

**PLANNING COMMISSION
CITY OF WILLOUGHBY
JANUARY 28, 2010
REGULAR MEETING
MINUTES**

PRESENT: R. Hart; B. Fiala; C. Cox, G. Merhar, B. Irvine, Chairman
ABSENT: No one
OTHERS: Mike Lucas, Ass't. Law Director; Jim Sayles, City Engr.;
Richard Smith, Chief Bldg & Zoning Inspector; Janice
Lipscomb, Econ. Devel. Mgr.; Betty A. Nardelli, Secretary

Chairman Robert Irvine called the regular meeting to order at 7:07 p.m.

MINUTES

January 14, 2010

The minutes of January 14, 2010 were approved as written.

SCHEDULE PH HEARING

BIG OATS OIL/GAS CO.	38700 Pelton Rd.	Rezoning- discuss.
(Otar Magnusson)	P.P.#27B-39A-8,	C-M to G-I
	P.P.#27B-39A-9,	(LPG bulk strg)
	P.P.#27B-39A-10	

Otar Magnusson represented this rezoning application.

A motion was made by Gerald Merhar and seconded by Rick Hart to schedule a public hearing for rezoning on February 25, 2010.

ROLL CALL: Yeas: R. Hart; B. Fiala; C. Cox; G. Merhar;
B. Irvine
Nays: None

Motion **CARRIED** **APPROVED FOR A PH 2/25/10**

A motion was made by Gerald Merhar and seconded by Rick Hart to table this rezoning application pending a public hearing on February 25, 2010.

ROLL CALL: Yeas: R. Hart; B. Fiala; C. Cox; G. Merhar;
B. Irvine
Nays: None

Motion **CARRIED** **TABLED**

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An e-mail listing comments from Jim Sayles, City Engineer, was submitted. A revised plan was submitted with the file name of "Prelim2" reflecting changes discussed at the January 14, 2010 Planning Commission meeting. The 50' and 40' radius on the cul-de-sacs reflected on the preliminary dated January 6, 2010 weren't enough. This plan reflects 50' and 40' on the Westover Dr. cul-de-sac and 60' and 50' on the Arbor Dr. Cul-de-sac. Mr. Sayle's e-mail reflects that the cul-de-sacs are to be 50' and 62.5' minimum radius.

Mr. Sayles said that 6" vertical curbs, 24' back to back, are required for the pavement width.

Richard Smith said that the lot size and setback complies in response to Rick Hart's question.

One of the items on the e-mail suggests relocating the existing 20' storm sewer along the northerly property lines of S/L 36 to 40. Mr. Sayles advised the applicants that the Service Department would like to see this relocation.

The existing sanitary sewer at the rear property lines of S/L 44 to 54 should be relocated out to the street between S/L 44 and 45.

Mr. Pegararo questioned the 40' environmental buffer located at the rear of S/L 40 to 43. Mr. Pegararo said he isn't sure where this buffer came from, if it is an easement or deed restriction. He said it is shown on Plat #4 and on Plat 2B. Mr. Pegararo wanted to know if this buffer protects the single family development of Sheerwater Lane and Crossbrook Ave. from the apartment development. Mr. Smith said that the buffer separates zoning districts which in this case is MF-LR and R-60. Per C.O. 1179.03, 10' wide screening in the form of vegetation or fencing is required between zoning districts. This buffer is 40' wide. Mr. Sayles said that a deck wouldn't be allowed on S/L 40 to 42 because of the buffer.

Mr. Sayles said that the 200' radius of the curve on Westover Dr. requires a variance. Also S/L 29 and S/L 52 doesn't meet the 60% of the lot width requirement.

Mr. Sayles advised the applicants that the sidewalks have to be installed first along with the street improvements. The sidewalks should be on both sides of the street unless Planning Commission waives it to one side per the conservation overlay code.

There was discussion about a mailbox gang box being installed at the street entrance. Everyone was in agreement not to have a mailbox gang box.

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Mr. Sayles said that every basement should have a sump pump.

Because this parcel is exclusive of any trees Mr. Smith said that one 2" caliber tree should be planted on each lot. This will give a total of 73 trees and satisfy the reforestation requirement.

Mr. Chorba said that two lots are restricted because of the storm sewer located on the north side of this parcel. He wanted to know if he could put a restriction on building over the easement. Mr. Lucas said a deed restriction could be put on these two properties. Also the restriction could be put in the home owners by-laws.

Chairman Irvine said that the following items are issues:

- Sewer relocation (meet with Service Dept.)
- Sidewalk both sides of the street.
- Researching the 40' environment buffer. (buffer or easement?)
- 200' curved street radius. (requires a variance)

Chairman Irvine advised the applicants to revise the preliminary plan and return to Planning Commission.

There being no further business the regular meeting closed at 8:30 p.m.

Robert Irvine, Chairman

Betty A. Nardelli, Secretary