## AGENDA

MASSILLON PLANNING COMMISSION OCTOBER 11, 2000 7:30 P.M. MASSILLON CITY COUNCIL CHAMBERS

- 1. Approval of the Minutes for the Commission Meeting of September 13, 2000.
- 2. Petitions and Requests

#### Replat - First Street, N.E.

Location and Description: Out Lot 368 and Part of Out Lots 367 and 518, located on the east side of First Street NE, north of Gail Avenue NE. *Proposed New Lots*: 2 new out lots to be platted, one parcel to be 1.5918 acres and the other to be 1.2432 acres in size. *Owner:* Melvin Gerspacher. *Surveyor:* McSteen & Associates, Inc.

#### Replat - 881 Wales Road, N.E..

Location and Description: Lot No. 3057, located on the west side of Wales Road NE, north of Williams Avenue NE. *Proposed New Lots*: 2 new lots to be platted, each parcel to be approximately 41.33 feet by 90 feet in size. *Owner*: Rada Smiley.

## Replat - 441 23rd Street, N.W.

Location and Description: Part of Out Lot 169, Lot No. 7364 Part of Lots No. 7363 and 7365, located on the west side of 23<sup>rd</sup> Street NW, north of Lincoln Way NW. *Proposed New Lots*: 1 new lot to be platted, 0.749 acres in size. *Owner:* Robert and Myrna Kandle.

#### Replat – 749 Dewalt Street, S.E.

Location and Description: Lots No. 4318 and 4319, located on the east side of Dewalt Street SE, between Curley Court SE and Rawson Avenue SE. Proposed New Lots: 1 new lot to be platted, approximately 8,190 square feet in size. Owner: Fred and Willie Mae Carpenter.

Surveyor: Constitution Land Surveying, Ltd.

### Replat - 3374 17th Street, S.W.

Location and Description: Part of Out Lot 675, located on the east side of 17<sup>th</sup> Street SW, north of Warmington Road. *Proposed New Lots*: 1 new out lot to be platted, approximately 2.052 acres in size. *Owner:* Donald and Nancy Hendricks. *Surveyor*: Ronald C. Hinton.

#### Street Vacation Request - Pennock Avenue, S.W.

Location and Description: Pennock Avenue SW, lying between Finefrock Avenue SW (State Route 241) and Oberlin Avenue SW; the request is to vacate that portion of Pennock Avenue SW from 8<sup>th</sup> Street SW to 6<sup>th</sup> Street SW. This request has been submitted by Maurice and Charles Eberhardt.

#### Final Plat - Augusta Lakes No. 1

Location and Description: Part of Out Lots 707 and 708, located on the south side of Richville Drive, north of The Legends Golf Course. Total Area: 11.276 acres. Proposed No. of Lots: 28. Owner/Developer: Janda Development Limited. Engineer: Hammontree & Associates.

#### Replat - The Legends Golf Course Expansion

Location and Description: Out Lots 707, 708, and 862, located on the south side of Richville Drive. *Proposed New Lots*: 1 new lot to be platted, 36.755 acres in size. *Owners:* City of Massillon and Bonk's Properties, Inc. *Surveyor:* Ronald C. Hinton.

#### 3. Old Business

#### Rezoning Request - Wales Road NE

Location and Description: Out Lot 854, located on the east side of Wales Road NE, north of Hankins Road. Area: 4.502 acres. Zone Change: From R-3 Single Family Residential to RM-1 Multiple Family Residential. Proposed Use: Construction of Funeral Home. Applicant: Joseph and Charlene Paquelet.

This request was tabled at the September Planning Commission.

#### 4. Other Business

The Massillon Planning Commission met in regular session on September 13, 2000. The following were present:

#### **MEMBERS**

Vice Chairman Rev. David Dodson Mayor Francis H. Cicchinelli, Jr. James Johnson Thomas Seesan Paul Manson Ben Bradley Sheila Lloyd Wendell Edwards

#### **STAFF**

Aane Aaby Marilyn Frazier Jason Haines

The first item of business was the minutes of the August 16, 2000, Commission meeting. Mr. Johnson moved for approval of the minutes, seconded by Mr. Bradley, motion carried.

The next item was a rezoning request.

#### Rezoning Request - Wales Road NE

Location and Description: Out Lot 854, located on the east side of Wales Road NE, north on Hankins Road. Area: 4.502 acres. Zone Change: From R-3 Single Family Residential to RM-1 Multiple Family Residential. Proposed Use: Construction of Funeral home. Applicants: Joseph and Charlene Paquelet.

Mr. Aaby presented the request. This 4.502 acre parcel is located on the east side of Wales Road. The applicants, Joseph and Charlene Paquelet, wish to construct a funeral home on the site. Funeral homes are permitted under RM-1 Multiple Family zoning. Property owners received notification and a sign has been erected on the site. Mr. Paquelet read a prepared statement that described their intentions for the property. A copy is attached and a part of these minutes.

