

**RECORD OF PROCEEDINGS
VILLAGE OF PENINSULA PLANNING COMMISSION**

Held: Monday, September 23, 2024

CALL TO ORDER: Mayor Schneider called the meeting to order at 7:02 p.m.

ROLL CALL:

Chairperson Karen Walters	Present; arrived at 7:11 p.m.
Kevin Royer	Present
Greg Canda	Absent
Council Rep. Doug Steidl	Present
Mayor Daniel Schneider, Jr.	Present

OTHERS PRESENT: Village Planner Rita McMahon, Solicitor Brad Bryan, County Director of Department of Sanitary Sewer Services Michael Vinay, Burgess & Niple Project Manager Mary Ann Driscoll, County Kinley Horn Engineering Consultant Dave McCallops, and CVNP Assistant Superintendent Ivan Kassovic.

CONSIDERATION OF MINUTES:

June 24, 2024 Planning Commission Meeting

Mayor Schneider made a motion that was seconded by Mr. Steidl to approve the Minutes for the June 24, 2024 Meeting. Roll call vote: Mayor Schneider-yes; Mr. Royer, yes; Mr. Steidl, yes. The Minutes were approved.

CITIZENS PARTICIPATION:

Councilperson Dick Slocum thanked the County and Engineers for attending the meeting. He stated he is concerned there is not enough space between the plant and creek for hikers to get by the plant on the southeast side. He asked for the dimensions of the plant to be staked out so that everyone could see the footprint of the proposed location.

MAYOR'S REPORT: The Mayor reported Council authorized him and Councilperson Najeway to reach out to neighboring communities about their interest in providing water to the Village and on what terms.

COUNCIL LIAISON REPORT: Mr. Steidl reported at its last meeting, Council passed legislation prohibiting marijuana growth, processing, and retail facilities in the Village. The short-term rental ordinance amendment legislation was on second reading and will advance to a third reading at the October Meeting. The Fire Board is concerned about the Fire Department's finances. Council authorized Councilperson Najeway to seek quotes for taking down the barn and removing the asbestos.

NEW BUSINESS:

Resident Request for Legislation to Prevent Parking of Box Truck and 20' Equipment Trailer on Residential Property

Mr. Bryan explained that Robert Hrovat, 1710 Stine Road, contacted the Village regarding his neighbor, who parks a trailer and a box truck in his (the neighbor's) driveway. Mr. Bryan explained that action is not currently prohibited by the Village Code. Mr. Hrovat expressed his concern about the aesthetic impact of parking such vehicles in residential

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neighborhoods and the effect on property values. He also complained about the neighbor leaving junk in the trailer. Mr. Bryan stated there are ordinances in place regarding unclean premises and keeping junk outside. Mr. Hrovat quoted an ordinance related to parking that he thought was relevant to the issue. Mr. Steidl stated that he would like to clarify the applicability of that ordinance with the Village Planner and the Solicitor. Mr. Bryan and Ms. McMahon stated it did not apply to the situation about which Mr. Hrovat is complaining. Ms. McMahon suggested that she and Mr. Bryan come up with some options if the Planning Commission wants to take action to address Mr. Hrovat's parking complaint.

Review and Consideration of Site Plan Application from County of Summit, Department of Sanitary Sewer Services, to Locate Wastewater Treatment Plant within Designated Closed Portion of Village Akron-Peninsula Road Right-of-Way at the North End of North Locust Street (D.S.S.S. Project Q-28)

Ms. McMahon explained, as stated in her memo to the Commission, the Village received an application from the Summit County DSSS and its Engineering firm Burgess & Niple, Inc. to construct a wastewater treatment facility on the Village owned, unused, closed portion of the Akron-Peninsula Road right-of-way at the north end of N. Locust Street. As a public utility that seeks to be located within a public right-of-way, the use of the site is not subject to Village zoning requirements. The Village does, however, need to approve the plan for the utility to locate within and use in the Village right-of-way.

