

MINUTES OF THE VILLAGE OF GRAFTON JOINT PLANNING COMMISSION & COUNCIL PUBLIC HEARING, JOINT PLANNING COMMISSION & COUNCIL MEETING AND REGULAR COUNCIL MEETING HELD ON JUNE 18, 2019 AT 7:00 PM.

PRESENT FOR ROLL CALL WERE: DUKLES, SAUER, KITTS, STRAH AND LOGUE. ALSO PRESENT WERE MAYOR DIVENCENZO, CLERK-TREASURER BARNHART, SPECIAL PROJECTS COORDINATOR BALES, VA PRICE, LAW-DIRECTOR HOLDERMAN, POLICE CHIEF CLARK AND FIRE CHIEF THOMPSON.

SAUER MADE A MOTION TO APPROVE MINUTES AND KITTS SECONDED. VOTE: AYES ALL.

SAUER MADE A MOTION TO PAY BILLS AND KITTS SECONDED. VOTE: AYES ALL.

SAUER MADE A MOTION TO READ ALL ORDINANCES AND RESOLUTIONS BY TITLE ONLY AND KITTS SECONDED. VOTE: AYES ALL.

### **JOINT PLANNING COMMISSION AND COUNCIL PUBLIC HEARING**

PLANNING COMMISSION MEMBERS PRESENT: BALDWIN, JUSTY, LOGAN, DUKLES & DIVENCENZO.

- CONDITIONAL USE FOR A PLAYGROUND/STAGE AT WILLOW PARK.  
BALES EXPLAINED THAT A CONDITIONAL USE FOR AMPLIFICATION WAS APPROVED AT THE LAST MEETING AND PARTS ARE READY TO BE ORDERED. WE ARE SET TO BEGIN A COMMUNITY BUILD AND WILL BE LOOKING FOR VOLUNTEERS. THERE WERE NO COMMENTS FROM THE PUBLIC.  
BALDWIN MADE A MOTION RECOMMENDING THAT COUNCIL PASS A CONDITIONAL USE ORDINANCE AND JUSTY SECONDED. VOTE: AYES ALL.
- AMENDMENT TO SOLAR POWER PLANTS CHAPTER 1297 OF THE CODIFIED ORDINANCES.  
BALES EXPLAINED THIS AMENDMENT WOULD TAKE OUT THE PERMIT PROCESS THAT WOULD NOT BE NEEDED. THERE WERE NO COMMENTS FROM THE PUBLIC.  
BALDWIN MADE A MOTION RECOMMENDING THAT COUNCIL PASS THE ORDINANCE AMENDING CHAPTER 1297 AND JUSTY SECONDED. VOTE: AYES ALL.
- REZONING OF 1111 ELM ST. FROM PUD-RS TO GENERAL BUSINESS.  
THERE WERE NO COMMENTS FROM THE PUBLIC.  
LOGAN MADE A MOTION RECOMMENDING COUNCIL APPROVE THE RE-ZONING AND JUSTY SECONDED. VOTE: AYES ALL.

### **JOINT PLANNING COMMISSION AND COUNCIL MEETING**

- REZONING OF PROPERTY WEST OF FOX RUN AND HUNTING HOLLOW FROM SINGLE FAMILY, LOW DENSITY RESIDENTIAL DISTRICT (R-1A) TO TWO FAMILY, MEDIUM DENSITY (R-2)  
DIVENCENZO EXPLAINED THIS PROPERTY WAS ANNEXED IN AS R-1A. REZONING TO R-2 WOULD KEEP IT CONSISTANT WITH THE PROPERTY IN FRONT.  
JUSTY MADE A MOTION RECOMMENDING COUNCIL APPROVE THE RE-ZONING AND LOGAN SECONDED. VOTE: AYES ALL WITH BALDWIN ABSTAINING.
- PRELIMINARY PLAT APPROVAL FOR FOX RUN SUBDIVISION PHASE 6.  
DOUG NUSSER, POGGEMEYER DESIGN GROUP, WHO WAS NOT PRESENT AT THE MEETING SENT IN THE FOLLOWING COMMENTS FOR BOTH THE PRELIMINARY PLAT AND THE RE-ZONING AS FOLLOWS:

We have received Conceptual Plan, Preliminary Plan & Plat, and Rezoning drawings for the above-referenced private development to be located within the Village of Grafton. Based on our review of the drawings we offer the following comments and recommendations for your review and consideration.

