

Village of Lordstown Planning Commission

February 10, 2020

The Lordstown Planning Commission met on February 10, 2020 at 6:30 p.m. at the Lordstown Administration Building. The meeting was called to order by Chairperson Tim Rech, followed by the Pledge of Allegiance to the Flag. Roll call was taken.

In Attendance: Tim Rech, Chairperson
 Richard Rook, Vice Chairperson
 Arno Hill, Mayor
 Don Reider, Council Member
 Bob Schaffer

 Patrick Manning for Paul Dutton, Solicitor
 Kellie Bordner, Planning and Zoning Administrator
 Denise L. Dugan, Assistant Planning & Zoning Administrator

Also Present: Terry Campbell, Council Member
 Tom Dietz, Board of Public Affairs Member
 Ruth West, Lordstown, Ohio
 Carla Click, Lordstown, Ohio
 Jonathan Krisher, Lordstown, Ohio
 Tom Grilli, Suburban Ford
 Justin Myers, The Andersons
 Chris Schwind, The Andersons
 Joshua Filipovich, The Andersons
 Alysa Hinde, SunPeak
 David Aubin, Anderson-DuBose Company

APPROVAL OF AGENDA:

MR. RECH: Is there a motion to approve the Agenda?

MAYOR HILL: So moved.

MR. RECH: Is there a second?

MR. ROOK: Second.

MR. RECH: All in favor, "aye".

MR. REIDER: Aye.

MR. SHAFFER: Aye.

MAYOR HILL: Aye.

MR. RECH: Aye.

MR. ROOK: Aye.

(VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

ELECTION OF OFFICERS:

MR. RECH: Okay, the agenda is approved. Next thing we have is to elect officers. This is our first meeting of the calendar year, so anybody want to be President or Chairman?

MR. ROOK: Can we nominate Mr. Rech, again or -- I don't know if you have to change Chairman every year or not?

MS. DUGAN: No.

MAYOR HILL: I make a motion we keep the same officers.

MR. RECH: That's the usual railroad thing we hear. All right, we have a motion. Is there a second?

MR. SHAFFER: I'll second.

MR. RECH: All right, we have a second -- discussion?

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(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Hearing none, do -- we need a roll call on that, I believe, right?

MAYOR HILL: All in favor.

MR. RECH: All in favor, okay -- all in favor of keeping the same officers for calendar year 2020, signify by saying "aye".

MR. REIDER: Aye.

MR. SHAFFER: Aye.

MAYOR HILL: Aye.

MR. RECH: Aye.

MR. ROOK: Aye.

MR. RECH: Anybody opposed?

(WHEREAS THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

(VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

APPROVAL OF MINUTES of August 12, 2019:

MR. RECH: The next item is approval of the minutes from the August 12th meeting, which was our last meeting. I had to go digging for these – so hopefully, you all found them. Is there a motion to approve them?

MR. REIDER: So moved, Mr. Chairman.

MR. RECH: All right, Mr. Reider. Is there a second?

MR. ROOK: Second.

MR. RECH: Mr. Rook - all in favor of approving the minutes from August 12th?

MR. REIDER: Aye.

MR. SHAFFER: Aye.

MAYOR HILL: Aye.

MR. RECH: Aye.

MR. ROOK: Aye.

(VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

PLANNING AND ZONING ADMINISTRATOR'S REPORT:

MS. BORDNER: Yes, Mr. Chairman, I have two (2) things that I need to report to you -- and maybe get a little discussion.

The first thing is a PUD Zone Change Nullification. As was reported at the August 12th, 2019, Planning Commission meeting, the R-1 to PUD zone change and preliminary PUD plan approval for the 117-acre parcel at the north end of Woodridge Way, was approved by Planning Commission on October 9th, 2018.

The developer had one (1) year within which time to come back to the Planning Commission and seek final approval. That did not occur -- and the new property owners, as of June 6th, 2019, Mr. and Mrs. Krisher, have repeatedly requested that the zone change be reverted back to the R-1.

Attorney Dutton requested that I seek a letter from Krishers to confirm the forgoing, and I have done so; however, the Krishers have stated to me that Lordstown Codified Ordinance

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1180.16 is clear that "if no final PUD plan is submitted within one year, the PUD zone change shall become null and void, and the property shall revert to its former zoning classification."

That is an accurate statement, relative to the Code section. Therefore, I would request that Planning Commission make and approve a motion to declare the previously-approved R-1 to PUD zone change null and void -- and recommend to Council that they repeal Ordinance 67-2018, which amended the Lordstown Zoning Map to reclassify the subject parcel, pursuant to the R-1 to PUD zone change.

This is all just based on a conversation that I had with Attorney Dutton as to how we clean up the record and make sure that we have this on the record and go forward appropriately with regards to this. So, I just need a motion, if we could; and then if that is an agreeable thing for Planning Commission, Ms. Dugan will send a letter to Council tomorrow.

MR. RECH: Okay. Why don't we -- I think there's going to be some discussion about this, so could we put this at the end of everything else -- if everybody is okay with that; and we can get the people we have scheduled in and through -- and then we can talk about this after we're done with all the other --

MS. BORDNER: Would you like me to pick back up with this report at the end? We could just leave it right here and just --

MR. RECH: Yes, that's fine.

MS. BORDNER: Let's do that.

SOLICITOR'S REPORT:

MR. RECH: Is there any Solicitor's Report this evening?

SOLICITOR MANNING: There is none.

CORRESPONDENCE:

MR. RECH: Thank you. Is there any Correspondence?

MS. BORDNER: I do. I do have a piece of Correspondence that would probably be more appropriate under The Andersons Site Plan.

MR. RECH: Okay.

MS. BORDNER: So, if it's okay with you, I will read it then.

MR. RECH: All right, sure.

OLD BUSINESS:

MR. ROOK: There was a question at the last one about the parking lot at Cassens. We were going to send them a letter or something. Did we get it resolved?

MS. BORDNER: Yes sir -- we did. They have paved the parking lot at Cassens -- and that is at the corner of Tod Avenue and Hallock Young Road. They have complied.

MR. ROOK: Okay.

NEW BUSINESS: 1. Site Plan Review Not Involving New Construction for Suburban Ford, 1789 Ellsworth Bailey Road, Lordstown, Ohio.

The Planning Commission followed this form that follows Section 1163.03 of The Planning & Zoning Code:

The Village of Lordstown Site Plan Review

NAME: Suburban Ford Accessories, LLC (A Michigan limited liability company), dba Ford Accessories of Pittsburgh

ADDRESS: 1789 Ellsworth-Bailey Road -- owned by Ellsworth Bailey Lordstown, LLC (Landlord)

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1. **Existing zoning of the property:** I-1 Industrial
2. **The floor plan of intended building for specific use:** 41,218 square feet of warehouse space and 2,236 square feet of office space
3. **Location and dimension of all off-street parking and loading areas including the number of spaces:** 20 spaces with 18 at 10'W x 20'L and 2 ADA compliant at 12'W x 20'L; 9 dock doors at 12'W x 25'L x 14'H; 1 drive-in door. Delivery trucks will be parked overnight in front of the dock doors and drive-in door. Applicant currently has 13 trucks with the capacity to expand to 20 trucks based upon a proposed back-to-back parking schematic. Employee parking up front will allow for 16-20 employees. Currently there are 5 warehouse shipping/receiving employees (including the Operations Manager), 13 drivers of 13 25' delivery box trucks and occasionally 1 to 4 external salespeople (including Sales Manager) are on site. Applicant has provided a written request for waiver of the required number of parking spaces (82) per Lordstown Codified Ordinance 1163. It should also be noted, pursuant to research conducted in the Planning & Zoning Office, that under Case 93-10, the Board of Zoning Appeals granted a variance (which would run with the land) to Lear Seating to allow 212 total parking spaces at the building facility, a deletion of 110 spaces.
4. **Location, size, height and orientation of all signs, both existing and proposed:** There is an existing 4' x 3' space available for this business on the combined sign in front of the building. Applicant has been made aware that a zoning permit will need to be obtained should it be decided to place signage there, or at any other location on the building, prior to doing so.
5. **Location of all streets project is fronting on:** Ellsworth-Bailey Road
6. **Other information required by the Planning Commission:** Site plan review not involving new construction for Hanes GEO was approved in September of 2012; site plan review not involving new construction for Thyssen Krupp was approved in February of 2014 for this same address and location. The space sought by Applicant, Suburban, was formerly utilized by John Vince Foods, dba Mellace Family Brands California, Inc., which previously obtained site plan approval in August of 2015. Applicant executed a lease agreement in October of 2019 and has been doing business in Lordstown since January 2, 2020 at the 1789 Ellsworth Bailey Road location.
Suburban Ford Accessories, LLC (A Michigan limited liability company), dba Ford Accessories of Pittsburgh is an official distributor of Ford vehicle accessories to Ford Dealers located in the assigned markets of northeastern Ohio, western New York & Pennsylvania, and West Virginia (which includes the metropolitan markets of Cleveland, Akron, Youngstown/Lordstown/Warren area, Buffalo, Rochester, Pittsburgh, & Morgantown). Business activities include the purchase and receiving of Ford vehicle accessory parts from Ford Motor Company. Additional activities include the sale and re-distribution of those parts to assigned Ford Dealers. The 2020 forecasted revenue is between \$11 - \$15 million. Hours of operation are Monday through Friday, 6:00 am to 6:00 pm. A floor plan has been submitted. Restrooms are located both in the office and warehouse areas. The warehouse and office space is protected by both burglar and fire alarm systems.

MS. BORDNER: I'm going to just read you, very quickly if I can, a letter that we received from Jeff Edwards, who is the Executive Director for Suburban Ford Accessories. That came in on January 22nd, 2020.

"Dear Miss Bordner,

Suburban Ford Accessories, LLC (A Michigan limited liability company), d/b/a Ford Accessories of Pittsburgh, entered into a lease agreement for building space located at 1789 Ellsworth Bailey Road, Lordstown, Ohio, with Ellsworth Bailey Lordstown, LLC." That's the "(property owner / landlord) that was executed effective October 1st, 2019, with business operations to begin January 1st, 2020.

Suburban Ford Accessories, LLC (A Michigan limited liability company), d/b/a Ford Accessories of Pittsburgh, is an official distributor of Ford vehicle accessories to Ford Dealers located in the assigned markets of northeastern Ohio, western New York & Pennsylvania, and West Virginia (that includes the metropolitan markets of Cleveland, Akron, Youngstown / Lordstown / Warren, Buffalo, Rochester, Pittsburgh, Morgantown). Business

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activities include the purchase and receiving of Ford vehicle accessory parts from Ford Motor Company. Additional activities include the wholesale and redistribution of those parts to assigned Ford Dealers. There is no retail space or sales operations in our business enterprise. We are currently at 25 full-time employees of which 5 are assigned to the warehouse shipping and receiving (including Operations Manager), 13 drivers of 13 20-foot delivery box trucks, and 5 external sales representatives (including Sales Manager).

