

CITY OF KIRTLAND
PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING
OCTOBER 11, 2021

The meeting was called to order by Chairman Michael Denk at 7:10 p.m. Present were Commission members Richard Blum, Richard DeMarco, Michael Denk, Daniel Laux and Joseph Vinciguerra.

Also present were Mayor Kevin Potter, Law Director Matthew Lallo, City Engineer Douglas Courtney, Service Director Joseph Fornaro and Zoning Inspector Rick Loconti.

MINUTES OF THE SEPTEMBER 13, 2021 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, Laux and Denk; Nays – None. Abstaining - Vinciguerra).

MINUTES OF THE SEPTEMBER 13, 2021 MEETING

Mr. Vinciguerra moved to approve the minutes as presented, with the second by Mr. Blum. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Laux, Vinciguerra and Denk; Nays – None). Law Director Lallo noted for the record that a member can vote on the approval of the minutes even if they were not in attendance at the meeting.

Chairman Denk introduced Mr. Laux as a new member to the Planning and Zoning Commission, noting that he is a long-time Kirtland resident and brings with him a great deal of experience. Mr. Denk mentioned that Mr. Loconti, former Planning and Zoning Commission member, was recently appointed to the position of Zoning Inspector, noting that he brought great expertise to the Commission over the last few years. Mayor Potter and Chairman Denk thanked Mr. Fornaro for his work as Zoning Inspector over the past few months.

PUBLIC SESSION:

PUBLIC REQUESTS

J. Scott Scheel – Application for Grading Permit at 9830 Foxwood Trail

John Kasmerski of 9345 Regency Woods Drive was present on behalf of Mr. Scheel, who was unable to attend tonight's meeting. Mr. Kasmerski stated that the house was built for a walk-out basement, but it was not previously done; Mr. Scheel would now like to have the walk-out basement. Mr. Kasmerski confirmed that none of the work has been done yet, but they are trying to beat the weather.

Chairman Denk acknowledged receipt of a memo dated October 7, 2021, from City Engineer Douglas Courtney. Mr. Courtney stated he reviewed the proposed grading and retaining walls; he did not review the patio or deck. He noted there is new landscaping, and they are addressing the grading regulations and stormwater requirements.

Responding to an inquiry from Mr. DeMarco, Mr. Kasmerski stated they are staying away from the septic system with the work on the property, and they are also avoiding the septic duplication area.

Mr. Denk opened the meeting to public comment on the application. There were no public comments.

Mr. DeMarco moved to approve the grading plan for 9830 Foxwood Trail, as submitted. Mr. Laux provided the second. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Laux, Vinciguerra and Denk; Nays – None).

TABLED REQUESTS

101 Mobility – Application for Ramp at Willo-Hill Baptist Church, 4200 State Route 306

Mr. DeMarco moved to remove the matter from the table, with the second by Mr. Vinciguerra. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Laux, Vinciguerra and Denk; Nays – None). Donald Wilcox and Steven Jewell of 101 Mobility were present in this regard. Mr. Wilcox stated he is from Columbus and is helping the Cleveland office with this matter.

Chairman Denk advised that the Commission's concern is that the ramp appears to be a temporary structure with tap cons holding it in place, and the application came to the Commission after it was installed.

Mr. Wilcox stated that the ramp system can be installed as a permanent system. He stated he has stamped drawings to show that the ramps meet the Ohio components. Mr. Wilcox said it is an affordable way to retrofit a property for access. Mr. Wilcox discussed other installations they have done, noting that one is for Amazon in Wood County, which has been approved and is in the process of inspection. He noted that this ramp is for two steps along the sidewalk.

In discussion, it was noted that this has not been submitted to the Lake County Building Department. Mr. Denk questioned whether the Building Department would approve this type of ramp as a permanent structure, and whether a concrete ramp would be feasible for the two steps. Mr. Wilcox stated that concrete would be more expensive.

Robert Gartner of Willo-Hill Baptist Church was present and advised that when they had the school, they had level access to the front doors of the building. When the school shut down, the Church rented the building to a day-care center. The day-care center took over the front door, so the Church no longer has access to the front door; they have access to the gym through the north side door. He stated the gym is used for Awana on Wednesday evenings, and the Church rents the gym to others from time to time. Mr. Gartner stated he has never seen any raising or settling of the concrete. In order for someone in a wheelchair to have access to the gym, because of the two steps, the Church contacted 101 Mobility and they recommended the ramp.

Mr. Gartner stated there is no one using the ramp on Sundays or every day of the week. He noted it has limited use, but it is intended as a permanent solution rather than a temporary solution.

Mr. Wilcox stated that the installation for Amazon in Wood County is the same type of installation, with the ramps being a little longer.

Mr. Gartner stated that his invoice from 101 Mobility shows a fee for a permit from Lake County Building Department.

Chairman Denk noted that a building permit from the Lake County Building Department will need to be obtained, and the applicant will need to comply with the requirements of the building code. Mr. Loconti stated that he contacted the building official, who advised they would likely not approve this installation as permanent.

Mr. Lallo advised that he does not see a City regulation placing the ramp under the purview of the Planning and Zoning Commission, and he recommended that the applicant submit an application to the Lake County Building Department. Mr. Lallo stated it is his recommendation that the Commission dismiss the application and instruct the applicant to apply to the Lake County Building Department.

Answering Mr. Blum, Mr. Gartner confirmed that there is no longer a school in the facility. Mr. Blum noted that the school zone sign would no longer be warranted in that area.

Chairman Denk stated that he would entertain a motion to dismiss the application. Mr. DeMarco so moved, and Mr. Vinciguerra seconded. Upon roll call vote, the motion passed 5-0 (Ayes – Blum, DeMarco, Laux, Vinciguerra and Denk; Nays – None). The Commission instructed the applicant to apply for a building permit through the Lake County Building Department.

Church of Jesus Christ of Latter-day Saints – Application for Conditional Use Permit for Proposed Museum Use and Preliminary Development Plan at 8980 Chillicothe Road
The matter remains tabled.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

WORK SESSION:

Communications and Bills

1. City Council Meeting Minutes – September 8, 2021 Work Session and Council Meeting; and September 20, 2021 Work Session and Council Meeting. Answering Mr. Denk regarding the school buses, Mayor Potter noted that Superintendent Chad VanArnhem contacted him and Mr. Fornaro regarding a stadium project at the school, and there was discussion regarding the potential of moving the school buses to the Service Department.
2. Zoning Permits Report – September 1, 2021 to September 30, 2021.

Old Business

1. Alternative Energy Ordinance (No. 18-O-31) – Mayor Potter noted there are a few action items that the City needs to address with Mr. Godwin so he can provide input and recommendations. The Mayor noted that Mr. Godwin is also looking into some opportunities for the City to become more energy efficient. Discussion ensued regarding regulations and the impact of alternative energy installations.

New Business

None.

Adjournment

There was no further business before the Commission, and Mr. DeMarco moved to adjourn. Mr. Laux provided the second, and the motion passed upon unanimous vote. The meeting adjourned at 7:54 p.m.

CHAIRMAN

SECRETARY