

RECORD OF PROCEEDINGS
Village of Peninsula
PLANNING COMMISSION

Held: March 24, 2015

Page 1 of 6

CALL TO ORDER: The Village of Peninsula Planning Commission convened from 5:34 p.m. to 6:56 p.m. in the Peninsula Village Hall. Karen Walters called the meeting to order with the following members and visitors present:

ROLL CALL:

Karen Walters	Present	Michael Matusz	Present
Lawrence Milhoan	Absent	Michael Kaplan	Present
Douglas Mayer, Mayor	Present		

OTHERS PRESENT

Elizabeth Workman, Mary Booth, Lynda Logan, Paul Logan, Joe Dowling, Lynn Dowling, Gary Beckley, Debra Beckley, Mr. Peterson

CITIZEN PARTICIPATION

Mary Booth- asked what the Commission's plan was regarding the waste water. The Mayor reported that at this time, the Commission has not setup any research committees. The Mayor has been researching and has talked to Summit County. Summit County Engineers are working on 2 systems. He has met with and talked to the EPA regarding what direction they would like to see the Village proceed in. There has been discussion with the National Park, regarding property; using park property for installation of a possible treatment plant. They are willing to have further discussions. The Mayor plans to set up another meeting within the month. Ms. Booth asked if he was doing this as Mayor or on behalf of Planning Commission.

Mr. Kaplan expressed concern that the Mayor was acting without the assistance of the Planning Commission. It is mandated and therefore required that the Planning Commission has to have a role. The project needs to be entrusted to the Planning Commission, which the Mayor is a member. He hopes that the matter is brought to the Planning Commission and if meetings are being set-up with the park or the EPA or the county that the Planning Commission, be part of that, including the Council and including the Mayor.

Mayor Mayer stated that the last time there was a joint meeting with the park, Karen Walters represented the Planning Commission, Dee Holody represented Council. Members of The Planning Commission and Council and other people with interest in the community (primarily the Foundation since 20 of their properties will be impacted) have gone on a field trip to look at other systems. There have been meetings, he has not attended alone, he has taken Council, Dee Holody, Karen Walters and Buddy Milhoan. Mayor Mayer stated that the CVNP has shown interest in working withus on this project. At this point there are no numbers as to what it would take to connect the system. Due to the uniqueness of the town's topography, the river, being in a valley etc, it's either pipe it up, pipe it out, or

03/31/15

RECORD OF PROCEEDINGS
Village of Peninsula
PLANNING COMMISSION

Held: March 24, 2015

Page 2 of 6

have a plant in town. If a plant is installed in town, which property are we going to give up? When the time comes to discuss all options, there will be a public notice.

Ms. Booth expressed that she would like all types of plans considered and that the Planning Commission needs to be doing more field trips and research so that we are able to make an informed decision when the time comes. And that the principal at Old Trail School, contacted recently, would be willing to come and talk to the Mayor and Commission about how their system is doing. She asks we (The Planning Commission) make sure all options are well considered and that we are also transparent with findings

Ms. Walters asked members for their consideration of meeting minutes.

Carol Kramer brought it to the attention of the Commission that there was an error in the meeting minutes for November 25th which read: **CALL TO ORDER:** The Village of Peninsula Council. Minutes should read: **CALL TO ORDER:** The Village of Peninsula Planning Commission.

Mr. Kaplan made an objection to approving the minutes from the last meeting. Stating that he hasn't seen anything from the last meeting. Wanted to air the problems with the meeting of Dec 6th.

Ms. Walters stated that given the error on the minutes, they can't be approved at this point. Mr. Kaplan asked to table consideration of the minutes for November 25th and December 6th and asked when the minutes of the last meeting would be available. Mayor Mayer stated that we have the minutes, and presented a copy of the minutes which were transcribed by a court reporter and that copies would be made available to anyone who would like a copy. Mr. Kaplan stated that he would like a copy and a copy was given to him.

Mr. Matusz asked why the minutes could not be approved. Mr. Kaplan stated that Mike Matusz was not at the last meeting and there were problems. He stated that what happened on December 6th was improper, 3 members of Planning Commission got together without notice.

Mayor Mayer stated that there was discussion about that meeting and you asked to have the meeting struck and all the words struck, and that motion was not seconded. Mr. Kaplan said that nothing was done with respect to the December 6th meeting, you haven't documented the minutes, you haven't dealt with the fact that notice was not given to all the members of Planning Commission. Mayor Mayer asked if the matter could be discussed at another meeting and stated that there was an audience that would like to move forward. Commission agreed.

