

**WICKLIFFE PLANNING COMMISSION**  
**December 3, 2009**

PRESENT: Bochenek, Grasser, Margalis, Building Commissioner Raymond F. Sack, Jr., City Engineer Formica, and Assistant Prosecutor A. J. Stempuzis.

EXCUSED: Yohe, McGraw

Councilman Margalis nominated Charles Grasser to chair meeting; seconded by Bochenek.

Roll Call, Ayes: Bochenek, Margalis, Grasser

Nays: None. Charles Grasser elected as Vice Chairman

Vice Chairman Grasser officially called the meeting to order at 7:30 p.m.

- 3. Joe DelBalso for Barrel Room Winery**, request for extension to repave parking lot, located at 28932 Euclid Avenue in a General Business District.

A.J. Stempuzis administered the oath to Joe DelBalso. Mr. DelBalso's letter to the Mayor's Office, City of Wickliffe, and dated September 29, 2009 is attached hereto, requesting a 2-year extension on the Planning Commission's request to repave the existing parking lot. Mr. Sack's response letter dated October 5, 2009 is also attached. This request is made due to new business start-up expenses, unforeseen costs and capital improvements to property, etc. and the economy. An estimate for parking lot repair dated August 4, 2009 by Surface Engineering, 18400 Syracuse Avenue, Cleveland, Ohio 44110 was given with an estimate at \$12,900.00. Joe DelBalso said that, in order to remain open, funds were used to improve the property located at 1522 East 289<sup>th</sup> Street, which was brought up to code with drywall and a new furnace, in order to meet conditions of the Lake County Building Department.

Councilman Margalis commented that repaving a lot is a priority to the city, especially to make businesses on the Euclid Avenue inviting. The City of Wickliffe is very accommodating. Mr. Grasser said he understands the Barrel Room's position, but is not comfortable with a 2-year extension. He is aware of the financial situation and the fact that the business has lived up to the portion of the condition as to sound, etc. However, he also mentioned landscaping with regard to the pile of rocks around the sign. He asked if the city could request a "Perfection Bond" for needed repairs. Councilman Margalis said that money could be held in an escrow account for repairs, with money returned to the owner upon completion of the repairs. Joe DelBalso asked if the city could loan money for repairs to the business at a small interest rate. The Barrel Room Winery owns the entire building and wants to make it work. Mr. Grasser suggested cash be put into escrow at a ten (10%) percent based on estimate, 1-year renewable, as a workable solution. Council Margalis suggested having the City Engineer mark the bad areas of the lot, seal coating at the discretion of City Engineer, with work being done by Spring of 2010, six (6) months from the October 31, 2009 deadline, pursuant to the Conditional Use Permit. Mr. Sack made a suggestion to meet on a dry day to review the parking lot.

Councilman Margalis moved to Table the request made by Joe DelBalso for The Barrel Room Winery for extension to repave the parking lot, located at 28932 Euclid Avenue in a General Business District, (until January 2010 regular meeting of the Planning Commission) for the purpose of the City Engineer and Building Commission to inspect the lot and mark areas to be replaced, seal coated and re-stripped.

Roll Call, Ayes: Bochenek, Margalis, Grasser

Nays: None. Motion carried and approved. Item #3 Tabled.

**Building Commissioner.** Mr. Sack presented a letter he received dated December 1, 2009 (attached hereto) from Mr. William Johnson, Johnson Builders, 11740 Jamie Drive, Concord Twp., Ohio 44077, with regard to Mapledale on the Greens Subdivision (Conditional Use Requirements) concerning age requirement as being 55 years and older. Mr. Sack that Mapledale Association is a separate entity. Three units are to be finished. He further commented with regard to an Occupational Permit as proof of age. Councilman Margalis expressed his concern that no procedures are currently in place to show proof of age, and suggested that either A.J. Stempuzis or William C. Gargiulo, Director of Law, check into this matter. Section 1307.30 Conditional Uses Principal Senior residence Facilities clear states: “(1) Dwelling units for Senior Citizens and employees of such facilities, for purposes of this Chapter “Senior Adult Citizen” means any person fifty-five (55) years of age with or without a disability. If there is a violation of Conditional Use Permit, the Planning Commission may revoke said permit upon recommendation of the Building Commissioner, upon determining that the use does NOT comply with the terms and conditional of such permit.”

**9) Approval of September 3, 2009 meeting minutes.** Ms. Bochenek moved to Table approval of minutes until January 2010 meeting; seconded by Councilman Margalis.

Roll Call, Ayes: Bochenek, Margalis, Grasser

Abstain: McGraw. Approval of minutes Tabled until January 7, 2010.

**10) Adjournment.** So moved by Ms. Bochenek; seconded by Councilman Margalis.

Roll Call, Ayes: Bochenek, Margalis, Grasser

Nays: None. Meeting adjourned at 8:15 p.m.

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Charles Grasser, Vice Chairman

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Carol A. Zofchak, Secretary