According to your Lordstown Code Section #1163 for parking, our building space equates to 82 parking spaces for our operation. We only have the need for up to 20 spaces for employee parking. As a result, we request a waiver to your Village Code requirement 1163" -- for those 82 parking spaces.

I would appreciate your assistance in helping us to obtain the necessary waiver for the parking requirements. If anything further is required, please let me know."

The existing zoning of the property, where they're located at, is I-1 Industrial.

They have provided a floor plan that indicates 41,218 square feet of warehouse space and 2,236 square feet of office space.

The parking, as I indicated, they are only going to have 20 spaces -- 18 are at the regular 10-foot wide by 20-foot long (10'W x 20'L); and they have two (2) ADA compliant at 12-foot wide by 20-foot long (12'W x 20'L). They have nine (9) dock doors at 12-feet wide by 25-feet long by 14-feet high (12'W x 25'L x 14'H); one (1) drive-in door.

Delivery trucks will be parked overnight in the front of the dock doors and the drive-in door. They provided a picture so that you could see what that is going to look like. The applicant currently has 13 trucks with the capacity to expand to 20, based on a proposed back-to-back parking schematic.

The employee parking up front will allow for 16 to 20 employees. Currently, there are five (5) warehouse shipping and receiving employees, including the Operations Manager. They have 13 drivers of those trucks, and they occasionally have one (1) to four (4) external salespeople, including the Sales Manager, who are on site.

The applicant has provided this written request for a waiver from the 82 required parking spaces. They really only need those 20, and it also should be noted that, pursuant to research that we conducted in the Planning and Zoning office, under Case Number 93-10, the Board of Zoning Appeals granted a variance, which would run with the land, to Lear Seating back in the day -- to allow 212 total parking spaces at the building, which was a deletion of 110 spaces. So, they kind of shortened that to begin with.

They do have a sign out front. They have an existing 4-foot by 3-foot (4' x 3') space, but they are not using it at this time. They've been made aware that if they choose to put a sign there, they're going to have to get a Zoning Permit, and they certainly are willing to comply with coming into the office and doing that.

This project fronts on Ellsworth Bailey Road, and any other information that you might want to know, would just basically be that -- the Site Plan Review Not Involving New Construction for Hanes GEO was approved in September of 2012. They are still located on site.

Site Plan Review Not Involving New Construction for Thyssen Krupp was approved in February of 2014 for this same address and location. They are still on site. The space sought by this Applicant was formerly utilized by John Vince Foods, which was doing business as the Mellace Family Brands, and it previously obtained site plan approval in August of 2015. The applicant, as we stated in the letter, executed a lease agreement in October of 2019, and they've been doing business at this location since January 2nd, 2020.

They're a limited liability company -- they are an official distributor of Ford vehicle accessories to Ford Dealers in the assigned areas and assigned market of the northeastern Ohio, western New York and Pennsylvania and West Virginia areas. Their business activities include the purchase and receiving of Ford vehicle accessory parts from Ford Motor

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Company, and their 2020 forecasted revenue is going to be between \$11,000,000 and \$15,000,000. Their hours of operation are Monday through Friday, 6:00 a.m. to 6:00 p.m.

They submitted a floor plan. The restrooms are located, both, in the office and warehouse areas; and the office and safe and warehouse is protected by, both, burglar and fire alarm systems. They've provided you with aerials, floor plan, a racking plan, a parking schematic, the truck parking.

They've asked for the waiver. And Mr. Tom Grilli is here. Tom, if you would like to come up to the microphone for us? And he is certainly willing and able to answer any questions that you all may have.

MR. RECH: Hi, good evening -- go ahead and state your name and your title again, sir.

MR. GRILLI: Tom Grilli, Operations Manager, Ford Accessories of Pittsburgh.

MR. RECH: All right -- thank you, sir. Any questions anybody on Planning Commission has?

MR. SHAFFER: Yes, I've got a question. You've got 13 drivers and 5 warehouses -- that already puts you at, like, 18 employees with 18 spaces, and you're only asking for like 20, but yet -- ever thought of that in here, somewhere, you could increase your trucks to add seven (7) more trucks? Would that be seven (7) more employees?

MR. GRILLI: Yeah, but that's -- that's what I'm not -- that's what I'm going to be fighting against.

MR. SHAFFER: Well, if it is -- but the question is if you got seven (7) more employees, and you've only got 20 spaces, and now you need 26 spaces. That's why I was kind of --

MR. GRILLI: Right. I honestly don't know why Jeff put the number so high for that because in the plans for us, that's not even in the reality of how many employees we're going to need for a while, honestly. The 13 drivers we have is more than sufficient, and I really don't see us adding, for a while, at least, honestly; and he -- the 20 spaces he's talking about, are just for personal vehicles --or just talking about --

MR. SHAFFER: -- parking spaces for the truck employees.

MR. GRILLI: Okay. Obviously, I mean, it would be something that we would discuss with GEO Hanes -- and, you know, just the property managers, themselves -- what to do with parking and what not; but there's also, you know, ways that we would have them park in the docks, also, that we accounted for those spaces. I don't know if that's, you know, allowed; but the way we could double-up our trucks -- or almost triple-up in the docks, the parking, it's more than enough space for all of the trucks we would ever need there -- because you could almost go three (3) trucks deep, comfortably, parked in a dock. So, if we continue to add, that's exactly what we would do -- is just line them up just like that.

MR. SHAFFER: Yes.

MR. RECH: Any other questions?

MR. ROOK: If you already have the parking spaces there, why do you want to cut down on it? What are you going to use that space for?

MR. GRILLI: Nothing that I know of? I honestly don't know why he wants to --

MS. BORDNER: I'm going to help Tom a little bit. So, 1789 Ellsworth Bailey houses three (3) businesses. Suburban Ford is one of them. Thyssen Krupp is the second one, and Hanes GEO is the third one -- and they all have to share that combined parking. So, I think that's why they were trying to stay to their share of the parking.

MR. ROOK: Oh.

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MR. GRILLI: Yeah, the 20 is essentially our half of the building. As far as I know, though -- you know, I don't know exactly how they were assigned, if they were assigned; but that's how we just kind of go -- you know, when you're looking at it, is half and half, essentially.

(WHEREAS, THERE WAS AN INAUDIBLE DISCUSSION BETWEEN MS. DUGAN AND MS. BORDNER, AND PROCEEDINGS WERE AS FOLLOWS:)

MS. BORDNER: I don't think that there's really any argument -- and I'm sure that Tom can correct me -- I don't think there's any argument with the tenants that exist in that facility. They're all pretty agreeable, I think.

MR. GRILLI: Oh, yes.

MS. BORDNER: If somebody needs more parking or less parking, I think that they kind of work it out on their own.

MR. GRILLI: GEO Hanes, literally, uses maybe six (6) spots in front of their building and I have a good relationship with them, so if we ever had to take up more, she wouldn't mind at all.

MS. BORDNER: And I would, honestly, just like to point out that Suburban Ford has provided us with more information than any other individual who's been in that facility to date. So, I appreciate them, greatly, for working very quickly and hard to get this information.

They were not advised by the property owner that they needed to seek Site Plan Review. So, they felt very badly about the fact that they had begun business without having sought that first.

MR. RECH: Any other questions?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: All right -- thank you, sir.

MR. GRILLI: Thank you.

MR. RECH: I appreciate it. All right -- so it sounds like we need a waiver then.

MS. BORDNER: Yes, sir.

MR. RECH: All right, so we -- how do we want to state this? We need a waiver to the effect that -- based on square footage, we're allowing the required number of parking spaces of 82, to be reduced to 20. Is that stating it succinctly?

MS. BORDNER: That would be sufficient.

MR. RECH: Okay, is there a motion for that?

MR. REIDER: So moved, Mr. Chairman.

MR. RECH: Mr. Reider -- is there a second?

MR. SHAFFER: I'll second it.

MR. RECH: All right. We have a motion and we have a second from Mr. Shaffer -- any discussion?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Hearing none, could we have roll call on this, please?

MS. DUGAN: Yes, sir -- Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: Tim Rech?

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MR. RECH: Yes.

MS. DUGAN: Don Reider?

MR. REIDER: Yes.

MS. DUGAN: Richard Rook?

MR. ROOK: Yes.

MS. DUGAN: Bob Shaffer?

MR. SHAFFER: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, thank you very much. That passes -- then we're good with that. Nothing else for Suburban Ford, then, Kellie?

MS. BORDNER: Just a motion to approve their Site Plan.

MR. RECH: All right -- is there a motion to approve Site Plan Review for Suburban Ford at 1789 Ellsworth Bailey Road?

MAYOR HILL: So moved.

MR. RECH: Mayor Hill -- is there a second?

MR. ROOK: Second.

MR. RECH: Mr. Rook -- any other discussion?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: All right, hearing none -- roll call on that, please -- Site Plan Review.

MS. DUGAN: Yes -- Tim Rech?

MR. RECH: Yes.

MS. DUGAN: Don Reider?

MR. REIDER: Yes.

MS. DUGAN: Richard Rook?

MR. ROOK: Yes.

MS. DUGAN: Bob Shaffer?

MR. SHAFFER: Yes.

MS. DUGAN: Arno Hill?

MAYOR HILL: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, very good -- thank you. That passes.

NEW BUSINESS: 2. Site Plan Review for The Andersons, 6161 Muth Road, Lordstown, Ohio.

