

Planning Commission Caucus - 7:11 P.M. - Wednesday, November 21, 2007
Present: Chairman Tony Sandora, Anne Reinkober, Victor Bull, Don Willey, Council Representative to Planning Commission, Clark Merdes, P.E., City Engineer, Rito Alvarez, Building Commissioner, Brenda L. Fashempour, Secretary, Mayor-Elect Robert A. Stefanik, Larry Antoskiewicz, Ward Five, Nick Cinquepalmi and an at&t Representative.

Regular Meeting

Call to order.

Roll call.

Opening Ceremony - Pledge of Allegiance.

Approval of minutes - November 14, 2007 - No Action.

Old Business

C & C Management Group - Carlo Chiuchiarelli, tabled, no action.

Tony D'Abramo - tabled, no action.

Tony D'Abramo - tabled, no action.

Nick and Rosa Carosielli - tabled, no action.

Timberlane Estates Phase V - tabled, no action.

Ordinance No. 07-73 - tabled, no action.

York/Royalton LLC, Villas of Worthington, tabled, no action. Ms.

Fashempour is going to ask for a ninety day time extension from Council.

Ohio Catholic Federal Credit Union, tabled, no action. - BZA

Salon Pink, signs approval, tabled, no action. - BZA

Michael and Alice Walsh, tabled, no action. Ms. Fashempour is going to ask for a ninety day time extension from Council.

Woodcroft Glen -Final Plat 2 - tabled. Ms. Fashempour is going to ask for a ninety day time extension from Council.

Ordinance 07-103 - Sign, tabled. No action.

New Business

Site Plan Approval

Stucco, Inc., Storage Building. Applicant to make presentation, discussion, motion, vote.

Sprint Com, Inc., 2 boxes, 3 new antennas. Applicant to make presentation, discussion, motion, vote.

Utility Plan Request

at&t, 5389 Royalton Road, utility request. Applicant present, presentation, discussion, motion, vote.

Miscellaneous

None

Adjournment

Ms. Fashempour explained that she would be putting on the December 5th, Agenda the Organizational Meeting. The Zoning Code states that the meeting must be held within 60 days of a General Election. Mr. Willey questioned whether it stated certification. Ms. Fashempour advised no it states within 60 days. Anne Reinkober will be leaving to join the School Board. Her last meeting will be the 12th.

Planning Commission Caucus ended at 7:19 P.M.

Chairman Sandora stated Good Evening everybody, welcome to the North Royalton Planning Commission Meeting for Wednesday, November 21st.

The **Planning Commission** of the **City of North Royalton** met in the North Royalton Council Chambers, 13834 Ridge Road on **Wednesday, November 21, 2007 in regular session. The meeting was called to order by Chairman Tony Sandora at 7:32 P.M.**

Chairman Sandora stated Ms. Fashempour please call the roll.

Present: Mayor Cathy J. Luks, Don Willey, council Representative to Planning Commission, Anne Reinkober, Victor Bull, Vice Chairman, Tony Sandora, Chairman, Rito Alvarez, Building Commissioner, Clark Merdes, P.E., City Engineer and Brenda L. Fashempour, Secretary.

Opening Ceremony - Pledge of Allegiance. Chairman Sandora stated please stand for the Opening Ceremony - Pledge of Allegiance. Pledge of Allegiance recited.

Approval of minutes - November 14, 2007 - No action.

Old Business:

C & C Management Group, LLC., **Carlo Chiuchiarelli**, 8959 Ridge Road, PPN 489-04-004/005, Local Business Zoning. Site Plan Approval. Tabled.

Ms. Fashempour stated C & C Management Group, tabled, no action.

Tony D'Abramo, **D-5 LLC**, Royalton Road, PPN 483-18-001 and PPN 483-18-017, General Industrial Zoning. Temporary Real Estate Sign Approval. Tabled.

Ms. Fashempour stated Tony D'Abramo, temporary real estate sign, tabled, no action.

Tony D'Abramo, **D-5 LLC**, Royalton Road, PPN 483-18-001 and PPN 483-18-017, General Industrial Zoning. Site Plan Approval. Tabled.

Ms. Fashempour stated Tony D'Abramo, site plan approval, tabled, no action.

Nick and Rosa Carosiella, 13862-13872 Bennett Road, TCD-1, Site Plan Approval for an Addition. Tabled.

