

**MINUTES OF THE PLANNING COMMISSION
VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO
July 10, 2017**

Members Present: Commission members-Donald Atkinson, Thomas Lytle, David Prueter, and Zachary Ries. Others Present: Rich Kotitie, Brian Ramirez, Angela & Benjamin D'Amore, Diane O'Konski, Jack Witte, John & Julie Cunningham, Barb Szymaniak, Melinda Hoskins, Nick Lukachek, Mike & Jennifer Koralewski, Brad Hertzfeld, Bob Keogh, Aggy & Jerry Finfera, Sharon Prueter, Chuck & Judy Kethel, Thomas Redd, Fred Beening, Administrator Jordan Daugherty, Public Service Director Steve Pilcher, Solicitor Phil Davis, and Community Development Coordinator Barbara Knisely.

At 7:03 pm, Chairman Thomas Lytle called the meeting to order.

Commission member Zachary Ries moved to approve the June 5, 2017, Planning Commission meeting minutes. Commission member Don Atkinson seconded the motion. 4 ayes.

Chairman Lytle stated the first Agenda item was to review and discuss the Preliminary Site Plan submitted by Jack Witte for the Plat of Witte's Walk with 17 lots and Plat One of Sullivan's Farm with 12 lots. He added that the Planning Commission members would go through the Staff Report, item by item, then the audience would have a chance to comment.

The Planning Commission, at its June 5, 2017 meeting, voted to review only the Plat of Witte's Walk and will continue with that discussion tonight. Mr. Witte stated he thought Witte's Walk was already approved at the June meeting. Chair Lytle stated the underlying zoning does not meet what was requested. Solicitor Davis stated that after reviewing the Minutes from the June 5, 2017, meeting, it states that the matter had been bifurcated, and that only Witte's Walk is before the Planning Commission at this time. The annexation period is fully effective as to the property and the proper zoning needs to be approved for the plat.

Chairman Lytle stated they would proceed with review of the Staff Report, item by item:

1 -3. Informational only.

4. Zoning – portions of Witte's Walk were previously in the Village and are zoned R-1, while other portions were recently annexed in as A. All property located in Witte's Walk will need to be rezoned to the requested S-1 zoning category.

5. Mr. Witte confirmed that Lots 3 – 17 will front Witte Lane and Lots 1 and 2 will face Cemetery Road.

6. It was confirmed that 15 of the lots meet the minimum 150' frontage, but Lots 4 and 9 do not meet that requirement.

7. Setbacks requirements are met.

8. Witte Lane is a cul-de-sac and does not connect to any other streets or subdivisions. Staff and Planning Commission feel it would be advantageous to connect. Mr. Witte stated he will not consider that. He's asking for an S-1 zoning district with large lots just like Claystone subdivision.

9. Concerning the length of the cul-de-sac, Mr. Witte stated that due to the topography and layout of the lots, it was not possible to shorten the length of the cul-de-sac. He added that the Village has allowed this in the past with long cul-de-sacs and this does not deter from access to other subdivisions or the bike trail. He added that Claystone might be approximately 100' shorter.

Commission member Prueter stated that the entire zoning code was reviewed less than a year ago. What Mr. Witte is asking for is double what the code allows and he does not want it that long.

Chairman Lytle stated that he feels this is an acceptable subdivision with S-1 zoning and extra large lots. He is happy with the density of housing, some homes are already there, and some will face Cemetery Road.

Commission member Prueter stated just because it's been done before doesn't mean we do it again.

Brief discussion about The Preserve subdivision and the fact that one cul-de-sac was allowed there. It was agreed that that is an entirely different property and subdivision. Mr. Daugherty added that staff looks at each development by itself and always looks at interconnectivity. He added that the proposed Witte family area should be considered and feels it could move forward as proposed..

A looped water line will be required at the end of the cul-de-sac.

10. Mr. Witte agreed to loop the water lines and install a fire hydrant in the cul-de-sac as required by the Whitehouse Fire Department personnel.

11. It was agreed that the length of the block was only slightly over the maximum allowed per the code.

12. Mr. Witte agreed that Disher Ditch would not be changed and this cul-de-sac does not cross over the ditch.

13. Mr. Witte agreed to install a 5' sidewalk along Cemetery Road, from Rupp to the bike trail, connecting to the existing sidewalk. He will not agree to sidewalks within the subdivision along Witte Lane and noted that the code does not require sidewalks within an S-1 district.

