Planning Commission Caucus – 7:00 P.M. – Wednesday, October 7, 2009.
Present: Mayor Robert A. Stefanik, Chairman Tony Sandora, Victor Bull, Michael McCarthy, Rito Alvarez, Building Commissioner, Mark Schmitzer, P.E., City Engineer, Tom Kelly, Law Director, Tom Jordan, Economic Development Director, Larry Antoskiewicz, Council Ward 5, Representatives from the May Industries, The Jump Yard, Dominion East Ohio and Brenda L. Fashempour, Secretary.
Planning Commission Agenda Reviewed.
Public Hearing
Call to order.
Roll call.
Opening Ceremony – Pledge of Allegiance.
Public Hearing – Conditional Use Permit - The Jump Yard. Public Hearing Notice, Applicant to make presentation, audience, motion to refer to the Regular Order of Business, second, roll call.
Adjournment.
Motion to adjourn, second, roll call.
Regular Meeting
Call to order
Roll call.
Approval of minutes – September 23, 2009. Motion to approve the minutes of September 23, 2009 second, roll call.
Old Business
Woodcroft Glen, Ext. of Woodcroft Trace, Final Plat 2, tabled. No action.
May Industries of Ohio, Inc. – Site Plan Approval – Variances needed, before BZA on the 28th, tabled, Applicant received variance and contingent approval from ARB. Remove table, presentation, discussion, motion, second to approve, roll call.
New Business
Conditional Use Permit
The Jump Yard – Discussion from Department Heads and Members, motion to approve, second, roll call.
Utility Plan Request
Dominion East Ohio – Wallings Road. Applicant to make presentation, discussion from Department Heads and Members, motion to approve, second, roll call.
Miscellaneous
None.
Adjournment
Motion to adjourn. Second. Roll call.
Planning Commission Caucus adjourned at 7:04 P.M.

Good Evening Ladies and Gentleman, welcome to the Planning Commission for the City of North Royalton, Wednesday, October 7th, this is the Public Hearing Portion.

The **Planning Commission** of the **City of North Royalton** met in the **North Royalton Council Chambers, 13834 Ridge Road on Wednesday, October 7th, 2009 to conduct a Public Hearing. The Planning Commission Public Hearing was called to order by Chairman Sandora at 7:30 P.M.**

Chairman Sandora stated Ms. Fashempour please call the roll.

Present: Mayor Robert Stefanik, Chairman Tony Sandora, Don Willey, Council Representative, Victor Bull, Mike McCarthy, Rito Alvarez, Building Commissioner, Mark Schmitzer, P.E., City Engineer, Thomas A. Kelly, Law Director and Brenda L. Fashempour, Secretary.

Opening Ceremony – Pledge of Allegiance. Chairman Sandora stated please stand for the Opening Ceremony, the Pledge of Allegiance. Pledge of Allegiance recited.
Public Hearing – The Jump Yard

The Public Hearing will be on the question of granting a Conditional Use Permit for The Jump Yard, Impact Global LLC, Property Owner Joe Sieder, 13700 York Road, PPN 483-15-020, General Industrial Zoning. The Jump Yard's objective is to become the community leader in providing indoor entertainment, healthy lifestyle activities and fun for all age groups. The Jump Yard is proposing to offer a unique blend of attractions, they strive to deliver a memorable experience, as well as a safe and clean destination for birthday parties, special events, and all around fun for everyone.

Ms. Fashempour read the Public Hearing Notice, Public Hearing Notice posted at City's Public Posting Places and mailed to Property Owners within 500'.

Chairman Sandora stated Thank You Ms. Fashempour, a, is the Applicant here, please step forward and tell us what you would like to do.

Good Evening everyone.

Chairman Sandora stated state your name and address for the record please.

My name is Dominic Palazzo, 9403 Scottsdale Drive, Broadview Heights.

Chairman Sandora stated okay.

Dave Donadeo, 5541 Fallbrook Avenue, in Los Angeles actually, relocating but for now.

Mr. Palazzo stated we are looking to turn the 13700 building into a assembly building for a, an indoor family fun center, we are doing corporate events for team building exercises as well as birthday parties for children as well as local community fund raisers and charity events and we are also doing cheerleading and, and some local karate and yoga, their award ceremonies, we would host things of that nature.

