

MINUTES
Planning and Zoning Commission & Architectural Board of Review
City of Willoughby Hills, Ohio
May 20, 2010

6:00 P.M.

Presentation by the CHAGRIN RIVER WATERSHED PARTNERS (CRWP)

Ms. Rachel Webb is the Low Impact Coordinator with the CRWP. It was formed in 1996 by communities in the Chagrin River watershed to be a technical resource. There are 36 member cities, townships, counties and park districts. The CRWP goal is to minimize flooding and erosion in communities as they grow by focusing on improving development practices and site design to reduce overall infrastructure costs due to chronic flooding and erosion. A healthy watershed in its natural state treats run off, removes pollutants and provides erosion control. Water quality is the goal at every step of water management. Disconnecting downspouts and using an open swale system is a big step toward a stormwater management system.

The slide presentation showed the value and use of Rain Gardens (RG) in development plans & in residential use to stop the water at its source and allow it to infiltrate on location into the ground. The basics of rain garden design and installation were demonstrated in a short video. Ms. Webb covered:

- RG description, what it is designed to accomplish, its limitations, and correct RG design.
- There is limited experience with deed restrictions to ensure maintenance and to transmit information about the stormwater management system.
- The objective for Maple Valley is to prevent storm run off from driveways and roofs from getting to the pond.

The Question and Answer Discussion focused on concerns about:

- Immediate and Long term maintenance responsibility and deed restrictions
- Care information and guidance needed for the types of plants appropriate for RG in NE Ohio.
- ‘Perc’ characteristics of the soil types in wet and dry seasons.
- Types of soil in the proposed development
- Limitations of Bio-retention basins and meeting the water quality code
- Consideration of salt spray tolerance and snow melt for RGs in the right of way (ROW)
- A demonstration project will be constructed near the Willoughby Hills Activity Center

PCABR Meeting

CALL TO ORDER: 7:03 P.M.

PRESENT: Chairman Charlotte Schryer, Mayor Robert Weger, Council Representative David Fiebig, John Lillich, Madeleine Smith and John Davis

ABSENT: Vice Chairman James Michalski

ALSO PRESENT: BZA Representative Frank Cihula, City Engineer Richard Iafelice, Assistant City Engineer, John Topolski, City Architect William Gallagher, Chagrin River Watershed Partners representative Rachel Webb (departed at 7:37 PM) and Clerk Katherine Lloyd

With the Board's permission, we need to add 2930 Canterbury Ct. – back yard porch to the Agenda in Architectural Board of Review.

MOTION: John Lillich moved to add 2930 Canterbury Ct. – backyard porch to tonight's Agenda.
Seconded by John Davis
Roll Call: Ayes Unanimous
Motion Passes

MOTION: Madeleine Smith moved to excuse James Michalski for tonight's meeting.
Seconded by John Davis
Roll Call: Ayes Unanimous
Motion Passes

PLANNING COMMISSION
Public Portion opened 7:07 P.M.

Tom Marsh, 36520 Maplegrove

My property is immediately to the east of the proposed retention basin. I just saw the drawings tonight. I would like to have the project explained. My concerns are:

- Possible impact on wells in the area –the water table is very high. Our well was only 14 feet deep.
- Impact on property values due to the appearance of the basin and run off. We have no mosquito problem now, but the basin could change things in the future.
- Outflow from the basin – where it goes and how deep? Our large old oak tree is close by.
- Maintenance of the basin – who will take responsibility?
- How close is the basin to our property line? The trees in the drawing are ours. Shouldn't there be a sideline clearance for a retention basin just as there is one for buildings?

(Schryer) We will try to answer your questions tonight. The Building Commissioner can also help you with pinpointing concerns as the plans are submitted to the Building Department.

Public portion closed 7:12 P.M.

1. Royce Properties

Contractor: N/A

36470 Maplegrove Rd– Single-Family Residential Subdivision – PPN: 31-A-012-E-00-001-0

Present: Brian Osborne and Joe Gutowsky

The stormwater management is a dry basin which will handle the stormwater for 18 lots. Lots 11-18 are wooded. The outlet heads east down Maplegrove. The basin will be dry 90% of the time due to the sandy soil. It is engineered to handle a 100-year storm. The edge is about five feet from the Marsh property. It will be 6 feet deep from top to bottom and will have a 3:1 slope to allow for grass cutting. The existing barn will come down and the dry basin will be constructed in that area. Outlet piping will be constructed with a directional drill to avoid open excavating. The outlet goes into a ditch. 'Perc' tests have been done on all the lots. Mound systems will be necessary for the back lots. Landscaping is proposed for the basin as well as for the development. The proposed rain gardens (RG) in the Right of Way (ROW) are in an area of good soil. Board response to the Rain Garden (RG) presentation and guidance as it pertains to the subdivision was requested.

