

Village of Lordstown Planning Commission

March 9, 2020

The Lordstown Planning Commission met on March 9, 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:            Don Koches, Lordstown, Ohio  
                              Lindzi Bishop, Salt Lake City, Utah  
                              Darwin Cooper, Youngstown, Ohio  
                              Randall Kline, Newton Falls, Ohio  
                              Arthur L. Robinson, Lordstown, Ohio  
                              Dan Crouse, Warren, Ohio  
                              Ken Evans  
                              Chris Kogelnik, CT Consultants  
                              Herb Campbell, Lordstown, Ohio  
                              Arleen Campbell, Lordstown, Ohio  
                              Bruce Ballentine, Lordstown, Ohio  
                              Larry Tura, Lordstown, Ohio  
                              Jacquelyn Tura, Lordstown, Ohio  
                              Alan Tura, Southington, Ohio  
                              Juliana Currier-Queen IV, Southington, Ohio

**APPROVAL OF AGENDA:**

MR. RECH: All right, thank you. Is there a motion to approve the Agenda for this evening?

MAYOR HILL: So moved.

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

MR. ROOK: Second.

MR. RECH: Mr. Rook, I'll go with -- all in favor say "aye."

MR. REIDER: Aye.

MR. SHAFFER: Aye.

MAYOR HILL: Aye.

MR. RECH: Aye.

MR. ROOK: Aye.

MR. RECH: All right -- 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 February 10, 2020:**

MR. RECH: Okay, the next item is approval of the Minutes of February 10th that were e-mailed or sent in your packets.

There is one note that I would like to put in that, and it's indicated on page 29, as part of the minutes; but I just have an e-mail from Denise saying that, "I spoke to Dale Grimm, the Street Superintendent today. Mr. Grimm told me that he did not ask the entire Village for an opinion on Hallock Young Road. He did ask the residents on that section of Hallock Young,

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Pritchard Ohltown and Lyntz, between those two (2) streets. Mr. Grimm said he received 52 responses -- 26 for the cul-de-sac and 26 for the thru street."

And that is a reference to an area on page 29. So, I just want that on the record, and then we can now ask for a motion to approve the minutes. Do I have a motion for that?

MR. ROOK: Motion to approve.

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

MR. REIDER: Second.

MR. RECH: All right, Mr. Reider -- all in favor say "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.)

**PLANNING AND ZONING ADMINISTRATOR'S REPORT:**

MR. RECH: Okay, that passes then -- moving on to Planning and Zoning Administrator's Report?

MS. BORDNER: Yes, Mr. Chairman -- I just wanted to make a few, brief comments. We have three items on the Agenda for New Business today, two (2) of which are Petitions for Zone Change.

I had spoken to Attorney Dutton about what was contained on the agenda tonight, and he did want me to state, for the record, that the only information which should be presented and considered is that information regarding the Zone Changes.

So, for example, following a positive result in the UAW Zone Change request, and a sale of the property to Harvest Point Church, Harvest Point would be required to come and have a Site Plan Review Not Involving New Construction at a separate Planning Commission meeting after the proper materials are submitted.

If the church decides to rent out the former legal offices, the renter will have to have their own Site Plan Review Not Involving New Construction.

Additionally, for example, following a positive result in the Tura Zone Change Request, Fear Forest would be required to have a Site Plan Review completed at a separate Planning Commission meeting, after the proper materials are submitted.

Some of the items which they might have referenced in their Zone Change, just as supporting information, will be more properly discussed under a Site Plan Review for a specific type of development or a new business coming in.

**SOLICITOR'S REPORT:**

MR. RECH: Okay -- yeah, very good. All right, thank you. Is there a Solicitor's Report this evening?

SOLICITOR MANNING: No, there's not -- thank you.

**CORRESPONDENCE:**

MR. RECH: All right, thank you -- is there any Correspondence?

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MS. DUGAN: I don't have any.

**OLD BUSINESS:**

MR. RECH: All right -- is there any Old Business?

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

**NEW BUSINESS: 1. Case 01-2020 Petition for Zone Change for Local Union 1112 UAW Building Corporation.**

MR. RECH: All right, then let's move on to New Business then. Item one (1) is Case 01-2020 Petition for Zone Change of Local Union 1112 UAW Building Corporation -- Kellie?

MS. BORDNER: Yes, sir. Just a little bit of background -- Local Union 1112 UAW Building Corporation has applied for a minor subdivision of the property located at 2121 Salt Springs Road. This subdivision will create one 6.467-acre parcel that Harvest Point Church hopes to purchase and one 35.6254-acre parcel, which the UAW will continue to own. This subdivision does not require any approval by the Planning Commission. In fact, I have reviewed it, and it's good.

The parcel, as it exists currently in its whole, is a mixed-zoned parcel of B-1 and I-1. So the UAW is requesting a Zone Change from I-1, Industrial -- to B-1, General Business -- for a 1.5893-acre section of the proposed new 6.467-acre parcel, which is located on Salt Springs Road, here, in the Village.

This parcel is currently zoned B-1 for approximately the first 614 feet, and I-1 for the remaining 200 feet. So, consequently, the Zone Change only really relates to that back half of the newly created parcel, which is approximately 200 feet -- thus, that's where we get the 1.5893-acre section.

The Union Hall properly submitted their Legal Description, a copy of the Deed. They submitted their boundary survey which was necessary during the subdivision, in any event; and they stated that -- for their reason as to why the change is necessary -- for the preservation and enjoyment of a substantial property right that -- first of all, it's being subdivided to create this new parcel so that they can sell that particular section to Harvest Point Church; and secondly, that again, we have this mix-zoned parcel; and as Attorney Dutton has explained to us in the past, when we have a mixed-zoned parcel -- we're going to bring in a new development or it changes hands and such like that, and there's going to be something else going on -- that we need to have the developer or the property owner choose a zone district that they would like to have their parcel in; and in this case, they have chosen B-1, which would be reasonable because the vast majority of the parcel, in fact, is B-1.

It's zoned B-1, as I said, on the frontage; and just I-1 on that rear 200 feet -- so B-1 is the request. The current Zone Change will not be detrimental to the public welfare or the property of other persons located in the vicinity.

The proposed use is going to be consistent with what B-1 zoning would allow if, in fact, it is sold to the church; and that is absolutely the intention. It will be used as a worship hall, and there is some suggestion that the office spaces that they had for, I believe, it was attorneys -- at some point, would be used as rental spaces, and that would certainly be consistent with B-1.

The remainder of the parcel has -- the remainder, which is not where the church is going to be -- but the remainder will remain in the hands of the UAW at this time, and they are bordered on the west and south sides by railroads, and the Harvest Point borders on the east side.

The remainder parcel will also have a 513-feet of road frontage. Obviously, that complies, again, too. I had no problem in approving their subdivision request. They have met all the requirements.

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I do believe that there are some representatives here from, at least, the UAW -- and I think also the church, and they -- I am sure could come up and answer any questions should you have any.

MR. RECH: Who do we have here this evening? Okay, why don't you all four go up and introduce yourselves.

MR. COOPER: Right in the microphone?

MR. RECH: Yes, please, sir.

MR. COOPER: My name is Darwin Cooper. I'm the Vice President of the UAW Local 1112.

As you're probably aware of, living here in Lordstown, that when the two (2) locals were merged -- Local 1714, which is the Union Hall that we're talking about, which has now become property of 1112 -- when they were merged, 1112 assumed that property; and at this point, we've put it up for sale.

