Planning Commission Caucus – 7:07 P.M. – Wednesday, April 23, 2008.
Present: Mayor Robert A. Stefanik, Chairman, Tony Sandora, Victor Bull, Thomas J. Kelly, Law Director, Vice Chairman Don Willey, Mike McCarthy, Rito Alvarez, Building Commissioner, Daniel A. Collins, P.E., Assistant City Engineer, Dan Kasaris, Council Ward Six, Tom Koch, Scott Wangler, and Brenda L. Fashempour, Secretary.
Regular Meeting
Call to order.
Roll call.
Opening Ceremony – Pledge of Allegiance.
Approval of minutes – March 12th, 2008. Motion to approve the minutes of March 12th, 2008, second, roll call.
Old Business
Planning Commission Agenda Reviewed.
Tony D'Abramo – tabled – New plans submitted. Applicant present. Remove from table, second, roll call. Presentation. If Commission decides to move forward, Ms. Fashempour would like the New Business – Lot Consolidation move forward acted on and then the Site Plan.
Timberlane Estates Phase V – tabled. No action.
Ordinance No. 07-73 – tabled. No action.
Michael and Alice Walsh, tabled. No action.
Woodcroft Glen, Ext of Woodcroft Trace, Final Plat 2, tabled. No action.
Ordinance No. 08-43 –tabled – Amendments received from Safety Committee, Discussion. Remove from table, second, roll call. Motion to approve the amendments, second, roll call. Motion to recommend to Council adoption of Ordinance No. 08-43 as amended, second. Roll call.
New Business
Lot Consolidation
Tony D'Abramo, D-5 LLC – Lot Consolidation. Move up under Old Business D'Abramo if Commission so decides to move forward.
Miscellaneous
Adjournment
Planning Commission Caucus adjourned at 7:15 P.M.

Chairman Sandora stated Good Evening Ladies and Gentleman, welcome to the North Royalton Planning Commission Meeting for Wednesday, April 23rd, 2008.

The **Planning Commission** of the **City of North Royalton** met in the North Royalton Council Chambers, 13834 Ridge Road on **Wednesday, April 23, 2008 in regular session. The meeting was called to order by Chairman Tony Sandora at 7:30 P.M.**

Chairman Sandora stated Ms. Fashempour please call the roll.

Present: Mayor Robert A. Stefanik, Chairman Tony Sandora, Don Willey, Council Representative/Vice Chairman, Victor Bull, Michael McCarthy, Daniel J. Collins, P.E., Assistant City Engineer, Rito Alvarez, Building Commissioner, Thomas A. Kelly, Law Director 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: March 12, 2008. Ms. Fashempour stated under Approval of Minutes, March 12th, 2008 if you so choose. Chairman Sandora stated motion. Second Don Willey. Chairman Sandora stated it's been moved and seconded to approve the minutes of March 12th, Ms. Fashempour please call the roll. Roll call: Yeas: Five – Willey, Bull, McCarthy, Mayor Stefanik, Chairman Sandora. Nays: None. Motion carried.

Old Business

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 the Applicant is here this evening, it is tabled, she needs a motion to remove it from the table.

So moved Mr. Willey.

Second Mr. Bull.

Chairman Sandora stated it's been moved and seconded to remove Tony D'Abramo off the table, Ms. Fashempour please call the roll. Roll call: Yeas: Five – Bull, McCarthy, Mayor Stefanik, Willey, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated the Applicant is here, please state your name, home address for the record and tell us what you would please.

My name is Scott Wangler, his address is 8916 Hubbard Valley Road, Seville, Ohio and he is representing Tony, Tony D'Abramo for this project on Route 82.

Chairman Sandora stated okay, could you tell us a little bit about this project.

Mr. Wangler stated well he understands he, he's been working on this for a while and a, he a, he was contacted by him to help him out, get things, a lot of the issues he had with this, get them put to bed, get the drawings in, in some more complete shape, we have a Traffic Study that we are looking for that, that has got everything in order and a, he has got the comments backs from Fire and Engineering and so forth and he thinks there are no real major issues that he sees.