Ms. Fashempour stated Nick and Rose Carosiella, tabled, no action.

Harry Hayes, Timberlane Farms, **Timberlane Estates Phase V**. Revised Sketch Plan Approval. Tabled.

Ms. Fashempour stated Timberlane Estates Phase V, tabled, no action

Ordinance No. 07-73 - An Ordinance accepting the Dedication of 1,621 feet of Mahican Way, 649 feet of Shawnee Circle, and 822 feet of Chippewa Path in the proposed Indian Trails Subdivision, Phase 1 from Woodhill Properties, Inc., and Declaring an Emergency. Tabled.

Ms. Fashempour stated Ordinance No. 07-73, tabled, no action.

York/Royalton LLC, **Villas of Worthington**, PUD Zoning. Revision to the Final Plan, A Plan Amendment Request. Tabled.

Ms. Fashempour stated Villas of Worthington, tabled, no action.

Ohio Catholic Federal Credit Union, 5251 Wallings Road, Local Business Zoning. Signs Approval. Tabled.

Ms. Fashempour stated Ohio Catholic Federal Credit Union tabled, no action.

Salon Pink, 13568 Ridge Road, TCD-1 Zoning. Sign Approval. Tabled.

Ms. Fashempour stated Salon Pink, tabled, no action.

Michael and Alice Walsh, York Road Rear Property, PPN 482-03-005, R1-A Zoning. Lot Split and Consolidations Approval. Tabled.

Ms. Fashempour stated Michael and Alice Walsh, tabled, no action.

Woodcroft Glen, Royalton Road, RMD Zoning. Woodcroft Glen Phase 2, Final Plat - Approval. Tabled.

Ms. Fashempour stated Woodcroft Glen, she would like to request from Planning Commission to ask Council for a ninety day time extension.

So moved Victor Bull.

Second Don Willey.

Chairman Sandora stated it's been moved and second for a ninety day time extension for Woodcroft Glen. Chairman Sandora stated Ms. Fashempour please call the roll.

Roll call: Yeas: Five - Willey, Bull, Reinkober, Mayor Luks, Chairman Sandora. Nays: None. Motion carried.

Ordinance No. 07-103 - An Ordinance amending the Codified Ordinances of the City of North Royalton, Part 12 Planning and Zoning code, Chapter 1284 Signs, Section 1284.01, 1284.03, 1284.05, 1284.07, 1284.10, 1284.13, 1284.14, 1284.15, 1284.16, 1284.17, 1284.21, 1284.23, 1284.24 and creating new sections 1284.25 through 1284.29, and Declaring an Emergency. Tabled.

Ms. Fashempour stated Ordinance No. 07-103 - tabled, no action.

New Business

Site Plan Approval

Stucco, Inc., 16330 York Road, PPN 485-03-015, Local Business Zoning. Site Plan Approval for a Storage Building.

Chairman Sandora stated the Applicant here, please step forward to the microphone, state your name, address and tell us what you would like to do.

Okay, I am representing Stucco Management and his name is Don Grossenbaugh, he is the Architect, and he lives at 8537 Avery Road, Broadview Heights. Mr. Grossenbaugh stated basically we want to add a storage building to the previously approved office expansion that they did last year and that's under construction right now and we would also like to ask for a couple minor changes from what was approved the last time through, the storage building being located back here with 160, with approximately 160' of a rear yard setback, 10.5' and 40.5' here. Mr. Grossenbaugh stated we had previously been approved the 4 parking spots over here, we would like to relocate those back closer to the rear storage building and we have two spots where and we would like to widen that just a little to the 10' setback on the sideyard.

Mr. Grossenbaugh stated this building is under construction, this part right now.

Chairman Sandora stated all rightly, do you have any building samples or anything of what, or colors or anything for that storage building, it's going to pretty much match what's.

Mr. Grossenbaugh stated exactly, the same siding, same roofing material, same brick at the base, those type of things.

Chairman Sandora stated okay, a Mr. Alvarez.

Mr. Alvarez stated Thank You Mr. Chairman, he just had a couple comments, a, just looking at your handicap signage, he kind of thought that was a little, you have it like at 3'.

Mr. Grossenbaugh stated uh um.

