own Police Department, just kidding. But, anyways, I hope it's out of the question. I hope so. That's what I have to say.

Chairman Sandora: Thank you. Next?

Michael Paunovich approached the microphone.

Mr. Paunovich: Michael Paunovich, 11919 State Road. I'm right next store to the property and I see like six homes going right next store, about thirty feet away, I think. I'm not sure. I don't know if there is going to be any fence or anything there if you guys build it I would like to know those things. That's all.

Chairman Sandora: Thank you. Anyone else?

James Benedict approached the microphone.

Mr. Benedict: My name is James Benedict. I live at 11538 State Road. My concern is right now we have small storm sewers running down State Road. Yesterday's rain gave about four inches of rain on the road and I saw the cars losing control driving down the street.

I'm just concerned about a new development that goes in there that it is made sure that you request that they accommodate the storm sewer in front of their development entrance. So, at least that may alleviate that part and then as we improve State Road maybe it would accommodate all the rain water. From my personal perspective, and I am on the opposite side of the street from this development, and all the businesses up stream pave their parking lots and the storm sewers are just an eight or ten inch one and it just can't handle it all. It goes in the street and makes it very hard driving down there. If they have the possibility of adding sidewalks to the front end or something like that, that would be nicer, but I'm not sure if that is in the perspective right now.

Chairman Sandora: Thank you. Anyone else? Yes ma'am.

Mrs. Stephanie Pogozielski approached the microphone.

Mrs. Pogozielski: My name is Stephanie Pogozielski and I live at 4800 Lisa Lane. This will basically be in my back yard. Right now it's not my property but my property ends at the tree line and we have these beautiful woods that you can go into in the summer which I'm guessing this development is going to become. Not only am I worried about all these people being in my back yard but I am worried about the woods. The whole reason we bought this house is because of this beautiful woods in the back yard. I know when they put that other development in behind the school on Valley Vista, that still isn't done let alone no people moving into it. They took down all these trees and probably hundreds that they didn't even need to, that they didn't even come close to using that property. That is what they are going to do. I'm sure that my whole back yard is full of trees that is all you see from my deck and now I'm going to see, in my opinion, is ugly homes. I know that my whole street is upset about it and I'm sad to say that none of them are here. Also, we have three single family homes on our street that are empty and have been. One has been empty for five years. Another one has been empty for a year and a half. Again, I don't know who is going to buy these homes. We have had these homes on our street, single family homes that are not going anywhere. There is another development over there, it isn't even done and are those buildings full? Are we just going to have all these buildings, all this beautiful property that the deer are, where are they going to go? Has anybody thought about this? We are just slowly tearing it all down, not to mention the fact that it is a complete water mess right now and is that water going to come into my yard if you build there? My house is here and then there is all that land, so, is all that water sitting there going to come into my back yard if you build that? Thank you.

Mayor Stefanik: Mr. Chairman. The address, I didn't catch it?

Mrs. Pogozielski: 4800 Lisa Lane.

Mr. Jeff Piorkowski approached the microphone.

Mr. Piorkowski: Jeff Piorkowski, 11706 State Road. I live across the street from where this proposed development is going to be. I think that my neighbors have done a good job addressing most of the issues I would like to draw attention to. The deer was one of the ones I wanted to bring up. They are already very destructive and that is one of the few areas around us that they still have to call habitat. They actually travel back and forth across the street right in front of my house between that set of wetlands back there and then there is a set of wetlands behind my property. They seem to go back and forth between there. The other issue that I didn't hear anyone mention that I would like to see

addressed as well is the traffic. The traffic on State Road in that area is already fairly congested. It is really tuff to get out of your driveway sometimes and now we are going to add this extra subdivision with more traffic and I have some concerns about how that traffic flow is going to flow though that area. Again, I will just mention again, which everyone has stated, we are building new homes and we can't even fill the homes that we have. I moved to North Royalton many, many, years ago, lived in an apartment and saved up and decided to stay and buy a house in North Royalton because I love the area. A beautiful area with still lots of trees and woods. House values were great. The school district is wonderful. I am worried about a lot of that disappearing. I'm seeing a lot of houses on the market here. We have a huge inventory of houses that aren't moving right now. I watch my property value plummet to the point of I'm not upside down, but I'm not happy about where I am now either. I have equity in the house that I have had for seven years. Again, I'm just concerned with everybody else that this going to lower my property value further to the point, I may be upside down at this point. Thank you for your consideration.

Chairman Sandora: Thank you. Anybody else? Sir.

Mr. Kevin Lambert approached the microphone.

Mr. Lambert: My name is Kevin Lambert, 4564 Poplar Lane. I just want to ask the committee to consider the migration of water in an area that has already been identified as a wetland and make sure that the proper planning has been done. Proper studies to understand where that water is going now and where it would go if this development is put in, and also to consider the ground water, the water that is under the surface. I was alluded to earlier that the area right now is probably a capacity in terms of how much water it could hold and just based on experience, I've been there twenty-two years, that water tends to flow south.

