

PLANNING & ZONING COMMISSION
January 14, 2014 – 7:00 P.M.

The Planning Commission met at City Hall on the above date.

Present: Commission Members Bentley, Mazur and Newberry (entered Caucus at 7:15 P.M.), Mayor Drucker, Councilman Pelunis, Assistant Law Director/Prosecutor Stolarsky, Planning Director Frankland, Secretary McConoughey

Absent: None

Also Present: Fire Lieutenant Eisenhuth, Assistant City Engineer Welch

NOTES OF CAUCUS DISCUSSION:

(Secretary's note: Agenda items not mentioned under Notes of Caucus Discussion are items that were not pertinently discussed during Caucus)

Chairman Pelunis presided.

PENDING:

1. 29000 Aurora Road – Aurora Commerce, LLC (Cleveland Clinic) – various parking variances: Mr. Frankland said a landscape plan was provided and is under review by the Engineering Department.

3. 33000 Solon Road – AT&T (tower owner) and Sprint (replacement antennas): Mr. Stolarsky said it is unnecessary for the Planning Commission to schedule another public hearing as public hearings were held in September and October and it is likely the Council will also schedule one.

NEW:

4. 6353 Glenallen Avenue – PP#'s 954-02-135 and 954-02-136 – Barbara Honey - Lot consolidation: Ownership of this property was transferred, therefore, the public hearing that was scheduled is cancelled. The Clerk requested correspondence from the applicant requesting this item be withdrawn but has not yet received it.

Mr. Frankland said it is believed the new owners of the property will submit an application for the lot consolidation.

6. 6445 SOM Center Road – Fifth Third Bank – structure material variance, material color variance for ATM, sign variance and site plan: Mr. Pelunis said he has issues with the materials requested for this item and prefers the brick remains on the building.

Mrs. Welch said if this item is approved, the Engineering Department will request a contingency requiring a detention basin maintenance agreement.

7. 33311 Aurora Road – Solon Square – Advance Auto Parts – Number of wall signs, sign location and sign area variances: Mayor Drucker said she has issues with this item and believes it is in direct conflict with the signage request for Item 2 and will discuss her concerns during the meeting.

COUNCIL REFERRAL:

9. Proposed Zoning Code amendment – Comprehensive Revision of Permitted Uses: Mr. Mazur recommended a public hearing be scheduled.

Mr. Frankland briefly reviewed 5 minor alterations.

The caucus ended at 7:23 P.M. and the meeting convened at 7:30 P.M.

Mayor Drucker presided.

Motion by Mayor Drucker, seconded by Mr. Bentley to appoint Councilman Pelunis as Chairman of the Planning Commission and Mr. Mazur as alternate Chairman.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

Councilman Pelunis presided.

CHANGES TO THE AGENDA:

There were no changes to the agenda.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

APPROVAL OF MINUTES:

Motion by Mayor Drucker, seconded by Mr. Newberry to approve the minutes of the December 10, 2013 meeting.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

PENDING:

1. 29000 Aurora Road – Aurora Commerce, LLC (Cleveland Clinic) 091-2013 5
 - 0.4' minimum parking aisle width variance (west side parking lot)
 - 0.7' minimum parking space depth variance (west side parking lot)
 - 1.2' minimum parking aisle width variance (east side parking lot)
 - 0.05' minimum parking space depth variance (east side parking lot)

Motion by Mr. Mazur, seconded by Mr. Newberry to table consideration of Item 1.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

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|----|---|----------|---|
| 2. | 33615 Aurora Road – Mid America Management | 102-2013 | 6 |
| | <ul style="list-style-type: none"> ▪ 13 sq ft maximum sign area variance ▪ 10" maximum sign height variance ▪ 3' – 10" maximum sign width variance ▪ 8' minimum sign setback from right-of-way variance (Solon Boulevard) ▪ 7' minimum sign setback from right-of-way variance (Aurora Road) | | |

Councilman Pelunis said a survey has been provided.

Mr. Frankland said if this item is approved tonight, the following contingencies should be added to the motion: the new sign should be at least 5'4" from the Aurora Road sidewalk and at least 13' to the east of the existing free-standing sign and at the same angle. The purpose of the conditions is to meet the setbacks listed on the agenda.