Chairman Sandora stated okay.

Chairman Sandora stated Thank You.

Mr. Palazzo stated Thank You.

Chairman Sandora stated anybody in the audience have anything they would like to ask, anybody, nobody.

Chairman Sandora stated he would like to refer this to the Regular Order of Business.

So moved Mr. Willey.

Second Mayor Stefanik.

Chairman Sandora stated it's been moved and second to refer the, The Jump Yard to the Regular Order of Business, Ms. Fashempour please call the roll.

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

Adjournment

Chairman Sandora stated and a motion to adjourn to the Regular Order of Business.

So moved Mayor Stefanik.

Second Mr. Willey.

Chairman Sandora stated it's moved and second to adjourn the Public Hearing, Ms. Fashempour please call the roll.

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

Chairman Sandora stated we are adjourned.

Planning Commission Public Hearing for Wednesday, October 7th, 2009 adjourned at 7:37 P.M.

The **Planning Commission** of the **City of North Royalton** met in the **North Royalton Council Chambers, 13834 Ridge Road on Wednesday, October 7th, 2009 in Regular Session. The Planning Commission Public Meeting was called to order by Chairman Sandora at 7:37 P.M.**

Chairman Sandora stated Ms. Fashempour please call the roll.

Present: Mayor Robert Stefanik, Chairman Tony Sandora, Don Willey, Council Representative, Victor Bull, Mike McCarthy, Rito Alvarez, Building Commissioner, Mark Schmitzer, P.E., City Engineer, Thomas A. Kelly, Law Director and Brenda L. Fashempour, Secretary.

Approval of minutes – September 23, 2009. Ms. Fashempour stated under Approval of Minutes, September 23, 2009 if you so choose. So moved Mr. Willey. Second Mr. Bull. Chairman Sandora stated moved and second to approve the minutes of September 23rd, Ms. Fashempour please call the roll. Roll call: Yeas: Five – Bull, McCarthy, Mayor Stefanik, Willey, Chairman Sandora. Nays: None. Motion carried.

Old Business

Woodcroft Glen, Royalton Road, GB and RMD Zoning. Woodcroft Glen Phase 2 Final Plat – Approval. **Tabled.**

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

May Industries of Ohio, Inc., 9981 York-Theta Drive, PPN 488-12-006, General Industrial Zoning. Site Plan Approval. **Tabled.**

Ms. Fashempour stated it is tabled, she believes that the Applicant is here this evening, she needs a motion to remove it from the table.

So moved Mr. Willey.

Second Mr. Bull.

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

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

Chairman Sandora stated the Applicant is here, please step forward and tell us what you would like to do.

Chairman Sandora stated state your name and address for the record please.

Alan Hodge, 47161 State Route 558 New Waterford, Ohio.

Mr. Hodge stated we would like to present the items we have so that we can have a, a, Site Plan Approval, we are looking for Site Plan Approval contingent on several items that we will discuss during the actual meeting.

Chairman Sandora stated okay a, well okay, Mr. Schmitzer do you want to start.

Mr. Schmitzer stated Thank You Mr. Chairman, he is in receipt of the revised preliminary site plan for the development, the items that he had made comment on have all been addressed to his satisfaction, the new plan shows a shared ingress/egress easement between this development and the development to the west, he just ask that there be something provided that shows that there is an agreement from the adjacent property owner that they concur with the general idea of this other than that he would recommend approval based on his review for the engineering items.

Chairman Sandora stated okay, Thank You Mr. Schmitzer.

Chairman Sandora stated to the Applicant, the owner is aware of this, you are requesting an easement for the Fire Department.

Mr. Hodge stated yes, he is fully aware and, and on board and we have talked, discussed this and we are completely willing to have the occupancy permit held until that is, you know that is achieved, the easement will take you know weeks and weeks to finally get all the legal documents put together and we are hoping that we can have the approval to start so that we are not missing out you know with the, with the time frame of the year with you know moving that dirt and the earth work and everything, knowing that you know that we won’t be able to achieve our occupancy permit until you know the easement, the final easement paperwork gets completed.

