STATE OF OHIO

COUNTY OF TRUMBULL
LORDSTOWN VILLAGE PLANNING COMMISSION MEETING
Monday, May 11, 2026, AT 6:30 P.M.

IN RE:

1. Request for Site Plan Review Approval Not Involving New Construction by Larry Boss, dba Pizza Joe's at the Lordstown Plaza on Tod Avenue.

2. Resubmission for final Site Plan Review approval on an inventory parking expansion project west of the Lyntz Road railroad tracks by CSX-TDSI.

APPEARANCES:

Lordstown Village Planning Commission
Jackie Woodward, Mayor
Richard Rook, Chairperson
Bob Shaffer, Commission Member
Ronald Radtks, Commission Member
Rose Saborse, Vice Chairperson
Matthew Ries, Solicitor
Kellie Bordner, Planning & Zoning Administrator

ALSO PRESENT AND SPEAKING:

William and Larry Boss
Tom Czoka
Sue Andriko
Michael Pochop
Steve Dew
Debbie Dudgeon
Rusty Orben

PLACE: Lordstown Administration Building
1455 Salt Springs Rd.
Lordstown, Ohio 44481

REPORTER: CHASTITY FEEZLE, RPR, CRR

PROCEEDINGS OF THE LORDSTOWN VILLAGE PLANNING COMMISSION MEETING:

(WHEREAS, the meeting before the Lordstown Village Planning Commission commenced on Monday, May 11, 2026, at 6:30 p.m. and proceedings were as follows:)

MR. ROOK: Welcome to the Lordstown Planning Commission meeting for this evening. Would you join me in the pledge of allegiance.

(Pledge of Allegiance)

MR. ROOK: All right. Thank you. Kelli, would you call the roll call, please?

MS. BORDNER: Yes, sir. Mr. Shaffer?

MR. SHAFFER: Here.

MS. BORDNER: Ms. Saborse?

MS. SABORSE: Here.

MS. BORDNER: Mayor Woodward?

MAYOR WOODWARD: Here.

MS. BORDNER: Mr. Radtka?

MR. RADTKA: Present.

MS. BORDNER: Mr. Rook?

MR. ROOK: Present.

MS. BORDNER: Solicitor Ries?

MR. RIES: Here.

MS. BORDNER: And I'm Kelli Bordner.

MR. ROOK: Okay. Thank you. Can I have a motion for approval of tonight's agenda?

MR. SHAFFER: I'll make the motion.

MR. ROOK: Motion by Mr. Shaffer.

MAYOR WOODWARD: I'll second.

MS. BORDNER: And seconded by the Mayor.

All right. Can we get a motion for approval of the minutes of the November 10th, 2025 regular meeting?

MAYOR WOODWARD: Wait. Go back. We need to --

MR. ROOK: Did I miss something? I'm sorry. You've got to vote on it first. Okay. All in favor of the agenda approval, say aye.

THE COMMMISSION: Aye.

MR. ROOK: Nay?

(NO RESPONSE FROM THE COMMISSION.)

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

MR. ROOK: Now it passes. Okay. Sorry about that.

Okay. A motion for approval of the minutes from the November 10th, 2025 meeting.

MAYOR WOODWARD: So moved.

MR. ROOK: Moved by the Mayor. Second?

MS. SABORSE: I'll second.

MR. ROOK: Rose, second. All in favor, aye.

THE COMMMISSION: Aye.

MR. ROOK: Opposed?

(NO RESPONSE FROM THE COMMISSION.)

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

MR. ROOK: That passes also.

Mayor, do we have an oath of office this evening?

MAYOR WOODWARD: I do have one. Down in front.

Raise your right hand. Do you, Rose Saborse, solemnly swear that you will support the Constitution of the United States, the Constitution of the State of Ohio and the planning and zoning ordinances of the Village of Lordstown; that you will not make any judgments of persons or property without first having all the pertinent facts to do so; that you will not be influenced by any consideration, financial or otherwise, in determining what is in the best interest for the Village of Lordstown, and that in all other respects you will faithfully and impartially discharge and perform all the duties incumbent on you as a member of the Planning Commission of the Village of Lordstown to the position which you have been appointed according to the best of your ability and understanding?

This position has a term with an end date of August 13th, 2031. If so, please state that you swear.

MS. SABORSE: I swear.

MAYOR WOODWARD: All right. Thank you. I need you to sign these and give them back to me.

MR. ROOK: Thank you, Rose, for volunteering. It seems like a long time when they put it out that far, though.