Ms. McMahon described the proposed footprint of the facility within the right-of-way area and that it will consist of a building to house the equipment, a sludge holding tank, clarifier tank, several aeration tanks, and an EQ tank. The design includes a concrete drive to access the facility. The site is to be surrounded by an 8 ft. high brown vinyl fence and a landscape buffer. The proposed building will be constructed of split face brick size block that will match, to the extent possible, the color of the Village Hall building. In reviewing the application, the Commission is tasked with addressing the compatibility of the proposed plan with the area and ensuring the use is consistent with the purposes and intent of the Village Long Range Plan. Ms. McMahon recommended, since the facility will occupy most of the width of the right-of-way area, that the County, Village, and CVNP collaborate to identify an alternate access location, if necessary, for hikers and bikers who use this unofficial trail, unless the fence is able to be moved back near the southeast corner of the facility to allow for passage between the facility and top of the creek bank. Ms. McMahon also recommended that any approval be conditioned on obtaining the necessary easements over the General Die Casters and Terry Lumber properties for the effluent outfall pipe.

Ms. McMahon expressed her opinion that the overall layout and design of the facility is in keeping with the general character of the Village, and the equipment building is designed to match the general aesthetic of Village Hall in color and texture. The 24 ft. height of the roof peak is within the scale and general character of other buildings found in the surrounding area. The fence will screen the aeration tanks except for the access points to the tanks. Ms. McMahon stated approval should also be conditioned on providing a detailed landscape plan acceptable to the Village prior to construction.

Mr. Bryan requested County DSSS Director Michael Vinay and Burgess & Niple Engineer Mary Ann Driscoll to provide more details about the facility. Mr. Vinay emphasized that the plant will comply with air quality requirements and will not generate significant noise.

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He stated the sludge will need to be removed on an average of once per month, depending on the flow usage. Ms. Driscoll stated the plant's natural gas generator will need to run once per week for 30 minutes. The plant will be checked once per day by someone from the department.

Mr. Steidl and Ms. Walters emphasized the importance of maintaining path access for hikers and bikers. Ms. Driscoll stated she thinks the plan can be reconfigured to move back the fence near the southeast corner to allow access past the plant within the right-of-way in that area. Ivan Kassovic from the CVNP emphasized there is no official Park trail in the area. He stated someone has built bike ramps on Park property further up the hill, and there is an open federal investigation into that matter. Mr. Vinay confirmed his department would continue to work with the Village and the Park on this issue, but noted he does not want to do anything to encourage more use of the unofficial trail and put the infrastructure at risk.

Ms. Walters asked if the fence could be wood instead of vinyl. Mr. Vinay stated he would discuss that matter with his maintenance staff but noted a wooden fence would be harder to maintain.

Mr. Steidl made a motion that was seconded by Ms. Walters to table the application until the October Planning Commission Meeting to permit the applicant to see if it could submit new plans that angled the fence to allow for pedestrian and bike access between the fence line and the top of the creek bank, with the option to schedule an early Special Planning Commission Meeting if necessary. Mr. Vinay stated that November approval would fit within the Project's timeline. Roll call vote: Mayor Schneider, yes; Ms. Walters, yes; Mr. Royer, yes; Mr. Steidl, yes. The motion was approved.

Ms. Driscoll stated her firm would work on reconfiguring the plan as requested. She stated a landscape plan could be submitted, and she could have their surveyor stake the footprint of the facility so that everyone could see where it would be located.

OLD BUSINESS:

Area Master Plan

Mr. Slocum shared that a walking and bike path from the old golf course property to downtown is being discussed, along with potential crosswalks on each side of the river. The Committee also discussed whether to streetscape Main Street and make any changes to the configuration of street parking in the area. Mr. Steidl asked the Commission to review the commercial zoning district lines on North Locust at some point in the near future.

ADJOURNMENT: Ms. Walters made a motion to adjourn that was seconded by Mr. Royer. Roll call vote: Mayor Schneider-yes; Ms. Walters, yes; Mr. Royer, yes; Mr. Steidl, yes. The meeting was adjourned at 8:04 p.m.

Respectfully submitted:
Karen Walters, Chairperson

Date