Mr. Major Harrison, Brilliant Electric, was present representing the applicant. He displayed a rendering of the proposed multi-tenant sign. He said the proposal is to replace the existing Solon Square sign with an illuminated multi-tenant panel ground sign with a brick base.

Councilman Pelunis said the sign contains seven panels, however, there are more than seven tenants in the shopping center. He asked how it will be determined which company names appear on the panels.

Mr. Stephen Fein, Mid America Management, was present. He said it has not yet been determined which names will appear on the sign but the plan is to add anchor and sub-anchor tenants to the new sign.

Mayor Drucker has concerns regarding the multi-tenant sign. In the past, variances were granted to allow signage to be larger than permitted by Code due to the lack of visibility and the lack of a multi-tenant sign. Most recently, a substantial variance was approved for the Earth Fare sign and she assumes they will be considered an anchor tenant.

Mayor Drucker referred to Item 7 on the agenda regarding signage variances for Advance Auto Parts which also lists the lack of a multi-tenant sign and being located on an end cap as main reasons for requesting the sign variances. However, now Mid America Management is applying for a multi-tenant sign and without definitely knowing which business names will appear on the sign, it is difficult to assess the necessity for these variances.

Mayor Drucker does not believe it is fair for those businesses located in the shopping center that have signs which meet Code guidelines to not have access to

their name on the multi-tenant sign when other businesses that were given variances for larger signs will also be listed on the multi-tenant sign. She feels these issues could have been avoided if a complete package for re-development of the plaza had been presented at one time rather than coming to the Commission individually requesting variances.

Mr. Fein said it is their intention to have Earth Fare's name on the multi-tenant sign and he will determine the other names to be added to the sign and submit them as soon as possible. He said the variances given for the larger signs are appreciated, however, they would now like to install a directory sign.

Councilman Pelunis agreed with Mayor Drucker regarding the request of Advance Auto Parts as he also believes the two signs will give them greater visibility. However, he would find it difficult to approve the request if their name will also be added to the multi-tenant sign.

Mr. Newberry agreed with Councilman Pelunis but said if the multi-tenant sign is approved, he will not vote in favor of the additional sign for Advance Auto Parts. In addition, he would not have voted in favor of the substantial variance given to Earth Fare for their sign if he had been aware that in the future there would be a request for a multi-tenant sign.

Mr. Fein said the request for the second sign for Advance Auto Parts is due to their location on a corner of the shopping center.

Mr. Newberry understands the reasoning for the Advance Auto Parts request, however, if their name is added to the multi-tenant sign, they will have the visibility they are seeking.

Mr. Harrison suggested the possibility of Mid America Management establishing specific landlord criteria for determining individual businesses' signs regarding size, color, etc. He has seen this done elsewhere.

Mr. Mazur said Solon Village/Market District was given variances for larger signs and they also have a multi-tenant sign. He feels the Commission should be equitable for the Solon Square Shopping Center as well.

Mayor Drucker said there is a big difference between the two shopping centers and if Mid America Management would like to submit a complete package for total re-development of the entire shopping center and receive incentives from the City, the City would be more than willing to work with them.

Councilman Pelunis asked if the applicant wished to proceed with the application tonight or table it to meet with the Planning Department for further review of the variance requests.

Mr. Harrison discussed approving the variances with contingencies as related to tenant determination for the multi-tenant sign.

Councilman Pelunis believes the Commission would want to see more information regarding tenant determination. Although he does not object to the multi-tenant sign, his objection is in regard to the size of some of the signs. If Item 7 is approved, Advance Auto Parts will have two signs and if they are displayed on the multi-tenant sign, they will have a total of four signs, with one on each side of the monument sign.

Mr. Fein said he would prefer to have the item tabled tonight and will meet with the Planning Department. However, it was his understanding that there were questions regarding the setback variances in relation to the location of the sign and, as requested by the City, a survey was completed and submitted. He believed they were here today for Mr. Harrison from Brilliant Electric to give his presentation for the multi-tenant sign.

Although the setback variances were discussed, Mayor Drucker advised she wants to see a complete sign package and will not support any of the variances at this time.

Mr. Newberry expressed his disappointment with the survey information provided and Mr. Mazur recommended the item be tabled.

