

MINUTES OF THE PUBLIC HEARING MEETING
BRECKSVILLE PLANNING COMMISSION
COUNCIL CHAMBERS – BRECKSVILLE CITY HALL
JUNE 6, 2024
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PRESENT: Mayor Kingston, Eric Lahrmer, Dom Sciria, Robin Wilson, Lawry Kardos, Laura Redinger
ABSENT: Council President Caruso,
OTHERS: Monica Bartkiewicz, Gerald Wise and approximately 27 guests.

Mr. Lahrmer opened the Public Hearing meeting of the Planning Commission at 7:00 pm by reading the following legal notice published in the Sun Star Courier, Thursday, May 23, 2024.

The Brecksville Planning Commission will hold a Public Hearing at 7:00 pm on Thursday, June 6, 2024, at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio to establish a Front yard Setback of 106' for Permanent Parcel Number 605-05-003. 11114 Parkview Drive, Brecksville, Ohio 44141

Mr. Ron Payto, representing ownership of the property at 11114 Parkview Drive, Brecksville, presented the request for establishment of a front yard setback to accommodate placement of septic and propane for the parcel. He stated the set back matches the nearest neighbor, also at 106' and next neighbor is at 91'

Mr. Sternad of 11126 Parkview Drive, Brecksville, provided a letter to state his support and/or approval of the 106' front yard setback requested by Alexandra and Jacklyn Payto, owners of the afore mentioned property.

Mr. Sciria took a moment to compliment Mr. Payto for his service over the years to many in the community by sharing his knowledge of the City Codes and how to utilize them to achieve goals.

There being no additional public comments, Mr. Lahrmer moved to close the public hearing, seconded by Mr. Sciria.

ROLL CALL:

AYES: Ms. Kardos, Ms. Wilson, Mr. Lahrmer, Mr. Sciria, Mayor Kingston, Laura Redinger
ABSTAIN: none
NAYS: None

Motion Carried.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
LAWRY KARDOS, SECRETARY

Minutes recorded by Debbie Knox

Mr. Lahrmer opened the Public Hearing meeting of the Planning Commission at 7:03 pm by reading the following legal notice published in the Sun Star Courier Thursday, May 23, 2024.

The Brecksville Planning Commission will hold a Public Hearing at 7:05 pm on Thursday, June 6, 2024, at Brecksville City Hall, 9069 Brecksville Road, Brecksville, Ohio, to hear the proposal of a 5 lot subdivision with the establishment of a 490' front yard setback for Lot A, a 100' front yard setback for Lot B, a 100' setback for Lot C, a 100' setback for Lot D, and a 315' front yard setback for Lot E on E. Edgerton Road, Brecksville, Ohio, Permanent Parcel Number 604-02-001.

Mr. Lahrmer reviewed the purpose of the Public Hearing procedures and what the intent and topic coverage of the meeting covers. He advised that all will have the opportunity to ask their questions related to the project. He also advised the answers would be provided after all questions have been received.

Mr. Tony Vacanti of Tucker Ellis, 950 Main Avenue, Cleveland, representing the owner of the property presented the request to the Planning Commission.

Mr. David Lewis, Project Civil Engineer and Mr. Kyle Salisbury of Lewis Land Professionals were also present on behalf of the owners to review this proposed project.

This is a consultation request for a Minor Subdivision with aforementioned front yard setbacks. Additionally, several variances will be requested. Mr. Vacanti reviewed the four variances that will be sought for the project that is the building of five homes on this project.

- From Section 1115.03 that minor subdivisions not include the installation of public utilities to permit the installation of public sanitary sewer.
- From Section 1117.09 that lots be generally rectangular in form to allow irregular form for Lots A, B and E.
- From Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate,
- From Section 1151.21 that each lot shall abut a dedicated street for a distance not less than 6.0% of the lot width set forth in 1151.22 to allow 39% for Lot A

Mr. Ed Bernetich, 9897 Tamarack Tr, Brecksville and his wife submitted a letter to the Planning Commission with photos that were shared prior to the meeting with the developer and the members of the Planning Commission. He asked as we get started for the parameters of each lot and their setback be demonstrated on the drawings for those attending the meeting. Mr. David Lewis provided this review.

