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BOARD OF COUNTY COMMISSIONERS  
 RON AMSTUTZ • JONATHAN HOFSTETTER • SUE A. SMAIL

**MINUTES**

**WAYNE COUNTY PLANNING COMMISSION MEETING**  
**WAYNE COUNTY ADMINISTRATION BUILDING**  
**WAYNE COUNTY PLANNING DEPARTMENT -**  
 3:00 PM WEDNESDAY: January 10th, 2024

**MEMBERS PRESENT:** Ron Amstutz, John Fitzpatrick, Brian Gwin, Jon Hofstetter, Amy Marinello, Joel Montgomery, Gene Pouly, Sue Small, and Steve Wheeler.

**MEMBERS ABSENT:** Bill Cletzer and Bob Gralinski

**OTHERS PRESENT:** Richard Ramsdell, John Long, Matt Long, and Mike Miller

**PLANNING STAFF PRESENT:** Jenn Kiper

**OTHER STAFF PRESENT:** Rob Kastner and Tom McCarty

**CALLED TO ORDER:** Vice Chairman Gwin called the meeting to order

**ROLL CALLED:** Secretary Fitzpatrick called the Roll; a Quorum was present

**OATH ADMINISTERED:** Vice Chairman Gwin administered Oath to anyone intending to speak at the meeting

**MINUTES:** November 8<sup>th</sup>, December 13<sup>th</sup>, and December 27<sup>th</sup>, 2023

*Moved by Ron Amstutz approve as submitted*  
*Secoded by Amy Marinello,*  
*MOTION carried*

**OLD BUSINESS:** MA-23-02

**MA-23-02 PLA 9 SE, CR 8, ANGLING ROAD, CR 36, FIRESTONE ROAD AND CR 139 HEYL ROAD, APPLICANT: SJL, OWNER: CARL FINLEY, SURVEYOR: SJL REVISED**

The applicant is proposing to split a total of 14 lots. Lot 33, a 1.679-acre lot, lots 34-41, are all 1.500-acre lots, lot 42 a 3.823-acre lot, lot 43 a 2.487-acre lot, lot 44 a 2.458-acre, lot 45 a 2.001-acre lot and lot 46 a 2.177-acre lot. Lot 33 will have 274.88' of frontage on Firestone Road and 239.88' of frontage on Angling. Lot 34 will have 197.76' of frontage, lot 35 will have 181.42' of frontage, lots 36 will have 181.84' of frontage, lot 37 will have 187.49' of frontage, lot 38 will have 193.71' of frontage, lot 39 will have 202.98' of frontage, lot 40 will have 197.11' of frontage and lot 41 will have 168.40' of frontage all on

Angling Road. The proposed lot 42 will have 178.27' of frontage on Firestone Road. The Proposed lots 43, 44, 45 and 46 will be on a Common Access Drive that has 30' of frontage on Angling Road.

**Health:** For the proposed parcel #39 (old lot #7) - Applicant must submit a revised plot plan noting the location of the primary and replacement septic system. A new STS shall not be sited in an area identified as a flood way, and only below grade soil absorption components of a new STS may be sited within any part of the one hundred-year flood plain except where prohibited by federal, state, or local regulations or ordinances. For the proposed parcel #40

(old lot #8), Applicant must submit a revised plot plan noting the location of the primary and replacement septic system. A new STS shall not be sited in an area identified as a flood way, and only below grade soil absorption components of a new STS may be sited within any part of the one hundred-year flood plain except where prohibited by federal, state, or local regulations or ordinances. For the proposed parcel #43 (old lot #11), Applicant must submit a revised plot plan noting the location of the primary and replacement septic system. A new STS shall not be sited in an area identified as a flood way, and only below grade soil absorption components of a new STS may be sited within any part of the one hundred-year flood plain except where prohibited by federal, state, or local regulations or ordinances. For the proposed parcel #45

(old lot #13), Applicant must submit a soils report from a certified soil scientist identifying soil(s) in the primary and secondary replacement sewage treatment system area. Applicant must submit a plot plan noting the location of the primary and replacement septic system. A new STS shall not be sited in an area identified as a flood way, and only below grade soil absorption components of a new STS may be sited within any part of the one hundred-year flood plain except where prohibited by federal, state, or local regulations or ordinances. Applicant must submit the \$125 lot split review fee for the TRC application.

**Planning:** Application received Conceptual Approval at the May 10th, 2023 PC meeting and staff recommends preliminary and final approval contingent on compliance with the TRC requirements. One of the requirements is a subdivision name in which it is phase 4 of the Arrowhead Allotment. Planning Commission has final approval of the subdivision name per Section 3.4 Development Standard (H). This can be accomplished at a Planning Commission meeting if all the TRC comments are met.

The proposal was sent to the New Pittsburgh fire department again for review of the REVISED submission Staff recommends approval of a Type 1 CAD with the following conditions:

1. The drive shall be constructed to all standards according to Section 2.6.

2. The required signage installed

3. A T-type turnaround installed

4. An approved shared drive agreement submitted and approved

5. All other TRC comments related to CAD shall be met.

-If the Landscape buffer will be part of a HOA agreement, please provide documentation for that for installation and upkeep of landscape buffer.

