

Village of Lordstown Planning Commission

January 14, 2019

The Lordstown Planning Commission met in regular session on January 14, 2019 at 6:30 p.m. at the Lordstown Administration Building. The meeting was called to order by Chairperson Tim Rech, followed by the Pledge of Allegiance to the Flag. Roll call was taken.

In Attendance: Tim Rech, Chairperson
Richard Rook, Vice Chairperson
Bob Shaffer
Arno Hill, Mayor
Don Reider, Council Member

Paul Dutton, Solicitor
Kellie Bordner, Planning and Zoning Administrator
Denise Dugan, Assistant Planning and Zoning Administrator

Also Present: Bruce Platt, Lordstown Utility Superintendent
Dale Grimm, Street Commissioner
Howard Sheely, Council Member
Robert Bond, Council Member
Tom Dietz, Board of Public Affairs Member
Brent Milhoan, Police Chief
Travis Eastham, Fire Chief
Jeff Smith, CT Consultants
Chris Kogelnik, CT Consultants
Lou Alexander, Roth, Blair, Roberts, Strasfeld & Lodge
Bill Connors, HomeGoods
Mark Hernon, TJX
Ryan Bush, MS Consultants
Diana Tout, MS Consultants
Mark Cavicchi, TJX
Larry Tura, Lordstown, Ohio
Jacquelyn Tura, Lordstown, Ohio
Ray Kovac, Lordstown, Ohio
Stephanie Anthony, Lordstown, Ohio
Jeff Brink, Lordstown, Ohio
Donna Myres, Lordstown, Ohio
Sharyn Dietz, Lordstown, Ohio
David Horner, Lordstown, Ohio
Rick & Teresa Schanz, Lordstown, Ohio
Bill Bukovina, Lordstown, Ohio
Rich Coe, Lordstown, Ohio

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Kathy & Brett Dickson, Lordstown, Ohio
Martin Jones, Lordstown, Ohio
Robert Dellick, Lordstown, Ohio
Karen & Leslie Jones, Lordstown, Ohio
Carla Click, Lordstown, Ohio
Tony Onderko, Lordstown, Ohio
Carroll & Linda Herrmann, Lordstown, Ohio
Ralph & Diane Christmas, Lordstown, Ohio

APPROVAL OF AGENDA:

MR. RECH: First thing, we have reading and approval of the agenda. Is there a motion to approve the agenda?

MAYOR HILL: So moved.

MR. RECH: Mayor Hill -- is there a second?

MR. ROOK: Second.

MR. RECH: Mr. Rook -- all in favor "aye".

MR. REIDER: Aye.

MR. SHAFFER: Aye.

MAYOR HILL: Aye.

MR. RECH: Aye.

MR. ROOK: Aye.

(VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, agenda is approved.

APPROVAL OF MINUTES of December 10, 2018:

MR. RECH: Next thing we have is approval of the Minutes of December 10th. That would have been -- I think it was sent to you in your packets. Are there any additions, corrections?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Is there a motion to approve the minutes?

MR. REIDER: So moved, Mr. Chairman.

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MR. RECH: Mr. Reider -- is there a second?

MR. SHAFFER: I'll second.

MR. RECH: All right, Mr. Shaffer. All in favor of approving the minutes say, "aye".

MR. REIDER: Aye.

MR. SHAFFER: Aye.

MAYOR HILL: Aye.

MR. RECH: Aye.

MR. ROOK: Aye.

MR. RECH: Anybody opposed?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND THE VOTE WAS AS FOLLOWS:)

(VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: Okay, those were approved.

PLANNING AND ZONING ADMINISTRATOR'S REPORT:

MR. RECH: Next, we have Planning and Zoning Administrator's report.

MS. BORDNER: No report, Mr. Chairman.

SOLICITOR'S REPORT:

MR. RECH: All right, thank you -- is there a Solicitor's report?

SOLICITOR DUTTON: No report.

CORRESPONDENCE:

MR. RECH: Is there any correspondence?

MS. DUGAN: Yes, I have one email that I received today that I was asked to read.

MR. RECH: All right.

MS. DUGAN: "Dear Lordstown Planning Commission Members: I apologize for making this correspondence through e-mail, but I cannot attend tonight's meeting because of a School Board meeting at work.

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I am strongly in favor of the proposal to create a cul-de-sac at the eastern end of Hallock Young. I believe the cul-de-sac will best ensure the residential feel of our street. I believe it will help stabilize property values. It has the best chance of keeping industrial traffic off of our street, and I believe that it is the safest option.

I wanted to make sure that my voice is heard. Thank you. Michael Chaffee, 2999 Hallock Young Road."

OLD BUSINESS:

MR. RECH: All right, thank you -- any old business?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

NEW BUSINESS: 1. Petition for Vacation of a portion of Hallock Young Road and creation of a cul-de-sac.

MS. BORDNER: Mr. Chairman, the current property owners of the involved parcels are seeking to vacate a portion of Hallock Young Road, which will be necessary as the proposed plans for the distribution facility show it being designed across the existing Hallock Young Road.

They also wish to create a cul-de-sac at the east end of the remaining roadway portion, and they would seek to rename it to "Hallock Young Court." That references Lordstown Codified Ordinance 1105.22(c), which provides that cul-de-sac type streets, which generally run in an east-west direction, should be named "Circle" or "Court".

Their desire for a cul-de-sac stems from a comparison between a potential road relocation, which would have opened onto a more southerly location of Ellsworth Bailey Road; but before Pritchard Ohltown -- Pritchard Ohltown intersection and the potential cul-de-sac redesign. They can offer numerous reasons why the cul-de-sac would be the optimal choice, and their top reasons deal with traffic, safety, management of water run-off, and utility relocation.

The Petitioners seek a waiver as to the maximum cul-de-sac length established by Lordstown Codified Ordinance 1105.08 and 1105.14; and should any other waivers need to be sought, they will do so.

Petitioners have submitted a Petition to Vacate, with the proper language and requests being made in accordance with Lordstown Codified Ordinance 1103.06, along with exhibits attached to their property location and a proposed roadway vacation survey and cul-de-sac plan. That was submitted on December 28th; and

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then they, also -- on January 10th, 2019, submitted some updates and supplements which you have all now received.

The Village Department Heads, Planning and Zoning Office, Village Engineers have reviewed the submission multiple times for questions, concerns and/or recommended updates or changes and resubmission by the Petitioners. Further, the Petitioners, by and through their representatives, will offer additional information in support of their Petition and their request at this hearing.

This matter is a precursor to the Site Plan Review, and the Site Plan Review is predicated upon the decision rendered on this issue tonight.

Upon considering the information and the documentation provided, along with responses to any questions you may have and public input, the Planning Commission can decide to recommend to Village Council that it approve the vacation and cul-de-sac; it can recommend to Village Council that it deny the vacation and cul-de-sac; or, it can move that this issue be continued for further hearing if you determine you need additional information or documentation. However, once you guys make your decision tonight, it will go to Council for vote. That's the proper order.

MR. RECH: All right.

MS. BORDNER: I do see Attorney Lou Alexander is here on behalf of the Petitioners. I'm sure that he will be happy to answer any questions -- as well as Mr. Walker; and I'm not sure of who else they have on their team, but I'm sure they'll be happy to introduce whoever it is that would be appropriate to speak at the appropriate time.

MR. RECH: Gentlemen, why don't you come up, again, and introduce yourselves, and we'll get you on record, here.

ATTORNEY ALEXANDER: Good evening, ladies and gentlemen, I'm Attorney Lou Alexander. I'm here from the Youngstown law firm of Roth, Blair, Roberts, Strasfeld and Lodge, on behalf of the Petitioners.

MR. RECH: Okay -- and you are Mr. Walker, right?

MR. WALKER: All right, good evening -- Mark Walker, Vice President of Real Estate, TJX Corporation.

