

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

May 13, 24

The City of Cortland Planning, Zoning & Building Commission met on Monday, May 13, 2024 at 6:35 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Donald Fatobene, Curt Moll, Sally Lane and Frank Daugherty. Also present were Mayor Deidre Petrosky, Service Director Kim Blasco and the following individuals:

James Westbay	1440 Miller Landing	Cortland
Dave Sova	503 Charles Ave.	Cortland
Mark Brown	3260 Niles-Cortland Rd	Cortland
Flo Hutton		“
R Todd Haines	127 N Mecca	“
Brian Herron	263 Dornoch	“
Karen Angelo	112 Greenbriar	“
Ryan Stan	160 Winter Ln	“

Don Fatobene: I’d like to call to order the Cortland Planning, Zoning & Building Commission for a Public Hearing. **18-24 Public Hearing** – The purpose of the hearing is to consider a variance request for 127 N Mecca & 34-079140 to install a fence on vacant property & allowing it closer than the 30ft from the right of way required setback. Is there anyone here to speak for this?

Todd Haines: I would like the fence up to keep people out basically. People walk through there, people pull in there all the time. There is one section that belongs to the owner of NAPA so I can not go all the way to the NAPA building. On the back side, I can close all the way because their building actually sits on my property. The property line that goes through there, the pins are actually crazy; up, down, back, this way.. When we acquired the property, we had it professionally surveyed. We have all of the main pins to the road and the sidewalk and our house property. There are just so many people crossing through the lot. I want to put the fence up to prevent people from crossing through. My wife and I see people walking through and it’s posted, they just don’t care. It’s posted at my driveway, it’s posted at the front of the driveway that goes to the garage, posted on the back side where NAPA is. People pull in with their vehicles, I’m just trying to deter people from using it for their own personal use. They don’t pay the taxes, I do. I don’t see 46 ever getting expanded but, if it ever did, it’s not like the fence can’t be moved. The posts are 3 feet off the sidewalk right now. I’m trying to leave room to decorate, make it nice when people are actually using the sidewalk and not walking through the lot, make it nice. That part is just privacy fence (looking at the photo in the packet), we are going to use nicer white fence that you can see over, nothing gody and ugly. So, that’s the reasoning, mainly to keep people off the lot.

Curt Moll: You are going to continue the same wooden fence?

Todd Haines: The reason the privacy is up in the front is to keep people from pulling in there plus to give me a little privacy. You have no idea how many people slow down and just gawk and look. They just pull in like they did about 4 days ago just looking around. We were on our way to prom pictures; if I had time I would have followed this person. I did take a picture of their license plate. They had tinted windows, you couldn’t see who they were. I pulled up and asked, can I help you and they just took off.

Mayor Petrosky: Next time please call the police department and keep yourself safe.

Todd Haines: Why are you in here? It’s not like they pulled in a little bit, they pulled in the middle of my lot and drove through all of my trailers and other vehicles. They are all legal, they all have stickers, are insured.

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Mayor Petrosky: It doesn't matter, they shouldn't be on your property.

Todd Haines: Yeah, that's the point. There is clearly a sign out there that says No Trespassing, Private Property and No Soliciting.

Don Fatobene: Okay, very good. Is there anyone here to speak against this? We will close the Public Hearing.

A motion was made by **Curt Moll** and seconded by **Sally Lane** to adjourn the **18-24 Public Hearing**.

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The City of Cortland Planning, Zoning & Building Commission met on Monday, May 13, 2024 at 6:45 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Donald Fatobene, Curt Moll, Sally Lane and Frank Daugherty. Also present were Mayor Deidre Petrosky, Service Director Kim Blasco and the following individuals:

James Westbay	1440 Miller Landing	Cortland
Dave Sova	503 Charles Ave.	Cortland
Mark Brown	3260 Niles-Cortland Rd	Cortland
Flo Hutton		“
R Todd Haines	127 N Mecca	“
Brian Herron	263 Dornoch	“
Karen Angelo	112 Greenbriar	“
Ryan Stan	160 Winter Ln	“

Don Fatobene: I'd like to call to order the next public hearing. **19-24 Public Hearing -** The purpose of the hearing is to consider a variance request for 503 Charles Ave. to allow a shed 4 feet from the property line instead of the required 10-foot setback.