Chairman Sandora stated and the owner is aware and he is willing to do this right.

Mr. Hodge stated yes, yes Sir.

Chairman Sandora stated Thank You, Mr. Alvarez.

Mr. Alvarez stated Thank You Mr. Chairman, he concurs with the Engineer, he also recommends approval and that being said the Applicant would have to submit four sets of complete plans for the Building Department for review with respect to the Ohio Building Code, Thank You.

Chairman Sandora stated Thank You.

Chairman Sandora stated anyone on the Board have anything.

Chairman Sandora stated anybody in the audience have anything, Mr. Jordan.

Tom Jordan, the Community Development Director for the City of North Royalton, we have been working with the two neighboring properties to try to work out this fire issue, actually we did have a plan that was approved by the Fire Marshall where the fire lane was wholly contained within the May Property, however after talking to the neighbors and talking to the Fire Marshall they were able to work out a joint, a fire lane that is actually, accommodates both properties that makes both properties much safer than just the limited fire lane on the May Property, so we are very happy to do it because both property owners realize that having limited access to the rear of their properties was not a great thing to happen so they were able to do it, he has spoken to the different property owners, they are on board, they will provide a written and a recordable easement for the Building Department prior to occupancy and also a more detailed site plan for the non May Property, showing the new layout of that property. Mr. Jordan stated he appreciates if the Board gives them, passes this, this evening so that they will be able to move on to their site work and possibly pour their, their a footers yet this year, Thank You.

Chairman Sandora stated Thank You Mr. Jordan.

Chairman Sandora sated anyone else on the Board, Mr. Alvarez just one question again, just for the record, the Fire Department had in there a report stated that they want the a building to be sprinkled and a it will be then is he correct.

Mr. Alvarez stated okay, just basically looking at the building, because of the size of the area of the building.

Chairman Sandora stated right.

Mr. Alvarez stated it probably, it would have to be sprinkler according to the Building Code, so.

Chairman Sandora stated okay, so the building will be, have a sprinkling system in it.

Mr. Alvarez stated yes, with 22,000 square feet it’s a inaudible.

Chairman Sandora stated that’s just for the record.

Mr. Jordan stated why should a, if he may Chairman and actually the Applicant should also make comment on this, was that the Fire Department’s building comment was that it is not required and that they if at all possible it could be, under the Building Code it is our understanding through the developer and through the prior plan review that the sprinkler system is not required for this type of building.

Mr. Hodge stated we plan to submit this as a Type 2 B Construction F2 Use Group and under those guidelines were not with IBC 2006 OBBC, 2006 we are not required, on the Code review, we are not required for the sprinkler system, we are under 23,000 square feet, Fire Marshall Bohovic mentioned that if the use group changes down the road it would have to be resubmitted and potentially if a different use group would be you know classified or used then it would have to be sprinkled at that time. Mr. Hodge stated at this point our use group and the, the building type were, our code use shows it, we are not required to have the sprinkler and with the access and, and a what Mr. Jordan says we have had the fire review, the initial review saying that it’s not required but we would like to see provisions for, you know if the use group changes down the road and right now the use group that we are presenting that will be used it will not be required.

Mr. Alvarez stated Mr. Chairman, if he may.

Chairman Sandora stated Mr. Alvarez.

Mr. Alvarez stated okay, what the Applicant is saying is basically correct, if we do, the plan would have to be submitted to the Building Department it would indicate the use group as he said and also the construction type of the building which he said so F2 is a low hazard type of building for manufacturing there is not a whole lot of combustibility in the building it is mostly noncombustible materials and so the Building Code does allow that use group not to have sprinkler system but it has to remain that and again if there is a change of use being the size of this building then immediately the sprinkling requirement does come into play. Mr. Alvarez stated so we have to be, you know based on what he stated the low hazard F2 use group.

Mr. Hodge stated we, we will make provisions in the actual steel building design for like a wet sprinkler system with the collateral loads in the actual design so that down the road and it will be documented you know with the submittals, not only will we have the architectural submittals but the steel building submittals that the building will be capable of supporting the extra lines if down the road you know you needed, it was sold to someone else that there would not have to be extensive rehab to the building to accept you know sprinkler system in there.

