NORTH RIDGEVILLE PLANNING COMMISSION
MINUTES OF
REGULAR MEETING NOVEMBER 12, 2013

To Order: Chairman Jim Rothgery called the meeting to order at 7:00 P.M. with the pledge to the flag.

Roll Call: Present were Planning Commission Members Tim Anderson, Jim Hurst, Larry Mollenkamp, and Chairman Jim Rothgery.
Absent and excused was Member Robert Olesen.
Also present was Chief Building Official Guy Fursdon, City Engineer Scott Wangler, Assistant Law Director Toni Morgan and Secretary Donna Tjotjos.
Safety-Service Director Jeff Armbruster arrived at 7:07 P.M.

Minutes:

Chairman Rothgery asked if everyone had a chance to read the minutes dated October 8, 2013. He stated if there are no corrections to those minutes, then they are approved as presented and will be placed on file.

Old Business:

Chairman Rothgery stated that there is no old business.

NEW BUSINESS:

It was moved by Rothgery and seconded by Mollenkamp to suspend the By-Laws to read the comments and recommendations received from the Administration and City Planner after cloture.

Chairman Rothgery asked the Clerk to call the roll.

Yes, 4 No, 0

Motion was approved by a vote of four to zero.

APPLICANT: Chris Teater, Hickory Land Holding, LLC, 37000 Center Ridge Road
OWNER: Same
REQUEST: Preliminary Plan approval for Millridge Subdivision to include 74 Single Family lots and 45 Cluster lots.
LOCATION: South side of Mills Road; East of Stoney Ridge Road and West of Avon Belden Road in an R-1 District
Permanent Parcel Nos. 07-00-031-000-040 and 07-00-031-000-061

Application was read along with comments received from Assistant Law Director Toni Morgan and City Planner David B. Hartt.

Chairman Rothgery stated that there really is no reason to read the comments

received relating to the old subdivision plans since they aren't going to be applied to what will be submitted at a later date. He asked if that was correct.

Secretary Tjotjos stated that it was up to the Commission as to whether or not they want them read.

Chairman Rothgery addressed the Commission and asked if they saw any reason to review the comments based on the old plan since that is not what will be built.

Member Hurst stated no.

Member Mollenkamp responded no.

Member Anderson responded no.

Chairman Rothgery asked the representative to state his name and address for the record.

Mr. Chris Teater of 37000 Center Ridge Road, North Ridgeville explained that the second plan that was submitted to Planning Commission will in fact need to be slightly modified again before we are at the next meeting. The City Planner is correct on a few things and they will be making some minor adjustments to a few lots and some common areas, but he believes that this is the first subdivision to be submitted before the Commission since the ordinance was passed about three and a half years ago that required the review by the City Planner and in reviewing that ordinance, the instructions for the City Planner's review seemed pretty specific to him and he read that section of the ordinance. He added that while he appreciates some of the comments he made and he has taken them to heart in a few cases, it seemed to him that he addressed none of the items that seem to be the heart of his job under this ordinance; the impact on the City, the affect of the Master Plan, the impact on the surrounding area. He stated just an observation.

Chairman Rothgery stated that there has been another development proposed for that area by Gary Smitek and it was approved once and reapproved because he ran out of time. He wasn't sure how long ago that was and asked the Chief Building Official.

Chief Building Official Fursdon stated that he believed it was a year ago he came in and received approval on the final platting of phase one.

Chairman Rothgery stated that as memory serves, that was given to the City Planner for review.

Secretary Tjotjos stated that it wasn't by ordinance. The preliminary plan for that subdivision came in prior to the ordinance going into effect. The Planning Commission did request that his preliminary plan go to the City Planner, but it wasn't required by ordinance at that time.

Chief Building Official Fursdon stated that she is correct.

