

The North Royalton Planning Commission held a **Public Hearing** at the City Hall Council Chambers, 13834 Ridge Road, on **Wednesday, February 20, 2013**. The meeting was called to order by Vice Chairperson Cheryl Hannan at 7:03 pm.

Present: Vice Chairperson Cheryl Hannan, Mayor Stefanik,  
Tim Miller, City Engineer Mark Schmitzer, Development Director Tom Jordan  
Law Director Tom Kelly, Secretary Julie Broestl.

Cheryl Hannan: Please stand for the Pledge of Allegiance.

The Pledge was recited by all.

Julie Broestl: I need a motion and a second to **approve the minutes of November 28, and December 5, 2013**.

Moved by Tim Miller, seconded by Mayor Stefanik, to approve the minutes.

Roll Call:

Tim Miller: Yes  
Cheryl Hannan: Yes  
Mayor Stefanik: Yes

**Ayes – all. Nays – none.**  
**Motion carried. (3-0)**

**Old Business:**

**Woodcroft Glen, Woodcroft Glen Phase II. Tabled. No action.**

**Dan Egizii, Albion Woods Villas Phase I, Vacant lot on Albion Road, PPN: 481-05-012.**  
**Multi-Family Zoned. Site Plan approval for Albion Woods Villas Phase I, ranch duplex.**

Moved by Tim Miller, seconded by Mayor Stefanik, to removed **Albion Woods Villas from the table.**

**Roll Call:**

Tim Miller: Yes  
Cheryl Hannan: Yes  
Mayor Stefanik: Yes

**Ayes – all. Nays – none.**  
**Motion carried. (3-0)**

Tom Kelly: Madam Chair, if it pleases the Commission. Mr. Egizii, could you please come up to the microphone.

Dan Egizii approached the microphone.

Tom Kelly: Mr. Egizii, I'm the City's Law Director. I must inform you that the Planning Commission Board is made up of five members. We only have three members here tonight. Two of our members are gravely ill and are not here tonight with us. Since there are only three members here tonight, in order for you to prevail or succeed, you will need all three members to vote in favor of your application. If you only get two of the votes in your favor; you will fail. You have the opportunity to pass this application onto the next Planning Commission meeting in hopes that you would then have a four or five member Board to vote. Such that you would in theory, statistically, would have a greater opportunity to prevail and receive three votes in your favor of the application. This is entirely up to your discretion. If you go forward tonight and not get three favorable votes, your application will then fail. This is entirely up to you.

Dan Egizii: If it fails then do I just reapply?

Tom Kelly: Yes sir. You would have the opportunity to reapply to this Board. There would be a six month delay.

Dan Egizii: I would have to wait six months! I can't wait six months, so I guess we just came here tonight for nothing.

Tom Kelly: By you saying that you came here for nothing does that mean you would like to have this matter passed onto the next meeting?

Dan Egizii: If there is a chance that I can't get this passed here tonight, I can't wait another six months, I can't do that.

Tom Kelly: Okay. Are you of the mind such that you would want this application passed onto the next regularly scheduled meeting?

Dan Egizii: I guess I have to.

Tom Kelly: Well, you don't have to but it would seem like the most conservative approach.

Dan Egizii: I guess that's what we will do.

Tom Kelly: Ladies and gentlemen who are here tonight in the audience that were here to hear this application for Dan Egizii, Albion Woods Villas, the Chair and the Board can hear and take your views under the miscellaneous portion of this meeting if you wish. Or you are certainly welcome to come back to the next scheduled meeting where we hope to have a full Board to hear Mr. Egizii's application. Thank you. (2)

Tom Jordan: The plans are here tonight for you to review. They are also at the Building Department during normal working hours.

Cheryl Hannan: Mr. Law Director. If the people in the audience would like to be heard tonight could we take that under advisement or something we could consider?

Tom Kelly: Madam Chair. You hear what you have heard. You don't un-ring the bell. Whatever these people intended to say you may take into consideration at a later date. You simply cannot come to any conclusion this evening based on that limited amount of input without hearing the applicant's own presentation.

Cheryl Hannan: If he would go forward the full panel or Board would not have the benefit of the questions and answers to this application.