Mr. Alvarez stated it's not a big deal just to raise that, a, check our off street parking ordinance you might have something there or look under the ADA requirements.

Mr. Grossenbaugh stated okay, okay, that was previously approved but we have not installed that yet.

Mr. Alvarez stated right.

Mr. Grossenbaugh stated so he will take care of that.

Mr. Alvarez stated sure, he means it's not.

Mr. Grossenbaugh stated uh um.

Mr. Alvarez stated that other thing he thought he should comment on since you are adding hard surface he would imagine, do you have any idea of where you are going to have your gutter sand downspouts going.

Mr. Grossenbaugh stated that's tricky, this is, this is quite a distance to the storm sewer out front here.

Mr. Alvarez stated yeah.

Mr. Grossenbaugh stated he was hoping we could use a splash block to a retention or detention whatever his Civil Engineer recommends, because that would be an awful lot of linear feet to cover with that drop.

Mr. Alvarez stated right, he only poses that question only just to see what, what you are going to propose to do.

Mr. Grossenbaugh stated he was going to call you about that next week so.

Mr. Alvarez stated yeah, that's why he said if possible in his comments.

Mr. Grossenbaugh stated he noticed that.

Mr. Alvarez stated so that's one thing that a, comment he had on there.

Mr. Alvarez stated the only other comment he has was again, submit, as you did previously submit 4 sets of construction plans to our office for a plan review and so forth.

Mr. Grossenbaugh stated correct, we are on the agenda for the ARB Monday, he believes if this board passes us this evening to get the colors approved and all of that and then we will commit to construction documents.

Mr. Alvarez stated all right, very good, no other comments Mr. Chairman.

Chairman Sandora stated Thank You Mr. Alvarez, Mr. Merdes.

Mr. Merdes stated Thank You.

Mr. Merdes stated a, continuing with the discussion you have been having, the, the drainage of the new pavement and the building will have to collected, it won't be able to be splashed blocked, that's not allowed.

Mr. Grossenbaugh stated okay.

Mr. Merdes stated so it will have to be collected and like you said taken to a detention facility a is, is any type of detention shown on what was submitted in the application.

Mr. Grossenbaugh stated not at this point, the Engineer hasn't committed to the calculations yet since it is just a tad over one acre site, the last time we didn't need one because basically the rest of, of the site is gravel. Mr. Grossenbaugh stated there is no grass or hard surface other than what you see here, if we did commit to a detention or retention type he is sure it would fall back into this rear area, that's all woods right now, we would like to maintain that woods however.

Mr. Merdes stated he don't think your, what you are proposing is, is going to allow you not to have detention.

Mr. Grossenbaugh stated okay.

Mr. Merdes stated the one acre is not the threshold, it's, it's much smaller it might be around 10,000, 10,000 square feet.

Mr. Grossenbaugh stated okay.

Mr. Merdes stated and even a gravel surface is, is more permeable than concrete and a roof.

Mr. Grossenbaugh stated again Dalia that Consultant, the Civil Engineer on this project will do those calculations.

Mr. Merdes stated uh um.

Mr. Grossenbaugh stated actually we are looking for approval of our layout and stuff, we realize there probably will be a detention, he guessed we will have to come before the Board again to show you that location and.

Mr. Merdes stated yeah, he thinks.

Mr. Grossenbaugh stated and we did talk to inaudible and there are existing swales back here and he wanted to do some calculations to see if, if it would worked.

Mr. Merdes stated a, but normally this Board is going to see that at least schematically before they are able to approve something.

Mr. Grossenbaugh stated okay.

Mr. Merdes stated a do you have any yard screen or landscaping to go along with this new proposal.

Mr. Grossenbaugh stated not really the new proposal, there is some existing landscaping, there is some existing evergreen here, we do have a, a, board of board type wood fence here and a fence here, this is all back in the woods, basically we tried to tuck our new storage building close to that tree line, existing wood line as possible so we have alleviated ourselves from any landscaping issues on the site. Mr. Grossenbaugh stated this is abutted by a commercial property, there is a nonconforming residence in this LB District next door and his house is, well as you can see, it's up close here, pretty well blocked by this fence right now and there is a whole evergreen tree line along that now, it's all existing so.

Mr. Merdes stated uh um.

Mr. Merdes stated a yeah, in his report he had a piece of the Code copied and he guessed he will leave that to the members to decide about or to further that discussion with you.