Chris Teater stated that as was said, they will be coming in with a modified plan on the second revision that was submitted; although essentially in the same format for the Planning Commission at their next meeting. He asked if he was able to get general comments that might assist them in their preparation. He stated that if the Commission does have questions that are technical in nature, a representative from Bramhall Engineering is in attendance. He stated that they were looking for any guidance, Planning Commission is able to give tonight.

Chairman Rothgery addressed the Planning Commission and asked if there were any comments or questions on the second plan.

Member Hurst addressed the last lot, sub lot number 32 and stated that there is a piece of property there next to that sub lot right in the corner and asked what that will be used for.

Mr. Clarence Watkins of Bramhall Engineering; located at 801 Moore Road in Avon, Ohio responded and stated that they did a basic layout and that area there just might be part of the green space. As Mr. Teater said, in light of some of the comments they received from Mr. Hartt, it is their intention to modify the lot count so that it agrees with the count as it should, add dimensions to the frontage of all the lots so that it be confirmed they are meeting the average lot width of 85 feet; add the area of every lot so that it can be confirmed that they all meet the minimum requirements. Mr. Teater alluded to the fact that they were a little over on the number of lots and they are going to make an adjustment on that. They intend to have the geometry essentially match what the Planning Commission has in front of them. They aren't really intending to change that, but they want to make numerical adjustments on dimensions and counts to meet the Planner's recommendations. They will summarize all of the green space area on the plan so that it can be clear as to what is being used for green space.

Member Hurst addressed the ditch that runs east/west through the development and asked how deep it was as he stated it looked to be about three feet deep.

Clarence Watkins stated that it is on the order of three to four feet deep.

Member Hurst asked if it could be mowed.

Clarence Watkins stated that it could be mowed. He stated they are trying to leave that untouched. Their plan will include an easement so that can be maintained. He stated there is also a slight swale to the east of the property line as well.

Member Mollenkamp addressed the same ditch and asked what the easement width would be. He stated he sees 20 feet for a sewage easement and he is assuming that this is a minor ditch. If it is a minor ditch he asked if it wasn't to be 25 feet.

Chief Building Official Fursdon asked 25 feet what.

Member Mollenkamp stated that the 25 feet would be the easement width. In other words there would be 12 and half feet on each side of the center line.

Chief Building Official Fursdon stated that a minor ditch would be 50 feet.

Member Mollenkamp asked what would negate a 25 foot easement.

Chief Building Official Fursdon stated a storm sewer, a sanitary sewer.

Member Mollenkamp asked if it included a ditch.

Chief Building Official Fursdon stated that ditches are 50 and 75 feet by ordinance and it depends on whether they are defined as major or minor.

Member Mollenkamp restated that if this is a minor ditch the easement would have to be 50 feet.

Chief Building Official Fursdon stated yes, by ordinance.

Member Mollenkamp addressed the open space that runs east and west from sub lot 18 through sub lot 82 and asked if that was also considered part of the open space for this development. He stated that there is a narrow strip that runs east towards 82 with the landscaping strip that starts at sub lot 18. There is a dimension in there and asked if that was open space because there is no dimension calculated there at all.

Clarence Watkins stated that they are considering it open space and it would be included in that tally.

Member Mollenkamp stated that there is drainage line that runs from sub lot 60 north through sub lot 79 across that cul-de-sac or that stub street to a retention pond. He asked if there will be an easement there for that.

Clarence Watkins stated that there will definitely be an easement for a storm running between the lots, but they have to get drainage from that most southerly road and the lots that are along it to a detention basin and that is why they are providing storm up through there and they would have to have an easement for the storm sewer.

Member Mollenkamp asked if they would be detention or retention basins.

Clarence Watkins stated that they will be retention basins, meaning they would be wet.

Member Mollenkamp asked if they would be aerated.

Clarence Watkins stated not necessarily but sometimes owner preference requires that. They don't necessarily have to be.

Member Hurst stated that there was some earlier discussion about getting the water from North Ridgeville all the way over to Stoney Ridge and asked if that could be accomplished through area T, which is apparently owned by Hickory Land as well.