Chairman Sandora stated okay can you tell the a Committee up here, the Commission what is going to be the primary purpose of this building, what's it use going to be for.

Mr. Wangler stated he's a, it's a multi-tenant building and as the Civil Engineer you know he doesn't know a lot about the working of the building but a, he doesn't have a known use at this point, he means he would have to comply with the zoning there, with any tenant that he gets.

Chairman Sandora stated so you don't know if it's going to be retail, you don't know if it's going to be office, you don't know if it's going to be storage at this point.

Mr. Wangler stated he don't, no.

Chairman Sandora stated okay.

Chairman Sandora stated anything else you would like to present to us at this time.

Mr. Wangler stated just the, the packet that you have is, is the site plan that he brought today.

Chairman Sandora stated okay, Mr. Collins, would you like to go first.

Mr. Collins stated Thank You Mr. Chair. Mr. Collins stated the Applicant has stated, did submit a, a, a, a, site distance analysis report from a traffic, his traffic consultant and indeed the a, the plan do, do meet ODOT L&D's criteria right now, that's ODOT's Location and Design Manuel, the Engineering Department you know is in agreement with that report other than that you see six items on your, your report from the Engineering Department that a feel that you know are items that can be addressed on, at, at final, final construction drawings stage and a there is no reason why the plan, the plans can't be, can't be approved.

Chairman Sandora stated do you have any questions on any of these six items at this time for the Applicant.

Mr. Wangler stated no, no, he don't.

Chairman Sandora stated Mr. Collins do you.

Mr. Collins stated um, no, no, he thinks we are all, he's been, he's been in cor, phone conversation with the Applicant and a he understands just talking to him earlier tonight that he has a report addressing number 2, of course just a, he is sorry not number 2, number 6 there as far as the, the 60" corrugated metal pipe and maybe the Applicant can elaborate on that, there is a report that he guessed, you had videoed is it or is it.

Mr. Wangler stated it's big enough, they did a visual, it wasn't videoed taped.

Mr. Collins stated okay.

Mr. Wangler stated um, but a, we had a, we had an inspection of the 60" pipe and a, a report stating it's condition.

Mr. Collins stated that's all he has Mr. Chair.

Chairman Sandora stated okay. Chairman Sandora stated a, to the Applicant a, is there a reason why the Owner is not here tonight.

Mr. Wangler stated he had a previous engagement.

Chairman Sandora stated he has a, he has a couple of, he has a few concerns on this project okay, but let's get back to what the Engineer said about the a traffic survey, okay the traffic survey, you know on the, on the second page over there says however the western drive does not have sufficient intersection sight distance to the west as a minimum the western driveway would need to be relocated 30' to the east of this proposed location in order to have minimal sight distance and 80' to obtain the recommended sight distance condition a.

Mr. Wangler stated that was revised.

Mr. Collins stated yeah that report have been superseded Mr. Chair.

Chairman Sandora stated okay, where was it superseded at.

Mr. Collins stated turn over to the first page, he sorry, an April 15th report was submitted to the Engineering Department, that's a copy of a previous report, he was just showing a sequence on his a, on his submittals to his Traffic Engineer, the plans as submitted in the packet do meet um.

Chairman Sandora stated they do meet the criteria at this point.

Mr. Collins stated correct, yes and again.

Chairman Sandora stated okay.

Mr. Collins stated if you go to the second, the first page of the report, it's dated April 15th, it's a one page report and a it says based upon this revision we found that the current access scheme will meet all requirements for sight distances as that are recommended by the a Ohio Department of Transportation in their L & D Manual and it says furthermore our review and analysis indicate that they have a clear view of approximately 750' so they, they do meet now.

Chairman Sandora stated okay he just read that and he wants that on the record, Thank You.

Chairman Sandora stated also what about the trees on the corner there, they suggested that those trees be removed for sight clearance.