The church has come in with a good enough offer that we're willing to sell it. We need to small-change it -- and it is a very small change. It's not going to create any space out in the open, and I thought Ms. Bordner explained it quite well -- better than I ever could. I'm pretty nervous.

I don't do this like you guys do, but the remaining -- we have 42 total acres. This will only affect a very small percentage, and we'll attach that small percentage to the front part, which is B-1, which is where the church needs it to be -- and that's really all I have to say; but if you have some questions, we'll try to answer them for you.

MR. RECH: Okay. Thank you, sir.

MR. COOPER: Thank you.

MR. RECH: Does anyone else want to -- have anything they want to say?

MR. KLINE: I just want to introduce myself -- Randy Kline. I'm Local 1112's Financial Secretary.

MR. RECH: Thank you, sir -- Arthur?

MR. ROBINSON: Arthur Robinson of Harvest Point Church. I'm the Treasurer of the Elder Administration. I handle the paperwork of the church.

We had two reasons to have the zoning changed, and that is that the bank granted us the loan based on the fact that the church had to sell the building. It would not be a Commercial style building in a Residential zoning.

They did not want a specific use building in a Residential zone, and the church intends to lease out the outer offices in the building; and this would not be possible, I believe, in R-1 and R-2; and also, we would be happy -- after the closing is done, we'll work with the Union to remove the signs, and petition the zoning to put our signs up and whatever else we have to do.

MR. RECH: Okay. Thank you, sir.

MR. CROUSE: I'm Dan Crouse. I'm the real estate agent, and we're ready to go as soon as you are.

MR. RECH: All right. Thank you, Mr. Crouse -- any questions, comments?

MAYOR HILL: None.

MR. RECH: Okay, all right -- very good. So, at this time, then, is there a motion for the Zone Change Petition as indicated in the paperwork? Do I need to get specific with the acreage, Kellie?

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MS. BORDNER: For a 1.5893-acre section of the proposed new 6.467-acre parcel owned by Local Union 1112, UAW Building Corporation, located on Salt Springs Road in Lordstown, Ohio, from I-1, for approximately 200 feet, to B-1 -- to match the remaining zoning on the parcel.

MR. RECH: That is perfect. Thank you.

MAYOR HILL: I'll make that motion.

MR. RECH: All right, Mr. Hill makes the motion. Is there a second?

MR. REIDER: Second.

MR. RECH: All right, Mr. Reider -- can we have roll call? Well, before I do that -- are there any other comments?

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

MR. RECH: Hearing not -- okay, can we have roll call on this, then, please?

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?

MR. SHAFFER: Yes.

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

MR. RECH: All right, very good -- that passes. Thank you all very much. You're welcome to stay or leave -- whatever you prefer.

MR. CROUSE: This goes in front of the Village Council for final approval on what date?

MS. DUGAN: It has three (3) readings.

MAYOR HILL: Well, normally, there's three (3) readings. So, they'll issue a letter, and it will be read at the next Council meeting; and hopefully the following Council meeting, we could have a Public Hearing. Whenever there's a zone change, we have a Public Hearing. Well, First Reading that night, and then a Second and Third Reading -- and we can pass the Third Reading.

Council may or may not pass the Emergency Clause, but if it passes, it takes effect -- without the emergency clause, it passes -- takes effect 30 days after the Final Reading. If they do the Emergency Clause, it takes effect that night. I don't see any problems.

MR. CROUSE: No -- just trying to time some things. Thank you.

MS. BORDNER: Clerk Blank will set that hearing date, and I would be happy to advise you when that is.

MR. CROUSE: Wonderful.

MR. RECH: All right, then -- we're done.

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MR. COOPER: Thank you very much.

MR. KLINE: Thank you.

**NEW BUSINESS: 2. Case 02-2020 Petition for Zone Change for Alan R. Tura.**

MR. RECH: All right. We'll move on to item number two (2) -- Case 02-2020, Petition for Zone Change for Alan R. Tura.

MS. BORDNER: Yes, sir -- again, just as a way of a little background -- Alan R. Tura is doing business as Fear Forest, and he is requesting a Zone Change from R-1 Residential, to B-1 General Business, for a 65.339-acre section of an existing 68.977-acre parcel located at 6878 Tod Avenue, here, in the Village.

Again, this is a situation where we have a mixed-zone parcel. The existing parcel is currently zoned B-1 for approximately the first 500 feet, and then R-1 for the remainder. This is parcel 45-904662 on the Trumbull County Auditor's website -- just so you have an idea of what we're looking at.

Now, Mr. Tura has provided a Legal Description. He has provided a copy of the Deed. He has provided several maps, and he has provided a statement as to why the change is necessary -- for the preservation and enjoyment of a substantial property right as follows: The proposed zone change from Residential, to B-1 Commercial is necessary to allow the operation, solely on Mr. Tura's property, without crossing over parcels owned by others, of his Fear Forest operation.

It will also allow him to submit a proper Site Plan for review of a new proposed operations building in conjunction with the seasonal Fear Forest business.

Relative to how the proposed Zone Change will not be detrimental to the public welfare or the property of other persons located in the vicinity, Mr. Tura states that the proposed Zone Change would not be detrimental to the public welfare or the property of other persons located in the vicinity because he owns a seasonal business. The property of other persons would not be affected because most of the surrounding properties are also Commercially zoned.

His property and business would mostly change only in an operations standpoint with the addition of a proposed new building; and again, this is after proper Site Plan Review -- but that would be his intention should this come out in a favorable respect for him.

While the proposed zone change would affect the entirety of his parcel, he plans on keeping most of the woodlands undisturbed, and he would only conduct business on a portion of the property. It would be very similar to what exists now -- aside from this additional proposed operations building.

The public welfare would benefit from a zone change because it would streamline his operations from using three (3) property parcels to one (1) -- and that is definitely something that we will, likely, get into a little bit more in Site Plan Review; but just as way of further explanation, currently Fear Forest is operating across three (3) parcels.

The parking lot that they use is the existing Dairy Queen parking lot. They do not have an independent parking lot. They would like to change that; but currently, they're operating by allowing people/customers to come and park in the Dairy Queen parking lot. Now, that's with that property owner's approval as well. It's not like they're doing it without his approval.

At that location, they have a ticket booth, and they have a staging area. Customers come up to the booth. They buy their tickets. There's a canopied waiting or staging area where they go through a line, and they wait; and then there is a hayride that comes up behind that area.

You get on a hayride, and you ride through the woodlands area, and that hayride will drop you off at the haunted house, should you have a ticket purchased that you would like to be dropped off at the haunted house. It can drop you off at the corn maze, and there's also a walking trail on the other side of the property -- kind of towards the end of the hayride.

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So, when you get on -- first of all, there's several items that are on the Dairy Queen property. There's the parking lot. There's the ticket booth. There's the waiting area. Those are all located on actual Dairy Queen property, and yet it's part of the Fear Forest business; and then once you get on the hayride, that traverses upon the property of Lawrence and Jacqueline Tura and then it goes into the forest and goes onto Mr. Alan Tura's property, and then the rest of it is contained on Mr. Alan Tura's property.

So the goal, here, is to become more in compliance with our Zoning Code -- and certainly have this business being contained all within one (1) parcel; and because he is, in fact, operating a business, it would be more in keeping with the use requirements, to have the entire parcel rezoned B-1; and therefore, again, he becomes more in compliance with our Zoning Codes and will be able to seek his proposed expansion of Fear Forest should this be a positive result for his requested Zone Change.

Mr. Tura is here, and I am sure that he will be happy to stand up and answer any of your questions.

MR. RECH: Mr. Tura, why don't you introduce yourself, sir.