Next on the agenda is the election of officers. We need to elect a chairperson and a vice chairperson. We're going to do each position one at a time. So do I have a motion to open nominations for officers of the 2026 Lordstown Planning Commission?

MR. SHAFFER: I'd like to make a motion to keep the current officers for the coming year that we have now.

MR. ROOK: Okay. Do we have a second on that?

MAYOR WOODWARD: I'll second.

MR. ROOK: All right. Motion by Mr. Shaffer, seconded by the Mayor. I guess at this point we can vote on it. All in favor?

THE COMMMISSION: Aye.

MR. ROOK: Opposed?

(NO RESPONSE FROM THE COMMISSION.)

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

MR. ROOK: Guess that carries. We'll stay with what we've got.

Anyway, okay. Planning and Zoning Administrator's report?

MS. BORDNER: No report.

MR. ROOK: Solicitor's report?

MR. RIES: I can address some of the issues that are being presented here tonight with respect to the parking lot expansion now, or I can discuss it when it's being presented. However you guys prefer.

MS. BORDNER: Why don't we -- I'll run through that, because it's the second item on the agenda. We'll run through it. Mr. Kogelnik is not here, although he will be available by phone. So I will read his report, and then we'll go to you.

MR. RIES: All right. Sounds good. So no report other than that.

MR. ROOK: Okay. Any correspondence?

MS. BORDNER: Yes. I have an email dated Wednesday, April 28, 2026 directed to my attention. It is addressed to Ms. Woodward and myself.

"I will be unable to attend the planning meeting about changes to the expansion plan of CSX. I am still

100 percent against it. Even with the changes, it will be noisier and there will be more light pollution. More cars mean more trains and more blocked roads. Those issues can only get worse with expansion.

"Recently I have noticed more car haulers driving on Lyntz to Bailey instead of using Muth. Again, more cars being brought in will lead to more trucks cheating and using Lyntz instead of Muth and Industrial Trace.

"As it is now, CSX creates roadblocks with trains, light pollution and illegal traffic on Lyntz. In addition, it is loud. Why would we believe a larger number of cars in an expanded lot would be better? Please vote against the CSX expansion.

"Sincerely, Glenda Bailey Betteridge."

That's all I have.

MR. ROOK: That's it for correspondence? Okay. Old business?

MS. BORDNER: No old business.

MR. ROOK: Okay. We have two items on the agenda for this evening.

In new business, the first one, request for site plan review approval, not involving new construction, by Larry Boss doing business as Pizza Joe's at the Lordstown Plaza on Tod Avenue.

Kelli, you want to present that?

MS. BORDNER: Yes, thank you.

This is actually ABT Dining Group, LLC and Larry and William Boss doing business as Pizza Joe's. They will be at the Lordstown Plaza, 6100 Tod Avenue, Suite 5.

General information for the Planning Commission is that Larry Boss, along with his son, William, are seeking to reopen Pizza Joe's in Suite 5 of the Lordstown Plaza. Mr. Boss shares that he has executed a three-year lease with the landlord. He is proposing to employee six to eight people, some full-time, some part-time, and some high school students. He will also be starting delivery of orders.

Mr. Boss reports that he does have business insurance in place, and his food service licensure will be obtained prior to opening. The oven stove hood will be inspected and cleaned immaculately. And a health department inspection will also be conducted both prior to opening.

Hours of operation will be seven days a week, likely from 10:00 a.m. to 8:00 p.m. Hours may vary slightly, and Pizza Joe's may be open later on the weekends depending upon business.

Mr. Boss is looking to become very involved in the Lordstown community by supplying local businesses with

food, working with the school, participating in local events and supporting local athletic teams. The proposed opening is June 1, 2026.

The existing zoning of the property is B2, commercial highway business. The applicant's space in Suite 5 of the Lordstown Plaza consists of approximately 1,250 square feet. There will be no indoor dining. However, there will be a table for customers waiting on pickup orders. There is a restroom on site for employee use only, not for the general public. There is a fire exit at the back of the suite, and emergency exit signs are properly placed for safety. Applicant has submitted a general floor plan.

The applicant offers that there is a shared parking lot for all tenants of the Lordstown Plaza complex with a total of 75 spaces being 10-foot by 20-foot or larger and having two ADA-compliant spaces. A diagram of the parking lot has been provided.

