

**CITY OF AURORA  
PLANNING COMMISSION  
MEETING MINUTES  
AUGUST 1, 2018**

The Aurora Planning Commission met in a regularly scheduled meeting on Wednesday, August 1, 2018, in the Council Chambers of Aurora City Hall. The hearing was called to order at 6:50 p.m. by the Planning Commission Chairman Kathi Grandillo.

**ROLL CALL:**

Present:        Laura Duguay  
                  Peter French  
                  Sarah Gilmore  
                  Kathi Grandillo  
Absent:         John Kokinchak  
Also Present:  Denise Januska, Director, Planning, Zoning & Building Division  
                  Justin Czekaj, City Engineer  
                  Dean DePiero, Law Director  
                  Christine Gruttadauria, Secretary  
                  Marie Lawrie, Commission Clerk

Mr. DePiero swore in those in attendance who wished to speak.

**SUBMISSION OF SUPPLEMENTAL INFORMATION**

**MOTION:**        To accept the memorandum from the Chagrin River Watershed Partners concerning Saber Healthcare (Aurora Manor) for consideration.

Ms. Duguay moved; Ms. Gilmore seconded, and the motion carried 4-0 on a roll call vote.

Yeas:            Ms. Duguay, Ms. Gilmore, Ms. Grandillo, Mr. French

Nays:            None

**MOTION:**        To accept the memorandum from the Chagrin River Watershed Partners concerning the Preserve at Beljon Farms for consideration.

Ms. Gilmore moved; Mr. French seconded, and the motion carried 4-0 on a roll call vote.

Yeas:            Ms. Gilmore, Mr. French, Ms. Grandillo, Ms. Duguay

Nays:            None

**APPROVAL OF MINUTES**

**MOTION:**        To adopt the minutes of the July 18, 2018 meeting, as submitted

Mr. French moved; Ms. Gilmore seconded, and the motion carried 3-0-1 on a roll call vote.

Yeas:            Mr. French, Ms. Gilmore, Ms. Grandillo

Nays:            None

Abstention:    Ms. Duguay

**AMENDMENTS TO AGENDA**

Ms. Grandillo announced that this applicant has withdrawn their variance request.

**MOTION:** To remove Saber Healthcare (Aurora Manor), 101 S Bissell Road – Wetland Setback Variance (1807029) from the agenda

Mr. French moved; Ms. Duguay seconded, and the motion carried 4-0 on a roll call vote.

Yeas: Mr. French, Ms. Duguay, Ms. Gilmore, Ms. Grandillo

Nays: None

**AGENDA ITEMS**

The Preserve at Beljon Farms, Beljon Lane & E Pioneer Trail – Wetland Setback Variances – Phase 2 & 3 Various sub lots and ponds (1807030)

The Preserve at Beljon Farms, Beljon Lane & E Pioneer Trail – Final Plat of Phase 2 & 3 (sublots 27-78)(1803013)

Ms. Grandillo announced that both of these items would be discussed at once.

Brad Piroli, of Pulte Homes, 387 Medina Road, Medina, Ohio 44236 was present to discuss the applications. In attendance with Mr. Piroli were Travis Coyne, Civil Engineer of Donald Bohning & Associates, as well as Jared Flynn, of Thrasher, Dinsmore, & Dolan. Mr. Flynn was involved in the settlement of 2007. Brad Piroli gave a brief overview that explained that the preliminary site plan was approved in August 2016. A settlement agreement regarding an access road was executed between 4 parties including Pulte Homes, Mr. Myers, Mr. and Mrs. Schaefer, and Mr. Beljon in 2017. This settlement caused a change in the overall plan for phase 2 & 3. The revised preliminary plan was approved by Planning Commission November 1, 2017. On March 21, 2018, the final site plan was accepted for study. Pulte Homes has spent the last 60 days working on a plan to accommodate the setbacks as much as possible. He was seeking variances on 16 sub lots and 2 retention ponds. He asked the members to consider the settlement a hardship.

