

**MINUTES**  
**CITY OF WOOSTER PLANNING COMMISSION**

June 22, 2016

**I. MEETING CALLED TO ORDER AND ROLL CALL**

Ronald Rehm, Chair of the Planning Commission, called the meeting to order. Commission members Grant Mason, Gil Ning, Ronald Rehm, Jean Roberts, Mark Weaver and Fred Seling were present at the meeting. Commission members Kyle Adams, Jackie Middleton, and Sherry Brownson were not in attendance. Andrew Dutton, Planning and Zoning Manager, was present representing the City of Wooster.

**II. APPROVAL OF MINUTES**

Mr. Ning moved to approve the Minutes of the May 25, 2016, Regular Meeting of the Planning Commission. Mr. Seling seconded the motion. The motion carried unanimously, 6-0.

Dick Benson introduced Linda Applebaum as the New Law Director to the City of Wooster.

**III. DEVELOPMENT PLAN APPLICATION**

***#SP-604.***

John Long of Shaffer, Johnson, Lichtenwalter and Associates represented Renner Development Company Ltd. requested Final Development Plan approval for outdoor storage of materials at 1055 East Henry Street in an M-1 (Office/Limited Manufacturing) District.

Doug Drushal of Shaffer, Johnston, Lichtenwalter and Associates outlined the application. Mr. Drushal addressed some items indicated in the staff report for the application. He indicated they had no objection to fulfilling the staff recommendations. Mr. Drushal stated the main question at the last meeting was about dust generated from the site. Mr. Drushal stated the dust was not a site plan issue. Mr. Drushal stated that most of the dust came from the road which the city does not improve.

Gary Maynard, 441 Gasche Street, stated Freeland Road was originally a chip and seal road. Mr. Maynard stated the problem comes from them bringing in the rocks and when they do their grinding there were big clouds of dust. Mr. Maynard stated the dust saturated the neighborhood. Mr. Maynard stated his concern with the dust going into the Apple Creek stream. The park road that goes to Grosjean Park was donated by the city to have access to the park. Mr. Maynard stated the city had planned a bike path that would come along side where this dust will overtop also. Mr. Maynard said they planted trees as a buffer that have grown to about 12 feet high. Mr. Maynard stated the road was not the dust issue the grinding of the rock was the source of the dust. Mr. Maynard stated when they start up the machine there was a big cloud of white dust, and it blows everywhere.

Cheryl Hackworth, 1046 Henry Street, stated lives directly across from the site. Mrs. Hackworth stated the ball field there always complained about the dust issue. Mrs. Hackworth stated that residents in the area had been upset with the dust and mud that the property produced. She continued that the noise, pollution, and dust were so bad she thought there was a fire. Mrs. Hackworth also stated that she could not open her windows due to the dust and pollution.

Laurel Newman, 302 Prospect Street, stated she is concerned that the company will put in another crushing machine and double the dust and noise. Mr. Drushal answered there was no proposed addition to the building. Mr. Drushal stated the site was for storage.

Susan Shafter, 334 Prospect Street, stated she agreed with the opposing of this site. Mrs. Shafter stated if she lived across the street all of this would be in her back yard. Mrs. Shafter stated the noise and dust was a huge concern. Mrs. Shafter recalled her house rattled several times because of what they do on the site.

Jon Ulbright, 941 Buchholz, asked about the background on the existing site.

Mr. Rehm stated the property was zoned M-1 (Office Limited Manufacturing) District. Mr. Dutton stated the property was an M-2 (General Manufacturing) District. Mr. Rehm clarified that the property was not a residential zoning.

Sherry Leach, 135 Billiar Street, stated she lives right across the street from the property. Mrs. Leach stated that when she washed her car, there was a coating of gray dust on it. Mrs. Leach asked about the conditions that the last meeting came up with. Mr. Dutton explained the process the applicant had to comply with the Board of Zoning Appeals for the use variance. Mr. Dutton stated that they would have to take it to the Board of Zoning Appeals on July 7 for the variances.