General:

The parcel proposed for Conceptual Development is generally located between the existing west end of Fox Run and Hunting Hollow streets and the east side of Tanglewood Subdivision, and is bounded on the south by the B&O Railroad. The total area proposed for development, and proposed for rezoning to an R-2 Two Family Zoning classification, is approximately 94.5 acres. The Conceptual Plan for this area currently shows 154 lots which we anticipate could be for a mix of single family and two family dwellings.

The Developer has offered the Conceptual Plan for general planning purposes only and has noted a reservation for future plan changes/lot layouts at his discretion.

The Preliminary Plan & Plat received for Phase 6 of this development will extend Fox Run and Hunting Hollow streets approximately 670' and 690', respectively, to the west to accommodate 40 new single family lots.

To the best of our knowledge the properties shown on the Conceptual Plan have been, or are in the process of being, annexed into the Village.

Abutting land to the north and west is developed for single family use (Tanglewood Subdivision) as well as to the east (Fox Run Subdivision No. 2 & No. 3. Land to the south and southeast is undeveloped and is zoned for Light Industrial and Single Family Residential. Land to the southwest (across the B&O Railroad) is located in Carlisle Township and is currently owned by the Lorain County Metro Parks.

The Village's Future Land Use Plan indicates this area is intended for Planned Office/Industrial Use although it should be noted the current Land Use Plan was developed in 1990.

Rezoning:

1. In the 4<sup>th</sup> paragraph of the legal description it appears the references to "westerly" should be changed to "easterly".
2. For Course 13 in the legal description it appears the westerly line of Fox Run Subd No. 3 should also be referenced.

Conceptual Plan:

3. Future lots shown on the Conceptual Plan along with existing and planned lots in Fox Run Subdivisions No. 1 through No. 5 will exceed 200 total lots with a single access point from North Main Street/SR 57. We recommend that at least 1 additional access point be included for future phased development.

It appears other potential access points could be considered from Indian Hollow Road to the west, an extension of Vivian Drive from the east, and a connection to existing Commerce Drive at its curve to the south (the latter should require reconfiguring the curve to be an intersection).

4. Subdivision Regulations indicate street/block lengths should generally not exceed 1800 feet. The lengths of Fox Run and Hunting Hollow streets through existing Fox Run Subdivision No. 2 along with extended lengths as shown on the current Conceptual Plan will exceed 1800 feet by approximately 1000 feet for Fox Run and 1600 feet for Hunting Hollow.

A variance should be necessary to allow street/block lengths exceeding 1800 feet.

We recommend the Village consult with safety service providers for additional input with regard to Items 3 and 4 above.

Preliminary Plan & Plat for Subdivision No. 6:

5. The single family lots as proposed should meet R-2 Zoning District requirements for width, depth, area, and setbacks.

6. Street/block lengths for Fox Run and Hunting Hollow streets will be less than 1800 ft through Fox Run Subdivision No. 2 and No. 6 combined.
7. Sanitary Sewers and Storm Sewers appear to be appropriately planned and a storm water management basin is proposed to be located between the rear lot lines of lots the lots fronting on the south side of Hunting Hollow and the north side of Fox Run.

It is our understanding water service for this subdivision will be provided by Rural Lorain County Water Authority. Fire hydrants as shown on the Preliminary Plan appear to meet Subdivision Regulation spacing requirements.

8. Discrepancies were noted between the Preliminary Plan and Preliminary Plat for the lot widths of Lots 83 and 84.
9. The pavement thickness shown in the Typical Pavement Section should be increased to 8".
10. The following items are to be included as part of the Preliminary Plan/Preliminary Plat submittal:
  - a. Vertical datum/bench marks used to establish site elevations
  - b. Street profiles
  - c. Sanitary sewer and storm sewer profiles
  - d. Proposed covenants and restrictions

We recommend the Village consider deferring these items until such time as the Final Construction Plans are submitted for Village review.