MR. ALAN TURA: My name is Alan Tura. This is my business partner, Juliana Currier-Queen.

I've been doing Fear Forest for a long time on the property and I've, you know, decided that I'd like to move up and advance, you know -- compliance, with everything on one spot, one property -- and have a building where people can park their car, get a ticket, you know, maybe buy a T-shirt and then basically get -- go out the back of the building, get on the -- get on -- it's a cul-de-sac -- get on the tractor. It pulls -- you know, a wagon pulled by a tractor -- and take them through the woods remaining, all on the property that I own.

Like I said, we would be able to have our tickets and all that under one roof and more of a controlled environment -- more professional operation, rather than a tent, you know, and a small little ticket box.

MR. RECH: So you -- just so I understand -- so where you're parking now at the Dairy Queen, and then you have your booth there and all that kind of stuff; and then, if I understand this representation of your property, are you talking about parking, then, to the south of Dollar General or where are you --

MR. ALAN TURA: That is correct. We would put the building toward the very back of the Commercial section now -- toward the back and put all the parking in front -- basically, to the south of Dollar General.

Actually, the building would be farther off the road just so we can have a little bit more parking; and then it would, basically -- you know, buy their ticket at the ticket window in the front, you know, and then basically come out the back of the building and get in a queue line, where they would then board a wagon, take a trip around to the attraction -- will then come back to that building. They can get off, you know, and then they could part to their vehicles or maybe get a souvenir or something.

You know, we plan on -- we also plan, maybe, in the early part of September, maybe, selling sweet corn, cornstalks, Indian corn and other type of items that a lot of people like to get for fall use, you know. You know, people pay money for Indian cornstalks, cornstalks, hay bales and stuff. So we plan on maybe early, before we actually have the Fear Forest, we would like to maybe have -- is some people who can actually pull in -- maybe possibly buy some of those type goods prior to, you know, some of the events.

MR. RECH: Okay -- other questions?

MR. ROOK: Your parking lot would come in south of Dollar General, right off Tod Avenue --

MR. ALAN TURA: Yes, sir.

MR. ROOK: -- that entrance there?

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MR. ALAN TURA: Yes, sir -- we, actually, planned on putting -- because there's a hill there, we actually were going to offset it so it's more towards the north side of the property. So when people pull in, they're not actually in the middle of that -- of that frontage. It's a little bit more north. So it would make it a little safer for people to get out onto the road.

So basically, they would pull in just south of the Dollar General. They would pull into a blacktopped area, get down to the building, and park in a designated parking spot; and then they would, basically, get out and go through some doors.

Let me -- we're going to have ticket windows outside the building, and then they would basically go inside some doors, into a queue line, and out the back, and then get ready for -- you know, to get on a wagon.

MR. ROOK: You have a paved parking lot and everything right off the road?

MR. ALAN TURA: It will be all paved, according to all the Codes and requirements of Lordstown's requirements. So, yes, we will -- going to pave a stretch that comes back, you know, wide enough for two-way traffic of course, and then have a reasonable amount of parking so we can accommodate everybody when -- when they -- when they all come in for our attraction.

MR. RECH: Other questions -- yes?

FROM THE FLOOR: Do we have to come up?

MR. RECH: Yes.

MR. REIDER: Would you mind just showing me -- or just showing the rest of us -- here is Tod Avenue (INDICATING). And where would you plan, exactly, on putting the parking in? I know that you explained, but --

MR. ALAN TURA: Yeah, it's going to be right here. It's going to be right -- it's going to be between the "A" and the "T" -- actually, this whole -- this whole rectangular (INDICATING) --

MR. REIDER: Right off of Tod Avenue?

MR. ALAN TURA: Yes, they're coming in, and it's going to -- it's going to (INAUDIBLE) --

(WHEREAS, THERE WERE BOARD MEMBERS HAVING INAUDIBLE CONVERSATIONS AMONGST THEMSELVES, AND PROCEEDINGS WERE AS FOLLOWS:)

COURT REPORTER: I'm sorry. I cannot hear. Can you speak up, please? Thank you.

MR. RECH: Okay, and a lot of this will be covered under Site Plan Review, but we're just trying to get a feel for what we're talking about, here, at the property. All right -- any other questions for Mr. Tura? Okay, thank you.

MAYOR HILL: I've got a question for him.

MR. ALAN TURA: Go ahead.

MAYOR HILL: Define "seasonal" -- how often are you going to be running? I'm just curious.

MR. ALAN TURA: Well, for the last so many years, we've been operating about fifteen (15) days. We operate five (5) weekends in October, and one (1) weekend in September. So what we -- this year we had four (4) weekends in October, and the last weekend in September, which gave us 15 days.

MAYOR HILL: Okay.

MR. ALAN TURA: Depending on how the calendar falls out, sometimes we get lucky and get an extra week, where it's 18 days. So I would have to say anywhere between 15 to 18 -- and it's possibly maybe, you know, 20 days. So basically, October and the end part of September -- and then we pack it all away and weatherproof everything.



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MAYOR HILL: You don't have any intentions of running any other business out of there other than Fear Forest?

MR. ALAN TURA: No, sir -- we only plan on operating the Fear Forest; and as I mentioned, maybe, possibly open a little bit earlier in September to maybe see if there's a way to take advantage of the cornstalks, hay bales, Indian corn; and plus I did plant, you know, an acre of sweet corn, which we would then be able to peddle our sweet corn, too, because it is pretty popular and -- not quite Harvey Lutz corn, but it is very good sweet corn, and we probably will try to sell some of that early. We just plan on doing that like, maybe, right around the second weekend of September if that works out for us.

MR. RECH: Anybody else?

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

MR. RECH: Okay, thank you Mr. Tura. Is there anybody else that wants to say anything about this -- step on up and introduce yourself, sir.

MR. KOCHES: My name is Don Koches. I own the property that abuts this property that the Zone Change is requested, and I have a few concerns. The main concern that I have, first of all, is the expansion to the property line, which would be my property -- okay? I don't know what the restrictions would be as far as if they decide to go further with their buildings and what have you -- if they would come closer to my property line. That was my first question.

What if the property is sold to another corporation that would be qualified to use that same zoning change to do whatever? Is there any protection? Would they have to get an approval before they could do anything with the property? In other words, once that Zone Change is put into effect, if another corporation buys the property -- could they, in fact -- use it for their own differing business?

And my last concern would be what Mayor Hill asked about -- if there was going to be any other functions going on there? Now, I understand Fear Forest has been going for a few years, and it's not been a bother; but once this zone change goes into effect, what if he wants to put a four-wheeler racing track in there or a motorcycle racing track or whatever -- can that just be done or would there need to be necessary approval before that could be done?

My last question is -- if the people have a walking trail -- the visitors there that have paid -- if there's a walking trail and whatever, if that trail comes clear to my property line, I would like to have something in writing that there would be a chain-link fence put clear across the property line to make sure that they don't cross over. That's it.

MR. RECH: All right -- thank you, Mr. Koches.

MR. KOCHES: Thank you.

MS. BORDNER: Mr. Koches, I can give you just a little bit of insight. I mean, all of what you're speaking about really comes under our Site Plan Review process, so -- but I do understand that, you know, sometimes when we have a zone change request, and there is a Site Plan Review that's going to be kind of on the heels of it, some of these things do cross over in the same kind of process. So let me just give you a few general pieces of information.

Whenever a B-1 or I-1 parcel abuts against an R-1 parcel, they have to provide barriers -- earthen barriers. That could be many different things, but that would be something that is -- again, part of Site Plan Review, and that is discussed through that.

