

Planning Commission Caucus Wednesday, April 5, 2006 - 7:15 P.M. - 7:29 P.M. held at the North Royalton City Hall Council Caucus Room.

Attendees: Chairman Edward McGrath, Don Willey, Council Representative, Victor Bull, Clark Merdes, P.E., City Engineer, Rito Alvarez, Building Commissioner, Denise Bobulsky, Council Ward One, Lisa Uffman Kirsch, Council Ward Six, Paula Recker, BZA, Laurie Pribish, Steve Runyon, Residents, Applicants and Brenda L. Fashempour, Secretary.

Planning Commission Agenda reviewed. Three items to be added to the Planning Commission Agenda - discussion, refund to Zillich, refund to R & R Plaza, Supplement to Preliminary Plan for Worthington - Mr. and Mrs. Krebs' letter requesting no mound. Ms. Pribish in attendance and in agreement with their request.

Planning Commission discussed Architectural Review Board and landscaping plans for signs. Discussion regarding temporary signs, Planning Commission and Architectural Review Approval, temporary signs approved by Building Commissioner. Discussion regarding signs just being approved at Architectural Review Board. Councilman Willey will look into any changes that may need to be made to the Zoning Code through Committees. Planning Commission also asked that when Royalton Beverage comes back before them that a Representative from the Architectural Review Board be at the meeting.

Chairman McGrath stated it being at least 7:30 P.M., we will call the Public Hearing to order, it's, April, for, for record keeping purposes this is the April 5th meeting of the North Royalton Planning Commission and this is the Public Hearing.

The Planning Commission of the City of North Royalton met in the North Royalton Council Chambers, 13834 Ridge Road on Wednesday, April 5, 2006 to conduct a Public Hearing. The Public Hearing was called to order Chairman Edward McGrath at 7:34 P.M.

Present: Chairman Edward McGrath, Don Willey, Council Representative, Victor Bull, Rito Alvarez, Building Commissioner, Clark Merdes, P.E., City Engineer, Thomas P. O'Donnell, Law Director and Brenda L. Fashempour, Secretary.

Absent : Mayor Cathy J. Luks and Vice Chairman Tony Sandora.
Chairman McGrath stated is there a motion to excuse Mayor Luks and Tony Sandora. So moved Victor Bull. Second Don Willey. Chairman McGrath stated moved and seconded, discussion, Secretary please call the roll. Roll call: Yeas: Three - Willey, Bull, Chairman McGrath. Nays: None. Motion carried. Chairman McGrath stated they are excused.

Opening Ceremony - Pledge of Allegiance. Chairman McGrath stated please stand for the opening ceremony, Pledge of Allegiance. Pledge of Allegiance recited.

Public Hearing

Chairman McGrath stated just a reminder that during the Public Hearing and subsequent Planning Commission Meeting we asked that your cell phones and pagers be turned off and with that we will ask the Secretary to read the Notice of the Public Hearing.

City of North Royalton Recreation Department requests to construct 715' of 6' high galvanized chain link fence at North Royalton Memorial Park, 14788 State Road, PPN 487-08-003, Public Facility Zoning. The 6' high galvanized chain link fence would be installed at the south property line, at east end installed on line to jog then 10' off and continue along property line west, 25' off to Soccer Field Fence.

Secretary read the Public Hearing Notice. Public Hearing Notice posted at the City's Public Posting Places and mailed to Property Owners.

Chairman McGrath stated Thank You. Chairman McGrath stated in a moment we will ask if there is anyone wishing to be heard on this, prior to that he will take a moment to remind you that a, you will be speaking into a microphone and you will be, you will be recorded, that's for record keeping purposes, b, I don't want a fence is not a good reason cause that's not what it's about, the, the matter is to discuss that it is to be built within the parameters of the Codes and Ordinances of the City, finally to come up and repeat what somebody just prior to you said really doesn't serve any good purpose other than helps you vent probably, but if, if you wish to add something new that hasn't been previously shared or a different slant on it or a different input or additional input or point of clarification that's welcome and appreciated, that having been said, is there anyone wishing to be heard on the subject of the proposed fence at the North Royalton Memorial Park.

Chairman McGrath stated start with Mr. Anderson please.

Al Anderson, 6024 Akins Road. Mr. Anderson stated what, what's the purpose of the fence?

Chairman McGrath stated he will ask Mr. Swim to step forward please since he is the Recreation Director and he can, on behalf of the City he can, he can perhaps answer some of those questions.

Ed Swim, Recreation Director. Mr. Swim stated at one of the Rec Board meetings he had some residents come up with some concerns about people going into their backyard after the Skate Park was put on, put up and they asked for a fence to be placed along the southeast property of Memorial Park, with that we went to the Rec Board and the Rec Board did approve a, a fence, so with that he just went out and got prices and a made an application for the fence.

Chairman McGrath stated Thank You.

Mr. Anderson stated well he doesn't know, he doesn't know.

Chairman McGrath stated Mr. Swim if you will just take a chair in the front because apparently there is going to be some additional questions, save you a few steps.

Mr. Anderson stated he can only speak for, for us, we are on the west end of it, up on the, on the hill, we don't have any problem with what did you say there are kids, we have no problem with people coming in our yard. Mr. Anderson stated we enjoy the park, we have grandkids go back, we have, this doesn't only in, involve us, we have neighbors that have kids, kids across the street, they use that park, we can't walk on the

road, if anybody has ever been down Akins Road, you sure as hell ain't going to walk down Akins Road and up State to get to it. Mr. Anderson stated they didn't ask us when they put this skate thing in there, that's going to create a problem, they didn't ask us then but now they want to fence us out. Mr. Anderson stated his suggestion is, if you would run the fence as far as you have to up behind their property, it looks like it is a done deal to him, he has been back there he sees where they took trees out, if they would run the fence up, leave it, instead of a hooking it over to the Soccer Field, if they would leave an opening there, since there is no, that would take care of the people down at that end, he guessed that's where the problem is, he doesn't know, if that's not, if they think about moving the skate thing up towards the Library then or take it to York Road.

Chairman McGrath stated back to Mr. Swim any comment, any, any thought, answer to any of the thoughts that Mr. Anderson raises and he wants to agree with Mr. Anderson about the traffic on Akins, it is hideous, Mr. Anderson and he are neighbors, have been for 25, 28 years and the traffic is horrible and, he can't go to his mailbox and you have the same problem probably going up and down in the front of your home, there is a lot of traffic and there is not going to be a lot of foot traffic on Akins that's for sure, so he, he can see, he can easily see your point there and agree with you, but to get back to the questions that you raised from Mr. Swim.

Mr. Swim stated he doesn't think we want to move the Skate Park when it costs, he doesn't know, roughly \$8,000.00 to repave the parking area for the Skate Park, he doesn't think we would want to move that now. Mr. Swim stated York Road that was considered through the Rec Board before and a it was decided to put it up at Memorial Park so he thinks that's where it is going to have to stay unless you know we get another park somewhere else. Mr. Swim stated as far as the fence going up and a not adjoining the Soccer Fence, he, he doesn't feel that's a problem at all.

Mrs. Maichrye stated you don't live there.

Chairman McGrath stated excuse me, hold on, let's not do that, Thank You.

Mr. Swim stated inaudible, so he means.

Chairman McGrath stated you will, you'll get a turn, come up and you will state your name and we will do the hold deal.

Mr. Swim stated he means if we just want to go up so far with the fence and stop and maybe at a later date we are going to end up fencing the whole in, the east end of the property and maybe the north end of the property to.

Chairman McGrath stated and the comment was made and perhaps you touched on this relative to fencing the residents out as opposed to fencing something else in, is it to keep people out or to keep people in.

Mr. Swim stated well it was to keep people out of the backyards on, of the properties on Akins Road, that's the reason for this.

Chairman McGrath stated so it's to contain the people in the park rather to exclude people from the park.

Mr. Swim stated in the park, yes, yes.

Chairman McGrath stated Thank You.

Chairman McGrath stated anything else Mr. Anderson.

Mr. Anderson stated yes, like he, like he said, we have no problem at our end, if this is a done deal he is asking and some of the other neighbors are asking to leave that instead of tying it in, you, you can run on the, on the, run up as far west as you have to, Thank You.

Chairman McGrath stated let's go back to Mr. Swim, is it a quote.

Chairman McGrath stated Thank You.

Chairman McGrath stated is it a quote done deal, is there some wiggle room here, what, what is the status of the fence tonight.

Mr. Swim stated we, all we have, we have got prices and we have.

Chairman McGrath stated excuse me, one conversation please and it's up here, if you want, something you want to add please come up and you will get a chance to add it.

Mr. Swim stated we have got prices, we have applied for the permit, we show a plan where it does hook to the Soccer Fence, it doesn't, it doesn't matter if we don't want to hook it to the Soccer Fence we don't have to.

Chairman McGrath stated okay, Thank You.

Mr. Swim stated and we don't have to go the 100 or 700 feet.

Chairman McGrath stated okay, Thank You.

Chairman McGrath stated is there anyone else that wishes to be heard, please.

Joe Valthausen.

Chairman McGrath stated in the microphone please.

Joe Valthausen stated we live at, on Akins Road, right behind.

Chairman McGrath stated your, your address on Akins please.

Mr. Valthausen, 5872.

Chairman McGrath stated Thank You.