Motion by Mr. Mazur, seconded by Mr. Bentley to table consideration of Item 2.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

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|----|--|----------|---|
| 3. | 33000 Solon Road – AT&T (tower owner) - Sprint
(replacement antennas) | 064-2013 | 6 |
| | ▪ Site plan for new replacement antennas and equipment | | |

Mr. Frankland said the City's structural engineer reviewed the tower and submitted a letter, dated December 6, 2013, whereby, it was determined the overall analysis is valid and the additional antennas can be approved. However, the letter listed two additional structural items for inspection in order to bring the tower into full Code compliance and they should be added as a contingency to the motion.

Motion by Mayor Drucker, seconded by Mr. Mazur to approve the site plan for new replacements antennas and equipment with the contingency that two additional structural inspections are performed as recommended by GPD Group in their December 6, 2013 letter.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

NEW:

- | | | |
|----|--|---|
| 4. | PUBLIC HEARING – CANCELLED (due to property transfer) 107-2013
6353 Glenallen Avenue – PP#'s 954-02-135 and 954-02-136 - Barbara Honeyc | 7 |
| | ▪ Lot consolidation | |

The public hearing was cancelled due to the property being sold and it is anticipated that the new owner will request the consolidation in the near future.

Councilman Stolarsky will contact the applicant to request a letter stating their withdrawal.

Motion by Mr. Mazur, seconded by Mr. Bentley to table consideration of Item 4.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

5. 29300 Cannon Road – Nestle 001-2014 5
- Variance to not install curbing

Mr. Frankland displayed a plan of the new Nestlé Research and Development Center. He indicated an area outlined in red that faces the Route 422 side of the building and a service road in the rear of the building which connects to the main facility. They are requesting approval to not install ODOT Type 6 curbing in this area since it is in an area used mostly by trucks with no public access and is not visible. He said any area where the public has access will be curbed.

Councilman Pelunis asked Mrs. Welch if approval of the variance would affect the drainage calculations.

Mrs. Welch said the variance will have no negative impact.

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a variance to not install curbing for 29300 Cannon Road.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

6. 6445 SOM Center Road – Fifth Third Bank 002-2014 6
- Structure material variance (for ATM)
 - Structure material color variance (for ATM)
 - Number of wall signs variance (to permit 3 additional)
 - Site plan for alteration of drive-thru ATM

Mr. Gerald Weber, Weber Architecture, representing Fifth Third Bank was present. He displayed a plan indicating the rear of the building and a photograph of the current ATM kiosk surrounded by brick. Mr. Weber said this is a pre-fabricated kiosk covered with thin brick which has aged and is deteriorating. He said the ATM is outdated and will also be replaced.

Mr. Weber said the proposal is to replace the entire unit with a new kiosk and ATM. He displayed a photograph of the updated kiosk in Fifth Third Bank's standard blue colors with a new ATM. Mr. Weber feels the color variances requested will serve as accent colors and materials to the main building.

Mayor Drucker referred to the Solon Village development as an example and said they have been held to a standard with the Western Reserve Architecture and the materials used and it is her intention to continue with this standard for any future applications. She said this is the vision of the Master Plan for the look of Solon. Therefore, she will not support the variances and feels the brick kiosk should remain. She has no objection to Fifth Third Bank's standard blue colors. However, she believes it is important to hold businesses to the same standards to achieve the goals of the Master Plan and improve the look of the City of Solon.

Mr. Weber asked that the variances be considered since the kiosk and ATM are located in the rear of the building and cannot be viewed from the main street and only those people using the ATM will see it.

Councilman Pelunis would prefer the brick remain or a new brick kiosk be installed with a new ATM. He sees this location as an extension of Solon Village and during the planning stages with ECHO, there was very careful consideration given to ensure uniformity within the shopping center. This was achieved by the creation of a development agreement with very strict standards. He feels it would be unfair to permit the proposed materials and would be counter-productive to the re-development that has been achieved and to the goals of the Master Plan.

Mr. Mazur agreed with Councilman Pelunis and Mayor Drucker.

Mr. Bentley believes a large blue box in the rear of the building would really stand out and not aesthetically fit the area. He agreed with the other Commission members and prefers the brick kiosk.

Motion by Mr. Newberry, seconded by Mr. Bentley to approve a structure material variance (for ATM).

Roll Call: Aye: None

Nay: Bentley, Drucker, Mazur, Newberry, Pelunis Motion Failed

Motion by Mr. Bentley, seconded by Mayor Drucker to approve a structure material color variance (for ATM).

