

Minutes of a Meeting  
of the  
City of Bay Village Planning Commission  
Held March 7, 2012

Present: Bruckman, Dzienny, Lesny Fleming, Majewski, Miller, Persanyi

Excused: Will Krause

Also Present: Law Director Ebert, Doug Gertz (representing Bay Boat Club)

Mr. Dzienny called the meeting to order at 7:30 p.m. The following members responded to roll call: Bruckman, Dzienny, Lesny Fleming, Majewski, Miller, Persanyi.

The Planning Commission extended a warm welcome to Jennifer Lesny Fleming, the newest member of the Planning Commission recently appointed by Mayor Sutherland and confirmed by City Council. Ms. Lesny Fleming filled the vacancy created by the election of Planning Commission member Clete Miller to the Bay Village City Council. Mr. Miller now serves the Planning Commission in the capacity of representative to City Council.

**MOTION** by Persanyi, second by Miller, to approve the minutes of the meeting held February 1, 2012. **Motion carried 6-0.**

**Law Director Ebert** addressed the Planning Commission concerning the application of Bradley Bay Health Center for an extension to their facilities. He stated that his memorandum relative to the project has been done for two weeks, but there was some additional research done after conversing with former Building Director Doug Milburn. Mr. Ebert emailed the most recent draft to Mr. Milburn, who is employed by the city as a Commercial Projects Coordinator, and it is ready to be distributed. He would like to meet with Mr. Milburn to go through the memorandum one more time. Mr. Ebert will mail the memorandum to the Planning Commission by the weekend of March 10 and 11, 2012. He stated that there is ample time before the next meeting of the Planning Commission to review the memorandum and be ready for the next meeting of the Planning Commission on April 4, 2012 to entertain the application of Bradley Bay Health Center.

**Bay Boat Club**  
**27400 Lake Road**  
**Kayak Storage Rack Construction**

Mr. Doug Gertz, representing the Bay Boat Club, appeared before the commission to present plans for the construction of four kayak storage units at the site of the Bay Boat Club. Photographs of kayak storage units in Avon Lake were included in the packets of information sent to the Planning Commission. The units are similar to what Bay Boat Club is proposing, but will not be quite as tall or have the canvas top. Two units will be constructed south of the sailing building. Eight feet will be maintained between the first rack and the building to access it for maintenance. If demand is high, two additional units will be built. The project is being done by

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the Sea Scouts and their group will be guaranteed the first rack of eight slots. The boat club will hold a lottery for the remaining spaces.

The project was approved by the Cahoon Memorial Park Trustees at their meeting held February 13, 2012. The Planning Commission received copies of the minutes of that meeting.

Mr. Miller noted that the Cahoon Memorial Park Trustees approved the project but did not discuss materials, general aesthetics or setbacks. Mr. Gertz advised that 33 members of the boat club have a kayak. They will be storing at their own risk and will secure the kayak with a chain to the structure. Mr. Persanyi added that he just returned from a meeting of the club where he learned that 32 members have a combined 50 kayaks and proposed that there will probably be a serious demand for the storage.

Each rack will hold eight kayaks. The club is asking permission to build four racks, two presently and two at a later date prior to the time their building permit extensions expire.

Mr. Bruckman asked how many racks the site could accommodate. Mr. Gertz stated that it can accommodate four racks without a problem. More than four could be constructed in the future pushing them back toward the hillside.

The sides will be open and exposed. There are cameras in the area with police and trustee access. Lattice work will be placed on the end unit as screening from the road while still retaining a sight line for police surveillance.

A memorandum from Doug Milburn, Commercial Projects Coordinator, to the Planning Commission dated February 27, 2012 was read outlining the project and stating that the buildings and use of this property are considered nonconforming (Section 1121.26 and Chapter 1125). The Building Director has determined that this structure complies with the Zoning, Building and Property Maintenance Code and has approved permit issuance following Planning Commission review.

Mr. Majewski asked Mr. Milburn why this structure is non-conforming. Mr. Milburn stated that the area is zoned First Residence District, single family homes only. The structure is a commercial structure and the Ohio Building Code governs. Mr. Milburn advised that the next step prior to approval would be a public hearing.

The matter of the Bay Boat Club Kayak Storage Rack construction is referred to public hearing of the Planning Commission to be held April 4, 2012 at 7:30 p.m.

Mr. Majewski asked the procedure for the placement of a kayak storage rack on private property. Mr. Milburn stated that a special permit from the Board of Zoning Appeals would be required for an accessory structure on private property. In the case of the boat club, the Bay Boat Club is a commercial use in a First Residence District. The racks are being added as part of that non-conforming use.

### **Council Update**

Councilman Miller stated that the motion approved by the Cahoon Memorial Park Trustees to demolish the librarian's house has been in place for 32 days as of Tuesday, March 13. Demolition will be scheduled after Habitat for Humanity has an opportunity to remove items in which they have expressed interest. The Fire and Police Department will also use the home for training exercises prior to its removal.