Chairman Sandora stated so you are saying for the record the way you are going to build a building, it will be, it will be fabricated to allow a sprinkling system to put in.

Mr. Hodge stated correct.

Chairman Sandora stated if the, if the, if the situation changes because right now your application says for storage.

Mr. Hodge stated it is actually factory 2, it’s, it’s a, metal product, metal stamping, it’s exact, he means it’s exact same thing that May Industries has done for thirty years, we are not changing what they are doing and a, but.

Chairman Sandora stated uh, um.

Mr. Hodge stated on the design of the building not just for their building but if there is a potential that a sprinkler system could be used down the road we automatically increase the load, the carry capacity of the building which will be reflected in the, in the submittals, with a collateral load, the dead load, however you want to look at it so that it can you know carry a sprinkler system down the road if, if the use group changes down the road or if a different occupant you know occupies the building.

Chairman Sandora stated okay, and you are satisfied with that Mr. Alvarez.

Mr. Alvarez stated Mr. Chairman, he can only review the plan as they are submitted and if he is showing me the a F2 low hazard, that’s the way they will be reviewed and that’s, that’s the only way he can look at the plans.

Mr. Hodge stated he also thinks looking at you know what May has done for thirty years there’s, there wouldn’t be real, they are not changing the course of their business so it’s going to be the exact same thing that they do there.

Chairman Sandora stated well his only concern is that and he agrees 100% that’s what May has been doing for years and that’s what they are going to continue to do but in the case that if that building is sold for some reason they no longer need it, they no longer need the expansion and the building is sold and goes into a, another business or whatever okay, he just wants to make sure that, that, that the building would be able to conform to the new.

Mr. Hodge stated correct and if it was sold or change use groups it would have to come back before the North Royalton so that would have to be addressed at that time.

Chairman Sandora stated okay but the way your building, going to build this building now, it will be that will be, that will be taken into consideration.

Mr. Hodge stated yeah, and he thinks that is more of a convenience or more of a thing for a future owner but we do that anyway.

Chairman Sandora stated that’s his, that’s his concern.

Mr. Hodge stated yes.

Chairman Sandora stated okay, and you are okay there Mr. Alvarez.

Mr. Alvarez stated yes Sir.

Chairman Sandora stated okay, Thank You, anybody else.

Chairman Sandora stated anybody else on the Board.

Mr. McCarthy stated Mr. Chairman.

Chairman Sandora stated in the audience.

Mr. McCarthy stated Mr. Chairman.

Chairman Sandora stated Mr. McCarthy.

Mr. McCarthy stated he has a comment, the accommodation that you would be making structurally for the future sprinkler system would that require any change to the water connection coming in to the building that you would want to accommodate now or would that have to be done at a future time.

Mr. Hodge stated if the use group does change down the road you know there is going to be cost associated with installing the sprinkler system and putting in the riser, you know one thing that would be very cost prohibitive is to come back in and, and, and redesign the building or add structural integrity to the building as far as having to you know look, you know where do we stop, how far do we look ahead, as far as doing a tap, it would most likely be a 4″ tap or at the most a 6″ tap that’s something that could be assessed through the parking lot so it, the building itself wouldn’t change so right now we don’t intend on doing our tap other than you know are domestic you know supply that’s needed probably like a 1″ you know tap. Mr. Hodge stated but it’s not something that can’t be done fairly reasonable you know down that road whereas if we had to go in and, and, and redesign the building that would be a very huge, huge cost factor.

Mr. McCarthy stated Thank You.

Mr. Hodge stated yes.

Chairman Sandora stated anyone else.

Chairman Sandora stated can he have a motion for a Conditional Use Permit.

Ms. Fashempour stated no, site plan approval.

Chairman Sandora stated he is sorry, he is sorry, can he have a motion for site plan approval on the condition that an easement will be filed with the Building Department.

So moved Mr. Willey.

Second Mayor Stefanik.

