

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

February 10, 25

The City of Cortland Planning, Zoning & Building Commission met on Monday, February 10, 2025 at 6:40 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Donald Fatobene, Curt Moll, Brian Hodor, Frank Daugherty and Robert Wilson. Also present were Mayor Deidre Petrosky, Law Director Patrick Wilson and the following individuals:

Mike Ranttila	3450 St. Rte 46	Cortland
Jake Kakavros	3480 Niles Cortland Rd.	Cortland
Noah Olejnik	121 Huntington Trl	Cortland

Mayor Petrosky swore in Commission Member **Frank Daugherty** before this evening's meeting.

Don Fatobene: I'd like to call to order the **07-25 Public Hearing**. This is a variance request at Lot 5 of Windsor Dr. to allow 10 ft. rear, east & west setbacks that exceeds the 30 ft rear and 25 ft side setbacks. I'd like to also take the opportunity to let it be known that all of the property notifications were sent out. Is there anyone here to speak for the variance? I know that the Olejniks are in Florida and their son Noah was supposed to be here but I don't see him. So, let's go to the other side. Is there anybody here that would like to speak against this variance?

Mike Rantilla: Thank you very much. My name is Mike Rantilla and I am the CFO of Middlefield Bank, the neighbor of the property. We are a bank so we definitely like to see development for sure. I feel uncomfortable saying that I am against this because I don't even know what this is. We certainly have questions; was there a study performed? What is the impact to our property? What are the actual plans? It says warehouse but what does that mean? Is it going to be self-storage? I was over there on Friday and I took some pictures, there is a noticeable slope down into our property. Without a study, we don't know how it could or could not impact our property so we definitely have concerns with the 10 foot variance and how it could impact our parking lot.

Curt Moll: Would that change if the building was further from the lot line? Do you think that would change the grading at all?

Mike Rantilla: I don't know, that's why a study might be performed to see if any mitigation that can occur, to see if it's even reasonable to be concerned. There is not a lot of room there.

Curt Moll: There would be requirements for retention for the amount of hard surface they put over the lot, so additional rain would need to be retained by them somewhere on their property. You did the same thing in the front corner of yours with retention. Have we seen any site plans for this?

Mayor Petrosky: No.

Patrick Wilson: Has the city done any kind of investigation?

Mayor Petrosky: No.

Patrick Wilson: We are in a state of flux right now with the Service Department. Typically, this petition would have been filed, it would have been scheduled for tonight's public hearing and in the interim, the Service Director would have gone out and researched it. We are in between Service Directors at the moment, so I don't believe that has been done.

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Mayor Petrosky: I know that Kim talked to them in the office. Christine, we don't have any site plans that you are aware of?

Christine Dorma: Not that I am aware of.

Mayor Petrosky: I think that it's all been just a discussion thus far. It's not a storage warehouse; they are planning on making Sydney Candles there. Their location in Bazetta is too small so they want to build a building here to manufacture the candles. I would have to concur with Curt; building standards require that you keep any created storm water on the property. There is a creek to the north of this property.

Brian Hodor: Weren't they here a couple of months ago talking about expansion?

Don Fatobene: They were. At that point, they were planning between whether it was going to be this property or another possible property across the street.

Curt Moll: I don't see a creek, Mayor. There is a retention basin around the back of Middlefield Bank, it's a lower area that collects runoff. If they did this properly, it would probably result in less runoff for your property.

Robert Wilson: Aside from the storm water survey, are there any other issues that you see with having a building that close?

Mike Rantilla: No. Again, I'm not familiar with studies and what all they pertain to, but maybe that would enlighten us. No, our main concern was what is the physical, tangible impact to our parking lot and the little green space in between.

Curt Moll: You have to have at least a 10' setback from your parking lot yourself so between the two of you, you should have about 20' of grass area. I guess that I would be concerned if we didn't have a drainage plan, storm water plan for the property.

Don Fatobene: Unfortunately, this is all the information that we have as of yet.

Frank Daugherty: This is a 104 wide lot according to the picture and 241 deep. The positioning of a 50' wide building is probably critical... (Inaudible). There is no idea where on that lot they are going to put it.

Brian Hodor: I'm wondering if there was a variance for your property because it looks like the parking lot...

Curt Moll: The parking lot could run right up to the property line although we don't like that because then it wouldn't include any green space. If you look at the next property over, it goes right up to it, asphalt to asphalt.

Patrick Wilson: Why don't we let the next person speak.

Jake Kakavros: Jake Kakavros, 3480 Niles Cortland Rd. I'm the neighbor to the north. In the property there is a culvert or a drain system that runs straight through that property. So, if that is collecting rain and then the parking lot is put in without the proper system, then nothing is collecting that water. That is all that I wanted to add. It's not a ditch but it is enough to direct the water to the creek that is on the side of my house. That is my only concern; if the parking lot is sitting on top of that, and they don't address it...

Curt Moll: The next building in line over there, I wonder whether we have had any involvement with water there 20 or 30 years ago. They may have put a swale through there which really is not permitted.

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Jake Kakavros: Well, I am not against it, I just wanted to come get some information. I was curious about the letter that I received in the mail.

