

The **North Royalton Planning Commission** met in the City Hall Council Chambers, 14600 State Road, on **January 3, 2024 to conduct the Regular PC Meeting**. The meeting was called to order at 7:00 P.M. by Chair Gene Baxendale and opened with the Pledge of Allegiance.

PRESENT: Planning Commission: Chair Gene Baxendale, Mayor Antoskiewicz, Paul Marnecheck, Marie DeCapite, John Ranucci. Secretary/City Planner Ian Russell. Administration: Law Director Tom Kelly, City Engineer Justin Haselton, Assistant City Engineer Joe Pavlick.

REGULAR ORDER OF BUSINESS:

Approval of the Minutes:

Moved and seconded to approve the minutes of December 6, 2023. **Motion carried.**

The Public Hearing portion of meeting called to order. A brief overview of the meeting process was given.

PUBLIC HEARING / OPEN MEETING

New Business

1. **PC24-01:** John Reyes, of Star Inc., on behalf of Heritage-Crystal Clean, LLC, is seeking preliminary site plan approval for a proposed 16,789 square foot office warehouse building located at 10012 Akins Road also known as PPN(s): 483-25-008, 483-25-009, and 483-25-010 in General Industrial (GI) District zoning.

John Reyes (applicant): John Reyes, 46405 Telegraph Road. We are looking to build a new building that is approximately 16,789 square feet for Crystal Clean. Maintaining their entrance in to the property and improving the ingress to the site towards the center going back to provide additional parking. Providing a 20-foot side yard landscape buffer along with a 6-foot solid vinyl fence along the neighboring property, with additional landscaping in the front. The office portion of the addition will be split face MU or masonry units, tan or earth tone in color with accents. Transitioning to a pre-engineered metal building with metal siding for the warehouse with a standing seam metal roof over the entire building. The maximum height for the building at the peak is at 24 feet high. The warehouse doors and truck docks are in the rear of the property. Light levels for the property are in conformance with City standards.

Chairman Baxendale: Can you explain what the business is and the needs for the building?

John Reyes (applicant architect): Crystal Clean is an environmental services company. They would get a call about a spill in another facility at the industrial level, clean the spill and store the used products in approved containers. The trucks would come back to the current facility and move the product from a Crystal Clean truck to a transport truck that will take it to a larger warehouse, outside of North Royalton, where the chemicals will be disposed of.

Chairman Baxendale: What is going to happen to the existing building?

John Reyes (applicant architect): It is not known at this time what the existing building will be used for.

Chairman Baxendale: Do you have equipment that is used for clean ups? If so, do you clean your equipment once you return to the business?

Tim Diss (applicant employee): Tim Diss, Branch Manager, 10012 Akins Road. We wouldn't be cleaning trucks at this location. We store absorbents and empty drums that are purchased from us.

Chairman Baxendale: Does any material you pick up go back to your facility?

Tim Diss (applicant employee): The material does come back; however, it gets transferred from our trucks to an outbound trailer to be able to be transported to another location.

Chairman Baxendale: What are the typical hours of operation?

Tim Diss (applicant employee): Typically, 7:00 a.m. to 5:00 p.m. We do have some employees that come in at 5:00 a.m. We work Monday through Friday only, there are no weekend hours. We do not operate with emergency calls.

Chairman Baxendale: Do you anticipate those hours changing at all with the new facility?

Tim Diss (applicant employee): Not at this time.

Mr. Marnecheck: Is it correct to say that when the crews come back with used materials, it gets loaded onto a trailer? How long until that trailer leaves the current facility?

Tim Diss (applicant employee): The used material comes in to the facility and gets immediately loaded on to an outbound trailer. That trailer will leave the facility every other day.

Mr. Marnecheck: How many people do you have working at the facility? Will the new facility allow you to expand that?

Tim Diss (applicant employee): Currently, 13 people are employed. With the new facility we could have 20 to 25 employees.

Mayor Antoskiewicz: The operation is the same at this facility as it has always been, you are requesting a new building for a bigger facility, correct?

Tim Diss (applicant employee): Correct.