Roll Call: Aye: None

Nay: Bentley, Drucker, Mazur, Newberry, Pelunis Motion Failed

Motion by Mr. Mazur, seconded by Mayor Drucker to approve a number of wall signs variance (to permit 3 additional).

Roll Call: Aye: None

Nay: Bentley, Drucker, Mazur, Newberry, Pelunis Motion Failed

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a site plan for the alteration of the drive-thru ATM.

Roll Call: Aye: None

Nay: Bentley, Drucker, Mazur, Newberry, Pelunis Motion Failed

- Number of wall signs variance (to permit 2)
- Sign location variance
- 23 sq ft sign area variance (front elevation)
- *Material variance (EIFS)*

During the Caucus, it was determined a material variance for the EIFS was necessary.

Mr. Luke Troyer, Site Enhancement Services, Indiana, was present representing Advance Auto Parts (Solon Square). He questioned the 23 sq ft sign area variance since it was believed the front wall sign was Code compliant at 92 sq ft.

Mr. Troyer said the proposal is for an additional wall sign and the Code states that it allows for one on each elevation of the business that has frontage on a separate and dedicated road. In addition, the applicant is requesting to use an EIFS (exterior insulation finish system) behind the wall signs for better legibility and conformance with the appearance of the surrounding businesses.

Mr. Frankland reviewed the variances and said he was unaware of the 23 sq ft sign area variance.

Mr. Mazur said a revised agenda was sent out indicating Mrs. Crombie had identified the 23 sq ft sign area variance for the front elevation.

Mr. Frankland said due to unforeseen circumstances, Mrs. Crombie has been out of the office and he has been unable to speak with her. However, he has confidence that if she identified another variance, it must be necessary.

Mr. Troyer displayed photographs of the proposed signage as it would look on the building from different locations. He noted the tan-colored EIFS and said it is believed the red lettering will be more visible on this material than if it was placed on the red brick building. Mr. Troyer feels it will be difficult to distinguish the lettering which will blend in with the brick. In reviewing the Code, it was believed that the EIFS is supported under Section 1288.05, Supplemental Regulations which covers the building and structure design and color standards.

Mr. Frankland said the EIFS and any accent materials that are used on a building are approved by the Administration and the City's architects and EIFS is not recommended for approval and would require a variance.

Mr. Troyer indicated the second sign on the side of the building, which will be 40 square feet smaller than the sign on the front of the building. He said this sign is very important for identification purposes and he believes not having the sign on the side of the building gives the appearance of an empty building. In addition, the sign will promote traffic safety as motorists will be able to identify their location more readily. Mr. Troyer believes the EIFS gives the appearance of a sign ban and fits in well with the architecture.

Mr. Troyer displayed additional photographs indicating the different views of the proposed sign from various street elevations. He displayed another photograph of the other end-cap unit, AT&T, indicating their second sign and said granting the variance for the second sign for Advance Auto Parts would be consistent.

Mayor Drucker asked about the necessity of the 23 sq ft sign area variance for the front elevation.

Mr. Frankland supports the memorandum from the Planning Department that the variance is necessary and feels it should be voted on. If the item is forwarded to the Council for their review and it is determined the variance is unnecessary, it can always be removed.

Mr. Mazur said he has no issues with the number of wall signs variance or the sign area variance, if needed. However, he does have concern about the material variance for the EIFS and would prefer to see the sign mounted to the brick.

Mr. Newberry asked Mr. Troyer if a multi-tenant sign was approved, would Advance Auto Parts still pursue their request for a second sign on the building.

Mr. Troyer believes the applicant would still request the second sign since it is for an end-cap unit and will assist the east-bound traveler's ability to identify the building. He feels the multi-tenant sign will more easily identify the driveway into the shopping center.

Councilman Pelunis agreed with Mr. Mazur and does not feel the EIFS material is appropriate. He prefers the brick face.

Mr. Troyer asked if the use of brick was established at the time the building was constructed or is it just a preference.

Mr. Frankland said the building was constructed in the 1960's. However, the section that that Advance Auto Parts will be occupying was recently renovated and was required by the City to be brick per the City's Master Plan and Zoning Code.

Mr. Troyer said the EIFS background allows the sign to have a distinguishable legibility. He also feels the earth tone color fits in well with the rest of the shopping center and believes other businesses in the area use a type of EIFS backdrop for signage as well.