Dave Sova: I'm Dave Sova, 503 Charles Ave., it's in Sarah Ulam's name. We are engaged so we live there together.

Don Fatobene: Explain what you are looking to do there.

Dave Sova: We have been trying to find a good location for a shed in our yard. There has been a lot of debate about this at home. Kim has been very helpful with letting us know what is acceptable and what isn't acceptable. We have two large Maple trees in the back, one is huge, it's a monster. So, one on each side of the yard. The only area that we can put a shed to where a. it's not going to be underneath one of those Maple trees or b. where we will not be excavating where the root system is to damage the tree; is set back just a little bit about 4 feet from the property line rather than the 10 feet that is normally required.

Curt Moll: So, the trees are well in front of the line?

Dave Sova: Yes, the shed would be 4 feet in from the east property line. I would call it the southeast-ish corner, not quite in the center.

Don Fatobene: Any questions? No one is here to speak against it.

Dave Sova: We've talked to our neighbors. All of the neighbors let us know that they received the letter, notification. The conversations that we had, no one had any objections just, 'what are you doing back there?'

Curt Moll: Well, they didn't come.

Mayor Petrosky: Then they must not have a problem.

Don Fatobene: Very good, that will be on our regular agenda coming up, at our regular meeting. Is there anyone here to speak against this? No. With that, can I get a motion to close the public hearing.

A motion was made by **Frank Daugherty** and seconded by **Curt Moll**.

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The City of Cortland Planning, Zoning & Building Commission met on Monday, May 13, 2024 at 6:50 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Donald Fatobene, Curt Moll, Sally Lane and Frank Daugherty. Also present were Mayor Deidre Petrosky, Service Director Kim Blasco and the following individuals:

James Westbay	1440 Miller Landing	Cortland
Dave Sova	503 Charles Ave.	Cortland
Mark Brown	3260 Niles-Cortland Rd	Cortland
Flo Hutton		“
R Todd Haines	127 N Mecca	“
Brian Herron	263 Dornoch	“
Karen Angelo	112 Greenbriar	“
Ryan Stan	160 Winter Ln	“

Don Fatobene: Let's start with the third public hearing. **20-24 Public Hearing** - The purpose of the hearing is to consider a variance request for 251 S High St. to exceed the number of faces allowed on a pole mounted sign, no larger than 32 sq ft. Is there anyone here to speak for this?

Mark Brown: I have Mark Signs, 3260 Niles Cortland Rd and we are doing the sign for Little Charlies Bakery. It's going in the bottom sign. I finally talked Steve (owner of the property) into whacking the top of the sign off. It was an effort.

Mayor Petrosky: Well done Sir.

Mark Brown: I did my best.

Mayor Petrosky: And we thank you for that.

Mark Brown: You're welcome. The sign is ready to go up. We are going to go when the bank is closed and take the top down.

Curt Moll: You are going to cut the post off at 9 feet or whatever?

Mark Brown: Yes. The parking lot light is coming down and the Rite Cleaners one is coming down also.

Curt Moll: Are you going to paint the post?

Mark Brown: Paint the post and fix the sign so that it lights up.

Don Fatobene: Is there anyone else to speak for this?

Flo Hutton: I'm Flo Hutton if you don't know me and I've come to speak for the sign across the street. I have nothing against it. The sign that is there now has been obsolete for so long that I'm tired of looking at it anyway. I think that it's a nice thing that a bakery came to town and chose Cortland. I welcome them and I'm glad it's there. Thank you.

Don Fatobene: Is there anyone here to speak against? No, can I get a motion please?

A motion was made by **Sally Lane** and seconded by **Frank Daugherty** to adjourn.

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The City of Cortland Planning, Zoning & Building Commission met on Monday, May 13, 2024 at 7:00 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Don Fatobene, Curt Moll, Sally Lane and Frank Daugherty. Also present were Mayor Petrosky, Service Director Kim Blasco and the following individuals:

James Westbay	1440 Miller Landing	Cortland
Dave Sova	503 Charles Ave.	Cortland
Mark Brown	3260 Niles-Cortland Rd	Cortland
Flo Hutton		“
R Todd Haines	127 N Mecca	“
Brian Herron	263 Dornoch	“
Karen Angelo	112 Greenbriar	“
Ryan Stan	160 Winter Ln	“

Don Fatobene: I’d like to call to order the Planning, Zoning and Building Commission regular meeting. Can I get a roll call please.