Now that could be a line of trees that stays and, you know, identifies. It could be a big hill that, you know -- make sure that protects it from the R-1 parcel. There's a lot of ways that you can accomplish that, but the goal is that a Commercial or Industrial parcel, up against a Residential parcel, is separated by that barrier so that you're protecting the Residential parcel.

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I don't have any information that would suggest that Mr. Tura, through his operation of Fear Forest, is going to expand in any way, what he's currently doing with the trail, the haunted hayride, the walking trail or the haunted house. That is not happening at this time.

What he is proposing -- again, during Site Plan, should this zone change be a positive result for him, is a building which will allow him to become more compliant with our Code. He cannot continue to operate across three (3) parcels. You can't do that.

I mean, first of all, the Dairy Queen doesn't own Fear Forest nor does Mr. and Mrs. Lawrence Tura own Fear Forest. So this is, in part, an attempt to become more compliant with our Zoning Codes; and he, clearly, is operating a business on an existing R-1 parcel.

So that's why this all came about, but those things are all going to be considered and addressed as part of Site Plan. In addition, I think one of the other things you said was something about if he wanted to change the nature of his business and add in -- I'm sorry, what did you say -- a race car or something like that?

First of all, again, we have rules -- certain prohibitions against certain things that -- in the Village, and a race car track would be one of them. That's not permitted here under our prohibited uses -- but regardless, if he were to change the use of the property, in any way, other than what he is currently doing, he would still have to, again, come back before this Board for Site Plan Review; and you all would still, in the public, have the right to stand up and speak and say, "This is my concerns."

So that is all part of Site Plan, and I just want to let you know that your concerns will be duly noted there, and please come again and express those at that time.

MR. KOCHES: Okay.

MS. BORDNER: And you will be notified because you are an abutting property owner, so you will know when that's going to occur.

MR. KOCHES: Well, my main concern was because it's a nine (9) week or -- my main concern was that because it's a 9-week/seasonal thing now, perhaps he'd want to make it a year-round. Not, necessarily -- he can't do a hayride year-round, but something else so -- and not so much about having something go year-round; but if it's something that's obnoxious to the surrounding property owners, then that would be my concern.

MS. BORDNER: I believe we can all appreciate what you're saying, and again, that's -- he's only -- Site Plan would be for a very specific thing.

MR. KOCHES: Okay.

MS. BORDNER: But you will know exactly what he's being permitted to do, and what he is not.

MR. KOCHES: Okay.

MS. BORDNER: And if he wanted to expand beyond that, he would have to come back before this Board to seek approval.

MR. RECH: Do you have something you want to say, Mr. Tura -- the other Mr. Tura?

MR. LARRY TURA: I guess everybody here knows me. My name is Larry Tura. I live at 6840 Tod Avenue. I'm not opposed to my brother getting a zone change. What I will say -- and he knows this -- that I'm going to be 100% percent for following zoning, with earthen barriers; and he and I have had this discussion many times.

I'll be at all the meetings. I'll voice it every time. It's a big deal for me because I know, like Don says -- once the zoning change goes into effect, and he sells it or whatever, it could be a truck stop. It could be almost anything -- and it's easier to go from a B-1 to Industrial, and I abut that property with about 2000 foot. So you can be sure that I'm going to be very adamant about that line because I understand that once the zoning change happens, it's

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there for life -- most likely. I mean, it probably would not likely ever be rezoned backwards, but I'm just protecting myself.

That being said, you know, he's explained the use that he intends on using. I don't have a problem with it as long as he stays within the scope that he's laid out for Kellie, and I'm sure you'll hear more about it in the upcoming Site Plan Review.

It's a big deal for me because I have a big investment there, like he has an investment there; but that being said, I'm in compliance, and that is not at this point. So I just want to put that out there.

MR. RECH: All right. Thank you, Mr. Tura.

MR. LARRY TURA: Thank you.

MR. RECH: All right -- anybody else, then, this evening?

MR. BALLENTINE: Bruce Ballentine -- I'm south of his property, and what concerns me is the garbage, the papers, the cups; and I was going to complain about the dust, but he's going to have blacktop, so that's fine; but the paper and that -- I get a lot from the Dollar Store right now -- across the street; basically, you know, up there from Dollar Store, and they let their grass grow high and, you know, that was my complaint -- nothing compared to the other ones, but that was my complaint.

MR. RECH: All right, thank you, Mr. Ballentine -- anybody else? We're running out of people in the room. All right -- any comments from the Board, here?

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

MR. RECH: No -- okay.

MR. ALAN TURA: I could address the trash question if you don't mind?

MR. RECH: Sure -- stand back up here.

MR. ALAN TURA: When we was over -- well, we had some trash from -- my brother doesn't like trash. So we made it a point, every night, all the managers have to leave and go around the whole parking lot and pick up every bit of trash; and then me and her pick up everything that they may miss. That's the last thing we do every night -- is pick up the trash so the next night, my brother don't have to call me.

MR. LARRY TURA: And I don't like calling.

MR. ALAN TURA: He's called me before. We put out trash cans. We pick up trash.

MR. LARRY TURA: (INAUDIBLE - SPEAKING FROM THE FLOOR.)

MR. ALAN TURA: And I told Mr. Ballentine we'll make darn sure that we check our parking lot every night for trash because people do get messy. They open their doors, and stuff falls out. I don't understand why they don't understand it. It's called littering -- but we'll pick up their litter, and we'll take care of the mess they make; and I'll assure Mr. Ballentine, he will never have to complain about trash -- unless it blows over from Dollar General.

MR. RECH: All right -- thank you, again, Mr. Tura.

MR. ALAN TURA: Thank you.

MR. RECH: All right, very good -- anything else? All right -- any other comments?

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

MR. RECH: Okay. So at this time, is there -- we have, before us, a Petition for Zone Change for Alan Tura, on that particular parcel --

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MS. BORDNER: -- from R-1 Residential, to B-1 General Business, for a 65.339-acre section of an existing 68.977-acre parcel located at 6878 Tod Avenue, also known as Parcel 45-904662.

MR. RECH: All right, thank you -- is there a motion for that Zone Change?

MR. REIDER: So moved.

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

MR. SHAFFER: I'll second it.

MR. RECH: Mr. Shaffer, okay -- could we have roll call on this, then, please.

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

MAYOR HILL: Yes.

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

MR. RECH: All right, that passes. That is set. So, again, you're welcome to leave if you want -- or you're welcome to stay. We're going to go on to our third item of business.

MAYOR HILL: It's the same timeframe. They'll probably set the meetings for the Public Hearing for the -- at the next Council meeting, which is Monday night. My guess, it would be two (2) weeks after that first meeting -- or the second meeting in April; is that correct?

MS. BORDNER: I believe so, yes.

MAYOR HILL: And then after that, it will be voted on for three (3) consecutive votes. It will go three (3) separate meetings. That way, the people who wanted to comment on that have every right, at that Council meeting, can comment on it.

MS. BORDNER: And again, Mr. Tura, I will notify you so you will know what that date is.

MR. ALAN TURA: Thank you, ma'am.

**NEW BUSINESS: 3. Site Plan Review for Furst Construction on Behalf of Old Dominion Freight Line, 7570 Tod Avenue SW, Warren, 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: Furst Construction on behalf of Old Dominion Freight Line

ADDRESS: 7570 Tod Avenue SW, Warren, Ohio 44481

1. **Total area in the development:** 15.5 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: I-1 and R-1  
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) is to the east of the development. A 160' right-of-way runs north/south, adjacent to the east side of the property. On the

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south property line, water/sewer easement to be determined. On north property line, potential new stormwater easement for adjacent property owners.