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

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

New Business

Conditional use Permit

Conditional Use Permit for The Jump Yard, Impact Global LLC, Property Owner Joe Sieder, 13700 York Road, PPN 483-15-020, General Industrial Zoning. The Jump Yard's objective is to become the community leader in providing indoor entertainment, healthy lifestyle activities and fun for all age groups. The Jump Yard is proposing to offer a unique blend of attractions, they strive to deliver a memorable experience, as well as a safe and clean destination for birthday parties, special events, and all around fun for everyone. **Approval.**

Chairman Sandora stated the Applicant is here, please step forward and state again what you would like to do.

Hello, we would like to take 13.

Chairman Sandora stated again, just your name for the record please.

He is so sorry, Dominic Palazzo, 9403 Scottsdale, Broadview Heights. Mr. Palazzo stated we would like to take 13700 York Road and change it into an assembly building to make way for a indoor fun, family fun park inflatable's for birthday parties, we would do charity events, things of that nature.

Chairman Sandora stated okay, Thank You.

Chairman Sandora stated Mr. Schmitzer.

Mr. Schmitzer stated he doesn't have any comments because he does not see any improvements being proposed outside of the building, is that correct.

Mr. Palazzo stated he was suppose to put in a parking lot when he first built the building, he is now putting it in so other than that there are no other improvements.

Mr. Schmitzer stated so you are putting in a parking lot in the back end of the building where it shows future cars there.

Mr. Palazzo stated yes Sir.

Mr. Schmitzer stated a, you will be submitting a, a plan then to, to us to show, what's that material there currently it is gravel or.

Mr. Palazzo stated it's, there is gravel there yes.

My name is Dan Kaczor, Architect, 4699 East Wallings Road, Broadview Heights. Mr. Kaczor stated in the drawing that were approved for this addition, it is actually the addition to the back portion of the existing, previously existing building, the owner was to install an asphalt parking lot which he never installed, he laid down the gravel and left it so his intention is to complete what he was approved 12 years ago or 13 years ago, there is no other plan other than, that plan that we have been going by that he had that he was going to fulfill his commitment to the building, if you need more then.

Mr. Palazzo stated which is actually now cement, he is not doing asphalt.

Mr. Kaczor stated he is not doing asphalt, he is going to do concrete now which will match the rest of the parking lot that is already there. Mr. Kaczor stated so it really starts just at this back section of the building that we are taking over.

Chairman Sandora stated what about drainage or anything on the parking lot, what about.

Mr. Palazzo stated he has, he has two drains actually there is one in the far right corner of the parking lot and one in the upper, closer to the building that he, he is building up because right now there is a dock that he is filling in, he is bringing the drain up to level and, and concreting so we will have two, two different drains, for the front and the backend of the parking lot.

Mr. Kelly stated Mr. Chairman.

Chairman Sandora stated Mr. Kelly.

Mr. Kelly stated it’s, you correct him if he is wrong but it strikes him that these are effectively two separate applications. Mr. Kelly stated what you have before you is an application for the Conditional Use Permit there, there needs to be now and, and, and there not, there not interdependent or, or mutually exclusive the a, the applicant or the owner is going to have to come back in he suspects with a new application for the improvements to the parking lot, that, whatever authority he had for the improvement would long since have expired by now do you follow me.

Mr. Palazzo stated yes.

Mr. Kelly stated okay, so your Conditional Use Permit is appropriately before the Commission before the members and, and, and may receive there, there a, there consideration tonight but the parking lot is going to have to come back in he thinks on a separate application and that can be done at a, you know obviously at, at a later date but, but before you are able, before you pour, okay.

Mr. Palazzo stated one, one, one question a, one question, what, well he guessed he can find out later, we just want, we want to be able to pour, we want to be able to be open by by January 1, obviously we need to be able to pour by mid November and or, or it’s just not going to happen and therefore it now takes us into next year, next spring.

Ms. Fashempour stated well why don’t we do this, why don’t you let me look and see if she has a copy of the original plans that were approved and then.

Mr. Palazzo stated okay,

Ms. Fashempour stated and then maybe, maybe.

Mr. Kaczor stated if you don’t the owner does.

Mr. Palazzo stated he has it in his office.

Ms. Fashempour stated yeah and then, okay and maybe we can make a copy of that and have the Building Commissioner and the City Engineer look at it.