The Planning Commission followed this form that follows Section 1115.02 of The Planning & Zoning Code:

The Village of Lordstown Site Plan Review
NAME: The Andersons
ADDRESS: 6161 Muth Road, Warren, Ohio 44481

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1. **Total area in the development:** 25 acres. This includes Parcel No. 45-903490 (being 12.58 acres) and 45-903807 (being 12.42 acres)
2. **Existing Zoning** of the property: I-1 Property to the North: I-1
Property to the South: I-1 Property to the East: R-1
Property to the West: R-1
3. **Public and private right-of-way and easement lines located on or adjacent to the property:** Muth Road is to the west of the property and Ohio Edison has a 100' wide easement on the side property line.
4. **Existing topography:** The site is relatively flat, sloping slightly to the north and south.
5. **Proposed finished grade of the development:** Bottom of the tank will be 979.0.
6. **Location of existing buildings:** Parcel 45-903490 includes a dry fertilizer storage building, a packaging building, and an office building. Parcel 45-903807 includes a loadout building, an 80' diameter tank and ten 12' diameter tanks.
Location of proposed building: An 80' diameter tank is to be installed adjacent to the existing 80' tank at the east end of parcel 45-903807.
Uses of existing buildings: Fertilizer storage and distribution.
Uses of proposed buildings: Fertilizer storage tank.
Total number of buildings: 4 buildings and 12 tanks.
Dimensions: New tank is 80' in diameter (5,027 square feet)
Heights: 40' tall
Gross floor area: Not applicable
Number of stories: Not applicable
7. **Location and dimension of:**
Curb cuts: No modifications to existing.
Driving lanes: No modifications to existing.
Off-street parking: No modifications to existing.
Loading areas: No modifications to existing.
Angles of stalls: No modifications to existing.
Grades: No modifications to existing.
Surfacing materials: Not applicable.
Drainage plans: Applicant states that the new tank will be installed within an existing containment berm and the existing drainage will not be modified.
Illumination of facilities: No modifications to existing.
8. **Sidewalks and other open areas:** No modifications to existing.
9. **Location of all walls, fences and buffers:** No modifications to existing.
10. **Location, size, height and orientation of all signs:** No modifications to existing.
11. **Location of all existing and proposed streets and highways:** Muth Road is on the west side of the property.
12. **All existing and proposed water and sanitary sewer lines indicating pipe sizes, types and grades:** No modifications to existing 8" line. There is an existing 2" line for daily use from the 8" line to the water tank outside the loadout building. This water is used to dilute the UAN for loadout. Both the 8" and 2" lines have water meters and backflow preventers. The gallons per minute rate of water usage will not change, however the annual water usage will increase by approximately 250,000 to 300,000 gallons per year.
13. **The schedule of phasing of the project:** Construction is proposed to begin in February 2020 pending all required approvals are received. Site construction will take place in one single phase.
14. **All existing and proposed front setbacks:** I-1 zoning requires a minimum of 100' from road right-of-way; proposed setback is approximately 805' from the front property line to the tank.
Rear setbacks: I-1 zoning requires a minimum of 75' from the rear property line; proposed setback is approximately 191' from the rear property line to the tank.
And side yard setbacks: I-1 zoning requires a minimum of 50' from the side property lines; proposed setback is approximately 310' from the south side property line to the tank and approximately 109' from the north side property line to the tank.
15. **Other information required by the Planning Commission:** Applicant reported that they have received approval from the Ohio Department of Agriculture to install the new tank and that the existing containment berm is sufficient for the expansion project.

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16. Prior approval of water mains and appurtenances by the BPA: Applicant submitted a water PPE form; approval by Utility Superintendent Darren Biggs.

MS. BORDNER: I'm going to first read to you, again, a quick letter from Chris Schwind of The Andersons.

"Dear Planning Commission,
The Andersons of 6161 Muth Road would like to expand their liquid fertilizer business to include the addition of one liquid fertilizer tank. They are planning to extend their distribution facility capabilities to sell increased volumes of UAN 32% (Urea Ammonium Nitrate) at the maximum strength of 32 percent. They are proposing to build one additional 1.5 million-gallon tank adjacent to the existing one built in 2013.

They will receive all rail cars of UAN 32% and distribute it to licensed wholesalers in DOT approved containers. They will have the capacity to dilute the product with water to achieve 28% and a 30% mix based on customer needs. This product can also have other fertilizers added, such as phosphorus and potassium, which is stored in the smaller tanks. The NPK makeup of this fertilizer is the same as what you and I can purchase in small containers over the counter at a home and garden or department store. It is also a liquid version of what The Andersons currently distribute from their dry/granulated warehouse.

I have included the SDS (Safety Data Sheet) to reference the UAN. Once sold to a wholesaler, the product will be purchased by the farmer, the same way The Andersons currently distributes the dry granulated material. The two methods of this liquid application are either injected into the soil or sprayed onto the crops.

I will let the experts from The Andersons discuss the exact chemical make-up of this product, but as indicated in the SDS sheet, it is a very low hazard substance with no fuming or flammability. I have included a brief summary of the NPK ratings on a separate sheet.

The Andersons has chosen the Lordstown site for this project to better serve their customer base and to grow the business. This additional expansion will be approximately a \$975,000 investment."

I also wanted to update the Planning Commission that at the conclusion of the September 10, 2012, Planning Commission meeting, where the Planning Commission considered approval for the first UAN tank for The Andersons, conditional approval was granted, and The Andersons was to provide a written response to the remaining concerns that were raised by the Board of Public Affairs and the Village Engineer, CT Consultants, at that time. In reviewing the documents that were submitted for this current requested site plan for a second tank, the Planning & Zoning office was unable to locate any such written response from The Andersons or a subsequent written approval from the BPA or the Village Engineers in our files.

Therefore, an investigation was conducted by our Village Engineers, including involving our Utility Superintendent, Darren Biggs, and it was determined that all outstanding concerns had been sufficiently addressed by The Andersons; and Jeff Smith, of CT Consultants, sent me an email to that effect, and I just wanted to update the record now to successfully close those issues with the first UAN tank from 2012.

So those have all been addressed, and we're moving on, forward.

The Andersons provided a preliminary Planning Evaluation form for the Water Department. They provided an aerial map of the location, an overall Site Plan, and specific tank details from Heartland Tank.

This total area in the development for this tank is 25 acres. This includes Parcel Number 45-903490, and that's a 12.58-acre parcel; and then 45-903807, which is a 12.42-acre parcel.

The existing zoning of their parcel is I-1; to the north, is I-1; to the south, is I-1; to the east, is R-1; to the west, is R-1.

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Muth Road is to the west of the property, and Ohio Edison has a 100-foot wide easement on the south side of the property line -- I'm sorry -- on the side of the property line.

The site is relatively flat, sloping slightly to the north and south.

The bottom of the tank will be a finished grade of approximately 979.0.

The Parcel 45-903490 includes a dry fertilizer storage building, a packaging building, and an office building. Parcel 45-903807 includes a loadout building and already existing 80' diameter tank and ten 12-foot diameter tanks.

What is proposed is a new 80-foot diameter tank to be installed adjacent to the existing 80-foot tank at the east end of Parcel 45-903807.

The uses of the existing buildings are fertilizer storage and distribution.

The use of the proposed building is a fertilizer storage tank.

The number of the buildings -- there's 4 buildings, and there's 12 tanks. The new tank is 80 feet in diameter. That's a total of 5,027 square feet. The height is going to be 40-foot tall. Gross floor area and number of stories are not applicable.

And with regards to the location and dimension of curb cuts, driving lanes, off-street parking, loading areas, angles of stalls, grades -- there's no modification to the existing. Surfacing materials is not applicable.

The applicant states that the new tank will be installed within an existing containment berm. So, with regards to drainage plans, the existing drainage will not be modified.

There will be no modifications to the illumination of the facilities or to the sidewalks or to the location of any walls, fences or buffers.

The size and height and orientation of signs is not going to be changed.

Muth Road is on the west of the property.

With regards to all proposed water and sanitary sewer lines, there's no modifications to the existing 8-inch line. There is an existing 2-inch line for daily use from the 8-inch line to the water tank outside the loadout building. This water is used to dilute the UAN for loadout, and both the 8-inch and 2-inch lines have water meters and backflow preventers. The gallons per minute rate of water will not -- usage will not change, however the annual water usage will increase by approximately 250,000 to 300,000 gallons per year.

This project is scheduled to be phased out in one, single phase. They would like to begin sometime here in February, once they get all required approvals.

The I-1 zoning requires a minimum setback of 100 feet from the road right-of-way. The proposed setback is 805 feet from the front property line to the tank.

The rear setback -- the required zoning for an I-1 zone is a minimum of 75 feet from the rear property line; proposed setback is approximately 191 feet from the rear property line to the new tank.

And with regard to the side yard setbacks, I-1 zoning requires a minimum of 50 foot from each of the side property lines; proposed setback is approximately 310 feet from the south side property line to the tank, and approximately 109 feet from the north side property line to the tank.

The applicant reported that they have received approval from the Ohio Department of Agriculture to install the new tank, and that the existing containment berm is sufficient for the expansion project.

They submitted the PPE form. They got the approval of the Utility Superintendent, Darren Biggs; and Mr. Biggs, along with Chief Travis Eastham, Chief Brent Milhoan of the Police

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Department, and Dale Grimm, our Road Commissioner -- have all approved this project without any concerns.

I also have a letter from Jeff Smith, our Senior Engineer at CT Consultants. He reviewed everything that was submitted by the Andersons, and he also said that they have no objection -- "CT has no objection to the approval of The Andersons 1.5 million Gallon UAN Tank Installation as proposed."

He indicated that there was no site grading, drainage or utility work that was going to be occurring on this site, as part of this project. So therefore, for that reason, no additional storm water management or E & S controls, or other elements, typically associated with Land Development Plan, would be necessary. They signed off on that. I think that's the sum and substance of it.

I have with us, tonight, Chris Schwind from The Andersons, along with Justin Myers. He is the Engineer for The Andersons.

MR. SCHWIND: Chris Schwind, Plant Manager.

MR. MYERS: Justin Myers, Senior Project Engineer, Corporate Engineering, The Andersons.

MR. RECH: Okay -- any questions?

MAYOR HILL: Have we had any zoning complaints over them for anything?

MS. BORDNER: For The Andersons -- never one time.

MAYOR HILL: That's all I got to know.

MR. ROOK: There's no smell issues from the ammonia or anything like that?

MR. SCHWIND: No, it's all contained.

MR. ROOK: Okay. If you had a rupture of one of the tanks, would it be a major health issue -- or is it really not that strong?

MR. SCHWIND: No, it's not that strong. It's not a strong -- and containment is laid out by the Ohio Department of Ag, and it's been signed off by them, too, so it all would be within the containment.

MR. RECH: Any other questions?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Okay -- thank you, gentleman.

MR. SCHWIND: Thank you.

MR. RECH: All right. At this time, is there a motion to approve Site Plan Review for The Andersons, 6161 Muth Road in Lordstown?

MR. SHAFFER: I'll make that motion.

MR. RECH: Mr. Shaffer -- is there a second?

MR. REIDER: Second.

MR. RECH: Mr. Reider -- any other discussion?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Hearing not -- roll call on this?

MS. DUGAN: Yes, sir -- Don Reider?

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MR. REIDER: Yes.

MS. DUGAN: Richard Rook?

MR. ROOK: Yes.

MS. DUGAN: Bob Shaffer?

MR. SHAFFER: Yes.

MS. DUGAN: Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: Tim Rech?

MR. RECH: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: Okay, thank you -- that passes.

NEW BUSINESS: 3. Site Plan Review for SunPeak on behalf of Anderson-Du Bose Company, 5300 Tod Avenue, Lordstown, Ohio.