Mr. Wangler stated he thinks that the revised report, those trees can stay and the trees aren't in control of like the Client so he doesn't know how he can remove them.

Chairman Sandora stated that tree, those trees are not on that property.

Mr. Wangler stated a no.

Chairman Sandora stated they'd own all the way up to, they own all the way up to the line of the apartments there.

Mr. Wangler stated the, the property drops off and the low spot is not his property, the property line runs through the bottom of the low spot at the toe of the slope basically.

Chairman Sandora stated okay a.

Mr. Wangler stated but the revision, the revision was a made so that, that it's, the ingress and egress is safe with the trees there.

Chairman Sandora stated okay, his next concern that he has, he is going to ask everybody on the Board also if they have any concerns, but you know we also, we, every time we have a building that's a, a commercial building built in the City like this we get a report from Fire Department and the Fire Department usually request a 24' access driveway around the entire perimeter of the building okay, a now you are showing 12'.

Mr. Wangler stated he's got, he's got a Fire Report.

Chairman Sandora stated okay.

Chairman Sandora stated he did talk to the Fire Marshall.

Mr. Wangler stated they wanted it to be concrete and 12’.

Chairman Sandora stated right but he is just saying that in the past on all these when ever there has been a commercial building before us, the Fire Department has requested access of 24’ wide driveway, drives around the perimeter of the building for access for the fire trucks can make the turns and everything.

Mr. Wangler stated um uh.

Chairman Sandora stated okay now talking with the Fire Marshall you, evidently the Building Owner and the Fire Marshall has come to an, some sort of an agreement okay and that entire building is going to be sprinkled.

Mr. Wangler stated yes.

Chairman Sandora stated okay then for the record he would like for you to make mention of that.

Mr. Wangler stated the entire building will be sprinkled.

Chairman Sandora stated okay, also the Fire Department has on there a February 16th or not February he is sorry, January 16th on there Fire Report your plans do not show the location of the Fire, Fire Department connection for the building, fire sprinkler system, do you show that now to comply with that.

Mr. Wangler stated he is coordinating that with the Architects.

Chairman Sandora stated you will be coordinating that.

Mr. Wangler stated yeah.

Chairman Sandora stated okay.

Chairman Sandora stated on, of the things that the Fire Department also asked him to do was that because there will be not, there will, you will be using fire, fire sprinkling system okay and that driveway is a 12’ wide there, that they request no parking in that fire lane or along side that access way whatsoever and it’s to be securely marked.

Mr. Wangler stated yeah, there is no intention to park cars in that 12’ drive.

Chairman Sandora stated okay, but it must be securely marked.

Mr. Wangler stated okay.

Chairman Sandora stated okay, Mr. Alvarez do you have anything.

Mr. Alvarez stated Thank You Mr. Chairman.

Mr. Alvarez stated his only comment was the one that he had previously was that upon approval by this Committee submit 4 complete sets building plans to the Building Inspection Department for plan review, and the review will be according to the Ohio Building Code 2007 edition and that would include also the handicap, signage for the handicap parking as well so you might know, that’s the only comment he has Sir.

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

Mr. Willey stated Mr. Chairman.

Chairman Sandora stated Mr. Willey.

Mr. Willey stated he, he concurs with you, your first question you asked was the intended use.

Chairman Sandora stated yes.

Mr. Willey stated and a, a, that concerns him a little that you know whether, what the use is going to be and how that building may be subdivided to and what type of tenants a we certainly don’t want storage and apparently we are not satisfied that, that could not be converted to storage or warehousing.

Mr. Wangler stated would the storage, the storage be a permitted use in that zoning.

Mr. Willey stated a, he, he thinks, he thinks the conclusion and he will defer to the Law Director but he thinks that a you know the City is full up with, with storage buildings, drive down 82, go to the Industrial Park, go on Abbey Road and so forth and we would a, certainly prefer a higher and better use for a commercial property especially the location it’s prime, that’s prime real restate there and a he don’t, he don’t think the City would want to a have a storage building there.

