

Village of Lordstown Planning Commission

July 12, 2021

The Lordstown Planning Commission met on July 12, 2021, 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 Shaffer, Member

 Kellie Bordner, Planning & Zoning Administrator
 Denise L. Dugan, Assistant Planning & Zoning Administrator

Also Present: Alan Tura, Owner, Fear Forest, Inc.
 Juliana Tura, Owner, Fear Forest Inc.
 Alan Tura, Lordstown, Ohio
 Jacquelyn Tura, Lordstown, Ohio

EXCUSE THOSE ABSENT:

MR. RECH: All right, thanks. Mr. Dutton did notify that he would not be able to attend -- so a motion to excuse?

MAYOR HILL: So moved.

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

MR. SHAFFER: I'll second.

MR. RECH: Mr. Shaffer -- 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.)

APPROVAL OF AGENDA:

MR. RECH: All right, that's done. Reading and Approval of the Agenda -- is there a motion to approve the agenda for this evening?

MR. REIDER: So moved, Mr. Chairman.

MR. RECH: All right. Thank you, Mr. Reider -- second?

MR. ROOK: Second.

MR. RECH: Mr. Rook -- 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.)

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PLANNING AND ZONING ADMINISTRATOR'S REPORT:

MR. RECH: Thank you -- any Planning and Zoning Administrator's Report?

MS. BORDNER: No report.

SOLICITOR'S REPORT:

MR. RECH: So, obviously, no Solicitor's Report.

CORRESPONDENCE:

MR. RECH: Any Correspondence this evening?

MS. DUGAN: No, sir.

OLD BUSINESS: 1. Continuation of Site Plan Review for Alan Tura, dba Fear Forest, Inc., Parking Lot Expansion, 6878 Tod Avenue, SW, Lordstown, Ohio.

MR. RECH: All right. Old Business, then, is a continuation of Site Plan Review for Alan Tura, dba Fear Forest, Incorporated, Parking Lot Expansion, 6878 Tod Avenue S.W., Lordstown, Ohio.

MS. BORDNER: Mr. Chairman, on June 17th, our Village Engineer, Chris Kogelnik, sent me an e-mail. He had visited the site. He provided several pictures and gave his observations, within that e-mail, of some things that needed to be corrected on the Fear Forest site relative to the landscaper.

On July 2nd, he sent a follow-up e-mail -- after he had gone back out to re-check the berm height and investigate the berms in accordance with this Commission's dictate to do that. He, basically, said -- I'm going to read some of it to you. I don't think I need to read all of it, but I'll read some of it and kind of give you some highlights.

He, basically, said that -- in brief, his observations, from his prospective, were that the modified berms immediately east and west of the new gate, which has now been installed, exceed eight foot (8') in height. The modified berms to the west, as they continue to curve, are eight foot (8') plus, when you measure them on the north side -- but they are lower than eight feet (8') in several spots, on the south side, by a few tenths of a foot.

And it also appeared as though the height of the modified berms became even lower as he peered further westward along the curved alignment. He couldn't really go and make some of those specific measurements the day that he went out. It was really muddy after a very strong rain.

So his indication was whether these berm height modifications are substantial enough for the Commission -- is for you all to decide. He did submit some photos along with that. In addition, he made some other observations that he felt indirectly related to the height of the berms and could possibly affect the height in the future.

First, he said that the shape on the north of the berm is good because it has a slow, gradual rise. The shape on the south is steeper than a 1:1 ratio, which is not the best for stability.

Secondly, he said that the shape of the berm at the top is a rather sharp point with almost no flat area.

Thirdly, he said that there's some trees planted at the top, and that when planting trees on elevated peaks like this, it's -- there's not enough protective soil around them, so sometimes it can affect their survival rate.

Fourthly, he indicated that at the toe of the berms, there doesn't appear to be any type of improvements or vehicle by which to collect and carry stormwater runoff away.

And lastly, he indicated that there was no soil stabilization and no erosion and sediment control, which were -- could have been or should have been installed with the berm height modifications.

So what he offered was that -- given the observations, that he would recommend that the Village recognize that although a measurement of such berms can be made today, it is likely

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that the height of the berms, even with their stability, will diminish over time, and that the Village should not be held responsible for perpetually monitoring the height of substandard constructed berms.

Alan and Juliana Tura of Fear Forest then sent me an e-mail on July 6th -- a copy of which you also have -- stating that they acknowledged a copy of the Engineer's report, and that they know and understand that the south side of the berm is steeper than the north side of the berm; and this is because they were mostly concerned with achieving the height needed first, and then being able to plateau it to put trees on top.

The contractors had to postpone the grading work because of the rains that had existed over the last week -- and when the contractors resume work on the site, they will be able to fine-tune the slope on the south side. As soon as they finish that, they will be able to re-seed and assist with erosion control. They indicated they will replace any trees that do not survive over the winter.