MR. RECH: All right, very good. Before we get any farther, any questions from anybody from Planning Commission?

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MAYOR HILL: Not yet.

MR. RECH: Not yet, okay -- all right.

MR. SHAFFER: I've got a question. I don't know if this is the right time for the question or not, but -- or if you just -- are we just on the vacation subject now?

MR. RECH: Yes. That's all we're discussing right now -- is the vacation of Hallock Young and the creation of the cul-de-sac.

MR. SHAFFER: Okay -- because I've got a question about the cul-de-sac, itself, when it gets to that point.

MR. RECH: Okay, all right -- we're good there? Okay, you're going to present your case?

ATTORNEY ALEXANDER: Yes, sir.

MR. RECH: Okay, go.

ATTORNEY ALEXANDER: Good evening, ladies and gentlemen. We're here, today, in support of a Petition to Vacate a portion of Hallock Young Road and create a cul-de-sac. The Petition was filed by HomeGoods, Inc., together with Harvey and Dolly Lutz, an entity known as DBR of Ohio, LLC, and the East Ohio Gas Company. As you know, this Petition is brought in furtherance of HomeGoods project to construct a distribution center with regional offices, here, in Lordstown, Ohio.

The project site is comprised of seven (7) parcels zoned I-1 Industrial, containing approximately 290 acres of land in the aggregate. In connection with this development project, HomeGoods, Inc. will consolidate these seven (7) parcels into one (1) large parcel.

To enable the consolidation of these parcels and the construction of the distribution center, HomeGoods will need to vacate that portion of Hallock Young Road that dissects the seven (7) parcels. Once the building is constructed, the distribution center will actually straddle this portion of Hallock Young Road that is being sought to vacate.

The legal descriptions of all seven (7) Parcels are attached to the Petition. Now the seven (7) parcels involved in the construction project include 45-117512, which is owned by Harvey and Dolly Lutz; 45-048950, owned by HomeGoods; 45-027550, owned by HomeGoods; three (3) parcels owned by DBR of Ohio, LLC, including 45-117511, 45-003357, and 45-003359.

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The seventh parcel is owned by Ronald and Cynthia Radtka, 45-904644. It does not abut this portion of Hallock Young Road. The other six (6) that are actually involved in the Petition, do abut the road and are all petitioners to this Petition -- signatories to this Petition.

It's notable that there's also a small utility parcel involved, owned by the East Ohio Gas Company. It is Parcel No. 45-902970. It's approximately a 20' x 20' -- or 400-square foot parcel the East Ohio Gas Company maintains for the provision of the utility services. In connection with this development project, the utility station that East Ohio Gas maintains will be relocated; and in the meantime, the East Ohio Gas Company will enjoy uninterrupted access to its current station until the relocation is complete.

Present with me, this evening, to address some of the technical questions and aspects of the road vacation and the cul-de-sac -- and generally, to answer your questions, are Mark Walker, who was introduced earlier -- Vice President of Real Estate; Mark Cavicchi, who is TJX's Assistant Vice President of Construction; and both Ryan Bush and Diane Tout, from the Engineering firm of MS Consultants.

Pursuant to Lordstown Codified Ordinance 1103.06 and Sections 723.04 and 723.06 of the Ohio Revised Code, we respectfully request that the Lordstown Village Planning Commission recommend that the Lordstown Village Council approve HomeGoods' Petition to Vacate the described portion of Hallock Young Road to create a cul-de-sac, as depicted on Exhibit "H" of the Petition, with the required waivers, and to rename the remaining segment of the road as Hallock Young Court.

I would like to thank you and invite any questions from the Commission to both myself and to all of the members here.

MR. RECH: Okay -- questions?

MAYOR HILL: Are we talking, strictly, just the vacation right now?

SOLICITOR DUTTON: Yes -- the Petition to Vacate.

MR. RECH: Yes, this is on the Petition to Vacate and create a cul-de-sac.

MAYOR HILL: Let's take those two (2) separately. Let's take the vacation first.

MR. RECH: Right -- Mr. Alexander, any members of your team have anything additional to add?

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ATTORNEY ALEXANDER: Actually, we were really prepared to answer your questions and discuss concerns of the Planning Commission.

SOLICITOR DUTTON: I think you should identify Exhibit "H" and have someone -- since that's the illustration that the audience should consume -- explain the details on Exhibit "H" to your Petition.

ATTORNEY ALEXANDER: Okay. Just generally speaking, Exhibit "H" explains the proposal for a cul-de-sac following the vacation of the road and gives the dimensions. It was prepared by MS Consultants, who are the Engineers on this project, and I'll introduce both Ryan Bush and Diana Tout from MS Engineers.

MR. BUSH: Hello, my name is Ryan Bush with MS Consultants. This is an Exhibit of the proposed cul-de-sac for Hallock Young Road.

This is at the west end of the proposed TJX site -- this, being the Price parcel about here. So the proposed Hallock Young Road would -- instead of continuing east from across Ellsworth Bailey Road, it's being proposed to terminate just to the south of the existing alignment here with a full cul-de-sac for vehicles to turn around and head back if they wish to do so.

MR. DICKSON: My question is why isn't it turned? Why doesn't it just go straight?

MS. TOUT: Why not just straight? We're following a conservation easement --

MR. DICKSON: Got ya'.

MS. TOUT: -- through there, and we're also avoiding the storm detention ponds for the distribution --

MR. DICKSON: Got you.

COURT REPORTER: Sir, could I have your name?

MR. DICKSON: Brett Dickson.

MAYOR HILL: If anybody has a question, let them go to the mic and identify themselves.

MR. RECH: Yes, we'll do that. I guess before I do that, I know we have the Police Chief, the Fire Chief, and Mr. Platt. Anybody else from --

MS. DUGAN: Dale Grimm, the Street Commissioner.

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MR. RECH: I guess I would ask each of you, individually -- Mr. Grimm, Chief, Chief, and Mr. Platt -- do you have any issues? Do you see any problems with the vacation of Hallock Young and creating this cul-de-sac?

Come up. Come up, one by one, and give us a "yea" or "nay", basically -- introduce yourself, please.

MR. GRIMM: Dale Grimm, Street Commissioner -- and I don't see any problems with it. Actually, from my standpoint, I prefer the cul-de-sac.

MR. RECH: Okay, thank you.

SOLICITOR DUTTON: Did you review the plans?

MR. GRIMM: Yes, I did.

MR. RECH: Chief Milhoan?

CHIEF MILHOAN: I, too, reviewed the plans, and I concur with the Street Commissioner. I, personally, don't have any issues with it as a Police Chief.

My initial thought was I was concerned with response time. So when there was talk of this, the first thing I did was I measured the distance from -- the Police and Fire Department are connected -- so I measured the distance from the Police Department, to Mr. Price's house, by going Salt Springs, to Bailey, to Hallock Young; and then I measured it from Mr. Price's house, to Lyntz Road -- make a right on Lyntz, take Lyntz all the way to Salt Springs, and back to the fire station just to get the distance.

I don't have those numbers with me tonight. I know, when I had done that, I contacted the Mayor, and I gave him those numbers as far as distance goes. The difference was very minimal, and I really can't give an exact distance anyway because I don't know exactly where -- if they were to put a thru-road, where exactly it would come out on? So I couldn't tell you exactly the distance difference, but I could tell you that based on what we looked at, it was very minimal. So that was my initial concern -- was response time.

It's a little different with Police than it is with Fire and EMS. My officers, most likely, wouldn't be at the station. They could be doing a report if they got a call, but it would be more likely that they would be out on the street already. So it's really hard for me to tell you -- I mean, obviously, if they were at the entrance to the trailer park, and they had a call at Mr. Price's house -- if that road wasn't there the way it sits now, it would be a delay -- somewhat of a delay because they would have to go from Bailey

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Road to Pritchard Ohtown and come in that way -- or Bailey Road to Salt Springs, and come in that way.