Mayor Cicchinelli asked if two funeral homes would be operating from this location. He also wanted to know what would become of the present building. Mr. Paquelet replied that two funeral homes would be operating from the location with some separate space and some shared space. No plans have been made for the present site. Mr. Paquelet added that they would pay for the installation of a traffic light out of concern for traffic control.

Mayor Cicchinelli asked Mr. Benekos about the procedure for installing traffic lights. Mr. Benekos replied it is City policy for a study to be done to determine the need of a new traffic light. Rev. Dodson asked Mr. Paquelet if a traffic light is a requirement for the construction of this building. Mr. Paquelet replied that a light would be very beneficial. After additional discussion among Commission members, several residents of interested parties commented on the proposal.

Joe Berens, 1221 Wales Road NE, commented that the land is zoned for housing and should be developed as such. Catherine Heitger, President, Ohio Funeral Directors Association (OFDA), read a letter which was presented to the Commission and made a part of these minutes. Joe Rivera, 1027 Wales Road NE, expressed concern about commercial in this area. Ralph Ricksecker and Elizabeth Studer expressed concern about creased traffic in the area. Mr. Paquelet questioned Mrs. Heitger's authority to refer to her position with the OFDA. Mr. Edwards moved to table the request until more information is available about the traffic light, Mr. Manson seconded the motion which carried.

The next item before the Commission was a Preliminary Plat.

#### Preliminary Plat - Augusta Lakes

Location and Description: Part of Out Lots 707 and 708, located on the south side of Richville Drive, north of The Legends of Golf Course. Total Area: 51.27 acres. Proposed No. of Lots: 88 Owner/Developer: Smith Development Corp. Engineer: Hammontree and Associates.

Mr. Aaby presented the request. The development would have two entrances off of Richville Drive with a cul-de-sac. Mr. Benekos commented that he had met with the developer several times and felt this was a good use of the land and also a good layout. Steve Smith, of Smith Developers, was present and added that this development would consist of owner-occupied condominiums and single-family homes. Mayor Cicchinelli asked about the price range. The condominiums will be from \$119,000 to \$129,000, and single-family homes will be from \$170,000 to \$250,000. This is in an area where the legends is expanding. Mr. Manson asked about lot size. The response was "it depends on the type of home." Mayor Cicchinelli moved for approval, seconded by Mr. Johnson, motion carried.

The next item was a replat.

#### Replat - Massillon Marketplace

Location and Description: Out Lot 813, located on the west side of State Route 21, north of U.S. 30. Proposed New Lots: A 3.095 acre tract and a 60.364 acre tract to be platted. Owner/Developer: Deville-THF Massillon Development. Engineer: Hammontree and Associates.

Mr. Aaby presented the request. The developers have submitted a replat to carve a separate out lot with a separate lot number. This may be a request for proposed leasing of interior space. Robert Brown, of Deville Properties, was present and explained that this is related to the financing of the projects. There are no changes in the project, this is only for clarification and paperwork purposes. Mr. Johnson moved for approval, seconded by Mr. Bradley, motion carried.

The next item was also a replat.

#### Replat - 18 Woodland Avenue SE

Location and Description: Lots No. 3851 and 3852, located on the north side of Woodland Avenue SE, east of Erie Street South. *Proposes New Lots:* The two existing lots will be replatted into one lot. *Owner:* Scott Stanley

Mr. Aaby presented this request. Mr. Stanley owns lot 3851 and 3852 and would like to replat them into one lot. Mr. Stanley was present and spoke about the problem he is having in the area. He wishes to install a driveway. Mr. Manson moved for approval, seconded by Mayor Cicchinelli, motion carried.

There being no further business before the Commission, the meeting adjourned at 8:45 P.M.

Respectfully submitted,

Marilyn E. Frazier, Commission Clark

MEF/ky

Massillon Planning Commission Meeting Sept 13 2000 7:30 PM City Coincil Chambers Sign- In Sheet Nane Address Robert Brown DeVille Developments, 395) Convenience Ciele, Cant SCOTT STANLEY 18 WOODLAND AUR SIE MASSILLON Way w W. ando 1383 FINASA ME AJF PRISONIO 4154 DADOMONDAUNCU MOSSHUR A 1066 1997052 5052 MONTICE CLONW CANTON OF BOG Will ARZARIZ 740 Bittersweet Dr. NE Massillon

GLENN DUMOULIN Charlene Paquelet Bud Paqueles Malur Hau 317 North St. NE Massillon The Repository 24 Erie St S. Mass Robert Kanolle 441 23rd ST. N.W. DOE & Steph Anie Kivera 1027 Wales Rd. N.E. 606-horé ME. Bob Hertgre Galph Michsecher 1117 Wales NE Carolyn Juliseche 1117 Wales NE Dale Watterhouse 809 16 PME Catherine M. Heitger Elizabeth Studer

Fol mas

6874 Hockbridge St N.W, Carton OH 1221 WOLCE RO DE MOSSILLON 44646 September 13, 2000

Mayor Francis Cicchinelli Massillon Zoning Commission One Duncan Plaza Massillon, Ohio 44646

#### Gentlemen:

I would like to introduce myself, I am Catherine M. Heitger, President of Ohio Funeral Directors District # 16. Over the past several weeks, I have received calls, and personal contacts from several concerned residents of the Wales/Charity Rotch neighborhood. I thought it was important that you be award of complaints/concerns these residents have expressed.

