

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

January 11, 21

The City of Cortland Planning, Zoning & Building Commission met on Monday, January 11, 2021 at 7:00 P.M. electronically via Zoom Video Conferencing. In attendance were the following board members: Chairman Curt Moll, Vice Chairman Sally Lane, Don Bell, Don Fatobene and Brian Hodor. Also present were Mayor Deidre Petrosky, Law Director Patrick Wilson, and Service Director Kim Blasco and the following individuals:

David Gregory	120 Woodview	Cortland
Dawn McFall	120 Woodview	Cortland
Kevin Piros	Council President	Cortland
David Brown		Cortland

Curt Moll calls the meeting to order.

Commented [CD1]:

**Roll Call:** Brian Hodor, here; Sally Lane, here; Curt Moll, here; Don Bell, here; Don Fatobene, here.

A motion to approve **Commission Minutes from the December 14, 2020** regular meeting was made by **Don Fatobene** and seconded by **Sally Lane**.

**Roll Call:** Don Fatobene, yes; Sally Lane, yes; Brian Hodor, yes; Curt Moll, yes; Don Bell, yes. **MOTION APPROVED.**

**Curt Moll:** The first item is **01-21 Replat** – Replat of lot No. 17 in Tower View plat No. 3 Plat Volume 28, pg. 65 and part of out lot No. 110 City of Cortland Trumbull County, Ohio. Can I have a motion please.

A motion was made for 01-21 by **Don Bell** and seconded by **Sally Lane**.

**Curt Moll:** Do we have someone here to talk about the replat?

**David Gregory:** Yes, my name is David Gregory and I'm with Dawn McFall, we are the owner, occupants of 120 Woodview Dr. We purchased this property on November 18. It was recognized during the title search and closing that one of the three properties that originally existed, needed and required a resurvey. The suggestion that was brought up was that we combine all three properties since they are all an interval unit with a garage in the back and another isolated piece of property behind the garage. That was the driving force behind it. There was a next transfer of required survey, I believe that it was on the middle property. The idea was to combine all of them because it has been awhile since they have been transferred.

**Curt Moll:** Patrick, any issues on this?

**Patrick Wilson:** There are none, I have reviewed it. The survey looks to be in order.

**Curt Moll:** Great, Kim anything?

**Kim Blasco:** No, it looks fine to me.

**Curt Moll:** Great, I think that we can have a roll call.

**Roll Call:** Sally Lane, yes; Brian Hodor, yes; Don Fatobene, yes; Curt Moll, yes; Don Bell, yes. **MOTION APPROVED.**

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**Curt Moll:** The next item of business is **02-21** – A recommendation from Council for the addition of 1125.20, a new provision to the City of Cortland Planning and Zoning Code. This was presented in the last Council meeting. Can I have a motion please?

**Sally Lane** made a motion for 02-21, seconded by **Don Bell**.

**Kevin Piro:** Yes, this is the construction equipment in a residential district. Over the past couple of years, I've noticed in a couple of instances that backhoes remained on vacant lots for an extended period of time, months upon months when there was no active permits or construction going on. It was basically parking it on a vacant lot. I checked other municipalities codified ordinances and many of them have such an ordinance on the books. It says that you can not park equipment on a vacant lot if you are not constructing on that lot. It's not a parking lot. This stuff can be stored at the business which is where it should be long term stored. It takes away from the purpose of living in a residential area. We are talking about bulldozers, backhoes, and things like that. I worked with Patrick to get this to kind of mirror what other municipalities have. It's fine to have it there but only while you are doing active construction.

**Kim Blasco:** I agree with it, he is right. You should not have heavy equipment parked on residential lots. There is no need for it.

**Curt Moll:** I have a concern about where it is. I'm always looking at new rules; how they will be enforced and can they be enforced. I'm a little concerned about putting this in zoning because it is really a vehicular activity. I would see it going into 303.10 which is junk vehicles. This goes through the process of removal of junk vehicles or construction vehicles or whatever you could do here. I see a parallel activity here that could involve police enforcement and not the Zoning Board. I like it, I just think that it fits better there. It's just difficult for zoning to enforce any zoning violation because you have to go through a lengthy court process. It's easier if the police are involved. I don't know what you think about that Patrick.

**Don Fatobene:** I don't think that it's a bad idea for us to have this on the books; for us to pass something like this for zoning.

**Curt Moll:** But, the junk vehicle section does not address this kind of equipment.

**Kevin Piro:** That one is intended for vehicles that don't run.

**Curt Moll:** I'm saying, in the same section as that ordinance, this would fit better.

**Patrick Wilson:** The reason I liked it where it is, is because more often than not, this equipment is there because of a building permit. The police don't want to track down a building permit; whether it is active, who it was issued to... That's more in the purview of Kim's department. I think that the city is more equipped on the civil side, the service side to police something like that. That was my thought process on where it should go. I fall back on what Don said, it won't hurt to have it in this section.

**Curt Moll:** Ok, I wanted to bring this up because it is going to be hard to enforce. We have had situations in the past where someone in the construction business, park their vehicles in their yard and had nothing to do with the service department. We had no provisions for enforcement.

**Brian Hodor:** Is it possible to put it in our code along with the city's so that it can be enforced in other ways? Have it in both places.

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**Patrick Wilson:** As long as they are not inconsistent Brian, that would be okay to do that.