Tom Kelly: Correct. The members in attendance tonight would have the benefit of hearing the input tonight. The members not in attendance here tonight would get the information only from reading the minutes of this meeting.

Cheryl Hannan: Well, does anyone from the Board have anything they wish to say?

Tim Miller: Mr. Law Director. If the public would speak tonight, would they also have the opportunity to speak again at a later meeting?

Tom Kelly: Absolutely. Everyone would have the opportunity to be heard even if they had been recognized before.

Tim Miller: Okay. Thank you.

Tom Jordan: To the applicant, you haven't supplied the comments of the staff review of your development. In order to make the next meeting more beneficial, it would be to your advantage to have those all worked out. We could actually remove some of those comments if you would supply the staff with answers to them before the next meeting. I would answer those questions and supply any information needed in order to make the next meeting go smoother. If you have any questions regarding those comments I suggest you contact the Building Commissioner.

Dan Egizii: Okay.

Mayor Stefanik: Madam Chair. Would you like to see if anyone from the audience would like to speak on this matter, or you can come back to the next meeting?

Tom Kelly: Mr. Egizii, you are welcome to stay and hear what they are going to say here tonight.

Dan Egizii: No. I think I'm just going to leave.

(3)

Tom Kelly: That's your prerogative sir.

Cheryl Hannan: Yes. Anyone wishing to be heard, please come forward.

Mr. Joe Nunn approached the microphone.

Mr. Nunn: My name is Joe Nunn, 9945 West 130<sup>th</sup> Street. I was wondering if the Engineer would go over what is on these plans to inform us of things like where the basins are? Would that be possible?

Tom Kelly: Madam Chair. Mr. Nunn, I think it would be better if you were to go down to the Building and Engineering Department and ask any questions you might have. This way the Building Commissioner would also be able to help with any questions you might have. The Building Development Department and Engineering Department are not to defend Mr. Egizii's plans, but they would be able to answer any questions you might have regarding the application.

Mr. Nunn: Thank you.

Tom Kelly: Thank you Mr. Nunn.

Cheryl Hannan: Anyone else wishing to speak?

Roy Bruder approached the microphone.

Mr. Bruder: Roy Bruder, 12718 Albion Road. I own the property adjacent to this property. I live in Parma Hts., 6539 Fernhurst Avenue. There are issues I would like to discuss with you but not here tonight regarding these plans with both departments. Is the Engineering and Building Department in the same location, or do I have to go to separate places? And what is a good time to go to the departments and discuss some of these issues?

Mark Schmitzer: Our business hours are from 8:00 to 4:00, Monday through Friday. I will talk with you after the meeting and we can decide on a time that we can get together. Or you can call our office.

Mr. Bruder: I have some concerns about the retention pond and the drainage issues on his property. I guess I would have to talk with you. The other building inspectors would really not be able to answer some of my questions. It would have to be you.

Mark Schmitzer: Sure. We can do that, just call my office ahead and we can set up a time to go over this.

Mr. Bruder: Good. Then we can have it fresh for the next meeting date.

(4)

Cheryl Hannan: Anyone else wishing to speak? Okay. I need a motion and a second to adjourn.

Moved by Mayor Stefanik, seconded by Tim Miller, **to adjourn the meeting.**

Cheryl Hannan: Call the roll.

Tim Miller: Yes

Mayor Stefanik: Yes

Cheryl Hannan: Yes

**Ayes – all. Nays – none.**

**Motion carried. (3-0)**

Julie Broestl: The next meeting is scheduled for March 6<sup>th</sup>. I don't legally have to send letters out again. I know most of you here but to send out another hundred or so letters is too much.

Tom Kelly: Legally we are not required to send out letters again. It would be to your advantage to know when the next meeting is and then come if you so choose.

Cheryl Hannan: Also you can look at our website at [Northroyalton.org](http://Northroyalton.org) and see if the agenda is up.

Tom Jordan: Madam Chair. We also changed the dates on the agenda and sent it out to all of you. This was done because Master Plan Advisory Committee. We'll be using your second meeting date on Wednesday. It is also open to the public if anyone is interested.

Meeting was adjourned at 7:28 pm

Approved: \_\_\_\_\_

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

Attest: \_\_\_\_\_