I can quote one couple living on Kendal Ave. N.E. "I am livid. We do not want a funeral home to be built in a residential neighborhood." I did not receive their permission to give you their name because they said, "I know Mr. Paquelet, nothing against him personally".

Another quote comes from a lady and her son living on 17th St. N.E. "There is so much traffic cutting through this area now, we do not need increased traffic. We thought maybe the revamping of Hankins Road would help eliminate all this traffic." Again, this lady was referred to me but would not let me give her name for the record.

This quote came from Joe Berens, 1221 Wales Road, NE, resident. "Let Mr. Paquelet build his funeral home in an area already zoned for businesses or commercial."

I received a comment from Robert P. Heitger, Sr., Chairman of the Board of Heitger Funeral Home Inc. "In 1968 we tried to purchase the same tract of land to build a funeral home. At that time, the residents did not want a funeral home built in their residential neighborhood and we were not able to obtain different zoning. Consequently, we did not purchase the track of land."

I personally own and operate a funeral home in Jackson Twp. Our zoning is B 3 Conditional Use. B 3 is the highest business district next to industrial. Conditional use indicates that the property can be used only for a funeral home. I personally believe the zoning in the city of Massillon for funeral homes is incorrect. Our funeral home on 1st St. N.E. is grandfathered in the residential zoning.

I am available for your questions by calling 833-3248.

Best Regards,
Utherine M. Heitger, President

Ohio Funeral Directors Association, District # 16

#### City Planning Meeting September 13, 2000

Joe & Charlene Paquelet have signed a purchase agreement to buy 4.5 acres of ground on Wales Road, between the First Christian Church and the proposed extension of Rotch Ave. East. The area north of the proposed Rotch Ave. extension has been purchased by Spring Hill Historic Farm. The Paquelets are asking for a change of zoning to multi-family from the present single family classification. The zoning change is to construct a funeral home. The building would be leased to the Arnold-Lynch Funeral Home and the Paquelet Funeral Home. These two funeral business are separate corporations and would remain independent. Both business would jointly share the facilities just as doctors, attorneys and other professionals share offices.

The purpose is to offer greatly improved facilities to the community and to reduce and control cost of facilities. The two funeral business would each maintain their own offices and would jointly share the other areas of the new building on an as needed basis. The areas shared would be the parlors, chapels, rest rooms, lobby, lounges, preparation room, merchandise selection area and garage work areas.

Both firms have worked and been managed as one since 1991 and have shared automobiles and staff. Since that time we have increased in business and need more space and more staff. The next logically step is to combine facilities.

Jointly we need a building of between 12,000 and 14,000 sq ft. We need at least 2.5 acres of land to provide adequate parking. When the Spring Hill Farm land became available we decided on 4.5 acres. This would insure an abundance of parking and a lot of area for grass, trees, flowers and shrubs.

I have reached or attempted most of the property owners on Hankins, Wales (between Kendall and Lake), and the south side of Springhill Dr. All were sent a letter with a phone call following. Most were passive with viewing the plans or asking questions. One lady expressed the wish the land would be developed into a 'Glennmore'. I agreed that would be fantastic. All but five were reached. Several did not return my phone calls or messages left on answering machines.

I believe we would be good for neighborhood for the following reasons:

