

**A G E N D A**  
**MASSILLON PLANNING COMMISSION**  
**July 8, 2009      4:00 P.M.**  
**MAYOR CICCHINELLI'S OFFICE**

**\*\*\*\*\*PLEASE NOTE TIME AND LOCATION CHANGE\*\*\*\*\***

1. *Approval of the Minutes for the Commission Meeting of March 11, 2009.*
2. *New Business*

**Alley Vacation Plat and Replat – 112 1<sup>st</sup> Street NE**

*Description:* The request is to vacate an unnamed 10-foot wide alley lying between Federal Avenue NE and North Avenue NE and running west to east between 1<sup>st</sup> Street NE and Conrad Place NE. The total length to be vacated is approximately 132 feet. The vacated portion will be combined with the adjacent property to the north.

*Applicant:* Robert P. Rohr

3. *Other Business*

The City of Massillon Planning Commission met in regular session on Wednesday, March 11, 2009, at 7:30 PM, in Massillon City Council Chambers. The following were present:

**Members**

Chairman James Johnson  
Susan Saracina  
Sheila Lloyd  
Todd Locke  
Elaine Campbell

**Staff**

Aane Aaby

**Others**

David McCune  
6<sup>th</sup> Ward Council

The meeting was called to order by Chairman James Johnson. Mr. Johnson opened the meeting by introducing Elaine Campbell as the newest member of the Commission. The first item on the agenda was consideration of the minutes for the February 11, 2009 meeting. Susan Saracina made a motion to approve the minutes as presented. Seconded by Todd Locke, the motion was approved unanimously.

The next item was a proposed amendment to the Zoning Code, presented by Aane Aaby, described below as follows:

**Revision to Zoning Regulations – Free Standing Windmill**

*Description:* The City of Massillon is considering updating its zoning regulations to include provisions for “free-standing windmill structures” as used for on-site power generation. These new regulations would be added to Chapter 1187, Supplemental Zoning Regulations as *Section 1187.16 “Free Standing Windmill Regulations”*

Mr. Aaby stated that these regulations are currently under consideration by City Council. However, since this Ordinance would amend the City Zoning Code, Planning Commission review and recommendation is required prior to final Council action. Councilman McCune stated that he has been working with the City Law Department for over a year to develop a set of requirements for small wind energy systems. Currently, the City code has no such provisions. With increased interest in alternative energy systems, including possible Federal tax credits encouraging their use, property owners may seek to erect these types of windmills to save on energy costs.

Chairman Johnson then asked for Commission comments on the proposed regulations. Elaine Campbell commended Councilman McCune for taking a proactive approach to this issue and compared it to the regulation of cell phone towers.

Todd Locke stated that the regulations allow for one windmill per parcel. Mr. Locke asked what would happen if a company would wish to develop a windmill “farm” to generate power for a designated area. Councilman McCune replied that the regulations were developed to cover an individual property owner who wishes to install a windmill to reduce on-site electrical consumption. Mr. Locke also commented that one section of the regulations states that windmills would be allowed as a conditional use in any zoning district, while another section of

the regulations would restrict windmills to residential, agricultural and industrial properties. Councilman McCune stated that he would look into this and see if a revision was needed.

Susan Saracina and Sheila Lloyd both agreed that the proposed regulations are needed. Jim Johnson agreed that Council has done a commendable job in the preparation of these regulations, and that they are well written and easily understandable. He asked whether there needed to be any provisions to cover noise from windmill operations, and whether specific enforcement and penalty provisions need to be incorporated into the Ordinance. Councilman McCune stated that these were all good suggestions that he would take back to Council before final vote.

Todd Locke made a motion that the Commission recommend approval of the windmill regulations, with the additional provision that Council may amend these regulations as necessary, without the need for any additional review by the Commission. Seconded by Susan Saracina, the motion carried.

No more items appearing on the agenda, Sheila Lloyd made a motion to adjourn. Seconded by Susan Saracina, the meeting adjourned at 7:55 P.M.

NORTH

N.E.

ST.

Area to  
be vacated

ST.

FEDERAL

AVE.

AVE.

ST.

N.E.

33

127

379

380

381

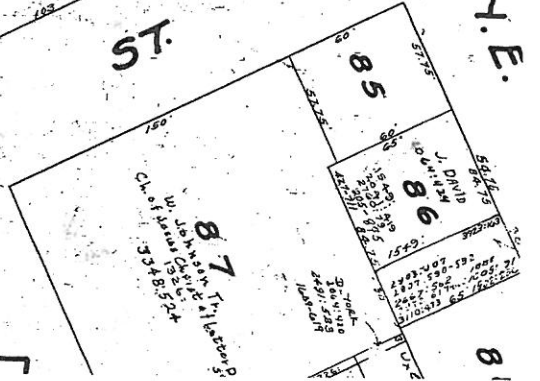
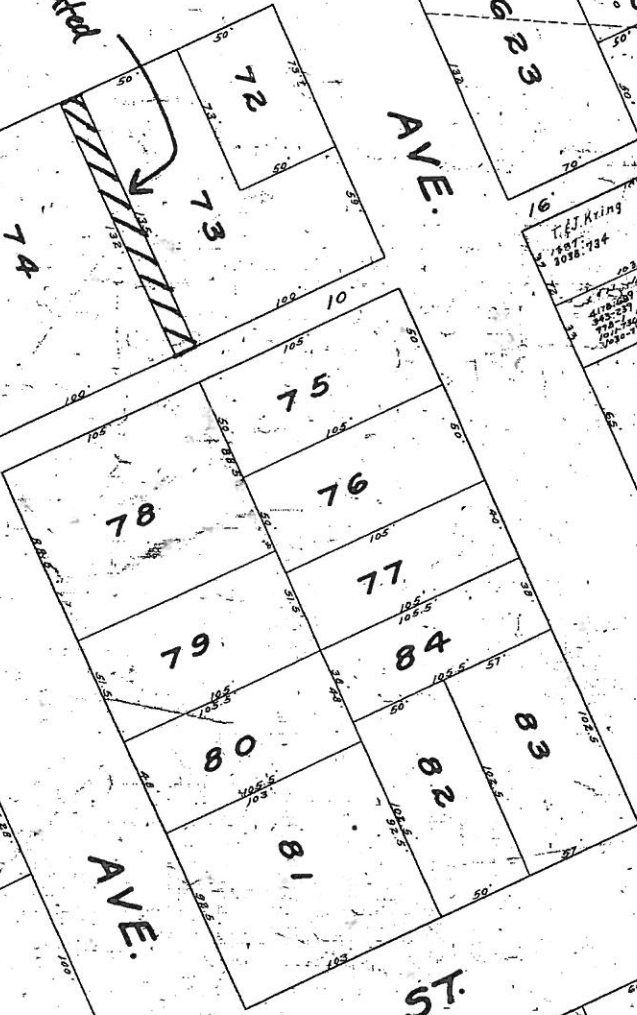
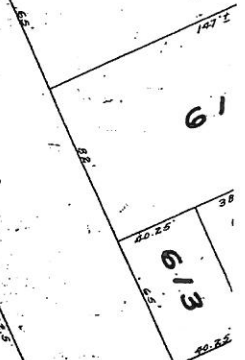
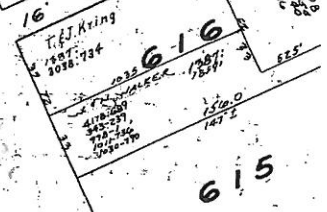
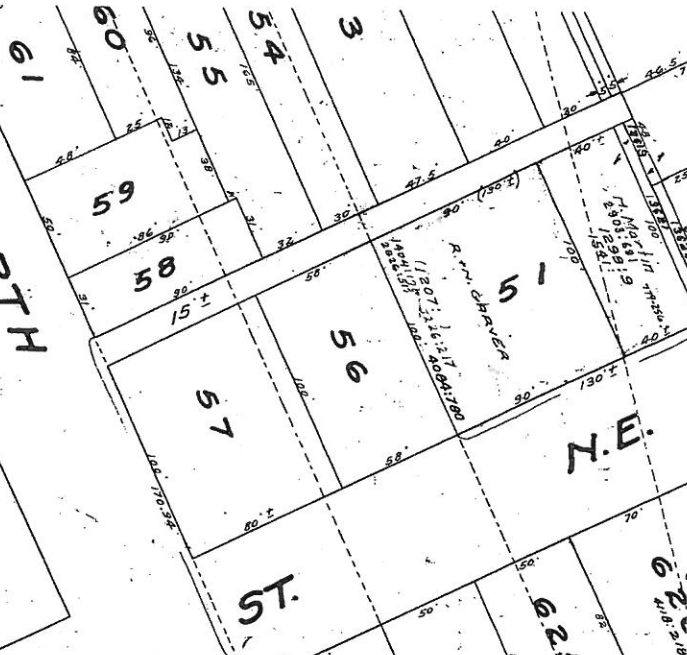
382

383

384

2ND

28



# PETITION TO VACATE ALLEY

Date: June 17, 2009

Honorable City Council, Massillon, Ohio

Gentlepersons:

We, the undersigned, as owners of those lots abutting an unnamed 10-foot wide alley request to vacate that alley lying between Federal Avenue NE and North Avenue NE and running west to east between 1<sup>st</sup> Street NE and Conrad Place NE. The total length to be vacated is approximately 132 feet.

Upon approval of City Council, the applicant is required to hire a surveyor to prepare and submit a survey plat, which will be recorded at Stark County at the applicant's expense.

| Owner(s)                                                               | Signature(s)                        | Parcel No.(s)<br>Lot No.(s) |
|------------------------------------------------------------------------|-------------------------------------|-----------------------------|
| Robert P. Rohr<br>134 1 <sup>st</sup> Street NE<br>Massillon, OH 44646 | <u>Robert P Rohr</u>                | Parcel 0609305<br>Lot 73 WH |
| Robert P. Rohr<br>112 1 <sup>st</sup> Street NE<br>Massillon, OH 44646 | <u>Robert P Rohr</u><br>330 8372550 | Parcel 0603768<br>Lot 74 WH |

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

6-24-09  
Date

Robert P Rohr  
Applicant

Subscribed and sworn to before me this 24<sup>th</sup> day of June A.D., 2009.

My commission expires MARY ANN COYNE 20  
NOTARY PUBLIC, STATE OF OHIO  
MY COMM. EXPIRES APR. 13, 2010

Mary Ann Coyne  
Notary Public

*Massillon Planning Commission*  
*July 8, 2009 - 4.00 P.M.*  
*Mayor Cicchinelli's Office*

*Sign in Sheet*

Name:

Address and/or organization

*Frank C. Cioffi*

*2134*

*Robert P. Rohr*