

# MINUTES

## ASHTABULA COUNTY PLANNING COMMISSION

Meeting of January 21, 2020

4:30 p.m. @ Commissioner's Meeting Room, the Old Courthouse

### ▪ PLEDGE OF ALLEGIANCE

#### 1. ROLL CALL

**Members Present:** Mr. Dixon, Mr. Douglass, Commissioner Ducro, Ms. Friedstrom, Commissioner Kozlowski, Ms. Krysa, Mr. McClure

**Members Absent:** Mr. Hartz, Ms. Kanicki, Mr. Likavec, Commissioner Whittington

**Officials Present:** Ms. Janice Switzer, Director Community Services & Planning and Secretary to The Planning commission  
Mr. Jake Brand, Assistant Director Community Services & Planning and Secretary to The Planning commission  
Ms. Heidi Barringer, Recording Secretary

**Others Present:** Larry Lister, Harpersfield Township  
Barb Carr, Saybrook Township  
Ronald Kister, Property Owner  
Kevin Brown  
Jim Carlson  
Gary Carlson

**Mr. Douglass** called the meeting to order at 4:36 p.m., established that a quorum was present, and proceeded through the agenda.

#### 2. APPROVAL OF MINUTES

**Mr. Douglass** called for a motion to approve the minutes for the December 16, 2019 meeting.

**Ms. Friedstrom** moved to approve the minutes and **Mr. McClure** seconded.

**Roll Call:** Mr. Dixon, Mr. Douglass, Commissioner Ducro, Ms. Friedstrom, Commissioner Kozlowski, Ms. Krysa, Mr. McClure

**Aye:** Mr. Dixon, Mr. Douglass, Commissioner Ducro, Ms. Friedstrom, Commissioner Kozlowski, Ms. Krysa, Mr. McClure

**Nay:**

**Abstain:**

**Not Present:** Mr. Hartz, Ms. Kanicki, Mr. Likavec, Commissioner Whittington

**3. APPROVAL OF AGENDA**

**Mr. Douglass** called for a motion to approve the agenda.

**Commissioner Kozlowski** moved to approve the agenda and **Commissioner Ducro** seconded.

**Roll Call:** Mr. Dixon, Mr. Douglass, Commissioner Ducro, Ms. Friedstrom, Commissioner Kozlowski, Ms. Krysa, Mr. McClure

**Aye:** Mr. Dixon, Mr. Douglass, Commissioner Ducro, Ms. Friedstrom, Commissioner Kozlowski, Ms. Krysa, Mr. McClure

**Nay:**

**Abstain:**

**Not Present:** Mr. Hartz, Ms. Kanicki, Mr. Likavec, Commissioner Whittington

**4. GENERAL CORRESPONDENCE & PLANNING COMMISSION ANNOUNCEMENTS - None**

**5. DIRECTORS REPORT**

**Ms. Switzer** said the report was in the packet and she would be happy to answer any questions.

**6. SWEARING IN - None**

**7. COMMITTEE REPORTS - None**

**8. PRESENTATIONS BY PERSON, GROUP, OR DELEGATION - None**

**9. OLD BUSINESS - None**

**10. NEW BUSINESS**

**Case Number 2020-001 - Harpersfield Township Text Amendment**

**Ms. Switzer** commended Harpersfield Township for all the work they did to update their resolution. She read her recommended changes from her review.

**Mr. Douglass** asked if there was anything to add.

**Mr. Lister** said there was not.

**Mr. Douglass** asked if there were any questions and there were none.

**Commissioner Kozlowski** made a motion to approve Case Number 2020-001, Harpersfield Township Text Amendment with the modifications to the articles that Ms. Switzer suggested and **Mr. McClure** seconded.

**Roll Call:** Mr. Dixon, Mr. Douglass, Commissioner Ducro, Ms. Friedstrom, Commissioner Kozlowski, Ms. Krysa, Mr. McClure

**Aye:** Mr. Dixon, Mr. Douglass, Commissioner Ducro, Ms. Friedstrom, Commissioner Kozlowski, Ms. Krysa, Mr. McClure

**Nay:**

**Abstain:**

**Not Present:** Mr. Hartz, Ms. Kanicki, Mr. Likavec, Commissioner Whittington

### **Case Number 2020-002 - Saybrook Township Variance**

**Ms. Switzer** explained that a variance request for a minor subdivision was received from Ronald Kister who wishes to subdivide parcel 48-008-00-015-00. The parcel will have 117 feet of frontage and 743 feet of depth that exceeds the depth to width ratio allowed in the subdivision regulation 422.06. She added that the parcel also has no sanitary sewer so it does not meet the minimum width of 200 feet. Ms. Switzer was told by Mr. Kister that he is willing to put the sanitary sewer line in place. Ms. Switzer recommended that the planning commission look at the questions outlined on page 43 of the packet to make their determination and consider the depth of the parcel first. Ms. Switzer said a variance could be approved even if it does not meet all of these items. Ms. Switzer said the parcel is zoned industrial and Saybrook allows a minimum frontage of 100 feet for industrial if sewer is present. Ms. Switzer spoke with Mr. Kister who said he would be willing to enter into a performance agreement for the sewer.

**Mr. Kister** came to the table and showed members a map of the parcel being subdivided. He said the gentleman purchasing the property has an option to buy the whole parcel but is short of money. Mr. Kister said the buyer's intent is to build mini warehouses so the depth to width won't matter. He pointed out the storage units north of Jefferson are on a deeper lot than the proposed lot.

**Mr. Kister** explained that the sewer is three feet from the property line at a manhole that was put in when the industrial park went in. He further explained that they did not install an outlet going south as he wanted. He said he was willing to run the sewer but would like to wait until next year but he will put up the bond for the performance agreement. Mr. Kister didn't feel it would hurt anything to have this narrow lot because the road that goes into the industrial park is where the sewer goes if it gets put in.