Mr. Piroli addressed comments from the public hearing. In response to the statement made that small lots are uncharacteristic of Aurora, he stated that his company is abiding by the court settlement of 2007. The lots were determined before he began the project. In consideration of property values, he stated that with the first 19 homes sold, the average selling price is in excess of \$480,000.00, which is well over the average for Aurora. He further stated that in many of the areas Pulte Homes builds in, they have helped to increase property values.

Travis Coyne, 7979 Hub Parkway, Valley View, Ohio spoke to the stormwater comments. He stated that they are requesting no variances on the recorded plats for these sublots. He explained the one-time grading to be a temporary encroachment during initial construction period. No further construction would happen in that area after grading. He explained the variance requests for the pond areas. Pond 3 and pond 4 would be graded. That portion would then be stabilized and seeded with native vegetation. The HOA would be responsible to maintain the pond thereafter.

Ms. Januska asked Mr. Coyne to clarify his answer about whether the variances would be recorded on the plat for the sublots. Mr. Coyne stated that on the subdivision plan there will be no restrictions on the lots. There will be nothing that states that you cannot build on the lot due to a setback. Ms. Januska explained that if the variances are granted the setback must be displayed on the plat. She directed him to contact her for further explanation.

Mr. Coyne also addressed concerns of flooding by residents. He pointed out that the south side from subplot 66 to 64 will be equipped with a storm sewer. This would continue along the west portion of the property. He explained that storm water would be directed to the storm water pond at the northeast corner of the site. The water will be stored and slowly released. He stated that this plan meets the requirements of the City of Aurora and the EPA.

Mr. Coyne addressed the comment questioning the symbol on the plan for subplot 64. He explained that the symbol stands for “clearing limits” which in general involves taking down trees and mowing of tall grass. In the area of subplot 64 his plan included drainage swales to direct stormwater to storm inlets. The water is then directed to the storm sewer and on to the pond. The storm water management plan reduces the existing flow of major storm events down to 2 percent of the current run-off.

Mr. Coyne addressed the question posed in the public hearing of the origin of the water currently existing in the ponds. He explained that the current water collects from the roof drains of the homes in phase 1 and the street inlets which are then directed to the storm sewer and on to the ponds.

Mr. Coyne explained the question about the stream crossing. He stated that a 3-sided culvert will be installed. A permit was issued by the Army Corps for this non-impact crossing. The stream will not be disturbed. He directed the concern about the concrete washouts to the contractor.

Ms. Grandillo asked the commissioners for further comments or questions.

Ms. Duguay asked if any variances were granted on phase 1. Ms. Januska stated that no variances were granted and that the plan met the 75 foot setback. It was also confirmed that there was no impact on wetlands in phase 1. Ms. Duguay asked if there was ever a precedence set that would grant approval for phase 2 and delay approval on phase 3 until completion of phase 2. Ms. Januska stated that there was not.

Mr. French asked for clarification on the judgement for this property. It was clarified that the area was granted R-3 density which would allow up to 78 units to be erected. He also asked if the homes in phase 2-3 are the same size as the homes in phase 1. That was confirmed.

Mr. French also asked for explanation on the statement that the storm water flood control exceeds city requirements. Mr. Coyne stated that pond 3 is designed to hold up to a 10 year storm release. The requirement is to hold up to a 1 year storm release. Mr. French asked who is responsible to manage the ponds and the storm inlets. Mr. Coyne stated that all the storm sewers are located in the right of way and will be owned and maintained by the HOA. Mr. French asked for verification that the grading will happen in the setback area and not in the actual wetlands. This was confirmed. Mr. French asked if there is a percentage of wetlands that might be permitted to be filled. Mr. Czekaj stated that an application would have to be filed with the Army Corps for their determination. When asked, Mr. Coyne stated that the lay-out for phase 1 was passed on when Pulte Homes acquired the project. Mr. French also asked for confirmation that the stream that crosses the site is a tributary to the Chagrin River. That statement was confirmed.

Ms. Gilmore asked for clarification that the access road was the cause of the variance requests. Mr. Piroli confirmed that statement and explained that the access road was required to be wide enough for safe travel to access 3 future lots. The access road impacted the design of the site.

Ms. Grandillo asked for public comment.