**Curt Moll:** Good discussion, any other comments? Could we have a roll call Christine?

**Roll Call:** **Curt Moll, yes; Don Bell, yes; Sally Lane, yes; Don Fatobene, yes; Brian Hodor, yes. MOTION APPROVED.**

**Curt Moll:** The next item is **03-21** - A recommendation from Council for the addition of 1125.21, a new provision to the City of Cortland Planning and Zoning Code. Can I have a motion please.

**Don Fatobene** made a motion for 03-21, seconded by **Don Bell**.

**Kevin Piros:** This is partners with the other one. There has been some undeveloped lots in the city that have been used to store or dump debris from an existing lot that is being developed. It was not used as moving things and getting them out of the way. It's debris, dirt and tree stumps and yard waste from construction, digging the foundation and clearing the lot. Instead of hauling it away at a cost, dumping it on the neighboring lot and leaving it there for years. I've researched other municipalities, and many do not want stumps and things buried because eventually that stuff decays and you are left with a sink hole in the yard. I think that any debris from a lot should stay on that lot. Just because you have a vacant lot shouldn't mean that you have your own dumping ground. It doesn't keep harmony with the surrounding area when it's introduced to a lot that it didn't originate from. If a tree falls on a lot, you don't move it down the street and dump it on another lot.

**Curt Moll:** If a tree falls on a vacant lot, there is no problem with that.

**Kevin Piros:** No problem with that. If you are clearing a lot because you are going to build on it, haul it away. Just because you own another; don't use it as your dumping ground.

**Curt Moll:** Again, I have an issue with where it is but it's okay. We will go along with council on this.

**Roll Call:** **Curt Moll, yes; Don Fatobene, yes; Sally Lane, yes; Don Bell, yes; Brian Hodor, yes. MOTION APPROVED.**

**Curt Moll:** The final item on the agenda is **04-21 – Replat** – Replat of lot 2– Petrocco Plat No. 15 Plat Volume 56, pg. 111 and part of outlot 48 of the former Village of Cortland, City of Cortland, Trumbull County, Ohio.

**Don Bell** made a motion for 04-21, seconded by **Don Fatobene**.

**Kim Blasco:** I have Mary Day on the phone. She is going to talk through the speaker.

**Mary Day:** I have lived here for 8 years and I have recently purchased the lot behind me. I'd like to join the two lots together and eventually build a garage behind me.

**Kim Blasco:** She has told me that she doesn't plan on putting a driveway to Mecca Street. The drive will be a continuation of her driveway and it will be to Denman Ave. where it is currently.

**Curt Moll:** There wouldn't be a problem with having a drive out to Mecca St. would there?

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**Kim Blasco**: I don't think so.

**Mary Day**: Well, I could possibly. Would that be a problem?

**Curt Moll**: The answer is no.

**Mary Day**: Okay, either way.

**Curt Moll**: We aren't trying to encourage you to go one way or another. I was just wondering if there was a restriction on that and I don't think that there is. We already have a situation like this next to you where they used to have a driveway that went out both ways. Any other comments? Roll call please.

**Roll Call: Brian Hodor, yes; Sally Lane, yes; Don Bell, yes; Don Fatobene, yes; Curt Moll, yes. MOTION APPROVED.**

**Curt Moll**: Anything else to come before the board?

**David Brown**: Yes, my name is David Brown and I'm a resident of Cortland. I work for a digital sign company from Pittsburgh. I understand that digital signs are not permitted except with a variance. I have a potential customer, the gentleman that just bought the roller rink. He would like a digital sign. What are my options and what is the process, please.

**Curt Moll**: Kim could help you most with that. The options would be to come to us with a variance. We have been reviewing that carefully. We have a set of guidelines that we'd like those signs operated on if we were to grant the variance. We don't want to see automation. We want signs that can change easily but not all of the time. If you look at our municipal sign, they are operating it along the guidelines that we had asked them to. They are not changing the content very often, it's readable, you can drive by and see what is on the sign. It's not a distraction.

**Don Fatobene**: A better example would be the sign we did the variance on in front of the new school.

**Curt Moll**: I have generated a list of things, rules, I haven't brought them in front of this board yet. It's an informal set of rules at this point but, things that we would consider if you had a variance. I could email it to Kim and she could email it to you. You can have it as an idea of what we are looking for when we see a variance for an electronic sign.

**David Brown**: The software is amazing.

**Curt Moll**: I know, we don't want movies playing alongside the road. (laughter)

**David Brown**: No, absolutely, I understand that.

**Curt Moll**: We are trying to help those that put the signs up. If they change the sign every 20 seconds, people are going to get half messages a lot. They won't see your message. Bazetta used to run their sign at 3 miles an hour and you couldn't keep up with it.

**David Brown**: I sold that sign to them years ago. Most municipalities are an 8 second delay.

**Curt Moll**: I think that's too short. If you stop at a stop light, you don't need to see all messages, only the one that is important. We don't want a circus environment.

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**David Brown:** Understood. How do I start a variance process?

**Curt Moll:** You would talk to our Service Director, Kimberly Blasco and she will help you. She is available at city hall.

**David Brown:** Okay, thank you.

Adjournment moved for by **Don Fatobene** and seconded by **Don Bell**.

**Roll Call:** Brian Hodor, yes; Sally Lane, yes; Curt Moll, yes; Don Bell, yes; Don Fatobene, yes. **MOTION APPROVED.**

**Meeting Adjourned: 7:13 pm**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary