

MINUTES OF A PUBLIC HEARING HELD BEFORE THE PLANNING COMMISSION OF THE CITY OF INDEPENDENCE, OHIO, TO CONSIDER THE REQUEST BY INDEXCO FOR THE APPROVAL OF A PRELIMINARY PLAN FOR A 12 LOT SINGLE-FAMILY HOME SUBDIVISION LOCATED ON VACANT LAND SOUTH OF THE MOST EASTERLY PORTION OF EAST ASH ROAD (PPNs 562-21-012 AND 562-19-013).

HELD IN COUNCIL CHAMBERS AT CITY HALL

6:00 P.M., FEBRUARY 6, 2007

AGENDA: **Indexco** – Approval of preliminary plan for a 12 lot single-family home subdivision located on vacant land south of the most easterly portion of East Ash Road (PPNs 562-21-012 and 562-19-013).

Chairman Lytkowski opened the Public Hearing at 5:35 p.m. and the following responded to Roll Call:

PRESENT: Dale Lytkowski, Chairman
Fred Ramos, Mayor
Gregory Kurtz, Vice Mayor
Jack Shallcross

OTHERS

PRESENT: Donald Elewski, City Engineer
Gregory O'Brien, Law Director
Ron White, Economic Development

ABSENT: Thomas Narduzzi

Vice Mayor Kurtz recused himself from the public hearing and left the room. Rick DiGeronimo was before the Commission to present the plan. Mr. DiGeronimo wanted to give an overview of the project. They are proposing a 12 lot subdivision off of Ash Road. This subdivision, with 16 lots, was approved a few years ago. They have since removed 4 lots, and they are seeking approval of this project. The concept has not changed much except for the fact that there are less lots. There have been a few minor changes. Mr. DiGeronimo referred to his drawing of the subdivision. The sanitary and storm sewer line was referred to by Mr. DiGeronimo on the drawing. Chairman Lytkowski asked Mr. DiGeronimo if he had a rendering of the old subdivision from 2004. He did not have a drawing. Mr. DiGeronimo stated that the lots were smaller in the old plan. Now the smallest lot is 28,000 square feet, and the largest lot is 71,000 square feet.

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Mayor Ramos stated that he has a concern with subplot 10. The Mayor asked the applicant why the plan changed from the original one submitted in 2004. The Mayor stated that in the previous plan there was a cul-de-sac with four lots, lot 10 was not there. The sanitary and storm sewers were going out to Brecksville Road. Now they are going to Daisy. The Mayor thinks that there are substantial changes between the plans. Mr. DiGeronimo stated that the reasoning behind lot 10 was to add a little more seclusion than the other lots. The Mayor is concerned about the residents on Chestnut. It seems like the home on subplot 10 would be closer to the residents on Chestnut. Mr. DiGeronimo stated that he believes that the house would not bother the residents on Chestnut. The Mayor stated that, according to the drawing, it looks like the residents on Chestnut are close to subplot 10. Mr. DiGeronimo disagreed.

Chairman Lytkowski stated that on the original draft there were homes on the temporary cul-de-sac. He asked about the temporary cul-de-sac. Mr. DiGeronimo stated that there were some new drawings submitted this week that made it a permanent cul-de-sac based on some recommendations. Mr. DiGeronimo stated that they are not trying to maximize the property. The idea is not to get as many lots as possible. Chairman Lytkowski asked who owns Lot B. Mr. DiGeronimo stated that all of the property in green is owned by Indexco.

Chairman Lytkowski asked Mr. DiGeronimo about moving lot 10. Mr. DiGeronimo stated that it could be done. The Chairman thinks this lot is out of proportion to the overall scheme.

Kathy Moore asked about Ash Road being the only way in and out and how would the traffic be and asked about the sewers. Mr. DiGeronimo stated that there will be no encroachment on anybody's property for sewers except for what they volunteered to do two years ago which was to put some yard drains in to help drain the property. Mr. DiGeronimo stated that there wouldn't be any plan for sanitary or storm onto the East Ash properties. Mr. DiGeronimo stated that with regard to the traffic on East Ash, there would be potentially 12 households that would be going in and out of that road. They didn't believe that it would have any impact on the traffic on East Ash Road. Mr. DiGeronimo stated that he believes the road can handle it. Mr. DiGeronimo stated that they did not want to put an entrance on Chestnut because it could become a pass through. Mr. DiGeronimo feels that there would be more traffic if there was an entrance off of Chestnut.