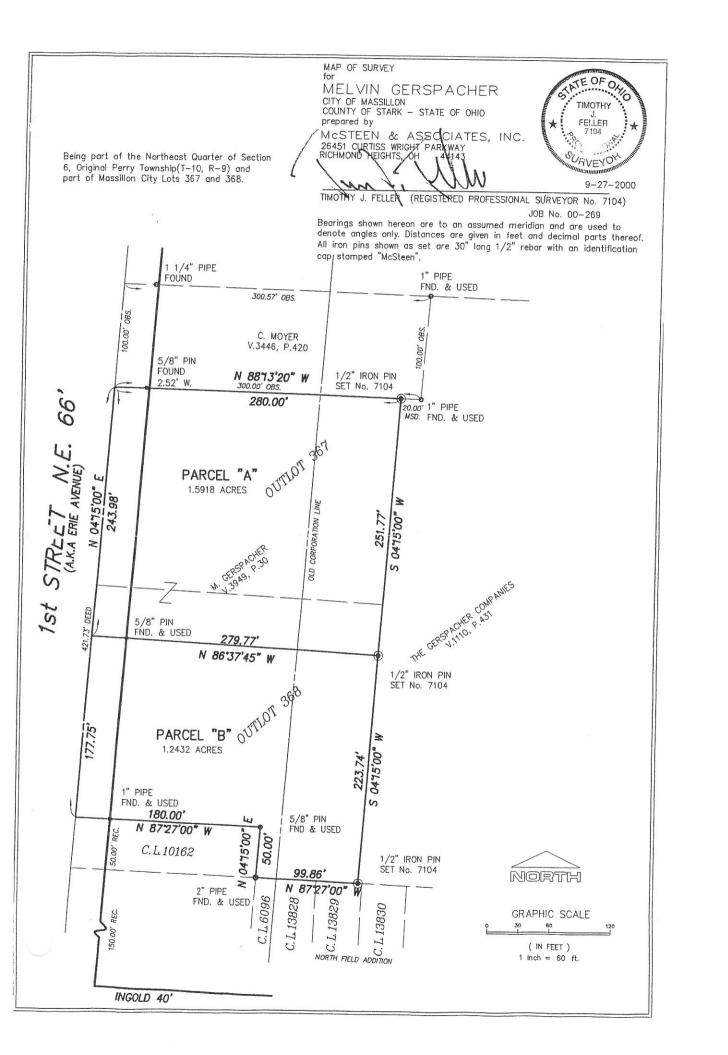
- Spring Hill would have the opportunity of changing their entry road which currently poses a
  danger to those accessing or leaving.
- 2. We as the owner would pay for a traffic light that would benefit the city, Spring Hill, and further development of the land to the east. It is probable that if anyone else purchases the property, that the natural extension of Rotch Ave. could occur without the traffic signal which would increase the hazards to motorists and pedestrians alike.

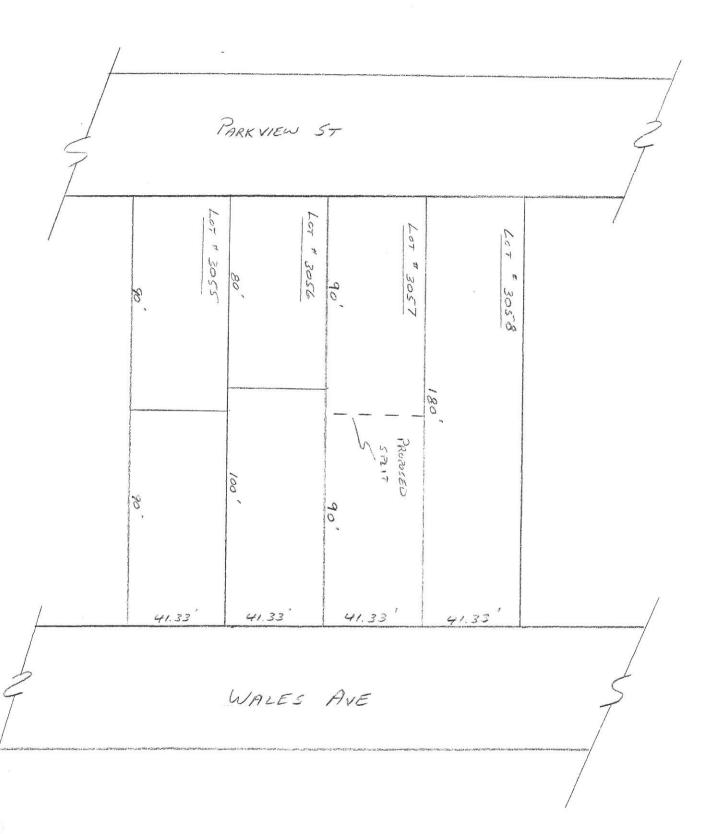
- 3. The traffic light would benefit residences who now wish to go north from Kendall or east on Hankins as it is now dangerous to make a left turn from Kendall due to the traffic light arrangements. The area benefitted is quite large as now either Sate Street or Lake Ave. must be utilized.
- 4. The facility is one of the finest buffer business permitted in a residential area and compliment the church and Springhill Homestead. We are customer oriented business with light traffic flow and have a very definite incentive to maintain our property in the best possible fashion.
- 5. The opportunity for parking coordination exists for the church and Springhill that would benefit all concerned. Persons in the neighborhood have a high probability of visiting Springhill or attending functions at the church.
- 6. We represent two long established Massillon businesses. Arnold-Lynch was established in 1918 and Paquelet Funeral Home in 1928. We need to expand and increase staff. We would prefer to expand in Massillon.

Considering the fact that the area will be developed. You know what we propose to build, this could very well be the most advantageous opportunity for all concerned.

