



Planning Commission Meeting  
May 24, 2017  
6:03 p.m. Meeting

PRESENT: Mayor Cegelka, Gregg Bowen, Eric Johnson, Anthony DeCarlo, Tim Hauptert

OTHERS PRESENT: Engineer Mike Henry, CBO Bob Rodic, Law Director Mark Marong

**Motion by Mayor Cegelka seconded by Eric Johnson to approve the minutes of the April 12, 2017 and March 30, 2017 Planning Commission Meetings.**

**Yeas—Cegelka, DeCarlo, Hauptert, Johnson  
Abstain-Bowen  
4 yeas – 0 nays**

**Motion carried**

**OLD BUSINESS:**

**REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT TO CONSTRUCT A POND 27975 PERGL ROAD:**

Engineer Mike Henry reported; He is still working with Mr. Kulis on final plans. Mr. Kulis will be excavating the pond and creating a depression. The plan was revised to have a total of 2 ponds. He will not be putting a berm across the creek to hold the water back. Everything will flow through as normal. The conditions for approval recommended by Mike Henry are; final approval by Engineering, a as-built after the pond is completed and the pond will be reviewed one year after completion.

Mark Marong reported; Mr. Kulis was here last October and the Village had a Public Hearing on the topic. The Planning Commission had issues at that time with the letter submitted by the Army Corps of Engineers as well as there were issues from an adjacent property owner. The Planning Commission has authority per the Village Code section 1117.06; *In approving any such use or structure the Planning Commission may attach additional conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this Code, as may be necessary or appropriate to prevent or minimize adverse effects upon adjacent property.*

Eric Johnson questioned if there were questions after the adjacent property owner's Engineer reviewed the plans. Engineer Mike Henry received the following comments at 4:42 this afternoon; Mr. Agresta does not have any issues with the pond but did request 4 items.

- 1) The applicant's lake design should include an aquatic ecologist's evaluation and management recommendations that considers the runoff characteristics of the tributary watershed in its current state and the changes that may occur upon development of the upstream property.
- 2) The applicant's lake design should include a formal maintenance plan including specified periodic removal of sediment from his ponds, based on a calculated sediment load from the watershed and possible future upstream conditions.

3) Any re-submitted plans or permitting which indicate additional or expanded impacts to the Agresta property should be provided to 4186 Greenvale Company.

4) Any additional information regarding the existing pond water levels that has been generated by the applicant or Village Engineer should be provided to our office for evaluation of how best to address the encroachment onto the Agresta property.

Tim Hauptert questioned if the Village requires a periodic inspection of the pond even though it is a private pond. Mike Henry stated; there are no requirements the Village has but the Board can make it part of the Conditional Use, however when the Village has retention basins or basins that are used for water control or water quality a maintenance plan is required. This pond is not used for either. Mayor Cegelka questioned if he still needs more information before construction starts. Mike will have a fill and grading plan for the Falzini property of what Mr. Kulis takes out to construct the pond.

Eric Johnson questioned if any runoff from the tributary watershed change as far as the water from the adjacent property. Mike Henry stated; it does not.

Tim Hauptert questioned if there is a plan for vegetation after construction. Mike Henry reported; in the embankment Mr. Kulis will seed and mulch with a normal prairie grass.

**Motion by Eric Johnson seconded by Anthony DeCarlo to approve the request to construct a pond at 27975 Pergl Road predicated on the four conditions stated above, final plan approved by Engineering, and an as built survey of each pond, a review one year post construction, a grading plan for the excavated material and any information regarding pond levels before forwarded to Mr. Agresta.**

**Yeas—Cegelka, Bowen, DeCarlo, Hauptert, Johnson**

**Nays—None**

**5 yeas – 0 nays**

**Motion Carried**

## **NEW BUSINESS:**

### **REQUEST FOR SITE APPROVAL OF A RAISED PATIO DECK AT 29249 SOUTH VILLAGE LANE:**

CBO Bob Rodic reported; Surya Thapa received design approval for a raised patio deck. The property is zoned Village Center Home District and the requested use is permissible. He has received approval from the HOA. It is in conformity to the zoning code as far as the location and side yard width and rear yard depth. The deck will be of composite material.

**Motion by Eric Johnson seconded by Tim Hauptert to approve the request for a site approval for a raised patio deck at 29429 South Village Lane.**

**Yeas—Bowen, Cegelka, DeCarlo, Hauptert, Johnson  
Nays—None  
5 yeas – 0 nays**

**REQUEST FOR SITE APPROVAL OF A RAISED PATIO DECK AT 29368 NORTH VILLAGE LANE:**

CBO Bob Rodic reported; Gordon Goolmier received design approval for a raised patio deck. The property is zoned Village Center Home District and the requested use is permissible. He has received approval from the HOA. It is in conformity to the zoning code as far as the location and side yard width and rear yard depth. The deck will be of composite material.