4. **Existing topography:** Sloping from the west property line to the east property line (Tod Avenue) with an average 20' elevation drop creating roughly a 2.5% slope. Existing elevations are approximately 995' on the east side to 975' at Tod Avenue. Previously the property was a wooded area with brush, which has been cleared. The property drains to the east.
5. **Proposed finished grade of the development:** Finished floor elevation of the dock/warehouse will be approximately 987'. Finished grade at the dock will be approximately 983'. The pavement will slope away from the building in all directions at 1%-2% to the finished grades ranging from approximately 984' to 980'.
6. **Location of existing buildings:** There are no existing buildings on this site.  
**Location of proposed building:** The office/warehouse building/combined loading dock will be located slightly west of the center of the lot. No other buildings are proposed.  
**Uses of existing buildings:** None  
**Uses of proposed buildings:** Trucking terminal where freight will be transferred.  
**Total number of buildings:** One  
**Dimensions:** Front (office) = 84' X 63' 3 5/8" = 5,317 SF  
Back (dock) = 80' X 313' 9 3/4" = 25,105 SF  
Total building square footage = 30,422  
**Heights:** 24' to the highest point of the building  
**Gross floor area:** approx.30,422 square feet  
**Number of stories:** One
7. **Location and dimension of:**  
**Curb cuts:** There will be one single 50' wide curb cut on Tod Avenue located 144' to centerline from the south property line.  
**Driving lanes:** The curb cut will be divided into two-way traffic to accommodate all incoming and outgoing traffic (trucks and passenger vehicles). Applicant will request a waiver for the 50' driveway.  
**Off-street parking:** The site will have 81 passenger (employee) parking stalls at 10' x 20', four of which will be ADA compliant. There will be many truck and trailer parking stalls in the yard area with dimensions as follows: 93 stalls at 12' x 40' for trailer parking, 40 stalls at 12' x 40' for tractor parking, 22 stalls at 12' x 110' for trailer breakdown parking and 15 stalls at 12' x 60' for trailer parking.  
**Loading areas:** There will be 59 available loading dock areas located around the east, north and west sides of the building. They are 60' x 11.25'. Applicant will request waiver.  
**Angles of stalls:** The 22 trailer breakdown stalls measuring 12' x 110' will be at a 45-degree angle. All other stall angles will be the typical 90 degrees.  
**Grades:** 1% to 3% within paved areas. The landscape areas will have slopes ranging from 1% to 33%.  
**Surfacing materials:** Heavy duty asphalt, light duty asphalt and concrete  
**Drainage plans:** Stormwater will sheet flow to the exterior curbs where it will be collected and conveyed to a proposed retention basin located on the east side of the property. Applicant reports that the storm sewer system is being designed according to Trumbull County's Stormwater Management Manual criteria, and that the Ohio EPA requirements for stormwater management will be met.  
**Illumination of facilities:** Site lighting will be accomplished with a combination of 40' and 25' light poles and wall packs, all with LED fixtures. Applicant has provided a photometric plan with a lighting overview.
8. **Sidewalks and other open areas:** Sidewalks are proposed along the employee parking to direct employees to the building entrance. Other open areas include perimeter landscaping and a retention basin.
9. **Location of all walls, fences and buffers:** The proposed site includes an 8' tall electric chain link security fence around the perimeter. Automatic gates will require RFID readers for access to both entrances. There are no proposed retaining walls or buffers along the property lines as this parcel is surrounded by industrial property; however Applicant will provide a tree/grass/rock front buffer abutting Tod Avenue. Applicant will also request a waiver of the code requirement that trees be planted in the parking lot area.

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10. **Location, size, height and orientation of all signs:** There are no monument or pole signs proposed with the development. The only signage will be a wall-mounted logo on the building.
11. **Location of all existing and proposed streets and highways:** State Route 45 (Tod Avenue) borders the eastern property line.
12. **All existing and proposed water and sanitary sewer lines indicating pipe sizes, types and grades:** A proposed 6" PVC SDR 35 (2% min slope) sanitary sewer lateral will connect to the existing 10" main on Tod Avenue. An 8" PVC C900 water main will connect to the existing 16" Warren water main on Tod Avenue. The 8" main will split before the building to provide a 2" poly water domestic water service and a 6" PVC C900 fire line to the building.
13. **The schedule of phasing of the project:** Construction is proposed to begin in Spring 2020 pending all required approvals are received. Site construction will take place in one single phase with an anticipated duration of 9 months.
14. **All existing and proposed front setbacks:** I-1 zoning requires a minimum of 100' from road right-of-way; proposed setback is approximately 446' from the front property line to the building.  
**Rear setbacks:** I-1 zoning requires a minimum of 75' from the rear property line; proposed setback is approximately 231' from the rear property line to the building.  
**And side yard setbacks:** I-1 zoning requires a minimum of 50' from the side property lines; proposed setback is approximately 313' from the north side property line to the building and approximately 191' from the south side property line to the building.
15. **Other information required by the Planning Commission:** Old Dominion will have approximately 40 to 41 tractor-trailer units on site per day, which will include a few triples, mainly doubles and singles. Some units will be parked on site overnight. There will also be approximately 50 employees on site per day and within 5 years of growth, up to 60 employees.
16. **Prior approval of water mains and appurtenances by the BPA:** Applicant submitted a water PPE form and has appeared before the Lordstown BPA. The water/sewer requests are pending BPA/Lordstown Water Department approvals.

MR. RECH: All right. Thank you, everybody. Now Site Plan Review for Furst Construction, on behalf of Old Dominion Freight Line, 7570 Tod Avenue, S.W., Warren, Ohio -- Kellie?

MS. BORDNER: Yes, Mr. Chairman, so I'm just going to go through their Site Plan Review form with you, and then they have a couple of waivers that they would like the Board to consider.

I also have a letter from Kevin Campbell, the President of the BPA, and I do see that he is here as well, and I can go over with you, also, what our Village Engineers have done.

So area -- total area in the development proposed is 15.5 acres.

The existing zoning of the property is I-1 -- to the North, to the South, to the West -- all I-1. To the East, there is I-1 and R-1.

State Route 45, also known as Tod Avenue, is to the east of the development. A 160-foot right-of-way runs north and south, adjacent to the east side of the property. On the south property line, the water and sewer easement needs to be determined as of yet. On the north property line, potential new stormwater easement for the adjacent property owners could be also considered at a later point in time.

The existing topography -- it slopes from the west property line, to the east property line, which is Tod Avenue, with an average of 20-foot elevation drop, creating roughly a 2.5% percent slope. The existing elevations are approximately 995 feet on the east side, to 975 feet at Tod Avenue. Previously, the property was a wooded area with brush, which has been cleared -- at least to some extent, and I think it is fairly well cleared. The property drains to the east.

The finished floor elevation of the dock/warehouse will be approximately 987'. Finished grade at the dock will be approximately 983'. The pavement will slope away from the

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building, in all directions, at a 1%-2% percent finished grade, ranging from approximately 984' to 980'.

There are no existing buildings on this site.

They are proposing an office/warehouse building/combined with a loading dock, which will be located slightly west of the center of the lot. No other buildings are proposed at this time.

As there is no building on-site, there's no use of an existing building.

The proposed use of the building office/warehouse will be a trucking terminal, where freight will be transferred.

This will be one building in its totality.

At the front, will be the office, and it will be 84' x 63' and 3 -- 3 -- oh, my gosh, 3 inches -- 3 and 5/8th" -- sorry. That's hard to say, apparently; and that is approximately 5,317 square feet. The back, which is the dock, will be 80' x 313', 9 and 3/4ths" -- and that is 25,105 square feet. So the total building square footage is 30,422 square feet.