Mr. Merdes stated a let's see.

Mr. Grossenbaugh stated is it possible that we could get approval on the site plan and come back with the detention basin.

Mr. Merdes stated he himself would like to see what's being proposed.

Mr. Grossenbaugh stated okay.

Mr. Merdes stated it's an important part of the site a in his opinion.

Mr. Grossenbaugh stated correct and we would intend for it to again back in the woods here, where nobody would see it at all.

Mr. Merdes stated uh um and he would like to also see that going back to his first comment about the pavement and having it's ability, to it's drainage to be collected and, and, and between the pavement and building

can then transport it see, to a facility and, and then see where that facility is out letting. Mr. Merdes stated and, and in doing that probably showing the topography of the land would help, we actually have a requirement to see the topography of it, he doesn't know if it's in the drawing, it's just frozen so it can't be seen.

Mr. Grossenbaugh stated right.

Mr. Merdes stated that should be, that should be shown a.

Mr. Grossenbaugh stated we do have existing surveys of the whole property now and, and all of that.

Mr. Merdes stated okay, how about that building that you are proposing, what utilities are going back to that building.

Mr. Grossenbaugh stated strictly electrical, no gas, we are going to electrically heat it, it's a, he is a Contractor and he is looking to clean up his yard actually to get some of his equipment back there plus for any jobs when he purchases material before hand he has to have that in a secure location.

Mr. Merdes stated okay, so.

Mr. Grossenbaugh stated no, no habitable space will be back there.

Mr. Merdes stated no plumbing.

Mr. Grossenbaugh stated no plumbing no, we are within 500' of the existing plumbing that, these employees are the only ones that will utilize that space anyhow.

Mr. Merdes stated uh um.

Mr. Merdes stated and how about lighting, will there be lighting on the building or light poles on the way back towards the building.

Mr. Grossenbaugh stated we have, okay, we have previously been approved for site lights.

Mr. Merdes stated uh um.

Mr. Grossenbaugh stated three, three or four.

Mr. Merdes stated uh um.

Mr. Grossenbaugh stated he does have some front spot lights here that turn out this way he had proposed over here but the owner did not want to do that on the sides so basically that will be it.

Mr. Grossenbaugh stated we do have some wall lighting here, actually he can show you real quick.

Mr. Grossenbaugh stated we were just going to do some wall sconces to match the existing ones in the front building that were already approved by the ARB and probably some spot light type fixtures up underneath the eaves to light the drive and work area, he did propose these but we are going to eliminate those on the sides.

Mr. Merdes stated okay, a and he would say that there is a one acre threshold in the Code and that has to do with post construction water quality, a, he couldn't tell, it's probably something that, that your responsible to determine if, if the site is over an acre in disturbance to build a project, then a, a Chapter of our Code is 1490 which would essentially mean that, that detention basin would have, would usually receive, there some type of water quality aspect incorporated into that and there is an acre threshold on that.

Mr. Grossenbaugh stated this 1.3 something acres, so it's just a, a little bit over.

Mr. Merdes stated uh um.

Mr. Grossenbaugh stated and again we didn't commit to the Civil Engineer thinking we could just get this site approval going because this is under construction and he wanted to get some of this put in, kind of.

Mr. Merdes stated uh um.

Mr. Grossenbaugh stated if this has been approved already up to this point and we wanted to finished that out, those types of things, this is under shell right now, he thinks he is starting to rough in the mechanicals and the electricals.

Mr. Merdes stated uh um.

Mr. Grossenbaugh stated he is not really sure where there at.

Mr. Merdes stated we do have, we have two more meetings in December and he, he means he would like to see some of these comments revised, on a revised site plan before he would recommend that, that we approve this.

Mr. Grossenbaugh stated okay, okay, he'll, he'll, he will give that information to the owner and he guessed we will get the civil engineer committed to the full contract to do all the a water quality and the detention basin location.

Mr. Merdes stated Thank You, Thank You Mr. Chairman.

Chairman Sandora stated Thank You Mr. Merdes.

Chairman Sandora stated to the Applicant, where the storage building is going to be placed now, is this, you mentioned that there was a lot of trees and you wanted to keep the trees around there for a buffering.

Mr. Grossenbaugh stated uh um.