Clarence Watkins stated that he isn't sure what the owner's intent is with area T. There are some thoughts about it, but he didn't think they were included with this plan. It could have a water line and make a connection over there and perhaps provide a loop. Those are some things we want to work out with the Engineering Department. Yes, they could provide water there.

Member Hurst asked if that could also be used as a roadway.

Clarence Watkins stated it is possible.

Member Hurst stated that he did acknowledge a second entrance onto Mills Road and asked if they could have gone out onto Stoney Ridge instead.

Clarence Watkins stated he would let Mr. Teater answer that.

Chris Teater stated the answer is that it is theoretically possible. It would not by any means be their first choice. The parcel of land that they own that goes out to Stoney Ridge Road is too narrow to have lots on either side of the road, so they would have a roadway; a very expensive entry way that would serve no other purpose to them. They have to plan for the development of the surrounding land in the future. He stated that they have stub streets that will access that at some point in the future. They don't own that land. They did make the one major revision from the first

submission to provide the dual access points out onto Mills Road. They would certainly prefer not to have access onto Stoney Ridge through that parcel.

Member Hurst noted an east/west easement at the ditch. There is a 20 foot easement on either side of the property line. He asked what those easements are for because they don't seem to go all the way to the street.

Clarence Watkins asked if he was speaking of the existing easement.

Member Hurst stated he wasn't sure if it is existing or not. It does say sewer easement.

Member Mollenkamp stated that it does look like a 20 foot sewer easement.

Member Hurst asked if that was this development's easement or was it an existing easement.

A member from the audience stated that there is no sewer in the area so it can't be an existing sewer easement.

Chairman Rothgery agreed and confirmed that there is no sewer on this end of town in this area. The sewer comes off of Case Road currently.

Clarence Watkins stated that he couldn't say how that got put on there. He stated that they have been dabbling with this land for several years. He stated that he couldn't really say the origin of that easement. He reiterated that they have looked at this plan for several years with the client and he would have to go back and review their work and see why this was put there. It may just be something that should be removed from the plan. Obviously, the owner has looked at lots of different scenarios over the years with different ideas of getting utilities to this site. That may be left over from a previous idea and it wasn't properly removed from the plan. Now that it has been mentioned, he assured the members that the next plan won't have it on there unless there is a good reason for it.

Chairman Rothgery asked if they were counting the area with the high tension wires as open space.

Clarence Watkins stated no, because that is actually owned by the utility company. It is not an easement. He believes that it is noted as being owned by Cleveland Electric Illuminating Company so that area is not included.

Chairman Rothgery asked if area A was being included in the open space.

Clarence Watkins stated that they were mistakenly so. That is one of the things that after reflecting on it with receipt of the comments from Mr. Hartt, they want to re-evaluate their calculation and show the exact area within the boundary of the property, calculate the number of lots that are allowed by the formula provided in the code and they will not include any reference to Area A. So, that is some of the recalibration that Mr. Teater spoke of that they would like to come up with. They will be reducing the number of lots, firm up the number of cluster lots, add the dimensions and areas on there that clarify the owner's request.

Chairman Rothgery addressed the stub streets and asked what the intent was for those. He stated that he realized that it is for future development and asked if they own the land to the south.

Chris Teater stated no they do not

Chairman Rothgery stated he would far rather see a cul-de-sac there and just make it not accessible to any further development. He would rather see this as a standalone development. That is his personal feeling.

Chris Teater stated they don't have any objection to that.

Chairman Rothgery stated he realized that would take a little bit of reconfiguring of lots, with 82 and 83 and 56 and 57 and 53 and 54.

Member Hurst stated that they do own O, which is the extension of the one stub street.

Chris Teater asked where Member Hurst was referring to.

Chairman Rothgery stated that they do own land just to the east of the stub that they have off the cul-de-sac where it says O.

Chris Teater stated that is owned by North Ridge Pointe Limited. It is not them.