The Fire Department is a little bit different because they would, most likely, always be responding from the station. So that was, really, my main concern -- was response time; but I'm convinced that, if there is an increase in response time, it would be minimal.

My other thought -- and Street Commissioner, Dale Grimm, and I talked about this -- I think anytime you have any opportunity to remove a street that comes into a busy road like Ellsworth Bailey, it would be a positive on the safety aspect of it. I think any engineer will tell you anytime there are more roads or driveways coming out on the street, you would have potential for a problem. So that was another thing that we looked at; but I personally think that -- I have no problem, as a Police Chief, with the cul-de-sac, and I am in favor of the cul-de-sac.

MR. RECH: Okay, thank you.

MR. SHAFFER: I have a question for you before you go.

CHIEF MILHOAN: Yes, sir.

MR. SHAFFER: What's your take on like, say, criminal activity on a cul-de-sac compared to a thru-street?

CHIEF MILHOAN: Yes -- and I'm glad you brought that up, Mr. Shaffer. I meant to talk about that as well. My thought -- and my experience in dealing with criminals, is if a criminal were to target your house for a theft or a break-in, criminals are going to want more than one way to escape.

So my thinking was -- if you were to live on a cul-de-sac, I don't think it would be as big of a target -- if you had a thru-road -- because if they were to hit your house, the way it is right now -- and, again, I use Mr. Price -- if somebody were to break into Mr. Price's house, they basically have two (2) directions to leave his house once they commit that crime.

If it's a cul-de-sac, they would be narrowed down to one (1) direction to leave -- assuming they're leaving in a vehicle. So that's another thought that I have. I don't know if that answers your question. Thank you.

MR. RECH: Chief Eastham, do you want to come up -- introduce yourself, please.

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CHIEF EASTHAM: Travis Eastham, Lordstown Fire Chief. I reviewed everything, same as Brent and Dale. We looked everything over. I feel -- for the safety aspect, I think it should be a cul-de-sac, just for the simple fact of the pullouts coming out onto Bailey Road. You're going to have so many entrances there -- and Pritchard Ohltown, the trailer park.

It's putting too much out onto that road at once, and we all know what it's like when there's a shift change in that area; everyone is coming down the road; but I had looked at everything -- the delays are minimal.

Like Brent said, I don't think it's worth the safety aspect to put a thru-road in. I really don't -- any questions or anything?

MAYOR HILL: I know you and I have had some discussion about the amount of accidents of cars coming out onto Bailey Road -- from either Pritchard Ohltown or Hallock Young.

CHIEF EASTHAM: Yes.

MAYOR HILL: You know, that's --

CHIEF EASTHAM: We do. We -- and then the thing of it is we don't even know a lot of the accidents we have on Pritchard Ohltown because a lot of the times North Jackson handles them because it's on the border; and if they feel it's theirs, they just go ahead and run it so we don't know the amount; but I would say, in the last five (5) years, we've landed a helicopter more at Pritchard Ohltown and Bailey Road than we have anywhere else in the Village for accidents; and it's a stop sign going across a four-lane highway, with a medium strip.

It's just; I mean you're kind of asking for it. If it were red lights we probably wouldn't have as many issues there, but I mean those my feelings, my concerns, and I just -- we looked at it every way we could, and I think it would benefit, not just our community, but even people passing through -- it would make it safer.

MR. RECH: Okay.

CHIEF EASTHAM: Any other questions?

MR. RECH: Okay, thank you Chief -- Mr. Platt?

MR. PLATT: Bruce Platt, Lordstown Utilities Department Superintendent. The relocation of -- from a thru-road to a cul-de-sac is, you know, more to the Safety and

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the Street Department. We've been involved, very early in the project, with the relocation of the waterline.

We're always interested in minimizing the number of dead-ends in a water system; and since very early in the project, why the plan has been to relocate the waterlines, so it continues to go out to Bailey Road and the water main out there. So there will continue to be a loop that will be two (2) ways to service water down to the Lyntz Road area and Pritchard Ohltown; and it would remain, pretty much, as it is now. It just would be located to the south side of the project, you know, so --

MR. RECH: Any questions?

MR. PLATT: Any questions?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Okay, thanks, Mr. Platt -- how about Jeff Smith? Thank you, Bruce.

MR. SMITH: Jeff Smith, with CT Consultants -- doing the plan review for the project. I've consulted with all of the safety officials -- the Road Commissioner and with Bruce Platt, for the utilities; and primarily we didn't really see any other concerns -- other than what we had written up during our reviews to this date, so -- glad to answer any questions if you have any?

MR. RECH: Address -- what concerns did you have?

MR. SMITH: Some of the concerns that we had is whether or not the residents would be cut off -- again, response times -- a lot of the same issues that were brought up during our group meeting -- during the first meeting that we had.

MR. RECH: Okay -- and everybody has answered, and you're satisfied with their answers?

MR. SMITH: Yes.

MR. RECH: Okay.

MR. SMITH: Yes, and they will be -- they're proposing to vacate -- and you know, vacate a portion and dedicate another portion; and then the lot configuration -- that will be the second part of tonight's meeting. Everything works, hand and hand, like a nice jigsaw puzzle -- so everything fits together now.

MR. RECH: Okay, any questions?

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(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Okay -- thanks, Mr. Smith. I think we've got everybody.

So at this point in time, we've got a pretty big group. I will ask if -- for public participation, I think, how we'll do -- is we'll break this kind of down, for and against, if you will.

So if you're for the vacation and creation of a cul-de-sac, come on up, introduce yourselves, your address -- and describe where you live in relationship to this project basically.

If you live in the Village of Newton Falls, I'm not really sure you have a point in coming up and talking to us this evening; but if you're a resident of Lordstown, and you live around this area where this project is going to be happening, by all means, you're invited to -- if you have something you would like to say. So anybody in favor, at this time, of the -- come on up, introduce yourself. We need to get it on the record, so --

MS. CLICK: Carla Click -- I'm at 2770 Hallock Young, southwest. I am right next to Mr. Price. There's a small patch of woods between Mr. Price and I.

I'm in favor of the cul-de-sac. The school is okay with the busing. There's no issue there. We already asked. For safety reasons, the department heads are all for that, too, with the safety; and the majority of the residents, of my understanding on Hallock Young, are for the cul-de-sac.

It would be nice to not have to worry -- and people to be able to ride their bikes and walk with no issues; and other than the response time, which they said was minimal, I don't see what the concern would be to make -- vacate it and give us a cul-de-sac. Thank you.

MR. RECH: Thank you -- next, please.

MR. DELLICK: Robert Dellick, 3002 Hallock Young -- which is at the corner of Hallock Young and Lyntz.

I would like to know -- my one concern -- and I am for the cul-de-sac -- are all the issues that were going to be addressed, and the way they were going to be addressed, and the original plans that were discussed, in terms of barriers, preserves, the water runoff issues -- there was talk of a swale and a raised area -- all those -- are they all still going to remain in place with the cul-de-sac?

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MR. RECH: Mr. Dellick, we'll get into all of that when we get to the second part of what we're doing here, so --

MR. DELLICK: Oh, okay.

MR. RECH: So we'll table that for the moment, then we'll get those answers for you on the second part.

MR. DELLICK: I appreciate it. Thank you.

SOLICITOR DUTTON: There is a tentative meeting for February 6th, I believe, for Site Plan Review; is that correct?

MS. BORDNER: I can't say that. I don't have the -- I mean, I can't say that.

SOLICITOR DUTTON: Well, it's the 6th or the 27th, right?

MAYOR HILL: There will be another meeting set up.

SOLICITOR DUTTON: There's a separate meeting for Site Plan Review.