Mr. Joe Grandienetti, 4780 Sentinel Dr, Brecksville had questions related to the project process specifically related to the storm water concerns he voiced.

Mr. Ed Bernetich, 9897 Tamarack Tr, Brecksville approached the podium for second time. He expressed continued concerns about the existing storm water issues he and neighbors face already without this project.

Mr. Austin Allan, 4770 Sentinel Dr., Brecksville like all others is approving of the project as long as the storm water planning is appropriate and does not add to their problems.

Mr. Bruce Korr, 4800 Sentinel Dr, Brecksville also submitted a letter to the Planning Commission with photos that were shared prior to the meeting with the developer and the members of the Planning Commission. His questions and comments involved the storm water planning on the project. He also read to the Planning Commission a letter from neighbor Mr. Alex Supak, Sentinel Drive, Brecksville, (not in attendance) who also had concerns related to storm water planning.

Mr. Neal Wagner 4790 Sentinel Dr., Brecksville expressed sole concerns about storm water solution for the projection and his belief that proposed pond will not solve the issues.

Mr. Joseph Rutherford, 9881 Tamarack Tr, Brecksville asked about the placement of the homes on the sites since they are very far back on the plots in several cases.

Mr. Larry Nance, 330 Crystal Lake Rd, Akron, owner of the property explained to the group the development is not a commercial endeavor it is intended to be his family homes. He has and will continue to take steps to be a good neighbor in the community.

Mr. Lahrmer began process of answering questions by acknowledging the storm water drainage is the major area of concern for all involved in the project. Engineering reviews will be done and reviewed and/or confirmed by Mr. Wise, City Engineer as part of the normal process. He also added it is unknown at this point as all the engineering reviews are not yet complete since the Army Corp permit is still pending. He reminded the group the balancing the rights of all involved parties is the Planning Commission responsibility.

Mr. Wise briefly reviewed the engineering process. This project is very preliminary, and the project is seeking Planning Commission direction so the owner can then go further in depth with their due diligence. The project is required to address the site storm water issues and cannot make it worse. He added the Army Corp and NEORSD will both have to approve the storm water plans including the pond and its effectiveness.

Mr. Lahrmer clarified that the wetland is shown correctly on the drawings “looks like an arrow” but will be confirmed by the Corp of Army Engineer.

Mr. David Lewis responded to the group that the placement of the homes on each site was intentional to be on the highest points that will allow buildup and placement of the homes for positive drainage. They intentionally stayed away from the south east natural flow of the Sentinel water.

Mr. Lahrmer provided that any legal reviews related to other entities and the property is beyond the Planning Commission horizon. Those types of questions should be submitted to the Mayor directly.

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There being no additional public comments, Mr. Lahrmer moved to close the public hearing, seconded by Mr. Sciria.

ROLL CALL:

AYES: Ms. Kardos, Ms. Wilson, Mr. Lahrmer, Mr. Sciria, Mayor Kingston, Laura Redinger

ABSTAIN:

NAYS: None

Motion Carried.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON

DOMINIC SCIRIA, VICE CHAIRPERSON

LAWRY KARDOS, SECRETARY

Minutes recorded by Debbie Knox

MINUTES OF THE REGULAR MEETING
BRECKSVILLE PLANNING COMMISSION
COUNCIL CHAMBERS BRECKSVILLE CITY HALL
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PRESENT: Mayor Kingston, Eric Lahrmer, Dom Sciria, Robin Wilson, Lawry Kardos, Laura Redinger
ABSENT: Council President Caruso
OTHERS: Monica Bartkiewicz, Gerald Wise and approximately 27 guests.

Mr. Lahrmer opened the Regular Meeting at 8:40 pm

APPROVAL OF THE PUBLIC HEARING MINUTES OF MAY 23, 2024

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Public Hearing minutes of May 23, 2024, be approved.

ROLL CALL:

AYES: Ms. Kardos, Ms. Wilson, Mr. Lahrmer, Mr. Sciria, Laura Redinger, Mayor Kingston

ABSTAIN:

NAYS: None

Motion Carried.