Mr. Valthausen stated we live right behind the a Skate Park there, we have been there since 1970. Mr. Valthausen stated and we enjoy the park, we like going back there, in fact his wife goes to the Library all the time, we like to walk through there however in the last few years with the renting out the pavilion, the Skate Board Park and just the parking lot in general there, we have had a lot more incidents in their backyard, we have people defecting back there, he had a pan handler one

Sunday Morning walking around back there, pans hanging from his belt like he was cooking back there and living back there, he has got a bong in his house that he found back there again where they are smoking marijuana, it's, he is afraid to let his wife back there in the evening, he has put up security lights, he has signs no trespassing, because it's just gotten to be to many people and when you tell people this is private property, they are not nice about it, they don't like to be told that and he has, he, he gets tired of dealing with these incidents over, and over, and over again and that's the reason that he is interested at this point in having the fence up, he doesn't care if it's open at the other end or not but he needs a fence where he's at, he would rather drive around because, we have kids, renters next door to us and they have kids that like to cut through because, they, they go from the park and the school area, they walk through there and they go across through their yard and other yards near there to State Road, to the corner of State and Akins and then walk further down State Road there, if, had to go to one of the parents and tell because one of the kids got real smart with inaudible, and they are walking right besides your house, through your patio area, right behind the house and they think nothing of it, so all these incidents combined have lead him to the, that he can't enjoy the park the way he would like, like you have expressed, he needs, he needs something to start keeping people out of there.

Chairman McGrath stated Thank You, he appreciates that.

Chairman McGrath stated is there anyone else wishing to be heard, the Lady in the white sweater please.

My name is Barbara Nagy, she lives at 5884 Akins Road, she also like Joe have had kids come in her back yard smoking cigarettes or whatever else they leave back there, have all kinds of debris in her backyard, they cleared an area out and made like little area where she thought they were going to build a camp fire which would really be bad. Mrs. Nagy stated there is a lot of dead trees and stuff back there and she gets kids coming back there all the time so she is very much in favor of the fence accept that she too doesn't care if it's open on the other end because she doesn't think that the kids from the Skate Board Park are going to go up, walk all the way down to the Soccer Field and around.

Chairman McGrath stated excuse me, when you are saying the other end, you are saying.

Mrs. Nagy stated by the Soccer Field.

Chairman McGrath stated okay.

Mrs. Nagy stated because she walked back there to see where they were going to put the fence and it looks like they are going to put it and connect it to the Soccer Field.

Chairman McGrath stated the southwestern, southwestern corner.

Mrs. Nagy stated right, and it, she doesn't think the kids are going to walk all the way down there and then come back around to her property.

Chairman McGrath stated that's about, Mr. Swim that's about how many feet down to the southwestern corner.

Mr. Swim stated 715' approximately.

Chairman McGrath stated he just wanted that for the matter of record, that's the reason he is asking.

Mrs. Nagy stated right, so if it goes right to there and stops that's, that's, she thinks that will keep the kids out of her back yard.

Chairman McGrath stated okay, Thank You, please.

Name is Patty Maichrye, 5960 Akins Road. Mrs. Maichrye stated most of you gentleman are all on the Planning Commission correct?

Chairman McGrath stated in one fashion or another, some of us our members and some, others are advisors to the Planning Commission.

Mrs. Maichrye stated okay, do you know the history of how are Memorial Park came about? Mrs. Maichrye stated that when you purchased, there was to be a street behind us called Ethel Drive.

Chairman McGrath stated uh um.

Mrs. Maichrye stated and the City approached the Federal and State Government and received grants and that was how we got that section of land that is directly behind us property owners, well part of that deal of receiving the money, is there are deal restrictions and it seems, she stood up in City Hall before with the school issue, when they wanted to put the road behind us and we stopped that, there was going to be an access road 6' off our property line in case some of you are not aware of the history of the park, we stopped it. Mrs. Maichrye stated she has two letters from the Ohio Department of Natural Resources dated 1976 with some of the restrictions but the restrictions exist and on the second page it says because you can not have permanent, permanent fixture, you are saying this Skate Park is going to be permanent.

Chairman McGrath stated Mrs. Maichrye speak into the microphone please.

Mrs. Maichrye stated well Mr. Swim said it was going to be permanent did he not just say that okay.

Chairman McGrath stated he, he, he can hear you, would you speak into the microphone please, Thank You.

Mrs. Maichrye stated all right, this letter she has here from the Ohio Department of Natural Resources states that any intrusion whether it is above or below ground can't be done and a fence is permanent is it not.

Inaudible, uh um.

Mrs. Maichrye stated also to we got a letter here in 1977 and it says that this park must be open, open to the public, she is a public person, she is a homeowner, she is a public person, her neighbor who is not here because he is with his children, you are going to block us out but there is no word that says if you are going to put a fence do we have gates.

Chairman McGrath stated now, excuse me for a moment, to not put, to fine a point on it, he is also your neighbor on that corner of State and Akins.

Mrs. Maichrye stated right, she knows where you live.

Chairman McGrath stated and, no one is necessarily blocked out or kept out or kept in by the fence, the fence as Mr. Swim said is to keep inside things in and not necessarily keep you out, you have the same access to the park that he would have, that Mr. Zoya across the street would have, that Mr. Loder on the corner would have, we go down the street and go in the park it's, the fence is not precluding you from using the park, the fence is containing what's in the park or at least that's the purpose, the stated purpose of the fence, not to exclude anyone.

Mrs. Maichrye stated all right we have a fence back along that park that the City put up for the people on State Road, it was a wooden fence, that wasn't to well taken care of now her section of her land is, you are going to put that fence 25' behind her, who is going to maintain that 25' or are you going to let it grow wild.

Chairman McGrath stated Mr. Swim how would that be handled.

Mr. Swim stated where the fence is now there is probably 25' and it is going wild now, we were going to put the fence out in the edge of the grass there, we did clear some woods out by a the Rivera's property line there and the, the, the property that we have, that the City's owns the brick house, we did clear that out but a with the jog that Brenda had talked about, the fence will come out on the grass line at Memorial Park, so that 25' is already grown up.

Chairman McGrath stated and the question about the maintenance of the fence and the maintenance of the wooden fence that Mrs. Maichrye referenced.

Mr. Swim stated well a, the wooden fence we took the biggest part of the wooden fence down, there is still one section that's left over there now and a, it's really not in to bad of shape, we were going to take it down but we cleared out some brush behind the, the house on State Road and decided to leave the fence so, he thinks that will stay for right now.

Chairman McGrath stated Thank You.

Mr. Swim stated but we, we will maintain the chain link fence.

Chairman McGrath stated Thank You.

Mrs. Maichrye stated she, she, all she can say, when you bought the land and we got the land, you have deed restrictions and there is not to be anything permanent on that parcel of property that was bought with State and Federal Funds.

Chairman McGrath stated he will ask the.

Mrs. Maichrye stated and what she doesn't understand is, why you do things unless you get it approved first.

Chairman McGrath stated well no one has done anything that's what.

Mrs. Maichrye stated yes, Mr. McGrath they did, they cut a lot of shrub out.

Chairman McGrath stated they can cut shrub.

Mrs. Maichrye stated but it.

Chairman McGrath stated a property, a property owner has the right to maintain their property, certainly a right and a responsibly to maintain, so they can cut shrub, they can cut grass, they can, they can do those things and they, and they, and they should and they will, that's part of maintaining otherwise it grows wild you know, he is sure you have the same raccoons in your yard that he has in his, deer, raccoon, possum, he has got animals every night, he is sure you have the, their cousins are probably by your, by your yard, he means, it's the nature of the beast, but we have to keep some of that growth cut down.

Mrs. Maichrye stated all right but when you cut the stuff you let Mr. Valthausers property be totally exposed, we had a natural barrier back there, there is blackberry bushes, we had a lot of brier bushes, that kept people out but now you have cut it open.

Chairman McGrath stated well first of all.

Mrs. Maichrye stated and.

Chairman McGrath stated no one on the Planning Commission cut any bushes, he assures you, he has trouble cutting his own and none of them cut your bushes, now someone perhaps within the City or a Contractor working for the City or however it was arrange may have done that and that's, that's a maintenance issue that Mr. Swim can discuss with you later but it's not germane to what we are talking about here now, we are talking about the fence not the shrubbery but.

Mrs. Maichrye stated okay, but still, the deed says you can't have anything permanent on that property.

Chairman McGrath stated he will ask the Law Director to address what constitutes permanent, is it a structure, is it a fence, what are we talking about please Mr. O'Donnell.

Mr. O'Donnell stated he is not sure where she is referring to that, it says that nothing permanent is permitted.

Mr. Willey stated Mr. Chairman.

Chairman McGrath stated Mr., Mr. Willey please.

Mr. Willey stated he, he did some research on that a while back because there was some thought about putting a rec center in there, you can not restrict anyone in the United States because there is Federal money involved in that and also State money, the restriction was not putting a permanent building in there as, as he read it and he got this from, and he doesn't know if he still has this or not but he got that from the a, a the Department of the Interior, United States Department of Interior

and a, a having been requested through the Ohio Department of Natural Resources and a so, so that was the, as he recall was the covenant that you couldn't put a permanent fixture there and the, it has to be for outdoor recreation for instance, we have a gazebo, or a, a what do you call it picnic building, pavilion, yeah, he, doesn't think you could construe that as being a, being a building it's, it's, it's part of the whole park so that, that's his understanding of a permanent fixture which was a building, by the way the a, a, the Skate Board, that whole thing is modular so they can be picked up and taken away, he doesn't know if we did it or not so that, that would seem that it wouldn't make it permanent so that's his understanding just to, if that helps anybody.

Chairman McGrath stated Thank You.

Mr. O'Donnell stated Mr. Chairman.

