

A G E N D A
MASSILLON PLANNING COMMISSION
AUGUST 13, 2003 7:30 P.M.
MASSILLON CITY COUNCIL CHAMBERS

1. *Approval of the Minutes for the Commission Meeting of July 9, 2003.*
2. *Petitions and Requests*

Final Plat – Shaw View Estates No. 2

Location and Description: Out Lot 851, a 2.459 acre parcel located on the west end of Shaw Avenue NE.

Proposed No. of Lots: 7 lots, zoned R-1 Single Family Residential

Streets to be Dedicated: An extension of Shaw Avenue NE

Owner/Developer: A. J. Diana Sons, Inc.

Surveyor: Buckeye Surveying Services, Inc.

3. *Old Business*

Re-Plat – 843 11th Street SE

Location and Description: Lot No. 10086 and Part of Out Lot 506, located at 843 11th Street SE. The request is to replat these parcels into one new lot. The property is zoned R-1 Single Family Residential.

Applicant: Richard Grewell.

Surveyor: Ronald Hinton

This item was tabled at the July 9 Commission Meeting.

Re-Plat – West Brook Estates West

Location and Description: Lots No. 16595 - 16601, and Part of Out Lot 772, located at the northeast corner off Woodstone Avenue NW and Manchester Avenue NW in West Brook Estates West. The request is to split off an approximate 15 foot by 1100 strip of land from the north end of these lots. The property is zoned R-2 One Family Residential.

Applicant: Jacob & Dorothy Glick.

Engineer: Cooper & Associates

This item was tabled at the July 9 Commission Meeting.

The Massillon Planning Commission met in regular session on July 19, 2003, at 7:30 P.M. in Massillon City Council Chambers. The following were present:

Members

Chairman Rev. David Dodson
Vice Chairman James Johnson
Alan Climer
Paul Manson
Ben Bradley
Thomas Seesan
Vincent Pedro

Staff

Aane Aaby
Marilyn Frazier
Steve Hamit
Jason Haines

The first item of business for the meeting was the minutes of the June 9, 2003, Planning Commission meeting. Mr. Johnson moved for approval, seconded by Mr. Manson, motion carried unanimously.

The next item under Petitions and Requests was a re-plat presented by Mr. Haines.

Re-Plat – Nova East Industrial Park

Location and Description: Part of Out Lot 767, located at the northwest corner of Richville Drive SE and Business Place SE, north of Drage Vocational School. The request is to plat a new 2.709 acre parcel from this property. This is the site of the proposed U.S. Department of Agriculture service center. The property is zoned I-1 Light Industrial.

Owner: Beaver Excavating Company *Engineer:* Cooper and Associates

This is a re-plat and lot split in the area of Richville Drive and University Village. The intention is to split off a 2.75 acre parcel to permit the construction of a new service center for U.S. Department of Agriculture. Originally they were looking at five acres but decided that much property is not needed.

Russ Doyle, of Cooper and Associates, was present and commented that originally they were going to use four acres not five. The configuration changed. Mr. Pedro moved for approval, seconded by Mr. Climer, motion carried unanimously.

The next item of business was another re-plat presented by Mr. Haines.

Re-Plat – West Brook Estates West

Location and Description: Lots No. 16595 – 16601, and Part of Out Lot 772, located at the northeast corner of Woodstone Avenue NW and Manchester Avenue NW in West Brook Estates West. The request is to split off an approximate 15 foot by 1100 strip of land from the north end of these lots. The property is zoned R-2 One Family Residential.

Applicant: Jacob and Dorothy Glick *Engineer:* Cooper and Associates

This property was previously re-platted and the road was dedicated also. The owner discovered some encroachment with the adjoining trailer park. He has decided to sell a 15 foot strip to the owner of the trailer park in order to eliminate the encroachment. This strip of property borders the corporation line. To split this property would create a land locked situation. Since the trailer park is outside of the city, the city has no jurisdiction to require re-platting. Mr. Manson moved to approve the request contingent on Mr. Campian's (the owner of the trailer park property) agreeing to grant himself an easement. After calling for a second three times with no response, Rev. Dodson announced that the item is automatically tabled and would be placed on the August Agenda.