That is what I have available to you in revisiting this issue.

MR. RECH: Very good, thank you. Questions, comments from anybody up here?

MAYOR HILL: I did talk to the Village Engineer today. We were at another meeting, and he said that he is satisfied that there is sufficient berming; and he said that -- you know, other than a couple of things here -- some of the grading on the south side and things like that, you know -- here it says that they will be done -- he is happy, and he said he has no problem with us accepting what's been done.

MR. RECH: All right, thank you. Mr. Alan Tura -- anything you want to add?

MR. ALAN TURA: Yes.

MS. BORDNER: Mr. Tura, I don't mean to interrupt you, but could you please just come up front here, so that the Court Reporter can see you and just give your name and address.

MR. ALAN TURA: Alan Tura -- home address, 2030 Barclay Messerly Road, Southington, Ohio, 44470 -- Fear Forest address 6878 Tod Avenue, S.W., Lordstown, 44481.

So, everything you said was correct. We did run out -- run out of the project because of the rain, but we had 90 percent of it good. We did know that we needed a little bit more on our side, which we have an excavator there that -- once we start the other side, we have to get rid of some of that dirt.

So we're going to, actually, bring the other side up, substantially, to make it a little easier to manage. It's actually manageable now to cut, but it will be easier for us to do the south side when we add that extra little bit of dirt that we'll have available. That will also help stabilize a few points that he commented might not be as stable because that dirt will be added to it, which will kind of support that bank a little better, and I think we'll be excellent by then.

MS. BORDNER: That dirt was coming from the excavation, was it not, to expand the parking lot?

MR. ALAN TURA: Yeah -- almost all of the dirt on the south side has been brought over to that barrier and brought on both sides -- we brought a dozer in to grade it so we could mow it with a blow mower; and we did run a little low on dirt, and it rained about the same time.

So, like I said, we -- our main concern was to get that plateaued pretty good up there to where you can go up there and maintain it -- and a sufficient amount of space, we believe, for the trees; and once we get a little more dirt on the south side -- just to make it a little bit more gradual, it will be -- it will be much better to maintain; but we kind of need a little bit more dirt from the other side just to kind of clean it up a little bit on our side -- the south side.

MR. RECH: Anybody have any questions for Mr. Alan Tura?

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

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

MR. ALAN TURA: Thank you.

MR. RECH: Mr. and Mrs. Larry Tura -- anything to add?

MR. LARRY TURA: Larry Tura, 6840 Tod Avenue. I have no comment. Between the letters from the CT -- and what Kellie read into the record -- discussions with my brother -- I mean I'm satisfied, at this point, that we achieved the goal.

MR. RECH: Okay, very good. Any comments, questions about that?

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

MR. RECH: Okay, hearing none -- anybody have anything else they want to add?

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

MR. RECH: All right, hearing none -- at this time, is there a motion to approve the Site Plan Review for the Parking Lot Expansion of Fear Forest, 6878 Tod Avenue, Lordstown, Ohio?

MS. BORDNER: Just a reminder from the last meeting -- we had approved the south side of the parking area -- they've already begun that, if I'm not mistaken, and have started excavating, which is where they got some of this additional dirt to fix the landscape berm. So it was really the north side that we still needed to approve. That was pending -- getting the gate in, which is in -- and the improvements necessary for the landscape berm. So it would be just full approval, at this point, then.

MAYOR HILL: I'll make that motion.

MR. RECH: Okay, we have Mayor Hill making the motion. Is there a second?

MR. SHAFFER: I'll second it.

MR. RECH: All right, Mr. Shaffer seconded. Do we have any other discussion or comments?

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

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

MS. DUGAN: Yes, sir -- 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: Bob Shaffer?

MR. SHAFFER: Yes.

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

MR. RECH: All right, thank you -- this passes. Very good, thank you -- thank you, everybody, for coming.

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NEW BUSINESS:

MR. RECH: Any New Business?

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

PUBLIC COMMENTS:

MR. RECH: Anything else -- any comments, Member comments, any additional public comments?

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

ADJOURNMENT:

MAYOR HILL: Motion to adjourn.

MR. RECH: Motion to adjourn. I have a motion. Is there a second?

MR. REIDER: Second.

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: We are adjourned. Thank you.

MR. ALAN TURA: Thank you.

MR. RECH: All right -- thanks, everybody.

(WHEREAS, THE PUBLIC HEARING BEFORE THE LORDSTOWN VILLAGE PLANNING COMMISSION ADJOURNED AT 6:43 P.M.)

Submitted by:

Approved by:

Denise L. Dugan
Assistant Planning & Zoning Administrator

Tim Rech
Chairperson