Chairman Sandora: Thank you. Anyone else? Yes ma'am.

Rene Codispodi approached the microphone.

Mrs. Codispodi: Rene Codispodi, 4820 Lisa Lane. I also have a concern with the traffic with this new development along with the Y and the library going in on State and on the corner there. There is a lot of water with the wetlands, I'm concerned about the drainage issues and what they would be.

Chairman Sandora: Thank you. Anyone else? Nobody? Before we go on, Mr. Zillich can you try and answer some of these now. But before we get started, I have to say that everybody up here on this Board listens to the concerns. There is only so much we can do and so much we can't do. A builder or developer or when anybody comes into this city and whenever they want to do something like this, with this piece of property for example, whether they buy the property outright or whether they have option to buy, or whatever the situation is they have the right to try and develop that property within the confines of the Code of the City. And as long as they meet the Codes of the City there is not a whole lot these Boards can do. You have to understand that. We sit up here time and time again when any new development comes in and it is the woods are behind us have been there for thirty years, we enjoy looking at it, we enjoy this, we enjoy the animals, and we enjoy everything. Unfortunately, things don't stay the same and there is not a whole lot we can do. There are controls and safeguards that we really try to do and put into effect to try and

make everything harmonious. You have to understand this. As we move forward you probably hear a lot of discussion on both pros and cons. We will try to answer these questions as they were brought up thru Mr. Zillich, our Engineer, our Building Commissioner, or any members on the Board. Thank you. Mr. Zillich, go ahead.

Mr. Zillich: I presented this as a R1-A single family subdivision compliance with all the Codes and Ordinances, I was told. As far as the water from the wetlands, there will be an EPA study on that, but as far as the water from the subdivision going to the back, it has to be contained on the property. That will be done in future studies if this moves farther along.

Chairman Sandora: Have you done any preliminary plans on this so far. Have you talked with the Army Corp of Engineers?

Mr. Zillich: No. It has been surveyed and lineated. What is on the map there shows the outland of the wetlands. Other than that there has been no more studies that I have done. I haven't done any but I don't know if anyone else has done anything before me.

Chairman Sandora: Anything else you have to say as this time?

Mr. Zillich: No.

Chairman Sandora: Mr. Jordan is there anything you would like to say at this time or do you want to wait to the regular order? Anybody else in the audience have anything else they would like to say at this time? Motion please.

Moved by Mayor Stefanik, seconded by Don Willey **to move Quarry Park to the regular order of business.**

Chairman Sandora: It has been moved and seconded to move Zillich to the regular order of business. Mrs. Broestl, please call the roll.

Mayor Stefanik: Yes  
Don Willey: Yes  
Victor Bull: Yes  
Mike McCarthy: Yes  
Chairman Sandora: Yes

**Yeas - all. Nays - none.**  
**Motion carried. (5-0)**

Chairman Sandora: I need a motion and a second to adjourn the Public Hearing.

Moved by Don Willey, seconded by Victor Bull, to **adjourn the Public Hearing.**

Chairman Sandora: It has been moved and seconded to adjourn the Public Hearing of April 20, 2011. Mrs. Broestl, please call the roll.

Victor Bull: Yes  
Don Willey: Yes  
Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Chairman Sandora: Yes

**Yeas - all. Nays - none.  
Motion carried. (5-0)**

**Meeting adjourned at 7:28 PM**

The North Royalton **Planning Commission** met in the Council Chambers, 13834 Ridge Road to hold a **regular meeting**, on **Wednesday, April 20, 2011**. The meeting was called to order by Chairman Tony Sandora at 7:28 P.M.

Present: Mayor Stefanik, Chairman Tony Sandora, Don Willey,  
Victor Bull, Mike McCarthy, Building Commissioner Rito Alvarez,  
City Engineer Mark Schmitzer, Law Director Tom Kelly,  
Secretary Julie Broestl

Julie Broestl: I need a motion and a second to approve the minutes of April 6, 2011.

Moved by Don Willey, seconded by Victor Bull, to **approve the minutes of April 6, 2011**.

Chairman Sandora: It has been moved and seconded to approve the minutes of April 6, 2011. Mrs. Broestl, please call the roll.

Victor bull: Yes  
Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Don Willey: Yes  
Chairman Sandora: Yes

Yeas – all. Nays – none.  
Motion carried. (5-0)

Old Business:

Woodcroft Glen Phase 2 Final Plat Approval. Tabled.

Moved by Tony Sandora, seconded by Mike McCarthy, to **remove Woodcroft Glen from the table**.

Chairman Sandora: It has been moved and seconded. Mrs. Broestl, please call the roll.