Patrick Wilson: That's exactly what tonight is for so thank you.

Don Fatobene: Now we might have some additional information. Come up to the podium, state your name and tell us what you are planning to do there.

Noah Olejnik: My name is Noah Olejnik, I'm living at 121 Huntington Trail right now. We are looking for a variance rather than the 20, 25 feet right now, down to 10 feet on the north, east and west ends I think. I have some paperwork if you'd like to check some of this out. (He passed out a site plan and renderings of the building.)

Don Fatobene: They were asking if you did any studies.

Curt Moll: Is there going to be manufacturing there or just shipping and storage?

Noah Olejnik: We manufacture candles. No pipes and tubes and dirty stuff. It will smell good.

(The board members and audience look over the plan. Many people talking at once.)

Curt Moll: Did you discuss storm water management at all?

Noah Olejnik: I'm honestly not 100% sure. I know they talked with engineers.

Curt Moll: They would have to file a plan for rainwater retention.

Robert Wilson: Which would be totally separate from the variance.

Don Fatobene: Yes, that's correct.

Curt Moll: You're pushing this back so you have room for shipping and parking.

Robert Wilson: That will be one more hurdle after this.

Don Fatobene: Even if the variance gets approved, you still have to address those other issues. The variance will be subject to everything else being taken care of.

Curt Moll: Good news for Middlefield Bank is that they are putting their parking lot next to the parking lot. They'd have to do some grading in order to get it level to handle drainage. It may improve your situation.

Mike Rantilla: I see the 10 feet and then the 30 feet. Do they even need a variance or does the parking lot include...

Curt Moll: They don't need a variance for the parking lot. The variance is for the building.

Don Fatobene: On the east side, they wouldn't need one. On the north and west side, they would.

Curt Moll: It's the other way around.

Brian Hodor: North and east.

Mayor Petrosky: Right, the east side they would.

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Curt Moll: I don't think that the ordinance was written right. For this site plan, you don't need one on the west.

Don Fatobene: Yes, right.

Many people discussing the map.

Curt Moll: Did you say there is a swale?

Jake Kakavros: On the property that they want to build on, there is one in the middle that would be collecting and running to the creek on the north side.

Frank Daugherty: It looks like it's going to be 10' from your back lot.

Mike Rantilla: So then, you guys agree; my protest goes away with this. There is no variance on my side.

Curt Moll: There is no variance on your lot line. There is not one needed on the west side.

Mike Rantilla: This is strictly based off the building and not the parking lot.

Don Fatobene: Right. They are going to have to address the drainage issue. So, you aren't against the variance per say.

Mike Rantilla: No, we're good. Do the drainage plans run through this committee as well?

Curt Moll: No, they run through the Service Department.

Mike Rantilla: Which doesn't exist anymore (jokingly. The board laughs).

Mayor Petrosky: We do have an interim Service Director and we have engineering firms that will be taking a look at it.

Mike Rantilla: Awesome, thank you Everyone, I appreciate it. Nice to see you Mayor.

Mayor Petrosky: Nice to see you too.

Don Fatobene: Let's go to the second public hearing. **05-25 Public Hearing** – The purpose of the hearing is to consider the modification of the barbed wire fence language in the city ordinances. It doesn't look like there is anyone here for or against this. Mayor, would you like to give a brief description.

Mayor Petrosky: This all came about because of a Verizon tower that needs to be built in the city. When we were reading barbed wire fence definitions, they were very unclear. I put these pages at your seat. In 1125.14 Fences (b) (2) "No barbed wire or razor wire permitted", we want to add the language, "except a fence with up to three strands of barbed wire on top is permitted, provided the fence itself is not constructed with barbed wire and provided such strands are not less than 72" from the ground". So, razor wire is out of the question. Basically, if you look at you picture you can have a fence topped with barbed wire, not made out of it. It was unclear before. And the 521.07 Fences (b); we are taking out the first part (first 2 sentences) and we will add the language "A fence with up to three strands of barbed wire on top is permitted, provided the fence itself is not constructed with barbed wire and provided such strands are not less than 72" from the

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ground". You can have a 6' chain link fence with three strands of barbed wire and it's all good.

Don Fatobene: I'm glad that we did this because when Kim sent me this... It was in two different spots, contradicting each other. This should clarify that. Very, very good. We will be back in 1 minute for our regular meeting.

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The City of Cortland Planning, Zoning & Building Commission met on Monday, February 10, 2025 at 7:00 P.M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Donald Fatobene, Curt Moll, Brian Hodor, Frank Daugherty and Robert Wilson. Also present were Mayor Deidre Petrosky, Law Director Patrick Wilson and the following individuals:

Jake Kakavros
Noah Olejnik

3480 Niles Cortland Rd.
121 Huntington Trl

Cortland
Cortland

Roll Call: Brian Hodor, here; Robert Wilson, here; Curt Moll, here; Frank Daugherty, here; and Don Fatobene, here.

Don Fatobene: Approval of Commission Minutes for January 13, 2025– Re-Organizational Meeting.