The next item on the agenda was also a re-plat presented by Mr. Haines.

Re-Plat – 843 11th Street SE

Location and Description: Lot No. 10086 and Part of Out Lot 506, located at 843 11th Street SE. The request is to re-plat these parcels into one new lot. The property is zoned R-1 Single Family Residential. *Applicant:* Richard Grewell *Surveyor:* Ronald Hinton

Mr. Haines reported that he thought the purpose was to enlarge the yard. Since there was no representative present, Mr. Johnson moved to table the item, seconded by Mr. Bradley, motion carried unanimously.

The next item on the agenda was a dedication plat and sanitary sewer easement plat presented by Mr. Haines.

Dedication Plat and Sanitary Sewer Easement Plat

Location and Description: Out Lot 633, located at 12621 Lincoln Way West. The request is:
1) to dedicate a 50.08' x 577.24' area as right-of-way for Lincoln Way West; and 2) to dedicate a 40' x 237.88' sanitary sewer easement. The property is zoned O-1 Office
Applicant: State of Ohio / City of Massillon *Engineer:* Cooper and Associates

This is in the vicinity of Friendship Acres, Doc's Lawn and Garden, and the State Highway Patrol facility. Along with the sanitary sewer easement, a portion of Lincoln Way is being dedicated to clean up the plat.

Russ Doyle, of Cooper and Associates, was present and explained that the street dedication is only a very small area in front of the highway patrol. Mr. Climer moved for approval, seconded by Mr. Manson, motion carried unanimously.

The next item was another sanitary sewer easement plat presented by Mr. Haines.

Sanitary Sewer Easement Plat

Location and Description: Part of Out Lot 634, located in the Friendship Acres subdivision on the north side of Lincoln Way West, east of Manchester Avenue. The request is to dedicate: a 20 foot wide sanitary sewer easement. The property is zoned RM-1 Multiple Family Residential and R-T Two Family Residential. *Applicant:* Jacob and Dorothy Glick / City of Massillon
Engineer: Cooper and Associates

This is the plat dedication of the previously discussed item. Mr. Johnson moved for approval, seconded by Mr. Bradley, motion carried unanimously.

The next item was a turn-around easement presented by Mr. Haines.

University Village – Wright State SE Temporary Turn-Around Easement

Location and Description: The request is to revise the temporary turn-around at the southern end of Wright State Drive SE in the University Village allotment, located on the west side of Richville SE, north of Nave SE. The easement will provide a turn-around with a 45 foot radius for public use until such time as Wright State Drive SE is extended. *Applicant:* PRMDC

Engineer: Cooper and Associates

This property is a part of Phase 3 of University Village. Wright State Drive is a dead end street. A cul-de-sac was never constructed. The developer is requesting a 38 foot radius rather than the required 45 foot radius. Rev. Dodson asked if this was adequate for fire and other large vehicles. Mr. Hamit replied that this is a concern. After a brief discussion, Mr. Johnson moved to deny the request, seconded by Mr. Bradley, motion carried unanimously.

The next item which was an addendum to the agenda, was a request for a driveway easement and re-plat presented by Mr. Aaby.

Request for Driveway Easement and Re-Plat of Out Lot 391

Location and Description: The request is as follows: 1) to re-plat into two parcels Out Lot 391, a vacant, 1.53 acre parcel located at the north end of 11th Street NE, north of Beverly Road NE; and 2) To obtain an easement from the City in order to construct a driveway on that portion of 11th Street NE, running north from Beverly Road NE (This portion of 11th Street NE is currently unimproved). Out Lot 391 is zoned R-3 One Family Residential

Applicant: Bob and Cyndee Guerin

Beverly Avenue NE turns into Windsor NE. The developer wishes to build two houses on this property. There is a pond or dam on the site, and the lot line goes through the property with homes on both sides. The applicant, Mr. Guerin of 733 Phillips NE, was present. Mr. and Mrs. Eric Kline, 935 Burd NE, were also present and asked about the pond. Mr. Climer asked about the responsibility to improve an alley or street which has been previously unopened. Mr. Hamit replied that the developer is responsible to make the improvements. Mr. Climer then moved for approval, seconded by Mr. Seesan, motion carried unanimously.