The Planning Commission followed this form that follows Section 1115.02 of The Planning & Zoning Code:

The Village of Lordstown Site Plan Review

NAME: SunPeak, LLC on behalf of The Anderson-DuBose Company

ADDRESS: 5300 Tod Avenue, SW, Warren, Ohio 44481

1. **Total area in the development:** 42.354 acres
2. **Existing Zoning** of the property: I-1 Property to the North: I-1
Property to the South: I-1 Property to the East: B-2
Property to the West: I-1
3. **Public and private right-of-way and easement lines located on or adjacent to the property:** State Route 45 (aka Tod Avenue) right of way is to the east. There are no public or private easements on the parcel. No changes are proposed.
4. **Existing topography:** Generally flat. Currently developed with self-contained drainage.
5. **Proposed finished grade of the development:** No proposed change to grading.
6. **Location of existing buildings:** In the center and north on parcel 45-904685.
Location of proposed building: No new buildings are proposed.
Uses of existing buildings: Distribution, office, maintenance, warehouse, storage.
Uses of proposed buildings: No new buildings are proposed.
Total number of buildings: Three – warehouse/distribution facility, maintenance building, salt storage.
Dimensions: Warehouse/distribution facility is approximately 197,764 square feet including the newer addition, the maintenance building is approximately 9,024 square feet and the salt storage is approximately 440 square feet.
Heights: 41.2' to the highest point of the buildings.
Gross floor area: The solar panel project being proposed will be built on the roof of the warehouse/distribution facility (which is a total of 197,764 square feet), on the older part of the building (with a roof height in that area of 38.2'), and will have a footprint of 41,570 square feet. Each module is 5.38' x 3.25' and there will be 2,376 modules. Applicant provided data sheets on the solar panel array.
Number of stories: Not applicable on this project.
7. **Location and dimension of:**
Curb cuts: No new curb cuts proposed, no alterations to existing curb cuts.
Driving lanes: No new driving lanes proposed, no alterations to existing driving lanes.
Off-street parking: No new off-street parking proposed, no alterations to existing off-street parking.
Loading areas: No new loading areas proposed, no alterations to existing loading areas.

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Angles of stalls: Not applicable on this project.

Grades: No grading alterations proposed.

Surfacing materials: No surfacing materials will be used for the proposed project.

Drainage plans: No changes are proposed to the existing drainage.

Illumination of facilities: No alterations are being requested to the existing illumination.

8. **Sidewalks and other open areas:** No new sidewalks or open areas are proposed, no changes to existing sidewalks or open areas are requested (changes being requested only as to the roof of the facility).
9. **Location of all walls, fences and buffers:** No new walls, fences or buffers are proposed, there will be an AC combiner panel added to the west wall near the electrical room and a utility disconnect added to the southern part of the exterior of the electrical room.
10. **Location, size, height and orientation of all signs:** No signs will be added or altered. The installed equipment will be labeled according to NEC requirements and Applicant has included examples of such labeling in their submission packet.
11. **Location of all existing and proposed streets and highways:** State Route 45 (Tod Avenue) borders the eastern property line. No new streets are proposed.
12. **All existing and proposed water and sanitary sewer lines indicating pipe sizes, types and grades:** No new water or sanitary sewer lines proposed, no alterations to existing water or sanitary sewer lines.
13. **The schedule of phasing of the project:** Construction is proposed to begin in Spring 2020 pending all required approvals are received. Placement of solar panels will take place in one single phase.
14. **All existing and proposed front setbacks:** No changes to existing buildings or front setbacks. The solar array will be 14'5" from the east edge of the warehouse/distribution facility roof.
Rear setbacks: No changes to existing buildings or rear setbacks. The solar array will be 21'6" from the west edge of the warehouse/distribution facility roof.
And side yard setbacks: No changes to existing buildings or side setbacks. The solar array will be at least 10'4" from the north and south edges of the warehouse/distribution facility roof.
15. **Other information required by the Planning Commission:** Applicant has provided a glare analysis with their submission which will be separately addressed.
16. **Prior approval of water mains and appurtenances by the BPA:** Prior approval was provided in 2011. No changes requested.

MR. RECH: Okay, so we have Site Plan Review for SunPeak, on behalf of Anderson-Dubose Company, 5300 Tod Avenue, Lordstown, Ohio -- Kellie?

MS. BORDNER: Yes, so they have submitted a plan set and aerial of the property, with an overview of the solar panel project that they would like to install for Anderson-DuBose, which would be on top of the already-existing building. They have provided photos of the modules, the AC combiner box, the utility disconnect -- just so you would have examples of what that would look like.

They also did a glare analysis and summary, and basically the information that I have from them is this -- there is a total area in the development of 42.354 acres. Their existing zoning is I-1; to the north, is I-1; to the south, is I-1; to the west, is I-1; and to the east, is B-2.

State Route 45, which is also known as Tod Avenue right-of-way is to the east. There are no public or private easements on this parcel. No changes are proposed.

The topography is generally flat -- currently developed with self-contained drainage. There are no proposed changes to the drainage.

The location of the existing buildings is in the center and north on Parcel 45-904685. There are no new buildings proposed. The existing buildings are a distribution facility, an office, maintenance, warehouse, storage. No new buildings, again, are proposed.

The total number of buildings that they have -- there are three (3). As I said, the warehouse/distribution facility, maintenance building and a salt storage.

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They give the dimensions of the existing facilities, being the warehouse/distribution facility at approximately 197,764 square feet, including the newer addition, the maintenance building is approximately 9,024 square feet, and the salt storage is approximately 440 square feet.

The height of the buildings are 41.2' feet to the highest point of the buildings. Gross floor area, the -- so now we're just going to talk about the solar panel project -- is going to be built on the roof of the warehouse/distribution facility; which again, is that total square footage of 197,764; and on the older part of the building, and that has a roof height in that area of approximately 38.2' feet; and that will have a footprint, then, of 41,570 square feet.

Each module is 5.38' x 3.25', and there will be 2,376 modules. They provided data sheets on the solar panel array. No stories are applicable for this project.

There's no new curb cuts proposed, no new driving lanes, no new off-street parking, no new loading areas. There's no angle of the stalls that would be at issue here for this project, and the grading is not going to be an issue because that's not being altered.

There's no surfacing materials that will be used for the proposed project, no drainage changes to the existing drainage plan will be needed, no alterations are being requested for the existing illumination, no new sidewalks or open areas are proposed, no new walls, fences, or buffers.

There will be an AC combiner panel that's going to be added to the west wall of the facility -- the original facility -- near the electrical room, and a utility disconnect added to the southern part of the exterior of the electrical room.

No new sign will be added. The installed equipment that they're going to have will be labeled according to NEC requirements, and the Applicant has included some examples of that labeling in their submission packet so that you can see what that looks like.

State Route 45 borders the eastern line of the property -- no new streets are proposed or anything of that nature, no new water or sanitary sewer lines are proposed, no alterations to the water or sanitary sewer lines.

Construction is proposed to begin in the Spring of 2020, pending all required approvals are received, and the placement of solar panels will take place in one single phase.

No changes to existing buildings or front setbacks. The solar array will actually be 14'5" from the east edge of the warehouse/distribution facility roof, and a solar array will also be 21'6" from the west edge of the warehouse/distribution facility roof, and it will be 10'4" from the north and south edges of the warehouse/distribution facility roof.

The applicant has provided a glare analysis with their submission, and they can address that separately. I do have for you Alysa Hinde, here, today. She is from SunPeak. And Dave Aubin, from Anderson-Dubose is here. They received prior approval from the EPA back in 2011 -- no changes were requested there with regards to any water, so they didn't need any additional approval.

And if Alysa and Dave would be willing to step up to the microphone and introduce themselves? If you have any questions, I'm sure that they would be happy to answer.

MS. HINDE: I'm Alysa Hinde. I'm with SunPeak. I'm the Project Development Manager for SunPeak, Solar Developer/Builder.

MR. AUBIN: Dave Aubin, the Senior Project Manager for Anderson-DuBose.

MR. RECH: Okay, welcome -- questions? Anything you two would like to add to what Kellie said?

MR. AUBIN: I would like to -- the one great thing about this that we're really looking forward to is it's going to provide about 18 percent of our power. So, it's going to reduce about 570,000 tons of Co2 emissions a year. We're really trying to go green.

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I think a couple of folks that know our facility know that we're an ISO 9001 facility. So environmental concerns are pretty high on our list, and that's one of the reasons we're doing this. In fact, it's one of the primary reasons.

MR. RECH: Okay, thanks -- questions?

MR. ROOK: Glare issues -- you said there were only four that were actual -- it sounds like minor issues?

MS. HINDE: Yeah, and actually -- so the glare analysis tool that we use is primarily intended for airplanes. It's an FAA -- it's like the only FAA-approved glare tool, and I -- we were very surprised, since the building is so high, and it has a 2-foot parapet wall around it -- we were surprised to see any glare on the highway and in the neighborhoods.

So, I contacted the maker of the tool, and they actually told me that the FAA disallowed the use of obstructions as a mitigating factor for glare.

So, we actually were up on the roof, and I have photos if you would like to see them; and the parapet wall around the top is about 2-feet tall, and the solar panels will only be 15 inches high. Realistically, there's no way that they're even going to see the panels from the ground. We took pictures from the ground and from the top, and you can't even see some of the HVAC units that are 5-feet tall. It's a fault of the tool that glare showed up at all to be honest, so --

MS. BORDNER: And from the Planning and Zoning Office, we would just like to add that all of the adjacent property owners were notified. I don't see anyone here tonight.

MR. ROOK: Your diagram -- it showed where points three (3) and four (4) were. Eleven (11) and twelve (12), I didn't see on there - but you answered the question.

MS. HINDE: Yeah, I'm sorry, but we try to do as many points as possible and be all-inclusive, and then the shot didn't quite come through in the printout, so I'm sorry about that.

MR. ROOK: So, essentially, there'd be no glare on the highway?

MS. HINDE: No.

MR. AUBIN: Yeah -- because the building is 40-feet high, and it has a little (INAUDIBLE) -- there's that wall. So, the panels are actually below that. So, if they were on the ground, it might be a different situation -- like how they have over at the GM plant; but with ours being elevated on the roof, you can't even see the HVAC units.

MS. HINDE: Yeah.

MR. AUBIN: Those HVAC units are 6-feet tall, and you can't see those from the road, so there's -- it's pretty well-hidden.

MR. RECH: Okay -- any other questions? I guess the one question that came to my mind was -- as I read through this, you're putting 2,376 panels on the roof that weigh about 40 pounds apiece. Is there any -- at least that's what I took from your literature. Are there any concerns when there's that much weight on the roof?

MR. AUBIN: No. We've had structural engineering, both the original construction folks that did it, so from -- and then, also --

MS. HINDE: -- our guys came out, too.

MR. AUBIN: -- our guys, yeah. Yeah, so we've gone through -- the PSI's that that roof is constructed to be able to handle is 25 pounds per square inch.

