

City of Norton
PLANNING COMMISSION
Tuesday, January 28, 2014

The Planning Commission of the City of Norton, Ohio, convened for a public meeting in Council Chambers at the Safety Administration Building. Chairman Spisak called the meeting to order at 6:00 p.m.

I. ATTENDANCE:

PRESENT: Mark Spisak, Ralph Dowling, Bill Courson, Larry Chiavaroli

EXCUSED:

ALSO PRESENT: Russ Arters, Superintendent of Building & Zoning

II. PUBLIC APPLICATIONS:

- A. PC Application CUP17-2013
For a Conditional Use Permit
Silver City Lights/Silver Pyramid
David Woodford – Owner
The Woodford Company
Tim and Tricia Surgen - Agents
4081 Cleveland-Massillon Road
Norton, OH 44203
PPN - 4605906 and 4605906
[Skill Based Amusement Arcade]
* Tabled on 1-14-14 because of an error on the address.
Correct address is 4081 Cleveland-Massillon Road
not 4089 Cleveland Massillon Road.**

Chairman Spisak stated this was a public hearing and asked if the neighbors were notified via first class mail as required per section 6.03 of the City Charter; the stenographer replied yes.

Chairman Spisak asked the applicant to stand at the podium, state his name and address the Commission.

Mr. Tim Surgen, 4089 Cleveland-Massillon Road, Norton, OH, 44203, approached the podium and stated he was the agent for Silver City Lights/Silver Pyramid and would be speaking on their behalf. Mr. Surgen thanked the Board for hearing his application. He stated he would like to speak to the Board about Skill Based Amusement Arcade hours and fees. He asked the Board if they had any questions for him. Chairman Spisak asked if all the machines at this business were compliant with the new State Laws and how many employees were at this location. Mr. Surgen stated that all the machines were compliant with State Laws and that they currently have four employees at the business. Mr. Surgen stated that if the business fees would go up, he was not sure it would be possible for them to stay open for business.

Chairman Spisak thanked the Applicant for his presentation.

Chairman Spisak asked if anyone wanted to speak for the application.

Mr. Terry Hamilton, 4093 S. Cleveland-Massillon Road, Norton, OH 44203, approached the podium. Mr. Hamilton stated his business was in the same plaza as Silver City Lights. He stated they were his neighbor. He stated that usually there is some trash in the plaza parking lot and stated a few people have been parking over by his store's parking lot area. He stated that he really didn't want them as a neighbor. He stated he's seen people come into the Arcade with broken down vehicles and wondered why they would be gambling. He stated he has researched this issue and said that even the elderly on fixed incomes use these businesses. He said he believed it is a concern to have these businesses in the heart of Norton.

Chairman Spisak thanked the Applicant for his presentation.

Chairman Spisak asked if anyone wanted to speak for the application.

Ms. Charlotte Whipkey, 4624 Albert Avenue, Norton, OH 44203, approached the podium. She stated that she understood the prior speakers concerns. She stated she thought Norton needed to have as many businesses as they could in town. She stated she had spoken with the Police Chief about security, etc., and stated all is currently ok with these businesses. She stated she had no problem with these businesses in the City of Norton.

Chairman Spisak asked if anyone wanted to speak for the application.

Chairman Spisak asked if the Commission members had any other questions for the applicant; no one spoke.

Chairman Spisak asked for the second time if anyone wanted to speak for the application; no one spoke.

Chairman Spisak asked for the third and final time if anyone wanted to speak for the application; no one spoke.

Chairman Spisak asked for a motion. Mr. Courson moved to approve; Mr. Chiavaroli seconded the motion. ROLL CALL: Mr. Courson-Yes; Mr. Chiavaroli-Yes; Chairman Spisak-Yes; Mr. Dowling-Yes. The motion carried 4 - 0.

Chairman Spisak continued to Old Business.

III. OLD BUSINESS:

Chairman Spisak stated he would like to have discussion on Chapters 856 and 858. There was general discussion on the issue. Chairman Spisak stated he would like to have something to recommend to Council as soon as possible. Chairman Spisak stated in Chapter 858 there was a limit of 7 Arcades in the City's Moratorium. He stated he would also like to address the hours of their operation. There was general discussion on zoning locations, fees, hours, etc. Chairman Spisak stated if the Board had any questions, to contact Mr. Arters. He stated he would like to get this information to the City Law Director as soon as possible for his review.

IV. NEW BUSINESS:

Chairman Spisak asked if there was any New Business. Mr. Arters stated there would be a Rezoning Application at the next meeting. He stated the property is in Norton and is family owned. He stated the applicant would like to build a residential home and rezone the property from I-1 to R-1. Mr. Arters stated he would also like to reorganize and have Election of Officers next meeting if possible.

IV. CONSIDERATION OF MINUTES:

Chairman Spisak asked if there were any corrections or additions to the minutes from December 10, 2013. Being none, Chairman Spisak made a motion to approve the minutes as written. Mr. Courson seconded the motion. **ROLL CALL: Chairman Spisak-Yes, Mr. Courson-Yes, Mr. Chiavaroli-Yes, Mr. Dowling-Yes. Motion to Approve passed 4-0.**

Chairman Spisak asked if there were any corrections or additions to the minutes from January 14, 2014. Being none, Chairman Spisak asked for a motion. Mr. Chiavaroli made a motion to approve the minutes as written. Mr. Dowling seconded the motion. **ROLL CALL: Mr. Chiavaroli- Abstain, Mr. Dowling-Yes, Chairman Spisak-Yes, Mr. Courson-Yes. Motion to Approve passed 3-1.**

V. ADJOURNMENT:

With no further business before the Commission, Chairman Spisak announced the next scheduled meeting will be Tuesday, February 11, 2014.

Planning Commission Chair/
Vice-Chair

Planning Commission Vice-Chair/
Member

Date

*** ORIGINAL SIGNED DOCUMENTS ON FILE WITH THE CLERK OF COUNCIL ***