Mr. Wangler stated he, he, he can almost guarantee it, he doesn’t have tenants for every space at this point.

Mr. Willey stated well that’s understandable.

Mr. Wangler stated but he would say that the layout doesn’t lend itself to a storage facility he means that parking we provided far exceeds what the code requirement is, and his intention is to have bodies in there and not storage.

Mr. Willey stated people, not bodies.

Mr. Wangler stated people.

Mr. Willey stated unless he is going to open up a funeral home which isn’t a bad idea, we need another one in North Royalton.

Laughs.

Chairman Sandora stated Thank You Mr. Willey.

Mr. Willey stated Thank You.

Mayor Stefanik stated Mr. Chairman.

Chairman Sandora stated anyone else on the Board, Mayor.

Mayor Stefanik stated a couple questions about Route 82, probably for the Engineer this question would go, if we do decide or we are fortunate to widen Route 82 would that leave us enough room to make that the four or five lanes we are going to need.

Mr. Collins stated a, yes Mayor it does and it really helped that the detention facility was moved to the rear of the site verses where he guessed it was originally proposed back with it’s original plan a, there driveway apron, apron right now is you know compatible with what’s out there now, when there is widening, at the time of the that project you know there would have to be a widening of that apron but that would be, you know part of the a 82 widening, you know since we don’t know how long that’s going to be until that project you know, happens so we can’t, he doesn’t know if we can really hold him up on the design because there are not really any plans in, in effect yet you know for 82’s widening, we will be fine.

Mayor Stefanik stated Thank You, Thank You.

Mayor Stefanik stated the other question or concern he has, the same as a, a couple other, the other members on the Board is, storage facilities it seems you are not sure if it’s going to be, possibly a storage facility and sometimes we have seen some businesses come in and get kind of creative and they have made storage facilities out of something that was suppose to be a tenant occupied facility, it seems like this has to been on the Agenda quite a long time and you know for the owner not be here this evening to share a little bit of what his vision is for this project kind of concerns him a little bit, a, he would probably be happy if we table this, this evening in hopes that the owner could come in the next meeting or even sit down with the Building Commissioner between now and then and give him a little more of an outlook of what, what his plans are for this property of course that’s up to the rest of the Board also.

Someone stated it’s designed for five tenants.

Chairman Sandora stated Sir you want to, if you want, come up to the microphone and state your name and your working address, address and.

My name is Alan Derby and he represents GSLD, LLC, Architects, they are the designers of this facility and his home address, work address is 10020 Aurora Hudson Road, in Streetsboro, Ohio. Mr. Derby stated the way this building is set up with all the parking involved, it is designed for five spaces, for five tenants for office and warehouse use, there is absolutely no reason why this would be a storage facility just because there are drive-in’s in the rear end of the building.

Mr. Kelly stated Mr. Chairman, could he ask a question.

Mayor Stefanik stated Mr. Kelley sure.

Mr. Kelly stated he is sorry, your name again Sir.

Mr. Derby stated Alan Derby.

Mr. Kelly stated how do you do Mr. Derby?

Mr. Derby stated okay, and yourself Sir.

Mr. Kelly stated Mr. Derby, you say the building is designed for tenant use and that, that would explain why all the parking is the, the way it is lined up is that right.

Mr. Derby stated correct Sir.

Mr. Kelly stated have, have there been any interior drawings done.

Mr. Derby stated yeah, actually, we, we have a, a floor plan.

Mr. Kelly stated all right and does it, does it show the interior as cut up for office use or commercial or retail use.

Mr. Derby stated what we have proposed, excuse me, proposed devising, demising walls for this use.

Mr. Kelly stated well Mr. Alvarez you haven’t, he is sorry Mr. Chairman, can he ask Mr. Alvarez a question.

Chairman Sandora stated yes, Mr. Kelly go ahead.

Mr. Kelly stated you haven’t see any, have you seen any drawings that would, that would be suitable for you to know and for the Building Department to know what, what interior and intended use would be.