MR. RECH: Uh-huh.

MR. AUBIN: So, on a 12-inch frame -- I mean, you're talking literally hundreds and hundreds of pounds for the size of these, they're going to barely even make a dent on it.

MS. HINDE: It's 5 PSF --

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MR. AUBIN: Yeah.

MS. HINDE: -- for the system if we end up installing it.

MR. AUBIN: So, we got about 125% percent capacity for every PSI -- every square inch that we have.

MR. RECH: Okay.

MR. AUBIN: That's the reason it's not on the entire building. We're only doing it on the old section of the building --

MS. HINDE: Right.

MR. AUBIN: -- because the new section that we built last year, is only 15 PSI. It would have made it, but it would have been a little too close. So that's why we decided to make the panel system smaller -- and only be on the old, existing building.

MR. RECH: All right, thank you very much -- any other questions?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Okay -- thank you, both.

MR. AUBIN: Okay, thank you.

MR. RECH: At this time, is there a motion for approval of Site Plan Review for SunPeak, on behalf of Anderson-Dubose, 5300 Tod Avenue, Lordstown -- for this solar panel installation?

MR. REIDER: I'll make that motion.

MR. RECH: Mr. Reider -- is there a second?

MR. ROOK: Second.

MAYOR HILL: I'll second.

MR. RECH: Okay, we'll go with the Mayor -- any other discussion on this?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: All right -- hearing not, can we have roll call please.

MS. DUGAN: Yes, sir -- Richard Rook?

MR. ROOK: Yes.

MS. DUGAN: Bob Shaffer?

MR. SHAFFER: Yes.

MS. DUGAN: Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: Tim Rech?

MR. RECH: Yes.

MS. DUGAN: And Don Reider?

MR. REIDER: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, thank you very much

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NEW BUSINESS: 4. Suggested changes to Lordstown Codified Ordinance 1125.05(a)(4) Outdoor Advertising and 1102.09(a)(4) Zoning Permits.

MR. RECH: Okay. Then item four on our agenda -- suggested changes to Lordstown Codified Ordinance 1125.05(a)(4) Outdoor Advertising and 1102.09(a)(4) Zoning Permits -- Kellie?

MS. BORDNER: Yes, Mr. Chairman -- so following several inquiries and complaints of unfair application, we researched language in other local municipalities concerning the fees that they charge for sign permits. Included within our review, were jurisdictions such as Newton Falls, Canfield, Warren City, Howland, Mineral Ridge, Austintown and McDonald. We relied more upon the language that we found within the Codes of Howland Township. We've done that, repeatedly, in the past, with regards to Lordstown Village Code language updates, and Warren City as well; and we're proposing an update to our sign permit fee language under our Code Section 1125.05(a)(4), which is shown in red as attached.

We attached the Code for you, and we would ask that you consider recommending to Village Council that they pass legislation to approve this update to the stated Code section. Correspondingly, we would ask the same for the update of 1102.09(a)(4), which is also attached and marked in red because it makes reference to that.

So one of the primary concerns and complaints that we get frequently is that Commercial business signs, for example, of 40 square feet, currently pay the same \$25.00 that Industrial companies, with signs of 100 square feet, 1,200 square feet -- and you know, even up to 23,000 square feet, for example, would have to pay.

So to fix this problem, which has likely existed for way too long -- and make it more equitable and fair for every business -- the big and small businesses -- we have suggested the \$1.00 per square foot for signs that are sized at 26 square feet and above, capping that at \$200 per sign face, so that it does not get too outrageous in the application.

And then regarding the "per sign face" language addition -- this is something that our Code has been silent on, which has caused confusion; and in other jurisdictions that we've explored, the language is very clear in their Codes that it does mean per sign face. So, we would like to clear up our Code on this as well.

So, basically, what we're looking at is if we take a look at 1125.05(4)(a), where it says "All signs of up to ten square feet," being -- "\$15.00" -- we'd like that to be "per sign face." So, the only language we are adding there is "per sign face."

Same thing with (B), which states "Signs of more than ten square feet, but less than twenty square feet in area, is \$20.00" -- and again, "per sign face".

We have "Signs of twenty" -- and then we added the language -- "square feet, but less than twenty-six square feet in area" -- has been always \$25.00 dollars -- not looking to change that either; but again, have it to be "per sign face."

And then we added a new "D", which would say, "Signs of twenty-six square feet or more, \$1.00 per square foot of sign area per sign face, not to exceed a maximum of \$200.00 per sign face."

And then, if we take a look at 1102.09, we just kind of reiterate that in the diagram of fees and deposits, just so that the two Codes -- Sections correspond with each other.

We are happy to answer any questions that you have, and we would ask that you give some consideration to making a motion to recommend to Village Council that they update and change this language.

MR. RECH: Okay, thank you -- comments, discussion?

MAYOR HILL: I don't know if we've addressed this in the last 30 years?

MS. DUGAN: Honestly, in my time, you haven't -- and I've been here over 19.

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MR. RECH: I mean I, personally, feel these are reasonable fees. They're not extravagant. Okay -- anything else?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Would anybody like to make a motion that we recommend -- how do we want to say this, recommend --

MS. BORDNER: You would make a recommendation to Village Council that they update the language in the Code, relative to 1125.05 and 1102.09 to update the fee structure, with regards to signs, and make it "per sign face."

MR. RECH: Okay.

MS. BORDNER: And then Denise would -- if you do that, then Denise would send a letter to Village Council from Planning Commission.

MR. RECH: Very good -- is that sufficient?

SOLICITOR MANNING: Yes, that's sufficient.

MR. RECH: Okay, is there a motion to make this happen?

MR. REIDER: I'll make that motion.

MR. RECH: All right, Mr. Reider -- is there a second?

MR. SHAFFER: I'll second it.

MR. RECH: All right, Mr. Shaffer -- any other discussion on this?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Hearing not, could we have roll call on this, please?

MS. DUGAN: Yes -- Bob Shaffer?

MR. SHAFFER: Yes.

MS. DUGAN: Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: Tim Rech?

MR. RECH: Yes.

MS. DUGAN: Don Reider?

MR. REIDER: Yes.

MS. DUGAN: Richard Rook?

MR. ROOK: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, thank you -- that passes. Please relay that to Council.

MS. BORDNER: Thank you so much. I appreciate it.

PLANNING AND ZONING ADMINISTRATOR'S REPORT: PUD Zone Change Nullification.

MS. BORDNER: Okay. So, we'll go back to the report, and we'll talk about the PUD Zone Change Nullification. Again, this is simply just a matter of clearing up the record. The Code is very clear that if the developer does not come in and make his final plans to Planning Commission in a PUD zone, then that request for the zone change to PUD is void.

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Attorney Dutton has just asked that we make it very clear on the record -- that we acknowledge that this is the case in the Code, and that we would like to recommend to Council for them to repeal.

When we changed the zoning, and we recommended this to Council the first time -- and they changed it from R-1 to PUD -- they had to go through a public hearing. They had to go through legislation. So, what we need them to do now is to, essentially, repeal that legislation -- correct, Mayor?

MAYOR HILL: Yeah, but we wouldn't have to have a public hearing. All we would have to do is probably bring in a piece of legislation to repeal what we had done for that parcel. I don't think we need a -- because the property's been transferred. Nothing's been done -- so, basically, all we're doing is cleaning the record up.

MS. BORDNER: That's all.

MAYOR HILL: I'll make that motion.

MS. BORDNER: But just to be clear, we had this discussion before, and we're not taking the PUD Code 1180 off the books.

MAYOR HILL: Right.

MS. BORDNER: We're not doing that. We discussed that. We, the Planning Commission, has opted not to do that. So that is not what this is doing. All this is doing is --

MAYOR HILL: -- repealing that for that specific property.

MS. BORDNER: Correct.

MR. RECH: Okay.

MR. REIDER: And I'll second that.

MR. RECH: All right, I have a motion from the Mayor, and Mr. Reider made a second. Do we need to name the specific parcel to make this official or --?

MS. BORDNER: I don't know if I have that in front of me, but I can tell you that it is a 117-acre parcel that is at the north end of Woodridge Way. It is owned by Karen and Ronald Krisher at this time.

MR. RECH: Okay.

MS. BORDNER: And it was transferred to them from Mala Properties.

MR. RECH: Correct, okay. All right -- everybody good with that? All right -- any discussion?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Hearing not -- roll call on that, then.

MS. DUGAN: Yes -- Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: Tim Rech?

MR. RECH: Yes.

MS. DUGAN: Don Reider?

MR. REIDER: Yes.

MS. DUGAN: Richard Rook?

MR. ROOK: Yes.

MS. DUGAN: And Bob Shaffer?

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MR. SHAFFER: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, thank you.

PLANNING AND ZONING ADMINISTRATOR'S REPORT: Lordstown Motors.

MS. BORDNER: My second one is really, actually, a very easy thing I believe, and I think will make our jobs all a little easier; and I would just like to -- I know that we've all heard in the media about Lordstown Motors.

So with regards to the new proposed Lordstown Motors facility, I spoke with Attorney Dutton about this as well -- and whether or not that it would be necessary for them to come to Site Plan Review if they simply continue to utilize the existing structures on the old GM grounds? So I did not believe, nor did Ms. Dugan, that that would be necessary for them to come for a Site Plan Review; and the reason for that would be because the GM facility has not been shut down for a year; and since it is the intention, as I understand it -- and as Ms. Dugan understands it -- for them to create electric vehicles, their use of the structure would, essentially, be the same as GM -- vehicle manufacturing.

So therefore, we believe that this would be similar to when GM would retool the plant, and we did not require them to keep coming back for Site Plan Review when that occurred. Attorney Dutton agreed that he did not believe that a Site Plan Review should be necessary so long as Lordstown Motors confirmed, in writing, the what and the when.

So exactly what they're going to be doing -- when they're going to be doing it; and there, obviously, was something that he read in the media -- that we needed to know how much of the plant -- so they must have made some commentary about how much of the plant they were going to use; and he said, we really need to know how much of the plant that they might wall off and exclude from their current operations; and the reason for this is because in the future, they could sublet a portion of that and give it to another business or something of that nature; and that business would then be required to come in for Site Plan Review because it could be of a different nature, and that would have to have our review.

So as much upfront information as they could provide, would be great -- just so long as -- that we were made aware of exactly when they would resume the automotive assembly, and what they were going to do, and how they were going to do it -- just those kinds of things.

Then they would also, of course, be required to register with the Tax Department, and they would have to get Zoning Permits from the Planning and Zoning Office to put up new signs and stuff like that.

I don't have any contacts for Lordstown Motors currently. No one has contacted the office. Ms. Dugan did research on the Auditor's Office; and there is an address for them through there.

We would kind of like to reach out to them, but I wanted to just make sure that Planning Commission was in agreement with me on this -- and just make sure you didn't have any questions or concerns, so that I could advise this new company appropriately.