Mr. Schmitzer stated if we have a copy of that a it is basically just looking to make sure the Code is updated and you know everything is updated to the new Code if there are any changes, be able to get you to pour and everything open by January.

Ms. Palazzo stated Thank You.

Ms. Fashempour stated and then we will just run it back through he Board and have them approve it and, and go that route.

Mr. Palazzo stated Thank You so much, appreciate that.

Chairman Sandora stated that’s the only concern we have that everything is going to be up to Code because 12 years ago was God only knows what was approved or you know the changes on it and everything so.

Mr. Palazzo stated absolutely, absolutely.

Mr. Schmitzer stated that’s all he has Mr. Chairman.

Chairman Sandora stated Thank You Mr. Schmitzer.

Mr. Willey stated Mr. Chairman.

Chairman Sandora stated Mr. Willey.

Mr. Willey stated a, a, to the Engineer based on the plan that they proposed putting, adding on to the parking area and they are using concrete, is the drainage going to be adequate since the you know the original plan apparently were for two drains, two storm drains, one in the front and one in the back.

Chairman Sandora stated that’s why we have to look at it.

Ms. Fashempour stated that’s what we are going to look at.

Mr. Willey stated yeah and, and so now, now that he is paving that, that’s less, more water that is going to go into the drainage and he, he guessed he would want to.

Mr. Schmitzer stated yeah Mr.

Mr. Kaczor stated he guessed the, the problem comes with the Engineer, is the drainage that was there was designed for the paving that was suppose to be done 12 years ago.

Mr. Willey stated gotcha.

Chairman Sandora stated right.

Mr. Kaczor stated so now if he does the paving it may not fit what the Engineer’s requirements are in 2009 but they certainly would have back in 1997 or 1998 whenever that addition was put on.

Mr. Willey stated well a, Dan as you know we, we have a lot of water issues so we certainly wouldn’t want to.

Mr. Kaczor stated know, he understands exactly what you are saying and so when you ask the question, you know, when you ask the question are the drains adequate probably not by today’s standard but we don’t know that at this point.

Mr. Willey stated okay, okay.

Mr. Schmitzer stated Mr. Willey we.

Chairman Sandora stated that’s why the.

Mr. Schmitzer stated he is sorry Mr. Chairman.

Chairman Sandora stated go ahead.

Mr. Schmitzer stated Mr. Willey we will be taking a look at that as part of the approval process with the Applicant.

Mr. Willey stated okay, Thank You.

Chairman Sandora stated anyone else on the Board have anything.

Mr. Alvarez stated Mr. Chairman.

Chairman Sandora stated oh, he is sorry, Mr. Alvarez.

Mr. Alvarez stated that’s, that’s quite all right, he noticed on your plans you do show an occupant load of 220, that’s not your actual occupant load that you are going to be having is it, typically what are you going to have on a good day.

Mr. Palazzo stated 150.

Mr. Alvarez stated 150.

Mr. Palazzo stated 125.

Mr. Alvarez stated okay, so you would probably need every bit of that parking space then.

Mr. Palazzo stated yes.

Mr. Alvarez stated about a total of 56 spaces then.

Mr. Palazzo stated yes.

Mr. Alvarez stated okay.

Mr. Alvarez stated and of course you will need at least 2 handicap parking spaces, he does see that at least you do indicate that on the plans there.

Mr. Palazzo stated yes, correct.

Mr. Alvarez stated then a, if this is approved then you know you will have to submit plans and he believes you already did to the Building Department for review.

Mr. Palazzo stated yes, yes we did.

Mr. Alvarez stated in regards to the Ohio Building Code.

Mr., Alvarez stated that’s the only comments he has Mr. Chairman.

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

Chairman Sandora stated anybody in the audience have anything.

Chairman Sandora stated well can he have a motion for a Conditional Use Permit only for The Jump Yard.

So moved Mr. Willey.

Second Mr. Bull.

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

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

Chairman Sandora stated okay, you are approved for the Conditional Use Permit, get that, everything together as soon as you can and then we will work through this and get you going.

Mr. Palazzo stated yes Sir, Thank You, Thank You very much.

Chairman Sandora stated Thank You.