The applicant's engineer will be responsible for determining if existing utilities have sufficient excess capacity available to provide use/fire protection needs for this subdivision. A water distribution system analysis should be completed by the applicant to determine projected fire flows prior to Final Plan approval.

Storm water detention will need to be provided per Village design standards as well as storm water pollution prevention/water quality per Village and OEPA requirements. The applicant's engineer should provide design calculations with the Final Plan submittal for review. The Village will also need to be provided with copy of an approved storm water NOI/NPDES permit for the subdivision prior to beginning construction.

Electric, natural gas, telephone, and cable/internet needs and requirements will need to be reviewed and coordinated with the associated providers for each of these utilities.

Final Construction Plan submittal will need to meet the requirements of all applicable Sections of the Village's Subdivision Regulations as well as standard construction details and specifications.

At this time we believe The Village could consider Preliminary Plan and Preliminary Plat approval for the Fox Run Subdivision No. 6 if the Developer properly addresses applicable numbered items identified in this review as well as comments/recommendations of other reviewing agencies and Village Departments.

CHRIS HOWARD, BRAMHALL ENGINEERING, WAS PRESENT AND STATED THAT HE HAD BEEN IN CONTACT WITH NUSSER. THIS IS A 40 FAMILY PLAT. STRAH QUESTIONED IF RURAL WATER WAS SUPPLYING THE WATER WERE WE SUPPLYING THE SEWER. VA PRICE ANSWERED YES AND STATED THAT NUSSER TOLD HIM IT WOULD NOT HAVE AN ADVERSE EFFECT ON THE WASTEWATER TREATMENT PLANT. JUSTY REMINDED EVERYONE ABOUT THE RESIDENT WHO HAD STORMWATER ISSUES ACROSS THE STREET AND WAS WONDERING IF WE WERE SETTING UP SIMILAR ISSUES. PRICE SAID NO, THAT RESIDENT'S ISSUE WAS FROM PROPERTY NOT IN THE VILLAGE. DIVENCENZO STATED THAT WITH THE

ROUT 57 PROJECT, STORMWATER ISSUES WERE SOLVED. HOWARD STATED THAT FOX RUN PHASE 2 HAD THE STORM SEWER RUNNING TO THE RIVER AND PHASE 6 WOULD BE TIED INTO THAT. BALDWIN MADE A MOTION THAT COUNCIL APPROVE THE PRELIMINARY PLAT CONTINGENT ON THE REZONING OF THE PLAT AND JUSTY SECONDED. VOTE AYES ALL WITH BALDWIN ABSTAINING.

## **REGULAR COUNCIL MEETING**

### **POLICE**

- DUKLES MADE A MOTION TO ACCEPT THE RESIGNATION OF JASON BALLACHINO FROM THE POLICE DEPARTMENT EFFECTIVE 6/1/19 AND STRAH SECONDED. VOTE: AYES ALL. CHIEF CLARK STATED THAT JASON BALLACHINO GOT A JOB AT THE RICHLAND COUNTY SHERIFF DEPT.

### **FIRE**

CHIEF THOMPSON INFORMED COUNCIL HE HAD THE FIREWORKS PERMIT FOR THE DISPLAY ON JULY 5TH. THE RAIN DATE FOR THE FIREWORKS IS JULY 6<sup>TH</sup>.