Roll Call: Brian Hodor, absent; Sally Lane, here; Curt Moll, here; Frank Daugherty, here; and Don Fatobene, here.

Don Fatobene: I’d like to ask for the **Approval of Commission Minutes for the February 12, 2024 meeting.** (Don spoke about not having a meeting in March and only having a Public Hearing in April because there was not a quorum for the regular meeting.)

A motion was made by **Curt Moll** and seconded by **Sally Lane**.

Roll Call: Don Fatobene, yes; Sally Lane, yes; Curt Moll, yes; Frank Daugherty, abstain. **MOTION APPROVED.**

Don Fatobene: 14-24 Variance Request - The request is to consider a variance to allow a shed on a lot that does not already have a primary structure at 155 N. High. Can I have a motion please.

A motion was made for **14-24** by **Curt Moll** and seconded by **Sally Lane**.

Don Fatobene: Is there anybody here that would like to come up and tell us what you are doing on behalf of the United Methodist Church?

Kim Blasco: We told them that they didn’t have to be here. A public hearing was held for this and they are now just asking for a vote.

Curt Moll: No one spoke against it. There was not a quorum so we couldn’t act on it. They are basically putting it in the back right corner of their parking lot, taking up 1 or 2 parking spaces.

Kim Blasco: The church owns various parcels back there; it just happens to be on one of the vacant parcels. Again, they want to be closer than ten feet from the rear and the side and they want to keep it on the asphalt in the back corner.

Don Fatobene: Does anyone have any questions on this? That was a very good summary of it. Let’s have a vote.

Roll Call: Donald Fatobene, yes; Curt Moll, yes; Frank Daugherty, yes; Sally Lane, yes. **MOTION APPROVED.**

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Don Fatobene: Next on the agenda we have **15-24 Variance Request** - The request is to consider a variance to allow a shed to encroach on the 10-foot setback requirement by 7 feet at 155 N. High. This would be placing the shed 3-foot from the side & rear property line. It's the same shed that we just talked about.

A motion was made by **Curt Moll** and seconded by **Sally Lane**.

Kim Blasco: This is the same thing; we just broke out the variance requests individually.

Don Fatobene: Okay, no questions, can I get a roll call.

Roll Call: **Curt Moll, yes; Frank Daugherty, yes; Sally Lane, yes; Don Fatobene, yes. MOTION APPROVED.**

Don Fatobene: Moving on to **16-24 Replat** – Replat of lots 51 & 52 – Village Park Estates Plat No. 4 & North Half of Vacated Right of Way. Plat Volume 35, Pg 71 Cortland City, Trumbull County, OH. Can I have a motion please.

A motion was made by **Frank Daugherty** and seconded by **Curt Moll**.

Ryan Stan: Ryan Stan, 160 Winter Lane. We purchased that lot to control our water issue because we have a hill and we also purchased it to make our land bigger. Maybe eventually I'd like to put up a garage like the one on Stonewood with the 2-car garage.

Don Fatobene: Okay, Kim anything to add to this?

Kim Blasco: It's straight forward, just combining two lots into one and maybe plan for a future garage.

Don Fatobene: Any questions from the Board? Can I get a roll call?

Roll Call: **Curt Moll, yes; Don Fatobene, yes; and Sally Lane, yes; Frank Daugherty, yes. MOTION APPROVED.**

Ryan Stan: Thank you very much, have a great day.

Don Fatobene: **17-24 Home Occupation** – Maplewood Dr. – Karen Angelo, hair salon.

A motion was made for by **Curt Moll** and seconded by **Frank Daugherty**.

Karen Angelo: Hi. My name is Karen Angelo and I am going to be building a home on Maplewood. I'd like to make one of the bedrooms into a hair salon. It will just be small, just for me. One person at a time, nothing elaborate. I'd like to make sure that you guys approve of this.

