

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
May 5, 2016 Page 1

Present: Michael Harwood, Eric Lahrmer, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Robert Hotaling
Others: Carl Opatrny, Gerald Wise, and approximately 13 guests

In the absence of Chairman Hotaling Mr. Sciria opened the Regular Meeting of the Planning Commission at 7:04 P.M.

APPROVAL OF THE REGULAR MEETING MINUTES OF APRIL 7, 2016

It was moved by Mr. Sciria and seconded by Mayor Hruby that the Planning Commission Regular Meeting Minutes of April 7, 2016 be approved.

ROLL CALL: Ayes: Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Abstain: Michael Harwood
Nays: None
MOTION CARRIED

APPROVAL OF THE WORK SESSION MEETING MINUTES OF APRIL 7, 2016

It was moved by Mr. Sciria and seconded by Mayor Hruby that the Planning Commission Work Session Meeting Minutes of April 7, 2016 be approved.

ROLL CALL: Ayes: Mayor Hruby, Eric Lahrmer, Ron Payto, Kirk Roman, Dominic Sciria
Abstain: Michael Harwood
Nays: None
MOTION CARRIED

SIGNS:

NEW PARADIGM UP-CYCLED BOUTIQUE BY THE CREEK – 7014 MILL ROAD

Mr. Brian Becker of Becker Signs was present to request approval of a ground sign for New Paradigm Up-Cycled Boutique By The Creek to replace the existing ground sign. Several deviations were requested including a setback from the right-of-way to three foot, and a deviation on colors to permit the company's multi-colored, butterfly logo.

Mr. Harwood said the City had received some calls questioning the color selection for the exterior of the building. Mr. Becker commented that plans indicated a purple exterior with a red roof and green shutters. Mr. Harwood wondered if the building owners had discussed the proposed color selection with the adjacent property owners since it was such a departure from the surrounding Western Reserve color palette. Although the Mayor noted the building owners were not obligated to review the exterior color scheme with adjacent property owners, he indicated the City does play a role in harmonious development within the community. Mr. Harwood suggested tabling the sign request until more information could be obtained from the building owners. The Mayor said he and the Building Commissioner would speak with the property, owners.

It was moved by Mr. Sciria and seconded by Mr. Harwood that the ground sign request for New Paradigm Up-Cycled Boutique By The Creek be tabled until such time as more information can be obtained from the property owner.

ROLL CALL: Ayes: Michael Harwood, Eric Lahrmer, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
May 5, 2016 Page 2

PETVALU – 8249 CHIPPEWA ROAD

Mr. Brett Smith from Direct Image Signs was present on behalf of Petvalu for a flood light illuminated wall sign. The sign was compliant with City Code requirements. The Commission asked that a letter supporting the sign from the landlord be submitted.

It was moved by Mr. Sciria and seconded by Harwood that Planning Commission approve, and the Building Commissioner issue a sign permit for, a wall sign for Petvalu per the application dated April 18, 2016 conditioned upon receipt by the Building Department of a letter of approval by the shopping center management.

ROLL CALL: Ayes: Michael Harwood, Eric Lahrmer, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

REPORT OF COUNCIL REPRESENTATIVE

Mr. Harwood reported .City Council approved AT&T Miller Road Tower Equipment Update and Exterior Modifications to MaryAnn Candies new location.

REPORT OF MAYOR HRUBY - No Report

REPORT OF CITY ENGINEER - No Report

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

ECHO HILLS BASKETBALL COURT – 12285 LAKE FOREST DRIVE

It was moved by Mr. Sciria and seconded by Mr. Harwood that the Planning Commission recommend to City Council approval of a basketball court installation in the Echo Hills Development on PP #605-13-039 per the application dated 4-21-16 and the relevant attachments.

ROLL CALL: Ayes: Michael Harwood, Eric Lahrmer, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

The Regular Meeting recessed into the Work Session, and reopened to make a motion.

LANE/BEUDERT WOOD DECK – 6963 WINDWARD HILLS DRIVE

It was moved by Mr. Sciria and seconded by Mr. Harwood that the Planning Commission set a Public Hearing in the Community Room of Brecksville City Hall 9069 Brecksville Road, at 7:00 P.M., on Thursday, June 9, 2016, to consider amending the R-16 PDA at Windward Hills to allow the construction of a wood deck for a residence at 6963 Windward Hills Drive per the application dated May 5, 2016.