### **ORDINANCES**

- THIRD READING OF ORDINANCE #19-009 PURSUANT TO CHAPTER 1256, ODIFIED ORDINANCES OF THE VILLAGE GRANTING A CONDITIONAL USE PERMIT TO THE VILLAGE OF GRAFTON FOR THE CONSTRUCTION OF A 5,485 SQUARE FOOT PLAY STRUCTURE AND A 1,225 SQUARE FOOT STAGE AREA IN WILLOW PARK. SAUER MADE A MOTION TO PASS ORDINANCE #19-009 AND KITTS SECONDED. VOTE: AYES ALL.
- THIRD READING OF ORDINANCE #19-010 AMENDING CHAPTER 1297 OF THE CODIFIED ORDINANCES PERTAINING TO SOLAR POWER PLANTS. STRAH MADE A MOTION TO PASS ORDINANCE #19-010 AND SAUER SECONDED. VOTE: AYES ALL.
- THIRD READING OF ORDINANCE #19-011 PROVIDING FOR THE AMENDMENT OF THE ZONE MAP OF THE VILLAGE BY CHANGING THE ZONING OF CERTAIN LAND LOCATED WITHIN THE VILLAGE OF GRAFTON FROM PUD-RS TO GENERAL BUSINESS (GB). SAUER MADE A MOTION TO PASS ORDINANCE #19-011 AND KITTS SECONDED. VOTE: AYES ALL.
- FIRST READING OF ORDINANCE #19-013 PROVIDING FOR THE AMENDMENT OF THE ZONE MAP OF THE VILLAGE FROM LOW DENSITY RESIDENTIAL (R-1A) TO TWO FAMILY RESIDENTIAL (R-2)
- EMERGENCY ORDINANCE #19-014 ACCEPTING THE ANNEXATION OF APPROXIMATELY 95.5349 ACRES OF REAL ESTATE TO THE VILLAGE, UPON THE APPICATION OF THE OWNERS KNG, LTD. DUKLES MADE A MOTION TO WAIVE THE THREE READINGS AND STRAH SECONDED. VOTE: AYES ALL. DUKLES MADE A MOTION TO PASS ORDINANCE #19-014 AND STRAH SECONDED. VOTE: AYES ALL.
- FIRST READING OF ORDINANCE #19-015 SETTING SALARIES FOR THE MAYOR, MEMBERS OF COUNCIL AND CLERK-TREASURER FOR 2020

### **RESOLUTIONS**

- EMERGENCY RESOLUTION #19-032 TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT. STRAH MADE A MOTION TO WAIVE THE THREE READINGS AND SAUER SECONDED. VOTE: AYES ALL. STRAH MADE A MOTION TO PASS RESOLUTION #19-032 AND SAUER SECONDED. VOTE: AYES ALL.
- EMERGENCY RESOLUTION #19-033 AUTHORIZING THE MAYOR OR VILLAGE ADMINISTRATOR TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE LORAIN COUNTY BOARD OF

COMMISSIONERS THROUGH THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE RECYCLING AND COMPOSTING GRANT PROGRAM PURSUANT TO THE LORAIN COUNTY SOLID WASTE PLAN. DUKLES MADE A MOTION TO WAIVE THE THREE READINGS AND STRAH SECONDED. VOTE: AYES ALL. DUKLES MADE A MOTION TO PASS RESOLUTION #19-033 AND STRAH SECONDED. VOTE: AYES ALL. BALES ANNOUNCED THAT THE GRANT MONIES RECEIVED, APPROXIMATELY \$5,000.00, WOULD BE USED TO HELP PAY FOR THE PURCHASE OF JELLY BEAN MULCH FOR THE NEW PLAYGROUND AT WILLOW PARK.

#### **MOTIONS**

- STRAH MADE A MOTION TO APPROVE THE EXPENSE OF \$29,500.00 TO EDWARDS TREE SERVICE FOR THE REMOVAL OF TREES ON THE SOUTH SIDE OF THE EASEMENT FROM THE PRISON GRASS AREA WEST TO THE END OF THE WOODS AND DUKLES SECONDED.
- STRAH MADE A MOTION TO APPROVE THE EXPENSE OF \$14,434.00 TO KAZMIERCZAK CONSTRUCTOIN OF THE BECKER COURT SIDEWALK EXTENSION AND SAUER SECONDED. VOTE: AYES ALL.  
MAYOR DIVENCENZO EXPRESSED HIS CONCERN THAT A PARKING LOT WAS GOING TO BE CONSTRUCTED AND IF THE SIDEWALK WOULD HAVE TO BE REMOVED IN THE PROCESS. VA PRICE AND BALES ASSURED HIM IT WOULD NOT.

#### **VA REPORT**

VA PRICE STATED THAT HE HAD BEEN APPROACHED BY ALLSTATE REQUESTING A TEMPORARY SIGN PERMIT FOR THEIR LOCATION. HE PRESENTED PHOTOS OF THE PROPOSED SIGNS. THERE WERE CONCERNS REGARDING A FREE-STANDING SIGN. HOLDERMAN SUGGESTED THAT COUNCIL COULD APPROVE NOT TO EXCEED 6 MONTHS AND SUBJECT TO FURTHER PROCEEDINGS AS REQUIRED. PRICE INFORMED COUNCIL THAT THE INSURANCE REIMBURSEMENT FOR THE FIRE CLEAN UP WAS RECEIVED BY THE VILLAGE.