Speaking for Wayne Arnold, Bob Wilbarger, Glenn Dumoulin, my wife Charlene, our son Bud Paquelet and my self we appreciate the opportunity to meet with you and would answer any questions.

Thank YOU





NORTH

# 23rd STREET N.W. - 40'

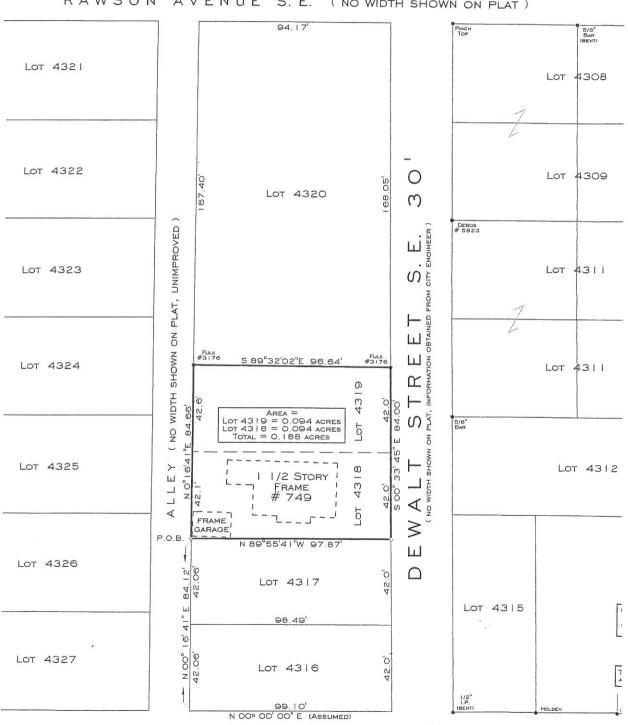
2 INCH IRON PIPE FOUND 0.61' T.F.W.	<del></del> M∕≥	(52,)	3/4 INCH IRON PIPE FOUND 1.30° T.F.W. (50)	, W "10'9r	3/4 INCH IRON PIPE FOUND	5/8 INCH IRON REBAR W/CAP FOUND
(173')	LOT 7366	(173') PART OF LOT 7365 H. & R. GARDINER VOL. 3115, PG. 344	S 87*59'50" E 172.94" PART OF LOT 7365 R. & M. KANDLE O.R. VOL. 1436, PG. 224 PARCEL II	LOT 7364  R. & M. KANDLE O.R. VOL. 1436, PG, 224 PARCEL I	1 INCH IRON PIPE FOUND PIPE FOUND PART OF LOT 7363 R. & M. KANDLE O.R. VOL. 1436, PG. 224 N 87*43*07" W 261.94*	PART OF LOT 7363  D. & M. POOL  O.R. VOL. 258, PG. 270  (173')
*	× × × × × × × × × × × × × × × × × × ×	W "10'81'20 2	(50.001 HTUOS) @M '@7.241	0.749 A	(N 02'24'50" E)	76.00')
(90.50') 1.24' T.F.) 1 INC ON S 87'59'50" E 88.55' PIPE ID (EAST 90.00')		PART OF OUT LOT 169 TH 169 (20 RTH 169 R. & M. KANDLE	0.8.	) N	(WEST 90.00') 88.84' MD (S 87.37'00" E 88.92') (S 87.37'00" E 88.92') (S 87.37'00" E 88.96') (S 87.37'00" E 88.96')	5/8 INCH IRON REBAR (N 87:37'00" W 88.96')  % % PART OF OUT LOT 169  " " " " " " " " " "
			(,114,) 0003	NOW HOL	PIPE FOUND /2 INCH REBAR W/CAP FOUND	<u>≅</u> £