The next item of business was an alley vacation request presented by Mr. Aaby.

Alley Vacation Request

Location and Description: An unnamed 16 foot wide alley lying between Erie Street North and First Street NE, and running in a north-south direction between Cherry Road NE and State Avenue NE. The request is to vacate that portion of the alley from the northeast corner of Lot No. 2298 southerly a distance of approximately 77.33 feet to the southeast corner of Lot No. 2298.

Applicant: David Piatt This item was tabled at the June 18 Commission Meeting.

This request was formerly tabled to allow the neighbors an opportunity to meet and attempt to resolve a dispute that precipitated the request. Mr. Piatt was present and reported that no effort to meet was made. He explained that he is concerned about the safety of his and other children in the area. He added that the closing of this alley would not hinder the Heighter's business. After a brief discussion, Mr. Climer moved for approval, seconded by Mr. Pedro, motion carried 5 – 1, with Mr. Seesan voting no.

The final item was a rezoning request presented by Mr. Aaby.

Rezoning Request – Second Street NE and Thorne Avenue NE

Location and Description:

Lot No. 613 (207 Second Street NE) to be rezoned from RM-1 Multiple Family Residential to B-2 Central Business District.

Lot No. 611 (located on the west side of Second Street NE between North and Thorne Avenue NE, presently used as a driveway) to be rezoned from RM-1 Multiple Family Residential to P-1 Vehicular Parking.

Lot No. 621 (a vacant lot on the south side of Thorne Avenue NE, between First and Second Streets NE) to be rezoned from RM-1 Multiple Family Residential to P-1 Vehicular Parking.

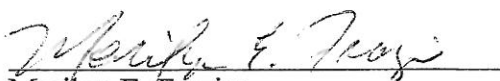
Proposed Use: The properties will be used for parking and access to the commercial property located at 136 North Avenue NE.

Applicant: F & M Properties This item was tabled at the June 18 Commission meeting.

At the June 18 meeting, concerns were expressed by several neighbors and representatives of the CHARM neighborhood association. It was recommended by Mayor Cicchinelli that CHARM host a meeting to discuss the encroachment of business in this residential area and how to best minimize its impact. Property owner, Mildred Kowell, was present and reported that the meeting was held and the issue was the large trucks that are observed at the business. This problem is being minimized. Mr. Manson moved for approval, seconded by Mr. Pedro, motion carried unanimously.

There being no further business before the Commission, the meeting adjourned at 8:50 P.M.