APPROVAL OF THE REGULAR MEETING MINUTES OF MAY 23, 2024

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Regular Meeting minutes of May 23, 2024, be approved.

ROLL CALL:

AYES: Ms. Kardos, Ms. Wilson, Mr. Lahrmer, Mr. Sciria, Laura Redinger, Mayor Kingston

ABSTAIN:

NAYS: None

Motion Carried.

APPROVAL OF THE WORK SESSION MEETING MINUTES OF MAY 23, 2024

It was moved by Mr. Lahrmer and seconded by Mr. Sciria that the Work Session Meeting minutes of May 23, 2024, be approved.

ROLL CALL:

AYES: Ms. Kardos, Ms. Wilson, Mr. Lahrmer, Mr. Sciria, Laura Redinger, Mayor Kingston

ABSTAIN:

NAYS: None

Motion Carried.

REPORT OF COUNCIL REPRESENTATIVE none

REPORT OF MAYOR

Congratulations to retiring Fire Chief Nick Zamiska after a long career with the Fire Department. He also extends congratulations to Lt. Mark Bender who will become the new Fire Chief.

School is Out and Mayor reminds all to slow down and put down the cell phones. Keep the Kids safe this summer.

Home Days begin 6/21. Hope all will come out and enjoy the event and support our local vendors.

REPORT OF CITY ENGINEER none

SIGNS None

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

Front Yard Set Back – 11114 Parkview Drive, Brecksville, Ohio

Mr. Lahrmer moved and Mr. Sciria seconded to approve the request and recommendation to City Council of a front yard setback of 106' for 11114 Parkview Drive, Brecksville, Ohio, Permanent Parcel Number 605-05-003, as described in the application dated April 24, 2024, contingent upon approval by City Council and the Board of Zoning Appeals of the following variance:

- A variance from Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate.

ROLL CALL:

AYES: Ms. Kardos, Ms. Wilson, Mr. Lahrmer, Mr. Sciria, Mayor Kingston, Laura Redinger
NAYS: None

Motion Carried.

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

E. Edgerton Rd. Major Subdivision & Front Yard Setbacks Edgerton Rd, Brecksville.

Mr. Lahrmer moved and Mr. Sciria seconded the preliminary approval for a Major Subdivision and establishment a 490' front yard setback for Lot A, a 100' front yard setback for Lot B, a 100' front yard setback for Lot C, a 100' front yard setback for Lot D, and a 315' front yard setback for Lot E on E. Edgerton Road, Brecksville, Ohio, Permanent Parcel Number 604-02-001, as described in the application dated April 19, 2024, and shown on the Preliminary Plan dated April 18, 2024, by Lewis Land Professionals Inc., contingent upon receipt of Army Corp of Engineer permit, approval of the City Engineer, City Council and Board of Zoning Appeals of the following variances:

- From Section 1117.09 that lots be generally rectangular in form to allow irregular form for Lots A, B and E.
- From Section 1119.09(d) not to install the required public sidewalks until such time that the City deems appropriate,
- From Section 1151.21 that each lot shall abut a dedicated street for a distance not less than 6;0% of the lot width set forth in 1151.22 to allow 39% for Lot A

ROLL CALL:

AYES: Ms. Kardos, Ms. Wilson, Mr. Lahrmer, Mr. Sciria, Mayor Kingston, Laura Redinger
NAYS: None

Motion Carried.

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

Revised Preliminary Plan and Planned Development Area (PDA) Conditional Use – VA Phase 2 Residential Lavender Lane, Brecksville, Ohio

Mr. Lahrmer moved and Mr. Sciria seconded:

The Brecksville Planning Commission will hold a Public Hearing on Thursday, June 27, 2024, at 7:00 pm at Brecksville City Hall, 9069 Brecksville Road, Brecksville, OH to review a revised Preliminary Plan and Planned Development Area (PDA) Conditional Use for Valor Acres Phase 2 Residential, for T6, T7, and T8, sublots 37 to 46, Lavender Lane, Brecksville, Ohio 44141 (PPN 603-21-106)

ROLL CALL:

AYES: Ms. Kardos, Ms. Wilson, Mr. Lahrmer, Mr. Sciria, Mayor Kingston, Laura Redinger
NAYS: None

Motion Carried.

