

FAIRMONT PLANNING COMMISSION

The regular meeting of the Fairmont Planning Commission was held on May 18, 2016 at 7:00 p.m. at the Public Safety Building located at 500 Quincy Street.

President William Oliver called the meeting to order at 7:00 p.m. and asked for a roll call of members.

ROLL CALL OF MEMBERS

MEMBERS PRESENT

President Oliver
Commissioner Weber
Commissioner Richardson
Commissioner Parker
Commissioner Majic
Commissioner Straight
Commissioner Greene

MEMBERS ABSENT

Commissioner Miller

CITY STAFF

City Planner– Sandra Scaffidi

Recording Secretary – Maria Cipolla

Commissioner Straight made a motion to excuse **Commissioner Miller** from tonight’s meeting.
Commissioner Parker seconded the motion.

PLEDGE OF ALLEGIANCE

Approval of Minutes from April 5, 2016

President Oliver asked for a motion to approve the minutes.
Commissioner Greene motioned to approve minutes.
Commissioner Weber seconded.
Motion carried 7-0.

Approval of Minutes from April 20, 2016

President Oliver asked for a motion to approve the minutes.
Commissioner Greene motioned to approve minutes.
Commissioner Weber seconded.
Motion carried 7-0.

Public Hearings for April 20, 2016

1. R.J. Williams, of Reclaim Company, LLC, requested a rezoning of the property located at 200 Eighth Street along Chamberlain Avenue from Neighborhood Mixed Use to Main Corridor Commercial.

President Oliver asked if there was anyone to speak in favor of this request.

Michael DeVault: I own property alongside of Mr. William’s property. My property adjoins his on the bottom of Seventh Street. I have a couple of items just by hearing the discussion earlier. First of all, what he has done cleaning the property should be commended. It was an eye-sore. I heard the public safety issues mentioned. He is going to be less than five percent of the truck traffic. His truck traffic in that area is minuscule. As far as noise, trucks are trucks. He has improved that property. The property taxes will help improve our schools. There are jobs out of there that’ll pay City taxes. In my opinion, what he wants to do is a good thing. What he is doing is probably one of the best and highest uses of that property. That’s all I have to say and I appreciate your consideration.

Mike Riggi, the owner of Eighth St. Confectionary: My business is located at the head of his property. I own three properties there. Mr. DeVault said most of what I had to say. I have lived there since 1962. My father ran the business prior to me and still lives there. The property always was somewhat of an eye-sore but it was a prosperous eye-sore. It was the oldest factory in the United States. They had a lot of air problem. They put a lot of things into the air that they shouldn't have. The military came in and did some maneuvers. They were supposed to tear it down. They never did. Now that the Partnership is refurbishing the area, there is somewhat of a business-oriented thing. I really didn't know R.J. until he moved in. He is one of the classiest acts I have ever met. If he didn't do any more than he has already done, we could quit there and be happy. He has cleaned from my house to my business. If he is going to take a load of gravel down, he stops and makes sure I don't have an issue. He is very respectful. You don't even know they are down there. I'm running a business and he hasn't interfered with my parking or created traffic issues. The Partnership is going to bring something to the table: some good, maybe some bad. R.J. is a blessing. In my opinion, the City should give him \$100,000 and say buy the next one. He is doing a great job. No matter what he needs to do, you can already see, what he is doing; he is doing right. He has spent a good bit of money and he isn't even close to being done. Thank you.

Mr. Riggi, Sr.: I am the Dad of the boy who just spoke. These boys are hard workers. They are just trying to make the place look good. This should pass, point blank, as far as I'm concerned. Let's get with the program, o.k. This guy is a worker. One of the best. I have been there almost sixty years. This is the best thing that has ever happened.

Mike Walker, Fairmont Community Development Partnership: I'm here in favor of it due to the cleaning up of the area. I have been part of that neighborhood for the last four years. In those four years prior to him being there, I have watched numerous people going in there. They were probably doing things they shouldn't have been doing. Not only does this clean up that area from anyone trying to go back there and hide, it cleans up the area for the Partnership as well. It makes our places look better. How can you deny somebody who has put the effort into cleaning the area up? To deny them that chance; to prosper their business and the location. I don't believe the traffic is going to be that much worst. I think he should be able to move forward with his plans.