The Board discussed the following issues:

- RGs have functional, aesthetic and property value elements.
- Cost of RG would be imposed on new homeowners in addition to cost of lot, but they would feel the effects of no action.
- Importance of the builder educating property owners re: RG, soil type, stormwater management for water coming off their roof.
- Easement for maintenance not recommended by the engineer.
- Deed restrictions for each lot according to the type of soil on the lot would require stormwater management, i.e. rain gardens specific to each lot, especially lots 1-5.
 - Residents and Homeowner Associations sometime disregard deed restrictions related to maintenance.
 - Further research on RG and their application for lots with poor 'perc' tests needed.
- Maintenance responsibility for the rain gardens at the entrance which would be in the Right of Way (ROW) now and in the future.
 - Maintenance Access of the RG & retention basin must be guaranteed now & in the future.
 - Do not plan on the RGs in the ROW if the city has to maintain it.
 - Is an Ordinance necessary to enforce maintenance requirements with the owners and the Home Owner's Association?
 - City does not have the funding or personnel to assume responsibility for the RG.
- Homeowner Association (HOA) rules should be written and then enforced now and in the future. What is the funding of the HOA?
- Are there other cost effect 'green' options that can be used to help with stormwater management?
- The Retention Basin should be redesigned and relocated away from adjacent property.
- RG to mitigate water flow at its source by the house downspouts.
- Importance of Water quality cannot be overstated.

Disposition of Minutes: Minutes of May 6, 2010

MOTION: John Lillich moved to approve the minutes of May 6, 2010 as presented.
Seconded by John Davis
Roll Call: Ayes Unanimous
Motion Passes

ARCHITECTURAL BOARD OF REVIEW

Public Portion opened 7:37 P.M

Robert Kowalsky, 2585 Timberline

Rain gardens are a good idea but they cannot do it all. If the basin is needed, it should be made big enough to hold all of the water. The rain gardens could be a 'green' option. The homeowner should not be mandated even though stormwater is the most intrusive thing on our property.

Public portion closed 7:38 P.M.

1. Bill Sederholm

Contractor: Thomas H. Truitt

**29484 White Road – Ranch Home: Re-Submittal for Change of Plans –
PPN: 31-A-005-D-00-014-0**

Plans stamped received by Building Department 5/17/10

Present: Bill Sederholm, owner and Thomas H. Truitt, contractor

Owner/Representative Comments:

- We have returned with design changes because Mrs. Sederholm wants more light in the rooms she would be in during the day, especially the south-facing side. Rooms have been moved around.
- The master bedroom with the master bath is now on the north side which is the front of the house. That moved the porch over. The entire roof was redesigned to accommodate the new floor plan. There is a continuous roof vent but the two reverse gables had to be eliminated.
- There are fyphons and additional Alside plastic shakes on the side gables.
- The footprint and foundation are still the same.
- Columns in the front will be aluminum, square with some detail.
- There will be three individual garage doors like the picture but with no windows.
- There are reflective tubes in the back - two in the kitchen and one under roof on the deck.
- We are looking for architectural design suggestions.

City Architect's Comments:

- The front elevation is bland with few details. Dormers and shutters could give it character. Paneling could dress it up. The horizontal rake board needs to match with the gutter board. It transitions between the shake and the columns.
- Single casement windows on the front and sides do not let in much light.
- The back elevation has plenty of windows and details. A stark roof on the back is not a problem.
- The side elevations need more symmetry. It needs more windows shutters on the single windows.
- The proportion of the shake and fyphon does not match. The fyphon vent would not be necessary with all of the shake that has been added on the gable ends.
- Be as true as you can with an A-traditional style keeping with a design theme.

Board Comments:

(Davis) More balance and aesthetic adds curb appeal which would help with the resale value.

(Smith) Another possibility would be an asymmetrical line up top. 'Swing' the one gable out. It would provide a bigger porch, a more important entrance and encompass the one double hung window. More detail is needed on the side of the house. I concur with the suggestion of shutters.

(Schryer) Take the suggestions and put them together how you would want it.

(Gallagher) A partial dormer would give detail. Shutters on double hung windows would add detail and light in a large open space. *If we had three garage doors, a dormer could be placed over the second door and match the size of the dormer over the porch.*

(Lillich) With that type of garage door, you can 'clip' the corners to add detail.

(Truitt) Can we start the foundation before coming back with the updated plans for final approval on the outside? (Gallagher) *The foundation did not change.*

(Wyss) I have no problem with it, as long as the Board approves.

MOTION: Mayor Weger moved to approve starting the foundation at 29484 White Road as long as they bring back the outside architectural plans for final approval.
Seconded by David Fiebig

Discussion:

(Truitt) Is the back okay?

(Gallagher) Are you considering the double hung or the casement windows with the shutters? *We like casement windows but shutters might not look good. We do not like muntin bars.*

(Gallagher) The back is okay. It would not work with double hung. Casements can work with shutters.

**Roll Call: Ayes Unanimous
Motion Passes**

Additional Discussion:

(Wyss) Solar tubes are okay inside in the living area. Skylights over the deck by the kitchen window would provide additional light.