The Regular Meeting recessed into the Work Session.

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
LAWRY KARDOS, SECRETARY

Minutes recorded by Debbie Knox

PRESENT: Mayor Kingston, Eric Lahrmer, Dom Sciria, Robin Wilson, Lawry Kardos, Laura Redinger
ABSENT: Council President Caruso
OTHERS: Monica Bartkiewicz, Gerald Wise and approximately 27 guests.

Mr. Lahrmer opened the Work Session at 8:45 pm.

FRONT YARD SETBACK 11114 Parkview Drive

There were no further questions or comments and the Work Session recessed into the Regular Meeting.

E. EDGERTON RD. Minor Subdivision & Front Yard Setbacks

Mr. Lahrmer commented that most of the neighbors are not opposed to the development but have concerns limited to the storm water planning. Mr. Vacanti stated that the project plans to do better than requirements in this area.

Mr. Wise asked if any reason why the south line – against Sentinel and Tamarack does not have some type of landscape easement in the planning in the 60' set back area. Mr. Lewis saw no reason that it cannot be worked into the final plans for landscaping moving forward.

Mr. Lahrmer brought up designation of Minor vs Major subdivision. Minor subdivisions have only one approval action by the Planning Commission. At this time, he does not believe they are willing to take that step. He did offer to do an unofficial poll of the members if that would assist in future planning.

Mr. Vacanti is asking for some level of formal Planning Commission approval pending the Army Corp of Engineers (ACE) permit.

Ms. Wilson asked if the Planning Commission approves, are the PPN's issued on all five sublots and what other engineers have reviewed the plans at this point in the process.

Mr. Wise indicated that no PPN's can be assigned without the ACE permit.

Mr. Sciria stated the Planning Commission can approve with contingencies but it is risky and he reminded the group of another situation where this occurred.

Mr. Sciria stated that in Minor Subdivisions all the details after the single approval are administrative details. In a Major Subdivision, all the details after a preliminary approval are before the Commission and in the Public purview. He suggested Mr. Nance consider the project as a Major subdivision.

Mr. Sciria is impressed with amount of effort Mr. Nance and his representatives have done to address public concerns to this point.

A brief recess was called for Mr. Vacanti to discuss with his client.

After recess, Mr. Vacanti confirmed the willingness of the owner for the project to be treated as a Major Sub Division.

Mr. Lahrmer confirmed the designation of a Major Sub Division will drop one of the variances related to the utilities.

Mr. Kyle Lewis confirmed for Ms. Kardos that Lots C and D will not touch the pond but there will be an easement for drainage to the pond.

There were no further questions or comments and the Work Session recessed into the Regular Meeting.

REVISED PRELIMINARY PLAN AND PLANNED DEVELOPMENT AREA (PDA) Conditional Use – VA Phase 2 Residential Lavender Lane.

Josh Decker, representing the DiGeronimo Companies was present to review the revised plan. Currently they planned for 17 units and the changes will reduce the plan to 10 units. The 3 buildings with townhomes (T6 – T8) will become five lofts and now the southside mirrors the northside of Lavender Lane.

Mr. Wise thinks the change is more conventional and is better than previously. There are no engineering concerns.

Mr. Decker stated the actual size of the units will now have a 25' setback vs. the original 20', while not yet finalized, they will mimic the existing homes.

Ms. Redinger thanks them for the changes to the units.

Mr. Sciria stills has some concerns with units but will wait for finals.

Ms. Wilson likes the two story much better than the 3 story townhouses.

There were no further questions or comments and the Work Session recessed into the Regular Meeting.

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The Work Session closed at 9:20 pm

THE BRECKSVILLE PLANNING COMMISSION

ERIC LAHRMER, CHAIRPERSON
DOMINIC SCIRIA, VICE CHAIRPERSON
LAWRY KARDOS, SECRETARY

Minutes recorded by Debbie Knox