The height will be 24' to the highest point of the building.

The gross floor area will be approximately 30,422 square feet.

This will be a one-story building.

With regards to the curb cuts, there will be one single 50' wide curb cut on Tod Avenue located at 144' to centerline from the south property line.

The curb cut will be divided into a two-lane -- two-lane driving lane for two-way traffic to accommodate all incoming and outgoing traffic, trucks and passenger vehicles. The

Applicant will be requesting a waiver for the 50' driveway.

This site will also have 81-passenger employee parking stalls at 10' x 20', four (4) of which will be ADA Compliant. There will be many truck and trailer parking stalls in the yard area with dimensions as follows: 93 stalls at 12' x 40' for trailer parking, 40 stalls at 12' x 40' for tractor parking, 22 stalls at 12' x 110' for trailer breakdown parking, and 15 stalls at 12' x 60' for trailer parking.

There will be 59 available loading dock areas located around the east, north and west sides of the building. These will be 60' x 11.25'. The Applicant will be requesting a waiver in that regard as well.

The 22 trailer breakdown stalls will measure 12' x 110', and they will be at a 45-degree angle. All other stall angles will be the typical 90 degrees.

The grades will be 1% to 3% within paved areas. The landscaping areas will have slopes ranging from 1% to 33%.

Surfacing areas will be a heavy-duty asphalt, light-duty asphalt and concrete.

The drainage plans are as follows -- the stormwater will sheet flow to the exterior curbs, where it will be collected and conveyed to a proposed retention basin located on the east side of the property. Applicant reports that the storm sewer system is being designed according to Trumbull County Stormwater Management Manual criteria, and that the Ohio EPA requirements for stormwater management will be met.

Illumination at the facility -- there will be site lighting, which will be accomplished with a combination of 40' and 25' light poles and wall packs, all with LED fixtures. They have provided a photometric plan with a lighting overview.

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The sidewalks that are proposed are along the employee parking to direct employees toward the building entrance, and then other open areas would include perimeter landscaping and a retention basin.

The proposed site will also include an 8' tall electric chain link security fence along the property. The automatic gates will require RFID readers for access to both entrances. There are no proposed retaining walls or buffers along the property lines as this parcel is surrounded by Industrial property; however, the Applicant will provide a tree/grass/rock-type front buffer abutting Tod Avenue. The Applicant will also request a waiver of the Code requirement that there be trees planted in the parking lot area.

There are no monument or pole signs proposed for the development. The only signage that they have proposed is a wall-mounted logo on the building, and they're aware that they would have to come and get a permit for that through the Planning and Zoning Office. State Route 45, Tod Avenue, borders -- as I said previously -- on the eastern property line. That is the location of pretty much all the existing proposed streets and highways.

With regards to the proposed water and sanitary sewer lines, a proposed 6" PVC SDR 35, 2% minimum slope, sanitary sewer lateral will connect to the existing 10" main on Tod Avenue. That is what is proposed by the Applicant.

There is also an 8" PVC C900 water main that is proposed to be connected to the existing 16" Warren water main on Tod Avenue. The 8" main will split before the building to provide a 2" poly water domestic water service and a 6" PVC C900 fire line to the building. Again, that is what is proposed by the Applicant.

Construction is proposed to begin in the spring of 2020, pending all required approvals are received. Site construction will take place in one single phase with an anticipated duration of approximately 9 months.

With regards to the setbacks, I-1 zoning requires a minimum 100' from the road right-of-way. So the proposed setback is approximately 446' from the front property line to the building -- well within the requirement.

The rear setback, I-1 zoning requires a minimum of 75' from the rear property line, and proposed setback is approximately 231' from the rear property line to the building. Again, well within the requirement -- Code requirement.

And the side-yard setbacks, I-1 zoning requires a minimum of 50' from the side property lines; proposed setback is approximately 313' from the north side property line to the building, and approximately 191' from the south side property line to the building. Again, well within the requirements.

Other information that we might need to know -- Old Dominion is going to have approximately 40 to 41 tractor-trailer units on site per day, and that will include a few triples, mainly doubles and singles. Some units will be parked on site overnight. There will also be approximately 50 employees on-site per day; and within five (5) years of growth, they hope to take that up to 60 employees.

With regards to prior approval of water mains and appurtenances of the BPA, the Applicant has submitted a water PPE form and has appeared before the Lordstown BPA. The water and sewer requests are pending the BPA/Lordstown Water approvals. And to that end, I have a letter dated February 25th, 2020, to myself, regarding Old Dominion Freight Line, which states as follows:

"On January 30, 2020, the Board of Public Affairs (BPA) received the preliminary Planning Form from Old Dominion Freight Line (ODFL) for their water and sanitary sewer needs. The BPA has engaged CT Consultants to model the water distribution system and to analyze the reserve capacity in the Eastside Sanitary Sewer system and the State Route 45/Hallock Young corridor. CT is in the process of completing a water modeling of the system to see how ODFL needs can best be satisfied. This information should be presented to the Board in the very near future.



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In regards to the sanitary sewer connection, CT is also in the process of determining the capacity as well as proposed methods of connection for ODFL. Once the water and sanitary sewer connections are determined, ODFL will have to submit plans for approval by the Utility Superintendent, Village Engineer and all other Village Departments, as well as obtaining all necessary permits required. At this time, no approvals have been issued for ODFL. If you have any further needs, please forward them to the Lordstown Board of Public Affairs."

That is signed by Kevin Campbell, President, Lordstown Board of Public Affairs -- and he is present.

Our engineers have also reviewed the plans and information that have been submitted by Old Dominion and Furst Construction, and they provided a memorandum on February 25th, 2020, as well -- and that was by Jeff Smith, from CT Consultants. Most of his memorandum contains a lot of technical issues that they still have to address; and to the best of my knowledge, the Engineers for Old Dominion are working very well with our Village Engineers, to accomplish all of those goals, all of the items, all of those concerns.

We do have a few waivers that we need to take a look at. All of the Department Heads have reviewed the plans, and no one has any concerns. I addressed the BPA issues. I think we're good.

I think that should the Board be inclined to approve the Site Plan for Old Dominion, they do have to do so with some conditions, obviously, one of which being that the BPA grant their approval, and those water and sewer needs be addressed and approved through the BPA.

We would keep the Village Engineers on, as is customary throughout the process of construction and -- so that any Change Orders would have to go through our Village Engineers, and they would have to approve those; and at the end of the development, when it's all said and done, of course CT Consultants would have to approve that as well.

Other than that, not much else remains outstanding. They did a very good job of submitting to us what we needed, and Miss Lindzi Bishop is here from Furst Construction. If you have questions of her, I'm sure she would be happy to answer -- as is Mr. Chris Kogelnik, of CT Consultants here, in case you have questions for him; and as I said earlier, Mr. Kevin Campbell from the BPA.

MR. RECH: I guess, Miss Bishop, do you want to step up to the microphone and introduce yourself, please.

MS. BISHOP: Good evening. Thanks for having us here. I'm Lindzi Bishop, with Furst Construction, representing Old Dominion Freight Line, Civil Engineer and Director of Pre-construction for Permitting for the team.

So I think -- first of all, thank you to Kellie for doing such a good presentation. I think it was the perfect overview -- covered everything on our project.

