

Record of Proceedings
Village of Peninsula
PLANNING COMMISSION

Held: April 23, 2018

CALL TO ORDER: The Village of Peninsula Planning Commission convened from 7:05 p.m. to 8:53 p.m. in the Peninsula Village Hall. The following members and visitors were present.

COUNCIL MEMBERS:

Doug Mayer, Mayor	PRESENT	Karen Walters	PRESENT
Joe Mazur	PRESENT	Greg Canda	PRESENT
Christopher Weigand	PRESENT	Solicitor Brad Bryan	PRESENT

OTHERS PRESENT: Matt Padrutt, Jodi Padrutt, Carol Kramer

MAYOR'S REPORT: The Mayor reported that he met recently with the Ohio EPA about the wastewater project. The EPA wanted to know why he wanted the Village to be put into findings and orders. The Mayor did not know what they were talking about. They explained that they were contacted by a representative from Stantec who stated the Mayor had asked for the EPA to document we had done wrong as a Village and things had to be fixed. The Mayor reported the EPA has no findings or orders on Peninsula. He thought it was reprehensible for Stantec to use the authority of the Mayor and Council to have the Village sewers condemned. If they follow through, they would have to be installed by a deadline. He stated Stantec wanted a letter with a deadline stating the Village would be heavily fined if it was not met. The Mayor stated he found this insulting and nervy. The Mayor asked the state loan people to stop the money on this project and Stantec to stop the project until we get it discussed and sorted out. The issue will be presented to Council where it needs to be worked out. The Mayor has asked to have his name kept out of discussions on this matter. The EPA wants to have a meeting to explain. A question was asked regarding recent enforcement actions by the EPA on permit holders despite the agreement to hold off on enforcement for 2 years. The EPA is requesting compliance from the Foundation, Fisher's, and D'Andreas. The Mayor stated the EPA is satisfied with the school's actions at this time.

Ms. Walters, Mr. Weigand, and Mr. Bryan explained it was their understanding that Stantec was asking the EPA to put its decision that it was holding off on enforcement action against the Village permit holders for 2 years while the Village moved forward with the Project in writing. Stantec was requesting the letter to assist with trying to get more points in connection with funding grant applications for the project.

PLANNING COMMISSION REPORT: The Minutes from the February 26, 2018 and March 26, 2018 Minutes were distributed. Both Minutes had the wrong meeting dates on the headers. A motion to amend the February 26, 2016 Minutes to correct the date was made by Mr. Canda and seconded by Mr. Weigand. All were in favor of the amendment, and none were opposed. Mr. Canda made a motion to approve the February 26, 2018 Minutes as amended, and Mayor Mayer seconded the motion. All voted in favor with Mr. Mazur abstaining. The February 26, 2018 Minutes were approved as amended.

Mr. Canda made a motion to amend the March 26, 2018 Minutes to correct the date on the header and approve the Minutes as amended. The motion was seconded by Ms. Walters. All were in favor of approval with Mayor Mayer abstaining. The Minutes were approved as amended.

PLANNING COMMISSION PARTICIPATION:

Hiring of Long Range Plan Consultant: A discussion was had about whether it was fair to ask the consultant to work without a signed contract while waiting for the budget to be amended. It was decided to postpone having the consultant start work in May, and the May Long Range Plan Meeting was cancelled.

OLD BUSINESS:

Parking Meters vs Parking Pay Stations: The Commission agreed that no more consideration should be given to the installation of individual per space parking meters. The residents on the pertinent streets do not want them, they take up too much room near the sidewalks, and they were deemed not to be a workable solution for the Village. It was decided that a presentation is needed for the next meeting on pay station options from other contractors than the ones that already made a presentation. The Mayor stated the Police Department needs to be invited to the meeting.

Wastewater Project: Ms. Padrutt brought up concerns about the proposed measurement of sewer flows via EDUs in connection with the wastewater project. She also mentioned there were no records from the County Health Department showing that Village properties are not in compliance. She asked why the sewers are needed and whether members of the Planning Commission voted to support the current plan. Commission members were also asked whether they supported putting the matter up for a vote of the electorate.

Commission members questioned the validity of the information as reported from the Health Department. The Commission said that yes, they did support the plan. Mr. Weigand stated the municipality needs to support infrastructure improvements. The Mayor stated that he started the project several years ago because the EPA was going to shut down businesses. The goal was to help the community. Since then, committees have taken it over. The Mayor says the four options studied in the Preliminary Engineering Report were a County sewer, an aeration system (this would smell and look unpleasant), a filter system (high-tech and costly), and doing nothing. The Mayor stated the do nothing option and leaving everyone on their own to deal with their own systems was not sufficiently considered. The Mayor feels the community should vote on the issue. Mr. Weigand stated he felt the elected officials were elected to decide these issues. Ms. Walters stated the property owners who live in the Village, rather than absentee landlords, should be deciding these issues. A concern was that inaction may cause the federal or state government to mandate a solution and create added problems. Mr. Mazur expressed concern about the odors in the Village and the condition of his well water.

Short-Term Rentals: Mr. Bryan summarized his 2016 memo to the Planning Commission on this topic that outlined the goals and issues associated with regulating short-term rentals and how other communities have regulated them. It was suggested that tax revenues could be derived from these businesses. Any regulations would have to be fair to all properties, clearly tailored to address any Village concerns, equally enforced, and easy to implement and enforce.

Some ways other communities have handled these properties are banning them altogether, licensing and taxing them, putting caps on the amount of properties that can be licensed, enacting proximity or zoning district limitations, putting a cap on the number of rental days per year, limiting them to only owner-occupied properties, requiring inspections, and requiring minimum rental periods (or some combination of the above). A question was brought up as to whether litigation has occurred with respect to any of these regulations. Mr. Bryan stated the regulations have generally been upheld as long as the community could show a nexus between a problem the community was trying to address and reasonable regulations addressing the problems. He mentioned a Sandusky ordinance that was struck down by the Court because the definitions in the ordinance were determined to be vague.

Ms. Walters stated she wants to have an open discussion at the next meeting regarding this issue. She wants to hear from residents, renters, and owners. There is a problem at rentals where parties occur, and no one is there to keep it under control. The thought is that short-term rentals should not be over-regulated. The residents come first, and the tourists need a place to stay. A tax would create revenue and would be paid by the visitor, not the owner. It is important for the owners to live in Peninsula and not simply own homes that are commercial ventures.

NEW BUSINESS: Mr. Mazur stated this is his last meeting. He is resigning from the Planning Commission due to personal time constraints. He wished the Commission good luck going forward.

MOTION TO ADJOURN: Mr. Mazur made a motion to adjourn that was seconded by Mr. Canda. All were in favor, and none were opposed. The Meeting adjourned at 8:53 p.m.

Karen Walters, Chairperson

Date