



Village of Galena ZONING AND PLANNING COMMISSION

MINUTES OF THE MEETING OF MARCH 14, 2007

The Zoning and Planning Commission of the Village of Galena met on Wednesday March 14, 2007 in the Council Chambers of the Municipal Building at 9 West Columbus Street, Galena, Ohio. Present were members; President Tom Hopper, Jim Slifko, Denny Morris, Stan Swisher and Mark Brooks. Also present were Zoning Inspector David LaValle, Zoning Clerk Sally Hopper and visitors Jane White, Dick Laudick, Sam Sanfillipo, Matt Pomeroy and Susie Kossmann. The meeting was officially called to order at 7:09 PM.

Copies of the minutes from the last meetings of February 14 and February 28, 2007 had been distributed to all members by the Clerk. A motion to approve the minutes of both meetings, as presented, was made by Mark Brooks, seconded by Jim Slifko and passed unanimously.

A hearing on an application for an amended development plan by River Mill Decks, Inc. and Jeff & Jane White of Not Spectators Anymore, LLC. dba Mudflats Bar & Grill, fka Donovan's Pub of Galena, had been tabled at the March 28th meeting. A motion to untable the application and resume the hearing was made by Stan Swisher, seconded by Mark Brooks and passed unanimously.

The hearing resumed with a brief summary of past public and Commission comments. Zoning Inspector David LaValle explained that the entire Commission had done a site visit on Saturday, March 3rd at 1 PM. They had examined the site layout and had even taken a step ladder to simulate views from the proposed elevation of the deck. Some suggestions were offered and the applicants were urged to submit changes in response to concerns from the public and the Commission. The neighbors were to visit the site at another time.

A new submission of a plan revision consisting of eleven pages titled *Village of Galena Zoning Commission Wednesday, March 14, 2007, Respectfully Submitted by: Jane and Jeff White, Proprietors the Mudflats Bar and Grill, Inc.* was made to the Commission at the meeting. Jane White gave a brief presentation on the proposed revisions.

The new plan revisions included a copy of the deed and legal description of the property and an outdoor lighting plan. The outdoor lights will be 7 volt lights mounted on the railing posts and will be pointed down and controlled by a timer. There will be no exterior sound or video systems. The front entrance green awnings will be replaced and will contain no signage or advertising. The six foot tall wooden fencing along the property line, previously approved in the 1995 Development Plan but never put in place, will be installed in lieu of the landscaping originally proposed. This is being done because the neighbors could not agree on an acceptable landscaping plan. All future landscaping will be placed inside the fence.

The plan revision proposed that table service on the deck would be up to dark or 10 PM. After a discussion with the public present and the Commission this was altered to say that table service is to cease 30 minutes after sunset as defined in a local newspaper such as the Columbus Dispatch. Smokers may access the deck until closing.

Also included in the new plan revisions was an employee only parking area for 4 to 5 cars at the rear of the

restaurant. This was suggested by the Commission to reduce the parking demands on the square due to the increased capacity of the restaurant thereby saving spots for the adjoining businesses. The parking area is to be graveled before being placed in service. There will be a sign installed near the entrance stating the parking area is for employees only.

In order to reduce the impacts on the neighbors the entire deck seating area will be lowered approximately 2 ft. from the original proposal and the access from the main dining room will become an ADA compliant ramp. The dumpster will be enclosed as required in the 1995 plan and the proposed, projecting, sign will be allowed to aid in visibility which is especially poor as you approach the restaurant from the west.

Following the presentation there was a discussion by members of the public and the Commission. Member Jim Slifko explained how the Commission had analyzed the proposal on site and how the Commission believes it will appear to the neighbors. In answer to a question by neighbor Sam Sanfillipo, Jane White stated the deck would be approximately 3 ft. off the ground.

Mayor Hopper clarified for Dick Laudick that the plan states that there will be no enhanced or amplified sound equipment on the deck. That would also apply to any live music presentations. Also all set-backs are being met except where the ramp runs along side of the main building to access the new deck area. Jane White responded to Mr. Laudick's question that there would be around six, four person tables on the deck and that the fire department would put a load limit on it.

A motion was made by Mark Brooks to approve the proposed development plan changes for 31 West Columbus St., as revised in the March 14 submission, with the following changes:

- 1) The parking area in the rear is for employee parking only.
- 2) The parking area is to be graveled and maintained as gravel as per the submitted drawings.
- 3) There is to be placed an entrance sign denoting the parking area as employee parking only.
- 4) Table service on the deck is to cease 30 minutes after sunset as defined in a local newspaper such as the Columbus Dispatch. Smokers may access the deck until closing.
- 5) The projecting sign as proposed will be allowed.
- 6) Final certified and approved plans showing the revisions in the deck will be submitted to the Village prior to construction and issuance of a zoning permit. These plans will show the reduction in deck elevation and the ADA compliant ramp.
- 7) Copies and sign-offs of all applicable permits including, but not limited to; the Ohio Board of Building Standards, Delaware County Health Department, Ohio Division of Liquor Control and the BST & G Fire Department, must be submitted to the Village before issuance of a final Zoning Compliance Permit.

The motion was seconded by Denny Morris and passed 5-0 in a roll call vote as follows:

Swisher - Yes Morris - Yes Hopper - Yes Brooks - Yes Slifko - Yes

The hearing was closed at 7:35 PM.

Zoning Inspector David LaValle had issued a written report which is attached and incorporated as part of these minutes. He gave a brief summary of the report. Poggemeyer Design Group is currently conducting a sewer rate schedule analysis for the Village to determine costs and possible future rates. He reported that he and the Mayor had met with developers concerning the Fuller-Davis Tract.

Susie Kossmann asked about the payment of sewer tap fees by Maronda Homes for the Walnut Creek Subdivision. Mr. LaValle will research when those fees are due under their agreement with the Village.

She also asked about the flood plain maps. Mr. LaValle and Mayor Hopper explained that those maps are created and maintained by FEMA and are not under the control of the Village. They are 7 to 8 years old and are very difficult to interpret because they are such a small scale. They have proven to be in serious error in the past and the Village paid for a surveyor to prepare documents to correct the map for the occupied areas of the Village.

There may be areas inside the Village which are still shown incorrectly as being in a flood plain. Council determined that at the time of the previous map revisions that it would not appropriate to spend additional public money to revise the map for all the undeveloped areas of the Village. FEMA is currently planning to do a complete revision to the area map again in the next couple of years.

At Ms. Kossmann suggestion, Mr. LaValle gave a brief summary of the sidewalk ADA compliance project to be completed with grant money this summer in areas near the square.

The Clerk had nothing additional to report.

There was no old business.

There was no new business.

There being no further business before the Commission, a motion to adjourn the meeting was made by Denny Morris, seconded by Jim Slifko and passed unanimously. **The next scheduled meeting will be on Wednesday, April 11, 2007 at 7:00 PM.** The meeting was officially adjourned at 7:53 PM.

Clerk

Chairman

CERTIFICATION

I, Sally H. Hopper, Clerk of The Zoning & Planning Commission of the Village of Galena, Ohio do hereby certify that publication of the above MINUTES was duly made by posting true copies thereof at five (5) of the most public places in the Village of Galena as provided for in Ordinance # 99-15 enacted by the Council of the Village of Galena on December 21, 1999.

Sally H. Hopper, Clerk