The Mayor asked Mr. DiGeronimo how he would be handling the drain water. Mr. DiGeronimo asked Mr. Halishak to speak on the drain water issue. Mr. Halishak stated that the primary storm sewer outlet will be in the same vicinity as the sanitary sewer. There is an existing storm sewer

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that cuts through the properties up to the Waldorf cul-de-sac. The Mayor asked about the size of the sewer. Mr. Halishak stated that it seems that the one on Waldorf is a 21 or 24 inch. The sewer that runs to Waldorf may be as big as a 30 inch. They will have to investigate in the field the exact size. Mr. Halishak stated that there is also a storm sewer easement between two lots that he referred to on the drawing. There is also a shallow storm sewer that will be able to collect a small portion of the west end of the site. It is not deep enough for footer drains for the houses. All footer drains will be sent out to the east. All sanitary will also be sent out to the east. There is a small storm sewer outlet at the west end. The major one will be at the east end.

The Mayor stated that there have been quite a bit of water problems in the backyards of many of those homes on Chestnut and Ash. The Mayor asked Mr. Halishak what measures would be taken to resolve some of those issues. Mr. Halishak stated that the area is relatively flat. Until they do more field work, they don't know if the water is going onto their property or off of their property. Either way, there will be a swale carved along the back edge of the new properties that will intercept any water before it reaches the properties which will go into the storm sewer system which is outletted through the east. Mr. Halishak referred to another drawing. Mr. Halishak stated that the property owners are proposing minimal grading on the site to maintain as many trees as possible. There is a swale around the entire perimeter to intercept the water coming from the two lots.

Chairman Lytkowski asked about lot 10 again. Mr. Halishak stated that changing the lot would be doable. The Chairman is concerned that there would be one house behind another. Mr. Halishak stated that there is quite a distance between the home on subplot 10 and the homes on Chestnut. Mr. Halishak stated that they could move the lot up somewhat. Chairman Lytkowski asked Mr. DiGeronimo if the lots were sold already. Mr. DiGeronimo stated that they are already committed.

Mrs. Liptak of Chestnut Road is concerned about the water on her property. Mr. Halishak stated that he has not gone out to the property yet. Mr. Halishak stated that they cannot do any grading on the property on Chestnut. If there is water coming onto Mrs. Liptak's property, they will intercept it, and it won't come on her property anymore. Mrs. Liptak asked about having a storm easement for the people on Chestnut. Mr. Halishak stated that there are going to be catch basins located at the backs of the property. Mr. DiGeronimo stated that there were proposed 3 to 5 catch basins behind the property. Mr. Halishak stated that if the residents' water problems are from their own yards and their neighbors' yards, they won't be able to capture the water. Mr. Halishak stated that any water running off the Indexco property will be captured. Mr. Halishak stated that they will find out the direction of the water when they do some field work. The property is very flat.

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Anthony Togliatti of Chestnut Road spoke. Mr. Togliatti stated that in the past they went over how the elevations were higher on the Indexco property. Mr. Togliatti stated that the water does run north. Mr. Togliatti stated that they are looking for the integration of some of the swales into their property to help alleviate some of those problems. Mr. Togliatti stated that the water just sits on his property.

Diane Thompson of Ash asked about the yard drains. Mr. Halishak stated that what is proposed right now is a shallow storm sewer with several catch basins to help standing water problems. Mr. DiGeronimo stated that they would be willing to bring a small storm sewer and some yard drains to help catch the water.

A resident asked about assisting the people on Chestnut with their water problems. Mr. DiGeronimo stated that they are willing to help out however they can. Mr. DiGeronimo stated that there are a lot of trees behind the Chestnut properties, and they did not want to cut a lot of trees down. Mr. DiGeronimo stated that they are willing to help if they can; however, it is not their property.

A resident asked about the huge deer problem that the City has. She asked if there was a plan to deal with this in Independence. The Mayor stated that the deer are a problem all over. The Mayor stated that there isn't a plan addressing the deer. Mr. DiGeronimo stated that he agrees that there is a deer problem, but he doesn't have any answers.