RE-PLAT 441 23rd Street, NW

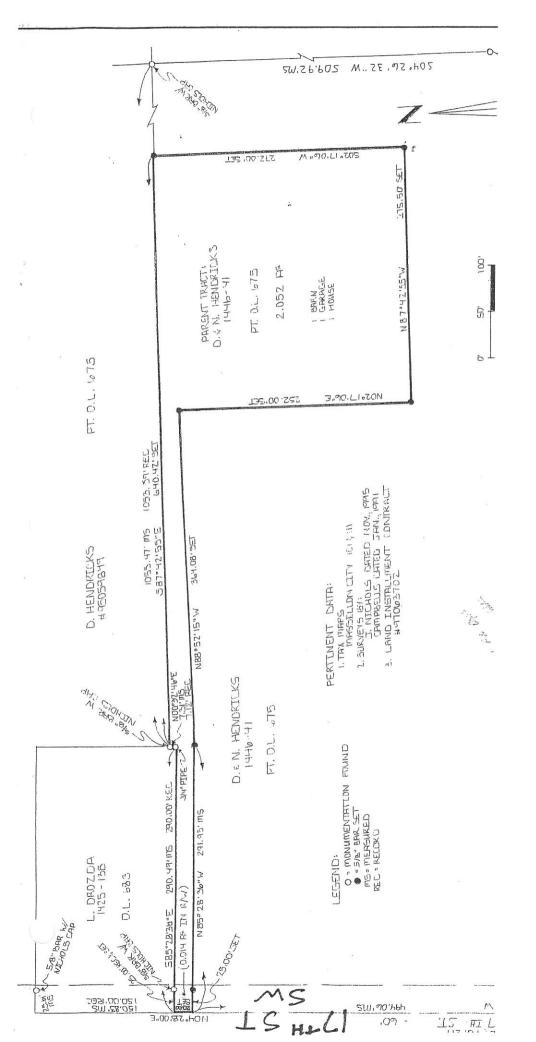
## MASSILLON CITY LOTS 4318 AND 4319

#### FOR: FRED AND WILLIE MAE CARPENTER

RAWSON AVENUE S.E. (NO WIDTH SHOWN ON PLAT)



CURLEY COURT S. E. ( WIDTH SHOWN ON KENT JARVIS 2ND. ADD.N. )



RE-PLAT PART OF OUT LOT 675

6878 6878 6878 6878 7878 1878	(S.R. 241)	BONKS PROPER  A. 498-783  DARGELS NO. 1 4  3.48 Ac.  S. 88440'78" F = 7	
0629 1629 2629 2629 4629 2629 2629 2629 2629 2	E	1.56 44  1.56 47  0.23 Ac. CARCE TSOCHEFF  0.23 Ac. CARLEL MATTIFLD  0.42 Ac.  1.56 Ac.  1.56 Ac.  1.56 Ac.  1.56 Ac.  1.56 Ac.  1.57 Ac.  1.56 Ac.  1.57 Ac	NATIONAL FREDSCREW AND MACHINING INDUSTRIES INC. 4.56 ACRE 279:233
\$085 \$085	8 88.41,08	1285.79 156.44 1519.72	S. 14536 MIDWESTRERN INDUSTRIES 1272 Acres
M.E. DEVELOPERS 5.156 Acres		0. L. 790  BONKS PROPERTIES INC.  0.4. 499.763  PARCEL NO. 3  3.46 Ac.  OBERLIN RD.  S 89'40'22" W	14534  CAROL CAROL CAROL CAROL CAROL S.692 Acres

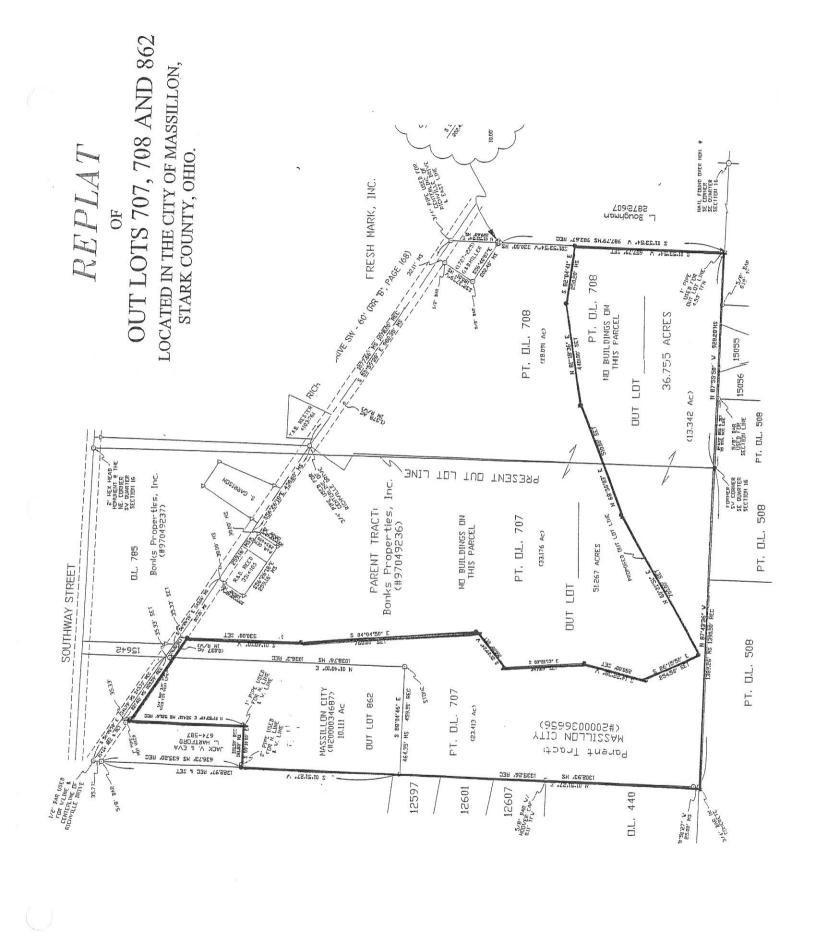
STREET VACATION REQUEST - PENNOCK AVENUE SW