Respectfully submitted,


Marilyn E. Frazier
Commission Clerk

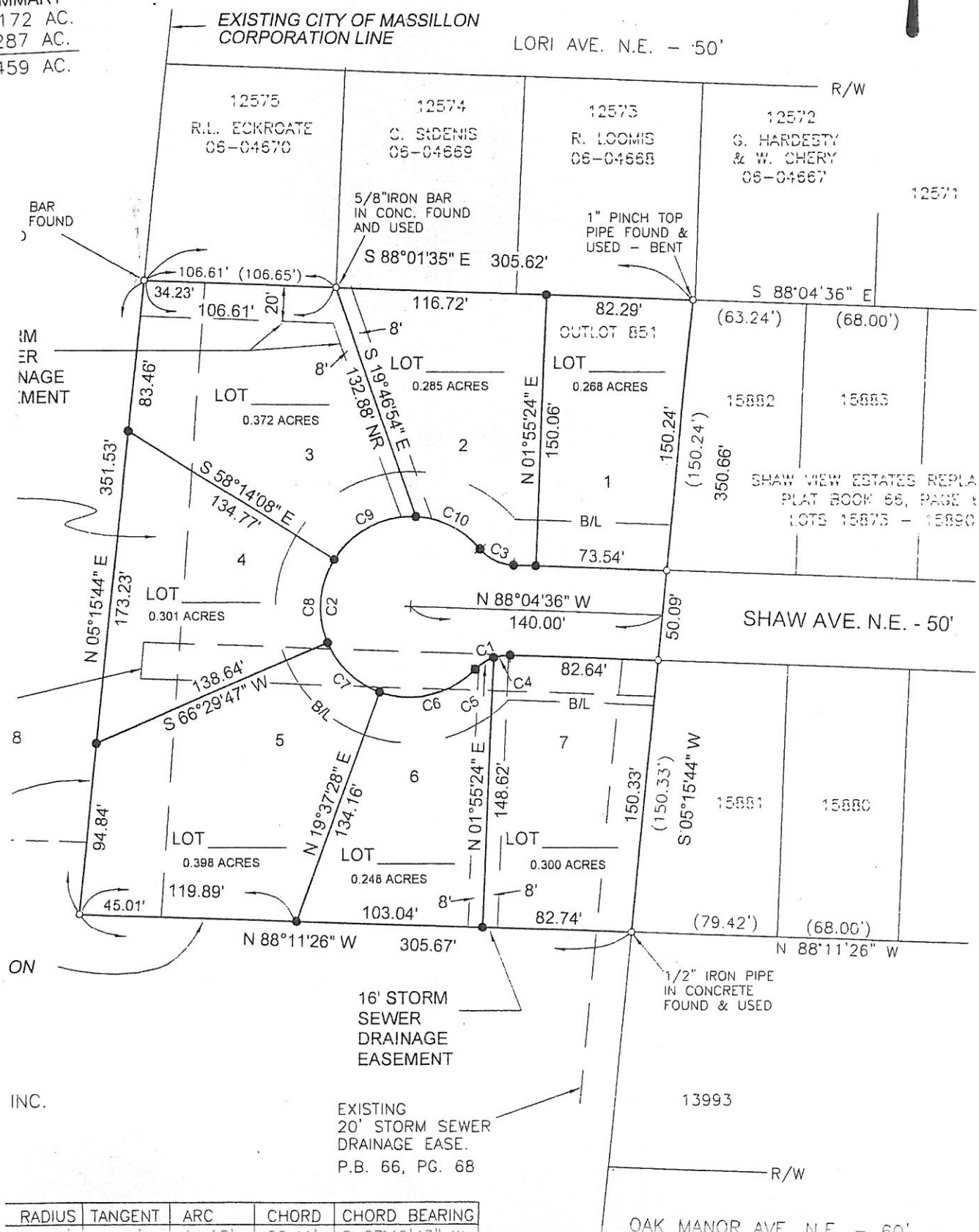
Approval:

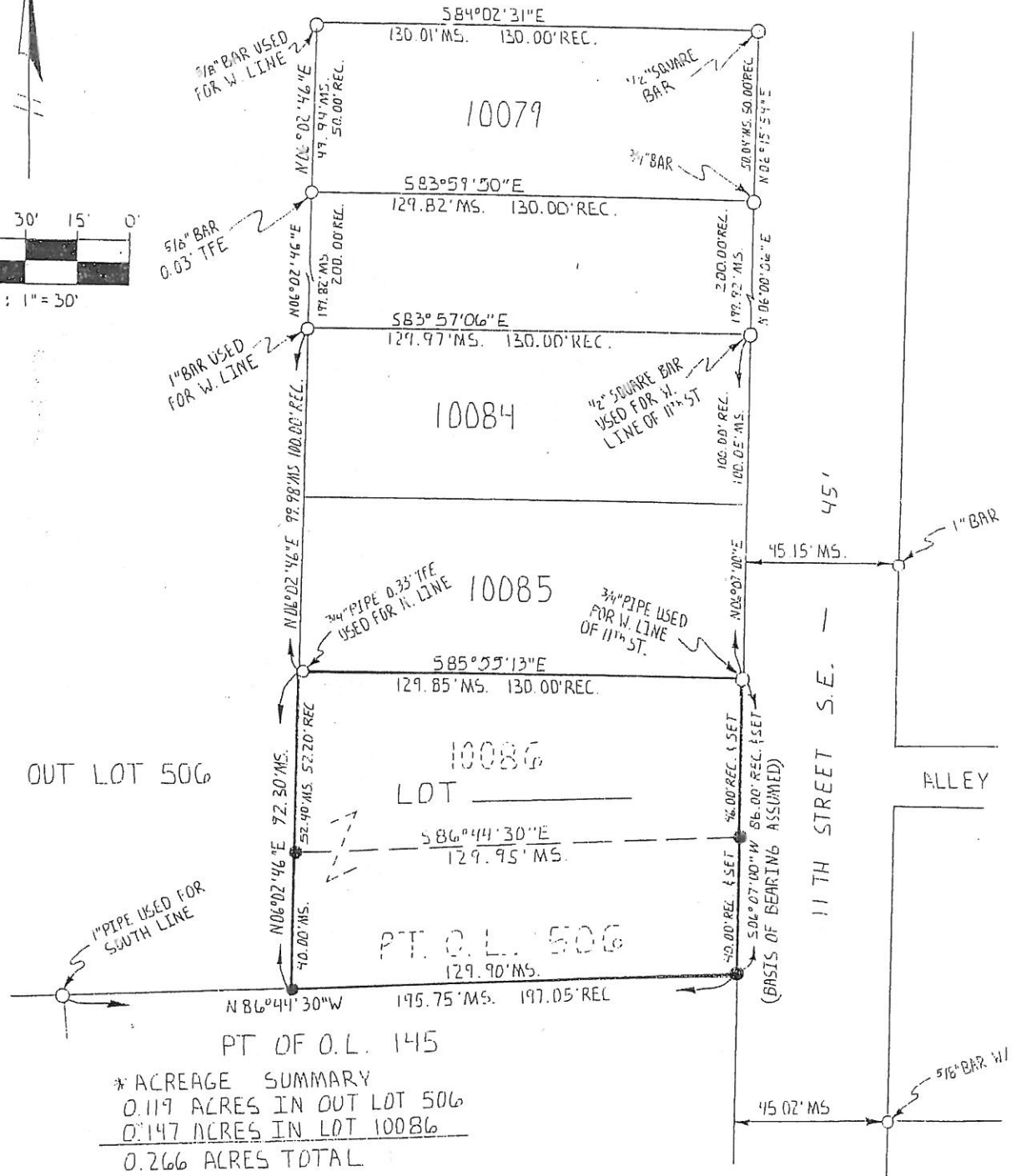
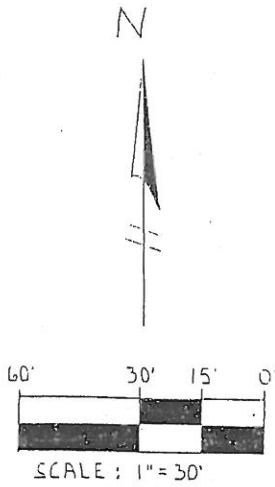
MEF/ky

REPLAT OF OUTLOT 851
IN THE CITY OF MASSILLON,
STARK COUNTY, OHIO.

DATE: AUGUST, 2003

ACREAGE SUMMARY	
LOTS	2.172 AC.
STREETS	0.287 AC.
TOTAL	2.459 AC.