14. Mr. Witte is agreeable to the open ditch easements and will not build within 30' from the centerline of the ditch on each side.

15. Mr. Witte stated the storm water will flow both directions, western half going to the ditch and the eastern half going to Cemetery Road. He feels this will be an improvement from how the

property drains now, at times flooding Cemetery Road. He will work with the Village as to the size of the pipe required to drain the water.

16. Mr. Witte will work with the Village as far as street trees and understands the new requirement that the Village will plant the trees as construction proceeds. The Tree Commission will determine what type of trees will be planted.

17. Mr. Witte stated that none of the property is located within the flood plain and he will grade it and make it drain properly

18. As far as street lights, Mr. Witte stated he would like to go with a different look; “night sky light”, which means street lights direct the light downward instead of up into the sky. He will work with Mr. Pilcher on this matter.

19. Sidewalks were previously discussed. No internal walks will be installed in the subdivision per the code.

20. Road width and right-of-way requirements are met.

21. Much discussion followed concerning the proposed Lot 9 and the lack of the required 150’ frontage. Mr. Witte stated that he is willing to remove Lot 9 from this plat and include it later with the western portion of the property when that is developed, west of Disher Ditch. He added removing that lot would allow him the ability to shorten the cul-de-sac. He could change the rear lot lines of the other lots to coincide with the ditch banks. Solicitor Davis added that could be done tonight, if he wants to eliminate Lot 9 and make the cul-de-sac shorter and reconfigure the remaining lots at the western end of the cul-de-sac. Mr. Witte confirmed that he would have Mr. Moll, his engineer, redesign the plat, eliminating the oddly shaped Lot 9, reconfiguring a couple lots at the western edge, and shortening the cul-de-sac. New drawings will be promptly submitted to the Village for review.

Chairman Lytle stated that was the end of the Staff Report review. He confirmed that 3 variances would likely be needed, if approved: No connecting streets into other subdivisions; the length of the cul-de-sac, and the frontage of Lot 4. He confirmed that Mr. Witte could submit new plans showing the shortened cul-de-sac, removal of Lot 9, and reconfigured lots at the end. The Chairman then permitted audience comments, which were:

- A) Jerry Finfera, 6261 Cemetery Road: Gave PC members pictures that were taken today after a heavy rain, showing the flooding. He feels with the addition of paved roads and rooftops, the flooding will only get worse. Currently the water has a chance to soak into the cornfields, but still runs off at this rate. Will the detention ponds be designed property so that they can handle the runoff?
- B) Don Atkinson: Mr. Pilcher has not seen the design plans yet, but he (Atkinson) feels the drainage will likely be improved with the development. He reiterated that only half the water will go east to Cemetery Road and half will go west to the ditch. Much discussion on how much water the detention ponds will hold, the size of the metered pipe, etc.

- C) Jerry Finfera: Where will the cluster mail box unit be located? Does not think it should be on Cemetery Road, which could cause traffic backups. Mr. Witte confirmed that it will not be located on Cemetery Road and will likely place it on or near the cul-de-sac at the western end.
- D) Chuck Kethel, 6515 Blue Ridge Dr: Concerned with flow of water coming out of the metered pipes. Feels that a larger pipe is required to meter the water out so that ponds don't fill and overflow. Can't understand how this property is not in the flood plain when his property on Blue Ridge Drive North is. They've had issues and feels this property will too.
- E) Ben D'Amore, 6251 Cemetery Road: Can't believe the flood today since the cornfields are so dry and doesn't feel splitting the runoff will help. At least once a year his garage floods. Doesn't feel allowing the long cul-de-sac because "it's family" should be the reason. He doesn't think family members will always live there in the future.
- F) John Cunningham, 6333 Cemetery Road: Shouldn't we wait on the traffic study before any decisions are made? Chair Lytle replied that he is not concerned with only 17 lots being approved in this plat as far as traffic problems.
- G) Julie Cunningham, 6251 Cemetery Road: She agrees that no decisions should be made until the traffic study is completed.
- H) Don Atkinson: After looking at the pictures provided, it's obvious that part of the flooding is on the Witte property. He's sure Mr. Witte doesn't want to flood his own property. He asked what the consensus of this group was; do they want the property to remain a cornfield forever? If this subdivision is done responsibly with \$500,000+ homes built on 17 lots, isn't that an improvement? He does not feel that 17 homes will cause a traffic problem. He's alright with the Village using a different engineer to look at this plan. He added that he is in favor of this subdivision and will be voting for approval.
- I) Jerry Finfera: Agreed that he's always known it would be developed and he's happy with the 1+ acre lots. However, we have to live with any mistakes that are made. The back ponds are twice as big as the front pond. We can't risk it being done incorrectly and he doesn't not want to see traffic jams.
- J) Don Atkinson stated we are all in agreement with the traffic flow problems, but this is only 17 lots.
- K) Commission Member Zachary Ries asked Mr. Pilcher when the water shed calculations are done, aren't roof tops and pavement taken into account? Mr. Pilcher confirmed that was correct, and added that the pond sizes and exact locations can be changed once the calculations and studies are completed. This is a preliminary drawing.
- L) Mr. Lytle confirmed the process; the developers engineer submits the plans and calculations, then it is reviewed by the Village engineer to be sure it is correct.
- M) Jennifer Koralewski, 10220 Blue Ridge Drive: Are we talking about the same engineers who designed what is there now? It was confirmed that the County or Township reviewed these plans many years ago before this property was in the Village. The current catch basins and storm sewer are old.
- N) Mr. Witte confirmed that he hates to see the flooding too. The existing two catch basins are the only ones there now. The homes with flooded garages and yards were built a long time ago and they're in a low spot. The natural fall of the land is right there. He added that his engineer, Bill Moll, is a respected professional as far as water control and does lots of work in this area and he's never had a problem with the other developments that Mr. Moll has