There is also an existing red Pizza Joe's sign on the building above the entranceway to Suite 5. It was not removed, as it was contemplated that Pizza Joe's would reopen. The applicant has been informed of code requirements under Lordstown Codified Ordinance 1165 and that an application for zoning permit along with a plot plan must be completed and submitted to the Lordstown

Planning and Zoning Office prior to the placement of any additional signage on the exterior of the building or on the marquis near Tod Avenue. Lordstown Plaza fronts on Tod Avenue.

Mr. Boss -- both Mr. Bosses and his family is here. If you have any questions, I'm sure they'd be happy to answer them.

MR. ROOK: I don't know whether you want to come up to the microphone, give us your name and address.

MR. BOSS: Yeah.

MR. ROOK: If you will.

MR. BOSS: My name's William Boss. I live at 2523 Lewis Seifert Road in Hubbard, Ohio. I just want to say that we're really looking forward to the opportunity to reopen this Pizza Joe's and give the hardworking people of Lordstown a good place to eat and a safe place, clean place to work and eat.

MR. ROOK: Appreciate that.

MR. BOSS: Thank you. Any questions?

MR. ROOK: Any member comments? How about public comments?

MS. BORDNER: The only other thing I want to share, too, Mr. Chairman, is that the department heads have reviewed the site plan approval, and they

have no concerns.

MR. ROOK: Very good. Well, we're going to welcome you in. So at this point we need a motion for final site plan review approval, not involving new construction, for Larry Boss DBA Pizza Joe's at the Lordstown Plaza on Tod Avenue.

Motion, please?

MAYOR WOODWARD: So moved.

MR. ROOK: So moved by the Mayor. Second?

MR. SHAFFER: Second.

MR. ROOK: Mr. Shaffer.

Kelli, would you do a voice vote, please?

MS. BORDNER: Yes, sir. Mayor?

MAYOR WOODWARD: Yes.

MS. BORDNER: Mr. Radtka?

MR. RADTKA: Yes.

MS. BORDNER: Mr. Shaffer?

MR. SHAFFER: Yes.

MS. BORDNER: Mr. Rook?

MR. ROOK: Yes.

MS. BORDNER: Ms. Saborse?

MS. SABORSE: Yes.

MR. ROOK: That passes unanimously. Welcome to Lordstown.

MR. BOSS: Thank you.

MR. ROOK: We missed it when it was gone. We're glad to see you back.

Okay. Any other comments on that one?

Okay. Moving on to the second one for this evening, resubmission from final site plan review approval of an inventory parking expansion project west of the Lyntz Road railroad tracks by CSX TDSI.

Kelli, would you present that one, please.

MS. BORDNER: Yes. This is just a short memo just to keep everybody updated. They had come here back in September for a site plan review. So this is just a continuation, a resubmission on that site plan review for an inventory parking lot expansion project.

For review purposes, Planning Commission has been provided with a copy of the minutes from the September 8, 2025 meeting during which CSX TDSI presented for site plan review of an inventory parking expansion project west of the railroad tracks at 2188 Lyntz Road. At that time, the Commission by a 4-1 roll call vote denied applicant's requested waiver from the Lordstown Codified Ordinance 1169.01 requiring a landscape barrier or a wall on the west side of the inventory parking lot expansion area.

Additional concerns were offered by Planning Commission with regards to existing and proposed

lighting at the facility. As a result of the information provided, responses received from the applicant and comments from the residents, Planning Commission unanimously voted to deny the request of CSX TDSI for site plan approval on the inventory parking expansion project.

CSX TDSI is now returning to the Planning Commission to resubmit their request for site plan approval on this project, including a west side landscape barrier and committing to fully address the existing and proposed lighting concerns at the facility. They will be presenting and explaining the updates to their development plans.

As a reminder, on September 8, 2025, the Planning Commission unanimously voted to grant applicant's requested waiver from the Lordstown Codified Ordinance 1107.07 requiring landscaping within the interior of the parking lot area as it relates to this project. Therefore, it is not necessary to revisit that issue since the waiver granted on this specific code requirement will stand with the project.

I also have just a brief note from Chief Milhoan that at this time he has no concerns other than the mud or dirt on the roadway during the construction, and he would ask that they keep the roadways clear during

construction.

Additionally, I wanted to note that as part of site plan review approval, the applicant is required to pay any engineering review fees that come along with that. The clerk's office, the Lordstown Village Clerk's Office, sent out an invoice in the amount of $6,082.32 and then sent a second notice in November, November 13, 2025, and the bill -- the invoice was unpaid.

We reached out to CSX TDSI a couple weeks ago and asked if they could let us know, you know, whether it had been paid and we missed it or if it had not been paid. They indicated that they would review the matter. I had not heard anything, so I reached back out on Friday. I did hear from a CSX TDSI representative who indicated that we should have the payment in our hands shortly.