The maintenance and restoration of the Community House has been discussed by Council. Mr. Miller will be gathering information to determine the different groups that use the Community House and their possible needs. Fact finding about the different elements of the building will be done to learn if modifications are necessary, such as accessibility to the wash rooms and updating the kitchen. The historic preservation component will be taken into consideration. Mr. Miller noted the condition of the flooring which has been sanded to the point of being too thin for restoration. The finish on the walls, the drapes, and the Bunkhouse wheel chandeliers will be reviewed as to whether they are part of the historic component of the building or decorative choices.

The Planning and Zoning Committee, chaired by Mr. Miller, met with students from Baldwin Wallace University's Capstone Class on Sustainable Energy. The students believe that the City of Bay Village is a prime candidate for sustainable energy ordinances relating to solar energy and small wind generation systems. The committee feels there is a very strong opportunity to integrate a solar energy ordinance into the Bay Village code. The small wind generation system is going to need more evidence that the appropriateness of a sixty to seventy foot tower on a small parcel of land will work. The class has indicated that there are tower systems that are manufactured to collapse almost within place, eliminating the need for the fall distance that is required with a monopole that is not intended to collapse in place. The class will do more fact finding and meet back with the Planning and Zoning Committee for further discussion.

The class did provide some model codes that came from the Chagrin Valley Watershed District and the City of Eastlake. Chagrin Valley Watershed has developed code language to be addressed in a most broad sense of solar, wind, and geo-thermal energy. The City of Eastlake has adopted the solar and the wind. The committee feels that the geo-thermal has potential in Bay Village as well. Instead of going horizontally, wells are being done vertically. However, the city code does not permit wells in the simplest sense. Drawing water from a well is different than dropping piping and capturing energy. There is more prudent use of the code for residents to use geo-thermal heating and cooling systems because it is becoming more affordable. It is

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hoped over the next month or two to make some progress and circulate to the Planning Commission drafts of ordinances for the commission to review and offer input.

The Public Improvements, Streets, Sewers and Drainage Committee has been discussing park improvements as well as city streets. There are some areas, such as the Sunset Area, that historically have not had our street system as it is defined by code. Thirty-seven homes are affected, and these properties were never laid out to permit that kind of corridor. Proposals have been received from three civil engineering firms and the committee is trying to understand how to apply our code, or modify it, to accept their conditional needs.

The 2012 budget is getting closer to being adopted. There have been many unpleasant cuts. Bargaining continues with the Fire Department to cultivate an agreement with the bargaining unit so that the city can still afford to keep their staff in place without other cuts.

Gas lines are being retrofitted by Columbia Gas Company in certain areas throughout the city. Work will continue on the retrofitting from Dover Center Road to Douglas and Lake to Knickerbocker. There is some activity at the intersection of Glen Park and Wolf. Placement of meters is determined by the gas company and it is the responsibility of each individual homeowner to discuss that with the company. Mr. Miller noted that the Columbia Gas Company held a public meeting in January to explain what they are doing, the process that they go through, and the safety factors that they work around. The work is governed by the Public Utilities Commission and the Bay Village Building Department is not involved. Certified safety crews who meet federal criteria are part of the construction process to help insure the safety of the project. There were concerns about tree lawns being torn up but the crews have been videotaping the area prior to their work and keep those records until the area is restored back to the condition the property was beforehand. Most residents have been satisfied with the clean-up and reseeded.

Mr. Majewski asked if there is discussion about what will be done with the area of the librarian home once the home is demolished. Mr. Miller stated that the Building Department will capture the fieldstone out of the foundation and pallet it, keeping it in the Building Department. A plan of the park will be circulated to the commission by Mr. Miller for discussion. There were no responses to the offer to receive the house for \$1.00 and remove it from the property. Mr. Miller was contacted by alumni groups who were interested in keeping the home at the site for perpetuity. When it was explained that fund raising would need to be in place for a very long period of time they decided not to proceed. It was suggested that their efforts be shifted to the Community House.

Mr. Majewski asked why the historic district legislation is in the building code rather than the zoning code. Mr. Miller will contact Law Director Ebert for clarification. Mr. Majewski noted that there was an ordinance that created an historic district in the 1970's. Mr. Miller noted that there was language that talked about distance from certain points. There is language in the current historic district code that talks about what would occur if that librarian's home, RTA stop, or the skate park would be removed or abandoned. Those structures could be dissolved and the property returned back to park conditions. The option in the code now is that the portion of the property where the home sits now could be removed from the historic district when the home is demolished. Mr. Miller stated that he does not think anyone on Council is interested in removing that portion of property from the historic district. If an improvement were to be made on that footprint, it wouldn't be conforming to the historic district, and would require approval from the various governing bodies of the city.

Mr. Majewski noted that the Council has power to create special zoning districts. The Bay Square Shopping Center is a special zoning district. Certain special codes can be established for certain districts. An historic district is appropriate for the city and should be in the zoning code rather than the building code.

**ADJOURNMENT**

Meeting adjourned at 8:10 p.m. The next meeting of the Planning Commission will be held Wednesday, April 4, 2012 at 7:30 p.m.

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Andy Dzienny, Chairman

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Joan Kemper, Secretary