#### **MAYOR'S UPDATE**

SPECIAL THANKS TO JAILHOUSE TAVERN AND RYAN HOMES FOR THEIR GENEROUS DONATIONS TO THE FIREWORKS. THE FOURTH OF JULY PARADE IS CANCELLED FOR THIS YEAR BUT THERE WILL BE ONE NEXT YEAR.

BALES REPORTED SHE WAS WORKING ON A GRANTS TO REFURBISH THE RESTROOMS AND PAVILLION AT NORTH PARK, THE GRANT APPLICATIONS ARE TO NATURE WORKS AND THE COMMUNITY FOUNDATION AND SHE AND PRICE ARE TALKING TO KIWANIS

- SAUER MADE A MOTION TO APPROVE THE PRELIMINARY PLAT FOR FOX RUN PHASE 6 AND KITTS SECONDED. VOTE: AYES ALL.

HOWARD REQUESTED THAT COUNCIL HAVE A SPECIAL MEETING FOR THE SECOND READING OF THE REZONING ORDINANCE, SO AS NOT TO DELAY CONSTRUCTION.  
IT WAS DECIDED THAT A SPECIAL MEETING WOULD BE HELD ON TUESDAY JUNE 25, 2019 AT 6:00 PM.

STRAH MADE A MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE PURCHASE OR LEASE OF PUBLIC LAND AND ECONOMIC DEVELOPMENT AND SAUER SECONDED. VOTE: DUKLES YES, SAUER YES, KITTS YES, STRAH YES AND LOGUE YES.

LEFT MEETING AT 8:05 PM.

RETURNED 8:45

STRAH MADE A MOTION TO RE-ENTER THE MEETING AND DUKLES SECONDED. VOTE: DUKLES YES, SAUER YES, KITTS YES, STRAH YES AND LOGUE YES.

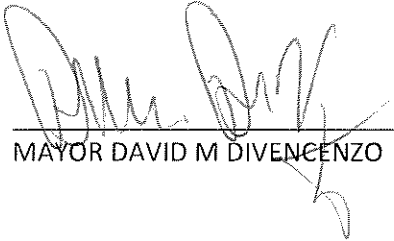
- STRAH MADE A MOTION TO APPROVE THE MAYOR TO BID AT SHERIFF AUCTION ON JUNE 19, 2019 AND LOGUE SECONDED. VOTE: AYES ALL.
- STRAH MADE A MOTION TO APPROVE THE ADMINISTRATOR TO ENTER INTO NEGOTIATIONS WITH THE OWNER OF 14757 RT. 83 FOR THE PURCHASE OF THEIR PROPERTY. THE FINAL AMOUNT WILL BE CONTINGENT ON COUNCIL APPROVAL AND SAUER SECONDED. VOTE: AYES ALL.

NO ACTION WAS TAKEN ON THE SIGN REQUEST FOR ALLSTATE. VA PRICE WILL DISCUSS WITH THE PROPERTY OWNER.

DUKLES QUESTIONED THE DECORATIVE LIGHTS ON MAIN ST THAT HAVE NOT BEEN WORKING. VA PRICE SAID HE MAY BE ABLE TO GET ELECTRICITY TO THE LIGHTS AND GET THEM WORKING AGAIN.

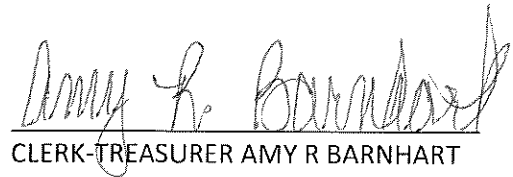
DUKLES MADE A MOTION TO ADJOURN AND SAUER SECONDED. VOTE: AYES ALL.

MEETING ADJOURNED AT 9:00 PM.



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MAYOR DAVID M DIVENCENZO



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CLERK-TREASURER AMY R BARNHART