There will also be, obviously, an additional invoice that would be due from this review period from the Village engineer. And then the clerk sends that off to the applicant for payment.

I also have a memorandum from our Village engineer, Chris Kogelnik, who was unable to be here tonight but is available by phone in case anyone has any questions. We can call him and he'll be available. It is dated April 13, 2026 regarding the TDSI parking lot expansion

on Lyntz Road and their resubmittal by the developer of the site plans for review.

On behalf of the Village of Lordstown, Verdantas, LLC has received the following documents from the developer's engineer, Hanson Professional Services, Inc., via email in PDF on April 3rd, 2026: Civil engineered plans, NOI, project narrative, SWPPP.

Our scope in reviewing this resubmitted set of plans focused only on two items: The new western side landscape berm, which is per Village Code 1169.01, as well as the proposed light fixtures. These two items were discussed in the initial submitted documents in 2025. With this recent submittal, April 3rd, 2026, the developer is committed to constructing the project in accordance with the Village's approval through the site plan review process.

The proposed berm and its plantings are illustrated on the new plan sheets 8 and 9 and 33 and 34. The surface area on the berm and around the new expanded parking area will be permanently restored with a maintainable lawn finish. The developer's contractor will plant conifer trees atop the new berm similar to the type and spacing as now exists on the berm along Lyntz Road. The cross-sectional views of the proposed parking lot do not include the new berm, but the

aforementioned plan sheet numbers contain sufficient information on the berm to understand its construction. In summary, the shape and placement of the proposed berm appears to comply with the Village Code 1169.01.

As to the proposed lighting fixtures, the developer's engineer has provided the prescribed make and model of the proposed lighting fixture on his plan sheet 27. The parameters on the new light fixtures are nearly the same as the lighting that was installed in the existing TDSI parking lot to the east.

The developer's engineer also provided to me on April 13, 2026 the enclosed information on the proposed light fixture. This enclosed information does not need to be inserted into the plan since the present specified make, model on the plans contains this information.

On sheet 27 in note 11 it states, the Village will provide a permit for the electrical work called for on sheet 27. The Village of Lordstown does not provide such permits. This comment shall be stricken and replaced with the appropriate approving agency. Therefore, this item of off-street parking lighting is addressed.

A point probably worth restating is that the construction and permanent access to this area of the new parking lot will only be via the existing east

entrance at TDSI. If the developer's engineer would please provide me with one printed 11 by 17 color copy of the new submitted information, I would appreciate it. This concludes our review of the submittal for TDSI. Please contact me if you have any questions. And it is narrated or authored by Chris Kogelnik, Village Engineer of Verdantas.

That's all I have.

MR. ROOK: Okay.

MS. BORDNER: I believe Mr. Ries has something.

MR. RIES: Sure. So just looking at this from a legal standpoint, there are federal railroad laws that allow companies that operate railroads to operate within the federal system, and any local ordinances are often preempted by those laws. So when a municipality tries to regulate speed limits on railroad tracks in certain areas, that's preempted by federal law. Or if they try to regulate crossings, that's preempted by federal law.

What's not preempted is where a local ordinance would have a remote or incidental impact on the railroad operations. It wouldn't affect the railroad operations, it's laws that are more designed to protect the local residents.

So I've taken the position that our landscape buffer requirements, our lighting requirements would not actually impede the railroad operations themselves. And last time they were seeking -- when they presented here in September, they were seeking a waiver of those buffers. But those would not have a significant impact on the railroad operation. I know their attorneys disagree with me on that, but it's my opinion that we should be able to require them to comply with those portions of our local ordinances in order to protect our residents.

But in terms of an outright denial in terms of the parking lot expansion itself, you know, that would likely end us up -- we would likely end up in federal court if the whole site plan review approval is denied on a whole -- based on federal preemption laws.

So anybody have any questions for me on how that works?

MR. ROOK: No. Okay. Rep from the companies want to introduce yourself, make any comments? Name and address and who you represent.

MR. POCHOP: Good evening. I'm Mike Pochop from Hanson Professional Services, Incorporated, the engineer for TDSI and CSX. I'm out of our Kansas City office.

MR. ORBEN: I'm Rusty Orben with CSX out of Columbus, Ohio.

MR. ROOK: Okay. Any other comment, anything like that?

MR. POCHOP: Did you want me to read the modification into the record, Kelli?