ROLL CALL: Ayes: Michael Harwood, Eric Lahrmer, Mayor Hruby, Ron Payto,
Kirk Roman, Dominic Sciria
Nays: None
MOTION CARRIED

REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
May 5, 2016 Page 3

The Regular Meeting closed at 8:00 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ROBERT HOTALING, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
KIRK ROMAN, SECRETARY

Minutes recorded by Nancy Dimitris

MINUTES OF THE WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
May 5, 2016 Page 1

Present: Michael Harwood, Eric Lahrmer, Mayor Hruby, Ron Payto, Kirk Roman, Dominic Sciria
Absent: Robert Hotaling
Others: Carl Opatrny, Gerald Wise, and approximately 13 guests

Mr. Hotaling opened the Work Session at 7:15 p.m.

ECHO HILLS BASKETBALL COURT – 12285 LAKE FOREST DRIVE

Mr. Tony Szpek, an Echo Hills HOA trustee, was present on behalf of a request to develop a 42' x 72' concrete pad for a basketball court in the common area next to the volleyball and soccer area in the Echo Hills subdivision. Mr. Wise asked about the point of access for heavy equipment, which will be on Lake Forest Drive off the side of the road. Mr. Szpek was advised that the contractor for the proposed project would have to submit documentation relative to the point of access and how the curb and pavement would be protected. The Building Department could also arrange to have someone present when the equipment is taken over the curb. Mr. Szpek reviewed plans they had for any disturbance to the landscaping.

Mr. Sciria noted in the minutes of the Echo Hills HOA that 37% of residents were against the basketball court. Mr. Szpek explained that at the time of the HOA annual meeting the proposed location of the basketball court was close to the street and there were some objections based on aesthetics. The court was moved further from the street to address those objections. In answer to a question Mr. Szpek said there were no plans to provide lighting for the court. There were no further questions and the Work Session recessed into the Regular Meeting for a motion.

LANE/BEUDERT WOOD DECK – 6963 WINDWARD HILLS DRIVE

Ms. Eileen Lane and Mr. Jason Beudert were present to request a deck addition to their Windward Hills condominium. Mr. Vince Babia, their contractor, also attended to address any construction questions. Mr. Beudert said the proposed 10' x 14' deck would match in materials and appearance the other decks in the development. He had also just received a letter of approval from the Windward Hills HOA.

Mr. Payto asked why the deck would be detached from the house and at a slightly lower level. Mr. Babia commented that the land sloped downward in the back. They planned to locate the deck three risers down and 30 inches from the house, to align it with the neighbor's deck. Ms. Lane commented that at that lower elevation they would not be overlooking the neighbor's deck. Mr. Sciria advised that since Windward Hills was a PDA development a public hearing on the deck would be required. It was suggested a simple site plan be prepared to bring to the public hearing. The Work Session recessed into the Regular Meeting to set a public hearing.

THE OVERLOOK AT HILLBROOK – FINAL LEGAL REVIEW – 8747 BRECKSVILLE ROAD

Mr. Sam Cannata, attorney and developer, was present to discuss final approval for the proposed eight subplot Overlook at Hillbrook subdivision. He indicated final engineering plans had been prepared. Mr. Cannata proceeded to review point by point a May 5, 2016 letter from Mr. Wise to Mr. Packard at the Building Department concerning outstanding issues that would need to be addressed before final approval could be considered. That letter is attached and made part of the minutes.

Mr. Cannata recently received a letter from the Army Corps of Engineers supporting the wetlands delineation he had done on the site. He has submitted documentation to the Corps towards receiving final approval and a permit. Mr. Cannata was in the process of considering the offsite mitigation of about an acre of wetlands on the site. He hoped to receive the Army Corp permit sometime in June, and understood final approval on the project could not be granted until that permit was received. The developer planned to designate a back portion of the property as a conservation easement with a third property management.

MINUTES OF THE WORK SESSION
BRECKSVILLE PLANNING COMMISSION
Community Room - Brecksville City Hall
May 5, 2016 Page 2

Mr. Cannata reviewed with Mr. Wise the status of the various governmental reviews/permits required. Mr. Wise recommended he work with the Law Director on the developer's agreement, escrow agreement and a roadway maintenance guarantee.