Dave Renner stated they had complied with air and storm water permits. Mr. Renner stated the storm water permits were checked quarterly. Mr. Renner stated they volunteered to have the storm water tested. Dave Renner stated the trout stream was the best trout stream in Ohio. Mr. Renner stated they were responsible and done a good job with keeping the water clean. Mr. Renner stated with the EPA permits for the plant allows zero emissions. Mr. Renner continued they had a permit for stock piles to make dust and permits for the road. He stated he does not have a permit for Freeland road.

Gil Ning mentioned about the dust that comes from when they processed the scrap concrete. Mr. Renner stated the scrape concrete was recycled and sold. Mr. Renner stated the product was a closed loop system. Mr. Renner said they crush only about two months a year. Mr. Renner stated everything they do was located in the flood plan so there wasn't much they could do with the land. He also stated the stock piles could not wash away.

Fred Seling asked to define a closed loop system. Mr. Renner stated contractors bring in debris they recycled the debris and made it a usable product; they then sell the material and put it back into that project or another.

Gil Ning stated he noticed they put water on the stock piles and wanted to know why they did this. Mr. Renner stated they water stock piles to help with the dust, and it keeps the quality control of the product they make. Mr. Ning asked how often they water the stock piles. Mr. Renner stated every day in the months they can water. Mr. Ning asked if they also water the crushing operation. Mr. Renner stated if the crushing operation needs to be watered they also water it. Mr. Ning stated you only run that operation two months out of the year. Mr. Renner stated "yes that is all it takes." Mr.

Ning asked where the dust was coming from. Mr. Renner said the majority of the dust was coming off the roadway.

Jean Roberts asked how many years have they been operating in this location. Mr. Renner stated 28 plus years.

Mr. Ning asked what the city's liability in Freeland Road was. Mr. Ning stated he drove the road that day, and there was a sizable amount of dust it appeared like a dirt road. Mr. Dutton stated he didn't know where exactly it was on the maintenance schedule for improvements. Mrs. Roberts stated she didn't know the process or how you evaluate what the highest priority for road improvement. Mrs. Roberts stated she hoped that if it was impeding economic developments and if it was also causing residents health concerns that it should be looked at making adjustments. Mrs. Roberts asked if there was something we could do to move that process along.

Dick Benson stated the main arteries have the top priority and after that, it was the secondary roads. Mr. Benson continued after winter the locating and filling the potholes was a pretty efficient process. Mr. Benson stated he would take this concern back to the Director of Administration that was the best he could do. Mr. Benson stated if there was a determination that this was causing a problem then he hoped the city would do something about it.

(8:54) asked how many loads per day of the product go in and out of the facility that could potentially be the cause of the dust. Mr. Renner stated it varies from one to hundreds. Mr. Renner stated when they moved into the site there were not allowed to pave the roadways because they wanted the run off to go down in the ground.

Mr. Selig made a motion to approve the application subject to the following conditions:

1. The project shall receive approval of a use variance from the Board of Building and Zoning Appeals to Section 1143.02(d)(2)G. to allow the outdoor storage of materials in the M-1 zoning district.
2. Materials shall be effectively prevented from spreading by a structure or other acceptable means per Section 1143.07(a)(2).
3. Outdoor storage areas shall be paved with asphalt or concrete and be maintained free of dust per Section 1143.07(d).
4. Screening shall be provided from the public right of way and adjacent residential zoning districts per Section 1143.07(e).
5. Access drives shall have a bituminous, concrete or similar surface per Section 1169.15(b).
6. A buffer yard shall be provided to the adjacent R-T property per Section 1165.07.
7. In lieu of complying with any of the above conditions #2 through #6, the project shall be required to receive approval of an area variance from the Board of Building and Zoning Appeals.

The motion was not approved, 4-2, with Mrs. Roberts, Mr. Ning, Mr. Rehm, and Mr. Selig voting yes and Mr. Mason and Mark Weaver voting no. The motion failed due to a lack of a majority of the full membership of the Planning Commission.

## ADJOURNMENT

Jean Roberts moved to adjourn the meeting. Gil Ning seconded the motion. The motion carried 5-0. The meeting adjourned at approximately 6:15 p.m.

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Ronald Rehm, Chairman

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Carla Jessie, Administrative Assistant