MS. BORDNER: Yes, please.

MR. POCHOP: You bet. First of all, happy to be back tonight and stuff. Thank you for rehearing our application. We have revised our project plans for the CSX TDSI Lordstown parking expansion at the Planning Commission on September 8th we talked about previously.

Revision 3 of the project plans shows a landscape buffer as defined in Section 1169.01(A) of the Codified Ordinances of Lordstown on the west side of the development. The west side landscape buffer will connect to the proposed landscape buffer along Lyntz Road, which is connected to the existing landscape buffer.

The new buffer will be four foot above the existing ground elevation at the existing west fence. Two rows of Norway Spruce trees, similar to those along existing Lyntz Road, will be planted on 12-foot centers to provide a screen like the existing Norway Spruce screen along Lyntz Road.

The addition of this west side landscape buffer or barrier does not trigger revision to the stormwater management system, the stormwater operation and management plan which was previously submitted to the Village and was reviewed by its street commissioner and Village engineer.

Revision 4 to the plans: As mentioned, we have addressed the lighting to minimize glare and light trespass. Revision 4 to the plans requires that the Mongoose medium light fixtures in the development be installed with uplight skirts or vanes along the side of the fixture and stuff to prevent -- limit light from going sideways or up.

Additionally, a note has been added to require the contractor to furnish and install uplight skirts on the existing light fixtures in the adjacent existing parking lot. We are not aware of any skirting available for the stadium-type light fixtures, round ones in the existing facility east of the railroad tracks. CSX and TDSI are willing to adjust these fixtures, have a truck come out and get up and adjust the aiming of those fixtures to address concerns with lights or glare on Lyntz Road. Thank you.

MR. ROOK: That's it?

MR. POCHOP: Uh-huh.

MR. ROOK: The other gentleman, any comments?

MR. ORBEN: No.

MR. ROOK: Okay. How about member comments? No?

The only -- I guess just to voice an opinion, for what it's worth, since it looks like you meet all the zoning requirements that the Village is governed by -- at this point they're not asking for any variances, correct?

MS. BORDNER: No.

MR. ROOK: No variances at that point. I guess we would be somewhat compelled to vote in your favor. However, I'm still concerned about the project causing more problems than already exists at the road crossings. I have trouble understanding how the movement of more cars through the facility will not make things worse.

This project obviously benefits your existing facility or you would not be doing it. But I see no benefit to the Village of Lordstown. It will only cause us more grief.

And you're not hiring any additional employees; is that correct?

MR. POCHOP: That is correct.

MR. ROOK: So we would not even see any increase in payroll tax.

MR. POCHOP: Right.

MR. ROOK: Just my opinion that I'm not in favor of it, but I may be compelled to vote for it. Any other comments?

Okay. How about the public?

Yes, sir? Identify yourself if you would, please.

MR. CZOKA: Tom Czoka, 1211 Hallock-Young Road.

I just had a question. I remember in the lighting discussion the last time, there was a concern over the height of the poles. They were going to be a lot taller than the existing ones. And that was a -- that was a concern because of the higher they are, the wider the light goes out. So that wasn't addressed in the revision of any -- on the height of the poles.

MR. POCHOP: Would you like a response?

MR. ROOK: Yes.

MR. POCHOP: Okay. Would you like me to come back up to the microphone?

STENOGRAPHER: I can hear him. That's fine.

MR. POCHOP: Or I can speak up loud. I am checking right here. We are doing 30-foot wood poles

around the -- basically we're expanding the existing lot west of the tracks basically doubling the size further west. And I believe the 30-foot new poles are similar to the poles on the existing lot west of the tracks. We're not going sizeably higher.

MR. CZOKA: I thought they were going -- well, I know what it was. It was, like, there was no specific specifications on the height of the lighting poles, but they said the average lighting pole for a parking lot was, like, 15 feet, and yours are 30 feet. Like, in a Walmart or something like that.

MR. POCHOP: I think I remember public comment to that effect. The proposed poles are 30 feet, which are similar to the height of the poles on the adjacent lot.

MR. CZOKA: Okay.

MR. ROOK: Okay. Any other public comments? Yes, sir?

MR. DEW: Hi. Steve Dew, Ellsworth Bailey Road. What I'm concerned about is, is there going to be any pushing of water, you know, when you put these berms in or whatever? Where I live, it's a low spot, and I already get a foot and a half of water in my yard. And I had to put two sump pumps in my basement. I just want to make sure no water's going to be pushing towards

Bailey Road.

