The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on Wednesday, October 18, 2017 to conduct a Public Hearing. The hearing was called to order at 7:00 p.m. by Chair Tim Miller and opened with the Pledge of Allegiance.

PRESENT: Planning Commission: Chair Tim Miller, Larry Antoskiewicz, Mayor Stefanik, Jessica Fenos, Frank Castrovillari, Secretary Diane Veverka. Administration: Law Director Thomas Kelly, Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer.

PUBLIC HEARING:

The Secretary to the PC stated Public Hearing notices were sent to property owners within 500 feet of the property in question and posted as required.

1. Scott E. Goldberg on behalf of D. S. Acquisition & Development, LTD is seeking final plat approval for Pinestream Subdivision – Ph. 7 which is located at the southeast corner of State Road and Edgerton Road. This subdivision will tie together River Summit stub from Phase 3 and Hedgebrook Drive stub from Phase 6.

Scott Goldberg stated they are seeking final plat approval from the PC so they can move on to dedicate this phase of the subdivision to the City.

Moved by Mr. Castrovillari, seconded by Ms. Fenos to move this item to the Regular Order of Business. Roll call: Yeas: Five. Nays: None. Motion carried.


Russell Sposit stated they are seeking to do a combination of consolidation of parcels and a lot split. Stan Loch with Aztech Engineering and Surveying stated the Applicant is taking three lots and turning it into five lots for single family homes.

Edith Schatt, 8053 Edgerton Road, stated they seek the green space of the Rural Residential area. She said she was not in favor of subdividing the parcels. Ralph Friedman, 16070 Ridge Road, he said he was concerned about the lot sizes for septic systems. He thought the Dept. of Health deemed these lots to be 5 acre parcels because of the Pert test.

The Secretary stated Cleveland Metroparks submitted a letter which was forwarded to the Applicant and was also included in the Applicant’s packet to the PC Board Members. A copy of letter is on file with Applicant’s submittal packet.

Moved by Mr. Castrovillari, seconded by Mayor Stefanik to move this item to the Regular Order of Business. Roll call: Yeas: Five. Nays: None. Motion carried.

ADJOURNMENT OF THE PUBLIC HEARING

Moved by Mr. Antoskiewicz, seconded by Ms. Fenos to adjourn the Public Hearing. Roll call: Yeas: Five. Nays: None. Motion carried. The Public Hearing adjourned at 7:09 p.m.
REGULAR MEETING

The North Royalton Planning Commission met in the City Hall Council Chambers, 14600 State Road, on Wednesday, October 18, 2017 in regular session. The meeting was called to order at 7:10 p.m. by Chair Tim Miller.

PRESENT: Planning Commission: Chair Tim Miller, Larry Antoskiewicz, Mayor Stefanik, Jessica Fenos, acting Secretary Bonni Becka. Administration: Law Director Thomas Kelly, Building Commissioner Dan Kulchytsky, City Engineer Mark Schmitzer.

APPROVAL OF MINUTES:

Moved by Mayor Stefanik, seconded by Ms. Fenos to excuse Frank Castrovillari from voting on the minutes of September 6, 2017. Motion carried.

Moved by Ms. Antoskiewicz, seconded by Ms. Fenos to approve the minutes of September 6, 2017 as submitted. Roll call: Yeas: Four. Nays: None. Abstained: One. Motion carried.

OLD BUSINESS

1. Huntington Park Subdivision Phase 4. The subdivision will consist of 14 single family residential lots on PPN: 488-12-030 in a R1-A zoning District. Phase 4 will be an extension of Angelina Drive. Final Plan approval was granted on 9-7-16. Tabled. 180 day extension expires 3-5-18.

2. Indian Trails Subdivision Phase II. Woodhill Properties, Inc. is seeking preliminary site plan approval for Indian Trails Subdivision Phase II. The subdivision will consist of 13 lots on PPN: 481-26-051, 481-26-050, 481-26-011 and 481-25-014 in a R1-A Zoning District. Phase II will tie into Indians Trails Phase I. Tabled. 180 day extension expires 12-4-17.


4. St. Paul Greek Orthodox Church. Justin Haselton of R.E. Warner & Assoc. on behalf of St. Paul Greek Orthodox Church is seeking site plan approval for a proposed parking lot improvement and associated storm water management located at 4548 Wallings Road, also known as PPN: 489-20-003, and PPN: 489-20-001 in a Public Facilities District. Tabled: 3/22/17. Revised plans have been submitted for approval.