City Engineer: You will need to consolidate the parcels before you come back for final. Provide the wetland delineation that was completed last year and show that you're mitigating the wetlands with the Army Corps of Engineers. Preliminarily, you are showing what we would want to see for stormwater. We will need more details on the basin outletting to the back. The buffering could extend further north with the mounds and trees before you get to the grade changes. Originally, the driveway was a little wider. I see that the plans have been revised to show some landscaped stone. Concrete would be better in that area; you may need to get a variance for that. As a reminder, you will need to submit final approvals to Cuyahoga Soil & Water Conservation District, Northeast Ohio Regional Sewer District, and the City Engineering Department.

John Reyes (applicant architect): There are some steep swales going back towards the back half of the residential property, which will make it difficult to extend the landscaping further back. The fence will go back to the backside of that residential property approximately 6 foot high within 50 foot of the front right of way.

Brent Anderson (applicant engineer): Brent Anderson, Rafter A, Ltd, Land Surveying, Engineering & Testing, 42653 Oberlin-Elyria Road., Oberlin, OH. Showed a photo of the current and neighboring property and showed where the fence would be installed. We suggest going with a wider driveway to clean up the 2 aprons currently on the property and give the trucks more leeway to not go off the concrete on to the grass.

Chairman Baxendale: Is that the apron part entering off the street?

Brent Anderson (applicant engineer): Yes, everything going back is a 24-foot-wide drive. It is a grander entrance to allow for truck movement. That proposed drive will be utilized for trucks to enter and exit, the current driveway will be turned into additional parking.

City Engineer: Engineering would prefer a concrete apron. The stormwater is being controlled to the back of the site and looks appropriate. The proposed storms would have to meet existing codes, so it will be an improvement.

Fire Department: The City Planner read comment into record. A fire sprinkler or a fire alarm system may be required in future plans.

City Planner: As far as Building Department comments. The neighboring parcel is split zoned as residential and general industrial, that splits through the location of where you have the building at the back of the property. Your parcels are all zoned general industrial which is something to keep in mind when including buffering requirements when abutting residential property. You will be required to consolidate your parcels which will need to be completed before returning for a final site plan approval. Your building, parking lot, and drives meet all setback requirements. The front building is a non-conforming building, it's within the 100-foot front setback at this time but should you wish to expand the front building, you will need to get variances or other approvals for that. The Building Department is requesting the exterior of the front building be cleaned up. The fence is acceptable as long as it is not see-through and would be required to meet all requirements of the fencing ordinance, as well as, special Planning Commission approval. The landscaping buffer will need to provide a visual barrier year-round with additional vegetation to make it dense. That will also require a formal landscape plan as part of the final site plan. Also, be aware of code 1278.09 regarding hazardous and flammable chemicals as you do deal with chemicals on site. The lighting on the property meets code, make sure that it's shielded or hooded so that nothing penetrates the neighboring properties. Your parking stall size and loading spaces seem adequate. I noticed there was no proposed new signage, should that change, make sure it meets our codes and regulations. You may want to look at getting a variance for the driveway apron before the right of way to be able to get that turning radius you need.

John Reyes (applicant architect): The lot consolidation has been submitted to Cuyahoga County for preliminary review and will be submitted once we get it back. The fence material will be a solid vinyl. The building is fully suppressed and any combustibles that may be in there would be contained in that area.

Brent Anderson (applicant engineer): We are not proposing any new signage to my knowledge.

Law Director: The parcels do need to be consolidated as we want a single ownership there. Everything else appears to be in order as this is the preliminary site plan approval, we have no objection.

Chairman Baxendale: Are there any submittals that need to be read into the record?

City Planner: No, we did not receive any letters from the public.

The Chair opened the Public Hearing portion of the meeting.

Tim Kraynik (resident): Tim Kraynik, 10037 Akins Road. As far as the chemicals that are being stored, I understand that they're going to be alternated and removed every other day. What happens when there is a long weekend? Are the chemicals going to be offloaded into the building for storage until they're removed on Monday, or are they going to remain on the trucks? What happens to the surrounding area if there were a fire? Are the chemicals hazardous enough that we are going to have to worry about health issues and evacuations? There is a 4-ton restriction on Akins currently, with building a new facility to be able to transport more product, what is that going to do with the weight restrictions and the wear and tear on the road? As it stands, the road is only wide enough to handle traffic, there is no room for foot traffic. Would there be plans to widen the road in the future?