Mr. Alvarez stated well just by a little bit of math here, if he had five spaces there roughly be about 3500 square foot per unit and if they were going to do anything for storage you might see an overhead door or something of that nature, do you have just basically man doors on the, on the front.

Mr. Derby stated yeah, that’s correct man doors are on the front and there are windows.

Mr. Alvarez stated and windows.

Mr. Derby stated correct.

Mr. Alvarez stated typically you don’t find those on storages, if it was going to be a storage building, you would see an overhead door or something like this.

Mr. Kelly stated do you, do you see though, he means are there appropriate numbers of restroom style facilities for, for the anticipated tenants to be using and so forth.

Mr. Alvarez, Mr. Derby and Mr. Wangler looked at the plans that were submitted. Discussion held regarding the elevations, floor plan.

Mr. Alvarez stated well you have to understand that because he doesn’t have any tenants at the moment, they are not going to have any interior finishes in terms of walls put up, a, but you will have to have certainly some plumbing installed in terms of sanitary.

Mr. Wangler stated we have, no we have plumbing we just don’t have a plumbing plan.

Mr. Alvarez stated but because these are so general, really all he sees is man doors and windows you might see in the front, a he shows some overhead doors on the back but that’s a.

Mr. Wangler stated those are, those are, they are not supposed to be installed, the construction of the walls is such that if, if the tenant needed an overhead door we could provide them with one but the intention is that they are not going to be, it’s not going to be built with the overhead doors today.

Mr. Alvarez stated okay, well two things that would have to be followed is our Zoning of the General Industrial and what you are allowed in there and number two would be of course our building Code and once it’s defined, and he believes he did have a meeting with Mr. D’Abramo a long time ago and his intent was to put office here but it wasn’t, it was only speculative in terms of, because he didn’t have any tenant at that time now that was a few months ago.

Mr. Kelly stated well he still doesn’t have any tenants today and we have overhead doors on the back and no interior drawings that would, that would restrict the use of the space to tenants only in terms human beings and, and, and, you know, the kind of use that would preclude storage which is, which is what the Commission seems to want to avoid, Mr. Derby do you still where we are going here.

Mr. Derby stated right, he sees, he sees what you are saying and also on our elevations we have precast insets for these tenants to move in which is our, our canopy for each unit so.

Mr. Wangler stated he means he, he thinks he understands what you are trying to avoid and he, he, we have all seen the storage buildings and you know the, the, the canopy and the columns in front a it doesn’t.

Mr. Kelly sated well the Mayor’s, Mayor’s point was and, and the Commissions senses seems to be that maybe Mr. D’Abramo should be here.

Mr. Wangler stated okay.

Mr. Kelly stated to, to, to a make the point and to give the commitment and the pledge that we are not going to have any more storage there, that if it’s going to be used it’s going to be used in the way in which it’s intended and the way in which we need the community to develop.

Mr. Wangler stated is there a, he doesn’t, he doesn’t believe that he has any, while he doesn’t have any tenants he doesn’t think it is his intent to use this as storage based on the site layout and based on what he has seen personally. Mr. Wangler stated would there be any possibility of getting a Conditional Approval that says will approve this with no storage and if for some reason he’s got to have storage he has got to come back.

Mr. Kelly stated well here’s the problem, obviously, you know there is always that possibility if that’s what the Chairman and the Commission want to do but a, the question is what is your authority and while you are here and you say to represent him and we have no doubt that you do represent him and Mr. Darby, Mr. Derby does too, he is Owner.

Mr. Wangler stated um uh.

Mr. Kelly stated and so should he come in at a later date and disclaim having giving you the authority to make that pledge then we would be left holding the preverbal lunch bag so, he thinks the Mayor’s point is, let’s, let’s have Mr. D’Abramo here and have him at the microphone and making the, the statement to the Commission here as to what his intentions are.

Mayor Stefanik stated Mr. Chairman.