Mr. Wise advised that since the development would be a private subdivision off a private street several clauses pertaining to easements, ownership and maintenance responsibilities needed to be added to the subdivision plat. The developer would need to provide details for the two foot retaining wall in the plans.

Mr. Wise spoke about a new requirement for home owners associations to include language in their by-laws document relating to the allocation of funds, inspection and maintenance of the storm sewers and storm water management facilities since they would be the responsibility of the HOW not the City. He said it was important that the homeowners association understood that they needed to set aside funds from the dues they collect from residents to take care of the storm water retention facilities. The law director would be contacted to provide direction to the development of the HOA by-laws.

Mr. Cannata introduced Mr. Bill Kramp, the builder he has chosen to develop all eight homes. Mr. Kramp distributed drawings of the two models, and four floor plan choices for the eight homes. All the homes will feature the same cultured stone and tan vinyl siding. Mr. Kramp expected there might be some customization of interiors on the homes. Mr. Sciria asked that for final approval actual samples of the siding, stone, trim and roof shingles be provided. Mr. Payto suggested some variation in exteriors to avoid having all the homes look alike.

Mr. Cannata mentioned offering the home they need to raze on the site for City Fire Department training exercises. Ms. Silvia Arceci, 7705 Hillbrook, was in the audience and had safety concerns if they chose to burn the house as it was directly across from her home. The Mayor responded there were exercises the Fire Department could do involving just smoke. The home didn't need to be burned.

The Work Session closed at 8:00 p.m.

THE BRECKSVILLE PLANNING COMMISSION

ROBERT HOTALING, CHAIRMAN
DOMINIC SCIRIA, VICE CHAIRMAN
KIRK ROMAN, SECRETARY

Minutes recorded by Nancy Dimitris

Office of the Engineering Department

May 5, 2016

City of Brecksville
9069 Brecksville Road
Brecksville, Ohio 44141

ATTENTION: Scott Packard

RE: The Overlook – Final Plan Review
Brecksville, Ohio

Dear Scott:

On behalf of the City of Brecksville, we have been provided and reviewed the final plan submission submitted by Elm Investment Trust LTD (Sam Cannata) and offer the following comments:

General

- 1) We have been copied on the applicants submission to the Army Corp of Engineers but to date have not yet received a copy of the approval letter.
- 2) The following governmental reviews/approval are still required:
 - a) Cuyahoga County Department of Public Works
 - b) Ohio EPA – NPDES Permit & Sanitary PTI
 - c) CWD - Approval of the Tri-plex Water Connection
 - d) NEORSD – Sanitary & Storm (Due to new NEORSD Storm Water Program)
 - e) City of Brecksville Arborist
- 3) Prior to the start of construction, the City will still require the following documents as approved by the Law Director and City Engineer
 - a) Developers Agreement
 - b) Escrow Agreement
 - c) A Roadway Maintenance Guarantee covering the construction access route. (if agreed upon with the Law Director this could be included in the Developers Agreement)

Subdivision Plat

- 4) Add in intent clause to the title page including language similar to the following: “The overlook at Hillbrook is a private subdivision off of a private street. All easements created by this subdivision plat and the ownership, maintenance, and inspection of any facilities within these easements shall be the responsibility of the Estates at Hillbrook Brecksville, Ohio Home Owners Association. The City of Brecksville’s approval is for plan format only.”
- 5) On all the various easements depicted on sheet 2, indicate that the easements are being granted to the Estates at Hillbrook H.O.A. (i.e. 10’ Drainage Easement to the Estates at Hillbrook H.O.A)

Improvement Plans

- 6) Comments have previously been issues and the majority of deficiencies have been addressed.
- 7) Provide details and calculations for the retaining wall

HOA By-Laws

- 8) Add a section requiring the allocation of funds, inspection, & maintenance of the storm sewers and storm water management facilities. The Inspection and Maintenance Agreement provided for the stormwater management facility can be expanded to cover this request.



Office of the Engineering Department

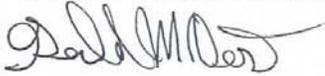
Storm Water Management

- 9) Submit an executed copy of the Inspection and Maintenance Agreement.

If you should have any questions, please don't hesitate to call to discuss.

Sincerely,

DONALD G. BOHNING & ASSOCIATES, INC.



Gerald M. Wise, P.E.

cc: File 3810-13

M:\adcaddp\3810\3810-13\Final Plan 5-5-16.doc