Mayor Stefanik: Yes  
Don Willey: Yes  
Mike McCarthy: Yes  
Victor Bull: Yes  
Chairman Sandora: Yes

**Yeas – all. Nays – none.**  
**Motion carried. (5-0)**

Chairman Sandora: The reason why we are removing this from the table is because this has been on for quite a while now. We are requesting the secretary, Mrs. Broestl, to send a letter to Woodcroft Glen requesting them to come forward and bring us any new developments of their property and to see where they are in developing, and also requesting for a 90-day extension. I need a motion for the 90-day extension.

Moved by Victor Bull, seconded by Don Willey, to **approve a 90-day extension for Woodcroft Glen**.

Chairman Sandora: It has been moved and seconded to approve a 90 day extension for Woodcroft Glen. Mrs. Broestl, please call the roll.

Don Willey: Yes  
Mike McCarthy: Yes  
Victor Bull: Yes  
Mayor Stefanik: Yes  
Chairman Sandora: Yes

**Yeas - all. Nays - none.**

**Motion carried. (5-0)**

**Ordinance No. 10-131** - An Ordinance amending the Codified Ordinances of the City of North Royalton, Part Twelve Planning and Zoning Code, Chapter 1220 Planning Commission, Section 1220.06 Matters to be Considered, by deleting Paragraph (d) Location of Utilities, and Declaring an Emergency.

Chairman Sandora: It is tabled. Can I have a motion to remove this from the table. Can I have a motion and a second to remove this from the table.

Moved by Victor Bull, seconded by Don Willey, to **remove Ordinance No. 10-131 from the table.**

Chairman Sandora: It has been moved and seconded to remove from the table. Mrs. Broestl, please call the roll.

Don Willey: Yes  
Mayor Stefanik: Yes  
Victor Bull: Yes  
Mike McCarthy: Yes  
Chairman Sandora: Yes

**Yeas - all. Nays - none.**

**Motion carried. (5-0)**

Chairman Sandora: First of all I would like to thank Mr. Kelly for the job of getting back to us with the new legislation for this. I really appreciate it. I did attend the Building and Building Codes meeting last night, I'm sorry, Monday night. We discussed this there and they are satisfied with the language with providing notice to the residents. They were not satisfied with having the utility companies having to place a Bond. I still feel a Bond is necessary to protect the home. I think that this is a good piece of legislation but I still feel that the utility companies should have to come before a Public Hearing. That is my own opinion. Anybody on the Board have anything?

Don Willey: Mr. Chairman, regarding the Bond, unfortunately, I couldn't attend that meeting. What was the opposition to that?

Chairman Sandora: Well, Mr. Jordan was there and he spoke up. Mr. Jordan is here, do you want to repeat what you said on that 10-131 and why you don't feel it's necessary?

Mr. Tom Jordan approached the microphone.

Tom Jordan: There is no requirement currently for them you are adding a new regulation. Then B, whether or not the public utilities is required to create a Bond if they are not on private property. We are only talking about the public property portion, whether the public utility is required to get a Bond on a public right of way. There is a question about the legality. The pledge from the law department would be by the time Council receives this legislation that they would have an answer for council relative to the legality of even imposing a Bond.

Don Willey: So, should the legal opinion say that we can do it then Council will have to amend it.

Tom Jordan: No. They could go yes or no at that point. They will just be informed whether it is legal or not.

Don Willey: So, it won't be part of the legislation though?

Tom Jordan: No it won't be.

Don Willey: I don't think you were at the meeting when we were discussing this, one of the reasons for the Bond was to in the event that the property adjacent to the right of way were to be damage, we would have a bit of leverage to protect the homeowner as well as the City.

Tom Jordan: If it was a private utility that would be a concern, but under a public utility regulated by PUCO they are mandated by state law to respond and to fix damage within the public right of way that they caused. Also the individual homeowner. That is why we set their rates, because they are also responsible to deliver you safe and reasonably rated utilities. That is why PUCO is set up to respond to that. The intent of this legislation when it started was to provide less regulation and to cut down on the administrative and bureaucracy. By adding the Bond we are going the wrong way. We would be adding further bureaucracy to the process the idea is to reduce the public hearing. That would reduce the notice in the newspaper. That would reduce the cost and expense. About a third of the applications that you are currently hearing before the Planning Commission are somewhat related to the public utilities. Frankly, I do not believe that they are required to go before the Planning Commission. When Planning Commission approves a new publicly dedicated right of way, public utilities are allowed to be located under that. They are required to do a street opening permit through the Building Department to comply with that regulation, and also comply with PUCO's regulations to the installation. Once you have established the public right of way, public utilities are allowed to be there. If they are putting in those boxes and installing it on private property they will still be required to go before the Planning Commission. The public right of way is set up for the public utilities. You will notice that some of the utilities totally do not come before this Board. You don't see the water department come to Public Hearings. Some utilities are complying with the idiosyncrasies of our Code, others are ignoring it currently. So, the attempted legislation, again, is to reduce the bureaucracy related to the public right of way.