Chairman Rothgery noted he is correct. He asked if there were any other questions or comments from the Commission.

Member Mollenkamp addressed the east/west ditch again. He asked how they were planning or if they really looked at what they are going to do on those two streets at sub lot 106, 104, and 6 and 8. He asked if there were going to be bridges there or culvert.

Clarence Watkins explained that they would probably do a three sided culvert with an open bottom. Generally, that is what people are preferring to be done now so, that you don't impact the ditch and have issues with environmental agencies. So, more than likely it would be what they call a three sided culvert with footings and natural flow line.

Member Mollenkamp asked if it was similar to a head wall.

Clarence Watkins stated it is similar to a head wall, but what they are trying to do is have the natural ditch proceed and cross it with a precast structure and sometimes that can be cast in place and there are companies that promote that as well.

Member Mollenkamp asked if there will be safety railings included.

Clarence Watkins stated they would have whatever railings that are required. He hasn't gone far enough to think about sidewalks and things like that, but if there are walks, there will be safety railings. You would at least have a guard rail for some of the vehicular traffic, which details will be worked out with the Engineering Department to meet the requirements.

Member Hurst addressed the area that seems to be landlocked and owned by Gary D. Sharp. He asked if they purchased property around him that may have landlocked him.

Chris Teater stated that he has frontage on Stoney Ridge and he showed Member Hurst where the frontage is located on the plan.

Chairman Rothgery asked if there were any other questions or comments from the Commission. Hearing none, he opened the floor to the Administration for anything they would like to add.

Chief Building Official Fursdon stated he didn't wish to be confrontational; but the City doesn't need any more stand alone subdivisions. He stated that the City needs a certain amount of connectivity to go from one subdivision to another so that we aren't clogging up the major arteries. It is better for Police response to get to one subdivision to another. The question he had was if the Engineering Firm did the plans for North Pointe Subdivision for Smitek.

Clarence Watkins stated no.

Chief Building Official Fursdon stated that he is aware that a piece of their property

does touch this subdivision and asked if any of that property was intended for street extension within North Pointe property. He asked if any of these extensions line up with anything for the future. He asked if any thought was given to making sure that this subdivision was in alignment with the other approved subdivisions.

Clarence Watkins stated that no thought has been given to that thus far. If they received some information as to what other developer's intensions were, it would certainly help. If they were made aware of something that has been submitted to the City, then perhaps they could adjust where their roads are to meet that. However, there has been none of that at this point.

Chief Building Official Fursdon stated that they could see the two preliminary plans approved for Hampton Place and North Pointe. There is a north/south street that does come through there but he didn't know, as he didn't get a chance to see how this would possibly align with this new subdivision where they might want to alter some kind of connection so that the City gets some connectivity with all these subdivisions without having to go back out to Stoney and 83 to get from one area to another.

Clarence Watkins stated that they will look at that before they recalibrate and if they need to adjust that north/south connector so that it lines up with something in the future, he would imagine that they would be able to do that.

Chief Building Official Fursdon asked if the representative was intending to note the front setbacks on the single family lots for their next submission.

Clarence Watkins stated that the Planner's letter did clarify that so they will address the average 35. They will show that.

Chairman Rothgery asked if there were any other comments from the Administration.

City Engineer Wangler recommended that the representative take a look at looping the water lines. He stated that the dead end runs are problematic for water quality and they are problematic for maintenance. It gives outages of service and they have to shut the line down and there are obviously circumstances where they have to be tolerated, but the City would like to keep it to a minimum.

Chief Building Official Fursdon asked if all the water for the subdivision will come out of the City of Avon.

Clarence Watkins stated he believes so.

Chief Building Official Fursdon asked if there was any thought of putting a valve up

there where it could be adjusted because as this would interconnect with other future subdivisions, then all that utility could change over and come strictly out of North Ridgeville.