Chairman Sandora stated are there a lot of trees that will be taken down in that area right now.

Mr. Grossenbaugh stated this is, if you look here this is the existing tree line, this is a full forest back here.

Chairman Sandora stated okay, it is a full forest so.

Mr. Grossenbaugh stated yeah.

Chairman Sandora stated you are only going to remove what's necessary and then you will, the trees that are there now will act as your buffer.

Mr. Grossenbaugh stated correct, that's what we anticipated to do.

Chairman Sandora stated okay.

Mr. Grossenbaugh stated he thinks we have to remove one or two trees but we pulled that building in front of that tree line.

Chairman Sandora stated uh um, no that was just his, his question or concern.

Chairman Sandora stated um, anybody else on the Board have anything.

Don Willey stated a, one comment Mr. Chairman.

Chairman Sandora stated Mr. Willey.

Don Willey stated that, that area down that you want to pull in the 10' right there yeah, that according to the Building Commissioner you can do that without a approval of the site plan.

Mr. Grossenbaugh stated we can do this area here.

Don Willey stated right, according to the Building Commissioner because all you are doing is modifying surface there as long as you are staying with, is that correct Rito.

Mr. Alvarez sated yeah, that's just for the parking lot.

Don Willey stated yeah, the parking.

Mr. Grossenbaugh stated okay, he would like to ask this then too, can we look at this being relocated back here because we did what to you know finish this area, we did widen the driveway to 19' but, the four originally approved parking spots to make up the 10 total are shown here, dotted in, it's too light on your drawing it didn't come out well, that's why he magic markered it here.

Don Willey stated okay.

Mr. Grossenbaugh stated these four were originally approved, we want to put them back there.

Mr. Alvarez stated you want to put them back there.

Mr. Grossenbaugh stated yes, you could barely see it and that's why he markered his in.

Chairman Sandora stated well if he could suggest, it, it, you know, the Engineer would like to see his recommendations on, on your drawings.

Mr. Grossenbaugh stated okay.

Chairman Sandora stated okay, why don't you just make the changes and submit whatever, you know how you are going to do it at that time.

Mr. Grossenbaugh stated okay, do the calculations on the detention.

Chairman Sandora stated right, you do your calculations and everything you are going to do, where you are going to move that and where you want to move your parking spaces in that other area, why don't you just move it and everything will be done and at one time.

Mr. Grossenbaugh stated right, well we, we want to put the utility underground, he has the power company coming right now but he didn't want to pour this.

Chairman Sandora stated right, right.

Mr. Grossenbaugh stated okay, so we will not pour that at this time.

Chairman Sandora stated just show it, right Clark.

Mr. Merdes stated that should be fine.

Mr. Grossenbaugh stated okay.

Chairman Sandora stated is that okay, it's that.

Mr. Grossenbaugh stated yeah, that will be fine here as long as we don't have to inaudible.

Chairman Sandora stated and then everybody can get a better picture of what you know, what's going on over there and what exactly you want to do and then it will all be on paper.

Mr. Grossenbaugh stated Dalia the Civil Engineer said it would probably be a very small detention area that would be back there so.

Chairman Sandora stated um uh, well whatever the calculations are.

Mr. Grossenbaugh stated correct, we have already talked about that.

Chairman Sandora stated, okay, anybody else on the Board have anything, anybody in the audience have anything on this.

Chairman Sandora stated he will make a motion to table this.

Victor Bull stated second.

Chairman Sandora stated it's been moved and seconded, Ms. Fashempour please call the roll.

Roll call: Yeas: Five - Bull, Reinkober, Mayor Luks, Willey, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated you are still scheduled for the Architectural Review Board on Monday.

Mr. Grossenbaugh stated correct.

Chairman Sandora stated so why don't you a you know go there, plan on going there, make your presentation, they have any comments or concerns when you come back you can incorporate those.

Mr. Grossenbaugh stated okay.

Chairman Sandora stated and you know it will be a step.

Mr. Grossenbaugh stated that will work, again they have already approved the front building, we are going to make exactly the rear building, it's a pretty simple gabled building, okay Thank You Board.

Chairman Sandora stated, Thank You, have a nice Thanksgiving.

Mr. Grossenbaugh stated all of you do the same.