Chairman McGrath stated Mr. O'Donnell please.

Mr. O'Donnell stated the deed, his recollection, he has a copy of the deed here, he doesn't find anything in there that says, in the deed that restricts it to any permanent use, he thinks Mr. Willey was correct that in the loan documents or the loan requirements from the Federal Government there were restrictions he thinks ODNR's letters from 1976 sought to clarify one section of the, of the Federal Law and the stipulation was that in the deed that this was to be used for a, a Memorial Park and that it was suppose to be open to the public a, he thinks a couple years ago when we talked about putting in for example the a, the building, the refreshment stand for example, a he had ruled that, that was a structure that benefited the recreation aspect of the park because certainly people who are jogging or running there may, may need refreshments from time to time, there is also a restroom facility there which certainly benefits the members of the park, there are fences and ball diamonds there, those are permanent structures, anything permanent can be removed so it would be hard to say that we can't have a fence on one side because it's permanent and yet there are all these other items that benefit recreation that are permanent, the fact that it has to be open to the public doesn't mean you can't put a fence on side and close that off when you have a road that's open that's not gated, it's still open from both sides, from the High School side, from State Road side, he thinks the City has a perfect right to put up a fence and it's not in violation of these restrictions in order to prevent some of these residents who are having problems with the school kids or the skaters trespassing on their property improperly, tossing whatever they are tossing, it doesn't restrict, that type of a fence doesn't restrict the open use, there are no fees, we haven't changed any of that, so he doesn't see that the fence is in any way a violation, he doesn't think there is a deed restriction that prohibits it a, there are restrictions in the Federal and issue, he thinks we are meeting those requirements.

Chairman McGrath stated Thank You, anybody else wishes to be heard.

Mrs. Maichrye stated the park was purchased in three different ways, this property is directly behind us. Mrs. Maichrye stated this property is directly behind us was purchased separately, your buildings that you mentioned were already there years ago, that was like the original part of the park then we added on to the park and this property directly

behind us was going to be a street called Ethel Drive and we go, the money for that, to buy it so we made a nice square park and that, part of that deal goes by these two letters that states there is some restrictions on this property and a fence, if you honestly think a 6' fence is going to keep kids out of your property, they are going to come in no matter what and they are going to hop the fence.

Chairman McGrath stated well, not, again not, not to be argumentative, are you suggesting that a 12 or 15' fence would be better or necessary or he is not sure where your, what, what conclusion you are working for here.

Mrs. Maichrye stated what she is trying to get across is if you want a fence, let's not get the City involved in, buy your own fence.

Chairman McGrath stated but the City.

Mrs. Maichrye stated don't get the City involved in it, 715' is a lot of money.

Chairman McGrath stated but if the City determines that on their property, they feel there is a need, it would be for example, if you, example you and he were neighbor's, next door neighbor and you felt that you needed the fence, you have the right to put it up whether he likes it or not.

Mrs. Maichrye stated right.

Chairman McGrath stated and likewise if the City determines that they need a fence they have that right, now are purpose tonight is to try and make it workable for everyone, Mr., Mr. Anderson raised some valid points as did his neighbor, a perhaps one would like to see some entrance and egress so that their grandchildren could enjoy the park without having to go all the way around to State Road, while others would prefer that the kids not have easy access to their yard. Chairman McGrath stated somewhere here hopefully we can find a common ground that gives the Applicant what they want and still gives the neighbors what they like to have and that's kind of where we are trying to go tonight so just to say he doesn't want a fence is not probably going to work because the Applicant has the right bottom line just as you would in your yard to do a fence as long as they do it within the Codes and Ordinances.

Mrs. Maichrye stated then why not have each property owner have access through a gate which can be controlled by a chain and a lock.

Chairman McGrath stated because the fence would be on the City property and there are liability issues and the, the Law Director, the Courts can opine for long times about public liability, and again no one has an issue until there is a problem, let's say, let's say we did it your way for example and there was, there was a gate at the back of everyone's yard for, someone for whatever reason left that gate open one night and something happen it is their liability, is it our liability, is it a joint liability, is it no one's liability, but unfortunately we live in a, inaudible society and it's not like it was when we all came to Royalton many years ago and there were no fences and there were no locks on a lot of doors and it was a nice place to raise a family, it's not,

it's changed, it's not, the world isn't that way any more and kicking, kicking and screaming, Royalton has come into the 21st Century and it's not the same North Royalton that it was 30 or 35 years ago and we now have to be concerned with liability issues where nobody even thought about them at that point and it's troublesome quite honestly, he means, he raised kids in this Community and he has watched it grow and it, we, we all came out here looking for a certain quality of life and the Community has grown far beyond what we envisioned, many of us envisioned when we came out here which may necessitate the Applicant to feel that they need that fence.

Mrs. Maichrye stated all right we will go by that standard by what you said and we will push it back even further, as a property owner on Akins, when she purchased her home she was very much aware there was a park behind her, having a park behind you or a school behind you there are pros and cons and as the City grew, you get problems. Mrs. Maichrye stated but she really feels that if you are going to fence as much as you are going to fence that's not going to stop the problems of people coming on your property, hopping the fence or throwing stuff over the fence or taking a wiz against the fence, they are still going to do this and all she can say is, let the property owners handle their own property, her neighbor across the street, Jerry Roberts, she didn't want people coming in her yard, she fenced her whole yard, and even the front with the gates, she took that on herself, she is happy, one of her neighbors want to completely fence their property around that's their business like you said but let it be the individuals choice.

Chairman McGrath stated well one of your neighbors does want to completely fence their property around.

Mrs. Maichrye stated that's fine as long as, foot the bill for themselves, not ask the City.

Chairman McGrath stated and they are willing, no it happens to be the City, your neighbor the City who owns the, who owns the park wants to fence their property just as you suggested and that's why we are here tonight.

Mrs. Maichrye stated she did not ever have problems with the park.

Chairman McGrath stated but he is saying you neighbor, as you suggested is here making that very application that you just said would be one way of handling it.

Mrs. Maichrye stated well if that's going to be the case then, if the City is going to fence the park then don't fence it behind her property and leave other people's property open, fence the whole park then because why should pass Mr. Anderson's yard be open and Mr. Anderson has to deal with the fence, she has got to deal with the fence but people further down the road don't have to deal with the fence.

Chairman McGrath stated Mr. Swim, why are we fencing where we are fencing and what alternatives, have, have you, what, how has this been looked at.

Mr. Swim stated well we looked at it and instead of there was a, three property owners that really wanted the fence instead of just going with the three property owners there we figured there is a fence on the City property already, we would take it all the way up to the Soccer Field and maybe at a later date we will fence on down to the School Property but we were getting started with this part of the fence now.

Chairman McGrath stated Thank You.

Chairman McGrath stated is there anyone else wishing to be heard, yes please.

Chairman McGrath stated state your name, your home address please speak into the microphone.

Anna Moskalow 5992 Akins Road, Anna Moskalow, 5992 Akins, we bought the property because there was the the park behind us, it was readily, it was easily accessible, her kids use it constantly, she does not want a fence, she wants to be able to walk right across the property into the park, the problem, now from what she is hearing here she understands the problems that are occurring but it seems like the Skate Board Park is the problem before that, from what she is listening to right now, it seems that, that most, mostly everybody was happy, she doesn't understand also why the fence has to go across that far, why we can't have access to the park directly from the property that's, she is sure most of us have bought the property with the idea that this is really a, desirably, it's wonderful, she loves that park, and she's not saying anything else.

Chairman McGrath stated that's it.

Mrs. Moskalow stated that's it.

Chairman McGrath stated okay, Thank You.

Chairman McGrath stated is there anyone else wishing to be heard, yes please.

My name is Sharon Rivera, she lives at 14924 State Road. Mrs. Rivera stated when her husband and her bought the house from the James' 15 years ago, the main reason they bought the house was because we had five, five children and many grandchildren, now with the Skate Board Park behind us, we were told it was temporary, it was just a temporary thing that it was going to be moved to York Road.

Chairman McGrath stated excuse me, told by whom.

Mrs. Rivera stated she doesn't want to say. Mrs. Rivera stated so, but we were told.

Chairman McGrath stated but, but it's, it's, important, but it's important, hear say, hear say is quite honestly, hear say is worthless, if you were told by someone of authority that's important.

Mrs. Rivera stated right.

Chairman McGrath stated if you were told by someone of no authority then that's a moot point.

Mrs. Rivera stated well she was told, anyway in the last week she has been approached by a Law Firm who has a told them that with that Skate Board Park behind them our property value has now depreciated. Mrs. Rivera stated she is not concerned about the fence.

Chairman McGrath stated you say a Law Firm or a Real Estate Firm.

Mrs. Rivera stated a Law Firm.

Chairman McGrath stated he sees.

Mrs. Rivera stated she is not concerned about the fence, she is not concerned about the empty house next to her, she has never had any problem but her concern is her property value, if she decides to sell her house she doesn't think it's going to make a good impression with a 6' fence and Skate Board Park behind her, she doesn't think that anybody here would like to go into their backyard and witness a Skate Board Park and the language and the smoking and the drugs and like she says she wouldn't complain only she, we feel that their property has now depreciated.

Chairman McGrath stated he understands.

Mrs. Rivera stated so you know, do you have answers for her.

Chairman McGrath stated he has no answer for you, he means.

Mrs. Rivera stated does anyone, is this why, does this, it seems like the problem is the Skate Board Park here, could it be moved somewhere else and we wouldn't need the fence none of us would need a fence, we never needed one before.