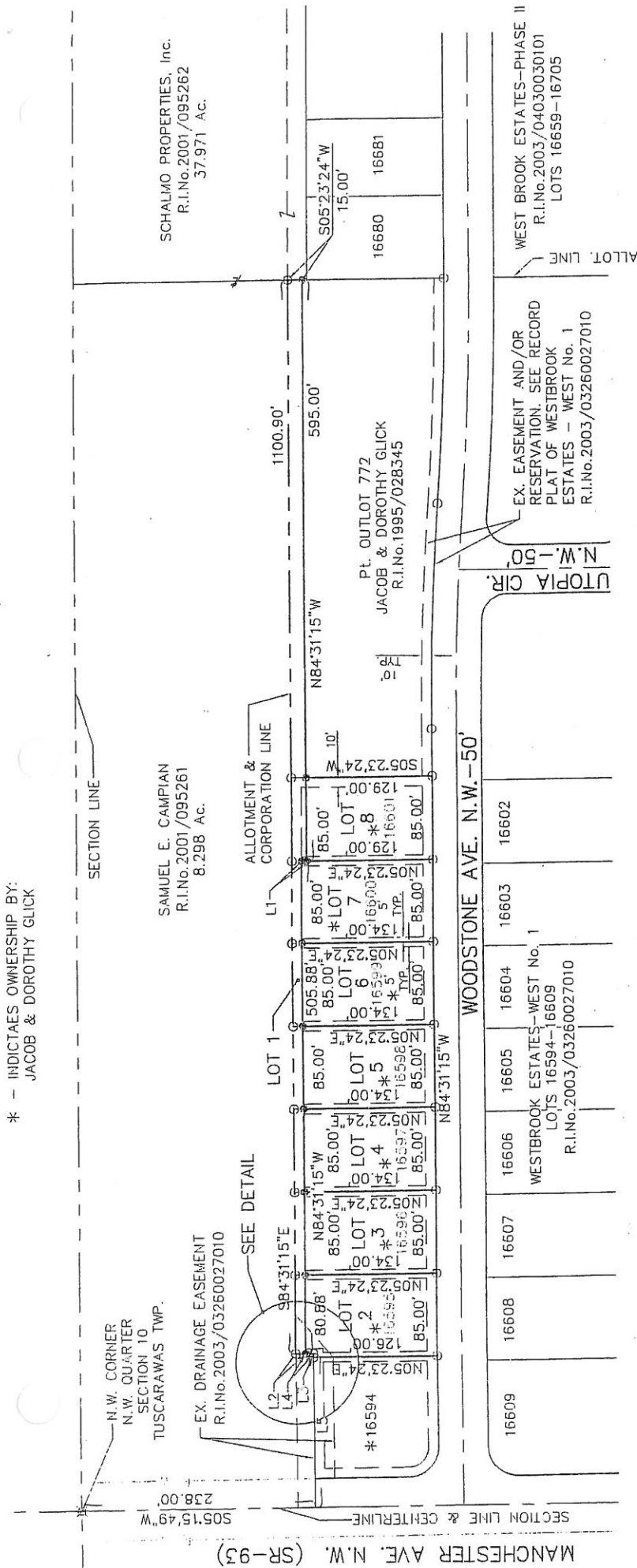


REPLAT OF LOT 10086 AND PART OF OUT LOT 506
 IN THE CITY OF MASSILLON

I HEREBY CERTIFY THAT
 SURVEY PERFORMED BY
 THE MINIMUM STANDARD
 IN THE STATE OF OHIO

Ronald C. Hinton
 RONALD C. HINTON 5-6270

* - INDICATES OWNERSHIP BY:
JACOB & DOROTHY GLICK



LOT #	CITY LOT #	ACREAGE
1		0.3210 AC.
2		0.2607 AC.
3		0.2615 AC.
4		0.2615 AC.
5		0.2615 AC.
6		0.2615 AC.
7		0.2615 AC.
8		0.2517 AC.
TOTAL AREA IN LOTS		2.1409 AC.

REPLAT & RENUMBERING PLAT

ALL OF LOTS 16595 THRU 16601 AND PART OF OUTLOT 772 IN THE CITY OF MASSILLON,
SITUATED IN PART OF THE N.W. QUARTER OF SECTION 10,
TOWNSHIP-12 (TUSCARAWAS TWP.), RANGE-10
STARK COUNTY, OHIO

SCALE: 1" = 100'

JUNE 2003



1359 MARKET
AVENUE NORTH
CANTON, OHIO
44714

COOPER & ASSOCIATES, LLP / ENGINEERS & SURVEYORS

PHONE: (330) 452-5731

FAX: (330) 452-9110

BRYAN J. ASHMAN
JEROLD E. GEIB

July 24, 2003

Massillon Engineering Department
Municipal Government Annex; 151 Lincoln Way East
Massillon, Ohio 44646

Att: Steve Hamit

Ref: Replat and Renumbering Plat for Jacob & Dorothy Glick

Dear Steve:

On behalf of our clients (Jacob & Dorothy Glick), we are requesting approval of the subject Replat and Renumbering Plat that was tabled at the July Planning Commission Meeting.