Ralph Friedman (resident): Ralph Friedman, owner of Three Pines, LLC, 9664 Akins Road. My property abuts the property in question. The septic system is 10 feet away from my property. My question is

where is it being discharged to and what type of materials are going through the septic system. Is there an oil separator?

Gerald Scolaro (resident): Gerald Scolaro, 15312 Martin Drive. Is the retention basin with inverts and an outlet going to the ravine between Akins and Royalton Road? What is the size of the pipes in the basin? Where is the water run off going to? Their trucks are blowing their horns starting at 5:30 a.m. and 6:00 a.m., is there a way to enforce the noise ordinance?

Joseph Fleming (resident): Joseph Fleming, 10050 Akins Road. My research shows that they need a hazmat permit and the landscaping should have 20% of the lot dedicated to seeding, planting, retention of tree cover or other landscaping. (The ordinance referenced was not applicable.) Modifications proposed to their drainage show the primary storm outlet draining to my property. Right now, it's a swale, not a pipe. Their design shows that this is going to increase flow and volume. My concern is with the increased flow and volume of water runoff, it will also increase the erosion on my property. They are also banging metal barrels around at 5, 6 and 7 o'clock in the morning. The noise ordinance states that you can't start making noise until 8:00 a.m.

Mike Flis (resident): Mike Flis, 10200 Akins Road. Will there be any hazardous chemicals there? And are there any hazardous chemicals presently stored in the existing warehouse? And we've learned from the company website that they clean up hazardous waste from spills, remove coolants, oily waters, sludges, and other sources of contaminated waters. They do emergency spill response, environmental remediation, oil spill response, and specialty waste disposal. Many other such services are listed as well. If chemicals are being stored here, presently or in the future, how long will they be stored at this location? Is the storage temporary? Is it long-term? Do they intend to store contaminated waste here permanently? Will there be any chemical processes completed at this location, either in the existing warehouse or in the proposed new warehouse? If so, will processes such as incineration, filtration, neutralization, or other such processes be performed here? Will there be any discharge into the air or the groundwater from this facility. If so, are all the required and necessary air and water permits going to be obtained from the EPA? Will there be sufficient tank dikes and containment berms in the facility capable of holding the total contents of the containers should a spill or some other kind of accident occur? Will there be any monitoring and sampling of the water being discharged from the property via the pipe into the neighbor's property? Will there be any monitoring of air quality? Will there be any odors emitted from the facility that will be offensive to we the residential neighbors? Will any of the operations and truck traffic exceed the statutory noise level of 60 decibels at a residential property line? Two signs are posted on Akins Road, one of which is posted at the front of parcel number 483-25-008, which is the property one of the properties in question. It indicates that trucks over 4 tons gross vehicle weight are not permitted on Akins Road and from that point west all the way to Edgerton are not permitted. I just tend to have any of their trucks travel in that direction. I wonder if they have any future plans to expand the size of this facility. I recently located two articles online regarding fines that have been levied against Heritage Crystal Clean for violations of hazardous waste regulations at several of their facilities across the country and I will provide copies of the articles. In our opinion, this does not seem to be the type of facility that is appropriate in a location that abuts residential property.

Lori Flis (resident): Lori Flis, 10200 Akins Road. Is this business following the General Industrial Ordinance?

Moved by Mr. Marnecheck, seconded by Mr. Ranucci to approve PC24-01 for the application for preliminary site plan approval and open the meeting up for discussion.

John Reyes (applicant architect): John Reyes, 4605 Telegraph Road, Amherst. The septic system is designed by a Septic Engineer and is located on the property in the appropriate space. The only thing going in the septic system is human waste. There is no oil interceptor, the interior of the building has a trench drain so any oil is being contained to the interior of the building. There is no outflow from inside the building other than the sanitary system used. The entire warehouse has a raised one-foot trench for cases of accidental spills, including the overhead doors. The overhead doors are diked off so that

there is no outflow from the doors. If a spill occurs, it is pumped directly in to one of the trucks that is then taken to another location.