Don Willey: Assuming that we are vote in favor of it that has been accomplished. The question regarding the Bond would be an option anyway it would be a requirement not necessarily creating a bureaucracy.

Tom Jordan: It would be an option to City Council

Tom Jordan: Yes it would be. It would be requiring them before they enter into the public right of way to get a Bond on specific project.

Don Willey: Everyone that does work for the City of North Royalton we should dismiss the Bonds because it is nothing but bureaucracy according to your logic

Tom Jordan: That is within the private property when they are first dedicating the streets. Of course any new development would be required to do that. But, when they are repairing the current public right of way on the street, like a lamp, they are fixing a water main break, they are not going to issue a Bond for that improvement.

Don Willey: Thank you. Thank you Mr. Chairman.

Chairman Sandora: Thank you Mr. Willey. Anybody on the Board, comments, or concerns? How does anybody else feel on this?

Mayor Stefanik: Mr. Chairman, I would like to make a motion to approve, or to send to City Council.

Chairman Sandora: To send to City Council as written?

Mayor Stefanik: Yes.

Don Willey: As amended.

Chairman Sandora: We didn't amend it. That's why I am asking you. I'm asking everybody if they want to, personally, I feel that this should be left in there. I don't care if it is a bureaucracy or not, myself. Utility companies are a utility company and I feel that they owe that. I'm not concerned with speed. I'm not concerned bureaucracy of a utility company or whatever it is, I think that they should come before us in a Public Hearing. That's just me. If you want to amend this then somebody needs to make a motion to amend this.

Don Willey: I think as it sits before us before the amendment, I would make a motion that we amend it predicated on Mr. Kelly's amendment. I don't have it before me. Mr. Kelly, do you happen to have it with you.

Tom Kelly: Mr. Chairman, I'm embarrassed to tell you that I do not have the legislation in front of me even though I am the one who made the amendment language. Is it the consensus of the commission that you want it to go as is or do you wish to eliminate the Bonding requirement. I take it that the Chairman and Mr. Willey are opposed to amending the Bonding requirement.

Don Willey: I'm opposed to it because I think the suggestion of the additional Bond was for additional protection. However, if the utilities are not required to post any Bonds at any time then we don't have protection.

Tom Kelly: Mr. Chairman. I take it when Mr. Jordan says the Law Department, he means my assistant Mrs. Vozar, and I haven't consulted with her on that. I'm certain that if she said that she would look into it and find out what the Public Utilities Commission requires or doesn't require or whether we are extending ourselves beyond our jurisdictional boundaries, we can bring that to Council. If you like you may approve it the way it is, send

it to Council and we will have the answer for Council at the appropriate moment as to whether or not the Council has the authority to enforcement this kind of regulation or not.

Mayor Stefanik: Mr. Chairman.

Chairman Sandora: Mayor.

Mayor Stefanik: I have a question for the Law Department. With changing this legislation, the residents will still be notified when work will be done in the right of way in front of their home.

Tom Kelly: Yes. The notice requirements and I'm sure everyone is aware of that; this legislation was at least intended initially simply to relieve the utility companies of having to have a Public Hearing for utility work within the public right of way. That is to say not on private property. Of course, with public hearings comes the requirement for notice in advance. The amendment language that we drafted for your consideration and for Council's consideration still require that a notice be given by the Building Commissioner or his agents for property owners within 500-foot radius of proposed site. Forthwith upon the issuance of any permit. So, yes sir.

Mayor Stefanik: Thank you.

Moved by Don Willey, seconded by Mayor Stefanik to approve 10-131 with the appropriate amendments.

Chairman Sandora: It has been moved and seconded to approve the legislation as written. Am I correct?

Don Willey: Well, as written, as amended. It was amended. The amendments are for the public notices.

Chairman Sandora: We have a new piece of legislation.

Don Willey: Right.

Tom Kelly: Mr. Chairman, if it pleases the Chair. I think the motion that Mr. Willey is making is to approve the legislation 10-131 with the amended language in place and then send it on to Council.

Chairman Sandora: As dated on that date.

Tom Kelly: Yes sir. Including of the provisions that I have added, the two paragraphs I have added for the purpose of exemplifying the instructions that I was given the last go around.

Chairman Sandora: Okay. Thank you Mr. Kelly. It has been moved and seconded. Any other discussion? Mrs. Broestl, please call the roll.

Mike McCarthy: Excuse me Mr. Chairman. I just would like to ask Mr. Kelly to read the two additions in there entirety just for the record.

