

VILLAGE OF CUYAHOGA HEIGHTS
PLANNING COMMISSION & ZONING BOARD OF APPEALS
July 18, 2007

Mayor Contipelli called the meeting to order at 6:00 p.m. Clerk Biro called the roll. Those present were Councilperson Robert Faragone, Russell Hartman, Michael Mallos, Oliver Vaccher and Mayor Contipelli. Also present was Village Engineer Paul Dey and Law Director Ken Fisher.

MINUTES:

Mr. Vaccher moved, seconded by Mr. Hartman that the minutes of the June 20, 2007 meeting be approved as written and placed on file. All voting aye, none opposed; motion carried.

COMMUNICATIONS:

From Paul Dey, Village Engineer:

A letter to Mayor, Clerk, Members of Council, Members of Planning Commission and other various officials regarding a proposed alteration of topography in accordance with Chapter 1485 by Fabrizi Trucking & Paving Co., Inc., Chapek Parkway, PP Nos 522-12-004 & 522-12-006 in the Village of Cuyahoga Heights, Ohio.

From Paul Dey, Village Engineer:

A letter to Mayor, Clerk, Members of Council, Members of Planning Commission and other various officials regarding a proposed Wetland mitigation in Bacci Park PP Nos: 522-20-013 and 522-20-014 in the Village of Cuyahoga Heights.

Mr. Hartman moved, seconded by Mr. Mallos that the communications be accepted and placed on file.

DISCUSSION:

Mayor Contipelli asked Mr. Dey to explain the plan for the proposed topography change by Fabrizi Trucking & Paving Co, Inc. Mr. Dey reviewed the process necessary to fill in the area. The land that is adjacent to the Cuyahoga Heights Schools needs to be developed, another area needs to be topped off with seed and the biggest concern is how the damaged sewer lines are going to be repaired. Mr. Dey stated that before this permit is approved the company needs to address these issues.

Mayor Contipelli stated that he would also like to know what type of fill material is already there, what fill material is coming, dust control, and performance bonds. Mr. Mallos' main concern is that area is marked for future development but the land being filled was not monitored properly and can the land be used for development.

Mr. Fisher explained 1485.04 permitted fill material and stated that there is an affirmative obligation on the part of the property owner that if in fact improper fill was deposited on the site, it would have to be removed under this section.

Mr. Mallos suggested having some type of testing done at the owners cost to see what is dumped and if it could be a buildable site in the future.

Mr. Faragone suggested having Council review the Ordinance regarding the length of a permit. Mr. Faragone stated that right now it is two years and maybe it should be limited to one year. Mayor Contipelli stated that with a permit like this Council can make it conditional. Mr. Fisher stated that the issue right now is what has been dumped back there and until we know that, he is not comfortable with considering granting of a permit. Mr. Fisher stated that in his opinion if they did dump improper materials on this property it has to be removed to the satisfaction of the Village Engineer before granting a permit to move forward. Mr. Mallos agreed with this.

Mr. Faragone asked who is requesting the permit. Mr. Dey replied Fabrizi's name is on the application, but Mr. Steve Thompson owns the property. Mr. Dey said that there is a lease agreement between Mr. Thompson and Fabrizi Trucking. Mr. Fisher stated that the property owner is responsible also.

Mayor Contipelli said for the August meeting notifications will be sent to the School, Fabrizi, Thompson, and adjacent property owners to attend the meeting.

Mr. Faragone asked Mr. Dey if he is allowed to have a screening machine at the site. Mr. Dey replied that he would have to ask that in the permit.

Mr. Dey explained that during the construction of the path at Bacci Park, the Metro Parks found some existing wetlands. Mr. Dey also explained that according to the Clean Water Act if you disturb a wetland, you have to either enhance another wetland or replace it, so the Metro Parks purpose to do is take a wetland that is on the Village's property that is west of the B&L tracks and enhance the wetland by killing an invasive plant that will eventually take over the whole area. Mr. Dey said that the Army Corp has approved the plan as their mitigation to kill off these plants. Mr. Dey said that the Parks are asking the Village to go on the Village's property to kill off these plants. The Board gave permission to Mayor Contipelli to sign the mitigation plan.

Mr. Mallos stated that he would get together with Mr. Casini to discuss the proposed Sign Ordinance and will have something for the next meeting.

Wherefore, there being no further business before this Board, Mr. Contipelli moved, seconded by Mr. Faragone that the meeting be adjourned. All voting aye, none opposed; motion carried.

Passed: September 19, 2007

ATTEST:

Mayor and Chairman of the Board

Clerk of Council