Chairman Baxendale: So, the floor of the warehouse has a one-foot side all around it where there is then a collection system that if any spills happen, it will get caught, pumped out and nothing gets drained out of the building?

John Reyes (applicant architect): That is correct. Any joints are sealed at the perimeter.

Mayor Antoskiewicz: Is this the current system in the existing building? If not, would this be an improvement?

John Reyes (applicant architect): I am unsure of what they are currently using. Yes, this would be an improvement.

Mr. Ranucci: What is your largest container that you would bring in to the facility? How does that get transferred from truck to trailer? Do you fill any containers? What is risk of spills happening when transferring from truck to trailer?

Tim Diss (applicant employee): Tim Diss, 10012 Akens Road. The largest currently, is a 550-gallon drum. Everything comes to the facility already filled up. The Crystal Clean truck comes in to the dock and the containers are moved from the Crystal Clean truck to a trailer waiting to leave the facility. We do not fill any containers; we are only a transfer facility. We do not store any hazardous waste for longer than a 10-day period. There have been no incidents in the past 12 years that we have had a spill while transferring from truck to trailer. In the new building, we will have the containment area to assist if there was a possible spill.

Chairman Baxendale: What would be classified as a hazardous material? How do you treat such hazardous materials?

Tim Diss (applicant employee): Paint thinner would be considered a hazardous material due to its flammability. The paint thinner would already be contained in a container, so it would go from a truck to the trailer to be shipped to a different facility. We are a transfer facility only.

Mr. Marnecheck: For clarification purposes, if you pick up something on a Friday and it doesn't leave the dock until Tuesday the following week. Where is the trailer located on the property and how do you store the material? Do you hold any material in the facility?

Tim Diss (applicant employee): We do not store used materials in the warehouse, only raw materials. The trailer is outside in the dock from Friday to Tuesday, if we are not able to meet the transfer time for that day.

Chairman Baxendale: Is there any special permitting that is required for this material? Including the materials in the trailer that may be there over the weekend.

Tim Diss (applicant employee): It's all non-regulated material; soaps and absorbents. As it is not hazardous material, there are no permits needed that I know of. We do not need special permitting as a transfer facility to house material over the weekend.

John Reyes (applicant architect): To answer some other questions, there is no processing of fumes. Everything is going from container to container, nothing is being opened up. The hazardous materials would be more flammable than toxic or cryogenic. The hazard part of it would be the thinners, however, there is only so much at one point in time that gets transferred so we do not qualify for the classification.

Brent Anderson (applicant engineer): Regarding the sanitary system, we did inquire on access of the public sewer on Akens Road, but that is not an option at this time. All applicable permits will be

obtained with Ohio EPA for the septic systems. From a stormwater standpoint, there were some questions about the stormwater flowing across the lot. Look at the existing contours of the site, the water flows naturally coming across the site. There's a natural low spot in the back and another natural low spot in the middle of this lot right here. These items all continue to go and collect further west into a larger drainage area. Right now, there is no stormwater management essentially on site. This was built before any kind of stormwater management is required. All these items at the roadway are being directed towards this stormwater management pond, effectively trying to reduce the amount of immediate off-flow that would go off the site. Everything's going to be routed through a stormwater management pond. They have outlet control structures in place to store different storm events. All these calculations are going to be done per the city requirements, county requirements, State of Ohio requirements for storage of stormwater and treatment of sediment in the stormwater and will have to go through the City Engineer for your final approval. We're putting the outlets in the natural locations of low spots as we're trying not to change drain patterns. In many cases, again, this is going to be a reduced amount of flow coming off because we're actually storing the lower storms, the 2, 5, 10-year storms, those types of things are being stored and released at a slow rate. We do show riprap controls and it looks like there's a large pipe coming through, mainly because it's a single line coming out this way, but pipe goes into a riprap area where that can help slow down velocities further before it actually outlets off the property in that same natural drainage pattern.