MAYOR HILL: There's a separate meeting for Site Plan, and that's where everybody's concerns -- whether it be storm water runoff -- any of those concerns that you have a concern about, that will be at the Site Plan Review.

It will be in front of this same body. There will, probably, be the same format of a meeting, and you will have the right to come and ask questions, and you will get all of your questions answered at that time.

MR. RECH: The next person, please.

MR. BRINK: I'm Jeff Brink. I just moved in onto 2892 Hallock Young, southwest -- and I've only lived here for less than a year; and obviously, had several concerns with me really not knowing about the project until after I purchased the home -- but am adequately convinced that I would prefer the cul-de-sac.

I think, from a safety traffic standpoint, I think it's best for the community. I'm definitely in favor of that, and you just answered my question, which was about the runoff; and obviously, I had some concerns about that which we'll address at the time -- but I'm definitely in favor.

MR. RECH: Okay, thank you -- next, please?

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MS. ANTHONY: Hi, Stephanie Anthony, 2865 Hallock Young Road, southwest. I'm about seven (7) houses down from the Prices' on the south side, and I'm for the cul-de-sac for all the same reasons that everyone has stated.

MR. RECH: All right, thank you.

MS. ANTHONY: Thank you.

MR. RECH: Next resident, please.

MR. KOVAC: Ray Kovac, 2956 Hallock Young Road. Since the residents of Hallock Young Road -- we lost out on our bid to keep this residential -- we would like to ask that whoever is going to make this final decision, that we can have the cul-de-sac there. Because right now, as I see a lot of traffic -- the way they speed up and down the road, going over the double yellow line -- we would prefer that we would have a cul-de-sac. Thank you.

MR. RECH: All right. Thank you, sir -- next?

MR. ONDERKO: Hello, I'm Tony Onderko. I live at 2912 Hallock Young Road. I moved here, probably, around 2002. My son graduated in Lordstown, 2015 -- Anthony Onderko -- and I definitely would like to have the cul-de-sac.

What the Chief said -- the Police Department did an outstanding job, but I'm one of the ones that they broke in, and it was pretty brutal. If you could look at this, and maybe pass it down? I came home to that. The door busted like that. So I, definitely, would like the cul-de-sac. It was pretty bad. They won't be back. They've stole all the guns, bullets, jewelry.

I think it was just bad luck -- no inside job. It's pretty bad. I would really appreciate to have the cul-de-sac. After what happened to me, I wouldn't want nobody to come home to this. It was pretty bad -- to have the door busted like that, and I have the hardest door to break into my house, where they could have got in the back so -- but like the Chief said, they could have came either way, and thank goodness I've got good neighbors that kind of seen things, but they never did catch him. It was just bad luck -- but definitely, if you can, I would really like the cul-de-sac.

I'm just curious, who here is for the cul-de-sac -- or who is against it?

MR. RECH: I think we'll get to that, but --

MR. ONDERKO: Okay, I mean it's pretty important. I mean -- I mean, I don't know who -- who is against it sitting down here -- just curious?

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MR. RECH: Sir, we'll get to all that.

MR. ONDERKO: It's just bad. I definitely would like to see the cul-de-sac. I mean after what happened to me -- I don't want to see nothing like that happen to nobody.

MR. RECH: We appreciate your comments.

MR. ONDERKO: Thank you.

MR. RECH: Next person, please.

MR. SCHANZ: All right. I'm Rick Schanz, and I live on Silver Fox. So I live on a cul-de-sac, and I just wanted to say that being on a cul-de-sac -- one, it's -- the traffic is a lot slower.

One thing about the police, when they come through, they come through twice. They come down, turn around, go back. So sometimes they'll even stop, talk to you. So they get to know you. So instead of them just driving by and not knowing anybody, to me, it's a good thing to live on a cul-de-sac.

I don't see, like, any trash or anything at the end of the cul-de-sac, and I also used to walk Ohltown Pritchard and Hallock Young and stuff -- but the traffic was so fast that I kind of just stopped walking; but to me, living on a cul-de-sac, it is very nice.

MR. RECH: Okay. Thanks, sir.

MR. DIETZ: Tom Dietz, 2821 Hallock Young Road. It doesn't matter to me about a cul-de-sac or a thru-road, but I disagree with the Fire Chief about the response time because with the trains on Salt Springs and Lyntz, they block it. So your response time can be a lot more if you run into a train.

Yes, GM closes -- maybe we won't have the trains; but you're going to add about three (3) miles to your response time, and that's not going to be very minimal; and also, on your cul-de-sac, is there any chance of them selling the property around that cul-de-sac for houses? Nobody has talked about that -- and I'm also on the BPA. I do not want to see a dead-end water line on there because we have to waste water to keep the EPA happy.

MR. RECH: Okay, thank you sir.

MR. CHRISTMAS: Ralph Christmas, 2803 Hallock Young -- got nothing to say except that me and my lovely wife both would like the cul-de-sac -- that simple.

MR. RECH: All right, thank you, sir -- anybody else?

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MR. JONES: My name is Leslie Jones. I live at 2785 Hallock Young Road. My wife and I have mixed emotions about the pros and cons. Personally, we think the cul-de-sac would be better for us, okay? We would like to thank you.

MR. RECH: All right, thank you, sir -- anybody else? Yes, sir?

MR. COE: Yes, my name is Richard Coe. I live at 3391 Lyntz Townline Road -- and I think the cul-de-sac could be a good idea for the people on the street. I'd be, gladly, for it if they feel that -- most of them feel that they want it.

My only concern is what the Fire Chief said. If you're not going up Hallock Young, you're going to be going up Pritchard Ohltown, and putting more traffic onto the most dangerous intersection in the community.

Are they going to look into putting a light there to make it safer -- seeing that you're going to have heavier traffic? I don't know. I just think that's something that should be really looked at. Thank you.

MR. RECH: Thank you, sir -- anybody else? Okay, anybody opposed -- anybody want to talk in opposition to the cul-de-sac?

MR. BOND: Can I ask a question?

MR. RECH: Yes, Mr. Bond?

MR. BOND: Robert Bond, 5092 Highland Avenue, here, in Lordstown. I've heard this addressed quite a bit, tonight, about the safety aspect of this, and I think that's probably a lot of people's primary concern -- and eliminate putting another road out onto Ellsworth Bailey.

How many entrances and exits are we putting out on Ellsworth Bailey for this project? That is a question I have. Is it going to be one (1), two (2), three (3) four (4) -- how many?

MAYOR HILL: You haven't seen the map, Bob?

MR. BOND: The last map I saw was the one which showed -- that come out recently -- with the Conservation Easement and stuff, and it was still showing a thru-street up to Bailey Road.

The reason I ask is if it's truly a safety thing, and you need to eliminate one (1) -- why not take -- limit the number that TJX is running -- let them divide the traffic once it gets onto their property. So I think it's probably about three (3), isn't it -- they're going to put out there?

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MAYOR HILL: It is three (3) -- and if it was a thru-road, it would be four (4).

MR. BOND: Yes.

MAYOR HILL: And then you'd add Pritchard Ohltown, and then it would be five (5).

MR. BOND: Well, why not take and make it one (1) or two (2) for them -- have a thru-road, and still have your Pritchard Ohltown? I mean, we're talking safety. As far as it coming out, you're still going to have Hallock Young coming out of the trailer park, which is a pretty densely-populated area, there, in Imperial Community.

MAYOR HILL: There's going to be a light there.

MR. BOND: There's going to be a light there -- okay.

MAYOR HILL: There's going to be -- a proposed two (2) lights. I don't know if there's going to be a light from the plans I've seen, and I've seen the same plans that anybody else has seen. There's two (2) proposed lights for the traffic -- come out at the -- at the mobile home park.

MR. BOND: Uh-huh.

MAYOR HILL: And this will, also, be one (1) employee entrance for HomeGoods. There will be a second light at the other entrance for HomeGoods, and I'm going to assume that those are going to work off loops in the road. So that way cars just going through there do not have to loop that; and the biggest concern -- and, you know, hearing from the Fire Chief and the Police Chief -- is cars pulling out, at shift change, because we can't have four (4) or five (5) traffic lights there.

MR. BOND: Okay and the third one for TJX will not be guarded with a traffic light, you're telling me?

MAYOR HILL: That will be trucks, and there will be -- it's designed to have exit ramps off the side of the road. They're going to be reworking every median crossover. You can only have so many crossovers in a median area. I'm not the engineer.

MR. BOND: Right -- I understand that. That's why I'm asking the questions.

MAYOR HILL: But they can only have so many crossovers within so many foot -- and where it's coming out now, from what we've been told, from the safety aspect, it would be too close to Pritchard Ohltown, Bob -- whereas, people wanted to have Hallock Young come through.

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I know there is a movement to try to push to have the road realigned. Me, personally -- personally, I am for the cul-de-sac. A lot of the residents have called me up and said they would like to see it.

MR. BOND: Uh-huh.

MR. RECH: And we're kind of getting ahead of ourselves a little bit because you're talking about something under Site Plan Review.

MR. BOND: No, I'm talking about something for the vacation of a street is what the issue is -- tonight is. We've had the department heads talking about safety and stuff. This was also discussed in the Council meeting and caucus. No department head said a word -- not one in the meeting.

MAYOR HILL: Uh-huh.

MR. BOND: Council voted four (4) to make it a thru-road; one (1) against making; and one (1) abstention -- and I'm here tonight just to find out what's going on.

Now, I realize what we did was not binding on the Planning Commission, and we've been asked -- I received an e-mail. We all did -- asking for input on this.

MR. RECH: Uh-huh.

MR. BOND: The input come out from us. Then, I have seen maps of this, from the very beginning, that showed the road rerouted to the south; and then all at once, it seemed like the impetus for that changed; and we were also told, at that time, that the letters that were sent out to the residents of that area --

MR. RECH: Uh-huh.

MR. BOND: -- to see if they preferred a cul-de-sac or a thru-road, would come back as an even split.

MR. RECH: Uh-huh.

MR. BOND: Now since then, there seems to be a publicity campaign to maybe change that or something, I don't know.

MR. RECH: I don't know.

MAYOR HILL: There have been, probably, two (2) of them. I haven't run one, but I do know that there was a campaign. I've had a person call up to say that -- there was a resident on Hallock Young Road who came and said -- "hey, if you want more

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speeding and more traffic on your property" -- so there's probably been two (2) campaigns, Bob, from what I'm hearing.

MR. BOND: Two (2) campaigns for speeding and trash?

MAYOR HILL: Yes.

MR. RECH: You guys can take this to the Council -- how's that?

MR. BOND: I think that's probably a good idea. Okay, thank you.

MR. RECH: Thank you -- anybody else want to speak?

MS. DICKSON: I just have a question.

MR. RECH: Come up and introduce yourself, please.

MS. DICKSON: Kathy Dickson, 2860 Pleasant Valley Drive. I just have a question.

We go down Pritchard Ohltown all the time, so we're going north on Bailey Road. We make a left turn to go down Pritchard Ohltown to get down to Pleasant Valley. Right now, the traffic coming -- I realize GM is waning, so you don't have that traffic; but the left turn lane, going north, from Bailey Road, making a left turn onto Pritchard Ohltown, cannot possibly be legal. It's short. It's narrow -- and if there's -- if that is the worst place where you see traffic instances, that's probably one of the reasons why.

Now, if you guys are not going to plan on putting a light there, and you're going to put more traffic on Bailey Road, you're going to end up there more times than you're going to be able to count because there is no light there.

I leave. I go up Pritchard Ohltown. I go right on Bailey Road every, single morning; and if there is a truck coming down on Bailey Road, going south, you can bet they're going to try and beat me out of -- off of Pritchard Ohltown on that right turn.

There has to be something done on that intersection. I don't have an opinion about the cul-de-sac. You guys all decide on that -- but if you're going to put more traffic on Bailey Road, and you're not considering a light there, you're going to have real problems because tonight I'm calling it out and I'll call it out every day on Site Committee and everything else, and you're going to have a problem.

MR. RECH: Okay, thank you -- appreciate it. Anybody else want to speak?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

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MR. RECH: Okay, very good. All right, so we've got public participation in. Now, anybody have any questions? Any discussion up here?

MAYOR HILL: No.

MR. RECH: Are we ready to move forward?

MAYOR HILL: I am.

MR. RECH: All right. All right -- very good, then. Anything else from the Petitioners? Anything you guys want to add after you heard -- before I move on? Are you good?

MR. WALKER: I know there was a comment about our question about where we are in the various engineering aspects -- and that will come up in the Site Plan approval process, where we will go thoroughly through the site -- the engineering drawings.

I can tell you, on the Conservation Easement, that we are filed with the Western Reserve Conservancy Group. We actually filed the application about two (2) months ago. We put up about a \$10,000 -- I think it was a \$10,000 deposit. We are awaiting easement documents from their legal staff.

As soon as they come in, we're going to jump on them and turn them around. We're hoping in the next 30 to 45 days, we'll have a Conservation Easement dedicated and worked out for them, and that's exactly in line with what we presented over the last six (6) or nine (9) months.

So that's an update on the conservation. I didn't know if that would come through, on the Site Plan approval process, but it very much is in the works.

The other aspects that you bring up, again, will be addressed in the Site Plan approval, and I think you'll be happy with them.

MR. RECH: All right. Thank you, Mr. Walker -- anybody else?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD OR THE FLOOR, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Okay, at this time, is there -- would anybody like to make a motion for the Petition for the Vacation of a portion of Hallock Young Road and creation of a cul-de-sac?

MR. REIDER: I'll make that motion, Mr. Chairman.

MR. RECH: Mr. Reider -- is there a second?

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MR. ROOK: Second.

MR. RECH: Mr. Rook, okay.

SOLICITOR DUTTON: And that motion should say -- "in accordance with Exhibit "H" to the Petition."

MR. RECH: Okay, very good.

MS. BORDNER: And "renaming it to Hallock Young Court."

MR. RECH: And in accordance with Exhibit "H" -- renaming it to Hallock Young Court. Any further discussion from the Planning Commission?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Hearing none, can we have roll call on this, please.

MS. DUGAN: Yes, sir -- Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: Tim Rech?

MR. RECH: Yes.

MS. DUGAN: Don Reider?

MR. REIDER: Yes.

MS. DUGAN: Richard Rook?

MR. ROOK: Yes.

MS. DUGAN: And Bob Shaffer?

MR. SHAFFER: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, thank you -- that passes. And we move on to the second part of new business, which is parcel consolidation and subdivisions for HomeGoods, Incorporated -- Kellie?

MS. BORDNER: Yes, sir. On this issue, HomeGoods is seeking to eventually consolidate the parcels that it will purchase, and upon which the proposed Distribution Center is going to be located. In order to move forward in a positive and

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productive fashion, TJX HomeGoods is seeking approval of the consolidation as presented; however, it understands that such consolidation, survey, the legal description, the deeds, require the signature of the Planning and Zoning Administrator, which is me, prior to submitting it to Trumbull County Tax Map, and then it goes on to the Auditor, and then on to the Recorder for their review and their processing.

Therefore, they are essentially seeking approval, from the Planning Commission, to allow me, as the Planning and Zoning Administrator, to make the final review and sign the survey, the legal description and the deeds. I cannot, currently, do that -- and make such final review, and sign off for them for several reasons; and they are that the properties to be consolidated are not currently owned by the same or single individual or entity. The properties to be consolidated, in their current state, are separated by a public roadway.