City Engineer Elewski stated that with regard to the water problems they have looked at this property for many years. There is no systematic way to drain the property. They have come up with some plans to help with the drainage. It is very expensive because there is no method to do it. Water is going in all directions over there. City Engineer Elewski believes this plan will help keep a lot of the water off the residents' properties.

Mayor Ramos stated that resident Gary Moore lives on East Ash. He asked Mr. DiGeronimo what will be done with regard to the headlights shining into his windows from all of the cars leaving the new subdivision. Mr. Halishak stated that there could be some landscaping put up. Mr. DiGeronimo stated that they wanted to be good neighbors and are open to suggestions. Mr. DiGeronimo does think some landscaping of Mr. Moore's choice would only be fair.

Chairman Lytkowski stated that for the record Mr. DiGeronimo stated back on January 2, 2007 that if anyone has anything to offer, any comments, any suggestions, he would be pleased to listen and accommodate accordingly.

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Jack Shallcross asked about the Sanchez property. Do they have their own driveway going up next to the proposed street? Mr. Halishak stated that there is an existing driveway, and Indexco is proposing connecting it to the new road. Mr. DiGeronimo stated that they actually let Mr. Sanchez put his driveway on their property.

Mr. DiGeronimo stated that they plan on leaving a lot of trees on the property. The yards are extra wide so that there will be lots of trees on the side yards.

Mayor Ramos asked what the width of the street was. It is 60'. The City Engineer stated that it is 26' pavement with a 60' right-of-way.

Mr. DiGeronimo stated that he would be willing to sit down with Mr. Halishak and whoever wanted to in the next month if the City would let them use a room in City Hall to do a working session. Mr. DiGeronimo stated he will be living there so he wants to be a good neighbor. Chairman Lytkowski stated that if anyone over the next thirty days wants to have a meeting, let Mr. DiGeronimo know.

Mrs. Marlene Vanderbilt who represents Mrs. Kovacic spoke. She stated that they have a house on Ash. She wanted to know how far back are the new houses going to be set on the lots. Mr. Halishak stated that they have to be 75' from the right-of-way. Mr. Halishak referred to the drawing. They cannot go further back than 40' from the rear yard. Mrs. Vanderbilt was concerned about the size of the new homes. Mr. DiGeronimo stated that the houses will probably be approximately 3,000 square feet. Mrs. Vanderbilt stated that the water is persistent there. There is a creek that runs there. They had put in a drain 2 years ago. The water is still there. She believes there will be standing water in the culvert that they will put in. Mr. Halishak disagreed and stated that it can do nothing but make the conditions for Mrs. Vanderbilt better. Mr. Halishak stated that the lots will be oversized, and they will be keeping a lot of the trees. Mrs. Vanderbilt stated that the lots she is referring to are the same as in the previous plan. Mr. Halishak agreed. Mrs. Vanderbilt asked who was going to repair the streets after the construction of this subdivision. Chairman Lytkowski stated that the City requires a bond from the developer. Mayor Ramos stated that if there is any damage, the money will be taken out of the bond that the developer has to post.

Chairman Lytkowski stated that Mr. DiGeronimo made the offer that anyone can meet with him this month and talk about their concerns with regard to this subdivision. Chairman Lytkowski also stated that the City Engineer has stated that the water situation will improve and not deteriorate.

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A resident asked about having a stop sign at the entrance of the subdivision. She had some questions about the sign.

Mr. DiGeronimo stated that he will contact the City and give a couple of dates for a meeting with any of the concerned residents.

The Mayor stated that he has one concern before closing this public hearing. It would only be on the condition that Hydrosphere take a look at this subdivision and give a report regarding the water. The Mayor stated that the project will only be supported if the developer complies with the Hydrosphere Engineering report.

A motion was made by Jack Shallcross, seconded by Mayor Ramos to close the public hearing at 6:15 p.m.

**ROLL CALL: Yeas; Shallcross, Ramos, Lytkowski
 Nays: None**

Dale Lytkowski, Chairmann

Debi Beal, Secretary

Minutes Unapproved at Time of Release 2/12/07