Clarence Watkins stated that they are open to that. If they get to that point where they can agree to the number of lots and their general arrangement, they will sit with Scott and his staff to come up with a utility plan that meets their expectations.

Chief Building Official Fursdon stated that he isn't sure what Avon's rates are compared to North Ridgeville, but at some point in time, it might be more advantageous for the residents in North Ridgeville to get their water from North Ridgeville rather than from Avon.

Clarence Watkins stated he understood.

Chairman Rothgery asked if there was water available in Avon as he knew that Mills Road used to be all wells.

A member from the audience spoke but it was inaudible.

Chairman Rothgery asked if there was anything else from the Administration.

Safety-Service Director Armbruster stated that he believes Planning Commission has done a nice job in asking their questions and it looks like there is a fair amount of work that needs to be done. He asked how this will move forward. He addressed the representative and asked if they will have enough time to get this done before the next meeting's cloture dates.

Chairman Rothgery stated that there should be plenty of time within the month.

Chris Teater stated that he believes that the deadline is a week from tomorrow to submit in order to meet cloture for the next meeting.

Chief Building Official Fursdon stated November 20.

Chris Teater stated that they do intend to try and make that date.

Safety-Service Director Armbruster stated that it wouldn't need to go to a Special Meeting; it could go to the next regular Planning Commission meeting.

Chairman Rothgery stated that the Special Meeting has been cancelled.

Chris Teater stated that was correct.

Safety-Service Director Armbruster stated that gives the representative more time.

Chris Teater stated that it gives them a week instead of a day.

Safety-Service Director Armbruster stated that they do have a lot of work to do.

Chairman Rothgery turned the meeting over to the audience and asked if they had anything they would like to add.

Jeff Hansen of 5027 Stoney Ridge Road asked to see the plan. He stated that he wanted to make Planning Commission aware that where this drainage ditch is located it does continue all the way over to Craig's property. The Shoemaker's and Thielman's aeration system drains to the back. It doesn't drain, but they are required to have the outflow to go to an open ditch. He showed where that open ditch is located on the plan. He stated that if they did anything at all to the ditch, the development would impact those two people. That was really the biggest concern. Whoever owns those lots that have the easement through it may or may not have foul water flowing through it depending upon their aeration system and that is because they don't have sewer on Stoney Ridge. Planning Commission also mentioned something about the water and the water for this whole subdivision comes from Avon and if anything happened through the property he showed on the drawing where it had to go ahead and put water or sewer through it, then that would make the lot he showed on the plan unbuildable. He stated that the lot is unbuildable right now because there is no sewer and there is nowhere to drain an aeration system so it is basically just sitting there.

Chairman Rothgery addressed Mr. Hansen and stated that there is a horse farm back there and asked if there was anyone else doing any farming along Stoney Ridge there.

Jeff Hansen noted the properties and stated that Dr. Krupka has chickens and the Shoemaker's have goats. He stated he has geese and that would be it in that area. He stated that the horse farm is huge and anyone that lives in the houses he pointed to on the drawing will be impacted by the odor. He stated that they don't want the new owners to move in and say that the horse farm has to go.

Chairman Rothgery asked if the representative would consider any kind of a fence at all in that area along the residents on Stoney Ridge. He stated he realized that is a big favor, but he would like the representative to consider it because there are people that have livestock down there and he would hate for them to run into this subdivision. It would be that or do a conservation easement which would mean leaving ten feet of

land that can't be touched by any party and left as virgin land basically. He stated that he has some concern.

Jeff Hansen showed the area on the drawing and asked if that was where he meant. He stated that he believes the barn sits right there next to the property line and he believes it sits back about 20 feet from it.

Chairman Rothgery asked the representative to consider what he stated.

Member Mollenkamp addressed Mr. Hansen and stated where the existing ditch is located and the horse farm, he asked if that ditch continues on to Stoney.

Jeff Hansen stated that it continues....

Member Mollenkamp stated that it makes a northerly turn near Mills Road.

