

6:00 p.m.

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Board Members Present: Mr. Lapolla, Mr. Ciraldo, Mr. Brown, Mr. Stoiber, Mr. Heintz  
Officials Present: Bernie Hovey, Mayor, Jerry Jones, Village Council, Matthew Plesich, Village Council, Tim Nichols, Village Counsel, Betsy Myers, Village Counsel, Marsha Mandala, Shade Tree Commission, Beth Schlupe, Shade Tree Commission.  
Others in attendance: Suzanne Lipan, Administrative Assistant; numerous residents.

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### Call to Order

Mr. Heintz called the January 27, 2020 meeting of the Silver Lake Village Planning Commission to order at 6:00 p.m. Ms. Lippan called the roll of the Commission; all members present.

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Minutes of the May 13, May 28, September 23 and January 13 meetings were reviewed and upon motion duly made and seconded, were unanimously approved.

### ***Proposed Changes to Chapter 1169 of the Zoning Code, Waterfront and Riparian Setback Development Standards***

At the last Commission meeting on January 13, a further revised proposed Chapter 1169 was circulated to members of the Commission and residents in attendance. Copies were made available for those who did not attend. Mr. Heintz reported that other than minor changes suggested by Mr. Stoiber and by resident Polly Bloom, no comments to the further revised proposed ordinance were received.

Mr. Heintz then asked for comments from persons in attendance and a general discussion ensued. Mr. Morrison reiterated his view (as a resident and as counsel for the Board of Trustees of the Silver Lake Estates Trust) that property surrounding Silver Lake and Crystal Lake should be excluded from the proposed Waterfront Setback ordinance. Lakefront property owners Mr. and Mrs. Brian Taylor expressed their opposition to the proposed revised ordinance. Mr. Taylor inquired as to why the Riparian Setback section exempts “grassy swales, roadside ditches, drainage pies or ditches to convey stormwater created or approved by the Village.” Mr. Heintz responded that the riparian setback provision is intended to protect naturally flowing waters, rather than infrastructure. Mr. Lich reviewed his experience with the removal of dams on the Cuyahoga River. Mr. Johnson, Chair of the Board of Trustees of the Silver Lake Estates Trust reiterated his Board’s commitment to enhancing and protecting Silver Lake. Additional comments from Mr. Morrison and others concerned application of a tree-removal regulation only to property within the Waterfront Setback while not applying the same regulation to properties Village-wide. Ms. Mandala and Ms. Schlupe pointed out that there is heightened concern associated with the tree canopy immediately adjacent to a lake. Such a tree canopy provides additional protection against erosion and runoff. This, in the view of the Shade Tree Commission justifies greater regulation of healthy tree removal in such areas. Dr. Sanderson observed that it appeared to

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him the proposed revised Chapter 1169 would reduce the regulatory burden on lakefront property owners, in comparison to existing Chapter 1169.


At approximately 7:45, there were no further requests to comment. Mr. Heintz asked the Commission for a dispositive motion with respect to the proposed revised ordinance. Mr. Stoiber made a motion to approve the proposed revised ordinance (to include the latest revisions suggested by him and by Ms. Bloom), and refer it to Village Council for consideration and enactment. Mr. Lapolla seconded the motion. The motion passed unanimously.

Thereafter Mr. Heintz described next steps: Mr. Heintz will incorporate the revisions proposed by Mr. Stoiber and Ms. Bloom into the latest draft that was circulated on January 13. Thereafter, Mr. Heintz will transmit the legislation Ms. Lippan and Mr. Housley, Clerk-Treasurer, and a report of the Commission's process, for delivery to Village Council. Mr. Heydorn, Village Solicitor, has advised that the legislation should be formatted consistently with other sections of the Village Code. Mr. Heydorn will make the necessary changes. Mayor Hovey described the process once the proposed ordinance reaches Village Council: it will be introduced and referred to a committee. There will be public readings and hearings in conformity with Council procedure, prior to a vote.

There being no further business to come before the Planning Commission, Mr. Heintz thanked those in attendance for their thoughtful, civil and productive participation in this revision process, and the meeting was adjourned at 8:00 p.m.

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Approved:

  
Jeffrey T. Heintz  
Chairman

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