Our intent is to comply or answer various concerns that were brought forward at this meeting as follows:

1. The Planning Commission felt that Lot 1 (the long thin lot) should be connected to Manchester Ave. NW to keep from creating a land locked parcel. City Engineer, Steve Hamit suggested that an Ingress and Egress Easement through Samuel Campian's property from Lot 1 to Manchester Ave. NW be prepared and attached to Lot 1, in doing so Lot 1 would not be land locked without access.

Attorney Jim Snively has prepared and forward the subject Ingress and Egress Easement to Mr. Hamit for his review to accomplish said purpose.

2. The Planning Commission also felt that Lot 1 should be labelled as an non-buildable lot.

A statement in the form of a note could be added to the Replat and Renumbering Plat for clarity.

3. And finally some concern was indicated that the view from the rear of the proposed Lots may be detrimental to the sale of the proposed Lots.

After talking with Jacob Glick, he said that there was little concern brought up about this and that he had several buyers interested in Lots within the Replat area.

We will appreciate any assistance that you can provide in obtaining approval of this request. If additional information is required or you have any questions, please contact me at (330) 452-5731.

Sincerely,
Cooper & Associates, LLP


Russ Doyle

cc:

EASEMENT

SAMUEL E. CAMPIAN, married, "Grantor" of Stark County, Ohio, for valuable consideration paid, grants to JACOB GLICK and DOROTHY E. GLICK, their heirs, successors and assigns, a non-exclusive easement for purposes of ingress and egress, and for all customary private road purposes, on, over and across the following described real property:

Situated in the Township of Tuscarawas, County of Stark and State of Ohio and beginning at the southwest corner of a tract of real estate described in a deed to Samuel E. Campian recorded at Stark County Imaging No: 2001095261, being the intersection of Manchester Avenue, N.W., and the corporation line of the City of Massillon, Ohio; thence being a strip of land 18 feet in width running eastwardly along the southerly border of the Campian tract approximately 165 feet to the corporation line of the City of Massillon, Ohio.

VERNA B. CAMPIAN, wife of Samuel E. Campian, hereby releases all her rights of dower herein.

WITNESS the execution hereof this 31 day of July, 2003.

Samuel E. Campian
SAMUEL E. CAMPIAN

Verna B. Campian
VERNA B. CAMPIAN

STATE OF OHIO)
) ss:
STARK COUNTY)

Before me, a Notary Public in and for said County and State, personally appeared the above named SAMUEL E. CAMPIAN and VERNA B. CAMPIAN, husband and wife, who acknowledged that they did sign the foregoing Easement and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal
at Massillon, Ohio, this 31 day of July, 2003.


Notary Public



JAMES D. SNIVELY - Attorney at Law
Notary Public - State of Ohio
My Commission has no expiration date.
Section 147.03 R.C.

THIS INSTRUMENT PREPARED BY:
James D. Snively
Attorney for Plaintiff
Ohio Bar Registration No. 0023946
11 Lincoln Way, East
Massillon, OH 44646
(330) 837-4251

