

**RECORD OF PROCEEDINGS**  
**VILLAGE OF PENINSULA PLANNING COMMISSION**  
**March 25, 2019 REGULAR MEETING**

Call to Order: The Meeting was called to order by Mayor Doug Mayer at 7:02 p.m.

Roll Call:

In Attendance:

Karen Walters – Chairperson ✓  
Kevin Royer  
Doug Mayer- Mayor  
Greg Canda

Absent:

Brad Bryan – Village Solicitor  
Chris Weigand

Others Present:

Martin Phelps – 5978 Canal Street  
Tony Catalano, Stow Building Department  
Rita McMahon, Aislinn Consulting LLC

Attachments:

Ohio History Connection Letter June 19, 2017  
City of Stow Letter December 6, 2018

Consideration of Minutes:

February 25, 2019 Planning Commission Meeting

Mayor Mayer made a motion to approve the Minutes of the February 25, 2019 Planning Commission Meeting that was seconded by Mr. Royer.

Roll call vote: Mr. Royer, yes; Mr. Mayer, yes. Ms. Walters, abstain; Mr. Canda, abstain. The February 25, 2019 Planning Commission Meeting Minutes were approved.

Citizens Participation: Mr. Hrovat of 1710 Stine Rd expressed his concerns about industrial well pump trucks that are parked in his neighbor's driveway, which is in violation of zoning ordinances. He stated the Planning Commission should start addressing businesses that are run out of a home in a residential district.

5978 Canal Street Property: The Village Building Code, Sections 1311.07, Right to Demolish, and 1311.075, Historic Review Before Demolition, were reviewed as they pertain to the 5978 Canal Street Property.

Tony Catalano, the Village's Building Official from Stow Building Department, reported he received a phone call from Mayor Mayer about the unsafe property and vandalism reports from the Peninsula Police Department for 5978 Canal Street. He then conducted an onsite inspection of the property. In his opinion, the property is in an irrefutable deplorable condition. On December 6, 2018, a letter was sent to the property owner, Martin Phelps. Pursuant to Chapter 1311 of the Codified Ordinances, he has declared the dwelling to be a Dangerous Building, and therefore, a public nuisance. (See attachment) There is no sanitary system. The original system was an outhouse. He is not sure how long it has been vacant, but it is obvious it has been at least a decade. This building has fallen in such disrepair that it has become a very dangerous building and public nuisance.

Mayor Mayer stated the last person resided at that address well over ten years ago. He didn't live in the house. He lived in a shipping container in the yard. The house is an embarrassment to the Village and should be an embarrassment to Mr. Phelps after owning it for thirty years. Mayor Mayer referenced Mr. Phelps prior admission that he had done little to maintain it since he has owned it. This is an accident waiting to happen, and the Village is going to take action to eliminate any potential of an accident for anyone on the towpath.

Mr. Catalano stated no one could live in the house until a sanitary system and a means for portable water are installed. Mr. Catalano stated, in his professional opinion, this house is beyond repair. When he designates a house as dangerous, it is beyond repair. Mr. Phelps is beyond the thirty day threshold to repair or tear down the property. Mr. Catalano stated he has done asbestos abatement testing on the property, and there is no asbestos. The Village should move forward and have the house torn down and give the required ten-day notice to the EPA. Alden Excavating provided the lowest bid to perform the property demolition at the cost of \$6,575. The bid includes the removal of all building material, cleaning up the site, and restoring it back to its natural state. A discussion took place about whether the demolition company could salvage some materials from the house and give first opportunity to Peninsula residents to purchase them.

The Mayor made a motion to send this proposal for demolition of the structure located at 5978 Canal Street to Village Council for approval. The motion was seconded by Mr. Royer.

Roll Call Vote: Mr. Royer, yes; Mayor Mayer, yes; Ms. Walters, abstain; Mr. Canda, yes. The motion was approved.

Mayor's Report: The Mayor stated he had nothing to report.

Council Report: In Mr. Weigand's absence, the Mayor stated he had nothing to report.

Short Term Rentals: Ms. Walters reported she has asked members of the Planning Commission to provide her with their preferred options for dealing with Short Term Rentals. She realizes it is a major concern to many Village residents. This issue will be fully discussed at the next Planning Commission Meeting on April 22<sup>nd</sup>, as the Commission prepares to move forward to address this issue.

Citizens Participation: A discussion took place about the property located at 6287 Riverview Rd, Winding River Farm Air B&B. The property owner has been remodeling the barn structure. According to the building permit, Summit County Public Health issued permit to install a bathroom in the barn that would be tied into the current septic system. That approval was based on the information provided by owner. The time has come to address this type of business being operated in a residential area and still preserve the opportunities for properties that are currently being operated as short-term rentals. The Long Range Plan is in the process of being updated and will address short term rentals, but we must make sure that we follow ORC/state regulations and not over step our bounds. It was suggested to follow the guidelines set by Air B&B in establishing Air B&Bs with in your community.

Review of Proposed Historic Overlay District Ordinance: Ms. McMahon presented the following information on the Historic Preservation Overlay District Ordinance Design Criteria sections relating to General Standards, Standards for Alteration, Standards for New Construction, Standards for Site Improvements, Historic Preservation Overlay District Demolition and Moving of Structures, Historic Preservation Overlay District Protective Maintenance, Required Emergency Conditions, and Fees.

Everyone was reminded about the upcoming public meeting for community input on the Long Range Plan Update scheduled for April 1, 2019 at the G.A.R. Hall.

Adjournment: Mr. Royer made a motion to adjourn that was seconded by Mayor Mayer. All were in favor of the motion; none were opposed. The Meeting was adjourned 10:14 p.m.

Karen A Walters  
Karen Walters, Chairperson

4.22.2019  
Date