

**PLANNING COMMISSION
CITY OF WILLOUGHBY
JULY 25, 2013
PUBLIC HEARING
MINUTES**

PRESENT: B. Fiala; G. Merhar; C. Cox; Ken Kary; B. Irvine, Chairman
ABSENT: No one
OTHERS: Mike Germano, Ass't. Law Director; Jim Sayles, City Engr.;
Betty A. Nardelli, Secretary

Chairman Robert Irvine called the public hearing to order at 7:20

The legal notice was read into the record for the following:

**NICE RIDE AUTO
WHOLESALE LLC**

35160 Topps Indust. Pkwy
(M. Megresh)

**Notice of Violation &
Cease/Desist order
Of 8/16/11 Cert. of Occ. =
No O/S auto display or sls
L-I dist**

The following spoke **FOR** the proposal.

Michael Megresh

5506 Suffon LN #A
Willoughby, Ohio 44094

Mr. Megresh said that he opened up his business two years ago to store cars inside. He has about 23 units. He rented additional space on Beidler Rd. for storage space. Mr. Megresh said that he moves a car out from inside the building for the customer to look at and moves the car back inside when the customer is finished looking at the car. Mr. Megresh said that sometimes cars are dropped off at his lot in the middle of the night or on weekends and they sit outside until he opens up. Mr. Megresh said that basically the cars are stored inside the building.

Mr. Megresh said that he didn't know how his business would do at first. Now it is growing and Mr. Megresh said he has more cars than will fit in the unit. Mr. Megresh said that in order to conduct business he needs to move the cars outside. To do this he might have to move several cars outside to reach the car that is to be shown. The car might have to be outside for awhile. After the sale is complete the car is moved back inside.

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Mr. Megresh said that there are no cars outside now. That is why he is asking for a similar use permit to help him out.

The following spoke **AGAINST** the proposal.

No One

FRANK & TONY'S
(Angelo Gallo)

38107 Second St.

CUP - amend.
to 2nd floor CUP
Add condition #6 -
Windows facing 2nd
St. to be inoperable
D-B dist.

The following spoke **FOR** the proposal

No One

The following spoke **AGAINST** the proposal

Deanne Rowe

38111 W. Spaulding St.
Willoughby, Ohio 44094

Ms. Rowe said she has watched the activities going on at Frank & Tony's the past several months. Ms. Rowe said that there is a lot of activity between people walking on the sidewalk and on the existing patio by yelling back and forth. Ms. Rowe feels that the same will happen with the new 2nd floor patio increasing the noise. Ms. Rowe said that the windows should be closed.

Sally Silvaroli

37948 Clark Ct.
Willoughby, Ohio 44094

Mrs. Silvaroli said there is a lot of noise coming from Frank & Tony's especially at closing time at 2:30 a.m. If the amendment is approved there will be more people and more noise. It will also increase the parking situation.

Henry Silvaroli

37948 Clark Ct.
Willoughby, Ohio 44094

Mr. Silvaroli said that there is too much congestion there. When the bar closes people gather on the streets near the bar.

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Dave Kuhar

38133 W. Spaulding
Willoughby, Ohio 44094

Mr. Kuhar said that he is well aware of the crowd issues and the noise issues. Mr. Kuhar said he doesn't understand how one establishment with a record like theirs is looking to expand. Mr. Kuhar said that if it means keeping all the second floor windows closed then that is all he can hope for.

Jerry Ranally

37832 Park Ave.
Willoughby, Ohio 44094

Mr. Ranally said that Council at their meeting had concerns about the patio noise. Mr. Ranally said that open windows on the second floor creates more problems downtown. Mr. Ranally said that Angelo asked for an extension for his EAS at the Council meeting. Mr. Ranally said that Council is concerned about open windows creating more noise. Mr. Ranally said that Angelo Gallo can go forward with his addition but he should keep the windows closed.

The following spoke in **REBUTTAL FOR** the proposal

Angelo Gallo

4192 Amelia Ave.
Willoughby, Ohio 44094

Mr. Gallo distributed a 3-page document prepared by Susan Daniels, a professional investigator, containing police calls of the downtown area. Mr. Gallo said that page one is calls just from Deanna Rowe for the date period 12/4/12, 4/1/13, 4/15/13 and 4/29/13 at 5:28 p.m. Mr. Gallo said that is the time he is trying to run a business. Mr. Gallo said that from 2006 to 2012 it has been complaint after complaint. Mr. Gallo told Planning Commission to do their homework and to stop crucifying him. Mr. Gallo said that he has hired an attorney. He wants to be treated like everyone else and not singled out.

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The following spoke in **REBUTTAL AGAINST** the proposal

Deanne Rowe

38111 W. Spaulding St.
Willoughby, Ohio 44094

Mrs. Rowe said that she knows how many times and why she called the police. She said that she calls the police only when necessary. Mrs. Rowe said that she had special windows and special walls installed to keep the noise out. Mrs. Rowe said she doesn't know what else to do.

Mr. Silvaroli

37948 Clark Ct.
Willoughby, Ohio 44094

Mr. Silvaroli said that back in the 30's to the 70's there was five bars downtown. Now there are 10 to 15 bars. Mr. Silvaroli said enough is enough.

Dave Kuhar

38133 W. Spaulding
Willoughby, Ohio 44094

Mr. Kuhar said that Angelo Gallo should be asked to tone the loud speakers down and shut the doors. Mr. Kuhar said he is just asking them to tone it down. There are residential houses down the street.

The following spoke in **REBUTTAL FOR** the proposal

Angelo Gallo

4192 Amelia Ave.
Willoughby, Ohio 44094

Mr. Gallo said that one day in January a guy was on the roof patio at the furniture store and playing his radio at 7:00 a.m. Mr. Gallo said just now there is a live band in the park on the square. Mr. Gallo said that he is trying to run a business. He is not trying to hurt anyone. Mr. Gallo said that he is being discriminated against.

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The following spoke in **REBUTTAL AGAINST** the proposal

Don Lewis

4620 Sherwin Rd.
Willoughby, Ohio 44094

Mr. Lewis said it is not the music it's the volume. Mr. Lewis said the music is so loud it rumbles.

There being no further business the public hearing closed at 7:45 p.m.

A tape of this public hearing is available for review in the office of the Planning Commission Secretary.

Robert Irvine, Chairman

Betty A. Nardelli, Secretary