Chairman McGrath stated let's go back to Mr. Swim please again, the, the, it's been pointed out that a, it, it, it seems from what he is hearing that it appeared to be possibly a temporary and or modular Skate Board Park that possibly could be moved and might be moved, do you have any comments on any of that, is it.

Mr. Swim stated yes, it was, well, it was put there, it was put there temporarily, we have been working with the schools on the property on Abbey Road and we thought when we develop the property on Abbey Road if we were to get the property with a lease or whatever we would move the Skate Park down there, we have to put it, it didn't fit in at York Road and with as many kids as is there playing baseball and the parents coming down there it just didn't fit in the parking lot down there at all so that's the reason Memorial Park was decided for it.

Chairman McGrath stated okay.

Mrs. Rivera stated but don't you think it would be a better idea, less expensive idea to move that rather than put a fence all the way down across our properties.

Chairman McGrath stated he probably needs to point out to you that this Commission has nothing to do with the placement of the Skate Board Park.

Mrs. Rivera stated why does.

Chairman McGrath stated the Recreation Department and the Administration handles those things, all were, all this group tonight can talk about is the fence.

Mrs. Rivera stated well she is here to tell you about her, her concerns and with her property and with this person, Law Firm and has approached us and she has a feeling then probably we need then to do some more talking to them and she Thanks You very much.

Chairman McGrath stated Thank You. Chairman McGrath stated is there anyone else wishing to be heard, yes please.

My name is Cordetta Valthausen, she is the wife of Joe Valthausen and she lives at 5872 Akins Road. Mrs. Valthausen is right behind, right at, where the parking lot is, the Skate Board Park just keeping walking straight and you are right into our property, that's where we are. Mrs. Valthausen stated now there has been comments on, all of this has happen because the Skate Board Park has come, she tends to disagree with that, they have lived there 30 some years, we bought their property in 1970 and as you have said life has been steadily changing and we actually had quite a few incidents when they just first moved there of a, the High School people thought that their property was a walk thru and we slowly got that settled and discouraged the teenagers from walking through by actually stopping at some of the teenagers' homes and speaking to their parents and saying, this, we would like to have a private back yard and your, your son or your daughter has been cited walking straight through, they also got a German Shepard dog, that helped.

Laughs.

Mrs. Valthausen stated but a this has just steadily grown with various incidents, for instance we used to have the nice carnival back there and the fireworks well now it has been moved to the center of town but the carnival people have, when they come in they park all of their homes, their campers back there right at the back of the parking lot which means they are right next to them, we have had various vagrants around, from the carnival people, we have, we now have all these nice soccer fields and the nice pavilion and the picnic area which has been, she understands is rented out to people besides the North Royalton teams and the North Royalton Clubs and Committees and families to use the pavilion, it can be rented by anybody from other cities so people from other City's come in and they don't know any of us, and don't know property lines and some very innocently because it is sort of bush and we have a little lake, a little tiny one on our property and they come in and thinking that's another little fishing pond, some not so innocently are back there stealing things, so all of this has just creep on and then the Skate Board Park came and we thought oh no because this way we are going to have all the noise and all the teenagers you know right there. Mr. Valthausen stated well to be truthful the people who skate are busy skating and they are busy doing their thing and they are not so much the problem it's the ones that are not skating that are hanging around, just watching, hey Mom I am going skating but they are not skating they are coming into the woods to smoke and what have you,

the people who are skating have been in most cases pretty decent, because she walks, she walks through there all the time to go to the library, she is just walking right through so this is just as you say has been a growing thing because of the more citified use of our park, it's a wonderful park but it's, and its used by everybody including people not from our City.

Chairman McGrath stated understood.

Mrs. Valthausen stated and so that's why she thinks we need the fence just because it's a growing problem.

Chairman McGrath stated Thank You and we, the Law Director perhaps will explain to you why it's used by others from not, not necessarily from our City or not necessarily with a connection to our City.

Mr. O'Donnell stated he is, he is actually happy to hear that because it's a suppose to be open to the public so it, based on your testimony it is open to the public.

Mrs. Valthausen stated but her yard isn't.

Mr. O'Donnell stated no your yard, you are right about that, but a, the public from all over are using the park so yes we would like to keep it our public private park just for City residents but we are not allowed to do that.

Chairman McGrath stated Thank You.

Chairman McGrath stated is there anyone else wishing to be heard.

Chairman McGrath stated go ahead.

Chairman McGrath stated and again identifying yourself please.

Okay, Patty Maichrye, 5960 Akins Road. Mrs. Maichrye stated it has to do with a comment that Mr. Swim made when he is answering before Mrs. Valthausen came up, he stated that this was suppose to be only a temporary Skate Park now he is saying that it's going to be permanent, now what happen now are Park, she means like she says, we are all property owners we have to deal with the park pros and cons when kids come to the baseball diamond they are under adult supervision because you see they are playing ball back there and they got coaches which are adults when they are playing and the Moms and Dads stick around, they are playing volleyball or soccer or even like little t-play, you have parents there watching their kids, so that's adult supervision and now this Skate Board Park that's another recreation activity but when they come there he doesn't see no adults, very, very rare now her neighbors are here she sees kids getting dumped off and they do what they want to do and Mr. Swim you just said this was going to be temporary now you are saying it's permanent because you put an \$8,000.00 pad on there well maybe it wasn't to well planned when you did that maybe you should have moved that Skate Board Park closer to the Library and when the kids are skating there they have a long way to walk to hit our property to do their business or whatever they are going to do and kids are going to be kids whether you have a fence or not they are going to do what they are going to do but you have got people going back and forth from the library, people are going to watch those kids and if they see something strange they are going to report and as for you Mr. Law Director got's

to come in, when a property owner starts telling you they got problems you just can't say oh they are kids, slap them on the wrist, make the parents of those kids be responsible and she thinks in the past it hasn't been happening so you know there are a lot of ways you guys can go but she doesn't think that the fence is going to be the answer to the problems, we are still going to have problems back there whether you have got a fence or not and she is right about the carnival people, sometime they park their trailers two or three weeks after the carnival, sometimes they feed into the electrical lines up by the baseball diamonds and are there a week before the carnival or a week after so it all comes back to how you are going to handle different problems. Mrs. Maichrye stated the problem now saying you are going to put a fence because something that was suppose to be temporary all of the sudden became permanent, now how did that fly by all us.

Chairman McGrath stated again, your points are well taken and now you are becoming somewhat repetitive but again the only issue that this Commission can discuss is how and if that fence can be erected the rest of the problems and issues and matters that have been raised by each and every one of you can be addressed correctly with the Administration at another time and through another channel, tonight we can only discuss the business that's before us and that's whether or not to grant permission for this fence to be erected as as has been requested by the Applicant which in this case is the City through Mr. Swim.

Chairman McGrath stated anyone else wishing to be heard, yes please.

Mrs. Moskalow stated 5992 Akins. Mrs. Moskalow stated those that want a fence can have a fence what about those that don't want a fence.

Chairman McGrath stated and it's the Applicant that wants the fence.

Mrs. Moskalow stated whose the Applicant.

Chairman McGrath stated the City, they want.

Mrs. Moskalow stated who a, who asked for the fence.

Chairman McGrath stated the City is asking for the fence.

Mrs. Moskalow stated because of.

Chairman McGrath stated Mr. Swim, why are we asking for the fence.

Mr. Swim stated because there was a problem, because there was problems with people going into the backyard along the Skate Board Park.

Mrs. Moskalow stated so, some, so certain people that live on Akins have complained and that is the reason.

Mr. Swim stated yes.

Mrs. Moskalow stated of those that are not complaining are stuck with a fence that they don't wish to have.

Mr. Swim stated your not stuck with a fence, we will put the fence up.

Mrs. Moskalow stated she wants, she wants access to the park, she does not want it attached to the Soccer Field and she doesn't see why if it's, it at a certain point why can't, if you are putting up a fence make arrangements with those people that need the fence, that's all she is saying.

Mr. O'Donnell stated Mr. Chairman.

Chairman McGrath stated Mr. O'Donnell.

Mr. O'Donnell stated you know, he thinks there have been discussion even with the Police Department especially about any drug activity that has been going on in that, in that area around the Skate Park in part, and he thinks the Police Department and, and he can't officially speak for the, them but he thinks they would be in favor of a fence because it gives them an opportunity to catch some kids when they are doing things that are not favorable, sure kids can jump the fence and run but of course, some aren't quick enough so it does help in that regard with Police enforcement.

Chairman McGrath stated Thank You, Mrs. Uffman Kirsch.

Thank You Mr. Chairman, Councilwoman Lisa Uffman Kirsch, the best idea that she had heard so far tonight as it relates to a compromise and she knows that this isn't going to solve all the problems for anybody but just as an observation she wanted to point one thing out, was the idea of not connecting, the making, the little jog to connect the fence to the soccer fence which Mr. Swim has stated and some of the residents have stated that they wouldn't have no problem with, she thinks that it is important to point out that if we do that because of the location of this fence being offset in some places 10' and in some places 20' the, there would still be public land on the south side of that fence which would allow all of those residents along Akins Road to be able to walk along the southern, the south fence line and not be trespassing on private property and then be able to walk down and go through the open area and still have direct access to the park without having to walk on Akins Road and without having to get in their car and drive, so she just wanted to point that out that, if they could walk along the rear of that fence and not be trespassing, Thank You.

Chairman McGrath stated Thank You.

Chairman McGrath stated Mr. Swim please.