designed. He added that his goal is to improve the property and see that there is no flooding.

- O) Barb Szymaniak, 10112 Rupp Road: Said she wants development, but 17 homes does not mean 17 cars. She lives on Rupp Road near the entrance to Morgan Marie Court where villas were built a few years ago. Even the villas have at least 2 cars. Her biggest concern is slowing traffic down. Mr. Lytle stated that the Planning Commission is not there to discuss traffic speed.

Chairman Lytle concluded the audience period.

Chairman Lytle moved to approve the plat of Witte's Walk, conditional upon final zoning, and the following conditions:

1. Developer will remove Lot 9 from this plat,
2. Shorten the cul-de-sac, moving it to free up space at the end,
3. Variance to allow no connecting street to other areas,
4. Variance for the length of the cul-de-sac, and
5. Variance for the frontage of Lot 4 (under 150')

Commission member Don Atkinson seconded the motion. Motion passed unanimously with 4 ayes-Lytle, Atkinson, Prueter, and Ries. Chairman Lytle confirmed that they are all concerned with drainage and the design. Mr. Daugherty said it is abundantly clear that the Village is going to fix this by looking at multiple ideas. Mayor Atkinson confirmed that the Village will be on top of this and does not want to see flooding. Chairman Lytle confirmed that the vote was 4-0 in favor of Witte's Walk with the conditions as stated in the motion to approve the preliminary plat.

The next Agenda item was to review a preliminary site plan for a cell tower to be located in Sandra Park.

Chairman Lytle introduced Brian Ramirez from New Par, dba Verizon Wireless and asked him to explain the request for the cell tower.

Mr. Ramirez stated basically there is a hole in the coverage and showed diagrams indicating areas that are covered now and areas that are lacking. With all the technology today, the use of cell phones, everyone having a tablet of some sort, security systems, etc., additional coverage is needed in this area, especially as it continues to grow. Industry data shows that by 2020, use of these items will triple.

He stated they did look at co-locating on the existing tower on Indianapolis/St. Louis Street, but they have an existing tower approximately 1.7 miles away from that tower. This site, Sandra Park, fits right in the middle of the current gap and is a perfect location. He stated they are requesting a 195' tower with a 4' lightning rod on top (total of 199'). This tower will be built so that up to 3 additional providers can co-locate on it. Verizon has agreed to pave the existing gravel driveway leading from Cemetery Road to this site.

Chairman Lytle questioned why they could not co-locate on the existing tower and Mr. Ramirez showed the diagram indicating where the hole in their coverage was.

Mr. Lytle stated he would like to go over the Staff Report, item by item.