Chairman Sandora stated Mayor, Thank You Mr. Kelly.

Mr. Kelly stated Thank You Mr. Chairman.

Mayor Stefanik stated he could ask the Secretary this has been on the Agenda for a few months, a few years, how long, about.

Ms. Fashempour stated she thinks it was a year ago January maybe.

Mayor Stefanik stated okay, we have been very patient in waiting for Mr. D’Abramo to come back before us and again we just want commitments from him personally that this will not be a storage facility since we have seen it before in North Royalton where the building has gone up and somehow they have got creative and it’s turned into a storage facility, we want those assurance from him that it will not be a storage facility of any kind, once we get that we will bend over backwards to make this as easy as possible to get your building up and running, our Economic Development Department will work hand and hand with Mr. D’Abramo to help fill that facility, we will do everything we can to help you and your client get that finished but we just need him up here to tell us on the record that that’s what is going to happen.

Mr. Wangler stated okay.

Mayor Stefanik stated as long as the rest of the Committee feels that way.

Chairman Sandora stated anybody else have anything on this tonight.

Mr. Willey stated a Mr. Chairman, the only other comment he has was the line of sight on that curve, where the, the trees are when you are looking west a and a our understanding from the, Mr. D’Abramo was here the first time and showed that he wanted to consolidate, how many is it, whatever it is to the west that, that tree line was on the lot that he wanted to consolidate so that tree line as he understands it or perceived it at the time was under Mr. D’Abramo control and he still wonders if, if you look at that a, if you look at that line of sight at the end of the tree line there, there is five or six feet there that a could, could block a especially with commercial vehicles coming around the corner that’s his, that’s the way he looks at it a.

Chairman Sandora stated Thank, Thank You Mr. Willey.

Mr. Willey stated a, the Engineer.

Chairman Sandora stated he a, that’s the reason that he brought that up because he thought that that was stated at the last time also that those, that those, that those trees were on that additional property there, he could be wrong but you know on that.

Chairman Sandora stated he has a, a question also, you say you have the windows and canopies and everything in the front of that building, okay, a what are you showing on the east and west side of that building are you also showing canopies.

Mr. Wangler stated it is split face brick, there are no canopies but it is split face brick.

Chairman Sandora stated on both, so there, so there is split face brick on three sides of that building.

Mr. Wangler stated he thinks even on the back, what’s on the back.

Mr. Derby stated same.

Mr. Wangler stated all four sides.

Chairman Sandora stated on the back, all the way around, okay.

Chairman Sandora stated okay, that was his concern also, a anybody else on the Commission have anything.

Chairman Sandora stated a, well he would be comfortable also having the owner here just to satisfy everybody on the Board as to his commitment of that, of that building and what his actual intention is, if, it, he can understand your point about making this so that if need be there could be overhead doors put in there but that does bother him a little bit also a if that wasn’t on there he would probably have reservations you know of not of letting it go through with with minor reservations he would say but he thinks at this time he, he, he would feel also that let the building owner come here and express his concerns and what his intentions are.

Mr. Wangler stated okay.

Chairman Sandora stated at that, does anybody have a motion.

Mr. Bull stated motion to table.

Mr. Willey stated second.

Chairman Sandora stated it’s been moved and second to table Tony D’Abramo, Ms. Fashempour please call the roll.

Roll call: Yeas: Five – McCarthy, Mayor Stefanik, Willey, Bull, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated Thank You, we appreciate your time and efforts Gentleman.

Ms. Fashempour asked if the Commission wanted them to stick around for the lot consolidation or are we going to table that too.

Chairman Sandora stated he thinks at this time we should table that lot consolidation also unless anybody else has.

Ms. Fashempour stated okay, let her go through the rest of the Agenda and then we will table that when we get to it under New Business, okay.

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

Ms. Fashempour stated under Old Business, Number 2, 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 07-73, 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 GB and RMD Zoning. Woodcroft Glen Phase 2 Final Plat – Approval. **Tabled.**

Ms. Fashempour stated Woodcroft Glen, tabled, no action.