Sprint Com, Inc. 4049 Wallings Road, Public Facility Zoning. Site Plan Approval for 2 boxes, proposing 3 new antennas.

Chairman Sandora stated is the Applicant here, Sprint.

Chairman Sandora stated it will remain on the table.

Ms. Fashempour stated she will need a motion to table it.

Chairman Sandora stated motion to table.

Second Victor Bull.

Chairman Sandora stated it's been moved and seconded, Ms. Fashempour call the roll please.

Roll call: Yeas: Five - Reinkober, Mayor Luks, Willey, Bull, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated tabled.

Utility Plan Request

at&t proposed to place an above ground cabinet within an easement near 5389 Royalton Road - Approval.

Chairman Sandora stated the Applicant is here, step forward, your name, your address and what you would like to do.

My name is Joe Kilcoyne, and his address is 13530 Old Pleasant Valley in Middleburg Heights.

Mr. Kilcoyne stated and we are proposing to place a low profile cabinet in an easement at 5389 Royalton Road. Mr. Kilcoyne stated it is east of State and south of 82, just across from the McDonald's. Mr. Kilcoyne stated he visited the site this afternoon and this one is a, this one is definitely a good site, there is a lot of natural landscaping that is there now or was probably placed when they built the Swan Lake Development but a it's grown in pretty good and then a we are adding some landscaping around to further buffer it.

Chairman Sandora stated okay, Mr. Merdes do you have.

Mr. Merdes stated Thank You Mr. Chairman, a if this is approved by the Board a before you do the work a permit is required.

Mr. Kilcoyne stated correct.

Mr. Merdes stated plans by a Registered Engineer are required to receive the permit, you will need to perform all work in accordance with the City's Codified Ordinances, contact the City Engineering Department 72 hours prior to commencing, fulltime inspection is required for all work performed within the City right of way and that's billable to the Applicant, all areas of disturbance are required to be restored, no opening cutting of the pavement is allowed, sidewalks, replacement in full slabs only, videotaping of the work area is required prior to doing the work, provide a copy of the video to the City and all homeowners along the installation shall be given 48 hours of written notice and submit a copy of that to the City.

Mr. Kilcoyne stated okay, understood.

Mr. Merdes stated Thank You, Thank You Mr. Chairman.

Chairman Sandora stated Thank You Mr. Merdes.

Chairman Sandora stated Mr. Alvarez do you have anything.

Mr. Alvarez stated Mr. Chairman, he doesn't have any comments.

Chairman Sandora stated Thank You Mr. Alvarez, anybody else on the Board have anything.

Chairman Sandora stated anybody in the audience have anything on this, Sir, step up to the microphone.

My name is Charles Ayers, 14010 Swan Lake Boulevard in North Royalton. Mr. Ayers stated his concern is a first of all nobody is going to deny their request for the box, but as it is staked, when they put in that slab one tree out of five or six that line that front, it is going to be destroyed, it's going to have to be moved or removed, he is requesting that they move the tree, that they cut along the west side of the tree where the slab is going to be located, it's going to disturb the roots and probably kill the tree, he also request that when they put in the box that the east, south and west side of that box be landscaped with some type of shrubbery that's 1, yes, it's going to be an eyesore for everybody along Swan Lake Boulevard, our backyards are open to that and ours is the first house.

Chairman Sandora stated have you seen the landscaping plan Sir.

Mr. Ayers stated yes, his only concern is that they follow it, that's why he is here.

Chairman Sandora stated that, he is sorry.

Mr. Ayers stated his only concern is that they follow this.

Chairman Sandora stated oh yes.

Mr. Ayers stated they bare the cost of it or pay for it, the Association Landscaper to do the work whatever is worked out.

Chairman Sandora stated will there be, the tree will have to be removed as the gentleman has stated.

Mr. Kilcoyne stated well he will tell you, it is close.

Chairman Sandora stated uh um.

Mr. Kilcoyne stated like he said he was out there, but that, that pad shouldn't impede on, on that major root system.

Chairman Sandora stated well he makes a good point though is it's going to be close to the roots and it's going to kill that tree, then, then something should be probably be done with it at this point in time if it's that close and it's going to be in the way.

Mr. Kilcoyne stated okay.

Mr. Ayers stated the west, the west side of that slab is going to come within a foot of the base of the tree which means it's a domed area anyway those roots are going to be severed that's the only way you can get a slab.

