

PLANNING AND ZONING COMMISSION  
MINUTES OF **TUESDAY, JULY 06, 2021**

Pursuant to notice duly given, the regular meeting of the Planning and Zoning Commission, also sitting as the Board of Zoning Appeals, was called and held on **Tuesday, July 06, 2021 at 5:00 PM** in the Council Chambers of the Gates Mills Town Hall.

Members present: Nancy Sogg; Chair, Scott Broome, Sally Burke, Jim Deacon, Craig Steinbrink, and Emily Hamilton.

Members absent: Sandra Turner.

Also present: Chris Courtney, Village Engineer  
Todd Hunt, Law Director.

1. Roll Call.
2. The minutes of **Tuesday, June 01, 2021** regular meeting of the Planning and Zoning Commission were submitted for approval.

A motion was made to approve the minutes as *submitted*.

Motion by: S. Burke                      2<sup>nd</sup>: C. Steinbrink

Roll Call:     Ayes: All others.  
                  Nays: None.  
                  Abstain: Hamilton

**Motion Approved**

3. A discussion regarding traffic noise on Chagrin River Road was held. Greg Minichello, Police Chief was present.

Mrs. Sogg reviewed a concern received by the resident at the intersection of Chagrin River Road and Brigham Road. She indicated the complaint relates to noise created by motorcycles and other vehicles accelerating from stopping at the intersection. Vehicles are also rolling through without coming to a complete stop.

Chief Minichello discussed the complaint received and reviewed current measures that have been taken to help the situation. He indicated this time of year they see an increase in vehicle noise because the Village tends to be a place where motorcyclists and vintage cars like to ride. He indicated they increased patrols in the area, parked unmanned police cars, and added signs related to rapid

acceleration from a stop. He also stated that increased patrols do reduce patrolling in other areas of the Village and takes time away from other responsibilities.

Mrs. Sogg asked the members if they had any thoughts of what might be done to help the current situation.

The Commission members stated they understood the problem and sympathies with the resident's frustration.

Mr. Steinbrink asked if the existing stop signs on Chagrin River Road could be removed which might help minimize vehicle acceleration noise.

Mr. Courtney indicated that most likely would not be approved by the State because of the traffic volume and sight lines.

Mrs. Sogg stated the concern will be discussed further by Council.

4. A lot split and consolidation for the **NOOK** property at **1720 Chagrin River Road** was heard.

Mr. Biggert distributed a revised lot split/consolidation plan. He indicated the Nook family is considering splitting off a small portion of their property and donate it to the Village to be added to the existing South Cemetery property.

Mr. Courtney indicated the split portion of the property is approximately .17 of an acre and does not reduce the Nook property below the 5 acre minimum.

After further discussion, a motion was made to *approve* the proposed lot split and consolidation as submitted and plan dated 07/06/21.

Motion by: S. Broome                      2<sup>nd</sup>: C. Steinbrink

Roll Call:     Ayes: All.  
                  Nays: None.

### **Motion Approved**

5. Motion to adjourn the regular meeting of the Planning and Zoning Commission and convene a meeting of the **Board of Zoning Appeals**.

Motion by: S. Broome                      2<sup>nd</sup>: E. Hamilton

Roll Call:     Ayes: All.  
                  Nays: None.

## Motion Approved

6. A sport court rear yard setback variance request for the **PETER** residence at **941 Chestnut Run** was heard. Notice had been previously given to adjoining property owners.

Mr. & Mrs. Thomas Peter, Property Owner were present.

Mr. Broome recused himself from the discussion because he is a Board member of the Gates Mills Land Conservancy.

Mr. Peter reviewed the proposed variance request for the Board. He submitted a revised packet of information to the Board. He reviewed some concerns that had been discussed at the previous meetings.

1. Submitted property deed information which indicated no restrictions related to new construction within the existing waterline easement.
2. The damage on the conservancy property has been repaired.
3. No increase in stormwater has taken place because the new work includes a French drain and the properties slope east to west.

Mr. Peter also stated the he had met on site with the Mayor and Mrs. Sogg to review the existing site conditions. He indicated they discussed 2 options that would move the court further away from the rear lot line and require less of a setback variance. The 2 options are indicted in the revised drawings submitted.

Mrs. Sogg indicated after reviewing the existing site conditions, there is no other real location to put the court that would not require some type of a setback variance.

Mr. Courtney stated that the topography slopes east to west so no additional stormwater runoff would be distributed onto the properties to the east.

Mr. Steinbrink reviewed the *Variance Worksheet* for the Board.

After further discussion, a motion was made to *approve* a 25' setback variance for the northeast corner of the sport court, a 28'-11" setback variance for the center of the court, and a 32' setback variance for the southeast corner as indicated on the resubmitted site plan option #2 dated July 6, 2021 as *noted*:

1. A new French drain and catch basin will be installed as indicated in the revised drawings.
2. 2 rows of 6 -8' tall arborvitae shall be planted along the perimeter of the court as soon on the revised drawing to provide screening and help prevent access onto neighboring properties.
3. At no time will sport court lights be installed.

Motion by: C. Steinbrink      2<sup>nd</sup>: J. Deacon

Roll Call:      Ayes: All.  
                     Nays: None.

**Motion Approved**

There being no further business the meeting was adjourned at **5:58 P.M.**

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Nancy Sogg, Chair

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David Biggert, Secretary