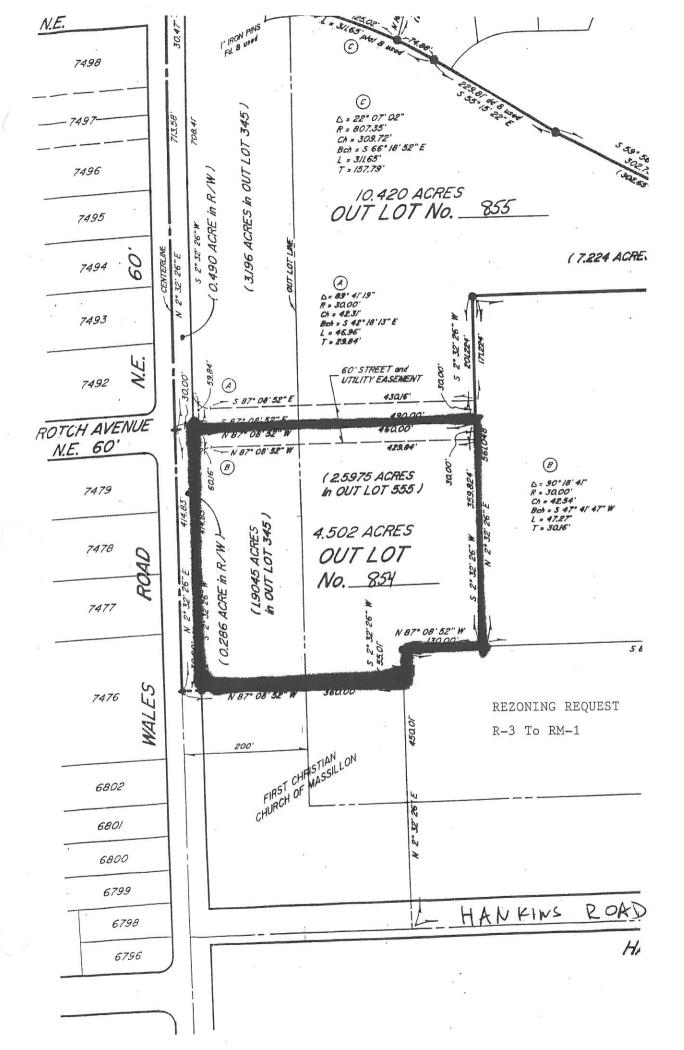
Page 2 Pennock Avenue SW

Author of Petition

Owner(s) Address	Signature(s)	Lot No.(s) Parcel No.(s)
Geral L. Rogers  Sandra L. Rogers  Site: Finefrock Avenue SW Massillon, Ohio 44647  Mail: 642 Guy Street NW	Gearl & Rogers. Jandia & Rogers	15647 06 17849
Massillon, Ohio 44647		
Geral L. Rogers	Learl I Rosers	æ
Sandra L. Rogers  Site: Finefrock Avenue SW Massillon, Ohio 44647	XIMMON MOGENT	15648 06 17850
Mail: 642 Guy Street NW Massillon, Ohio 44647		
Ohio Department of Transportation		
Site: Pennock Avenue, SW		

Date





## AUGUSTA LAKES NO. 1

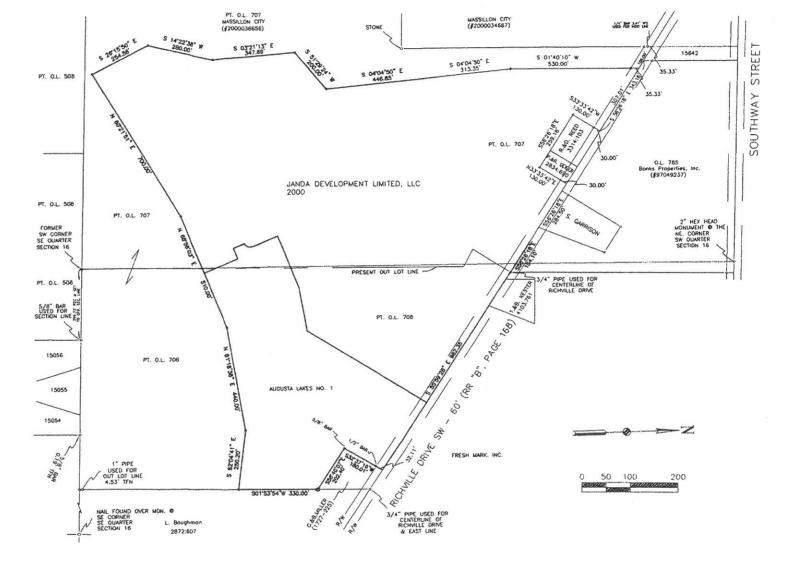
LOCATED IN THE CITY OF MASSILLON, COUNTY OF STARK, STATE OF OHIO AND BEING PART OF OUTLOTS 707 & 708