MR. RECH: Did you consider reaching out to the Regional Chamber on that?

MS. BORDNER: I have not -- I know that the gentleman's name -- one of the gentlemen that is maybe in the hierarchy of Lordstown Motors, is Steve Burns.

MAYOR HILL: Steve Burns owns it. There's John Lafleur. There's Phil Schmidt -- and I'll get you some numbers tomorrow.

MS. BORDNER: Thank you so much.

MR. RECH: Mayor probably has them on speed dial.

MS. BORDNER: So that resolves that.

MAYOR HILL: Two.

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MR. RECH: Two of them, all right -- will do. Any other comments about this?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: All right, very good -- sounds like we're in agreement on that.

MS. BORDNER: I don't believe we need any motion or anything like that.

MR. RECH: Right.

MS. BORDNER: I just want to make sure that everybody agrees with me, and that we're good.

MR. RECH: Yes, and I think it's reasonable that we wouldn't have to go through all of that again.

MS. BORDNER: I think it saves them some unnecessary

MR. RECH: Yeah, saves them some time.

MS. BORDNER: Right -- and they can get moving a little bit quicker.

MR. SHAFFER: I'm okay without a Site Plan Review. I just think that we should be aware of what's happening in there.

MS. BORDNER: I would like to make sure that they do that as well, and then I would be happy to update the Planning Commission once I receive something. How about if we do that?

MR. SHAFFER: If there's some kind of a variance -- like an agreement with them -- we really should know about that, so we can make any changes if we need to.

MS. BORDNER: I agree.

MR. RECH: Anybody else?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

PUBLIC COMMENTS:

MR. RECH: Are there any public comments this evening?

MS. CLICK: Hi, Carla Click, 2770 Hallock Young.

MR. RECH: Good evening, go ahead.

MS. CLICK: All right -- and I apologize for not having my notes with me, but I was under the understanding that I would have to go to the Council first -- and on my way over here, when I did the U-turn, I was told I had to come here first. So please forgive me for not being prepared.

I know we all thought the dead-end road for Hallock Young Road was dead, but it's not. I've been in talks with TJX, and they're finishing the road as contracted. You know, it will be finished completely -- but I have also been talking to some of the Council members to see if we -- and I was advised to come to you guys -- what we're looking at, if possible, is to close the road. I know you've addressed it with Mr. Dutton and stuff.

The road would not be permanently closed, in the fact that it would be barred from anybody using it. It would be more of a gated. It would be accessible to the Village and any utilities or whatever needed to go through there.

My understanding is -- I need the request from the Planning Commission -- that you guys decide what you would need to close the road. Like, I know we were looking at like a -- I'm not an engineer, so please forgive my terms -- but like a "T" at the end for a turn-around for the bus, gates on each side.

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They don't want -- and in talking in general to the Council, they're not looking -- nobody is looking at pylons or anything because we want to be able to have it accessible for -- and in case they ever want to open it back up again. You know, if something happens, and they want to open it.

So, what I'm coming to you guys for -- and I know I'm all over the place. I'm usually more organized, and I apologize for that again, but is -- that I'm asking that you guys visit it -- revisit it, and see if -- what you would require for TJX to close -- because they're open to spending money to do this. They're just not opening a blank check for us.

They need to know kind of what we're looking at if we decide to do this -- if you guys are willing to entertain this -- and then what you do, you would send it to Council, and then Council would vote to see if they were okay with it or address it. I'm not sure if they vote. I'm not sure about their rules -- and then TJX would see if they're okay with what you guys send to them cost-wise, you know -- what you're looking at kind of thing, you know, with the engineers and stuff because as far as I can understand, I know some of the Council have done some homework, and they've looked at it.

So, I don't think there's a ton of, like, utility things, changes -- none of that is going to change, I don't believe, because the road is going to exist as, you know -- finish the product. They're not going to not finish the road that's required, but -- and then setting aside, like, putting a gate up, and then the bus turnaround, and how you guys want to look at that.

So that's really what I'm here for -- I'm sorry. I know I'm rambling. I'm usually so much more better than this.

MR. RECH: So originally, the -- we set it up as a cul-de-sac, and then we had a work session with Council that was here, and they wanted the road to continue all the way through. So, then we approved that, and then it went back to Council, and I think they approved it or -- right -- gave formal approval of it.

MS. CLICK: Yes.

MR. RECH: So, I'm not exactly -- so are you saying you want it closed back again -- or are you saying you want a road?

MS. CLICK: No, they're going to -- it's not going to be a cul-de-sac. It would just be closed on each end.

MR. RECH: It would be a finished road?

MS. CLICK: It would have to be a finished road --

MR. RECH: Okay.

MS. CLICK: -- because that's required already. They're not going to change that. That's the reason, I think, that Council went the other way -- because they were okay with entertaining a cul-de-sac.

MR. RECH: Yeah.

MS. CLICK: But it had gotten too late into the season for them to start their construction --

MR. RECH: Yes.

MS. CLICK: -- that they weren't willing to revisit it; and then I think once that came up, like, everybody piled on -- utilities and so forth, about wanting to change things; and the price went from reasonable, to ridiculous; and TJX was not willing to set aside that time to wait -- or the money, you know, in addition -- because they already spent -- to do the cul-de-sac, and that fiasco went back and forth; and then they spent to do the road -- all the plans and stuff.

MR. RECH: Uh-huh.

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MS. CLICK: So, I can understand they're not wanting to get on board to spend another quarter of a million dollars for this -- you know -- or to push it back in timeframe.

MR. RECH: Uh-huh.

MS. CLICK: They had a timeframe they wanted this facility to be up and running and open. So their suggestion -- in talking to TJX, Mark Walker -- I've been talking to him for months -- is wait until they get to a certain point, and then revisit it because TJX is open to saying -- we're going to finish the road because we're required. We're not going to change that because it would be too many hoops to jump through.

MR. RECH: Uh-huh.

MS. CLICK: But what we're asking is that instead of providing a cul-de-sac, we're going to basically do it without doing it. We're going to do a closed road; but the road is accessible to all, you know, maintenance vehicles or utility vehicles --

MR. RECH: Uh-huh.

MS. CLICK: -- or you know, whoever needs to get in there.

MR. RECH: Emergency services.

MR. REIDER: Emergency.

MS. CLICK: And if for some reason down the road, we find a reason that we need to open it, we can.

I mean, our residents haven't changed. The only thing that's changed on my side is I've had a couple more emails about the new people moving in. I haven't even had a chance to go out and meet them.

MR. RECH: Uh-huh.

MS. CLICK: But they're like, "Hey, you're supposed to be in charge of this" -- which I really didn't want to be, but -- can you add it to the list, you know, if you need anything? I didn't even have time, honestly, to get anybody here because, like I said, I was headed home when I did a U-turn and came back.

MAYOR HILL: What percentage do you think of the people on Hallock Young Road -- you probably had a 70% percent or maybe 80 -- what do you think -- out of the number of houses, how many people do you think want that to be closed off for traffic purposes or whatever?

MS. CLICK: I would say, we probably gained one or two more depending on -- I would have to look at their addresses for the houses that were sold. I can guarantee you one next to me -- that's one; and then down the street, is the one I got the first email from.

So, I think there's been -- and you can correct me if I'm wrong, Mr. Dietz -- but I think there's been 3 houses sold on our road -- 1 still listed for sale. Out of those 3, I know 2 of them. I haven't reached out to the third one.

MAYOR HILL: How many households do you think do not want it changed?

MS. CLICK: It was 7 to 9. I would say it's closer to 7 now, maybe 8 when I get -- well, actually -- would actually reduce, because 2 of them flipped to our side -- well, 1 flipped to our side. I don't know about the other address. So, it would be like 7 or 8. It's reduced -- that wants it to stay the same; and it's climbed, that wants it closed.

I just haven't gone -- I mean, this is just -- you know that, with the School Board, it's just a very busy season for me, and I apologize for not being prepared; but like I said, I thought I was going to Council first, and then I kind of flipped on a dime coming here, so --

MR. SHAFFER: How many houses are on that section?

MS. CLICK: I believe 31.

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MR. SHAFFER: Pardon me?

MS. CLICK: 31.

MR. SHAFFER: 31?

MS. CLICK: Yeah, well --

MR. SHAFFER: So, you got --

MS. CLICK: -- counting Mr. Price's, but I'm not sure what's going to happen with that, I mean.

MR. SHAFFER: Well, we'll say 30 -- so out of 30, you have like 7 that want to keep it open?

MS. CLICK: Yeah, and 20 -- it was like 21 -- and I think, it's 23. I know the individuals next to us, that bought the Jones' house, they want it closed; and I know the -- and I don't know the address, but that really pretty storybook house. I got the e-mail from them earlier, so -- but like I said, there's still another house for sale, and it depends on who moves in there.

Honestly, I can't speak for them. I can just tell you what the consensus is. Most people coming in there, are hoping that that gets closed because the more -- I mean, it's not as bad as I thought it was going to be. I'll be honest with you -- because I don't see it until I pull out of the driveway; but I think the more -- like, I don't want to call it a monstrosity, but the size of it -- once people get a gander at it, I think they're a little bit more on board with -- maybe not wanting to see it so much, you know -- and heading down that way, you know, and having the traffic, but -- and I said it before, I mean; but now we've been months into it -- other than with the winter, and with the warm -- crazy, warm weather we've had, we've actually used the road a lot more, but it's amazing how many people we get from Lyntz and the other, Pleasant -- I can't think of the name of it?

MR. REIDER: Pleasant Valley, Silver Fox.

MS. CLICK: Yeah, the bicycling, the walking, the strollers, the dogs. I mean, it's a busy road, but not with vehicles -- with foot traffic and two-wheel vehicles.

MR. RECH: Uh-huh.

MS. CLICK: Any questions?

MS. BORDNER: Here is what I can offer. And it's -- I'm not aware -- I was not aware of this new development, but the last conversation that I had would have probably been with Mark Cavicchi from TJX -- and, of course, Attorney Dutton; and as I understand it, whatever they decide to do, they would have to do an updated Site Plan Review.

They would have to come back to us, and Attorney Dutton has indicated that we, as a Commission, cannot force TJX to come back. They have to initiate that on their own.

If it's something that they want to do to alter whatever approvals have been given -- so with regards to the thru-street, was the last approval that was given. If they want to alter that, in any way, then they would have to submit appropriate plans -- and particularly to our Street Commissioner because they would be looking at having to do -- however they're going to close it; and I don't know because this is the first time I've heard of this particular development, but they would have to develop it in such a way that they would create a "T" turnaround.