Mr. Swim stated he does want to say that the Skate Board, Skate Park is a temporary fixture, it's not a permanent fixture there, like he stated before, we were working with the School with the property on Abbey Road, if we get the property it will be moved down there so it is not a permanent fixture.

Chairman McGrath stated Thank You.

Chairman McGrath stated is there anyone else wishing to be heard at this Public Hearing, no one else wishing to be heard, is there a motion to refer this matter to the Regular Order of Business.

Don Willey stated so moved.

Victor Bull stated second.

Chairman McGrath stated moved and seconded, Secretary please call the roll.

Roll call: Yeas: Three - Bull, Willey, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated this is moved to the Regular Order of Business.

Adjournment

Chairman McGrath stated is there a motion to adjourn this Public Hearing.

So moved Don Willey.

Second Victor Bull.

Chairman McGrath stated moved and seconded to adjourn this Public Hearing, Secretary please call the roll.

Roll call: Yeas: Three - Willey, Bull, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated Public Hearing is adjourned.

Planning Commission Public Hearing adjourned at 8:26 P.M.

Chairman McGrath stated we will now call the Regular Meeting of the North Royalton Planning Commission, the Regular April 5th Meeting of the North Royalton Planning Commission to order.

The **Planning Commission** of the **City of North Royalton** met in the North Royalton Council Chambers, 13834 Ridge Road on **Wednesday, April 5, 2006** in regular session. The meeting was called to order by Chairman Edward McGrath at 8:26 P.M.

Chairman McGrath stated will the Secretary please call the roll.

Present: Chairman Edward McGrath, Don Willey, Council Representative, Victor Bull, Rito Alvarez, Building Commissioner, Thomas P. O'Donnell, Law Director, Clark Merdes, P.E., City Engineer And Brenda L. Fashempour, secretary

Absent : Mayor Cathy J. Luks and Tony Sandora. Ms. Fashempour stated she needs a motion to excuse Mayor Luks and Tony Sandora for cause. So moved Victor Bull. Second Don Willey. Chairman McGrath stated moved and seconded, Secretary please call the roll. Roll call: Yeas: Three - Bull, Willey, Chairman McGrath. Nays: None. Motion carried.

Approval of minutes: March 15, 2006. Chairman McGrath stated is there a motion to approve the minutes of the meeting of March 15th, 2006. So moved Victor Bull. Don Willey stated second. Chairman McGrath stated moved and seconded, discussion, Secretary please call the roll. Roll call: Yeas: Three - Willey, Bull, Chairman McGrath. Nays: None. Motion carried.

Old Business:

Speedway Super America, LLC, 9191 Royalton Road, Motorist Service Zoning. Cooler Approval. Tabled.

Ms. Fashempour stated it is tabled, there will be no action.

Ordinance No. 05-166 - An Ordinance amending the Codified Ordinances of the City of North Royalton, Part 12 Planning & Zoning Code, Chapter 1284, Signs, Section 1284.18 Banners/Pennants in Local and General Business Districts; Permits; Fee, Paragraph (a), and Declaring an Emergency. Tabled.

Ms. Fashempour stated it is tabled, there will be no action.

Recreation Allocation - **Abbeyville Townhouses**, Hinckley Ridge Ltd., Laurie Pribish, 11349 Abbey Road, PPN 481-27-021, RM-D Zoning, submitted to the City of North Royalton and that it be approved by the Commission pursuant to Section 1246.08 Allocation of Areas for Public Use (b) although less than the minimum area required by Section 1246.08 Allocation of Areas for Public Use (b) is to be dedicated to the City for public park or recreational uses - Approval. Tabled.

Ms. Fashempour stated it is tabled, there will be no action.

Abbeyville Townhouses, Hinckley Ridge Ltd., Laurie Pribish, 11349 Abbey Road, PPN 481-27-021, RM-D zoning. Preliminary Plan Approval for 38 Townhouses. Tabled.

Ms. Fashempour stated it is tabled, there will be no action.

Fahim F. Gemayel, **Platinum Park Plaza**, Royalton Road, PPN 483-26-006, General Industrial Zoning. Site Plan Approval. Tabled.

Ms. Fashempour stated it is tabled, there will be no action.

Conditional Use Permit for Cyndi Cawthorne for the purpose of operating a Drive Thru Beverage Store at 14232 Bennett Road, PPN 487-01-029, Town Center District - 1. Property Owner Robert Notarianni. Cyndi Cawthorne proposes that the Drive Thru Beverage Store will have an inventory of beer, wine, pop, soft beverages, snack foods, ice, tobacco products, lottery, bread, milk, packaged items (cheese, eggs, ice cream, cookies, crackers, dips) candy and a product mix of convenience store items such as: bakery, batteries, charcoal, paper products, and health aids. Proposed operating hours, seven days a week, 10 A.M. to Midnight. Tabled.

Ms. Fashempour stated it is tabled, there will be no action.

Century Bank, 6160 Royalton Road, Town Center District - 2, Signs Approval. Tabled.

Ms. Fashempour stated Century Bank, is the Applicant here for Century Bank, okay, the Applicant is here for Century Bank, Ms. Fashempour stated it is tabled she needs a motion to remove it from the table, we will be looking at the east elevation sign.

Don Willey stated motion to remove from table.

Victor Bull stated second.

Chairman McGrath stated moved and seconded, Secretary please call the roll.

Roll call: Yeas: Three - Bull, Willey, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated come up and share with us what you will please.

My name is Jeff Calabrese, 10570 Kings Way in North Royalton and he is here representing Century Bank to get a final approval for the sign on the front our office in North Royalton in the Giant Eagle Plaza and he, he believes everybody has a copy of this. Mr. Calabrese stated Brilliant Sign couldn't make it, so he is here for that and it is a, it has passed the a, approved by the Board of Appeals.

Chairman McGrath stated Board of Zoning Appeals.

Chairman McGrath stated okay, the only point he is going to raise if, you realize that when you, if this approval is granted when you reface that sign you will need to re, re-paint and reface the building to remove any traces of the road restaurant sign that would be behind what's currently there.

Mr. Calabrese stated we will do that.

Chairman McGrath stated and if possible the façade of the restaurant below the sign so that it's all the same color where it said Buon Amici Restaurant, on the wall so that everything is the same color.

Mr. Calabrese stated okay, the bank will do that.

Chairman McGrath stated good, Thank You.

Chairman McGrath stated comment from the Building Department please.

Mr. Alvarez stated no comment Mr. Chairman.

Chairman McGrath stated Engineering anything.

Mr. Merdes stated no comments.

Chairman McGrath stated Thank You, anyone on the Commission comments.

Don Willey stated motion to approve Mr.

Victor Bull stated second.

Chairman McGrath stated moved and seconded, any further discussion, Secretary please call the roll.

Roll call: Yeas: Three - Bull, Willey, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated it's approved Good Luck to you.

Mr. Calabrese stated Thank You.

Chairman McGrath stated Thank You, Thanks for your assistance with the façade also.

Columbia Gas of Ohio plans to install 2560' of 3" and 520' of 2" new plastic distribution main on Glen Drive South, Berkshire Way and Bentley Drive - Approval. Tabled.

Ms. Fashempour stated it is tabled there will be no action.

Columbia Gas of Ohio plans to install 1080' of 3" and 1800' of 2" new plastic distribution main on Bentley Drive, Richland Drive and Yorkshire way - Approval. Tabled.

Ms. Fashempour stated it is tabled, there will be no action.

Columbia Gas of Ohio plans to install 1620' of 3" and 540' of 2" new plastic distribution main on Bentley Drive and Coventry Court - Approval. Tabled.

Ms. Fashempour stated it is tabled, there will be no action.

Sunoco, 13946 State Road, Town Center District - 2. Sign Approval. Tabled.

Ms. Fashempour stated it is tabled, there will be no action.

New Business:

Sign Approval

Fast Signs, Grubb & Ellis, **Terry Monnolly**, 13390 York Road, General Industrial Zoning. Temporary Real Estate Sign Approval.

Ms. Fashempour stated is the Applicant here this evening, the Applicant is here.

My name is Paul Girgash with Fast Signs representing Grubb & Ellis on a temporary commercial real estate sign to be located on York Road. Mr. Girgash stated it's a 48" standard Grubb & Ellis commercial real estate sign.

Chairman McGrath stated to the Engineer, anything.

Mr. Merdes stated Thank You Mr. Chairman.

Mr. Merdes stated the expiration date of a temporary sign is approved by the Planning Commission needs to appear on the temporary sign that's his only comment.

Chairman McGrath stated Thank You and normally signs are granted for one year, the expiration date for all practical purposes will be March 31st, of 07. Chairman McGrath stated that would need to appear on the sign as indicated.

Chairman McGrath stated to the Building Department anything further.

Mr. Alvarez stated no Mr. Chairman, he recommends approval.

Chairman McGrath stated Thank You, anyone on the Commission anything.

Chairman McGrath stated anyone in the audience anything.

Chairman McGrath stated motions.

Don Willey stated Mr. Chairman, motion to approve.

Victor Bull stated second.

Chairman McGrath stated moved and seconded, discussion, Secretary please call the roll.

Roll call: Yeas: Three - Willey, Bull, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated it's approved, Good Luck to you.

Mr. Girgash stated Thank You.

Site Plan Approval

Architectural Design Studios, Inc., **P.F.S., Inc.** 9861 York-Alpha Drive, PPN 483-15-026, General Industrial Zoning. Site Plan Approval for Addition.

Chairman McGrath stated Applicant is here, yes he is.