Don Fatobene: I would think that parking wise; it is going to be by appointment...

Karen Angelo: I'll have a double driveway and I will have 1 car at a time.

Curt Moll: The only other question that usually comes up is, what about deliveries?

Karen Angelo: No, I go pick up all of my supplies on my own.

Don Fatobene: If no one has any questions, can I get a roll call?

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Roll Call: Sally Lane, yes; Frank Daugherty, yes; Don Fatobene, yes; and Curt Moll, yes. MOTION APPROVED.

Don Fatobene: Moving on, **21-24 – Variance Request** – The request is for 503 Charles Ave. to allow a shed 4 feet from the property line instead of the required 10-foot setback.

A motion was made by **Curt Moll** and seconded by **Sally Lane**.

Dave Sova: We are looking to put a shed in the backyard. It makes the most sense not to put it under the 2 large Maple trees that we have back there. We want it so that it is not in the middle of the yard. The request is to move it east, that is within 4 feet of the property line instead of 10 feet. We already have an existing fence so it will be within the fence.

Don Fatobene: We had a public hearing earlier and there was nobody here to speak against this. Does anyone have questions, concerns, comments? Can we have a roll call.

Roll Call: Curt Moll, yes; Frank Daugherty, yes; Don Fatobene, yes; Sally Lane, yes. MOTION APPROVED.

Don Fatobene: 22-24 – Variance Request - The request is to allow 251 S High St. to exceed the number of faces allowed on a pole mounted sign, no larger than 32 sq ft.

A motion was made by **Frank Daugherty** and seconded by **Curt Moll**.

Mark Brown: Mark Brown, Mark Signs, 3260 Niles-Cortland Rd. We are putting the bottom sign at Rite Cleaners, for Little Charlies. There are 32 sq.ft. on both sides, cutting the top off to make it shorter, and painting the pole.

Don Fatobene: There was a public hearing on this earlier and there was nobody here to oppose. With that, can I get a roll call.

Roll Call: Don Fatobene, yes; Sally Lane, yes; and Curt Moll, yes; Frank Daugherty, yes. MOTION APPROVED.

Don Fatobene: **23-24 – New Sign - Pole Mounted Sign -251 S High St** – Little Charlie’s Bake Shop, 8’X4’, LED lit.

A motion was made by **Frank Daugherty** and seconded by **Curt Moll**.

Don Fatobene: Once again, describe the sign so we can have it on the record.

Kim Blasco: Describe the sign in a little more detail.

Mark Brown: It’s 4’ x 8’ on two sides, it says Little Charlies Bakery. We are fixing the lights too.

Don Fatobene: There is a picture in your packet. Any questions on this? Can I get a roll call.

Roll Call: Sally Lane, yes; Don Fatobene, yes; Curt Moll, yes; and Frank Daugherty, yes. MOTION APPROVED.

Mayor Petrosky: Thank you again for all of your assistance.

Don Fatobene: **24-24 – Variance Request** - The request is to allow 127 N Mecca & 34-079140 to install a fence on vacant property. Can I get a motion on this?

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A motion was made by **Frank Daugherty** and seconded by **Curt Moll**.

Don Fatobene: Would you like to come up, state your name and address and tell us what you'd like to do here?

Todd Haines: Todd Haines, 127 N Mecca St. is one of my properties. I would like to put up a partial privacy fence and a partial decorative fence to deter people from coming on my property.

Don Fatobene: Once again I will state that we had a public hearing earlier and no one showed to oppose this. Does anyone have anything else to add? Kim?

Kim Blasco: I have nothing else to add.

Don Fatobene: Can we have a roll call.

Roll Call: **Curt Moll, yes; Frank Daugherty, yes; Sally Lane, yes; Don Fatobene, yes.**
MOTION APPROVED.

Don Fatobene: Next is **25-24 - Variance Request** - The request is to allow 127 N Mecca & 34-079140 to install a fence closer than the 30ft from the right of way required setback. If I can have you come back up.

Todd Haines: I would like to put up a partial privacy fence and partial decorative fence.

Kim Blasco: Explain where you want to be; that you want to be right behind the sidewalk.