1. Site needs to be aesthetically pleasing since it is located within a park in an R-2 district.
2. Plan shows arbor vitae spaced 6 feet apart on center. Whitehouse Tree Commission will be asked to review this.
3. Mr. Ramirez confirmed that no lights will be needed since the tower is below 200 feet.
4. The required signage will be placed on the fence, “no trespassing” and an emergency contact phone number.
5. Verizon will be responsible for weeds and trash removal.
6. The existing driveway will be paved per the plans and Village review.
7. Facility will be fully automated and unattended, except for visits for emergencies and periodic maintenance.
8. Mr. Ramirez stated the only utilities used will be power and fiber and both will be placed underground. Three levels of power will be used: the primary power source, a battery back-up, and a back-up generator which will run on natural gas or diesel. The generator will run once a week for 15 minutes, scheduled during daylight hours.
9. At least 3 additional supplies can co-locate on the tower. There is room for 3 additional equipment shelters/cabinets within the 75 x 75 foot fenced area.
10. All set back requirements are met.
11. A 49’ variance will be required for the height of the tower. The current zoning code states a maximum height of 150’.
12. The tower will be painted a non-reflecting, non-contrasting gray color.
13. The existing tower in Village Park is greater than one mile away.

Equipment Shelter

16. The equipment shelter is proposed to be 240 square feet, which is less than the maximum of 300 square feet.
17. The equipment is below the maximum height of 35’

18. No concerns with the fencing setback.

19-21. Meet all requirements and have been discussed.

Safety Standards

Chief Building official will review the plans and issue a building permit per all Ohio codes.

Verizon has agreed to an 8 foot vinyl fence, color to be agreed upon by Staff and Verizon.

If this site plan is approved by the Planning Commission, a special use permit will be needed to allow a telecommunications tower within an R-2 district. Planning Commission can make a recommendation to Village Council who will then conduct a public hearing on the matter.

Solicitor Davis corrected information in the Staff Report concerning the lease agreement. He stated the lease has not been totally accepted by Council. If Planning Commission approves the preliminary site plan, Council will move forward with finalizing the lease agreement.

Chair Lytle asked why Verizon was not using a building shelter. Mr. Ramirez stated Verizon has gone to the canopy style. Over the years, the equipment has become smaller, uses less power, and makes less noise. He confirmed that this style is cooler and quieter.

Mr. Prueter asked if co-locators would use the same type of equipment. Mr. Ramirez stated some do, it all depends on technology. Phone styles change quickly so equipment must keep up with those changes. Providers are using fiber now instead of copper.

Mr. Ramirez asked for some relief to the landscaping required in the front of the enclosure near the gates due to the location of part of the equipment. Tree Commission can be advised of this request and work with them as far as plantings and location.

Chair Lytle stated he would now take public comments.

- A) Jerry Finfera, 6261 Cemetery Road: Could the tower be designed to look like a tree, like he's seen in other parts of the country? Mr. Ramirez stated a 190' tree would stick out more than the tower itself. Brief discussion on color of tower.
- B) Barb Szymaniak, 10112 Rupp Road: She lives on Rupp and the tower will be located directly behind her house. She would prefer a dirt or grass colored fence instead of white to blend in and be less noticeable. She also inquired about the decibel level of the equipment. Mr. Ramirez did not know the answer, but will get info to the Village concerning the decibel level.
- C) Commission member Prueter asked if the area was ever going to be used strictly as a park and would balls, etc. be hit over the fence into the equipment area?
- D) Chairman Lytle asked why it was located in the middle of the park? It was confirmed that it had to be placed there because of the required fall zone due to the height of the tower.

- E) Julie Cunningham, 6251 Cemetery Road: 30 years ago someone wanted to develop the Sandra Park property. What was it previously used for, are there underground tanks on the property? Mr. Pilcher stated that was the former Village sewer treatment plant and there was probably existing concrete areas on the property, but assured the group that all EPA compliances were met when the treatment plant was abandoned.
- F) Barb Szymaniak: Does the Village really need the lease money? Why not move the tower just outside of town on the Lial property; she's sure the nuns could use the money.

At this point, Chairman Lytle asked for a motion.

Commission Member Zachary Ries moved to approve the preliminary site plan for a telecommunication tower at Sandra Park submitted by New Par, dba Verizon Wireless, with variances for:

1. Height of the tower
2. Use of equipment cabinets instead of a shelter
3. Require a Special Use Permit

Chairman Tom Lytle seconded the motion. 4 ayes.

With no other business to come before the Planning Commission, motion by Commission member Zachary Ries, seconded by Commission member Donald Atkinson to adjourn. 4-0. Meeting adjourned at 9:11 pm.

Respectfully submitted,

Barbara Knisely
Community Development Coordinator