If I were to add one thing to it, I do think it's important to clarify that for this freight transfer terminal, there is no storage, and there will not be combustible and hazardous materials in the warehouse. And so I think the term "warehouse" would be better described as freight transfer trucks come in. They unload some freight that's all -- that's wrapped and packaged, and it gets replaced into other trailers and tractor units that go do their delivery.

This is not a storage facility. There is nothing -- leaks, spills, any -- that need to be dealt with in that way.

And the other thing to note is there will be no maintenance at this. We have larger shops -- these units that come out of this location -- all get serviced in Columbus. They just got a brand new beautiful shop that we designed and built for them -- just finishing up right now.

So there's going to be nothing hazardous that way -- or environmentally, oils and leaks and things of that nature. So it will be very clean -- a clean site, just moving freight around.

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MR. RECH: What's your -- is there a typical route that this terminal will run or is it --

MS. BISHOP: Yeah, there is. I don't have that information right now.

MR. RECH: Okay.

MS. BISHOP: I should have brought the manager -- the terminal manager that will be overseeing this, but I don't know the answer to that one.

MR. RECH: Okay, and just is it more of a daytime kind of an operation or is it --

MS. BISHOP: Well, it will -- there will be three (3) shifts.

MR. RECH: Okay.

MS. BISHOP: 7:00 a.m. to 4:00 p.m. -- 4:00 p.m. to midnight -- and then midnight to 7:00 a.m. So, it technically is 24 hours -- but it will not -- obviously, through the night, it will be night drivers coming in, unhooking a trailer, hooking up to another trailer and leaving on very rare occasions. You won't have a staffed office at those hours. It's just the line-haul drivers coming in to change freight, tractors, and then leaving.

MR. RECH: Okay.

MR. SHAFFER: So they will still be hauling hazardous materials, there just won't be anything stored there -- because I assume your trucks will be (INAUDIBLE) --

MS. BISHOP: Correct.

MR. SHAFFER: -- and it's kind of hard not to be in that kind of business, and not haul hazardous materials.

MS. BISHOP: Correct, yes. It will be --

MR. SHAFFER: -- but there just won't be any storage there -- just come in and go out?

MS. BISHOP: Correct.

MR. RECH: Okay, other questions?

MR. ROOK: Yes, there was one comment -- 40 to 45 tractor trailers per day. Is that what would be on the property? Is that what you expect to see coming in and out?

MS. BISHOP: That's coming in and out.

MR. ROOK: So a total of 40 trucks a day is all that's going to pass through there?

MS. BISHOP: Uh-huh.

MAYOR HILL: About four (4) an hour -- that's not bad.

MR. ROOK: No.

MAYOR HILL: I guess a question I've got -- I know there are some issues that still have to be resolved. Do you see any problems with those?

MS. BISHOP: No, we don't. We were working with the BPA, and we want to comply with all the rules that you guys need. We know there's two (2) sewer lines. We're trying to work out which one's are going with the BPA -- none of those issues are a problem for us. What were the other conditions?

MS. BORDNER: Oh, okay -- aside from condition upon BPA approval, they would need compliance with our Village Engineers concerns that were outlined in their memorandum,

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which, by and large, I believe are technical in nature. Mr. Kogelnik is here. If I'm wrong, he'll be able to enlighten us on that; but I believe that they were, mostly, technical in nature in that memorandum.

However the stormwater management plan is something that's always kind of fluid. It kind of changes as it goes along during the development in some senses. So should there be any work change orders or something of that nature be altered, it would have to go through our Village Engineers for approval.

So we always throw that out there as a condition -- just so that the developer is aware -- that this is something that has to continue on. Our Village Engineers stay on the job until the job is complete, and then they give us their stamp of approval at the end.

So there would be that -- and then aside from that, it would really just be a matter of submitting any EPA or Army Corp of Engineers -- or whatever other approvals that you guys get -- just making sure that the Planning and Zoning office gets a copy.

MS. BISHOP: Absolutely.

MS. BORDNER: Did I leave anything out, Ms. Dugan?

MS. DUGAN: I don't think so.

MS. BISHOP: And so far, all of the technical comments with CT, they won't affect the Site Plan that you're all viewing right now. We've gone through the major issues that would manipulate the Site Plan at all, so you guys could have as accurate a version, and we're not having to go back and change what's approved at this meeting afterwards. I mean, there might be technical changes on the drainage report and the calculations; but overall, this Site Plan shall take care of everything that CT has concerns over at this point.

MR. ROOK: CT's comment was something about a wheel wash area. Is that permanent or just during construction?

MS. BISHOP: I'll let CT answer that. It should be for -- during construction, is my understanding.

MR. KOGELNIK: Yeah, we have all the rock entrance.

MS. BISHOP: Stabilized entrance.

MR. ROOK: I thought you actually had a spray wash system or something like that on it -- okay.

MR. RECH: Okay, all right -- any other questions? Thank you.

MS. BORDNER: Lindzi, don't go too far because we have waivers to discuss.

MS. BISHOP: Thank you.

MR. RECH: Mr. Kogelnik, anything to add on your end? You don't have to read the whole memo, but is there anything else -- any updates you want to give us or --

MAYOR HILL: Give us the cliff notes.

MR. KOGELNIK: Real quick -- Chris Kogelnik, CT Consultants -- the only technical element of the project that we probably need to focus in on, in regards to the waterline crossing -- I'm sorry, sewer line crossing across State Route 45 -- because it goes -- it would have to go underneath State Route 45. We need to see a little bit more detail with the bore jack plan. Our Roads Department Superintendent, Dale Grimm, will want to see that in detail. So I don't see that right now in the land development plan, but I'm sure that that could be easily accommodated.

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MAYOR HILL: You don't see any issues -- you know, most of this is add a dimension here --

MR. KOGELNIK: Yes.

MAYOR HILL: -- or add that --

MR. KOGELNIK: Correct.

MAYOR HILL: -- usually, just stuff on the prints, which CT said, "We would like to see that added" -- but there's no deal breakers here, correct?

MR. KOGELNIK: No, as Lindzi stated, a lot of these will be edited -- all of them will be edited, but it really won't change the Site Plan that you have in front of you -- any other questions?

MR. RECH: Not me.

MR. KOGELNIK: Okay. Thank you, sir.

MAYOR HILL: Thank you.

MR. RECH: Okay, very good -- so now we have -- we have the actual approval of Site Plan Review, plus we have the three (3) waivers, correct?

MS. BORDNER: Yes.

(WHEREAS, THERE WAS AN INAUDIBLE CONVERSATION BETWEEN MAYOR HILL AND MR. RECH, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: I will -- yes, I will get to that in one second. I just want to make sure I have my understanding of -- and when we do this, we want to do the waivers first?

MS. BORDNER: Yes -- if I could, just read to you their request, and then I think we can revisit those as you go through the Site Plan approval.

MR. RECH: Okay, all right.

MS. BORDNER: So, on February 21st, Old Dominion Freight provided the Planning and Zoning Office with a written request for some waivers. Furst Construction, as the General Contractor and authorized Agent for Old Dominion Freight, has asked that we take a look at a few site considerations that might require a waiver -- or they would like to request a waiver from the Code.

So if we take a look at Code Section 1163.04, the loading berth required, in each instance, shall not be less than twelve feet (12') in width, twenty-five feet (25') in length, and fourteen feet (14') in height -- and shall not occupy any part of the required yard. So they are requesting a waiver for an 11.25' width, rather than a 12' width; and the reason for this is just, simply, because Old Dominion dock design standards just require the 11.25' width rather than the 12' feet. There's nothing, really, other than that. It's just ease of design for them, and it optimizes -- actually, for the dock operators, it's a great optimization for them.