And how many feet is it going to be, this parking lot going to stop before it gets to Bailey Road? Do we know those dimensions? And is the parking lot -- I heard there was a new fence put up already. Is that parking lot going within that fenced-in area that was already put up?

MR. POCHOP: I'll start from the back and go forward. Yes, the existing parking lot is going to be inside the existing fence that's been put up out there, that's correct. The new landscape berm is outside of that fence because of where it needs to be along Lyntz Road. And on the west side we were doing the parking lot up to the fence, so the berm is now going past the fence on the west side berm.

The land out there falls -- drops in elevation to the north from Lyntz Road up towards the railroad tracks, and our new west berm is going to be parallel basically to that slope. So there shouldn't be any ponding or anything of water. It should all be continuing to sheet flow off the parking lot, continue to sheet flow to the north.

On the parking lot it's collected by our ditch system which goes into a detention basis which releases the water gradually into the existing drainage system.

So there shouldn't be any increase whatsoever in runoff rate or volume off the site.

MR. DEW: And do we know what the footage is to Ellsworth Bailey Road from the fenced-in area? Does that happen to be -- I haven't seen no pictures or anything of it, so I don't know --

MR. POCHOP: And remind -- Bailey Road is to the west, correct, on the parcel?

MR. DEW: Yeah.

MR. POCHOP: So here's the west edge of our parcel, and Bailey Road, I believe, is out here. So it's, like, 970 feet to the edge of the parcel, to the private properties, residential properties along the road.

MR. DEW: So this must be the Christmas tree farm here, I would imagine.

MR. POCHOP: Could be. Because Lyntz Road -- well, Bailey Road's out here and the residence -- this is the west end of the CSX parcel --

(Conversation became inaudible.)

MAYOR WOODWARD: So we can't have a private conversation. Everything has to be public and on the record.

MR. POCHOP: Did that answer your question, sir?

MR. DEW: Yes. Thank you.

MS. DUDGEON: Debbie Dudgeon, 2061 Lyntz Road. I wanted to see exactly where this is -- this new proposed location is, because I'm not able to get it in my head. So do we have to come up here and look at the map, or --

MR. ROOK: We can show you the drawings after the meeting if you'd like, if that would work for you.

MS. DUDGEON: Okay. Okay. And I also wondered one more thing, and it probably has nothing to do with this. I need to talk to someone about the noise that comes from the railroad tracks and the blockage of the road at all times from the railroad tracks. And is there a protocol that you have to blow the horn at midnight, 1:00 p.m., 2:00 p.m., 3:00 p.m.?

MR. ORBEN: Yes.

MS. DUDGEON: There is a protocol?

MR. ORBEN: Federal law.

MS. DUDGEON: Federal law at every crossing?

MR. ORBEN: Every single crossing.

MS. DUDGEON: Because I never hear it going across highways, always there at Lyntz. Okay.

MR. ORBEN: Okay. I don't know what to

say to that, but federal law requires us to blow the horn.

MS. DUDGEON: And how long of a horn blow?

MR. ORBEN: It's a defined pattern.

MS. DUDGEON: It's a defined pattern to indicate that they're dropping off a shipment or what?

MR. ORBEN: That they're approaching a crossing.

MS. DUDGEON: That they're approaching a crossing. So what would you consider excessive?

MR. ORBEN: Anything that's outside of the federal regulation.

MS. DUDGEON: Where would I find the federal regulation?

MR. ORBEN: In the FRA code.

MS. DUDGEON: Is there someone I can talk to at your company to find out about that?

MR. ORBEN: You can look it up yourself.

MS. DUDGEON: Okay. I'll just get the information off of you after the meeting.

MR. ORBEN: You can just Google all of the information.

MS. DUDGEON: So what was it again?

MR. ORBEN: The Federal Railroad Administration.

MS. DUDGEON: Federal Railroad Administration. And just the protocol on --

MR. ORBEN: They have their own website and they have all the regulations.

MS. DUDGEON: Federal protocol?

MR. ORBEN: Federal regulations, yes.

MS. DUDGEON: Federal regulations. Thank you very much.

MR. ROOK: Okay. Any other public comments? No?

MAYOR WOODWARD: I wanted to go back and ask about those stadium lights that you had mentioned, that you didn't have the skirt for those. Are you planning on changing those stadium lights, or are you just going to readjust them and hope that they don't give --

MR. POCHOP: Well, they have a circular -- or I guess -- I'm trying to think of the right geometrical shape. Circular face with a cone shape like that or whatever. And I've talked with Mr. Phil Peay, the operations director for TDSI, and he said, Well, if necessary -- I said, I can't find a vane or a type of thing for this. He said, If necessary, we can get a lift truck out there. And I said, You're going to have to probably -- it's probably going to move in two

different axes or something like that, but we can get out there and move it around so that the cone of light is off of Lyntz Road.