Now, even though we have voted tonight that you're in favor and recommend to Council that they approve the Petition to Vacate, that doesn't mean that that's a done deal. We have to go through the process to Council yet. So, again -- trying to keep moving things in a forward direction, we need to have some guidance and answers to be able to do that.

Also, the 20' x 20' East Ohio Gas parcel, which is Parcel 45-902970 must be, and is, addressed as part of the consolidation/subdivisions, along with the utility easement relocation; and the final consolidation efforts will be based, again -- like I said, upon Village Council approval Petition to Vacate and create the cul-de-sac on Hallock Young, and the final purchase of the properties.

The current submission that you have before you, relative to the consolidation effort, has been reviewed -- again, by all of the Village Department Heads -- the Village Engineer, myself -- and we did have some questions. We had some concerns. We had some recommended updates and changes, and they have done all that, and they resubmitted to us; and we now find the request that they have to be acceptable and would, I believe, all -- everyone will join me in requesting that you allow me to review the final consolidation effort and approve it, along with the concurrence of the Village Engineer once they get that all finalized and submitted to my office.

This way, they don't have to come back before Planning Commission and seek approval again. We're kind of doing it ahead of time so that we can avoid having to waste more time.

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The subdivision part of it will seek to establish two (2) environmental buffers/conservation areas, which are required to be separate parcels according to the Western Reserve Land Conservancy. They will be, as I understand it, transferred to the Western Reserve Land Conservancy following purchase and consolidation of the proposed parcels that we just spoke about.

These parcels -- the conservation parcels -- have been specifically identified by metes and bounds, which is what we had requested some time ago. They have done that. They have identified them in the documents and the survey maps that you have seen here as Lot A and Lot D -- because Lot C, which is the Price property, and which is to be purchased by HomeGoods, is an R-1 zoned parcel -- Residential R-1 zoned parcel. It is not included in the Petition for Zone Change to the Industrial I-1 property, and it's length fronts on Hallock Young in front of conservation Lot A.

So what that does is that it creates a land-locked parcel in the formation of Lot A. The alternatives to creating Lot A, such as subdividing Lot C, the Price parcel -- and/or seeking a full or partial zone change, seem to create more issues, and really just muddy the waters a lot more than going ahead and allowing the land-locked parcel.

Now I'm well aware that we do not allow, necessarily, landlocked parcels, but I think -- as I do believe, again, that all of the department heads agree with me, as does our Village Engineer, that this is the lesser of maybe evils; and I don't think that either one of them is evil. That's not what I mean to say. I just mean to say that it's the easier way to go and the better way to go because they are providing for ingress or egress across the Price parcel to get into that Lot A conservation easement area, you know -- in the event of an emergency or whatever need be, there will be an easement there for that, and I also believe that it will provide further assurance that the conservation status of that area will continue.

You certainly can't, in a landlocked parcel, develop on it, in any way, in the future. So it creates, in my mind, an assurance that we are going to leave it just exactly the way it is, and I do believe it protects the people over there. That's what we were looking for, and I believe that's what we need to have.

So, again, I'm going to seek the approval of Planning Commission to allow me to grant those final subdivisions -- with the concurrence, again, of the Village Engineer once they're submitted to me.

The other subdivisions that are sought would be Lot B, which will house the proposed distribution facility; and Lot E, which is simply a relocation of that 20' x 20' utility

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parcel for that East Ohio Gas substation -- just moving it over to -- I believe, if I understand the map, it's right over by where the Radtka property is.

The setbacks relative to the facility development are dependent upon the existing property lines. So this is an issue that we have, too. So this is why I need to know whether or not these things are going to be okay with you -- and environmental buffer, also, establishes some sort of property line for them because they have to re-deed those out; and again, in the interest of time and expediency, we're just seeking to get these things done now so that we don't have to revisit them.

The current submission relative to the subdivision efforts, again, has been reviewed by everybody. I believe we're all in concurrence. The only question that I currently have, which is something that came up after I made these notes and presented them to you -- what is being done with the Radtka house? And the reason that I ask that is because if they are going to leave the Radtka Homestead on, what appears to be Lot B, then that may involve some greater discussion in the future.

I don't have an answer to that. I have sought one. I have not received your response. So, hopefully, that's something that they can answer for us tonight. It's a residence, obviously. If they leave it there, it becomes a non-conforming parcel.

I don't want to get into it too much if they can just give us an answer. Perhaps, what they're going to say is -- "No, we're going to move it" -- which was what I understand was going to be done to begin with -- was that the house was going to be moved off of that lot to another location.

If that's still the case, fine. If it's not, then I think we have to have a discussion about what's going to happen with that. So that may require them coming back -- but everything else, I think, is something that with your permission and with the concurrence of the Village Engineers, that we can take care of in my office when they submit this final paperwork for consolidation and subdivision.

MR. RECH: All right. Thank you, Kellie -- questions?

MR. SHAFFER: I have a question. The Lot C that would be, like, land-locked -- how long could that be land-locked for? Would that be, like -- kind of forever -- or will there be an end in sight for that?

MS. BORDNER: The Lot C is the Price parcel. Lot A is the conservation parcel that's behind the Price parcel. I just want to make sure we identify it properly -- but once they deed that over to the Western Reserve Land Conservancy, it stays like that

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until somebody comes back before us, and we make a different decision -- as I would understand it. They can't develop on it.

SOLICITOR DUTTON: Technically, it's not land-locked if it has an ingress and egress that's been recorded. It just means it's undevelopable -- or not developable unless an abutting property owner would acquire Title to it.

MS. BORDNER: Great -- thank you, Paul. I appreciate that clarification.

SOLICITOR DUTTON: What the Planning Commission must now do is to respond to the Planning and Zoning Administrator's request for guidance.

The first one, I believe, was -- do you have any objection to her signing the appropriate documents to permit a consolidation of all of these lots based upon the issues -- one of which would be approval, by Council, of the vacation of the Hallock Young Road and the creation of a cul-de-sac. The chicken and the egg -- what comes first? So she's seeking your guidance, and you should speak on the record whether you approve of that or disapprove -- and whether you give her authority to sign the consolidation map.

MR. RECH: Okay. Do we need to make a motion on that?

SOLICITOR DUTTON: Yes.

MR. RECH: Okay. Do we need to have any discussion about anything else? Should we have Mr. Smith address anything?

SOLICITOR DUTTON: Well, maybe --

MR. RECH: Mr. Smith, do you want to come on back up a second. I have your -- you were documented -- I believe it's dated January 7th was the most recent thing that, I believe, I saw from you, basically saying -- I mean, if you want to go through it and just -- that you're concurring.

MR. SMITH: Yes, January 7th is the latest review that we did, and that was based on materials that were submitted on January 7th earlier in the day. Basically, what we did was we reviewed -- the documents that were submitted were conservation parcels of HomeGoods, which was three (3) sheets, dated 11/28; last revised, 1/7/19.

The descriptions and parcel closure reports for Lots A, B, C, D and E, all dated the 7th of January of '19.

Third item was Vacation Plat and Cul-de-sac Dedication of Hallock-Young Road, dated 12/4/18, last revised 1/7/19.

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And Descriptions and Parcel Closure Reports for Vacation of Hallock Young Road and Hallock Young Road Dedication, dated the 7th of January of '19.

And then the 5th item was the Request for Waivers letter.

CT offered the following comments from its review: We reviewed the survey exhibits, descriptions and map closures and the map closure check reports for all the parcels and found them to all be in compliance with Ohio Administrative Code 4733-37, which is the Minimum Standards for Boundary Surveys in the State of Ohio.

Item number two (2.) was to please refer to the HomeGoods Distribution Center - Request for Waivers for two (2) waivers sought. One was for the lot frontage, and two for the length of the cul-de-sac.

And on behalf of the Village of Lordstown, CT has completed its technical review of the documents listed and found them to be in general compliance with the Lordstown Codified Ordinance or identified above as requiring waivers, and CT recommends approval of the above items.