2. Andrew & Jenifer Blaut

Contractor: Homeowner

2930 Canterbury Ct. – Backyard Covered Porch/Deck – PPN: 31-A-007-J-00-011-0

Plans stamped received by Building Department 5/11/10

Present: Jenifer Blaut

(Schryer) They are only here for the porch and deck. The new addition to the house is not part of this.

Owner/Representative Comments:

Photographs of the existing house were distributed to the Board.

We are proposing an outdoor living space with continuation of the wrap-around front porch which goes to the side of the house. It continues with a covered walkway into a foundation with brick around it, covered, with a fireplace to match the other fireplace in the back

City Architect's Comments:

It is a nice design which will be a perfect match.

She did not say it that all the railing, siding, shingles and gutters would match, but that is implied. *Yes*

Board Comments:

(Smith) It is a nice plan.

(Wyss) Although it is not being addressed tonight, there is an in-law suite on the plan. The question is whether the board will address an in-law or should it be sent directly to the Board of Zoning Appeals for a variance? There is also another in-law suite coming up for review.

(Schryer) We can hold the discussion for New Business.

MOTION: Madeleine Smith moved to approve the plans for the wrap-around porch at 2930 Canterbury Ct. as submitted.
Seconded by John Lillich
Roll Call: Ayes Unanimous
Motion Passes

Mr. Gallagher was excused at 8:12 P.M.

UNFINISHED BUSINESS

Gale's Farmer's Market: John Davis asked when the barriers would be installed, the driveway repaired and whether the Police Chief had reviewed the plans. He observed a forklift transporting materials to the tent through an area that should be blocked off by barriers. Entrance and Exit signs have been installed. The Police Chief did review the plans; he had wanted the tent in the back. The Building Commissioner will contact Gale's regarding compliance with the approved plan.

NEW BUSINESS

1. House Numbering and Premises Identification

The Building Commissioner reviewed his concerns that were detailed in an email dated April 23, 2010 (attached). House numbers are on only one side of the mail boxes. Numbering is not in numerical order and the houses are not marked in any consistent manner or location. The Post Office does have a criteria but postal customers do not always comply. This could be a safety issue for police and fire department response. Discussion included a need for clear designation and consistency in the numbering and identification system, a need for further research of this concern, and updating the City Ordinance. It was suggested that a reminders about proper identification could be submitted to the newspaper and newsletter.

2. In-Law Suites

The plan for Canterbury Ct. includes a proposed in-law suite which is separated from the house by a non-living area (garage). That project will be submitted in the future. In the past, an in-law suite was considered to be an area with a separate entrance and separate cooking and bathing facilities closed off from the main house by a locking door. There is concern that in-law suites might become rentals in the future. Many people do have kitchen areas in the basement of their homes for religious reasons or cooking in the summer. Frank Cihula stated that this may be a Use issue rather than an Area variance. BZA does not hear a Use variance issue. There are districts in the city that provides for multi-family. 'Family' is defined in the code. Consensus is that a definition of 'in-law suite' is needed. The Building Commissioner will research further and consult with the Law Director to obtain his opinion in writing. Referral to the BZA may be indicated in future.

3. Madeleine Smith asked about the half-built house on River Road. The Building Commissioner will follow up.

MAYOR'S REPORT

None

COUNCIL REPRESENTATIVE'S REPORT

1. The Council will hold a first reading of the Exterior Property Maintenance Code at the May 27th meeting at 5:30. It is limited to exterior maintenance only. A copy of the proposed code will be sent to the PCABR members.

2. The Master Plan is being reviewed.

BUILDING COMMISSIONER'S REPORT

1. Mister Wonderful's Chicken & Waffle Express opened in the former Ichi Ban location near Becky's. The Ichi Ban sign needs to come down. They will have a temporary banner. He has several locations.

2. A cyber café in Painesville is looking to locate at the former Quizno's locations. The City Law Director states that these are assumed to be legal businesses unless proven otherwise. Mayor Weger added that there are potential interstate commerce legal issues being investigated with regards to the existing cyber café that located in Willoughby Hills near Bogey's about two weeks ago. Reportedly, the patrons refer to it as 'the little casino down the street'. There are a number of cyber cafes in Cuyahoga and Lake counties.

3. The Waterloo 7 Gallery from Glenville hopes to locate an art gallery in the little strip plaza at the eastern end of the street across from Chagrin North. He needs a commercial occupancy permit from the Lake County Building Department and a review by the Fire Chief. It will be a change of use from an office space to a gallery.

CHAIRMAN'S REPORT

None

MOTION: John Lillich moved to adjourn.
Seconded by Mayor Weger
Voice Vote: Ayes unanimous
Motion Passes

Adjourned at 8:42 P.M

Katherine Lloyd
Clerk

Charlotte Schuyler
Chairman

Date Approved June 3, 2010