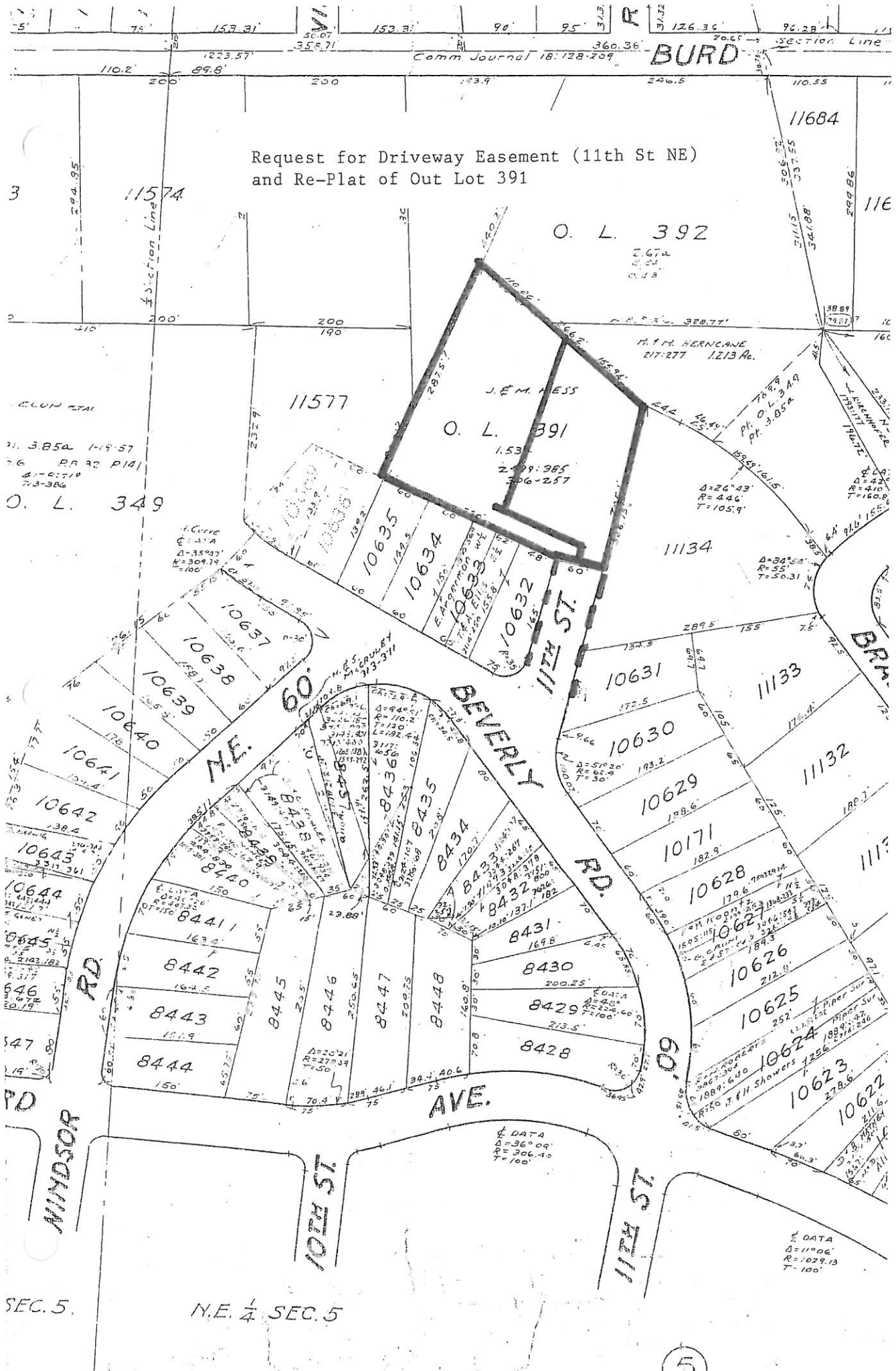
ADDENDUM TO THE AGENDA
MASSILLON PLANNING COMMISSION
JULY 9, 2003 ***7:30 P.M.***
MASSILLON CITY COUNCIL CHAMBERS

2. Petitions and Requests

Request for Driveway Easement and Re-Plat of Out Lot 391

Location and Description: The request is as follows: 1) To replat into two parcels Out Lot 391, a vacant, 1.53 acre parcel located at the north end of 11th Street NE, north of Beverly Road NE; and 2) To obtain an easement from the City in order to construct a driveway on that portion of 11th Street NE, running north from Beverly Road NE (This portion of 11th Street NE is currently unimproved). Out Lot 391 is zoned R-3 One Family Residential.

Applicant: Bob and Cyndee Guerin



Request for Driveway Easement (11th St NE)
and Re-Plat of Out Lot 391

O. L. 392

O. L. 391

O. L. 349

SEC. 5, N.E. 1/4 SEC. 5