

PLANNING COMMISSION MEETING MINUTES

APRIL 4, 2025

4:00PM

Mrs. Ruth Spanos called the meeting to order at 4:00pm.

Roll Call: Mrs. Ruth Spanos-present/Mr. Curt Johnson-present/Mr. Cory Brown-present

Recognition of visitors:

- Chief Smigelski - Village of Burton Police Department
- Lynn Arnold
- Todd Hicks
- Dana Jordan
- Brien Spangenberg
- Ann Wishert
- Lisa & Ken Moses
- Halley Moore
- Craig Martin
- Joe Risk
- B. Garling
- Pete McDonald – Western Reserve Land Conservancy
- Dennis J. Ibold – Counsel for applicant(s)
- Scott Ronyak
- David Ronyak - Applicant
- Jason Ronyak - Applicant
- Sue Peters – nonresident
- Jerrod Ronyak – Applicant
- Joe Walkos – nonresident
- Cole Crea – Zoning Inspector
- Judy Lester
- Mike Lester
- Sharon Ronyak
- Edward Klingensmith
- Sharon
- Charles Boehnlein

Approved May 5, 2025

Mrs. Spanos introduced the proposed zoning amendment that has been brought forward by the East Walden Properties LLC, C/O: Jared Ronyak, David Ronyak and Jason Ronyak. Mrs. Spanos stated the area is presently zoned as an R-1, Suburban Residence and wishes to be rezoned to an M-2, Industrial. Mrs. Spanos explained that anyone who would like to speak must be sworn in prior to the meeting. There will also be a 5-minute maximum for residents to share their opinion.

Mr. Hicks mentioned to visitors that all members of the audience that wish to speak must be done so under oath. All tentative speakers (on request of Mr. Hicks) have raised their hands in anticipation of speaking at tonight's meeting and are actively being sworn in under oath.

Mr. David Ronyak, speaking as a "resident" this evening 14376 North Cheshire introduced himself and would like to comment on the 5.2 acres he wishes to develop on Colony Lane. Mr. Ronyak is requesting this to be rezoned for safety reasons due to the horrendous traffic conditions on North Cheshire due to Berkshire Schools.

Mr. Mike Lester, 13655 Colony Lane introduced himself and mentioned he resides across the street of said property in the proposed request. Mr. Lester has huge safety concerns for residents, children and pedestrians which use this street to walk. Mr. Lester inquired why the asphalt company would want to be located on Colony Lane.

Mr. Jarod Ronyak, 14376 North Cheshire introduced himself to the Planning Commission as well as visitors. Mr. Ronyak is requesting this rezone to help with the traffic congestion from the downtown district, the park, and the schools. He is concerned about the safety aspects of the Village of Burton. Mr. Ronyak mentioned an example of one safety issue: "If they were to pull out onto North Cheshire and head southbound, drive around the park and head westbound on Rt 87 out the village limits, you will have passed 56 residents. If they had an access drive off Colony Lane to Route 87, they would have passed 7 residents."

Mr. Straniero, 16531 Colony Lane introduced himself and stated he had just purchased the property. Mr. Straniero understands Ronyak's have been around a long time but is concerned about Colony Lane. Colony Lane is not in good shape and in disrepair. Mr. Straniero inquired if they had the power to make the company (Ronyak) not have an egress off Colony Lane or have them add to the entire area, a fence or align it with 30' Pinetree's? Part if the road is dirt, and when they are moving trucks, there will be a lot of dust.

Mr. Hicks stated that the Planning Commission is strictly a "recommendation" to council. The Planning Commission can include in the recommendations to council a "condition to rezoning" if it was voted to be rezoned.

Mr. Moses, 14422 Garden. Mr. Moses expresses his strong opposition to the proposed rezoning of property. He has resided in the Village of Burton for twenty years. The asphalt company poses a significant concern for health and safety to all residents and the environment and overall quality of life. Mr. Moses stated the adjoining property was to be for truck parking only but had video coverage of the company grinding reclaimed asphalt. Mr. Moses has a safety data sheet from OSHA which outlines the harmful effects of living close to asphalt grinding. In 2016 Ronyak's removed trees and installed a driveway on Colony Lane without a permit. The driveway started on a Friday evening and was completed by Sunday. Residents called the Village Zoning Inspector, Rick Grueber, to complain. By the time Mr. Grueber came out to see what had transpired, the driveway had already been installed. The intent was to use Colony Lane as a cut through to Route 87. The Village of Burton denied the use and Ronyak's were required to place barricades up to prevent truck traffic. The company had a fire on the property and the fire department had trouble getting in and one of the Ronyak trucks were trapped. The Ronyak's stated this driveway would help the fire department gain access to the property if needed. Mr. Moses stated there would be increased truck traffic, the vehicles are loud, Colony Lane has no sidewalks, not passable for two cars, the road is not conditioned for the use of the heavy trucks. Trucks start at 6:00am and come in after business hours, tail gates slamming and along with loud noises. When Ronyak's are grinding asphalt, the pollution and debris/dust is traveling onto the soccer field at Berkshire Schools. The ecosystem would be vulnerable because of the water runoff. Mr. Moses stated these are serious concerns and request the village to carefully consider the long-term consequences.

Mr. Scott Ronyak 14563 East Park Street. Mr. Ronyak is speaking as a resident and is not taking sides but wishes to express his concerns about the tremendous amount of traffic up in the square area since the school moved. Many times, he is unable to leave his driveway because of the traffic. Mr. Ronyak mentioned he is grateful he has a second way to get out of his property because if he did not, he would not know what to do.