Jeff Hansen stated yes. He showed the area on the drawing where the ditch is located.

Member Mollenkamp stated he was talking about the one north.

Jeff Hansen reviewed that ditch on the plan and stated that was a good question as he didn't know. He stated he has seen the City clean the ditch out a couple of different times, but he really has no idea where it drains.

Safety-Service Director Armbruster stated that as far as an aeration system or septic system is concerned, he asked if that was considered a ditch where it flows. He understands Mr. Hansen's concern, but if you start considering where someone's septic system flows, we might not be able to develop anymore in North Ridgeville because there are septic systems that go across land that people don't own and they are not supposed to overflow. They are to be maintained and taken care of. He addressed Chief Building Official Fursdon and asked if that is a major ditch or is it a ditch at all. If it is just there in low land where something flows across, he didn't know how that works.

Chief Building Official Fursdon stated that he would have to check the ditch map in regard to this particular site to see whether it is considered major or minor. He stated there are ditches in the City that aren't on the ditch map or under our control and any aeration system that would run into drainage through there, they would simply pick up that line and connect it in to their sanitary or storm line; whichever the EPA would require so that their flow, if needed, would continue.

Safety-Service Director Armbruster stated that in regard to the comment made

relating to the smell, it is no different than French Creek. French Creek has some of the major subdivisions in Sheffield Village next to it; where people have purchased homes and they still get complaints. The horse farm will stay if it is zoned appropriately and they can be there. We are going to get complaints regardless of what we try to do in whether or not it is downwind or upwind. If they have a viable horse farm, he didn't want them to move and if that is what they want to use their property for then those people moving in there have to recognize that there will be a horse farm there and that they might smell manure. There might be a smell that they might not like.

Member Mollenkamp stated let the buyer beware.

Safety Service-Director Armbruster stated let the Safety-Service Director beware.

Jeff Hansen stated that the Sharp's asked if anyone called on them at this time of year about the odor and he said no, but somebody did. He stated that he has lived there for about 25 years and the Sharp's have been there longer. There has been nobody moving in and out of the area, but someone called about the odor so, it is going to happen.

Chairman Rothgery asked if there were any other comments.

Member Hurst stated that the new county regulations state that the discharge has to go into a flowing creek.

Safety-Service Director Armbruster stated that he didn't know if this is flowing and he didn't know whether or not it was considered a ditch.

Member Hurst stated he wouldn't consider that flowing.

Jeff Hansen showed the area where Member Hurst was talking about and stated that there is actually a bridge that goes across it. The water flows and it did meet the requirements when the Shoemaker's built their house and their house is fairly new.

Chief Building Official Fursdon added that was when their system was installed.

Safety-Service Director Armbruster addressed the comment made regarding the small strip between lots and stated that is prevalent in Ridgefield. He explained that they have common area behind his home. He lives on a cul-de-sac and it surrounds three sides of his house and it runs in between all the homes. It isn't only maintained with landscaping it is maintained with its drainage. It is not uncommon at least from his standpoint of Ridgefield and how it was developed.

Member Mollenkamp stated that his comment to that would be in reference to the home owner's association and their responsibility on that narrow strip especially the one that goes all the way back to where the landscaping is. It is a major undertaking in dollars and cents for the home owner's association.

Safety-Service Director Armbruster stated that it is a major undertaking and in Ridgefield the home owner's association does take care, however, most people do try to take care of their own and some do help in maintaining the common area. The home owner's association does take care of it especially in the major areas.

Chairman Rothgery asked if there was any further discussion.

> It was moved by Rothgery and seconded by Mollenkamp to postpone this application until the next regular meeting scheduled for December 10.
> Yes, 4 No, 0

Motion was approved by a vote of four to zero.

ADJOURNMENT:

Chairman Rothgery stated since there is no other business, this meeting is adjourned.

Meeting adjourned at 8:05P.M.

Chairman **Secretary**

December 10, 2013
Date Approved