Motion and second to remove from the table. Motion carried.

Justin Haselton stated the church is proposing to improve their parking lot by taking a gravel section of it and paving it with asphalt and putting in a detention pond as part of the project.

The City Engineer stated the Engineering Department’s commentary was submitted to the PC Board and also to the Applicant. Mr. Schmitzer stated not much has changed from the original submittal from March to now except it was a recommendation from the Northeast Ohio Regional Sewer District to consider designing the basin differently. The existing condition that they were designing the basis of the basin was a gravel parking lot. We asked them to look at that as forested and/or grassed condition. What that does is when you
improve and make that area now a drainage surface like a concrete or asphalt, it increases the amount of volume of detention that is required for that site. We have not done a full review of the calculations, but we will be looking to make sure that is adhered to. He said his other comments still apply regarding final design commentary, quantity and quality for the basin. Since it is a reconstruction, it includes an additional 20 percent in the design as stated in our code. We recommend, as stated in the Sewer District’s September 15, 2017 letter, to implement some best management practices that could help reduce the fee associated with the stormwater. It is not a requirement but it is highly recommended.

Mr. Haselton responded they have addressed all the District comments which include all the calculations and plans.

The Chair stated the Fire Departments report states aisles and through ways of the parking lot must be kept wide enough to accommodate all fire and emergency apparatus that may respond to the location.

The Law Director said he would like the PC to know that St. Paul’s applicants and church representatives have been most cooperative with us throughout this enterprise. They have gone through great lengths to try and meet the needs of their neighbors. From the Administration’s point of view, they recommend approval contingent upon their adherence to the recommendations from the Sewer District.

Mr. Antoskiewicz stated we have resident’s here from that area; he asked if those residents and Royal Valley residents have been updated on what those recommendations were. Mayor Stefanik said the Sewer District’s report is not complete yet. They gave us a timeline of the end of November that they will have the information and will present to us and Royal Valley some time in December a report of the whole storm water area from Wallings Road down to Bunker Road. At that time we will have a meeting and go over the results of the Sewer District’s report for recommendations. Mr. Schmitzer added that they are doing a study on the entire water shed, Cuyahoga River north water shed. We have provided information to them helping complete that study.

Owen Herlihy, 4863 Princeton Drive, stated his property backs up onto this property. He expressed his concern regarding the detention basin being large enough. He stated he was concerned with the parking lot lighting to prevent light pollution and they be controlled on an as needed basis. He also questioned drawing C-11 which shows the grade of the finished parking lot extension. He said it appears that grade points all water to the northeast corner of that extension and asked how the water from that point goes into the detention basin which is further south.

Jeff Paulus, 4960 Corkwood Drive, questioned if the study is coming out in November, why are we allowing this plan to go forward if the detention basin is part of that study. He asked if the study will address the proposal/issue where they could potentially swap land to give them the proper area to do this. Mayor Stefanik responded the District has been working with St. Paul on their area and possibly the Corkwood area. The NEORSD looked at what St. Paul is doing and the effect it will have on Royal Valley. They do not see the detention basin location to be an issue. It will hold the water that would normally be going into the Royal Valley area. Once the report is finished we can get together and find out ways we can help the situation of the water coming from further east and through the back.
Mr. Miller asked if the Board approves it based on the Engineering recommendations, would the Sewer Districts study be part of the approval. Mr. Kelly stated the Sewer District at the Mayor’s request went out of their way to look specifically at St. Paul’s property and the effect their storm water has on their neighbors and also where the storm water is coming from that effects St. Paul’s. They have given those recommendations to the City, Mr. Haselton and their Engineering staff. Those recommendations will be attached to the approval if the approval is given. He continued, the second piece is a much larger study which the City Engineer and Mayor referred to. It takes into account a much greater acreage to the north. That report is what we are waiting for. The Administration does not believe the Applicant should be held up any longer for the parking lot improvements. They have cooperated fully and have done everything they can do in order to assist in making this a good project.

John McAbee, 4990 Corkwood, expressed his concerns regarding property erosion and silt filling up the retention basin which they are expected to pay to dredge. He feels the water coming into their area is from St. Paul’s and Heasley Soccer fields.