Tom Kelly: 10-131 strikes subsection D, Location of Utilities, as being required to have public hearings held before the Planning Commission. The language addition is; "While applications for a location of a utility do not require a mandatory Public Hearing. The Building Commissioner shall forthwith upon the issuance of any permit for such purpose give written notice thereof to all property owners within a 500-foot radius of the site of the proposed utility, notwithstanding any other provision of Code every permit for the location of a utility shall require that the applicant file concurrently with its application a surety Bond in a minimum amount of \$10,000.00, securing the City and the adjoining property owners against any injury or damage to property during the period of construction and or installation said Bond shall remain in place for a period of one year from the date of the issuance of the permit".

Chairman Sandora: Thank you Mr. Kelly. Do you understand this Mr. McCarthy?

Mike McCarthy: I do. Before we go to vote I will be voting no because I do agree with the general consensus as expressed by Mr. Jordan that the imposing the Bond does provide probably unnecessary hardship for the utilities.

Mayor Stefanik: Mr. Chairman.

Chairman Sandora: Mayor.

Mayor Stefanik: It seems as though we have two amendments within this two paragraphs. I would agree with Mr. McCarthy and saying that I am not for the second one but I am for the first one that the public does have notices when there is going to be work on their property, but striking out the surety Bond section of it. So, I don't know how we would do this legally or.

Chairman Sandora: Do you want to amend that?

Mr. Kelly: Yes. I believe that the Mayor does and I take it Mr. McCarthy is in favor of such an amendment as well.

Chairman Sandora: Is everybody satisfied that they don't have to go before a public hearing. They are **not going to have to have a public hearing. You want to take out the \$10,000.00 additional Bond in place, but you want left in is the notice to any property owners that will be affected. Correct?**

Mike McCarthy: That's exactly how I feel. I believe that the important portion is the notice. It will be given to the adjacent residents and nearby residents, and they will have the ability to come up here before this commission and express their concerns.

Chairman Sandora: Okay. That was a motion, do I have a second to amend that legislation as I just stated the motion.

Moved by Chairman Sandora, seconded by Mike McCarthy to amend the legislation as stated above.

Chairman Sandora: It has been moved and seconded as stated. Mrs. Broestl, please call the roll.

Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Victor Bull: Yes  
Don Willey: Yes  
Chairman Sandora: No

**Yeas – four. Nays – one.  
Motion carried. (4-1)**

Tom Kelly: Mr. Chairman.

Chairman Sandora: Mr. Kelly.

Tom Kelly: I take it you are going there next. Now it would be appropriate to vote on the **legislation as amended with the single paragraph remaining.**

Moved by Chairman Sandora, seconded by Don Willey **to approve 10-131 as amended.**

Chairman Sandora: Mrs. Broestl, please call the roll.

Victor Bull: Yes  
Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Don Willey: Yes  
Chairman Sandora: No

**Yeas – four. Nays – one.  
Motion carried. (4-1)**

**Koch Properties, Ltd./Royalton Supply Landscape center, 11528 Royalton Road, PPN: 483-11-007 and 483-11-014. General Industrial zoned. Site Plan Approval for a Topsoil Shredding/Screening Machine.**

Julie Broestl: This is tabled. There will be no action. Now, under new business.

### **New Business**

**City of North Royalton, 14631 York Road, PPN: 483-29-001, Public Facilities Zoned. Site Plan Approval for a Concrete Walkway and Fence.**

Chairman Sandora: The applicant is still here, please step forward again. State your name and address for the record. Is there any changes or deletions that you want to make at this time.

Pete Ragone approached the microphone.

Pete Ragone: No there is not. Pete Ragone from Rushmore Construction.

Chairman Sandora: Anyone on the Board have any questions or concerns? Mr. Alvarez, do you have any comments?

Rito Alvarez: I have no comment Mr. Chairman.

Chairman Sandora: Mr. Schmitzer do you have anything?

Mark Schmitzer: No, I have no comments Mr. Chairman.

Chairman Sandora: The only comment that I have is that anything that will be done will match whatever is there now.

Pete Ragone: In what respect?

Chairman Sandora: Whatever you are going to put in, like the chain link fence, that it matches whatever is there now.

Pete Ragone: Correct. It will match what is there now.

Chairman Sandora: Okay, for the record. Anybody in the audience have anything on this that they would like to add or say? Nobody?

Moved by Chairman Sandora, seconded by Victor Bull, to **approve the Site Plan for a Concrete Walkway and Fence for the City of North Royalton at 14631 York Road.**

Chairman Sandora: It has been moved and seconded, Mrs. Broestl, please call the roll.

Victor Bull: Yes

Mike McCarthy: Yes

Don Willey: Yes

Mayor Stefanik: Yes

Chairman Sandora: Yes

**Yeas - all. Nays - none.**

**Motion Carried. (5-0)**

Chairman Sandora: Your approved, good luck.