Mayor Antoskiewicz: None of the outlets should be going towards their property. Those outlets should all be going to a basin out the back.

City Engineer: They will be able to show in their calculations no additional water outletting to any specific spot and that they're outletting equals amounts or less to that spot. The pipe that was questioned by the resident, Crystal Clean is showing that pipe as an emergency overflow area, so that pipe would only be used in an extremely large storm, greater than 100 years. The vast majority of this water is going to go to the back of the site to the ravine.

Brent Anderson (applicant engineer): We will make sure to comply with all City requirements for stormwater management.

Chairman Baxendale: On average, how many trailers are coming throughout the course of each day? Where there be an increase of trailers with the new building? Will that increase the trailer traffic? What is the max weight of the trailers?

John Reyes (applicant architect): Currently 9 trailers, with the new building, we may be able to have less trailers coming in as we will have more room to store usable products. The max weight of the truck is 80,000 pounds, I'm not sure what the trailer with materials in it would be.

Chairman Baxendale: Being over 4 tons at this point, Mr. Mayor, would that cause a problem for the street?

Law Director: Mr. Chairman, we will need to get with the Police Department and confirm what the signage is and determine where the restriction begins and ends. Sometimes they're specifically designed to protect a residential area. The issue is when the residential area and general industrial areas butt up against each other and there needs to be accommodations for both sides.

John Reyes (applicant architect): There was a question about wetlands. We had a full wetlands report completed as we are working with the Army Corps of Engineers. The permitting process for that is currently taking place. A copy of the report can be provided to the City Engineer as we move in to final planning. Regarding permitting for the site for current use. It's our understanding that we are in compliance.

Ms. DeCapite: To the City Planner, what use group is their current business? When it comes to the size of the new building, as it relates to possible flammables and combustibles in the building, does that move it into a hazardous use group?

City Planner: I know the certificate of occupancy did have the use group for the building classification 12 years ago. I will get with the Building Commissioner as far as what the new use group would be, if there is one.

Ms. DeCapite: Can you clarify that you bring back materials on your trucks and then transfer the materials to a truck that is going to take the material to Indiana? What then, are you storing in your building as far as chemicals or products that you would need this one-foot wall basin around your whole building?

Tim Diss (applicant employee): We have totes of automotive antifreeze. They go out on a truck and disperse that into customers containers.

Mr. Marnecheck: If you receive preliminary site plan approval tonight, what's your timeline to come back for the next step?

Brent Anderson (applicant engineer): We will be working through the next month on the final design engineering plans. They're still moving through the Army Corps of Engineers permits, from a wetland standpoint. Anticipated construction would be late spring into the summer.

Chairman Baxendale: Mr. Kelly, as far as the variance for the apron width at the right-of-way, do we have a separate vote on that or can that be included today?

Law Director: It can be included within the confines of the application, so they can revise their application. I think there's a strong indication that for the sake of the roadway and the right of way, there is a consensus on giving them the wider apron.

With no further discussion Mr. Marnecheck asked for a motion, seconded by Mr. Ranucci, to approve the application for preliminary approval including the variance for the 50-foot-wide apron at the right-of-way. Roll call: Yeas: Five (Antoskiewicz, Ranucci, Baxendale, DeCapite, Marnecheck). Nays: None. Motion to approve (5-0).

MISCELLANEOUS (IF ANY):

Mayor Antoskiewicz: Chairman Baxendale will be retiring from Planning Commission. As this is his last meeting, I wanted to take a moment and thank him for all of his time that he's given us. Finding a replacement will not be easy as he has done a great job.

- The next Planning Commission meeting is scheduled for **February 7, 2024**.

ADJOURNMENT: Moved and seconded to adjourn the PC meeting. Motion carried. Meeting adjourned at 8:38 p.m.

Minutes Transcribed by Theresa Antal.

APPROVED: /s/ Marie DeCapite
Acting Chair

DATE APPROVED: February 7, 2024

ATTEST: /s/ Ian Russell
Planning Commission Secretary