**Motion by Eric Johnson seconded by Anthony DeCarlo to approve the request for a site approval for a raised patio deck at 29368 North Village Lane.**

**Yeas—Bowen, Cegelka, DeCarlo, Hauptert, Johnson  
Nays—None  
5 yeas – 0 nays**

**REQUEST FOR SITE APPROVAL OF A RAISED PATIO DECK AT 7272 AUSTIN POWDER DRIVE #30.**

CBO Bob Rodic reported; Jim Caronite received design approval for a raised patio deck. The property is located in the I.O.O.F. Fresh Air camp and is zoned in the Country Home District. The requested use is permissible. Mr. Caronite received approval from the Board of the camp. The plan complies with the zoning regulations as far as minimum side yard setbacks and rear yard setbacks.

**Motion by Eric Johnson seconded by Mayor Cegelka to approve the request for a site approval for a raised patio deck at 7272 Austin Powder Drive #30.**

**Yeas—Bowen, Cegelka, DeCarlo, Hauptert, Johnson  
Nays—None  
5 yeas – 0 nays**

**REQUEST FOR APPROVAL OF A LOT SPLIT PLAT FOR PP# 991-22-102 BROAD OAK LTD & WESTON GLENWILLOW LTD:**

Engineer Mike Henry reported; the lot split for building C is in conformance with the general requirements. There are a couple of items requested from the applicant to be included on the plat. The language will be worked out with Engineering and the Law Director. Mike Henry has no issue with an approval.

Mark Marong questioned what items are requested. Mike Henry replied; a storm water easement that extends from the current parcel that is being split, sub lot 7, that would have a 55 foot storm water easement over to Victory Parkway.

**Motion by Eric Johnson seconded by Anthony DeCarlo to approve the lot split plat for PP#991-22-102 subject to the final approval of the Law Department and the Engineering Department; the plat will not be signed until approval are made.**

**Yeas—Bowen, Cegelka, DeCarlo, Hauptert, Johnson**

**Nays—None**

**5 yeas – 0 nays**

**REQUEST FOR SITE APPROVAL OF A NEW 134,345 SQUARE FOOT STRUCTURE AT 31100 DIAMOND PARKWAY BY BROAD OAK LTD & WESTON GLENWILLOW LTD:**

Trevor Extine with Geis Companies was in attendance requesting site approval for a 134,345 square foot Building and 506 x 266 linear foot blueprint. The highest wall is 41 feet and the lowest wall is 36'8". There is a walk out on the west side for a fire pump room and an electrical room. All plans have been submitted. Mayor Cegelka stated this approval is only for site plan approval and building plans will be reviewed at the June ARB meeting.

Engineer Mike Henry stated; the plans have been reviewed and generally conform to the codes within the Village with the exception to what is shown on the plan and what is approved and what needs to be seen before final approval. Mike has no problem with approval with comments to be forthcoming before dirt is moved. No work is to be done until final approval is given. A landscape plan is forthcoming.

**Motion by Eric Johnson seconded by Anthony DeCarlo to approve the request for site plan approval of a new 134,345 square foot structure at 31100 Diamond Parkway subject to the final approval of the Engineering Department and Building Department before any permits are generated.**

**Yeas—Bowen, Cegelka, DeCarlo, Hauptert, Johnson**

**Nays—None**

**5 yeas – 0 nays**

**APPROVAL OF THE TINKERS CREEK TRAIL IMPROVEMENTS SOUTH OF PETTIBONE ROAD PLAN REVISION:**

Engineer Mike Henry reported; in December 2014 the Board approved a trail plan that extended from Pettibone Road to the end of Bond Street. Since then, the plan has been modified slightly. The major change has been the location of the parking lot. Initially the plan was to put the parking lot at the back of Bond Street. After discussions, it was decided to put in on Pettibone Road at the north side of the intersection at Pettibone and Bond Street. It will be more localized there and be closer to the trail that is already there. The parking lot will have 10 parking spaces and possible restrooms in the future. The restrooms are not on the plan. The total estimated cost of the trail is \$245,000 and the Village received \$119,000 and additional funding from private resources. The trail is 1 mile long and runs along Tinkers Creek.

**Motion by Anthony DeCarlo seconded by Eric Johnson to approve the request for approval of the Tinkers Creek Trail improvements south of Pettibone Road plan revision.**

**Yeas—Bowen, Cegelka, DeCarlo, Hauptert, Johnson**

**Nays—None**

**5 yeas – 0 nays**

Mayor Cegelka reported; Mantua Manufacturing is looking to put up a building next to the GED building. An approval of a tax incentive agreement with them was put on first reading at the last Council meeting. A site plan approval and lot split will be on the agenda for the June 14<sup>th</sup> meeting.