03/31/15

RECORD OF PROCEEDINGS
Village of Peninsula
PLANNING COMMISSION

Held: March 24, 2015

Page 3 of 6

NEW BUSINESS

Ms. Walters announced the Public Hearing at property 1856 Main Street regarding a Bed & Breakfast, a Conditional Use application. Mr. Gary Beckley presented his plan for a Bed & Breakfast in the Village and the Commission posed questions, which Mr. Beckley answered. Ms. Walters opened the floor to the neighbors of the Buckley's who were present. Ms. Logan stated that she and her husband Paul were in full support of having the Bed & Breakfast in the community. Bill Dowling, stated that he and his wife Lynne were not residents, however Lynne is co-owner of a business in the village, Yellow Creek Trading Co. and they are very much in favor of the B&B. Chris Weigand also expressed his support of this type of business coming to the village, providing people coming to the village a place to stay. Ms. Walters asked if the Commission had any other comments. Mr. Kaplan asked if adding a bathroom to the property had been approved by Summit County Public Health Department. Mr. Beckley reported that it was his understanding that he would first need to get approval from the Planning Commission, and then they would go to Stow and then step 3 would be to go to the county. Mr. Kaplan asked if any grant given by council would conditional upon receiving permission to expand that bathroom. Mr. Buckley replied absolutely. Mr. Kaplan implied that at the last meeting that it was announced that the public hearing would be held on March 17th and had been changed. Mr. Kaplan asked Mr. Beckley if he had received notice on March 17th as opposed to March 24th. Mr. Beckley stated that he made contact with the Village Hall, and was told that it was the 24th. Mr. Kaplan than asked the chair if there is record of notice being given to all neighbors, saying it was the 24th? And record that they were properly sent, properly signed, to everyone within 300 feet? Mayor Mayer replied that 23 letters sent out. Mr. Kaplan asked for a statement and copy of what was sent out for the Commissions records. Mr. Peterson stated that he is a neighbor from across the street, and he got the letter and they are fine with it. Mr. Kaplan stated that he is in favor of the proposal that he just wants to make sure that all the T's are crossed, so that someone doesn't come back later and question what was done. Mayor Mayer stated that Lori has the report, and Elizabeth Workman will copy and deliver to Mr. Kaplan.

Ms. Walters asked if there was anything else.

MOTION: TO ACCEPT THE CONDITIONAL USE OF PROPERTY 1856 MAIN STREET
AS A BED AND BREAKFAST

Moved by Michael Matusz, seconded by Douglas Mayer

Mr. Kaplan wanted to amend conditional to the bathroom being added. Solicitor Hesske explained that the Beckley's need to do things in a certain order per Summit County. Without the village approval, the Beckley's would not be able to move forward.

Mr. Kaplan read from the Tolle's application from 1989 and asked the Beckley's if it was the same as their plan. If they were going to live there. If the rooms were going to be the same. Mr. Beckley said

03/31/15

RECORD OF PROCEEDINGS
Village of Peninsula
PLANNING COMMISSION

Held: March 24, 2015

Page 4 of 6

that they were going to live there, he clarified on the changes they have planned with regard to bedrooms and addition of bathroom. They will not allow children or pets.

MOTION: TO ACCEPT THE CONDITIONAL USE OF PROPERTY 1856 MAIN STREET AS A BED AND BREAKFAST

Moved by Michael Matusz, seconded by Douglas Mayer

Votes were as follows: Karen Walters, aye; Michael Matusz, aye; Michael Kaplan, aye; Douglas Mayer, aye; Lawrence Milhoan, absent.

Michael Matusz made an announcement that the village is switching from CCA to RITA, and there will be an informational meeting at the Peninsula Library, March 31st at 7:00.

OLD BUSINESS

Members discussed temporary housing rentals within the Village and lodging tax opportunity. Solicitor Hesske reported on what other communities are doing and explained that if it is a permit and not a tax, Council has the ability to bring forth a resolution and/or an ordinance and approve it. If it is a tax, then it would go on the ballot as an issue. Mr. Kaplan asked if this would be up to Council or if this is a Planning Commission function. Solicitor Hesske said yes and no, it is the function of the Planning Commission to research and recommend why it would be beneficial. Council would look at Planning Commission's recommendation. Mr. Kaplan asked if there is a cap. Solicitor Hesske said there is a cap and she would be happy to do the research and find out. Mayor Mayer stated that the number of rentals in the community is probably higher than we realize, and expressed concern over the loss of 2% income tax for short term rentals. And for the ones that are short term the landlord would have to get a permit so the village is getting something from them. Members discussed short term leases as opposed to Bed & Breakfasts and agreed to look at all types of rentals.