Good Evening, my name is Tony Cerny, Architectural Design Studios we are the Architects for the project. Mr. Cerny stated the owners are proposing to put an addition on the facility to provide additional space in which to operate their business. Mr. Cerny stated we received several comments back from the City, from the Engineer and we generated a sketch showing a response to some of them.

Mr. Cerny presented sketch.

Mr. Cerny stated the issues that were cited, the a five foot setback as from what we understand we a spoke he guessed with the Assistant Engineer over the phone on that and he indicated that if we stripe off the area paving against the building to provide that 5' setback that would be consistent with what the City would be looking for so one of

the items that we have shown on the sketch is along that western boundary which is both the existing building and the addition, we have indicated a 5' wide walk strip and stripped it off. Mr. Cerny stated the next one was site plan information, part of what we submitted is not our finalized construction site plan, we still have to do stormwater design, we still have the soil erosion control, things like that, we are here just to make sure that the addition itself is basically acceptable and that there aren't any unusual requirements that the City is going to have before we proceeded with completing all the documentation so we are looking for approval contingent upon Engineering Approval for the project. Mr. Cerny stated parking area, access drives to be designed and graded, he wasn't quite sure based on the comments if, if we are deficient in any way if they are, they just need to be identified so they can respond to that, next one, parking areas should be arranged and marked to provide orderly and safe parking. Mr. Cerny stated we are really not changing the parking lot except as we add the addition to the back, we are extending the existing pavement on the side of the building that will be concrete and curbed to comply with the City's requirements and then the last one, the loading facilities we just identified on the site plan an area roughly 12 x 40 which is consistent with the minimum size of the loading area which is currently the area the owner uses to load and unload vehicles servicing the building.

Chairman McGrath stated Thank You, to the Engineer, any comments please.

Mr. Merdes stated in regards to the, the grading, a does this parcel and the existing conditions allow water to flow from one property to an adjacent property.

Mr. Cerny stated will, what we will essentially be doing is we will trap all the water that we are going to be generating from the addition and from the additional parking and run that through the storm system, we won't be altering any of the additional grading on, on the lot so as he understands the lot currently sits a little bit higher than the adjoining property so there is drainage from the lot in the back that goes on to adjoining properties which is consistent with the way it's been since it was developed, we won't be altering that, any new drainage will be, will be gathering it and running it through the storm system.

Mr. Merdes stated from the report he, he did, the original submittal you provided, this drawing tonight and the narrative you just went through, your not, you don't have any, you don't think there is any issue with any of those comments, that upon complete engineering drawing all those will be addressed, you don't find an issue with complying with any of those parts of the Code.

Mr. Cerny stated no, as far as he can tell, we will provide any storm detention that we need to, he suspects that we are going not generate enough additional water that we are not going to be able to run it through the existing discharge pipe off the site, we will provide some diagrams for erosion control during construction and from what he understands the other two they are really not applicable to the site because the area in the question that were, that were disturbing is relatively small. Mr. Cerny stated thinks there was, think they might have decided on here, they might have pulled the section off regarding post water construction, post construction water, can't find it, yeah, so, yeah we have no problem complying with the stormwater and erosion control for the project and we will provide additional documentation to meet your approval.

Mr. Merdes stated he guessed, he needs a clarification, as to, the applicant stated that some of the existing property, the way it is arranged and built and currently drains, the drainage pattern is currently to allow some of the water to cross the property line and.

Mr. Cerny stated that's, if he can just clarify, none of the water from the building and the parking lot crosses the parking line.

Mr. Merdes stated okay.

Mr. Cerny stated property line, it's just undeveloped section of the property currently has a drainage pattern that crosses onto other parcels.

Mr. Merdes stated okay, oh so.

Mr. Cerny stated so were not taking any water that's, that's generated on developed site and running it across any property lines.

Mr. Merdes stated okay, that, he misunderstood then, essentially you are talking about a, a few feet on the a along the western side and, and perhaps the setback 10' on the eastern side.

Mr. Cerny stated correct and then, then whatever's in the back of the lot so.

Mr. Merdes stated okay, that will be fine.

Mr. Merdes stated and he believes that his comments have all been addressed a, between the applicant's responses and his brief review of, of the sketch which was provided tonight. Mr. Merdes stated and of course if Planning Commission decides to approve it, at the Planning phase the detail drawings still need to be submitted to the Engineering Department and the building addition drawings to the Building Department for, for our final approval prior to their construction.

Chairman McGrath stated that having been said are you satisfied relative to Site Plan Approval at this time.

Mr. Merdes stated yes.

Chairman McGrath stated Thank You.

Chairman McGrath stated Building Department anything please.

Mr. Alvarez stated he just had one comment if he can maybe, he, you have accessible parking space.

Mr. Cerny stated yes.

Mr. Alvarez stated on the west side, is that the door near to that parking space is that like a, he doesn't want to say main entrance but that's, that main entrance into the building.

Mr. Cerny stated yes, there are several entrances, the addition we are putting on is actually separate on the inside from the existing building, there is not currently going to be a interior connection even though it's all one owner, he is separating functions on the inside a so we have two entrance points over there to the new section.

Mr. Alvarez stated okay, so what he is getting at is so if someone was handicapped and they parked there they could easily access into the main building.

Mr. Cerny stated yes.

Mr. Alvarez stated be accessible and everything else that they need, well in that case that's fine, he doesn't have any further comments and upon approval you know like the City Engineer said a submit 3 sets of construction plans to his office for review.

Mr. Cerny stated complete documentation.

Mr. Alvarez stated no other comments.

Chairman McGrath stated Thank You, anyone on the Commission, any comments, questions, concerns.

Chairman McGrath stated anyone in the audience, comments, questions, concerns, motions.

Don Willey stated Mr. Chairman, motion to approve.

Chairman McGrath stated motion to grant Site Plan Approval.

Don Willey stated Site Plan Approval.

Victor Bull stated second.

Chairman McGrath stated moved, is there a second.

Victor Bull stated second.

Chairman McGrath stated moved and seconded, any further discussion, Secretary please call the roll.

Roll call: Yeas: Three - Bull, Willey, Chairman McGrath. Nays: None. Motion carried.

Mr. Cerny stated Thank You very much.

Chairman McGrath stated Good Luck to you.

City of North Royalton Recreation Department, North Royalton Memorial Park, 14788 State Road, PPN 487-08-003, Public Facility Zoning. Approval to construct 715' of 6' high galvanized chain link fence on south property line, at east end installed on line to jog then 10' off and continue along property line west, 25' off to Soccer Field Fence.

Chairman McGrath stated Thank You and the Applicant is still here, please Mr. Swim step forward again please.

Chairman McGrath stated is there anything further that you would like to add since our discussion at the Public Hearing.

Mr. Swim stated not at this time.

Chairman McGrath stated and Mrs. Uffman Kirsch had made a suggestion relative to not closing off the southwest corner where it abuts the Soccer Field, what were, what were your comment be to that.

Mr. Swim stated yes, well that's fine with him, like he said, we might, we might consider at a later date of continuing that down to the School property to their Soccer Fields that are fenced in and if we find that we want to continue to the Soccer Field that jog he means we can always put that in at a later date to.

Chairman McGrath stated okay, Thank You.

Chairman McGrath stated and to any of the residents that expressed a concern earlier about the fence, would leaving that area open be beneficial to you in any respect and again for record keeping purposes, he will need you to step up say yes or no and just let us know if that helps or doesn't help, if there is anyone that has a thought please.

Mrs. Maichrye stated she has a question on that.

Chairman McGrath stated step forward state your name, same.

Patty Maichrye 5960 Akins. Mrs. Maichrye stated you Mr. Swim, you are right now saying that you are willing to leave that fence open now but then you said in another sentence we might put the fence all the way down to the School Property, does that mean will we have access to the park or are you going to completely block us out.

Mr. Swim stated at this time he, he really doesn't know, he doesn't know what the plan is, he means there is no plan to go any further right now.

Chairman McGrath stated that would be another application, there would be another notification, that would be a separate process, we are only talking about this section of fence at this time.

Mrs. Maichrye stated then she offers this, if it is only a couple of the property owners that want it, stop it at the pond then, why spend the extra money.

Chairman McGrath stated Mr. Swim, would that accomplish what you are trying to accomplish.

Mr. Swim stated well it would accomplish keeping the people from going into the backyards of the three residents.

Chairman McGrath stated it would or would not.

Mr. Swim stated well it would, not to say they wouldn't walk around the end of it there and into the backyards.

Mrs. Maichrye stated may she.

Chairman McGrath stated please.

Mrs. Maichrye stated with that last comment that he made, he just basically said.

Chairman McGrath stated you need to speak into the microphone please.

Mrs. Maichrye stated okay does she need to say her name again.

Chairman McGrath stated no.

Mrs. Maichrye stated okay, then that last comment that he just made even with the fence going 715' doesn't, isn't going to guarantee that people aren't going to come across.

Chairman McGrath stated well with all due respect and not to be flip, there are no guarantee on anything in life anymore you know.

Mrs. Maichrye stated Thank You.

Chairman McGrath stated there's, there's, just isn't.

Mrs. Maichrye stated that's what she is saying.

Chairman McGrath stated but we make the best attempt that we can and, whether it's a 6' fence or a 16' fence if someone wants to get over it, around it, or under it, they probably in some fashion are going to do that by this, by the, on the other hand we have an obligation by virtue of an Oath of Office that we have all taken to do what's in the best interest, to the best of our ability for the City and that's what we are trying to do tonight.

Chairman McGrath stated Mr. Swim back to the question of, what's the maximum, minimum, what do we want to do with this fence to make it work most effectively, most cost effectively, most effectively for the City and most accessibly for the residents.