Code Section 1105.31 Required Driveway Dimensions -- Commercial Maximum Width of 40' feet. So they have a 50'-foot wide driveway proposed to accommodate the combined truck and vehicle circulation. So, as a result, they would just request a waiver for that 10 additional feet -- from 40' feet to 50' feet.

And finally, Code Section 1105.32, Parking Lots containing ten (10) or more spaces, shall be planted with at least one (1) tree per eight (8) spaces -- no smaller than 2"-inches caliper tree trunk diameter at chest height. I mean, obviously, it's just pretty difficult to have trucks going through there; and most of the time, we get a lot of requests for this to be waived anyways for this reason. It's one of those difficult things in the Code that, unless absolutely necessary,

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it just doesn't really work out too well; but they, as I said before, are proposing to plant trees on the frontage as required.

So really, in reality, these are only three (3) very minimal waivers. They have done a wonderful job of complying with our Code, and they have been amazing to work with so --

MR. RECH: All right, thank you. At this time, I'll ask if there are any public comments about this this evening? Mr. Tura -- come on up.

MR. LARRY TURA: Again, my name is Larry Tura, 6840 Tod Avenue, Lordstown. Lindzi had mentioned about overnight trucks there. I was just concerned and questioning as whether or not these trucks will be running all night? And I only say that because the Truck Stop over in North Jackson, you can't breathe over there when you got 60 trucks running all night -- just going in out there.

MR. RECH: Lindzi, why don't you come on back up and answer that -- sure.

MS. BISHOP: So we cannot guarantee that there will not be trucks on site. There will be some overnight -- mostly parked. There might be a few coming and going, and we can provide more detailed information at anyone's request. I can get with the manager, and get planned routes for you; however, this is not a high-use facility at night. I do it all over the country, and I visit them day and night. In all my travels, I have never seen a truck come in at night.

So it's just a possibility. They do have RFID readers. Like I said, the office isn't staffed, and they're very quiet. They come in. They hook up to their trailer, and then they go on their way; but it's not a scheduled hours of operation, and they don't sit, idling, for hours at a time.

MR. LARRY TURA: That was my question, more or less, that they run all night -- because I've seen that happen before.

MS. BISHOP: Yeah. No, they'll either park, and then go home -- or they will go and hook up to their freight and get on their way for the line-haul drivers to make the next delivery. Thank you.

MS. BORDNER: And I would like to, maybe, help you out a little -- if I recall, correctly, from our pre-application meeting, I know we had discussed this somewhat; and I believe, if I recall correctly, that when they were talking about the routes, it was that you're very close to the intersection of Hallock Young and Tod, and that the intention of being there was basically that you were very close, then, to the Turnpike, going up Hallock Young to the Turnpike -- or going up Hallock Young, and making a left on Ellsworth Bailey, to go down and get on Route 76.

MS. BISHOP: Correct.

MS. BORDNER: So those would, essentially -- you'd be located down there in that Industrial District, essentially, anyways with trucks that were coming in and out. Correct me if I'm wrong, but that's what I thought the projected traffic was to be.

MS. BISHOP: Yes, thank you -- absolutely, Kellie. So these sites are very intentionally planned -- not just based on great property, but their access through industrial roads, directly on and off of highways -- so that they can get in and get out. They don't conduct a lot of business there. These trucks don't get -- they might use the restroom facilities, the break room, get right back in, and get on their way there. They are in the industry of moving freight as quickly as possible if they're doing their job right.

MR. RECH: All right, thank you -- any other public?

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

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MR. RECH: Hearing none, okay. All right -- so let's move forward, then, with -- to answer the question of the waivers.

MAYOR HILL: I'll make a motion we accept all three (3) waivers -- or do you want them separately? I don't have any problem accepting them all at once because they're minor. Do you have a problem with that, Kellie?

MS. BORDNER: No, I don't have a problem with that at all. Do you want me to just restate them quickly again?

MAYOR HILL: Yes, restate the three (3), and I'll make a motion we accept all three (3) waivers.

MS. BORDNER: And I might throw one other one in there just as a coverage.

MR. RECH: Okay.

MS. BORDNER: So 1163.04, which deals with the width of the loading berth. They want it to be 11.25' in width, rather than 12' wide.

The second one is 1105.31. That's the Driveway Dimensions Commercial Maximum Width is 40' feet. They're asking for it to be 50' feet to accommodate the trucks and the vehicles' circulation.

And the third one that they have written, is 1105.32, and that is just not having any of the landscaping inside the parking lot.

The other one that I just want to throw in there is 1169.01. That deals with an earthen barrier at the front of the property along Tod Avenue. I mean, this is an Industrial area. I don't think that we need an earthen barrier that looks similar to what you might see, for example, at Anderson's.

MAYOR HILL: TDSI?

MS. BORDNER: Yes -- do you know what I'm saying?

MAYOR HILL: Yes.

MS. BORDNER: I don't think we really need that -- plus which, they have indicated, that they are going to be putting trees and some bushes and making that nice along that frontage. So I'm just going to throw that in there for them, that we ask for a waiver to the strict requirement of 1169.01 -- so four (4) waivers.

MAYOR HILL: I'll make that motion.

MR. RECH: Okay, gotcha' -- Mayor Hill makes a motion to accept all four (4) waivers -- and is there a second for that?

MR. SHAFFER: I'll second it.

MR. RECH: Mr. Shaffer -- is there any further discussion on this?

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

MR. RECH: Okay, hearing not -- can we have roll call on the waivers, please?

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

MR. REIDER: Yes.

MS. DUGAN: Richard Rook?

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MR. ROOK: Yes.

MS. DUGAN: Bob Shaffer?

MR. SHAFFER: Yes.

MS. DUGAN: Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: And Tim Rech?

MR. RECH: Yes.

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

MR. RECH: Okay, so the waivers are passed. Now let's move on to the actual Site Plan Review motion -- so Site Plan Review for Furst Construction on behalf of Old Dominion Freight -- and Kellie, you had said that we should have a caveat?

MS. BORDNER: Correct -- it should just be conditional to the BPA approvals. The --

MAYOR HILL: -- the Village Engineers.

MS. BORDNER: Correct -- any EPA or U.S. Army Corp approvals being submitted, and just an on-going oversight by our Village Engineers until completion -- when they can just checkmark it off and sign off. Those would just really be very minor, really, conditions when you think about it.

MR. RECH: All right -- anybody want to make that motion?

MR. REIDER: So moved, Mr. Chairman.

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

MR. ROOK: Second.

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

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

MR. RECH: Okay, can we have roll call on that, then, please?

MS. DUGAN: Yes -- 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?

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MR. REIDER: Yes.

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

**PUBLIC COMMENTS:**

MR. RECH: All right, very good. That passes. Thank you very much. Thanks for coming tonight. Is there any other public participation comments this evening?

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

**MEMBER COMMENTS:**

MR. RECH: Any member comments?

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

**ADJOURNMENT:**

MR. RECH: Is there a motion for adjournment?

MAYOR HILL: So moved.

MR. RECH: All right, we are adjourned -- all in favor?

MR. REIDER: Aye.

MR. SHAFFER: Aye.

MAYOR HILL: Aye.

MR. RECH: Aye.

MR. ROOK: Aye.

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

(WHEREUPON, THE PUBLIC HEARING BEFORE THE LORDSTOWN VILLAGE PLANNING COMMISSION, IN THE ABOVE-CAPTIONED MATTERS, CONCLUDED AT 6:40 P.M.)

Submitted by:

Approved by:

Denise L. Dugan  
Assistant Planning & Zoning Administrator

Tim Rech  
Chairperson