Todd Haines: Yes, I'm sorry, 3' off the sidewalk. Somewhere down the road, if the State of Ohio wanted to move the road over, it can all be moved. If I go any further back, they are just going to pull in front of it. They pull on the sidewalk now as it is so, I thought 3 ft off the sidewalk would be sufficient. We are going to decorate the front of it, put flowers on the main front of the property, that's more privacy. As I continue on, it's going to be more decorative, not all privacy. It's going to help block some of the traffic.

Curt Moll: This is just on Mecca Street?

Kim Blasco: No, it covers all of his properties, any vacant parcels that he has.

Curt Moll: This is zoned Commercial? Service?

Todd Haines: I believe that at one time it was Industrial. When Storm Services came in and did their wonderful destruction of the property...I think it's Commercial now. I don't know, does it fall under the Grandfather Clause because of how old it is; I don't know.

Mayor Petrosky: I'm not sure.

Todd Haines: I know my house is a commercial lot, so I would assume. Storm Services had that big old building there, it can't be Residential.

Mayor Petrosky: Or S-1, it could be Service. When we did the changing of downtown, it did not change his lot at all.

Kim Blasco: So, it's still Industrial.

Don Fatobene: With that, can I get a roll call.

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Roll Call: Curt Moll, yes; Don Fatobene, yes; Sally Lane, yes; Frank Daugherty, yes.
MOTION APPROVED.

Don Fatobene: Let's move on to item **26-24** – Westbay - Integrated Planned Residential Development discussion and approval for the north lot on the east end of Bayview Dr., Parcel #11-140269. Can I get a motion on this?

A motion was made by **Frank Daugherty** and seconded by **Sally Lane**.

Jim Westbay: James Westbay. I want to build a 3-unit condo the same that I built before on the other lots.

Don Fatobene: I know that there were some questions that we wanted to bring up.

Kim Blasco: First we'll talk a little about the pond. Originally when this was all designed... I know you and I have talked and you have agreed to have a pond designed and placed just east of this location to take care of any water that is coming off the storm sewer in that proposed lot that you are looking to develop. Is that correct?

Jim Westbay: You are talking about the back lots. The holding pond wouldn't need to be done until I go into the back and build those others.

Kim Blasco: No, no, this is just specifically for this lot or whatever would be draining across that lot. Whatever you have out there now would go to the proposed pond.

Jim Westbay: Yes right, exactly. That's right.

Kim Blasco: Nothing new, it would just include this lot that you want to develop on as well. It is pretty much the north, the south side of Bayview Dr. where you have those existing condos. Basically, that is all of the drainage that's coming into that storm sewer. It is going to flow to the east into maybe a proposed pond that you are considering and then discharged into the stream that flows to the northwest.

Jim Westbay: I've incorporated the rest of that lot, all the way to the well road. That's a pretty fair size piece of ground.

Curt Moll: There is room behind there to have the retention?

Kim Blasco: To the east, it's not shown on what you have (referring to packet).

Curt Moll: With the construction of this unit, it needs to be built right?

Kim Blasco: Correct, he would have to have it designed by an engineer, sized correctly, and that would determine whether or not that area is big enough.

Jim Westbay: But that's not before I start this condo?

Kim Blasco: It would have to be before you start the condo.

Jim Westbay: I wasn't aware of that.

Kim Blasco: Because whose to say that you build the condo and you never build the pond?

Jim Westbay: It's already there.

Kim Blasco: What is already there?

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Jim Westbay: The 12-inch line that is going in 50 feet away from the creek; from Bayview Dr. right now. It sorts itself out.

Kim Blasco: But you are adding more development to something; adding more impervious surface to something...

Jim Westbay: Yeah, one more.

Kim Blasco: Right, but again, none of this has any detention to it; including this new one that you want to build.

Jim Westbay: I do a detention pond, my whole property on the back of 305 and they're not letting me go back there with it. I guess they are having trouble back there. When I designed it, I designed it for the holding pond to take care of my whole property. Because you guys got a problem back there on Laura Lane; that's why they're making me do another holding pond.

Mayor Petrosky: It's my understanding that you don't have a holding pond for the ones that are already built. Is that correct?