**Zillich Interiors and George Glus, 11645-11755 State Road, Residential District Zoned. Sketch Plan Approval for Proposed Subdivision for Quarry Park.**

Chairman Sandora: The applicant is still here. Anything you wish to add at this time.

Mr. Tom Jordan approached the microphone.

Tom Jordan: If the Chair wouldn't mind, I would like to scope a brief overview of the development off of State.

Chairman Sandora: Mr. Jordan, just for the record could you state your name.

Tom Jordan: Thomas Jordan, Community Development Director of the City of North Royalton, 13834 Ridge Road.

Chairman Sandora: Take the microphone with you.

Tom Jordan: I believe most of the members of the Board actually have a similar drawing in front of them. But this particular section actually is for your benefit, the entire 10-acres, I believe the folks from Lisa Lane, are back here. You are, what is your address here?

From audience: 4800 Lisa Lane

Tom Jordan: You would be down here. It is the front half of the 17-acres. The developed portion, Greg, is how many acres?

Greg Zillich: 7-acres.

Tom Jordan: 7-acres of the 16-acres. What this area is here is the wetland delineation that was a preliminary exercise that the developer undertook to earmark where all the wetlands are. So, all of this area would still remain in its current state. This is the Avalon, just to orientate yourself. Here is State Road and here is Wallings. This large parcel here to the east is the new library parcel. The library parcel would be developed a straight line here with the front 5-acres, the City did acquire a full 17-acres, here this flag shaped parcel if you could follow me here. That is also part of the wetlands and that would remain part of the natural state as well. So, all of this area inside here would remain in its natural state. Some of you will notice that your property may be on some of the wetlands. The front 7-acres that are on State Road, currently how many homes will be on State Road? Two. So, there are two homes with disappear a public right of way would be inserted and essentially a cul-de-sac created with 26 homes. The average price of the homes would be about \$200,000.00.

Greg Zillich: I'm guessing they would be over \$200,000.00.

Tom Jordan: Right. 26 homes at #200,000.00 is about 5.2 million dollars worth of value added to the development, whereas the current two homes there I would safely say they are under \$200,000.00 each. They will add about \$5 million worth of property the comps for your homes, the number of question were asked, I cannot certainly assure anybody's value on anybody's homes, especially in these days, but they would increase the overall property values in the area by increasing the average price of the home. Its impact on neighboring homes relative to their proximity to the area that would be judge by yourself. Mr. Zillich is responsible for selling the homes. He is putting himself in financial risk to sell them. About a third of everybody looking for a home wants to buy a new home. That is why they buy new homes in opposed to old homes. As people buy new cars against old cars. Some people like that. I don't particularly, I like older homes and that's unfortunately for Mr. Zillich. The Avalon parcel will pretty much stay the same. The front 5-acres here will be the library parcel and then back area stays intention to remain parkland. We have been in discussion with Mr. Zillich in order to create a large park and a permanent wetland preservation area so it would be closed to development, and also the Board can take up as part of their site plan approval to require Mr. Zillich to preserve the greater portion of his property for the wetlands. If either through a City acquisition or Mr. Zillich being opposed by the Board a requirement to have a portion of him property preserved for wetlands. That could be an outcome of a process here. I believe Mr. Zillich is currently on a sketch approval which is essentially what he is providing the Board is a rough draft of what he would like to do and to see if it meets with the Boards approval and also provide input from the public at this time and that is what their goals are this evening. Someone had a question possibly for me.

Chairman Sandora: Sir, you need to come up to the mic because this is being recorded. And give us your name and address again please.

James Benedict approached the microphone.

Mr. Benedict: James Benedict. Right now Roy use to live in the house that is one of the first properties that would be acquired and right next to him there is an access road to the wells that are here, how is that access going to change? Right now it is just a gravel path. Once that butchered development goes in how are the people going to get to that well?

Mr. Zillich approached the microphone.

Chairman Sandora: Your name again for the record.

Mr. Zillich: Greg Zillich. It will be down the road. Mr. Zillich goes to the plans and point where he is talking about. Right here.

Mr. Benedict: Oh, so it will go right through the development.

Mr. Zillich: Yes.

Chairman Sandora: Anything else Mr. Jordan? Mr. Zillich do you have anything?

Mr. Zillich: No not at this time.

Chairman Sandora: Did I hear you correctly when the gentleman asked you about the access for that well that is there and you are going to use this development to go back to that well?

Mr. Zillich: The same way that they are currently using it right now. Yes.

Chairman Sandora: The same way they are going to use this well. Where is that well located in this area.

Mr. Zillich: In the back right hand corner.

Chairman Sandora: I don't see it marked on here any place.

Greg Zillich approached the Bench and pointed to where it is located.