Joe Jerse, 4943 Dublin Drive, objected to the moving forward of this project. He expressed his concern regarding the substantial water flow and damage to the properties. He said the Association’s Board did not receive notice of the meeting and have not seen the recommendations of the NEORSD; there was a failure of communication.

Mike Michalski, 9954 Royal Valley Drive, asked if there is a compelling reason this project needs to move forward right now. He said the prudent thing to do is wait until the NEORSD report’s final results are received.

Cyndy Indovina, 5020 Corkwood Drive, asked questions regarding Plan C06 and C07 regarding underdrains under the asphalt and the private storm water sewer system. She requested that when this underdrain is installed for the remainder of the north parking lot, before the asphalt is poured, can the City have an inspector look at the drain to be sure it will function properly especially during heavy rains. Jack Indovina, 5020 Corkwood, asked for clarification of an underdrain versus a french drain.

Joe Koncelik, Attorney for the church, clarified some details from the Sewer District letter. He stated a meeting took place with the HOA, Church, and Sewer District. He stated on October 12th they issued a comment letter on the plans; they requested the pond be increased by five percent in size to maximize storm water credits. The Church voluntarily increased the size of the basin, met all of the Sewer Districts recommendations. Correspondence was received by the Church which stated they endorse the plans and believe the plans have met and addressed all of their comments. On October 15th they issued the Church a letter which was the findings of their inspection of the property. They concluded the church was not having a significant impact on the HOA and made recommendations. He said the parking lot is not getting bigger. Based on the conclusion of the Sewer District’s findings, he said they are seeking to move forward and approve the plans at this time since they have addressed everything that the Sewer District has asked and the City has addressed.

Erin Mathur, 5030 Corkwood Drive, expressed her concern regarding the water runoff from the east and considers all the residents impacted by these decisions. She asked the Board to delay their decision.
The City Engineer stated a photometric will be submitted that shows light levels as it surrounds the parking lot. Those will need to meet the code of one foot candle maximum at the property line preventing light intrusion out of the proposed property. The improvement plans show a drainage swale is proposed on the north side past the parking lot in the dirt area. It will capture the water and drain it west to the basin. That will allow the water a chance to slow down, get into the basin and then detain there as it is designed to do. He said we have been in correspondence with the residents at 5020 Corkwood. The underdrains are drains underneath. They do not capture the surface water and piping it out. It is underneath the structure of the asphalt within the stone. It is put there to protect the stone and the base layer so if water does get underneath the pavement, it takes the water away from the pavement in order to protect the pavement from becoming saturated and breaking down or heaving from frost. These flat underdrains are put in periodic points to let water relieve from underneath the pavement. There is minimal discharge coming out of those. It is similar to a french drain.

Mr. Haselton responded to the question regarding big piles of dirt. He said because of the delay in working with the Sewer District, they corresponded with the City and asked for permission to bring fill onto the property with the understanding if they don’t get approval, the dirt would need to be removed. The City agreed with that condition.

Mayor Stefanik asked what the timeline is. Gus Kriaris, Construction Manager for the project for the Church responded a majority of the dirt was from the first phase to raise the grades of the new gravel lot which will help slow down the water from going into the Royal Valley area. Waiting until next year will increase project costs significantly. He said it will be a couple of weeks to do grading and raise the level up, build the detention pond and then a couple weeks to lay the asphalt.

Mr. Castrovillari asked the Project Engineer to display the site plan. He asked about the concerns regarding the west parking area and west detention pond being re-worked and resized. The City Engineer clarified the parking lot to the north is not a new parking lot; it was an existing parking lot that has been repaved. The Project Engineer designated on the plan the portion to the south of the line all of which has been repaved. The City Engineer stated everything is draining northwest. There is a common piece of land owned by the Royal Valley HOA; the small sliver which is directly west of the main parking lot. Up north at 5020 and 5030 Corkwood they see a lot of the drainage coming east of St. Paul's through the gas line easement that travels cross country through the subdivision. He said there are some drainage channels existing within the common property of the HOA and there were some items built as part of the subdivision for Royal Valley that pick up and intercept the flow. Further discussion continued regarding water flow.