Kim Blasco: Correct.

Jim Westbay: I did have at one time.

Kim Blasco: But it never drained that direction.

Jim Westbay: Oh yeah it does, it was all designed... Not this one, but all the rest of them were designed to go out the back.

Kim Blasco: But they never ended up going out the back. They don't go that way. The ones that you built on the south side of Bayview; they don't drain to the south.

Jim Westbay: It was all designed; it was faces Bayview Dr. The ones behind those were designed to go out the back way.

Kim Blasco: Right but those haven't been talked about yet. That whole area on the south end is not in this discussion. The land actually grades to the south but that is not part of this discussion. Specifically, what is on Bayview Dr. on the north and south borders of Bayview Dr.

Jim Westbay: I can't see why it wasn't addressed when I built Bayview Dr. for a holding pond at that time.

Kim Blasco: I don't know, I don't have that answer. Rules were different 24 years ago originally when you did this; that was a long time ago. Back then sometimes you didn't need ponds.

Jim Westbay: If I design this pond, I just design it for Bayview Dr. then.

Kim Blasco: Pretty much, yes, that's all that is going to it. It doesn't have to include the vacant lot down on the south end.

Jim Westbay: Okay. Just to do that little bit, you're probably talking \$10,000.

Kim Blasco: No, not for a pond. A pond design is maybe a few thousand.

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Jim Westbay: No, Matt will do my pond design.

Kim Blasco: Matt doesn't design ponds.

Jim Westbay: I would have to have a person see how much water is originally there and then what I'm putting in additional; that's what a pond is for.

Kim Blasco: Correct, yes. That's exactly what it's for.

Jim Westbay: So, you want that pond before I build then.

Kim Blasco: Yes Sir.

Jim Westbay: I wasn't aware of that.

Kim Blasco: That way we make sure that it's in there and that is going to handle whatever you built.

Jim Westbay: There is only 1 unit in there.

Kim Blasco: It also makes up for whatever was built in the last 4 years and doesn't have a pond.

Jim Westbay: I ran into that before and we worked it out with the city, with Eagle Pointe. I didn't have to get an architect drawing and all of that. That lot I got over there is way bigger than what I need for just Bayview. It's a pretty good-sized pond.

Don Fatobene: Is this something that we table until we get a design for the pond or can we have a roll call on him subject to...

Kim Blasco: ...to him submitting plans and approvals, contingent on that he has a pond done and it is sized appropriately. The pond would have to go in prior to you building the condos. You would have to come back before the board for approval of the triplex as well. I have a few other requests as well before you build anything else. The bulldozer needs moved. You need to move that over to your other property where some of your other equipment is. It's just a request but we have an ordinance that says heavy equipment like that cannot remain on vacant land if it is not being used or if a development isn't happening.

Jim Westbay: It's on the land that I used it, so I parked it there for the winter. I own it.

Kim Blasco: I know that you own it but we have a rule that says you can't leave equipment like that parked on any property if it is not being used. It has to be stored some place appropriate.

Jim Westbay: Okay.

Kim Blasco: And the big brush pile; it's the same rule or ordinance, it has to go as well.

Jim Westbay: Yeah, all right but I can't do it now with the weather. I've got a guy hollering at me now about a little bit of mud on the road.

Don Fatobene: Any discussion or comments from the board?

Curt Moll: I don't know that we can do a contingent approval.

Kim Blasco: Would you like to see him submit a pond design?

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Jim Westbay: What about the lots behind them? That's why I thought we were going to be able to do it with this one lot and then later for the other condos. You are wanting me to drain everything this way because of the trouble that you have in the back.

Kim Blasco: It can't flow to the south.

Jim Westbay: It can, not mine....

Kim Blasco: Just the lot that you want to develop right now. You are thinking about a whole different area.

Jim Westbay: This doesn't need to be a very big pond then. Say I'm going to do those other ones, do I need a pond designed now to get that out of the way?

Kim Blasco: Can the grade of the land support it? Can everything drain to the north?

Jim Westbay: I guess I can, yes. I told you that I had them move the roads up about 8 inches just to make it do it. I can make it run to the north, but I spent all of this money on a holding pond on 305 for nothing.