**Commissioner Ducro** asked if that was the road that goes to Plastpro.

**Mr. Kister** said yes and he showed Commissioner Ducro the lot that Plastpro purchased ten years ago as well as where the current sewer line and lift station are located.

**Commissioner Kozlowski** asked how he came up with 117-foot frontage.

**Mr. Kister** said it was because the buyer wanted two acres.

**Mr. Douglass** asked how far the sewer was to be extended.

**Mr. Kister** said it was required to go across the 117 feet at minimum but he would probably go to the first manhole which he is guessing will be 350 feet.

**Mr. Douglass** asked if he had a plat plan of what the buyer intended to build.

**Mr. Kister** did not and he said that the storage units were hearsay and eventually the buyer wants to put in an office to manage the units and originally, he wanted to purchase the lot that just got approved for apartments but when he found out it would cost 40,000 to put in a sewage treatment plant.

**Mr. Dixon** asked if the property with the house on the map had sewer.

**Mr. Kister** wasn't positive but he thought they did or at least have access to it.

**Mr. Douglass** asked if there were any more questions.

**Ms. Friedstrom** asked if it was staying industrial.

**Mr. Kister** said it was.

Multiple conversations

**Ms. Switzer** said if she could clarify that when you do the variances because there's frontage and depth there will be a modified approval of the variance just to include a performance agreement for the sewer.

**Ms. Carr** wanted to clarify that Mr. Kister had been saying storage warehouses but they are storage units and the gentleman came in with his grand plan of what he wanted to do but when it came down to purchasing with construction costs, he couldn't go over this.

**Mr. Douglass** asked Ms. Carr if the township was ok with this plan.

**Ms. Carr** said they were fine with the sewers.

**Mr. Douglas** asked about the depth

**Ms. Carr** said they didn't see an issue with that.

**Mr. Brown** of Pierpont commented that he went to a meeting in Saybrook last week and in four minutes the trustees approved the plans to change a variance and here today you have Mr. Kister saying and this guy wants to do this and to do this and I kind of want to be a billionaire. You guys are gonna give this guy a blank check to do whatever he wants. What about the citizens of Saybrook? Don't they have the right to know exactly. This guy comes in with no plans, and we're gonna say oh, okay whatever you want to do because Mr. Kister says he's gonna do it. If that was me or you, you'd have to have a plan right?

**Mr. Douglass** said that's why there's a performance bond.

Multiple conversations

**Ms. Switzer** clarified that what the Planning Commission is addressing is a minor subdivision and the Planning Commission does not really concern itself with what is planned to be put on property once the minor subdivision is completed.

**Mr. Brown:** "but you're asking for a variance, right?"

**Ms. Switzer:** "A variance to minor subdivision regulations."

**Mr. Brown:** "You're asking for a variance with no plan."

**Ms. Switzer:** "No, we have a plan, we have an engineered survey which is what..."

**Mr. Brown:** "Mr. Kister kept saying he wants to do this and he wants to do that. You know I want to do a lot of things too."

**Mr. Douglass:** "we're not reviewing an improvement plan, we're looking at a variance."

**Ms. Switzer** read aloud the questions to be considered for the variance and the responses of the commission were as follows:

- The variance will allow for a better solution than would be achieved by strict compliance with these Regulations
- The variance will not be detrimental to the public health, safety, or general welfare, or injurious to other land located in the general area.
- The conditions upon which the variance request is based are unique to the land for which the variance is sought and are generally applicable to other land in the County.
- Because of the particular physical surroundings, shape, and/or topographical conditions of the specific land for which the variance is sought, practical difficulty to the sub divider would not result from strict compliance with these Regulations.
- The essential character of the neighborhood would not be substantially altered, or adjoining

- properties would not suffer a substantial detriment as a result of the variance.
- The sub divider's predicament can feasibly be resolved through some method other than a variance.
- The spirit and intent behind the requirement would be observed by granting the variance.
- The variance is the minimum which will afford relief to the sub divider.

**Mr. Douglass** called for a motion to approve, conditionally approve or deny Case Number 2020-002-Saybrook Township Variance.

**Commissioner Kozlowski** made a motion to conditionally approve Case Number 2020-002-Saybrook Township variance for parcel number 48-023-00-015-00 with the condition being that Mr. Kister enter a performance agreement to run a sewer line across the parcel that meets Ashtabula County Environmental Services standards and **Mr. Dixon** seconded.

**Roll Call:** Mr. Dixon, Mr. Douglass, Commissioner Ducro, Ms. Friedstrom, Commissioner Kozlowski, Ms. Krysa, Mr. McClure

**Aye:** Mr. Dixon, Mr. Douglass, Commissioner Ducro, Ms. Friedstrom, Commissioner Kozlowski, Ms. Krysa, Mr. McClure

**Nay:**

**Abstain:**

**Not Present:** Mr. Hartz, Ms. Kanicki, Mr. Likavec, Commissioner Whittington

**11. OTHER BUSINESS - None**

**12. GENERAL PUBLIC DISCUSSION – None**

**13. UPCOMING MEETINGS**

Executive Committee: Monday March 16, 2020 at 4:30 p.m.  
Regular Meeting: Monday March 16, 2020 at 4:30 p.m.

**14. ADJOURNMENT**

Hearing no further business, Mr. Douglass adjourned the meeting at 5:28 PM.

Respectfully Submitted,

Heidi Barringer, Recording Secretary

*Minutes to be approved for January 21, 2020*

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***William Douglass, Chair***

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***Janice Switzer, Director***

Secretary to Ashtabula County Planning commission