President Oliver: Mike, I am glad you came. I was concerned with the Partnership's residents and what you are building. I am glad you guys are in support of it.

Mike Walker: We have to be in support of it. It'll help us sell houses a lot quicker. Thank you.

Judd Doerfler: My wife and I own storage down on Twelfth Street (Main Corridor Commercial zoning) and all the property around the Box Plant. We do not own the Box Plant. You should have left it alone when you changed it the last time. I originally bought it has Industrial. We were going to put storage units on the property but then it 'hit the fan' sort of speak.

President Oliver: One year before me, Judd.

Judd Doerfler: I'm for this. I think R.J. is a great guy. I have seen some of the business he has done around town. He has done a great job and a fast job.

James Deleruyelle: I think R.J. is doing a fine job. I live right in front of Helmick's building. I think this is fine.

April Hamrick: I am for it. I spoke at the last meeting.

R.J. Williams: I am here to speak for it and I'll leave it at that.

President Oliver: I think the work session covered it.

President Oliver asked if there was anyone to speak against this request.
There were none.

Commissioner Straight motioned that we accept R.J. Williams' request.

Commissioner Weber seconded the request.

Motion carried 7-0

Public Hearing to Set for May 18, 2016.

None.

NEW BUSINESS

None

CITIZENS PETITION

None

OTHER BUSINESS

Commissioners Comments:

Commissioner Parker: I am glad to have Sandra with us. I look forward to working with you. If there is anything we can do to help, let us know.

In the last meeting, we talked about the requirements for the rezoning. It's not quite as straight forward as some of the past advice; that we had to meet each of these elements that are listed in the code and they had to be met. I don't think that is quite right. I think it has to be an overall review of those elements when making a decision that they are generally satisfy those requirements. You can fail on one of those requirements and still go ahead and grant the rezone, which is what we did tonight. I am satisfied, particularly with folks who came in here tonight to speak in favor of it and nobody against it that allows us to recommend it to City Council. The record will be sufficient for City Council to make a determination. I think it is important to note that we don't have to meet every element. We have to meet enough of them that we feel it is a good thing to do.

President Oliver: I agree with that 100%. When you are looking down through that, you can make a debate on two or three of them either way; with the growth, with certain criteria, it is hard. It was a tough one.

Commissioner Straight: I agree with what Eddie said. I have been down there three or four times from when he first start until today. What a job this guy has done. He is a good worker. He just does an outstanding job.

Commissioner Majic: Just a quick apology to the group. I got here as soon as I could.

President Oliver: You did a great job. You almost beat me.

Commissioner Richardson: I knew the property when it was Helmick's and full blown. I knew it when they shut down at Tenth Street. He has done a good job cleaning it up. I was surprised when I went over there. I walked around. I went back when nobody else was there to see what was going on. I was pleasantly surprised.

Commissioner Weber: I think we did the right thing. I think sometimes our codes are so restrictive that it prevents people like R.J. from having a business and expanding it. I think we really need to look at our codes and be more flexible like we were tonight. He does a good business. He is a good person to have in the City. I don't think we could deny that request. I wish him well with his business. I agree with Eddie. We can't be so restrictive. I don't like the whole idea of no flexibility.

Commissioner Greene: For me, the take away tonight is very similar to the April 5th meeting. You can come in and talk until you are blue in face but if you don't have the support of your neighbors with something as important as changing the zoning, then you probably need to go back and do your homework. I think the investor that was here with the Partnership on April 5th didn't do their homework. We felt the brunt of that. R.J. might say that he felt the brunt from us in reverse but he showed up with his neighbors and I'm not going to tell all of his neighbors and property owners in that area that they can't do what they want to do with their property. That is their neighborhood. They spend a lot more time over there than

I do. I think that is our job. Our job is to respond to the people not the person. I am glad we did what we did. I don't feel I need to justify my position at all. I told R.J. that I was in that building right when I got to Fairmont. I thought 'where have we moved to that this stuff is allowed to stand?' When I went back three months ago to look at the property, I was aghast that he had managed to take all that down. It is awesome. The improvement is wonderful. Quite frankly, if it takes a zoning change to clean up the rest of the property down there, we should consider it. Riverfront townhouses would be nice but a new warehouse beats what is down there now

