

PERKINS TOWNSHIP ZONING COMMISSION MEETING

Held By: Perkins Township Zoning Commission
Place: Perkins Township Complex, 5420 Milan Road
Date: October 14, 2008
Time: 7:30 P.M.
Appl.# ZC2008-0004 Continuation Hearing

Board Members Present: Jerry Baumgardner, Chairperson
Kula Hoty Lynch
Cheryl Best-Wilke
Matthew Lesch, Alternate
James Lamb, Clerk

Board Members Absent: William Spence

Mr. Baumgardner welcomed everyone. Mrs. Kula Lynch moved to reopen the public hearing that was table on September 8th, 2008. Mr. Matthew Lesch seconded the motion. Roll call vote: Mrs. Lynch, yes; Mr. Lesch, yes; Mrs. Wilke, yes; Mr. Baumgardner, yes. Motion passed. The public hearing was reopened.

Mr. Erik A Breunig Esq., Taylor & Breunig Co., L.P.A., 409 East Avenue, Suite B, Elyria, Ohio 44035-5717, introduced Mr. Roger Nash, an Architect from the Withers Design Group, 1250 Chambers Road, Columbus, Ohio 43212 and Gary Hansen, construction manager for Firelands Development Co., 561 Leeds Gate, Wadsworth, Ohio 44281.

Mr. Nash presented a revised site plan for the nursing home. He said that the new site plan show the building configuration as an X shape design. He said that the plant is still for a fifty (50) bed nursing home. He stated that the building had to be moved farther back from the road right of way because their engineers had just discovered that there is a swale that drains about one hundred and fifty acres to the south of their parcel and they can not impede the water from flowing through the property. Mr. Nash also explained that they would be building storm water retention areas that would detain all the storm water run off from their building and parking lot and meter it out into the system at a slow rate.

Mr. Breunig stated that at the previous hearings an easement was requested for an access road to the adjoining property be put in place. He said that Firelands Development Co. was willing to grant the easement but they were unsure as to the location of the easement. He said that the easement could be made a condition of the approval.

Mr. Nash stated that the overall square footage of the building remains the same as on the original plans at 40350 sq. ft. The big difference is that in the new plans there are two dining room and two residence lounges as compared to only one in the old plans. He said that the administration area will be in the front and the kitchen and laundry will be in the back. Now all the deliveries and truck traffic will be in the rear where it will be shielded from the neighbors.

Mr. Nash had a color elevation picture of the building showing what it would look like and what materials would be put on the building.

Mr. Baumgardner asked if anyone else in the audience would like to speak in favor of the project or opposed to the project.

Mr. William Elliott, 3717 Hayes Avenue, said that he owns the property directly to the south of the proposed project and that he lives on the west side of Hayes Avenue across the street from the proposed project. He said that he is not in favor of the project because of the drainage and flooding problems that he has on his property and that they have in the area. Mr. Elliott went on to explain about the storm water system that is in place along Hayes Avenue. He described how old it is and that the tile that is supposed to remove the storm water and take it to Mills Creek is under sized and inadequate. He said that he has asked for help in resolving the flooding problem but no one has addressed his concerns. He described the damage that has been done to his property and to his neighbor's property every time that there is a heavy rain and how much it costs him to repair the damage. He said that he is concerned that any new development along Hayes Avenue would only add to his and his neighbors flooding problems.

Mrs. Lynch explained her understanding of retention ponds and how they are supposed to work. She said that the purpose of the retention ponds is not to burden the surrounding properties with additional storm water runoff. She said that the Zoning Commission has to rely on the County Engineers Office who approves drainage plans.

Mr. Nash explained that their retention area would be engineered to Erie County standards to hold the water during a major storm and only release it at a rate no greater than it would flow in its natural state. He stated their detention pond would only be to store the water run off from their parking lot and roof drains and not to store the water that drains naturally from the south through the existing swale.

Barbara Herman, 4008 Hayes Avenue, said that she is concerned by the additional traffic and the safety of the elder people entering and exiting out of the nursing home onto a very heavily traveled two-lane road. She also was concerned about the economics of the nursing home. She said that other nursing homes in the County have trouble filling all their beds now and she wonders what impact this would have on them with another nursing home with fifty more beds. She was also concerned about the impact on the Township service like EMS, Fire, and Police.

Mr. Robert Schippel, 4003 Hayes Ave. voiced his concerns about drainage problems on the site. Mr. Schippel said that he has farmed in the area for many years and knows what the flooding does to his fields and to his crops.

Mr. Baumgardner said that the Zoning Commission has tabled this request twice to give the developers an opportunity to develop some drainage plans but he still does not see any drainage plans and the developer still has not answered one drainage question. He stated that there is not even any indication on the plans as to where the detention ponds would be built. Mr. Baumgardner said that drainage is a big issue. He said that the developer needs to show what their drainage plans are and that they have talked to the County Engineers Office to get the plans reviewed. Mr. Baumgardner said that if they wanted to table the request for one or two months that it is okay with him, but they way the plans are right now he would not vote for it.

Mr. Lesch said that he did not want to keep coming back to the same hearing but wanted to move it on. He said that he would have liked to see the whole plan like other applicants do.

Mrs. Lynch said that the Commission needed to see some drainage plans and something from the County Engineers Office stating that the plan would meet their requirements and would not burden the surrounding properties.

Mr. Lesch said that the developer should also tell the Commission what they would be willing to do with the access easement.

Mrs. Lynch said it would be nice to see the easement on the plans.

Mrs. Wilke said that the Commission did not want another Milan Road with multiple and numerous access to Hayes Avenue. Mrs. Wilke said that the Commission would have to make the same request of other developers that would want to develop property on Hayes Avenue.

Mrs. Wilke moved to close the public hearing and to open the public meeting. Mrs. Lynch seconded the motion. Roll call vote: Mrs. Wilke, yes; Mrs. Lynch, yes; Mr. Lesch, yes; Mr. Baumgardner, yes. Motion passed. The public hearing was closed and the public meeting was opened.

Mr. Nash said that they thought this meeting would be helpful to let everyone know where the developers were in the process and to get comments from the neighbors and the Commission.

Mr. Breunig stated that they wished to have the meeting tabled so that they could provide the Commission with the final plans.

Mr. Baumgardner said that they would not be able to get the engineering done in thirty more days.

Mrs. Wilke asked if it would be better for the developer to withdraw the request and come back when they are better prepared to proceed?

Mr. Baumgardner stated that he did not dislike the project but he did dislike the problems in the area and that the developer has to deal with those problems instead of the Commission having to deal with the problems.

Mr. Breunig stated that they have a purchase agreement and as long as the zoning change request is in process he believes that they are in compliance with the purchase agreement. Because of the constraints of the contract they would prefer to table the request instead of with drawing it.

Mr. Lamb stated that the developers should sit down with the neighbors and assure them that they are not going to add to the drainage problem.

There was a general discussion on whether to withdraw the request or to table the request.

Mrs. Wilke moved to table the public meeting until December 15, 2008 at 7:30 p.m. Mrs. Lynch seconded the motion. Roll call vote: Mrs. Wilke, yes; Mrs. Lynch, yes; Mr. Lesch, yes; Mr. Baumgardner, yes. Motion passed. The public meeting is tabled until December 15, 2008 at 7:30 p.m.

Old Business: Mr. Lesch moved to approve the minutes from the September 8th, 2008 hearings. Mrs. Wilke seconded the motion. All members voted aye. Minutes approved.

Jerry Baumgardner, Chairman

James C. Lamb, Secretary