**REQUEST FOR SITE APPROVAL OF A FREE-STANDING SIGN FOR THE DONALD NORMAN PAYNE PARK LOCATED ON AUSTIN POWDER DRIVE:**

Bob Rodic reported; design approval was given for a free standing sign for the Donald Norman Payne Park by the ARB this evening. The property is zoned in the Village Center Business District. The sign will be eleven feet in area and stand less than 6 feet and mounted on 4"x4" wooden posts. The sign will blend in with the other signs throughout the Village and conforms to the Zoning Code.

**Motion by Anthony DeCarlo seconded by Mayor Cegelka to approve the request for site approval for a free standing sign for the Donald Norman Payne Park.**

**Yeas—Bowen, Cegelka, DeCarlo, Hauptert, Johnson**

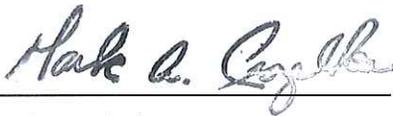
**Nays—None**

**5 yeas – 0 nays**

Mayor Cegelka recognized Economic Development Director Peggy Spraggins. She has been very instrumental in helping with the agendas for the Boards and Commissions and securing grants for various projects.

There being no further business to come before the Planning Commission, motion by Tim Hauptert seconded by Eric Johnson to adjourn the meeting. Vote on the motion to adjourn was all yeas and no nays.

The meeting was adjourned at 6:52 p.m.



Planning Commission



Planning Commission Secretary-Lori A. Pepera



**DONALD G. BOHNING & ASSOCIATES, INC.**

CIVIL ENGINEERING & SURVEYING

7979 HUB PARKWAY • VALLEY VIEW, OHIO 44125 • (216) 642-1130

FAX • (216) 642-1132

May 24, 2017

Village of Glenwillow Planning Commission  
29555 Pettibone Road  
Glenwillow, Ohio 44139

Attention: Gregg Bowen, Planning Commission Chairman

Re: Proposed Pond  
27975 Pergl Road  
Village of Glenwillow, Ohio

Dear Mr. Bowen:

On behalf of the 4186 Greenvale Company, owner of adjacent property (Permanent Parcel Nos. 991-07-017 & 991-07-018, herein referred to as "the Agresta property"), we are submitting this correspondence in regard to Joseph Kulis' request for approval to construct a second pond on his property at 27975 Pergl Road.

Since the Public Hearing on this application held by Planning Commission on October 12, 2016, we have been in discussions with Mr. Kulis regarding various property issues. Of particular relevance, we have looked into and discussed the encroachment of his existing pond onto the Agresta property. Given that the area in question is within a natural stream corridor, the minor pooling and temporary backup of water that may occur due to Kulis' existing pond appears unlikely to be a detriment to the Agresta property. Ongoing discussions have focused on possibly creating an easement held between the two property owners to cover the impacted area, though to date nothing has been finalized.

As long as the Village Engineer is satisfied that the new pond, and the existing pond berm and spillway modifications, will not extend the permanent or temporary ponding conditions further onto the Agresta property by increasing the water elevations in the existing pond, the 4186 Greenvale Company does not object to the creation of a second pond downstream of the existing pond.

Notwithstanding the above, if a final agreement regarding the existing pond encroachment cannot be reached between the property owners, the 4186 Greenvale Company reserves all of their property rights and the right to pursue future action as applicable to mitigate such encroachment.

Also, the comments and recommendations in our letter dated October 12, 2016, provided to the Planning Commission for the Public Hearing, still apply. To summarize and update the recommendations:



**DONALD G. BOHNING & ASSOCIATES, INC.**

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1.) The applicant's lake design should include an aquatic ecologist's evaluation and management recommendations that considers the runoff characteristics of the tributary watershed in its current state and the changes that may occur upon development of the upstream property.

2.) The applicant's lake design should include a formal maintenance plan including specified periodic removal of sediment from his ponds, based on a calculated sediment load from the watershed and possible future upstream conditions.

3.) Any re-submitted plans or permitting which indicate additional or expanded impacts to the Agresta property should be provided to 4186 Greenvale Company.

4.) Any additional information regarding the existing pond water levels that has been generated by the applicant or Village Engineer should be provided to our office for evaluation of how best to address the encroachment onto the Agresta property.

If you have any questions or need additional information don't hesitate to contact our office.

Sincerely,

DONALD G. BOHNING & ASSOCIATES, INC.

*David M. Gracon*

David M. Gracon, P.E.

cc: File 4618

*ADD AS -  
A motion*