President Oliver: You can't build townhouses on brownfield. It can't be done. I guess one of the reasons I like to go last is to hear what everybody has to say and add a little to it. Like with Eddie, you are exactly right. We have to bend a little bit but we also have to look at the health and safety of the City of Fairmont on every issue we do. Are we too restrictive like Dan said? We look at certain issues and I don't really think we are overly restrictive. There are definitely things we missed in the Comprehensive Plan. We have to work on it. Now that we have the planner in place, it is no longer a discussion on this. We are going to start immediately on this Comprehensive Plan because it will take a long time. We were behind the Partnership for years. They were building and redid Maple Avenue along with Eight Street. All of a sudden they wanted to go into an area they didn't fit in. We are not just looking at an individual. Just because they do a great job at one place doesn't mean we let them do it anywhere. I go back to Judd and the Box Factory. I would have loved to see him have that and turned it into mini storage buildings. There are a lot of people who want to do a lot of good in this City. We just have to make sure they are in the right place doing it. Those are the people we really want to work with. Great job tonight. I am proud of you guys, like always.

Good News: Everyone has their cigars except the ladies. We have a little baby girl weighting 9.2 lbs. 19 ½ inches born 5-4-16 9:39 am. She is a big healthy, hairy baby girl and a member of the Oliver family. I'll train her to be my replacement on here.

Sandra Scaffidi: First, I just want to say thank you for the warm welcome. I am really excited to be a part of this team. I look forward to working with all of you. Secondly, I would like to apologize for my misinformation on the non-conforming uses. That changed a little bit of everything. I did go to the site and was surprised at how much of a change was made (to consider the zoning of the entire site). I do want to express that we will be working on the Comprehensive Plan to consider the zoning of the entire city. We do need to look at the whole area holistically and not just one tiny piece of the puzzle. I hope and encourage R.J. to participate in that process. I think he would be very important and valuable community member.

President Oliver: I would like to see people like Judd at some of these meetings. When we are looking at the rezoning of certain areas in Fairmont, we have a lot of business and rentals that we would like to have peoples' input on.

Sandra Scaffidi: We will encourage all the community members to participate in that. Today, I put a draft RFQ together and sent it to our purchasing coordinator. That should be coming out soon. We will get it put out to bid shortly. We are happy to have this kind of business in Fairmont. We encourage new business and existing businesses to work in Fairmont.

STAFF UPDATES

Robin Gomez: Welcome to Sandra and thank you to the Commissioners for your deliberation and listening to Mr. Williams. It was important that you did deliberate, ask questions, and it became the public process that it has been. As Mrs. Scaffidi said, we are beginning the process of reviewing the City's Comprehensive Plan. The key word is 'flexibility'. We will be looking for greater flexibility. It will be a rather public process where we will have multiple opportunities to invite the public for more comment. It will be open to anybody. We will specifically invite property owners and businesses to give us their thoughts and opinions. If we don't have any items for your next meeting in June, we will bring you a status of where we are with that.

President Oliver: Do you remember how many zones there are in the City?

Robin Gomez: There are about five main zones but I believe there are about twelve.

President Oliver: Is that how we will more or less work on the Plan?

Robin Gomez: It will go by zone and look at mapping at how we will want to classify each area, particularly the Main Corridor area. Those are the entrances and the larger commercial areas in and out of the city.

President Oliver: That is how we did the last one and it worked fairly well.

Sandra Scaffidi: I need to read one letter for the record. We did receive a fax this afternoon from Lewis G. Helmick, of Helmick Corporation. It reads:

I, Louis G. Helmick, CEO/Chairman of Helmick Corporation, am in support of R.J. Williams, of Reclaim Company, LLC, (and his) request of the rezoning the property located at 200 Eighth Street along Chamberlain Avenue from Neighborhood Mixed Use to Main Corridor Commercial.

This rezoning would be job opportunities and beautify the area.

Louis G. Helmick

I just wanted to make sure that got recorded.

ADJOURNMENT:

President Oliver asked for a motion to adjourn.

Commissioner Straight made a motion to adjourn.

Commissioner Parker seconded it.