A motion was made by **Curt Moll** and seconded by **Brian Hodor**.

Roll Call: Don Fatobene, yes; Robert Wilson, abstain; Brian Hodor, yes; Curt Moll, yes; Frank Daugherty, abstain. MOTION APPROVED.

Don Fatobene: Approval of Commission Minutes for January 13, 2025– Regular Meeting. Can I have a motion please.

A motion was made by **Brian Hodor** and seconded by **Curt Moll**.

Roll Call: Robert Wilson, abstain; Brian Hodor, yes; Donald Fatobene, yes; Curt Moll, yes; Frank Daugherty, abstain. MOTION APPROVED.

Don Fatobene: 08-25 Variance Request - A variance request at Lot 5 of Windsor Dr. to allow 10 ft. rear, east & west setbacks that exceeds the 30 ft rear and 25 ft side setbacks. Can I get a motion on this?

Curt Moll: I'll motion for the variance except that I would change the words 'east and west' to just 'east'.

Don Fatobene: Yes.

A motion for **08-25** was made by **Curt Moll** and seconded by **Brian Hodor**.

Don Fatobene: For the record, come up to the podium and tell us what you're doing.

Noah Olejnik: My name is Noah Olejnik and we are asking for a 10' variance on the north and east ends of the property.

Curt Moll: The reasons that I changed that is because in the public hearing discussion, we came to the conclusion the parking would be on the west side and it would not require a 10-foot variance.

Don Fatobene: During that public hearing, it was noted that there were concerns about the drainage there. That is what you will have to talk to your parents about. Make sure that they come back to the city for approval of the drainage or retention pond. Anybody have anything to add?

Patrick Wilson: Tell your architect and have them talk to an engineering firm.

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Mayor Petrosky: Do they need that at the county also?

Curt Moll: Probably to get the building permit. You have a variance; you don't have a zoning permit for building the building yet. You'll need that in addition but that will come later.

Noah Olejnik: That is where we will take our plans for the drainage and everything.

Mayor Petrosky: Yes, to the Service Director and we'll send them out to an engineering firm to review.

Noah Olejnik: Sounds good, thank you.

Roll Call: Curt Moll, yes; Frank Daugherty, yes; Robert Wilson, yes; Don Fatobene, yes; and Brian Hodor, yes. **MOTION APPROVED.**

Don Fatobene: Moving on, **09-25 Modification of barbed wire fence language** – to consider the modification of the barbed wire fence language in the city ordinances.

A motion for **09-25** was made by **Curt Moll** and seconded by **Brian Hodor.**

Mayor Petrosky: As I explained during the public hearing, this came about when we were looking at Verizon adding a tower to the city. We were looking at the fence that needs to surround it and the definitions were a bit confusing. In section 1125.14 (b)(2), we would like to add “except a fence with up to three strands of barbed wire on top is permitted, provided the fence itself is not constructed with barbed wire and provided such strands are not less than 72” from the ground”. Correspondingly, in the Health, Safety and Sanitation Chapter 521.07 (b), would remove the first two sentences, and the additional language would say “A fence with up to three strands of barbed wire on top is permitted, provided the fence itself is not constructed with barbed wire and provided such strands are not less than 72” from the ground”. You can have 6 feet of chain link fence with up to 3 strands of barbed wire on top, but you cannot have a fence constructed of barbed wire. Hopefully these changes have made that very clear.

Patrick Wilson: I think they do.

Roll Call: Curt Moll, yes; Don Fatobene, yes; Robert Wilson, yes; Frank Daugherty, yes; and Brian Hodor, yes. **MOTION APPROVED.**

Don Fatobene: Moving on, **10-25 Set a Public Hearing** – A variance request to split a parcel, creating 2 frontages in order to add a driveway and a new home. **Public Hearing to be set for March 10, 2025 at 6:50 p.m.** Can I get a motion on that please.

A motion for **10-25** was made by **Robert Wilson** and seconded by **Frank Daugherty.**

Roll Call: Brian Hodor, yes; Robert Wilson, yes; Frank Daugherty, yes; Donald Fatobene, yes; Curt Moll, yes. **MOTION APPROVED.**

Don Fatobene: Does anyone have any other item to discuss this evening?

Robert Wilson: Where does the Rental Occupancy Permit stand?

Patrick Wilson: It's still on the drawing board. There have been a couple of meetings that have been very productive. They are waiting on me to get them an updated draft of what they look like and then probably have another meeting.

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Don Fatobene: I think that we weren't even planning on having it done until June if I remember correctly.

Mayor Petrosky: We didn't put a time frame on it, we said whenever Patrick gets it done, we will put it on the agenda and discuss it.

Don Fatobene: We knew that it wasn't going to be a next-month thing; it was going to be extended. Anybody have anything else to add? Can I get a motion to adjourn.

Frank Daugherty made a motion to adjourn seconded by **Brian Hodor**.

Roll Call: Brian Hodor, yes; Robert Wilson, yes; Curt Moll, yes; Frank Daugherty, yes; and Don Fatobene, yes. **MOTION APPROVED.**

Meeting Adjourned: 7:08 pm

Chairman

Date

Secretary