John Mullen, 425 Chadwick Drive was present to make comment. He inquired about the “clearing limits” symbol that appears on the plan that borders Mr. Mullen’s property. He asked if that was a 75 foot buffer that would border his property. He questioned why a one-time grading was necessary behind subplot 64 and 65. He informed the members that the Chagrin River tributary runs through his lot as well. Any extra water flow resulting from this project would be concerning to him.

Travis Coyne came forward to answer the questions. The clearing area Mr. Mullen referred to is necessary to connect a water main to an existing water main stub. Drainage to the west was stated to be greatly reduced with their storm water management system.

Mary Ruehr, of 520 Eldridge Road was on hand to make public comment. She asked for an explanation of the concrete washbasin and how that affects the stream. She commented that there was quite a bit of water in the retention pond before phase 1 was developed. That was concerning to her.

Mr. Czekaj spoke to that concern. The washout basin is an area where trucks are cleaned out and when that washout basin is full, it is emptied off site. If it seems exceptionally full, residents can contact the Engineering Department. To date there has been no problem with it overflowing. It is a part of the city inspections and the Pulte Homes inspections.

Andrew Hauptner, of 400 Regal Oaks was present to make comment. He stated that it is unfortunate that this project started with a legal settlement. As a homeowner who was not privy to that settlement, he can’t regard that in his consideration of support for this variance request. He requested that the members consider the Aurora Codified Ordinance Section 1157 in regards to Riparian Areas and Wetlands primarily, and the legal settlement secondary. He asked what disruption to the existing vegetation on the wetland area setbacks will be acceptable during construction. He also asked to what extent the developer will be required to repair or replace the vegetation.

Mr. Czekaj responded to these questions. No additional grading would be permitted in the setback area beyond what is staked by a professional surveyor and outlined with orange barrier fencing, should the variance be granted.

Sean O’Driscoll, of 644 E Pioneer Trail was present to make comment. He asked for clarification of whether the variances were being sought because of a driveway issue or an access road issue. Mr. Piroli confirmed that the variances were being sought due to the Schaefer rear parcel. Mr. O’Driscoll stated that he had concerns that he voiced at the August 2, 2017 as well as August 16, 2017. He had a meeting with Mr. Sommers on August 17, 2017 to discuss his concerns. He stated that the project was approved by Council on a first reading on August 21, 2017. Mr. O’Driscoll stated that he still had issues he felt were not resolved at that time. He stated that the issues would be addressed through the final approval. He attended meetings in March 2018 and expressed concern over unresolved issues. He has one final unresolved issue.

Ms. Grandillo asked for further comments and there were none.

Ms. Grandillo asked for further comment from the planning members. There were none.

Ms. Grandillo asked for further comments from staff. Ms. Januska recommended that the members accept the plans for study. She requested time to allow Chagrin River Watershed Partners to respond to the comments of the City Engineer. The plats could not be approved without a resolution on the wetland variance requests.

**MOTION:** To accept for study the Preserve at Beljon Farms, Beljon Lane & E Pioneer Trail – Wetland Setback Variances – Phase 2 & 3 Various sublots and ponds (1807030)

Mr. French moved; Ms. Duguay seconded, and the motion carried 4-0 on a roll call vote.

Yeas: Mr. French, Ms. Duguay, Ms. Gilmore, Ms. Grandillo

Nays: None

**MOTION:** To accept for study the Preserve at Beljon Farms, Beljon Lane & E Pioneer Trail –Final Plat of Phase 2 & 3 (sublots 27-78) (1803013)

Mr. French moved; Ms. Duguay seconded, and the motion carried 4-0 on a roll call vote.

Yeas: Mr. French, Ms. Duguay, Ms. Gilmore, Ms. Grandillo

Nays: None

**MISCELLANEOUS**

None

**ADJOURNMENT**

**MOTION:** To adjourn the meeting at 7:30 p.m.

Ms. Gilmore moved; Ms. Duguay seconded, and the motion carried 4-0 on a roll call vote.

Yeas: Ms. Gilmore, Ms. Duguay, Mr. French, Ms. Grandillo

Nays: None

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Kathi Grandillo-Chairman

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Marie Lawrie, Clerk