Who is going to maintain the road until -- either until then -- or once that's been accomplished that they're going to create a "T" turnaround? Are they going to ask for the Village to accept the road? So, obviously, Dale Grimm's input would be necessary right from the beginning; and there's costs involved that we would have to -- they would have to determine who is going to pay for that?

MS. CLICK: Well, that's why -- let me back up here for a second. And I think -- and again, not being prepared, I apologize -- but this is after we take control of the road. TJX is willing

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to put in the gates and stuff that we need, but they're not -- they don't want to reinvent the wheel.

They're saying -- "Okay, once we finish this road, before we open, you guys determine if we - if we were to close it, what would you require?" Like, what kind of gates would you require? What kind of -- like the "T" whatever, turnaround? They're asking that to get, like, a preliminary cost, saying -- like if you come back to them -- you know, Kellie, if the Planning Commission comes back and says, "We want to do this, and it's going to cost \$120,000" -- then Mark can say, "Okay. That is a range we're willing to cover -- or "No, we're not going to do it."

They're not going to -- TJX, they want the Village to take control, and then keep the road closed, and then they will put up what's needed; but they need to know, from you guys, what you're requiring from them.

MS. BORDNER: So again, as I understand from Attorney Dutton, we can't tell them what is required. The Codes are very clear as to what is acceptable for asking someone to accept responsibility -- is asking a municipality to accept responsibility for the street and to dedicate the street. So, there would be a road dedication and acceptance.

So that does come through the Planning Commission. We can't tell them what's required other than that; and again, as I understand from Attorney Dutton, if they are going to change whatever has been approved through Site Plan, which is the thru street, then they have to do so by an amended Site Plan Review.

It would re-involve our Engineers for that purpose -- and provide the appropriate documentation. So whatever it is that they want to provide -- or whatever it is that the agreement is with the community over on that side and TJX, that would need to be presented to my office and to Mr. Grimm, in particular, because he's the Street Commissioner. He would need to be -- I would assume -- in on it on the ground level, and he could explain.

Any questions that there may be with regards to what the Code requires -- if they don't want to look it up, I guess they could ask Mr. Grimm -- but our Codes are all online. So, their engineers are pretty bright, so I know that they can look that up; but that's -- according to Mr. Dutton, this is something that needs to come back through Planning Commission as an amended Site Plan Review.

It doesn't matter -- it wouldn't be that the Village is going to accept responsibility for the road and have it be dedicated and accepted by the Village for maintenance -- and then this occurs. He said that's putting the cart before the horse.

MS. CLICK: Okay, I mean -- and I understand. I'm just saying Mr. Dutton -- I got off the phone with Council, and they talked to Mr. Dutton, and none of this was explained.

They said just, basically, I need to ask what we're willing to do, and how much they think it will cost, and then send it to Council -- or ask you guys to send to Council -- recommend that it be closed until this can be settled -- remaining closed, excuse me.

MS. BORDNER: I think what Mr. Dutton was saying was -- to seek advice of the Planning Commission as to whether or not they would be willing to consider something like that. I think that's what he was saying.

MS. CLICK: Okay, then that's --

MS. BORDNER: Does that make sense?

MS. CLICK: -- what I'm here to do --

MS. BORDNER: Okay.

MS. CLICK: -- seek advice if they're willing to consider that; and I guess ask that if the timeframe starts to push into when they're going to open the road, if they would consider asking the Council to keep the road closed until it's settled -- especially if the gears are already moving in that direction?

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MAYOR HILL: I think as far as -- we had -- I'll talk to Dale, because Dale is going to be able to tell you what he would require at the end of that road, per our Ordinances, which are through here.

MS. CLICK: And it's not just our end of the road. It would be the Bailey side, too.

MAYOR HILL: Right, right -- he would have to -- he would have to figure out how we would close that road off, appropriately, and what we would require -- because there wouldn't be any traffic coming off of Bailey. The only traffic would be up -- just past your house; and we definitely would have to have a "T" or a cul-de-sac; and a "T" would be the most simple way to resolve that.

MS. CLICK: Well, that's what was mentioned was a "T". No cul-de-sac was mentioned. It would be a "T" where the buses, like they do now -- except for, you know, a gravel would have a finished product to back up onto.

MAYOR HILL: I guess we would have to start with Dale Grimm, what would his recommendation -- as far as being the Street Commissioner? I know he was on board, originally, with having that a dead-end or a cul-de-sac. Now we'd have to find out exactly what he would want from them.

MS. DUGAN: I believe our Ordinances state that it can't stay a "T" -- that it has to become something permanent -- not a "T" turnaround. I know one exists at the end of Woodridge, and I know that's a problem.

MAYOR HILL: And we have one at the end of Ida Drive.

MS. DUGAN: Oh, okay -- I didn't know that. Ida was before my time -- and to be honest with you, Woodridge was a mistake, -- it shouldn't have been accepted with a "T" turnaround; and my other thought is that for us to tell them what we want, I would believe the Village would have to spend money, and the Planning Commission doesn't have a budget to spend money. We can't --

MS. CLICK: No, no -- you just said that you're not going to tell them what they want, right, Kellie?

MS. BORDNER: No, no, no, we can't --

MS. CLICK: Yeah, you just said that.

MS. BORDNER: Mr. Grimm can --

MS. CLICK: Yes.

MS. BORDNER: -- because he's the Street Commissioner, he can offer advice. What you're looking for is the thoughts of Planning Commission as to whether or not that -- should all of that come to fruition, and TJX bring in this plan -- and say, "Here's what we'd like to do" -- what would their thoughts be about considering that?

MR. RECH: But I need to understand the dynamic between Planning and Council on this because we had that meeting where we had Bond, Jones and Liming, who wouldn't -- who voted against the original --

MR. REIDER: -- cul-de-sac.

MR. RECH: Yes -- and then we had to put a street in. So, at that point -- so we're still at the point, now, where we have to put a street in. I don't understand how we can go back and say we want to make further modifications to that road without it going through everything all again and involving Council and everything else, right?

MAYOR HILL: Council would have to be involved.

MR. RECH: Yeah.

MAYOR HILL: And chances are -- my guess, it's going to go 3-3.

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MR. RECH: Okay.

MAYOR HILL: I originally had no problem with closing the road off because the majority of the residents did want the road cut off. Now, if it's money out of our pocket versus money out of HomeGoods' pocket -- because Mr. Radtka couldn't vote the first time around because he had a conflict of interest with the property being involved.

Now I know there has been some dialogue on Council. I haven't had dialogue.

MR. RECH: Okay.

MAYOR HILL: I really haven't changed my position. You know, I still think that most of the residents would like to have a closed road; and if it went down to 3-3, you know, I was -- my thinking hasn't changed, but -- well, first of all, you have to find out what would you require?

And if -- my guess is if Dale Grimm said, "Here is what we would require." -- and somebody went back to HomeGoods and said, "Here's what's required" -- they still have engineers on board. Their engineers could probably figure out how much they want to -- or how much they would estimate it would cost to do that.

MR. RECH: Uh-huh.

MAYOR HILL: And then it's up to TJX HomeGoods to figure out yea or nay, and then they could come back to us; but Dale would have to say, "Here is what I would require as the Street Commissioner."

MR. RECH: Okay.

MR. SHAFFER: And you're not talking about altering the road. It's going to go through, be built, be finished -- be completed all to specs.

MS. CLICK: Oh, yeah -- they're not going to change. They're not going to alter that plan.

MR. SHAFFER: After -- after the road is built, you wanted to just put gates on the end so --

MS. CLICK: Basically, yes.

MAYOR HILL: There could be gates. You could even put a "T" -- or you can enlarge it to have a small cul-de-sac at the end. You know, that would be up to Dale to make that call.

MR. SHAFFER: Well, the thing is -- my thinking is just I wanted to make the point that the road is still going to go through.

MAYOR HILL: Yes.

MR. SHAFFER: It's still going to be built.

MAYOR HILL: Yes.

MR. SHAFFER: That is not going to be changed --

MS. CLICK: No, they're not. Yes, Mr. Shaffer.

MAYOR HILL: -- and, you know, whether he would accept a gate or something like that?

MR. RECH: Okay.

MS. CLICK: So, are you guys willing to go to Mr. Grimm and say -- what is required?

MR. RECH: Sounds like someone is going to have a conversation with Mr. Grimm.

MS. CLICK: Oh, I'm going to have -- but I need you guys, too.

MS. BORDNER: I would be happy to mention it to Mr. Grimm, first thing tomorrow morning, for you.

MS. CLICK: Thank you.

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MS. BORDNER: Yes, I'd be happy to do that. I just don't have a clue as to what would be necessary -- or what the Codes require?

MS. CLICK: No -- and I know that's going to come from him, and I would have talked to him, like I said, beforehand -- but I think I screwed up the order -- mixed up, you know; but as long as you guys are willing to revisit it and talk to Mr. Grimm I guess, you know, that's what we're looking for tonight -- or I am.

MR. SHAFFER: If it gets to the point where -- that it would come to that -- that there's a possibility you would be able to close the road off, I would be in favor of that.

MS. CLICK: Okay.

MS. DUGAN: Wouldn't we need more votes than just the people who live on that street? Wouldn't we, then, need the opinion of everyone who would use that street?

MR. SHAFFER: Well, for where that road is -- I mean, this is just my feeling -- most anybody that's using that road is on their way to Newton Falls.

MS. DUGAN: Well, people are.

MR. SHAFFER: So, I don't know if Newton Falls needs to weigh in on what we're doing.

MS. DUGAN: No, no, no -- I just meant, like, the residents.

MR. SHAFFER: Yeah.

MS. DUGAN: I would think that only asking the people on that section of Hallock Young Road, perhaps, wouldn't be fair to the rest of Village.

MS. CLICK: I believe, Ms. Dugan, they did ask everybody else; and it was almost like a 50/50 for the -- when you took in the entire Village. I think it came down --

MAYOR HILL: It was 50/50 except for one (1) person, who came in and wanted it to come out on Pritchard Ohltown, and Dale threw that one out.

MS. CLICK: Yeah.

MAYOR HILL: And that was it. So, you know, that's -- we haven't reached that far yet.

MS. DUGAN: I know Mr. Dietz didn't want it closed.

MR. DIETZ: No, I didn't want it closed, but I don't really -- when she gets done, I've got some comments to make.

MR. RECH: Okay.

MS. CLICK: Mr. Dietz is in the section that says "no". I'm accounted for. I want Mr. Dietz to --

MR. RECH: Okay.

MS. CLICK: All right?

MR. RECH: We all set?

MS. CLICK: Yes.

MR. RECH: Mr. Dietz, do you have something you want to say?

MR. DIETZ: Yes, I want to ask something. Mrs. Click, how long have you lived on that road? Tom Dietz, 2821 Hallock Young Road

MS. CLICK: I've lived there since 2013.