SEPTEMBER 25, 2000 28 LOTS

I HEREBY CERTIFY THA CITY OF MASSILLON, C OF OUTLOTS 707 & 70 AND CLOSES, THAT TH AS SHOWN AND THAT	DUNTY OF STARK AND 18, REPRESENTS A SUI E MONUMENTS SHOWN	STATE OF OHIT RVEY MADE BY HEREON EXIST	O AND BEING PART ME WHICH BALANCES OR SHALL BE SET
CHARLES F. HAM	MONTREE, P.S. 7263		DATE
KNOW ALL MEN BY THE LAND SHOWN ON THIS SAME TO BE HIS FREE STREETS AND PUBLIC E	PLAT, DOES HEREBY A ACT AND DEED, AND	DOES HEREBY I	HE MAKING OF THE DEDICATE THE
WITNESS	OWNER JANDA DEVELO	PMENT LIMITED,	LLC
	STEVE SMITH, PRE	SIDENT	DATE
STATE OF OHIO COUNTY OF STARK  BEFORE ME, A NOTARY APPEARED THE ABOVE: ACKNOWLEDGE THAT HE HIS FREE ACT AND DEE! HEREUNTO SUBSCRIBED DHIO, THIS	SIGNED OWNER OF THE DID SIGN THE FOREGO D ACCORDING TO LAW. MY NAME AND AFFIXED	LAND SHOWN DING INSTRUMEN IN TESTIMONY D MY SEAL AT	ON THIS PLAT, WHO T AND THAT IT WAS WHEREOF, I HAVE
	-	ATON	RY PUBLIC
	-	MY COMMIS	SION EXPIRES
PPROVED BY THE CITY	OF MASSILLON PLANN 20	ING COMMISSION	THIS
CHAIRMAN	SECRETAL	RY	
CCEPTED BY THE CITY PASSE	COUNCIL OF MASSILLO D THISDAY OF_	N, OHIO, BY OR	DINANCE NO.
PRESIDENT	CLERK		
CERTIFY BASED ON DO O ENCUMBRANCES EXI EDICATION AS PUBLIC	ST ON ANY OF THE L	ANDS HEREIN (	
	-	MASSILLON CIT	Y LAW DIRECTOR
T NUMBERSSIGNED BY MASSILLON	CITY ENGINEER.		
SSILLON CITY ENGINEER	ξ		
NTERED FOR TRANSFER	THISDAY OF	<b>M</b>	20
		STARK COL	JNTY AUDITOR

STARK COUNTY RECORDER

RECEIVED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_ RECORDED IN PLAT BOOK \_\_\_\_\_. PAGE \_\_\_\_



#### ORIGINAL DEED DESCRIPTION

#### DATA USED: TAX MAPS: MASSILLON

DEED: I.I.N.

MAP OF SURVEY: THE LEGENDS OF MASSILLON EXPANSION DATED: NOVEMBER 23, 1999.

#### BASIS OF BEARINGS:

N 55'59' 39" E. THE CENTERLINE OF RICHVILLE DRIVE S.W., FROM MAP OF SURVEY OF THE LEGENDS OF MASSILLON EXPANSION BY THE CITY OF MASSILLON DATED: NOVEMBER 23, 1999, SHEET 3 OF 3.

#### NOTES:

STREETS HAVING 50 FOOT RIGHT OF WAY ARE SUITABLE FOR ONE AND TWO FAMILY DWELLINGS ONLY.

IRON PINS W/H&A CAPS ARE TO BE SET AT ALL LOT CORNERS AND CURVE POINTS.

- DENOTES PROPERTY MARKER FOUND AS NOTED.
- DENOTES 1/2" IRON BAR WITH H&A CAP FOUND (UNLESS OTHERWISE NOTED).
- DENOTES MONUMENT BOXES TO BE SET AT INTERSECTIONS & CURVE POINTS W/PINS.

RIGHT OF ACCESS TO ANY DEAD END STREETS IS PROHIBITED EXCEPT FOR THE LOTS PLATTED IN CONFORMITY WITH THE CITY OF MASSILLON SUBDIVISION REGULATIONS.

OWNER/DEVELOPER
JANDA DEVELOPMENT LIMITED, LLC
6501 HIGH MILL AVE, N.W.
MASSILLON, OHIO 44646
PHONE: (330) 832-1040

ENGINEER/SURVEYOR
HAMMONTREE AND
ASSOCIATES, LTD.
5233 STONEHAM ROAD
NORTH CANTON, OHIO 44720
PHONE: (330) 499–8817