The purpose of a major subdivision is to ensure creation of sound neighborhoods that are sensitive to the county's rural character, responsive to environmental constraints and be consistent with the Comprehensive Plan. Arrowhead Estates allotment number # 1 is to the south of the proposed allotment and would just be an extension of the already existing allotment.

**Wayne SWCD:** Our original comments dated 4/18/23 still apply to this application. Drainage and drainage course easements shall be shown on the plat around proposed storm water basins and drainage courses, respectively, per Section 3.7 (E) of the Wayne County Subdivision Regulations. Language on the plat regarding the stormwater management system shall be per the Subdivision Regulations and Sections 7.04 and 7.07 of the Wayne County Storm Water Management Regulations, as well as, any additional language as required by the Wayne Soil & Water Conservation District.

**Map:** No Comment.

**Engineering:** Based upon the latest revisions, this office does not have any additional comments or concerns regarding this review.

**Comments from the May 10th Planning Commission**

Planning Staff noted that the Engineer's office had updated comments and those were passed out to the Planning Commission. Planning Staff introduced John Long as the representative for the application and stating this was the second phase of the Arrowhead allotment. Commission member Fitzpatrick questioned the T-type turnaround for the lot CAD. Staff did let the commission know they reached out to the fire department and they had not sent in any formal comments but did ask about the road width and the cul-de-sac. Staff explained that the road width will need to meet subdivision standards and that those follow the fires and safety guidelines and that a cul-de-sac was not needed with 4 lots just a T-type turnaround.

*Upon hearing no more discussion, Staff Recommended Acceptance of the conceptual plan, and that the application could come back with preliminary and final approval at the same time.*

**Comments from the December 13<sup>th</sup> Planning Commission**  
 Ms. Kiper presented the major subdivision letting commission know that this was approved for conceptual in May and then introduced John Long as the application representative. He briefly spoke that all TRC criteria had been met except a few planning items, Mike Miller, Brogan Stout, Matt Root and Richard Ramsdell all neighbors from the existing subdivision spoke. Matt Long of CCI also spoke. *Moved by Joel Montgomery to approve based on conceptual approval and that the application meets subdivision regulations and are contingent upon meeting all TRC department conditions. Seconded by Sue Small, a 4-4 vote. Amy Marinello abstained.*  
*A new Motion by Ron Amstutz and second by Brian Gwin was to hold a special meeting on Dec 27<sup>th</sup> at 3:00 to take action at this meeting, per Tom McCarty (county prosecuting attorney) interpretation of the county subdivision regulations major subdivision requirements.*

**Comments from the December 27<sup>th</sup> Planning Commission**  
 Matt Long, as representation for the applicant, expressed his concerns about due process and procedural issue as well as conflicts of interest and how the commission conducted itself at the previous meeting. He requested to table the application until the regular scheduled January meeting and agreed to waive all due process rights. He also requested that the TRC deadline be moved to January 28<sup>th</sup> at the end of business day instead of the 8:00 am deadline.  
*Moved by Jon Hofstetter to table the application per the applicants request to the January 10<sup>th</sup>, 2024 meeting and extend the TRC deadline to 4:30 p.m. on December 28<sup>th</sup>, 2023. Seconded by Sue Small, MOTION carried*

Ms. Kiper presented the revised application. Noting the change in the CAD location and that they received updated comments from TRC and that the revised version meets regulations. Ms. Kiper also pointed out that where the new CAD is located is where they received conceptual approval for an easement already and the Engineering department had look at site distance in that location previously. John Long presented the revised application. He explained that the common access drive was moved from Heyl Road to Angling Road. He stated they are aware of the updated TRC comments and they would be able to meet those.  
*Moved by Sue Small to approve*  
*Seconded by Ron Amstutz, MOTION carried*

**NEW BUSINESS:**  
**SUBDIVISION REPORT:**  
**Staff Recommended Acceptance of Report as Presented**  
*Moved by Steve Wheeler to approve as presented*  
*Seconded by Jon Hofstetter*  
*MOTION carried*

**EXTENSIONS:** None  
**VARIANCES:** None  
**COMMON ACCESS DRIVES:** None  
**MAJOR SUBDIVISIONS:** None  
**INTERGOVERNMENTAL REVIEW:** None  
**OTHER BUSINESS:**  
 Review of Planning Commission By-Laws

The committee discussed a revision in the planning commission by-laws. A subcommittee was formed. Jon Hofstetter, Joel Montgomery, John Fitzpatrick, and Amy Marinello have volunteered to be on the subcommittee.

Subdivision Report for 2023

Ms. Kiper presented a subdivision report for 2022/2023 highlighting all changes in 2022 in the large lot numbers and how many applications went through completely to being recorded.

**ADJOURN:** Upon hearing no additional further business, **Steve Wheeler moved to adjourn, and Jon Hofstetter** seconded. MOTION carried. Meeting adjourned at 3:21 pm.

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X *B.W. Cletzer* Bill Cletzer, Chairman  
Wayne County Planning Commission

X *John Fitzpatrick* John Fitzpatrick, Secretary  
Wayne County Planning Commission