MAYOR WOODWARD: Okay. Now, after this -- I'm assuming that this project would probably be approved, but when all is said and done, if things are still not up to acceptable standards, the lighting is still a problem, maybe there's flooding issues because of the barriers, are we able to get in contact with you after the fact and have those issues addressed and not be put off and told it's not our problem?

MR. POCHOP: Yeah. TDSI -- well, go ahead.

MR. ORBEN: So how I'll respond to this is, again, we'll go back to what we talked about in September. Everything that you all raised in September were issues we were not aware of because no one had ever communicated those issues to us before. We did have issues 10 years ago that we addressed on site with previous leadership in the Village.

So there are ways to connect with our company. We talk to communities every day. If there are issues that we can work with communities on to address, we're happy to do it. However, there's a point, right? And we've had communities that have reached levels of harassment

with us in the past where we just stop conversations with them, simply because there's no satisfying them. So at some point there's going to be a cutoff, but if there are issues that we can work with the community on to address, we'll do it.

Will we never block a crossing in this community? I will not make that statement here tonight. That will always happen. There are 6,000 public crossings in the state of Ohio. They all run the risk of being occupied by a train. So that's just reality. And I'm not going to sit here and lie to you and tell you that we're going to stop blocking crossings, because we're not. There's just too much crossings.

So if there are continuing -- if there are continued issues moving forward, we're happy to have a conversation, and hopefully we can reach a resolution with you.

MAYOR WOODWARD: Okay. So just reach back out to TDSI, okay.

MR. ORBEN: For stuff with -- for things with the lighting at the facility, yes.

MS. ANDRIKO: I changed my mind. I'd like to speak.

MR. ROOK: Okay. Name and address.

MS. ANDRIKO: Sue Ellen Andriko, 2295

Lyntz Townline Road.

This is addressing the committee. I've lived in my home for 48 years. I hope that you consider the residents of Lyntz Townline Road. We've put up with a lot. And, you know, I'm ready to leave Lordstown, and I've been here a long time. And I'm not happy with -- you don't -- I feel you don't represent the residents well enough. Thank you.

MR. ROOK: Any other comments? No?

Okay. At this point then, I'll ask for a motion from the final site plan review approval on the inventory parking expansion project west of the Lyntz Road railroad tracks by CSX TDSI. Can I have a motion for that?

MR. SHAFFER: I'll make a motion.

MR. ROOK: Motion by Mr. Shaffer. Second? I'll second the motion so we can get a vote.

Okay. Kelli, would you run the vote, please?

MS. BORDNER: Yes. Mr. Radtka?

MR. RADTKA: Yes.

MS. BORDNER: Mr. Shaffer?

MR. SHAFFER: Yes.

MS. BORDNER: Mr. Rook?

MR. ROOK: Yes.

MS. BORDNER: Ms. Saborse?

MS. SABORSE: Yes.

MS. BORDNER: Mayor Woodward?

MAYOR WOODWARD: No.

MR. ROOK: One no, four yeses. It passes. Okay. Any additional public comments?

The question I would have at this point is, legally, can we stop this from going through? Your comments at the beginning led me to believe that we could not.

MR. RIES: If this were outright denied, we would likely end up in federal court, and the parking lot expansion itself would likely still be able to go through. I believe a judge would rule that anything that we do to preempt it or to interfere with it would be preempted by federal law, not with respect to our landscape buffer, lighting that's designed to protect our residents. I don't believe -- I believe that's merely incidental, wouldn't interfere with the overall railroad operations.

But things like trying to regulate railroad crossings, that's very clearly -- it's been preempted by federal law by the Ohio Supreme Court and U.S. Supreme Court. So I don't believe at the end of the day we would be able to stop the expansion of the parking lot itself.

MS. BORDNER: But correct me if I'm wrong, Mr. Ries, we do have zoning codes that speak to those issues?

MR. RIES: Yes, we do.

MS. BORDNER: That we could enforce by way of, I mean, initially a letter saying, Look, here's the issue. If they're not addressed, then a zoning violation that carries a fine.

MR. RIES: Yeah. I mean, and it would come down to whether or not it's impacting the actual railroad operations versus having an incidental impact on the business to, you know, protect our residents that aren't directly related to -- tied into their railroad operations. So, yes.