Jeff Paulus said we are all talking the same issue. The majority of the water from St. Paul’s comes from where they originally had their parking lots. The water flows to the northwest. The NEORSD assessed what that impact would be for the new small parking lot. They made a recommendation on the percentage of water that will come off the new portion of the parking lot. He said he does not believe they looked at the system in total including the existing parking lot when they made that recommendation. I think they only looked at the small parking lot and said it would not have that much impact on Royal Valley. He continued, the impact they see is not only St. Paul’s entire parking lot but also the soccer fields to the east. He said his recommendation to St. Paul’s and the NEORSD was to move the detention basin. It would take more water from St. Paul's into that area and solve some
of the problem. He said he is afraid the NEORSD will make a recommendation that their detention basins be dry. The residents do not want that.

The City Engineer said when St. Paul’s was first constructed; the City code did not require detention. We are dealing with that same issue throughout the City.

The Law Director said the PC needs to balance the complaints and the concerns of the residents and the properties against the rights of the Applicant to move forward and make improvements on their property. This application has been pending for many months. The level of cooperation received from Saint Paul’s is excellent. They have done everything that they have been asked to do plus a little bit more. The storm water report from the Sewer District suggests that most of the water that is passing over Saint Paul’s property is from the properties adjacent to them and to the east. While it appears to many of the people downstream, that is all St. Paul’s water, it is absolutely not. The Applicant has rights that have to be recognized and treated appropriately. They have done all that they are required to do. He responded to Mr. Castrovillari’s comment that there should have been a retention basin put there years ago. They should have done it then; they did not. But they are going to do it now. The proposed detention exceeds our code.

Mr. Antoskiewicz asked if Saint Paul, as a good neighbor, is willing to do additional improvements off of the NEORSD report to take care of whatever other issues or concerns need to be addressed. He said he feels the residents are concerned that other issues will not be addressed.

Mayor Stefanik spoke on the responsibilities of both the Church as well as with the Royal Valley HOA and what the future decisions of the NEORSD. If needed, we may need to bring Saint Paul’s back to the table for further discussion. There is a bigger picture to look at. He assured the residents that this is not the end of the story; the dialog will continue to help solve these problems. Mr. Antoskiewicz said the application before us will help the situation; it won’t solve it but it is a good start. We are going to continue figuring out the best way to attack the problems.

The City Engineer stated we rely heavily on outside agencies. The NEORSD’s staff looks at the larger picture and not just micromanage a small item. In this case they are looking at both the proposed parking lot improvement and also globally at the issues going on in the water shed. The report and the recommendation that has come from their office for the proposed western parking lot with stormwater improvements are based on hydrology. The basin is in the best location and is the best design improvements; it is optimized and meets all of our code. Managing the stormwater and detaining it will help. This should be approved.

Moved by Ms. Fenos, seconded by Mayor Stefanik to approve site plan approval for proposed parking lot improvement and associated storm water management. Roll call: Yeas: 4 (Mayor Stefanik, Tim Miller, Larry Antoskiewicz, Jessica Fenos). Nays: 1 (Frank Castrovillari). Motion carried.

OLD BUSINESS (continued)

5. Michael Pizzuti. Michael Pizzuti of EMC, Inc. is seeking Sketch Plan Approval for a subdivision consisting of 10 single family residential lots on PPN: 486-23-003 on the east
side of State Road between Cady Road and Wiltshire Road in a Rural Residential Zoning District. Tabled: 5-17-17

6. **Jo Ann and Rino Costa.** Jo Ann and Rino Costa are seeking approval of a lot split of PPN: 483-22-005, also known as 10701 Royalton Road, currently zoned as General Industrial District. Tabled: 9/20/17.

7. **Chateau on State.** Ann Shanley, CEO of KV2 Property Investments/Chateau on State is seeking site plan approval for a proposed addition to an existing facility as well as exterior and parking lot modifications at 12822 State Road, also known as PPN: 488-05-019, in the Town Center District (TCD-3). Tabled: 9/20/17. Request to withdraw application.

**NEW BUSINESS**

1. **Scott E. Goldberg** on behalf of D. S. Acquisition & Development, LTD is seeking final plat approval for Pinestream Subdivision – Ph. 7 which is located at the southeast corner of State Road and Edgerton Road. This subdivision will tie together River Summit stub from Phase 3 and Hedgebrook Drive stub from Phase 6.

Scott Goldberg stated this is a 16 lot subdivision that was previously approved by the PC for final plan approval. The underground improvements, pavement and utilities have been installed. He said as far as he knows they have resolved all punch list items within the subdivision with the Engineering Department and Cuyahoga Soil and Water. At this point they are seeking to dedicate the improvements to the City.