Ordinance No. 08-43 – An Ordinance amending the Codified Ordinances of the City of North Royalton, Part Twelve Planning and Zoning Code, Chapter 1246 Design Standards, Section 1246.03 Schedule of Right-Of-Way Pavement, Curb and Sidewalk Dimensions and Types, and Declaring an Emergency. **Tabled.**

Ms. Fashempour stated it is tabled she needs a motion to remove it from the table.

So moved Mr. Willey.

Second Mr. Bull.

Chairman Sandora stated it’s been moved and seconded to remove from the table, Ms. Fashempour please call the roll.

Roll call: Yeas: Five – Mayor Stefanik, Willey, Bull, McCarthy, Chairman Sandora. Nays: None. Motion carried.

Ms. Fashempour stated if there is no discussion in regards to this Ordinance, she has a few amendments that she would like to read;

Ms. Fashempour stated under the Whereas, fourth line, where it says arterial streets from 6’ to 5’ and the amendment of 7’ when contiguous to a curb and by adding a street class entitled Major Arterial, commercially or industrially zoned property.

Ms. Fashempour stated under the chart where it says pavement details, under Major arterial, sidewalk width feet, strike the 6 change to 5 or 7 when contiguous to a curb.

Ms. Fashempour stated under Major arterial, commercially or industrially zoned property minimum right of way feet 80 to 100 back to back of curbs feet 1 @ 50 2 @ 24 plus, type of curbs vertical, pavement thickness and type by Engineer, sidewalk width 6.

Ms. Fashempour stated and then in Section 5 in the 5th line, where it says, 5' and the amendment or 7' when contiguous to a curb and by adding a Street Class entitled Major Arterial, commercially or industrially zoned property.

Ms. Fashempour stated if you so choose she needs a motion to adopt those amendments.

Mr. Willey stated so moved.

Mr. Bull stated second.

Chairman Sandora stated it's been moved and second to adopt the amendments of Ordinance 08-43, Ms. Fashempour please call the roll.

Roll call: Yeas: Five – Willey, Bull, McCarthy, Mayor Stefanik, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated the amendments are approved, do we have a motion now to approve the Ordinance as read with the amendments.

Ms. Fashempour stated to recommend to Council adoption.

Chairman Sandora stated to recommend to Council.

Mr. Willey stated moved.

Mayor Stefanik stated second.

Chairman Sandora stated it's been moved and seconded to recommend to Council the approval of Ordinance Number 08-43.

Ms. Fashempour stated as amended.

Chairman Sandora stated as amended, Ms. Fashempour please call the roll.

Roll call: Yeas: Five – Bull, McCarthy, Mayor Stefanik, Willey, Chairman Sandora. Nays: None. Motion carried.

Chairman Sandora stated approved.

New Business:

Lot Consolidation

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

Ms. Fashempour stated if you so choose to table.

So moved Mr. Willey.

Second Mr. Bull.

Chairman Sandora stated move to table, Ms. Fashempour please call the roll.

Roll call: Yeas: Five – McCarthy, Mayor Stefanik, Willey, Bull, Chairman Sandora. Nays: None. Motion carried.

Miscellaneous

Ms. Fashempour stated she has nothing under Miscellaneous Gentleman.

Adjournment

Mr. Willey stated motion to adjourn.

Mr. Bull stated second.

Chairman Sandora stated moved and second to adjourn the meeting, Ms. Fashempour please call the roll.

Roll call: Yeas: Five – Mayor Stefanik, Willey, Bull, McCarthy, Chairman Sandora. Nays: None. Motion carried.

Ms. Fashempour stated Thank You.

Chairman Sandora stated we are adjourned.

Planning Commission Meeting for Wednesday, April 23, 2008 adjourned at 7:56 P.M.

Approved: Tony Sandora – Chairman – Planning Commission

Attest : Brenda Lynn Fashempour, Secretary – Planning Commission

Date : May 7, 2008