MS. BORDNER: Okay.

MR. ROOK: Okay.

MS. SABORSE: I had one other question. Going back to a comment you made that we'd have to reach out to someone directly at TDSI. Is there a way, when you form a management plan, can we have a direct contact who we can reach out to and then maybe say and identify, okay, through this renovation, this construction process, this is the person you reach out to to make sure that the roads are clean, any wear and tear, that will be financially on the company versus on the

Village? Is that something that we can build out and then identify what we need to do within a specific timeline versus coming back and forth with what you said, that at some point we need to have a resolution?

MR. POCHOP: Response?

MR. ROOK: Yeah, go ahead.

MR. POCHOP: Yeah. TDSI has regional office managers that oversee, like, two or three different facilities, including here at Lordstown. And we've identified that person on our stormwater pollution prevention plan submitted to Ohio EPA to get the construction general permit for that, that they're going to make sure that all the stormwater stuff is. So that would also be the contact specifically for the Village to work with long term, and they'll involve others in TDSI as they need to.

But the first line of contact would be your regional office manager who was just changed. I can get you a name after the meeting.

MS. SABORSE: Thank you, yeah. That would be great if we could have that direct contact person.

And then going back to that project management plan. I mean, wear and tear, that's on our burden. Can we provide some kind of plan where that is on your -- part of your budget to take care of that, any road

construction, dirt, wear and tear?

MR. ORBEN: We will not make that commitment here right now, no.

MR. ROOK: So if you put dirt on the road, you're not going to clean it up?

MR. ORBEN: That's not what she's saying. She's saying --

MR. ROOK: That's what it sounded like.

(Simultaneous crosstalk.)

MR. ORBEN: What I heard you saying is if there's damage to the road potentially, then we're going to -- I'm not going to -- because I don't know what that road looks like now. Typically what people do is videotape the before and after, and then they can figure out what kind of damage was done. But what I just heard you say is are we willing to commit to fixing your road afterwards. I'm not going to do that.

MS. SABORSE: No, what I'm saying is would you commit to a project plan that identifies all of the work that will be done and then at the end make a resolution on what you will take care of? So in the project plan --

MR. ORBEN: I think we can have a conversation. I don't like the way that question is phrased because I don't want to make commitments around

that. So we can have a conversation later.

MR. POCHOP: I can address the -- as far as the construction plan -- and I know there's been concern from a couple of different officers in Lordstown on tracking mud and debris onto the roads. We have a construction entrance in our -- in part of our pollution management program to keep the silt from running off the project. Part of that is a construction entrance that's going to be constructed at the edge of the existing west parking lot. And that's the place to wash down and get all the debris off the trucks.

And then they still have to go all the way through the parking lot and through the TDSI facility before they get out onto the entrance to the facility and only use Muth Road, not Lyntz Road. No trucks on Lyntz Road. Note on the plans, no contractor access to Lyntz Road whatsoever. So it's got to be through the facility, plenty of opportunity to get all the debris and mud off the trucks before it comes outside the facility. That's all in the plans.

MR. ROOK: All right. We have one more.

MR. DEW: Steve Dew again, Ellsworth Bailey.

From my understanding from a previous council meeting, councilman that used to sit on the board, he

said that that area in there never used to flood until they dug out deeper around the railroad tracks and piled dirt up higher. I don't know what happened. It happened before I moved here. But he said it never flooded before they did that.

And so I wouldn't really -- you know, as far as her saying flooding, if they would do something after the fact, I don't think that's going to happen anyhow, because it's never been fixed from when it happened the first time. So I think you get what you get, you know, if it goes through.

MR. ROOK: Any other comments? Anyone? All right. At this point I guess we're ready to adjourn. Do I have a motion for adjournment?

MAYOR WOODWARD: So moved.

MR. ROOK: So moved by the Mayor. Second?

MS. SABORSE: Second.

MR. ROOK: Second by Rose. All in favor?

THE COMMMISSION: Aye.

MR. ROOK: Opposed?

(NO RESPONSE FROM THE COMMISSION.)

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

MR. ROOK: That ends it this evening. Thank you.

(Meeting concluded.)

REPORTER'S CERTIFICATE

I certify that this transcript, consisting of 38 pages, is a complete, true and correct transcript of the proceedings had in this case as shown by my stenotype notes taken at the time said meeting was held.

Chastity Feezle

Chastity M. Feezle
Registered Professional Reporter
Certified Realtime Reporter