Chairman McGrath stated and he knows he is asking you to shoot from the hip.

Mr. Swim stated right.

Chairman McGrath stated but that's, that's where we are.

Mr. Swim stated a, he suggests going from the southeast corner up to, past the lake, he thinks we should go the whole 700'.

Chairman McGrath stated but not wrap the corner.

Mr. Swim stated right.

Chairman McGrath stated Thank You, Mrs. Uffman Kirsch, did you want to add something.

Mr. Chairman, Councilman Uffman Kirsch she was just thinking out loud here, what would, if we just go up to the pond or just beyond, she don't, she is not, she doesn't know if this is to scale and if it was

anyway she wouldn't know the difference, what she is wondering is if we see if that works right now and would it be cost effective or not to go further later, how much more are we talking here, she doesn't even know how you put up fences, can you stop and then start again.

Mr. Swim stated sure.

Mrs. Uffman Kirsch stated you can, okay, so you can add on.

Mr. Swim stated let's see, one, two, three, four.

Mrs. Uffman Kirsch stated are those 100 foot lots.

Mr. Swim stated roughly 400' so at 400' we would stop, so it's probably or 350 he is not sure, are you property lines 100.

Someone stated 80.

Mrs. Uffman Kirsch stated 80.

Mr. Swim stated well we are looking at 240' for these first three properties plus whatever it is from here to here which he doesn't have off the top of his head.

Mrs. Uffman Kirsch stated so if we, theoretically if the Commission is looking at that plan, if we theoretically stop at the, you don't have numbers on these, she happens to have addresses here, a she doesn't know, there is no way she can give you a reference point from here, are you talking here Ed, she is sorry Mr. Chairman, but she has to show him the plan here.

Mr. Swim stated the first three, so here.

Mrs. Uffman Kirsch stated okay.

Mr. Swim stated that would be the one, this would be the three.

Mr. O'Donnell stated could he recommend that you try to explain what here means and there means.

Mrs. Uffman Kirsch stated she knows, she said she is sorry, she is trying to find a reference point for you but they aren't numbered on your plan, a, let me ask the question are we thinking about stopping at the easterly boarder of the pond or the westerly boarder, let's first get that cleared up.

Mr. Swim stated the westerly boarder.

Mrs. Uffman Kirsch stated okay, so we are talking about carrying it all the way down to the westerly edge, so and so the difference between what it is now, if we take out that connection, the jog.

Mr. Swim stated uh um.

Mrs. Uffman Kirsch stated and we stop it, what would be close to the, she has no way of telling the Commission what lot number this is.

Don Willey stated it is about 80', pardon me Mr. Chairman it would be 80'.

Mrs. Uffman Kirsch stated yeah, the westerly edge of the pond there.

Mr. Swim stated somewhere in there.

Mrs. Uffman Kirsch stated how, we are talking about 50' difference really or so.

Mr. Swim stated probably a little more than that about 100.

Don Willey stated about 80.

Chairman McGrath stated 50 to 80' appears to be on the drawing.

Mrs. Uffman Kirsch stated yeah, she doesn't know if that makes any difference or not.

Chairman McGrath stated he personally thinks your first suggestion which seemed agreeable to most people in the room was, was a valid suggestion to go to the east, the western end but not to wrap the corner just go straight out and terminate rather than making that connection.

Mrs. Uffman Kirsch stated uh um.

Mr. O'Donnell stated Mr. Chairman.

Chairman McGrath stated Mr. O'Donnell please.

Mr. O'Donnell stated you know they have different kinds of access and he was speaking to the Engineer about this earlier during the Public Hearing is it, is it, he knows it's possible but is it, would, would you consider at some point maybe in the pond area having ever see the, in Sports Field they have the fences come to point and it's wide enough for maybe 36" wide for person to go through but then there's another fence on the opposite side, you if you are looking at the fence it almost looks like a continuous fence.

Mr. Swim stated uh um.

Mr. O'Donnell stated he wouldn't call it a gate but it's an opening and you slither through like.

Mr. Swim stated constructed off center.

Mr. O'Donnell stated yeah.

Mr. O'Donnell stated it's, it's an opening, people can go through it, you can certainly close it off later by putting a couple links in-between if you had to, but that way there would be access and if people are standing by the pond looking over they will see what looks like a fence a continuous fence and then of course the location of that opening you know would have to be decided.

Mrs. Uffman Kirsch stated Mr. Chairman.

Chairman McGrath stated please.

Mrs. Uffman Kirsch stated Mr. Swim and she had talked about that she believes earlier where we were talking if you look on your plan the other option was Mr. O'Donnell what you are saying, taking that fence all the way down past the eastern most beginning of the soccer fence so it kind of just continues on down there so that they, they don't connect but they cross each other, she means now we are going the other way of what the residents suggested but we are considering all options here.

Chairman McGrath stated just a moment please.

Mr. Chairman Denise Bobulsky, Councilwoman.

Chairman McGrath stated we are changing the tape.

Denise Bobulsky, Council Ward One, past member of the Rec Board when all this issue first came up, Ed Swim and she were just discussing it, she believes it was Rec Boards original intent to take the fence just to the pond when all the discussion first occurred, she thinks we were getting more input from the residents and then everything just started to snowball a little bit.

Chairman McGrath stated took on it's own life.

Mrs. Bobulsky stated yeah, it started taking on a life of it's own, but she thinks originally when the whole discussion began it was going to go just to the pond, if that helps.

Chairman McGrath stated Thank You, actually it doesn't but Thank You.

Mr. Swim stated it went up to the pond.

Mrs. Bobulsky stated it was just up to the pond, they weren't real specific.

Chairman McGrath stated Thank You, okay Mr. Swim back to, can you live with, can you live with a fence that goes to the western end that doesn't wrap the corner.

Mr. Swim stated sure.

Chairman McGrath stated Thank You.

Chairman McGrath stated is there any resident that has a problem, any resident in the room that has a problem with doing it that way.

Chairman McGrath stated yes please, step forward, state your name, tell your, your problem.

Anna Moskalow, 5992 Akins. Mrs. Moskalow stated if it's going, if there is going to be an opening near the Soccer Field, she is just wondering if we are not going to end up having the same problem that the other residents had in the sense that, whoever is going to be going out that way, will be cutting across properties to get back to their own property.

Chairman McGrath stated he doesn't know.

Mrs. Moskalow stated you don't think so.

Chairman McGrath stated he doesn't know.

Mrs. Moskalow stated you don't know, neither does she.

Chairman McGrath stated he, he.

Mrs. Moskalow stated she is just wondering about that.

Chairman McGrath stated he, he can tell you from his point of view, just as an individual, he would want the whole thing done, he wouldn't want to leave any openings but that's him and his yard, if you are putting up a fence you are putting it up to keep inside things in and outside things out, if you leave openings in the fence in his personal private mind you are defeating the purpose of the fence but in an attempt to make it work for everybody in the room if, if an opening in the fence makes more acceptable and more workable then so be it.

Mrs. Moskalow stated personally she would prefer it to stop at the pond.

Chairman McGrath stated Thank You.

Chairman McGrath stated anyone else wishing to be heard, please.

Mrs. Maichrye stated can, can the neighbors discuss this map.

Chairman McGrath stated no, no, it's.

Mrs. Maichrye stated all right the fence, would you have the problem Mr. Swim if we stopped it here before it came to the pond and run it right into the pond.

Mr. Swim stated yes.

Mrs. Maichrye stated why would you have a problem then.

Mr. Swim stated well he means you are cutting off the end of the pond, people walk around the pond.

Chairman McGrath stated you are also creating a liability from his point of view, you are creating a liability issue because people are going to be ducking around the end of the fence and fall into the pond, he doesn't want to be any part of any group that, that created that situation.

Mrs. Maichrye stated okay, then how about if you dog eared this fence about 25' down the parking lot Mr. Swim, make a dog ear with way, this way if you want to walk they will think twice.

Mr. Swim stated he would say no, he would rather see a fence just go straight down and end at a certain place and then if we have a problem then we would just continue the fence on our property line.

Chairman McGrath stated Thank You and since you are the Applicant, it's your application and we will consider it in the fashion that you wish to have it considered.

Mr. Swim stated okay.

Chairman McGrath stated Thank You.

Chairman McGrath stated so you are asking us to to consider it in what fashion, where do you want it to begin and where do you want it to end please.

Mr. Swim stated well we applied to take it all the way down.

Chairman McGrath stated understood.

Mr. Swim stated he would like to see it at least go down the 700' or roughly there of without the jog over to the Soccer Field.

Chairman McGrath stated Thank You very much.

Chairman McGrath stated is there anyone else wishing to be heard.

Chairman McGrath sated any comment form the Engineer.

Mr. Merdes stated no comments.

Chairman McGrath stated Thank You, any comments from the Building Department.

Mr. Alvarez stated no comments.

Chairman McGrath stated any comment from the Law Department.

Mr. O'Donnell stated yeah he guessed the only comment, Ed if you get permission to put, put it down the 700' would you consider stopping at some point or is it not cost effective, you know what he means, there have been suggestion stop at the east end of the pond or stop a little shorter see how it works, even though you have permission but could you break it up like that.

Mr. Swim stated sure we could stop, stop it he means before he, we could go roughly 500'.

Mr. O'Donnell stated he means you have an estimate.

Mr. O'Donnell stated right you have an estimate of x amount of dollars will that change if you only do part of it and then come back and do the rest of it.