Mr. Bentley feels that EIFS in the location of the Advance Auto Parts store will detract from the brick in that area.

In response to Mr. Bentley's question about Advance Auto Parts being on the multi-tenant sign, Mr. Troyer feels they should be on it considering they are utilizing the space of three tenants.

Mr. Bentley asked if approval is given for the two signs on the building, would Advance Auto Parts consider not having their name on the multi-tenant sign.

Although Mr. Troyer cannot answer for Advance Auto Parts, he feels they will be taking up three tenant spaces and the signs will identify the building. However, the multi-tenant monument sign is mainly for directional purposes for motorists.

Mr. Frankland explained that by Code, each tenant is permitted one wall sign and one free-standing sign. If the multi-tenant sign is approved, it would serve as the free-standing sign unless as a condition to approval, certain tenants were not permitted to be on it.

In response to Mr. Troyer's question, Mr. Newberry said the other tenants should have a fair opportunity to be displayed on the multi-tenant sign.

Mayor Drucker said these types of problems could have been avoided if there had been one overall development plan for the shopping center. She has no concerns about approving two signs for Advance Auto Parts, as was done for AT&T, since they are both end-cap stores. However, she would be concerned if both stores were also listed on a multi-tenant sign in the future. She said she will not support the request for the multi-tenant sign.

Mr. Frankland said in order to consider the multi-tenant sign, conditions as to which stores would be eligible for placement would have to be determined in advance.

Mr. Troyer believes the EIFS is supported under Section 1288.05, Supplemental Regulations and would like it to be considered.

Mr. Frankland said it would only be considered as a variance and if denied, would only then be considered by the Council as an appealed item.

Mayor Drucker said it appears that the Commission will not support the request for the EIFS. She asked if Mr. Troyer could offer an alternative.

Mr. Troyer displayed a photograph indicating an aluminum panel-system that can be mounted on the building which is less harmful to the structure and is not sprayed on. This system is also temporary and can be easily removed if another tenant were to move into the location.

Mr. Frankland said brick, stone and solid wood panels or materials determined to be equivalent by the City are the permitted materials. The aluminum panels or EIFS would require a variance. He said if there was a re-development plan for the shopping center, uniform sign ban panels could be included throughout the shopping center. The requesting of signs in this manner will result in various materials being used by different tenants and will not appear cohesive.

Mr. Troyer is finding it difficult to understand how the tan EIFS behind the lettering on a brick wall would not be considered and approved as a variance since it allows

for contrast between the sign and brick. He feels the EIFS provides a continuity within the shopping center since it already exists there as well as other locations within Solon.

Mr. Troyer asked for further clarification regarding the Commission's disapproval of the EIFS.

Mr. Newberry believes if the EIFS contrast color was in a sign ban form instead of the entire façade panel, the Commission would be less disapproving of it. He suggested Mr. Troyer view the sign panels at Solon Village as an example. Mr. Newberry said all of the materials used at that location for sign bans met the City's code requirements.

Mr. Troyer said if changes are made to reduce the amount of EIFS used, would the Commission consider approving the request.

The Commission determined a new plan would be required for them to review.

The Commission discussed the possibility of tabling the item tonight to allow the applicant additional time to meet with the Planning Department to discuss alternatives to the EIFS.

Mr. Troyer said he would prefer the Commission vote on the other variances. He asked about the procedure to return with an alternative plan for the EIFS.

Mr. Stolarsky suggested the material variance be withdrawn while the other variances are considered. The applicant can return with an alternative plan for a sign contrast, if they choose to do so.

Councilman Pelunis said providing the Commission votes in favor, at least the two signs will be approved.

Mr. Newberry said by withdrawing the material variance request, the applicant is allowed to return without prejudice, since the Code states an applicant cannot reapply for the same item for six months.

Motion by Mr. Newberry, seconded by Mr. Bentley to accept the applicant's withdrawal of the material variance (located behind the sign).

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

Motion by Mr. Mazur, seconded by Mayor Drucker to approve the number of wall signs variance (to permit 2).

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis

Nay: None

Motion Carried

Motion by Mr. Bentley, seconded by Mr. Newberry to approve a sign location variance.

As a point of clarification, Mr. Mazur explained this variance is due to the sign not being located over the main entrance or having any frontage on the street.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis
Nay: None Motion Carried

Motion by Mayor Drucker, seconded by Mr. Mazur to approve a 23 sq ft sign area variance (front elevation).

