

CITY OF KIRTLAND
PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING
JUNE 8, 2020

The meeting was called to order by Chairman Michael Denk at 7:10 p.m. Due to the current state of emergency regarding COVID-19, the meeting was held virtually via Zoom. Present were Commission members Richard Blum, Rick Loconti, Richard DeMarco, Michael Denk and Joseph Vinciguerra.

Also present were Mayor Kevin Potter, Law Director Matthew Lallo, City Engineer Douglas Courtney, Zoning Inspector Wayne Baumgart and Councilman Joseph Smolic. Economic Development Manager Monica Drake joined later in the meeting.

MINUTES OF THE MAY 11, 2020 WORK SESSION

Mr. Blum moved to approve the minutes as presented, with the second by Mr. DeMarco. Upon roll call vote, the motion passed 4-0-1 (Ayes – Blum, DeMarco, Vinciguerra and Denk; Nays – None; Abstaining - Loconti).

MINUTES OF THE MAY 11, 2020 MEETING

Mr. Blum moved to approve the minutes as presented, with the second by Mr. DeMarco. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Loconti, Vinciguerra and Denk; Nays – None).

MINUTES OF THE MAY 20, 2020 SPECIAL MEETING WORK SESSION

Mr. Vinciguerra moved to approve the minutes as presented, with the second by Mr. Blum. Upon roll call vote, the motion passed 4-0-1 (Ayes – Blum, Loconti, Vinciguerra and Denk; Nays – None; Abstaining - DeMarco).

MINUTES OF THE MAY 20, 2020 SPECIAL MEETING

Mr. Vinciguerra moved to approve the minutes as presented, with the second by Mr. Loconti. Upon roll call vote, the motion passed 4-0-1 (Ayes – Blum, Loconti, Vinciguerra and Denk; Nays – None; Abstaining - DeMarco).

PUBLIC SESSION:

PUBLIC REQUESTS

Alexa Stefanko – Proposed Accessory Building at 10917 Chillicothe Road

Alexa Stefanko was present in this regard. Mr. Denk noted that the request is for a 2400 sq. ft. accessory building in an R-3B zoning district. Ms. Stefanko stated that part of the 2400 sq. ft. is an overhang (a cantilever roof). Ms. Stefanko noted that the building will be used for storage.

Mr. Denk noted that the City Engineer has looked at the application and advised that further documentation is needed, and he has compiled a list of those items. Ms. Stefanko stated that her

friend, Ben Royle, has been helping her with the application, and he spoke with Mr. Courtney. It was noted that a copy of the checklist was forwarded to Mr. Royle.

Mr. Denk noted that the building rendering does not show gutters and downspouts, which would be an issue for a building of this size.

Mr. Royle stated the gentleman he talked to about putting together the plans said it would be approximately two to three weeks before he can come out to the property. Mr. Royle inquired if it would be possible to receive approval tonight, contingent upon approval of the plans.

Discussion ensued regarding the additional documentation required. Mr. Loconti advised the applicant to make sure he understands the requirements set forth in the City Engineer's checklist.

Answering Mr. Denk, Mr. Royle stated that the height of the building is 24 ft., which is 1 ft. less than the maximum allowed height. He stated there will be no plumbing in the building. He advised there will be gutters and downspouts. Answering further questions from the Commission, Ms. Stefanko stated there will be exterior lighting underneath the overhang on the building, facing south, along with a possible light facing Route 306 (west). She confirmed the lights would be on switches.

With regard to colors, Ms. Stefanko stated the building will be dark gray, with a lighter gray for the roof.

Responding to Mr. Denk, Mr. Royle stated there will not be any concrete under the cantilever roof overhang. Ms. Stefanko stated the long-term plan is to put in a brick patio.

Answering Mr. Vinciguerra regarding a duplication septic area, Mr. Courtney stated that the property is large enough that if the septic system failed, there is plenty of space for a new septic system.

Discussion ensued regarding drainage of runoff water. Mr. Courtney stated he would recommend running it the east, which is the current flow of runoff. Given the amount of property, Mr. Loconti suggested that the stormwater could be mitigated with a series of French drains.