Chairman Sandora stated can you get with your landscaping people and have them remove that tree, grind it out, whatever needs to be done there and just do away with it because there is no use, you would be going through that, that work, just, destroying that, disturbing and destroying that tree and then only down the line it's going to die and then we have a problem with that.

Mr. Kilcoyne stated and then, and then we would have to come out and take out the tree.

Chairman Sandora stated so why don't we just do it know, is that, is that doable.

Mr. Kilcoyne stated it is doable, if you want it taken out, we can take it out, surely.

Mr. Ayers stated he doesn't want it taken out, he would rather it be moved, there is a line of six trees there they have been planted, they are all matured, they are all wind breaks for the area and taking out that end tree.

Chairman Sandora stated how, how tall is that tree.

Mr. Ayers stated pardon me.

Chairman Sandora stated how tall is that tree.

Mr. Ayers stated it's approximately 35'.

Mr. Kilcoyne stated it's a, yeah it's a good at least 25', yeah.

Mr. Ayers stated but they are all the same age, they are all, they were all put in when the development was put in and they are probably you know.

Chairman Sandora stated well that's a pretty tall tree to try and, to try and move and try to adjust.

Mr. Ayers stated Davey's move those trees all the time you know they just spade and move them over so.

Chairman Sandora stated well.

Mr. Kilcoyne stated no what we, he thinks a better.

Mr. Ayers stated they could move, they could move it over, they could move the slab over probably 2.5' and eliminate the whole problem then it wouldn't be between the two trees.

Chairman Sandora stated is that, can you.

Mr. Kilcoyne stated that sounds much more preferable.

Chairman Sandora stated do you have any problem with that Mr. Merdes.

Mr. Merdes stated he agrees.

Mr. Kilcoyne stated yeah we like, we like the idea that they were, how would you say, perpendicular, we wanted the, the two boxes, because there is an existing box there now.

Chairman Sandora stated right.

Mr. Kilcoyne stated on an existing pad and we did like the idea that they would be lined up, just.

Mr. Ayers stated he means you can't, you are not removing the original one that's there, you are just going to piggyback it with another one.

Mr. Kilcoyne stated correct.

Chairman Sandora stated okay so then you could move it the way it, they suggested away from that tree, piggyback them and that's not a problem.

Mr. Kilcoyne stated nope.

Chairman Sandora stated okay and it that okay with you Mr. Merdes.

Mr. Merdes stated yes.

Mr. Kilcoyne stated he thinks he is right.

Chairman Sandora stated that saves your tree.

Mr. Ayers inaudible.

Chairman Sandora stated okay.

Mr. Kilcoyne stated he was, yeah, he was out there, all the trees are the same size, they are, they are really beautiful, he means, there, there really, it's nice screening out there.

Chairman Sandora stated okay, all right, it sounds like it will work then.

Mr. Kilcoyne stated yeah.

Mr. Ayers stated Thank You.

Chairman Sandora stated okay, anybody else on the Board have anything.

Chairman Sandora stated anybody else in the audience have anything.

Chairman Sandora stated he will make a motion to approve a the proposed above ground cabinet for at&t at 5389 Royalton Road on the condition that they line it up and save the tree that's there.

Don Willey stated second.

Chairman Sandora stated it's been moved and seconded, Ms. Fashempour please call the roll.

Roll call: Yeas: Five - Willey, Bull, Reinkober, Mayor Luks, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated Good Luck.

Mr. Kilcoyne stated okay, Thank You.

Miscellaneous

Ms. Fashempour stated she has nothing under Miscellaneous.

Chairman Sandora stated nothing, he wish everybody a Happy Thanksgiving.

Adjournment

Chairman Sandora stated motion to adjourn.

Victor Bull stated second.

Chairman Sandora stated moved and seconded, Ms. Fashempour please call the roll.

Roll call: Yeas: Five - Mayor Luks, Willey, Bull, Reinkober, Chairman Sandora. Nays: None. Motion carried

Chairman Sandora stated Thank You.

Planning Commission Meeting for Wednesday, November 21, 2007 adjourned at 7:55 P.M.

**Approved: Tony Sandora
Chairman - Planning Commission**

**Attest : Brenda Lynn Fashempour
Secretary - Planning Commission**

Date : December 5, 2007