Mr. Swim stated right, yes, and it's per foot, it's per foot, the price is per foot, so if we decided to 200' it's per foot, it's the same price if we do the 700' so, it's a per foot price.

Mr. O'Donnell stated so he would recommend that if the Commission is so inclined to grant permission to build it for the 700' and then let the Rec Director to have the discretion to sort of accommodate some of the needs of the neighbors and try the 400' or 300' and see how it works, work with the Police Department, if they say it's not working then he has got permission to do the rest of the fence, he means.

Chairman McGrath stated sound like a workable motion.

Mr. O'Donnell stated it's, you know the whole goal here is to try to meet as many of the needs of the residents as we can but if it doesn't work and the kids are going around the fence then he has got to have the ability to put the fence farther down, some kids obviously are still going to make a run for it and some will make it and some won't.

Chairman McGrath stated Thank You.

Mr. O'Donnell stated you know we are all learning about fences today, we found out where the North Gateway, Cleveland.

Chairman McGrath stated oh.

Mr. O'Donnell stated the lake, etc.

Chairman McGrath stated Thank You.

Chairman McGrath stated anything else from the Commission anything else from the audience, any motions.

Don Willey stated Mr. Chairman.

Chairman McGrath stated Mr.

Don Willey stated he makes a motion to approve the application as received and that at the discretion of the parks, Parks Board.

Chairman McGrath stated Recreation Director.

Don Willey stated Recreation Board that they may alter that to shorten the length of that if they deem it necessary.

Chairman McGrath stated he believes that the Recreation Director.

Don Willey stated at the discretion of the Recreation Director.

Chairman McGrath stated Thank You.

Chairman McGrath stated is there a second.

Victor Bull stated second.

Chairman McGrath stated moved and seconded is there any further discussion, Secretary please call the roll.

Roll call: Yeas: Three - Bull, Willey, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated that is approved as specified.

Miscellaneous

North Coast Drilling Service, Inc., Realty One - Sprague Road and York Road. Approval for installation of a 1" pre pack well, the finish cap on the well will be 6: flush mount followed by a 2 x 2 concrete pad.

Chairman McGrath stated is the Applicant here this evening. Chairman McGrath stated is the Applicant here this evening for Northcoast Drilling.

Chairman McGrath stated motion to table.

Chairman McGrath stated does the Engineer have a comment please.

Mr. Merdes stated yes he will attempt to speak for the Applicant, this application is to install two prepackaged monitoring wells in the right of way on the east and west side of York Road. Mr. Merdes stated the Applicant states that it is being done to comply with the State of Ohio BUSTR Regulations, BUSTR being the Bureau of Underground Storage Tanks and they have provided us with a drawing of monitoring well in total it appears to be 15' deep and he is looking for a diameter it doesn't, 6".

Chairman McGrath stated and you would recommend.

Mr. Merdes stated let me see, he had a reviewed the well and found it, it could be acceptable, he did have attached to his report a sample agreement that was entered into in the past which spelled out some of the responsibilities between the, the City and the Company then that installed well and he thought that would be a good idea to have a similar agreement in place.

Chairman McGrath stated and did you raise the question of abandonment.

Mr. Merdes stated yes, he could not find either in the agreements nor in what was submitted essentially any information that spoke to the abandoning of the, of the well when it was no longer needed a, he would like that also to be the responsibility of the the Applicant to properly abandoned the well which a, in his opinion would be removing the casing and filling the well with low strength mortar.

Chairman McGrath stated within a certain time frame.

Mr. Merdes stated within two months after it was no longer needed, he is not certain, he would say, yeah, within a couple months of, of when it's no longer required by the Applicant or by the Bureau of Underground Storage Tanks.

Chairman McGrath stated Thank You.

Chairman McGrath stated Building Department anything.

Mr. Alvarez stated no comment.

Chairman McGrath stated Thank You.

Chairman McGrath stated Law Department anything.

Mr. O'Donnell stated no comment.

Chairman McGrath stated Thank You, questions from the Commission, questions from the audience, motions.

Don Willey stated a Mr. Chairman he has just one, one quick question.

Chairman McGrath stated certainly.

Don Willey stated to the Engineer.

Don Willey stated what is the duration of this test, he, he didn't see that, is that like for two months or a period of time this a, it didn't indicate that either in the access agreement that was prepared in November of 1994 and.

Mr. Merdes stated right.

Don Willey stated or does that depend on the results.

Mr. Merdes stated he also didn't see that and don't know if at this site the previous monitoring wells that were provided a decade ago if they are still being sampled or, or they have been abandoned and these are, are new ones in new locations for sampling and like he, you said he also could not find, a, a, time frame specified in their in the information they supplied to the Commission.

Mr. O'Donnell stated Mr. Chairman.

Chairman McGrath stated Mr. O'Donnell please.

Mr. O'Donnell stated that was an excellent question, he recalls that they had some test wells around the corner, around the whole corner and they put in all kinds of plantings and things to absorb chemicals and what not and that's in the last six years since he has been here, a it seems to him this is a typical thing that we almost just you know slam and approve it but why, why don't you table this let the Engineer try to find out how long they are going to keep this in existence and what have they done about the previous ones that they had, did they cap those or close those off or are they continuing to monitor those a, those would be excellent questions he thinks to ask and then maybe at the next Planning Commission we will have that information and maybe they will even send a Representative that would be novel and a.

Chairman McGrath stated real people.

Mr. O'Donnell stated and a, then we can put this thing to bed, but those are pretty, the contamination issue is, is a hot issue now with some of the properties that the City is involved in where we had some takes and so he is actually interested in how these wells work, what they do so he wouldn't mind hearing from them or having them appear at the next Planning Commission he doesn't think it will take much to get this resolved.

Chairman McGrath stated Thank You, is there a motion to table.

So moved Don Willey.

Second Victor Bull.

Chairman McGrath stated moved and seconded, Secretary please call the roll. Roll call: Yeas: Three - Bull, Willey, Chairman McGrath Nays: None. Motion carried.

Ms. Fashempour stated okay, she has three items that she would like one motion to add the three items to the Agenda and then she will split them down and explain each one as we go, the one motion would be to add to the Agenda the refund to Zillich, the refund to R & R, Milenkovich and the discussion of Worthington for the Landscape Plan, if she could have one motion to add them.

Chairman McGrath stated motion, he moves, he moves to add those three items as, as referenced by the Secretary.

Victor Bull stated second.

Chairman McGrath stated moved and seconded discussion, Secretary please call the roll.

Roll call: Yeas: Three - Bull, Willey, Chairman McGrath. Nays: None. Motion carried.

Ms. Fashempour stated the first one, she needs a motion to refund Zillich Interiors, Inc. for the temporary project sign \$60.00, he withdrew his application, she would like to refund the money.

So moved Victor Bull.

Second Don Willey.

Chairman McGrath stated moved and seconded, discussion, Secretary please call the roll.

Roll call: Yeas: Three - Willey, Bull, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated yeah approved.

Ms. Fashempour stated the second one is a motion to refund R & R Plaza, Mr. Milenkovich, Dean Guernsey the \$60.00 for their sign because their sign was in a a Intersection Improvements at 82 and Ridge.

So moved Chairman McGrath.

Second victor Bull.

Chairman McGrath stated moved and seconded, discussion, Secretary please call the roll.

Roll call: Yeas: Three - Bull, Willey, Chairman McGrath. Nays: None. Motion carried.

Ms. Fashempour stated and the third one is, she would like a motion to amend the Supplement to the Preliminary Plan for Worthington Subdivision. Ms. Fashempour stated if you remember correctly back in July, the 20th of 2005, Ms. Pribish from Abbey Royalton LLC and Mr. and Mrs. Krebs came to agreement for a landscaping mound in the front yard of the Krebs' on Abbey Road to block, well the mound was going to be put and, and then \$1,000.00 to be given to them to put in for landscaping, since that we agree upon and, and we had changed the Supplement to the

Preliminary Plan, the Krebs' have come into a, a, an area of, personal circumstances that they can not deal with the mound at this time nor do they want it, they were able to get together with Abbey Royalton LLC, Ms. Pribish and came to an agreement, a letter that she has signed by both Daniel Krebs and Brenda Krebs and Laurie Pribish to a eliminate the mound in the front yard and still be given the \$1,000.00 to do with what they want, if you so choose, she would like a motion to amend the Supplement to the Preliminary Plan to remove the mound from the Krebs' front yard and still allow them to have the \$1,000.00.

So moved Chairman McGrath.

Second Victor Bull.

Chairman McGrath stated moved and seconded, further discussion, Secretary please call the roll.

Roll call: Yeas: Three - Willey, Bull, Chairman McGrath. Nays: None. Motion carried.

Chairman McGrath stated approved.

Ms. Fashempour stated the only other thing she has is that your next Planning Commission meeting is April 26th, 2006 and she has nothing else.

Chairman McGrath stated here weeks from tonight. Chairman McGrath sated have a wonderful Easter.

Adjournment

Chairman McGrath stated he moves to adjourn.

Don Willey stated so moved.

Don Willey stated second.

Chairman McGrath stated moved and seconded Secretary please call the roll.

Roll call: Yeas: Three - Bull, Willey, Chairman McGrath. Nays: None. Motion carried.

Ms. Fashempour stated Thank You.

Chairman McGrath stated we are adjourned.

Planning Commission Meeting for Wednesday, April 5, 2006 adjourned at 9:08 P.M.

Approved: Edward McGrath
Chairman - Planning Commission

Attest : Brenda Lynn Fashempour
Secretary - Planning Commission

Date : April 26, 2006