Utility Plan Request

Dominion East Ohio for the construction of a 4” steel gas main and service on the south side of Wallings Road running from our existing transmission line located near the eastern edge of the western drive of Valley Vista Elementary School (address 4049). The gas line is to run 2,000’ westerly, 22’0” offset from the centerline of Wallings Road to approximately address 5171 Wallings (across from Lucille M. Heasley Fields). Approval.

Chairman Sandora stated the Applicant or his representative from Dominion is here, please state your name, address and what you would like to do.

Hi, my name is Dave Croft, he works for Dominion East Ohio, his address is 420 Springside Drive in Akron. Mr. Croft stated we have been requested, Dominion has been requested to run a gas line up to there, up to a proposed well at the Heasley Fields. Mr. Croft stated there existing transmission line exists right now down and runs across the property down at the elementary school, it is about 2000’ between the two and we are trying to you know appease his request of us to run down

to his will, from there, it would be a high pressure gas line, it would be steel, we would propose going in on the south side of the road directional boring so we wouldn’t be evasive on the homeowners driveways most of them are concrete. Mr. Croft stated we would run it down to the Heasley Fields at which point the well producer would tap on to the line and then he would run back to, through that field up to his well.

Chairman Sandora stated and you will be directional boring going from the south side to the north side.

Mr. Croft stated it would be directional boring, we would not open cut the road.

Chairman Sandora stated okay.

Mr. Croft stated we would not break open the road.

Chairman Sandora stated Mr. Schmitzer, do you have anything.

Mr. Schmitzer stated Mr. Chairman the plans are very well put together, he does appreciate you doing that up front, helps his review, makes his review a lot easier, he just ask that you show the jacking and any receiving pits for your borings on here so we know where those limits are, so that we can ensure that you do not need to open any pavement even the edge of pavement for the pits, he doesn’t think you will based on your plans we just require the final plans be submitted, signed and sealed by a licensed professional and a full time inspection will be required.

Mr. Croft stated is it by your muni or is that, that’s inspection from you.

Mr. Schmitzer stated yes, we require full time inspection for work in our right of way so.

Mr. Croft stated would we call your office for that.

Mr. Schmitzer stated we will, we will schedule that.

Mr. Croft stated okay.

Mr. Schmitzer stated we will coordinate that with you when you are going to start working a, other than that he thinks the, the plans are good and he doesn’t see any conflicts, he has worked with Dominion on getting them information to prepare this plan of existing utilities and information we have in that area so, he appreciates there there effort up front, that’s all he has Mr. Chairman.

Chairman Sandora stated okay, Thank You Mr. Schmitzer.

Chairman Sandora stated Mr. Alvarez do you have anything.

Mr. Alvarez stated he has no comments Mr. Chairman.

Chairman Sandora stated anyone on the Board have anything, anybody in the audience have anything.

Chairman Sandora stated make a motion to approve the Utility Plan Request for Dominion Gas.

Second Mr. Willey.

Chairman Sandora stated Ms. Fashempour please call the roll.

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

Chairman Sandora stated yeap, you are approved.

Mr. Croft stated Thank You.

Chairman Sandora stated Thank You.

Miscellaneous

Ms. Fashempour stated she has nothing under Miscellaneous.

Ms. Fashempour stated oh, Mr. Jordan does though.

Chairman Sandora stated Mr. Jordan.

Mr. Willey stated sorry we are out of time.

Mr. Jordan stated the Owners over at May just want to be clear about one point, they are happy to provide the detail site plan, they are happy to provide the recorded easement, they will do it before an occupancy permit is granted and that the tonight's approval will allow them to move forward on the site work, is that our general understanding, okay, okay.

Someone stated all right.

Mr. Jordan stated Thank You.

Adjournment

Chairman Sandora stated do we have a motion to adjourn.

So moved Mr. Willey.

Second Mayor Stefanik.

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

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

Chairman Sandora stated we are adjourned.

Planning Commission Meeting for Wednesday, October 7, 2009 adjourned at 8:00 P.M.

Approved: Tony Sandora – Chairman – Planning Commission

Attest : Brenda Lynn Fashempour – Secretary – Planning Commission

Date : October 21, 2009