Kim Blasco: No, it supports everything that you have to the south.

Jim Westbay: No, it's to support all of my properties all the way to Rte 11. It was designed to do all of it. Which is including the lots behind Bayview.

Don Fatobene: I'd rather keep the discussion on this lot right now and what needs to be done to support it.

Jim Westbay: Then I'm going to have to have it in here twice if you want me to go to the north.

Kim Blasco: If you can specifically tie in those lots to the south and go to the south with them and it doesn't pick up the stream that you have on the east between 11 and your current development. The stream that picks up all of that vacant land, I don't want to see all of that go to the pond. Right now it bypasses the existing pond that is there.

Jim Westbay: Yes.

Kim Blasco: If the future development can tie into the existing development, meaning storm sewers, then I would be ok with you taking that to the south. There is room in that pond.

Jim Westbay: That pond is plenty big enough. It is hardly being used.

Kim Blasco: You're right, there isn't a lot going to it. I don't think that it functions properly. The water goes there but there isn't much being held back.

Jim Westbay: Because (inaudible) designed that with a 20" line going out of it.

Kim Blasco: Yes, the line going out is too big.

Jim Westbay: Who is to decide that? They are an engineering company.

Kim Blasco: I can't find anything that they submitted supporting how much land is going to that pond. I need calculations.

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Jim Westbay: He presented a whole drawing of all my property, streets and everything.

Kim Blasco: I know, I have that. I don't have supporting documentation for the pond design. There is nothing to say how many acres, how big, the design, the routing through the pond...

Jim Westbay: I have a map of that.

Kim Blasco: It's not a map, it's calculations.

Jim Westbay: Yeah, it's what I had to go by to build the pond.

Kim Blasco: I don't have anything. If you can give me some supporting documentation that shows how they designed it, that would be great. I even went to LK and N and asked them to provide me something from their files, something to show me how that pond was designed, what was included; it would answer all of my questions. They don't have anything, you don't have anything, I have nothing in my files here to show any kind of design. Your drawings don't show what goes where. Now everything to the south goes to that pond which is fine, but it doesn't show future. All that it shows is an existing line to the east and it says, for future development. It doesn't say where it's supposed to go, no supporting documentation on it. It is very hard for me to make a decision without having something concrete to look at.

Jim Westbay: If I wanted to use that pond, I'd have to have it all recalculated?

Kim Blasco: You would have to make sure that whatever you develop would go into an existing storm sewer and nothing extra is picked up. Right now you have an existing stream to the east that you want to flow into.

Jim Westbay: It was designed to go into that stream.

Kim Blasco: Once it's developed. You don't plan on developing anything to the east; between what is there now and Rte11.

Jim Westbay: I don't know that.

Kim Blasco: Let's just concentrate on the lot that you want to do right now.

Jim Westbay: Alright, that's what I thought that I was going to do tonight. It's not going to take much of a pond to compensate for this lot.

Kim Blasco: It's not just this lot; you have a lot more than this lot going into it. You need to do everything that you've already installed; the 4 triplexes.

Jim Westbay: Why wasn't this addressed when I built Bayview Drive?

Kim Blasco: I have no idea. That was before I got here. You already have the infrastructure, so you aren't including any more infrastructure. The triplex that you want to build has to be tied into a storm sewer which is going to go to the pond. You already have all of that in place. The pond would just have to be sized to accommodate whatever storm sewer you have on Bayview Dr. right now. All of those condos are going to the storm sewer which is going to go to the pond. So, all you have to do is install the pond and have it sized properly to handle what is on the north and south of Bayview Dr.

Jim Westbay: I'll have to have all that done before I can build then.

Kim Blasco: Correct.

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Jim Westbay: I wasn't aware of that.

Don Fatobene: I don't think that we want to do something contingent. I think that we'd want you to come back to make sure that it's acceptable.

Kim Blasco: That's also going to give you more time. You only have so much time once they approve. Have your plans in place first, come back have the board approve...

Jim Westbay: By the time I get an engineer, draw up the pond, it could be 3 or 4 months. We might as well table it.

Mayor Petrosky: That is what she is saying. That will allow you extra time. Once you get your plans approved, the clock starts.