The City Engineering stated we first met on September 7 on site when the contractor requested a final site walk through. A list of deficient items which needed follow-up as part of our dedication was minor in nature. A follow up visit on October 12 showed everything was 98% completed. He said they are in the process of reviewing the as-builds which are now finalized and meets code. Mr. Schmitzer asked about the existing service line. Mr. Goldberg stated they have relocated and rerouted the service line which provides power to the house at River Summit and Waterbridge. Mr. Schmitzer stated tree lawn trees will need to be added as the houses are built. He said he has received all the items needed for dedication; they are in the process of being finalized and reviewed by the Law Department regarding covenant and deed restrictions. One item discussed previously when they approved the final plan was the maintenance of the right-of-way area on State and Edgerton. He said typically the right-of-way is maintained by the property owner that is adjacent to it. This area is separated by a tree line at the power poles at the street. We have discussed with the developer to include language for maintenance and put that onto the HOA to maintain that area. Funds for inspections have been paid, funds and bonds and title insurance are in our possession for final review. The Developer has done everything that we need to seek PC approval for the final plat and I would recommend the same.

The Law Director stated we are grateful to Mr. Goldberg for his willingness to revise the HOA documents to reflect that the HOA will bear the responsibility for the maintenance of all of that otherwise orphan property that represents the perimeter around the backs of those homes which are facing the interior of the development as opposed to facing either Edgerton or State. Mr. Schmitzer stated the area is already existing grass and will be maintained by the HOA. Mr. Kelly stated the Law Department recommends it for approval.

Mayor Stefanik asked for clarification of what area of grass in the ditch would be their responsibility. Mr. Goldberg responded the area that abuts the rear of the 10 lots backing up
to State Road or Edgerton Road; it would go to the first house on Waterbridge. The HOA has been maintaining the basin and ditch in the rear of sublot 83. He said the retention basin exists as an Association easement on the back yards of those lots and is maintained by the HOA.

Moved by Mr. Antoskiewicz, seconded by Mr. Miller to approve the final plat for Pinestream Subdivision Phase 7. Roll call: Yeas: 5 (Mayor Stefanik, Tim Miller, Jessica Fenos, Frank Castrovillari, Larry Antoskiewicz). Nays: None. Motion carried.

2. **Russell Sposit** is seeking approval of a lot consolidation and lot split of PPN: 487-19-001, PPN: 487-19-020 and PPN: 487-19-021 located on Edgerton Road, currently zoned as RRZ.

Stan Loch with Aztech Engineering and Surveying spoke on behalf of Russell Sposit. The City Engineer explained there are three existing lots that are being consolidated. Out of that consolidation will then be one lot which will be split and create five sublots. The RRZ code lists five lots or less as a minor subdivision and is looked at as R1-A zoning; they are treated as single family homes. The minimum R1-A lot size is 20,000 feet. The potential home sites meet the definition of our code to be legally conforming. There are no sanitary sewers in that area so it would be septic. The Applicant has contacted the Board of Health for approval. Prior to approval, the Board of Health is requiring calculations and home plans to be submitted for each home. The PC is only looking at the approval of a lot split and consolidation. Mr. Schmitzer said we have asked the Applicant to maintain the naturalness of these deep lots. He said the Applicant stated they are looking to only clear the minimal for the footprint of the home. He is seeking a setback to be similar to what is on the south side of Edgerton. The code says it should have a 50 foot setback. The Applicant is looking for a 100-140 front yard setback. Minimalizing the impact and keeping natural the woods which include stream corridors and possible wetlands. The impact would be towards the back of the property where the proposed septic field would be located. The Engineering Department recommended approval of the application.

Moved by Mr. Castrovillari, seconded by Ms. Fenos to approve the lot consolidation and lot split. Roll call: Yeas: 5 (Mayor Stefanik, Tim Miller, Frank Castrovillari, Jessica Fenos Larry Antoskiewicz). Motion carried.

**MISCELLANEOUS**

The next scheduled meeting is Thursday, November 9, 2017.

**ADJOURNMENT**

Moved by Mayor Stefanik, seconded by Mr. Antoskiewicz to adjourn the October 18, 2017 Planning Commission meeting. Yeas: Four. Nays: None. Motion carried. Meeting adjourned at 8:45 p.m.

APPROVED: /s/ Timothy Miller
Chair

DATE APPROVED: December 20, 2017

ATTEST: /s/ Diane Veverka
Planning Commission Secretary