MR. RECH: All right. Thank you, sir -- any questions?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Nope? Okay. All right, then, back to the -- Mr. Dutton explained -- any objections to giving, essentially, Kellie signing authority to present to -- or approval to Council of the parcel consolidation once everything comes through adequately. Did I adequately state that?

SOLICITOR DUTTON: Yes.

MR. RECH: Is there a motion?

MAYOR HILL: I'll make that motion.

MR. RECH: Mayor Hill -- is there a second?

MR. REIDER: Second, Mr. Chairman.

MR. RECH: Mr. Reider, I'm sorry? Okay -- any other discussion?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDING'S WERE AS FOLLOWS:)

MR. RECH: Okay. If not, can we have roll call on this, please?

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MS. DUGAN: Yes, sir -- Tim Rech?

MR. RECH: Yes.

MS. DUGAN: Don Reider?

MR. REIDER: Yes.

MS. DUGAN: Richard Rook?

MR. ROOK: Yes.

MS. DUGAN: Bob Shaffer?

MR. SHAFFER: Yes.

MS. DUGAN: And Arno Hill?

MAYOR HILL: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY, 0, ABSTAINED.)

MR. RECH: All right. Very good -- that passes. Thank you.

SOLICITOR DUTTON: Now she was seeking guidance on some of the subdivision issues. Did you want to separate those -- or take them all? And are there any additional waivers that need --

MS. BORDNER: Yes, actually -- and we can address it after this, but we're probably going to have to back up and revisit the cul-de-sac situation because we neglected to discuss their waiver for the length of the cul-de-sac.

SOLICITOR DUTTON: Is it included in Exhibit "H"?

MS. BORDNER: I mean the length doesn't meet our Code requirements.

MR. RECH: Okay, all right.

MS. BORDNER: So we can maybe back up and do that after this. Back to the subdivision issue, we could, I guess, start with Lot A -- which is the conservation parcel behind the Price parcel. That's the one that Attorney Dutton has just explained is not necessarily land-locked -- because they are going to grant the easement across the Price parcel to allow ingress and egress, it's not land-locked. It's just undevelopable, correct?

SOLICITOR DUTTON: Right.

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MS. BORDNER: So I still don't -- we don't -- it does not have the proper amount of frontage on a public roadway, so that is still why I would not be able to approve that parcel because it does not have --

SOLICITOR DUTTON: -- a waiver on front footage --

MS. BORDNER: Correct.

SOLICITOR DUTTON: -- on the condition that the ingress and egress be recorded -- right?

MS. BORDNER: Yes.

SOLICITOR DUTTON: Okay.

MR. RECH: On what parcel is that, Kellie?

MS. BORDNER: It's Parcel -- it's -- Lot A is the conservation parcel that is -- that we're talking about. So I need a waiver for the frontage -- not having the proper amount of frontage on a public roadway, and that waiver would be contingent upon them recording the ingress and egress easement across Lot C -- and I would like permission to approve that lot being subdivided.

MR. RECH: Okay. Does everybody understand?

(WHEREAS, THERE WAS NO AUDIBLE RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Okay.

SOLICITOR DUTTON: Motion.

MR. RECH: Is there a motion to --

MR. REIDER: I will make that motion to grant --

MR. RECH: -- that waiver?

MR. REIDER: -- giving Kellie the permission to do that.

MR. RECH: All right. Is there -- Mr. Reider made a motion. Is there a second on that?

MR. SHAFFER: I'll second it.

MR. RECH: Mr. Shaffer, okay -- any other discussion?

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(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: All right -- can we have roll call on that, please.

MS. DUGAN: Yes, sir -- Don Reider?

MR. REIDER: Yes.

MS. DUGAN: Richard Rook?

MR. ROOK: Yes.

MS. DUGAN: Bob Shaffer?

MR. SHAFFER: Yes.

MS. DUGAN: Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: And Tim Rech?

MR. RECH: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, thank you. All right, well --

MS. BORDNER: There's no issue with Lot B. It will meet all the requirements. I just want to state that -- so that would be something I would be able to approve anyway.

That then takes us to Lot C. Lot C is going to be the Price property. That's not involved in any of this -- don't need to worry about that.

Lot D is the other conservation parcel. It also would meet all requirements -- so I would be able to approve that one.

So that takes us to Lot E -- that is the relocated 20' x 20' utility parcel for the East Ohio Gas substation. Obviously, it's not going to meet -- being a 20' x 20' parcel, it's not going to meet the requirement for an Industrial parcel; however, this involves a utility, and we don't regulate utilities.

MR. RECH: Right.

MS. BORDNER: So I just, again, would like your permission, to be able to approve that, knowing those things.

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SOLICITOR DUTTON: So she's asking your permission to approve Lot D, is it?

MS. BORDNER: Lot E.

SOLICITOR DUTTON: Lot E -- and as you know or should know, the Ohio Revised Code prohibits local political subdivisions from controlling regulated public utilities through their Planning and Zoning Ordinances. So we would have no authority to object to that anyway.

MR. RECH: All right, okay -- any discussion?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Do I have a motion for that Lot E, then, to -- the 20' x 20' utility -- East Ohio Gas utility -- to give Kellie approval for that? Did I say that right?

SOLICITOR DUTTON: Yes.

MR. RECH: Okay -- is there a motion?

MAYOR HILL: I'll make that motion.

MR. RECH: Is there a second?

MR. REIDER: I'll second that.

MR. RECH: All right, Mr. Reider -- additional discussion?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Hearing none, roll call on that, please.

MS. DUGAN: Yes, sir -- Richard Rook?

MR. ROOK: Yes.

MS. DUGAN: Bob Shaffer?

MR. SHAFFER: Yes.

MS. DUGAN: Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: Tim Rech?

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MR. RECH: Yes.

MS. DUGAN: And Don Reider?

MR. REIDER: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, very good -- thank you.

MS. BORDNER: That only takes me to one (1) more issue, and that would be if someone could just answer for me, what is going to happen with the Radtka house -- with the Radtka single-family dwelling -- because I do have a solution to that situation. I just need to know where we're going with that so that we can, maybe, address that tonight, and get that out of the way.

MR. WALKER: Okay, sure -- right now, I can tell you that the house would no longer be used for residential purposes once we close on the property. So it would cease -- we would cease and make sure that there were no overnight guests or anybody living in the house.

Beyond that, we haven't -- this is all kind of new to us. It's an arrangement that changed over the last 30 days, so we're trying to address what might be the best use of that -- what we can do for it -- you know, with it; and I don't have the answers, Kellie, on that yet, but I can tell you that we would not plan on allowing any residential use of the house at that point.

MS. BORDNER: So my suggestion is -- and since Attorney Dutton is here, I'm going to throw this out -- and, perhaps, we can just have a small discussion about it while we're here. If it is going to be something that you're going to keep on the property, if it's going to become part of, in some way -- I don't want to say, like, a guard house or, you know, an administrative building in some way --

MR. WALKER: Uh-huh.

MS. BORDNER: -- that would be, certainly, acceptable for the business that you're engaging in, and we would have to include that as part of Site Plan Review. We have to discuss what's going to happen with that if you're going to leave it there.

So if you're not going to use it as part of your business -- as part of TJX's distribution facility -- my recommendation would be to parcel it back off or leave that out of the consolidation. Leave it as it is and ask for a waiver.

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I understand that it's not going to meet the frontage or the depth requirements for an Industrial parcel, but I'm quite certain that this Planning Commission would grant that waiver -- I mean I want to believe that -- because it already exists, and would be able to continue to be used, as a residence, under a non-conforming status.

SOLICITOR DUTTON: Non-conforming use.