Members discussed a yearly inspection of rental properties in order to receive a rental permit and concerns were raised pertaining to this being legal.

Solicitor Hesske stated that at this point and time there are 3 scenarios, 1 is the Bed & Breakfast, and second the long term lease, and third the mini hotel and suggested that there is a hybrid that all three could fall under. Peninsula is not the only community that has this.

Mayor Mayer expressed concern that the village stays a rural community and the zoning has changed a few years ago, that you can put a door anywhere you want, at this time a house could have 5 entrances. He stated that there has to be a way to monitor houses so that they don't get butchered up and don't turn in to small motor lodges. Mr. Kaplan disagreed that the village doesn't have the right to do this.

03/31/15

RECORD OF PROCEEDINGS
Village of Peninsula
PLANNING COMMISSION

Held: March 24, 2015

Page 5 of 6

Solicitor Hesske stated that zoning takes care of this, if someone wants to make changes, they have to come before zoning and there are controls in place.

Ms. Walters stated that she takes a little different stand than the others in the room. Our community is changing and there is a need. It's a wonderful thing to have these, because people are coming to the park, and whether you are for the park or against the park the park is here and people want to come here and stay here. The commerce of the village depends on those people coming here, so how encroaching do we want the village to be? Solicitor Hesske Agreed. Mr. Kaplan stated that acknowledging that 3 million visitors drive here from hours away and wouldn't it be nice if they each left a couple pennies behind? Whether we like it or not 40 years down the road, the economic future of the community is tied to the National Park. As the community changes, how do we get our fair share of the person who benefits and takes advantage of our community and then leave the community at the end of the day or end of the weekend? The reality is 600 people have basically financed the recreation of 3 million visitors. Solicitor Hesske stated that maybe it is a tax or some type of permit. Members discussed a bed tax or having the property owner buy a permit and how it will be enforced.

Ms. Walters reiterated the need to sit down and talk to Summit County sooner rather than later with regards to Wastewater and stated that she spoke to the Headmaster at Old Trail, who unfortunately stated that system is starting to fail. It could be that it needs maintenance, he did not go into detail, but he said that that particular system would not suit a whole community this size. Mr. Kaplan stated that he doesn't know why this isn't being entrusted to Planning Commission. Solicitor Hesske commented that the community doesn't want this to become rogue, Summit County has to listen to these communities as far as what they want and there has to be some common ground. Clinton Ohio looked into other systems and the started to butt heads with Summit County, and made a giant mistake in calling EPA.

Members discussed having a public meeting to discuss the options with the Wastewater system. Mayor Mayer stated that Summit County is putting together a proposal together, as of last Friday, Mike Went said he was taking it to Russ Pry for approval. The mayor doesn't know what it is, if it's a pump, if it's a plant, if it's a vacuum system. They are just now at the point that they can come to a meeting, and he isn't sure they can come, but they just now have something. Solicitor Hesske stated that nothing has been approved, nothing has gone in front of Summit County Council. And if the community does come up with a plan, you actually have to go back to Summit County Council, because they are the final say.

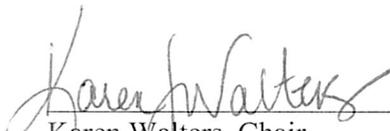
Respectfully submitted:

03/31/15

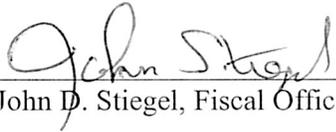
RECORD OF PROCEEDINGS
Village of Peninsula
PLANNING COMMISSION

Held: March 24, 2015

Page 6 of 6


Karen Walters, Chair

10. 27 / 2015
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Date


John D. Stiegel, Fiscal Officer

12/1/15
Date

The Village of Peninsula's next regular meeting of Planning Commission will be held April 28th, 2015 at 5:30 pm at the Village Hall within Council chambers. Council Chambers are on the second floor of the Village Hall, 1582 Main Street, Peninsula, Ohio, 44264. (Corner of Akron-Peninsula Road and State Route 303)

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03/31/15