Chairman Sandora: This is the tanks here. It's not marked. So, it is subplot 14.

Greg Zillich: Correct.

Lady from the audience asked a question.

Lady: What about that pond that is on this property, are they filling that in?

Greg Zillich: There are two ponds. The front one will be filled in. Yes.

Chairman Sandora: Mr. Alvarez do you have anything?

Rito Alvarez: Mr. Chairman, being that this is just a sketch at this time; I just listed four items for comments that the designer should really take a look at. Basically, they refer to the setbacks, the size of the housing, it has to also comply with our zoning codes. Rather reading them all reading them one at a time, this is a recommendation to look at what I suggested here at this point.

Chairman Sandora: Thank you Mr. Alvarez. Again to the members sitting here in this chamber. This is only a sketch plan approval. This is what Mr. Zillich would like to do and what he is trying to do. He has to come back and present us with a preliminary plan. At that time we can get down to the real nuts and bolts of how we could shape this thing one way or the other. This is just a plan and he is making a presentation right now to let everybody know what he is trying to do. Just so you understand. We are just looking at this just as you guys are and we are talking about it. Mr. Schmitzer.

Mark Schmitzer: Thank you Mr. Chairman. I know one of the big concerns of North Royalton and for this development is storm water. The area that Mr. Zillich is proposing to develop approximately 9-acres of the 16.25 acres is classified as a category 2 or a 3, it hasn't been determined yet, wetland. If it is a category 3 wetland, which Mr. Zillich and I believe it is, that cannot be developed upon according to the Ohio Rise Code in the State of Ohio. On top of that being a category 3 wetland there is a larger buffer that is added to that wetland so that development stays away from edge of the wetlands so that we have a natural buffer so that a development doesn't occur and that we don't encroach into that wetland or the buffer itself. The buffer is considered part of the wetland. You could look at it that way. I believe through the process that we would end up going into a conservation to be forever and ever in the title of the land to not be developed. Just to let everyone know about that. As far as storm water management; he is required to not discharge anymore storm water than currently leaves the site, and if not, improve it. He has shown an area for storm water management on the very east end where he is developing which is the first half of the development from State Road heading east about half that land is what he would develop. That is naturally the way that the water drains towards the backyards which is currently out there. He would have to design a system to meet our Codes to show that he is not discharging anymore storm water then what currently does and if not improve it. He has done that in other developments in the city. He has done a wetland detention basin in another development that he actually got awards from water conservation district. I have every belief that Mr. Zillich will do what is required of him by the Code. Other than that as it has been mentioned this is a sketch plan approval. There is still preliminary site plan approve that has to go forward. We are just looking whether or not this Board would recommend him moving forward onto the next step without spending a lot of money up front and designing all the sewers and finding out that the development doesn't go through. Traffic concerns on State Road; the impact of traffic for a development this size would be minimal because it would be coming out at one point at a regulated stop sign onto State Road. Yes, a stop sign. There would not be a traffic light, a traffic light is not warranted in this area. Widening of State Road is not currently planned nor do I see it being a requirement of this development based on the impact of traffic. Sidewalks would be required as part of the development along his frontage of the property to be installed and a buffer is part of the Code and is required to be installed to be a buffer between the existing land and his proposed development. Other than that

Chairman Sandora: Ma'am please. If anybody needs to speak they must come up here. This is not a free for all town hall meeting. If somebody wants to speak or ask a question

you must be recognized and come forward and state your name and address and ask your question to the Board.

Mark Schmitzer: Other than that Mr. Chairman I have no other comments to this Board.

Chairman Sandora: Thank you. Yes ma'am.

Mrs. Laurel Wolf approached the microphone.

Mrs. Wolf: Laurel Wolf, 11694 State Road. What sizes are these lots going to be for these homes?

Mr. Zillich: They vary. Right now they 60 wide x 100 deep, on average.

Mrs. Wolf: So they are going to be like postage stamp size. How far apart are these homes going to be?

Mr. Zillich: 60-feet. (not by the microphone so inaudible)

Mrs. Wolf: You are going to put all those homes into that little area and have them 60-feet apart? I would like to see that happen. I just don't understand. I thought that North Royalton really cared for its citizens. I thought it backed its citizens and yet you allow something like this even being thought of for North Royalton. I thought North Royalton always had a high class standing. They had large properties. They had nice homes. They had distance between each other and now you are allowing these homes to go together 60-feet apart, I had heard that cluster homes were only 10-feet apart with a driveway with a driveway width apart.

Mr. Zillich spoke again and was inaudible. "You asked me the size of the lots, that is what I understood"

Mrs. Wolf: How far apart will the homes be?

Mr. Zillich: How far will they be? I haven't gotten that far yet.