MS. BORDNER: I'm just throwing that out -- because that will change our dynamic in terms of the consolidation and the subdivisions; and since they have given me permission to review those, in the finality, that's wonderful; but if that's a possibility for you, I would like them to discuss that now so that we can get that waiver on the record if that's going to be something that you're going to do -- so we don't have to come back and do all this again.

MR. WALKER: I understand. If you'll allow me, maybe, 20 seconds to confer with our attorney.

MS. BORDNER: Certainly.

SOLICITOR DUTTON: Mr. Walker, you can cover this in Site Plan Review if you wanted some time to think about it --

MR. WALKER: Okay.

SOLICITOR DUTTON: -- didn't mean to put you on the spot.

MR. WALKER: Attorney Dutton, thank you -- and maybe that's what we'll do; but I was going to come back and ask the Board if you're okay, we would actually like to delay any decision.

I actually would like to come back when we know what we're going to do with the premises and really address that with you. I don't mind coming back in here if you don't mind hearing it; and I can give you specifics as to what we may -- we may remove the house. You know, we may look to use it as an ancillary use to the facility.

There's probably half a dozen things we can do, and we really -- that's something we haven't gotten to yet because the changes that occurred in the last 30 days, with the holidays and everything, we didn't get through; but if the Board does not mind, I'd just as soon let it stay the way it is, and we'll come back when we have more definitive information to share.

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MS. BORDNER: Certainly, it was just something that came to my attention, and I didn't know if this was something of an immediacy for you; and if it was, we could address it. If you're good, I'm good.

MR. WALKER: No, our plans are to leave the house there; and again, there won't be any overnight. There won't be any -- no longer any residents at the house once the seller --

SOLICITOR DUTTON: Now you have to supplement the motion to authorize the creation of the cul-de-sac and the vacation to include the two (2) waivers -- correct?

MS. BORDNER: The one (1) waiver was already addressed when we discussed Lot A, which was the conservation parcel.

SOLICITOR DUTTON: Okay.

MS. BORDNER: That's out of the way. The waiver that we did not discuss was a waiver on the maximum cul-de-sac length per 1105.08 and 1105.14(a) -- the length of the cul-de-sac roadway will exceed the maximum length of 1,000 feet. This requested waiver length is to accommodate the conservation easement as well as allow the driveway, from the Price property, to retain access.

That is their request, and they are asking for a waiver on that maximum cul-de-sac length per 1105.08.

MR. RECH: How long is it actually going to be?

MS. BORDNER: Perhaps Ryan or someone can answer that for us, I'm sorry.

MS. TOUT: Close to 3,000 feet.

MR. RECH: Okay, I'm just curious. Okay, so we need to -- we have a waiver on the length exceeding 1,000 feet of the cul-de-sac, itself, according to 1105.08 --

MS. BORDNER: Yes, sir.

MR. RECH: -- and something else?

MS. BORDNER: 1105.14(a).

MR. RECH: 1105.14(a) -- okay, did you get all that?

COURT REPORTER: Yes.

MR. RECH: Okay, is there a motion on that?

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MR. SHAFFER: I'll make that motion.

MR. RECH: Mr. Shaffer -- is there a second?

MR. ROOK: Second.

MR. RECH: Mr. Rook -- further discussion?

(WHEREAS, THERE WAS NO RESPONSE FROM THE BOARD, AND PROCEEDINGS WERE AS FOLLOWS:)

MR. RECH: Hearing none, roll call on that, please.

MS. DUGAN: Yes, sir -- Bob Shaffer?

MR. SHAFFER: Yes.

MS. DUGAN: Arno Hill?

MAYOR HILL: Yes.

MS. DUGAN: Tim Rech?

MR. RECH: Yes.

MS. DUGAN: Don Reider?

MR. REIDER: Yes.

MS. DUGAN: And Richard Rook?

MR. ROOK: Yes.

(ROLL CALL VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

MR. RECH: All right, very good -- thank you. Kellie, anything else from you?

MS. BORDNER: No, sir.

MR. RECH: Mr. Dutton -- anything else from your standpoint?

SOLICITOR DUTTON: Well, Mr. Alexander -- is there anything else on your checklist?

ATTORNEY ALEXANDER: No, Mr. Dutton, there isn't.

SOLICITOR DUTTON: Mr. Chairman, for the audience, as well as new people to this Planning Commission -- I want to put this into context. The Planning

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Commission has voted a series of issues and matters to make recommendations to -- on this project; and these recommendations on the vacating of this street -- and of necessity, the cul-de-sac. The others are not going to Council.

Those two (2) issues will go to Council because you cannot vacate a street without -- and then convert the threshold -- or the entrance into a cul-de-sac -- without Council approval; and the Statute also requires that Council conduct a Public Hearing.

So despite the testimony that you gave tonight, there will be another public hearing -- airing of this before Council, and it will probably be a separate meeting because if you piggyback it onto the Council meeting, it may take all night -- but that's for them to decide; but if you want your feelings pro or con registered, you must testify at that hearing, also; and at that point, Village Council will make the decision on whether to approve this recommendation.

It takes five (5) votes -- or no, it takes 3/4's percentage to reverse or amend a recommendation from the Planning Commission. It takes a simple majority to approve it. A simple majority rejecting it, short of 3/4's -- 75 percent -- throws it back into the lap of the Planning Commission.

I hope I haven't confused you, but it's going to Village Council here. So the vote that Mr. Bond had talked about -- it would be their turn to have a voice on this at that point in time.

Site Plan Review does not go before Village Council. So all of the issues that some of you raised about water runoff, and the issues about berms and barriers, you need to make your feelings heard at Site Plan Review. Site Plan Review will go -- will stay with the Planning Commission, and it doesn't go to Council.

PUBLIC COMMENTS:

MR. RECH: Thank you, Mr. Dutton. At this point in time, I believe we have everything addressed. I will ask if there's any other Public Comments this evening.

(WHEREAS, THERE WAS NO RESPONSE FROM THE FLOOR, AND PROCEEDINGS WERE AS FOLLOWS:)

MEMBER COMMENTS:

MR. RECH: Hearing none, are there any additional Member Comments this evening?

MAYOR HILL: Just to reiterate what Mr. Dutton has said, I know I haven't talked that much with TJX, here, lately -- but their main concern was the water runoff, and I know

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a lot of people on Hallock Young -- that is a big issue; and please come to the Planning Commission meeting when we have Site Plan and have your questions because they have an engineer's firm -- which their firm goes through everything to make sure it's done right.

Then it's inspected by -- their firm is MS Consultants. Ours is CT Consultants. Our engineers reaffirm what their engineering firm has said, and their main goal is to make sure that anybody who happens to be west of this project has no problems.

Also, as far as traffic and things like that, this is one thing which we are taking very seriously; and if you do have any questions, come to the Planning Commission meeting when Site Plan Review is being discussed. That's all I have to say. Thank you.

ADJOURNMENT:

MR. RECH: Okay -- just thank everybody for your participation this evening. Mr. Walker, Mr. Alexander, your team -- the department heads and everything; and with that, I'll ask if there's a motion for adjournment.

MAYOR HILL: So moved.

MR. RECH: Mayor Hill -- second?

MR. ROOK: Second.

MR. RECH: All right -- all in favor, "aye."

MR. REIDER: Aye.

MR. SHAFFER: Aye.

MAYOR HILL: Aye.

MR. RECH: Aye.

MR. ROOK: Aye.

(VOICE VOTE: 5, AYE; 0, NAY; 0, ABSTAINED.)

(WHEREUPON, THE PUBLIC HEARING BEFORE THE LORDSTOWN VILLAGE PLANNING COMMISSION, IN THE ABOVE-CAPTIONED MATTERS, CONCLUDED AT 7:45 P.M.)

Submitted by:

Approved by:

Village of Lordstown Planning Commission

January 14, 2019

Denise L. Dugan
Assistant Planning & Zoning Administrator

Tim Rech
Chairperson