Jim Westbay: If I knew I had to do all of this... I thought that I could build this 1 unit. Bayview Dr. was already dedicated now all of a sudden, I'm getting turned down.

Kim Blasco: Jim, we talked about a pond when you first brought this up.

Jim Westbay: Yes, I understand that, yes. I hate to have an engineer come in and design something way bigger than what we need. When we did Eagle Pointe, we made a pond. You guys agreed that we could get out with a 6" line, a 12" going into it. It's the same ballpark because Eagle Pointe was already started and that's what I thought we could get by with here. Bayview Dr. has already been started and done. I know that the engineering that I did on that pond is big enough to take care of Bayview Dr. She asked me if I could flow the Bayview Circle ones north; it can be done but I thought that I could get some time. I wanted to build this to get some money.

Kim Blasco: It's like you are kicking the can down the road, you are delaying things. You have already built 4 units in the past 4 years with no pond.

Jim Westbay: I wasn't aware of needing a holding pond, this is the first time it's come up. It has never been brought up.

Kim Blasco: Everything requires a pond now.

Mayor Petrosky: Once your plans are approved, you have 2 years to get them done, otherwise you start over again.

Kim Blasco: Yes, so the plans that were done 24 years ago, it doesn't mean that they are current. We could even ask for a redesign from scratch but we are not doing that. Rules have changed. She is right, something has to happen within 2 years.

Jim Westbay: You want me to try and incorporate all of those lots?

Kim Blasco: Are you going to develop those?

Jim Westbay: Possibly, I don't know.

Kim Blasco: Have the engineer look at it, it's incorporating a little more land. They can tell you how much of an area can drain into a pond. It's a simple calculation; what have there now verses what you might want to include in the future. They can say that this is what you need for what you have, and this is what you need for the future.

Jim Westbay: If I was aware of that I would have already contacted... I thought that I'd at least be able to build on that lot. Obviously not. I guess that I'll run it back to Matt. I figured Bayview was done. There is property that is going to be worth nothing anyway;

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from the end of this property out to the end of the gas well road. It runs to the crick, it's dead property so that's where I want to put the holding pond. I know that it's big enough to take care of Bayview Drive.

Kim Blasco: Then just concentrate on Bayview Drive.

Jim Westbay: I want to get it housed in by bad weather.

Mayor Petrosky: Again, if you run into bad weather, you aren't going to want to bring the plans back. You are going to want to wait until next Spring. Don't forget that once the plans are approved, the clock begins to run and you only have 2 years.

Jim Westbay: Yeah, alright.

Don Fatobene: We will table this until a future date when we get plans for an acceptable retention pond.

We are on to **27-24 – Replat** – Replat of Lot 108-A & Lot 110-A of the Replat of Lot Nos. 96A, 98, 99, 100, 103A, 105, 106A, 108 & 110 of Walnut Run Estates Phase #, & Replat of Lots 111 & 112 of The Walnut Run Estates Phase 3. Can I get a motion?

A motion was made by **Curt Moll** and seconded by **Frank Daugherty**.

Brian Herron: Brian Herron, 263 Dornoch. Basically, it's three lots that we bought at a Sheriff's auction and we are dividing the 3 into 2. My neighbor is getting half and I'm getting the other half. I'm joining it so I can put a garage on it. Right now, it's an empty lot. I wasn't aware that the house and that lot had to be put together to put a garage on it.

Curt Moll: The new lot will be that big piece of property that goes way back on the golf course?

Brian Herron: Yes, down on the end of the cul-de-sac.

Don Fatobene: Pretty straight forward, can a have a roll call please.

Roll Call: Sally Lane, yes; Curt Moll, yes; Frank Daugherty, yes; and Don Fatobene, yes. **MOTION APPROVED.**

Don Fatobene: Does anyone have anything to add before we close the meeting?

A motion was made to adjourn by **Curt Moll** and seconded by **Sally Lane**.

Roll Call: Donald Fatobene, yes; Sally Lane, yes; Curt Moll, yes; and Frank Daugherty, yes. **MOTION APPROVED.**

Meeting Adjourned: 7:42 pm

Chairman

Date

Secretary

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