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis
Nay: None Motion Carried

8. 7096 Southwoods Lane – Richard Grossberg 004-2014 3
▪ 3' maximum outdoor fireplace width variance

Motion by Mayor Drucker, seconded by Mr. Bentley to table Item 8 at the request of the applicant.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis
Nay: None Motion Carried

COUNCIL REFERRAL:

9. Proposed Zoning Code amendment – Comprehensive 108-2013
Revision of Permitted Uses (previously distributed to Council)

Mr. Mazur said it was determined in Caucus to hold a public hearing at the next meeting and to keep the public hearing open to allow the residents the opportunity to comment on the proposed changes.

Motion by Mr. Mazur, seconded by Mayor Drucker to schedule a public hearing for the January 28th meeting.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis
Nay: None Motion Carried

MINOR ALTERATIONS FROM THE PLANNING DEPARTMENT:

1. 34320 Aurora Road – OfficeMax

Mr. Frankland displayed a plan of the property indicating the east wing of the Solon Village Plaza where the OfficeMax will be re-located. He indicated the fenced location where two five-hundred gallon propane tanks for temporary heating purposes will be located during construction. As stated during the Caucus, the Fire Department expects the tanks to be removed no later than the end of February.

The Commission members agreed no further review of this item was necessary.

2. 6075 Cochran Road - Wrap-Tite

Mr. Frankland displayed an aerial view of the property and said the request is to move a transformer box and a pole to another location on the property. He indicated the location on the aerial view and noted the transformer box and pole will be located a significant distance from Cochran Road.

The Commission members agreed no further review of this item was necessary.

3. 33431 Aurora Road (Solon Square) – Kumon Math Center of Solon

Mr. Frankland displayed an aerial view of the property and said the applicant is expanding into the space next door. The proposal is to install a man door in the rear of the building. Mr. Frankland noted other businesses in this area also have man doors located in the rear of the building.

Mr. Newberry said as discussed in Caucus, this door will be a required second means of egress. Mr. Frankland agreed.

The Commission members agreed no further review of this item was necessary.

4. 34310 Aurora Road - Giant Eagle Market District

Mr. Frankland displayed a rendering of the Giant Eagle elevations. He said this is a variation of a prior issue in which the request was to modify the awnings on the building by installing snow guards to protect pedestrians. Giant Eagle is now proposing to install a square bar system which will be the same color as the awnings. Mr. Frankland displayed a photograph of the snow guards.

The Commission members agreed no further review of this item was necessary.

5. 29300 Cannon Road – Nestle Research and Development Center

Mr. Frankland displayed a plan of the new facility and explained the proposal is to add equipment to the rear of the building. He noted the locations of Cannon Road and Route 422. Mr. Frankland indicated where an ammonia diffusion tank on a concrete pad will be installed in the rear of the building facing Route 422. He advised there are also several very minor changes to the building.

Mr. Newberry believes it will not be visible over the roof.

The Commission members agreed no further review of this item was necessary.

COMMENTS FROM THE COMMISSION:

Mayor Drucker advised City Hall will be closed on Monday, January 20th in observance of the Martin Luther King, Jr. holiday.

In regard to Fire Lieutenant Eisenhuth sending letters to the three restaurants with outdoor seating safety issues, Mr. Mazur suggested that the Administration offer to waive the application fee should any of the three restaurants elect to proceed from a voluntary basis to address their safety issue.

Motion by Mr. Mazur, seconded by Mr. Newberry to waive the application fee for Joey's, Menchi's and Earth Fare should they voluntarily elect to proceed with an application to address outdoor safety issues as outlined in a letter from the Fire Department.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis
Nay: None

Motion Carried

Mr. Newberry extended condolences to the Crombie family for their recent loss.

Mr. Newberry, Mr. Frankland, Mr. Stolarsky and Mrs. McConoughey congratulated Councilman Pelunis for his appointment as chairman.

Mr. Stolarsky thanked Mr. Mazur for his many years of service as chairman.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

Motion by Mr. Newberry, seconded by Mr. Bentley to adjourn the meeting at 8:45 P.M.

Roll Call: Aye: Bentley, Drucker, Mazur, Newberry, Pelunis
Nay: None

Motion Carried

Chairman

Secretary