



## Village of Galena ZONING AND PLANNING COMMISSION

### *MINUTES OF THE SPECIAL MEETING OF MAY 9, 2012*

The Zoning and Planning Commission of the Village of Galena met in a special meeting on Wednesday May 9, 2012 in the Council Chambers of the Municipal Building at 9 West Columbus Street, Galena, Ohio. Present were members; President Tom Hopper, Nancy Feole, Stan Swisher, Mark Brooks and Mike Bragalone. Also present were Zoning Inspector Scott Jamison, Zoning Clerk Sally Hopper, Village Solicitor Ken Molnar and visitors Norm & Kathy Fountain, Kristen Risch, Chad Kettlewell, Scott Liston, Rob Smith, Grace Piper, Chris Underwood, Jane White and Verna Hines of the Big Walnut School Board. The meeting was officially called to order at 7:05 PM.

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A motion to reconvene the hearing on an application by Zoar Developer LLC and Kingfisher Cape LLC for an amended development plan to allow a lot split and changes to a previously approved plan for the property along West Columbus Street from West Street to Middle Street and known as 46 West Columbus Street was made by Nancy Feole, seconded by Mark Brooks and passed 5-0 in a roll call vote as follows:

Swisher – Yes    Bragalone – Yes    Hopper - Yes    Brooks - Yes    Feole – Yes

The hearing was reconvened at 7:06 PM. All those who wished to testify were sworn in by Village Solicitor Ken Molnar.

Mr. Scott Liston and Mr. Rob Smith were present representing Zoar Developers LLC and Kristen Risch and Chad Kettlewell were present representing Kingfisher Cape LLC. Ms. Risch made a brief presentation to reintroduce the Kingfisher Cape plan and stated that there were no changes since the April 18 original hearing date.

Mr. Liston went through page by page the changes to the Zoar Developers plan since the last meeting. There are no changes until Page 3 where there is a new drawing showing changes to the stormwater drainage plan and the elevation of ground level on the front of the proposed building. The proposed, new building has been shortened by 1 ft. on the west and reduced by 62 square feet in area. This allows a shared 4 ft. wide sidewalk to be placed along the west side of the new building from the street. Because no agreement on shared parking was reached with the adjoining property owner at 15 Middle Street they have added a parking spot to be reserved for service and delivery vehicles only along the east side of West Street as shown on Page 6.

Page 7 and 8 are now devoted to a study of parking in the downtown area and a proposal to contribute 40 parking blocks and gravel to increase and improve parking along the guardrail on Walnut and Harrison Streets on the east side of the square. Their total financial commitment to the parking is not to exceed \$5000. There are no changes on Pages 9, 10 or 11. Starting on Page 12 the plan now talks about use of the new 4 ft. sidewalk from Columbus St. to the rear of the new building and a proposed 8 ft. by 8 ft. designated trash pickup area in the parking spaces along West Street as a solution for the trash and garbage handling issues brought up at the last meeting. A series of regulations and controls on tenants are also included. Mr. Rob Smith, a partner in Zoar Developers and a person with many years of experience in trash hauling with Waste Management and Capital Waste, joined with Mr. Liston in the presentation for the section on the proposed changes in waste handling.

Page 13 deals with questions about the overhead electric lines and the replacement of the curbs. Proposals for cleaning and repairing the curbs and how to handle future sewer taps and wye are made. Page 14 deals with working with the Village on the selection of street trees and removing the earlier proposal to place protective bollards along the west side of West Street. The mounding that has been placed there by the property owner would seem to make it unnecessary.

At the conclusion of Mr. Liston's presentation the hearing was opened up to questions from the audience. Ms. Jane White of the Mudflats Bar & Grille asked about uses for the new building. She was told there are no specific uses specified in the plan. There was then a brief discussion concerning the possible uses allowed.

Mr. Norm Fountain, owner of Fountain Insurance at 15 Middle Street spoke about his concerns on the lack of handicap parking. He also restated his issues with parking, the lack of snow removal in the past and the removal of the garbage dumpster enclosure from the original plan.

Mr. Ken Molnar, speaking for the owner of 21 Middle Street, pointed out that the proposed delivery spot on West Street may have issues with the existing curb cut to the property and should be completely in the public right-of-way. The historic building on the property existed before West Street so it presents a number of unique issues.

Kathy Fountain spoke of concerns about the carts for trash and the visibility of the trash containers from adjoining properties. She suggested that a fence should be placed along the property line.

Mr. Scott Jamison, the Village Zoning Inspector gave his report on his review of the revised plan. He stated that the Village Engineer had estimated that the proposed parking improvements would cost about \$13,500. This was only a very rough estimate.

Mr. Molnar, speaking as the Village Solicitor, gave a brief review of his findings with the plan. He pointed out that the two plans and the lots split are really all part of a whole and all must be adopted together. He pointed out that the proposed restricted parking for the spots along West Street, included in the Kingfisher Cape Plan, cannot be done by the applicants but could only be done by Village ordinance. Also a timetable for completion of the projects needs to be included.

Commission members then spoke. Nancy Feole asked questions concerning leases and easement for the shared sidewalk and parking areas, washing of dumpsters and her opinion that the actual proposed future use of the new building needs to come back for approval by the Commission when it is known. She invited Kingfisher Cape to give a brief presentation on Coldwater Consulting, that company that would actually occupy the existing house at 46 W. Columbus Street, to educate the public and the Commission. Ms. Kristen Risch of Coldwater Consulting/ Kingfisher Cape gave a brief introduction on the company and their planned four employees.

Commission member Mark Brooks asked questions concerning dimensions on garbage containers, fencing and gates. Member Mike Bragalone discussed snow removal and handicap parking concerns. Member Stan Swisher asked if the garbage containers would have locks on the wheels and strongly questioned the advisability of having restaurant, food service or convenience stores as potential uses considering the limitations of the site.

At the conclusion of the discussions Mr. Molnar summarized for the Commission the correct procedures to follow. They have thirty days from the close of the hearing to reach a decision.

A motion to close the public hearing was made by Mark Brooks, seconded by Nancy Feole and passed 5-0 in a roll call vote as follows:

Swisher – Yes    Bragalone – Yes    Hopper - Yes    Brooks - Yes    Feole – Yes

The hearing portion of the meeting was ended at 8:24 PM.

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After the hearing was closed the Commission decided that they would not announce a decision but would gather a

list of possible modification to the plan and draft a list of findings at the next meeting which is scheduled for next week. Mr. Liston will be unable to attend but Mr. Smith will be there representing Zoar Developers. Suggestions from members are to be to the Mayor by Monday so that he and the Solicitor can put them together for the Wednesday meeting.

There being no further business before the Commission, a motion to adjourn the meeting was made by Mark Brooks, seconded by Mike Bragalone, and passed unanimously. **The next scheduled meeting will be on Wednesday, May 16, 2012 at 7:00 PM.** The meeting was officially adjourned at 8:29 PM.

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Clerk

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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.

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Sally H. Hopper, Clerk