There was further discussion regarding exterior lighting on the building. Mr. Denk discussed cut-off lighting to prevent the light from leaving the property, or gooseneck lighting that will distribute the light downward. Mr. Royle stated his thought is to use gooseneck lighting over the door so the light will shine downward, with recessed can lights under the cantilever roof. He stated there will likely be a light at each of the two man doors, such as a lantern style light. Mr. Courtney referred to Ordinance Section 1296.03, which requires cut-off fixtures. Mr. Vinciguerra requested that Mr. Courtney add the lighting issue to his checklist.

There were no public comments regarding the proposal. Mr. Loconti moved to approve the proposed 2400 sq. ft. accessory building at 10917 Chillicothe Road, contingent on compliance with the City Engineer's checklist and the lighting review. Mr. Vinciguerra provided the second. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Loconti, Vinciguerra and Denk; Nays – None).

TABLED REQUESTS

Andrew Loncar, Loncar Quality Construction – Application for Conditional Use Permit for Streambank Stabilization at 9199 Chillicothe Road

The matter remains tabled.

Tim and Carol Parks – Proposed Subdivision at 8743/8787 Billings Road – Preliminary Plan and Request for Variance Relating to Open Space

The matter remains tabled.

Lynn Zivko – Preliminary Grading Plan for 8588 Billings Road

The matter remains tabled.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

WORK SESSION:

Communications and Bills

1. City Council Meeting Minutes – May 4, 2020 Council Meeting and May 18, 2020 Council Meeting.
2. Board of Zoning Appeals Notices of Decision – Appeal Nos. 20-1, 20-2 and 20-3.
3. Zoning Permits Report – May 1, 2020 to May 31, 2020.

Old Business

1. Sign Ordinance – Mr. Denk suggested that a special work session meeting be scheduled for the purpose of discussing signs. He noted the need for direction, including recommendations to Council and enforcement.

Discussion ensued regarding addressing sign violations. Mayor Potter stated he had suggested that the Zoning Inspector prepare an inventory of out of compliance signs, and that notification be sent out in early July requiring temporary signs to be removed by a specified date, such as Labor Day. He noted there was discussion about the current economy, and giving the businesses the opportunity to have those signs in the short interim. With regard to permanent signs, the Mayor noted there was discussion about sending out non-compliance letters to those businesses not in compliance, offering an opportunity for them to come into compliance by December 31, with the potential of waiving the permit fee; after that time there would be a period of time to come into compliance, but without the waiver of the fee. He noted this would demonstrate the City's willingness to work with the businesses while achieving conformity with the sign ordinances.

Mr. Loconti stated that he believes consistent lateral enforcement is the key, and the City should move forward with enforcement.

Mr. Blum stated he agrees with the Mayor's plan, but he brought up two signs that should be addressed as soon as possible, noting they are out of code and no longer being used for an active business.

In discussion, Mr. Lallo stated that these signs have been non-conforming for many months, and in some cases, many years. He noted that it would be appropriate to give the business owners the opportunity to address these issues before the City proceeds with enforcement.

With regard to a strategy for addressing non-compliant signs, Ms. Drake stated that she believes the timeline suggested by the Mayor is a logical approach, providing incentive to bring the signs into compliance sooner. She recommends that all letters go out at one time, city-wide.

There was discussion regarding an agenda for a special meeting relating to signs. Mr. Loconti recommended that artwork be defined and the Commission should discuss how it will be addressed. Discussion ensued regarding artwork in relation to the sign ordinances. It was suggested that a draft letter be prepared for discussion at the special meeting.

Mr. Blum stated that he believes there are different categories of the non-compliant signs, suggesting that the inventory of non-compliant signs be arranged by category.

New Business

1. Summer Meeting Schedule – It was noted that the regular July meeting will need to be changed, because Council will meet on the second Monday due to their summer recess. Upon discussion, it was agreed that the July meeting be scheduled for Wednesday, July 15 at 7:00 p.m. Additionally, a special work session meeting was scheduled for Wednesday, June 24 at 6:30 p.m. for the purpose of discussing the sign ordinance. It was noted that both meetings will be virtual.

Adjournment

There was no further business before the Commission, and Mr. Vinciguerra moved to adjourn. Mr. DeMarco provided the second, and the motion passed upon unanimous vote. The meeting adjourned at 8:47 p.m.

CHAIRMAN

SECRETARY