MR. DIETZ: She made the comment that we -- oh, I've been there since the 70's -- she made the comment that we have all kinds of people walking up and down the road since the road has been closed.

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She is wrong. We have bicycles going up that road. They ride around the block. They walk around the block, but they didn't do it during GM change time -- but that road has always been people walking up and down, and I mean -- you've been there since '13. I've been there since '70. I got more --

MS. CLICK: (INAUDIBLE)

MR. DIETZ: Okay.

COURT REPORTER: I can't hear you, ma'am. You're going to have to come forward if you want to speak.

MR. RECH: Mr. Dietz, why don't you speak your point, and not argue.

MR. DIETZ: I'm stating -- I'm stating my point, all right?

MR. RECH: Good. I'm saying you don't need to argue with Mrs. Click, here.

MR. DIETZ: Well, I had one of your people arguing with me about -- I should come to your meetings when I asked about the waterline. As a Water Board person, I would have much preferred that that waterline would have been taken over to --

MAYOR HILL: -- Pleasant Valley.

MR. DIETZ: -- Pleasant Valley -- sorry, Arno. Thank you.

MAYOR HILL: That's okay.

MR. DIETZ: Pleasant Valley -- and the gas line taken down to Pritchard Ohltown and connected into Lyntz, where it goes over to the trailer park -- because we've had residents on Pritchard Ohltown come to the Board of Public Affairs and ask for a gas line. That would have been an ideal system for us to get gas line put down that road at no expense to us.

MAYOR HILL: Well, Tom -- just to add to the minutes -- when I first met with TJX, I asked them if they could consider helping us out, to run gas lines as part of the process? And that's when there was talk of putting a cul-de-sac in, and they said -- if we don't have to put the road in.

Well, once it was demanded to put that road in at a cost of about an extra two million dollars (\$2,000,000) -- estimated, I don't know what is it was -- they could have spent 1.2, and had the rest of Village all natural gas; but it was forced through. It's done.

If they didn't have to spend that money, I had them on board to look at that, and that would have been a great service for all the residents of Lordstown, but you had Council people who wanted a thru-road. We'll just leave it at that.

MR. DIETZ: And that adds three (3) miles to me to get to the center -- if I have to go up Pritchard Ohltown and back down Bailey -- because it's a mile square block, but that's not -- I just wanted to let her know that she was wrong on that position.

MR. RECH: All right. Thank you, Mr. Dietz -- other public comments this evening?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MEMBER COMMENTS:

MR. RECH: Hearing not -- is there any additional Member comments this evening?

MAYOR HILL: Yeah, I got one. Remember that one thing which -- that's always been a policy, here -- 14 days, whenever we get the packets?

MS. BORDNER: Yes.

MAYOR HILL: Any chance, because Council really doesn't -- does the Planning Commission need 14 days to review the package? Can we go down to 7 for convenience?

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There's a lot of times it gives people, who want to come in, a little bit of extra time. Does anybody need more than 7 days to review their package -- and I'm just asking.

MR. RECH: Personally, I don't feel that I need more than 7 days --

MR. ROOK: No.

MR. RECH: -- but I think you have to consider what Kellie and Denise need to get everything together.

MAYOR HILL: Oh, I know -- well, you know, there isn't a difference whether they've got to get it 14 days before the meeting or 7 days before the meeting, is there? You still have to get it done.

MS. BORDNER: Right, we have to get it done; and I mean, they would have to have it to us before -- let me explain to you what happens right now. The vast majority of the time -- and Denise will, I'm sure, confirm this -- everything that you have before you tonight, literally, got to us on the very last day.

So, Denise and I worked over to make sure that everything was in packets for all of you, and then you all got your emails that the packets were ready, and -- so yes, I mean, generally --

MS. DUGAN: And they had to pick them up.

MS. BORDNER: -- right -- and you all had to come and pick them up. So basically, what ends up happening, currently, is that they wait until that 14th day -- however you want to call it -- that 14-day-out mark -- and then provide us everything at the last minute; and in order for us to make the cut, the deadline -- we struggle to get it to you.

So, if they were going to do one (1) week ahead of time, no problem -- but they're going to have to get it to us before the 7th day.

MAYOR HILL: Well, you know, there's two (2) different issues there. You give them a drop-dead date to get it to you.

MS. BORDNER: Uh-huh.

MAYOR HILL: And then as long as we get it 7 days before, I don't have a problem with the 7 days.

MS. BORDNER: Okay.

MR. SHAFFER: Then that gives you a week to work with it, and not have to be --

MAYOR HILL: And you know, that could say -- you have to have it to me 10 days or 14 days before that, but then we get it 7 days before that. So that way, if we have to set a Council meeting, and I -- you know, I would say 10 days -- that would give you 10 days to --

MS. BORDNER: Oh, yeah, we don't need --

MAYOR HILL: -- because right now --

MS. BORDNER: -- we just need a couple.

MAYOR HILL: Right now, they're both the same, and that means you have to have a turnaround that same day, right?

MS. BORDNER: Right.

MAYOR HILL: Now if you said you have to have 10 days before the meeting, and we have 7 days before the meeting --

MS. BORDNER: Uh-huh.

MAYOR HILL: -- that would give you 3 days to give it to us.

MS. BORDNER: Uh-huh.

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MAYOR HILL: That's all I'm saying, and I -- you know, I think that -- I don't know anybody who really needs 14 days.

MR. SHAFFER: No.

MAYOR HILL: But it's always been etched in stone -- I'm just bringing it up for discussion.

MR. SHAFFER: I'm for that. That would relieve some pressure off of you guys.

MR. REIDER: Yeah, if you just -- you know, if you just let them know that, though, Kellie.

MR. SHAFFER: The date -- the date you're requiring information doesn't change --

MS. BORDNER: Not really.

MR. SHAFFER: -- just getting it to us changes.

MAYOR HILL: Even 10 or 14 days -- and if you make it 10, that gives them a little bit of extra time. That gives you, like, 3 days you don't have.

MS. BORDNER: Uh-huh.

MAYOR HILL: Now, where is that written?

MS. DUGAN: I believe it's in Site Plan Review. That's what I was looking for right now.

MAYOR HILL: Because if we're going to be making a recommendation to Council for something in the Zoning Ordinance -- if you don't have a problem with that, we can forward this at the same time.

MS. BORDNER: I mean, do we have to do that -- or can we just -- this is just our current plan that we're doing?

MAYOR HILL: I don't care -- as long as everybody is in agreement.

MS. BORDNER: As long as I know what you guys want me to do, I'm here to serve you.

MAYOR HILL: I don't have any problem --

MS. BORDNER: If this is what you want, and you're okay with 7 days out -- and making sure that you guys have everything 7 days ahead -- if everybody is okay with that, I can make that happen.

MAYOR HILL: And if you would say 10 days for you --

MS. BORDNER: Right.

MAYOR HILL: -- so that way, you'd have 3 days --

MS. BORDNER: -- to get it together, yes.

MAYOR HILL: I don't have a problem with that.

MR. SHAFFER: Yeah, I don't need mine 2 weeks in advance.

MR. RECH: Okay, yeah -- we're all verbally agreeing.

MS. BORDNER: So, I don't know that we need to change the Code right now.

MR. RECH: Okay.

MS. BORDNER: I mean, if this is something that we see long term -- that it's something that is going to work like that and work well, then we can always change it; but to, you know, rush -- we don't have to do that. As long as I know what you guys need.

MAYOR HILL: I think everybody said it, so --

MS. BORDNER: You got it.

MAYOR HILL: -- that's all I have for Member comments.

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MR. RECH: You have a question?

MR. KRISHER: No, I just have a comment.

MR. RECH: Come on up.

MR. KRISHER: It's a basic comment.

MR. KRISHER: I'm Jonathan Krisher, 1271 Tait Road. The only thing I have about that is when you guys have to send out Certified letters on issues of adjacent properties -- because I know, for a fact, that I saw letters from different people that went out on Friday that had to -- that they had to be here on Monday. So that is the only thing that I would like to not see -- is just a consistency in the certified letters that go out for adjacent property owners when stuff comes up. That's all I just want to say.

MR. RECH: Okay.

MR. KRISHER: Because at 14 days, that at least gives you -- if there's a holiday that pops up, that gives you the extra time to make sure they get the Certified letter.

If you drop it to 7 days, you basically have to have it that day in the mail, and hope they get it by Friday.

MAYOR HILL: Now, John, that's another issue. That brings us to 3 issues. One is when we get notified. One is when the developer -- or whoever has to have the plan, and the third issue is when they send it out. So, this is, basically, a third issue. That has nothing to do with the first two -- but I agree with you, you're right.

MR. KRISHER: No, no -- I'm just saying that the 14 days would give proper notification for everybody. That's just my -- that's just my opinion.

MAYOR HILL: How much time do you have to do them now?

MS. BORDNER: I'm going to let Denise speak to that because she's the one that sends them out.

MS. DUGAN: For Site Plan Review, I'm not required to send out notice -- letters. I do it as a courtesy. It's a courtesy that the Village does. We send them out regular mail to the abutting property owners on Site Plan Review.

Mrs. Jones, you got one -- didn't you?

MS. WEST: I'm not Mrs. Jones.

MS. DUGAN: I'm so sorry. I didn't mean that, Mrs. West. You got one about the property for Suburban Ford.

MS. WEST: Yes.

MS. DUGAN: It was regular mail, and that's the way they go. The only time we send out the Certified letters are when it's, like, the zone change -- and that's different. That's a different policy. Those are required, so that's different.

MAYOR HILL: And there are timelines for those, correct?

MS. BORDNER: Yes, but what you're referencing for the two (2) weeks is Site Plan issues, correct?

MR. KRISHER: Correct.

MAYOR HILL: Yes.

MS. DUGAN: Site Plan is courtesy letters.

MR. KRISHER: Okay, that's -- that's all I just -- I wasn't sure if they were -- what was involved with that.

MS. DUGAN: Yes.

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MR. RECH: Okay. All right, thanks John -- anybody else?

(WHEREAS, THERE WAS NO RESPONSE FROM THE FLOOR, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Any other Member comments?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

ADJOURNMENT:

MAYOR HILL: I'll make a motion to adjourn.

MR. RECH: All right, Mayor made a motion -- a second?

MR. ROOK: Second.

MR. RECH: All right -- all in favor, aye?

MR. REIDER: Aye.

MR. SHAFFER: Aye.

MAYOR HILL: Aye.

MR. RECH: Aye.

MR. ROOK: Aye.

(VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right. We are adjourned -- thanks everybody.

(WHEREUPON, THE PUBLIC HEARING BEFORE THE LORDSTOWN VILLAGE PLANNING COMMISSION, CONCLUDED AT 8:00 P.M.)

Submitted by:

Approved by:

Denise L. Dugan
Assistant Planning & Zoning Administrator

Tim Rech
Chairperson