Mrs. Wolf: We would like to know about that before we do anything further. It's a situation where I think you are letting down the residents of North Royalton a lot by permitting something like this coming in, destroying all this area, and putting all these homes into a little area and taking away the thought and the feeling of openness that North Royalton is suppose to be known for. Thank you.

Chairman Sandora: Thank you. Yes ma'am.

Katy Gargano approached the microphone.

Mrs. Gargano: Kathy Gargano. I live at 4881 Lisa Lane. I have a question; how long is the cul-de-sac?

Chairman Sandora: How long is the cul-de-sac?

Mrs. Gargano: The proposed cul-de-sac in feet?

Chairman Sandora: How many feet?

Mrs. Gargano: How many feet total is the cul-de-sac?

Chairman Sandora: From State Road back into the cul-de-sac to the end.

Mrs. Gargano: Because it was a concern when Lisa Lane was proposed being connected to Villa Grande. About 1,000 foot limitation. There was some concern for emergency vehicles.

Mark Schmitzer: Mr. Chairman. Just looking at this and the measurements that Mr. Zillich has on his plan and roughing that out without having a scale in front of me it appears that if I added up the footage along the traveled roadway I would be at no greater 1,000-feet.

Mrs. Gargano: Okay. Thank you.

Chairman Sandora: Again, you have to understand this is just a sketch plan stage. He might not be able to do this because of the wetlands, through EPA, through anything. This is just a site plan stage letting people know what he is trying to do. It may not even be economically feasible for Mr. Zillich to go through. We don't know this. All we are doing right now is just the sketch plan stage.

Mayor Stefanik: Mr. Chairman.

Chairman Sandora: Go ahead.

Mayor Stefanik: Thank you Mr. Chairman. Just real quick, I know a lot of you are talking about storm water issues in this area, and I can tell you in the past three years in North Royalton we have been very serious about the storm water issues and the flooding that use to take place in North Royalton and we have spent a lot of money the last three years in fixing the flooding issues in North Royalton and we have some great success with all the poor weather we have had this year. Minimal calls compared to the five or six hundred calls we use to get. So, we are going to make sure that if this goes forward this evening and if it gets approval, the next steps are we are going to hold his feet to the fire to make sure that it is done properly and adds no more storm water to your homes on State Road and Lisa Lane. The fact that they are preserving so much of the wetlands in the back, I think it is a bonus, especially for the people on Lisa Lane, you will still have those trees to look out at in your backyard, even though you don't own the view you will still have that nice view to look out there. That land will be preserved forever and that is something that we would really like to see happen back there. We will be vigilant when it comes to that point, and it does, and we hope you all come up and look at the project and voice your concerns and make sure you keep our feet to the fire too, we encourage that. Thank you.

Chairman Sandora: Thank you Mayor. I saw a hand up back there.

Mr. Jeff Piorkowski approached the microphone.

Mr. Piorkowski: Jeff Piorkowski. I believe Mark you were saying something about the wetlands level 2 vs. level 3, my question is as it is marked on the sketch today is that just boundary of the wetland, does it include the buffer area, and if so, does that change if it does include the buffer? Is it a 2 or 3 as it stands on the sketch?

Mark Schmitzer: Mr. Chairman. The boundary is shown on the plan that we see presented in front of us is actually the actual edge that has been surveyed of the wetland not including the buffer.

Mr. Priorowski: Not including the buffer, okay. So there would be a buffer either way whether there is a 2 level or 3 levels it is going to have a buffer.

Mark Schmitzer: Any wetland in the City of North Royalton we require a riparian buffer around it, depending on how much drainage area is coming in as well as what category of wetland it is.

Mr. Priorowski: Thank you.

Chairman Sandora: Anybody else have anything out there? Anyone on the Board have anything?

Moved by Chairman Sandora, seconded by Don Willey **to approve this sketch plan approval for this proposed subdivision for Quarry Park.**

Chairman Sandora: It has been moved and seconded. Mrs. Broestl, please call the roll.

Mayor Stefanik: Yes  
Victor Bull: Yes  
Mike McCarthy: Yes  
Don Willey: Yes  
Chairman Sandora: Yes

**Yeas - all. Nays - none.  
Motion carried.**

Chairman Sandora: Anybody have anything else? Motion to adjourn.

Moved by Don Willey, seconded by Victor Bull to **adjourn the Planning Commission meeting of April 20, 2011.**

Chairman Sandora: It has been moved and seconded to adjourn the meeting. Mrs. Broestl, Please call the roll.

Victor Bull: Yes  
Mike McCarthy: Yes  
Mayor Stefanik: Yes  
Don Willey: Yes  
Chairman Sandora: Yes

Yeas - all. Nays - none.  
Motion Carried. (5-0)

Meeting adjourn at 8:10 PM

Approved: \_\_\_\_\_  
Chairman Tony Sandora

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Secretary Julie Broestl