Mr. Pete McDonald Western Reserve Land Conservancy, 3850 Chagrin River Road Moreland Hills Oh. The Western Reserve Land Conservancy is a private non-profit organization that conserves natural areas, farmland & parks in Northeast Ohio. The Western Reserve Land Conservancy owns the 225-acre property located two parcels away from Ronyak's, which is a natural area. The Land Conservancy contains a 30-acre lake and about one mile of Hopson's Creek which is a class 3 primary habitat also has 100 acres of class 3 wetlands. The subject parcel has forced its slopes and streams which will impact the water quality and natural resources areas. The rezoning will allow much more development which will cause much more sediment and run off into the 30-acre lake as

well as the quality of natural habitats. Mr. McDonald would like the Planning Commission to take into consideration their viewpoints and outlook on their property.

Mr. Dennis Ibold, Attorney for applicants. Mr. Ibold stated to the audience there are regulations of water run-off, as well as public agencies who control that. This is why there are retention and detention basins as well as a requirement of safety of the property and condition of the water. Mr. Ibold mentioned that you need to have a development plan first, then submit your plan to the agencies, the agencies review the plans and look at the storm water, detention, retention, then make their determination.

Mrs. Lisa Moses 14422 Garden Street. Mrs. Moses feels that they have been deceived by the Ronyak Company. Mrs. Moses would like to know how and why the driveway went in without a permit and how they got away with it.

Haley Moore, 13600 Colony Lane. Mrs. Moore stated she and her husband, Jason Drake own three parcels. The two additional parcels are downstream from this property in question to be rezoned which they do get a lot of sediments downhill. They both oppose this rezoning of property. Her concerns, their property value will plummet, where Ronyak's property values will likely increase significantly. Mrs. Moore is concerned about truck traffic, residents, and children. Colony Lane does not have sidewalks, and is not rated for heavy truck traffic. This is a massive jump from an R-1 to an M-2 Industrial – heavy industrial operations with increased traffic. Mrs. Moore has stated many residents were not able to attend this meeting due to the date and time and is hoping there is another meeting where all residents can attend to voice their opinions.

Mrs. Spanos has stated the Planning Commission is the first step to upcoming meetings. All the Planning Commission does is “recommend” to council if the zoning shall be changed or not. It's up to council to determine if the rezoning should move forward.

Mr. Klingensmith, 14441 Garden Street. Mr. Klingensmith has been a resident of Burton his entire life. Mr. Klingensmith has mentioned how Ronyak's trucks have damaged many streets within the village. Mr. Klingensmith inquired if the rezoning goes through if the tax rates would change and if the village would benefit from this change. Mr. Hicks stated zoning does not dictate tax rates, value does. Mr. Klingensmith stated that Colony Lane is literally in disrepair, reiterating the big trucks that go around the circle certainly endanger a lot of people. Mr. Klingensmith is against the change but understands changes are taking place.

Approved May 5, 2025

Mr. Joe Walkos, 13549 Colony Lane. Mr. Walkos stated he resides in one of the seven houses the trucks would drive past. Mr. Walkos built his home on a residential street along with many others. There is a lot of real estate value on the street, and Mr. Walkos stated that if the village approves this, the residents on Colony Lane will come after the village for damage as well as loss of value to their homes. The village will be responsible for the costs and repairs not Ronyak's, reason being, the Village of Burton would have allowed Ronyak's property to be rezoned. If the Village did approve the zoning change, the village could disconnect from Colony Lane and the township line, then the trucks would be able to exit Garden Street. From this change Colony Lane would/could become a dead-end street. Case in point "Cleveland -vs- Shaker Hts".

Mr. Curt Johnson questioned Mr. Dave Ronyak's plans for the five acres of property. Mr. Ronyak stated he has no plans but only has interest in the driveway.

Mrs. Judy Lester, 13655 Colony Lane. Mrs. Lester is bothered that some of the council members have already spoken to Ronyak's about coming down Colony Lane. Mrs. Lester feels this was unfair. Mrs. Lester has no problem with Colony Lane shutting down and becoming a dead-end street. Mr. Walkos mentioned if that happens, it will increase the response time for Fire and Police. Mr. Walkos stated when the driveway went in at Ronyak's, he went and solicited the residents on Colony Lane with a question. He asked all the residents: "would you be willing to incur an increase in response time for the safety forces in exchange for disconnecting of the street?" Mr. Walkos stated it was unanimous, and everyone agreed to that option.

Mrs. Dana Jordan, 14411 Garden Street. Mrs. Jordan noticed since the trees have come down, the noise pollution has become much worse.

Mr. Lester stated he just wants the company to be a good neighbor to the residents around them. Mr. Lester also inquired with Mr. Ronyak, in the past thirty-nine years, how many safety concerns have they had? Mr. Ronyak stated they have more and more trucks moving, the traffic is horrendous with the move of the school.

Mr. Walkos stated the school was poorly designed.

Shawn Peterson, employee with Ronyaks – Mr. Peterson stated he has been with the company for seventeen years and has noticed through the years how much foot traffic and vehicle traffic that he has witnessed. Mr. Peterson stated the flow of traffic at the intersection is heavy. Mr. Peterson said the company's goal is to ease traffic so the kids can

walk safely on the roads. There are fifty-two businesses in the village. They all have a second way in and out, where their company does not. Mr. Peterson stated there would be a benefit to that second driveway and cannot believe the safety forces would disagree.

Mr. Moses, 14422 Garden Street. Mr. Moses stated going down Colony Lane and pulling onto Route 87 is not going to be safe for anybody. Mr. Moses stated he has had a terrible time trying to pull out onto Route 87 many times.

Mrs. Moore stated when she is pulling out of her driveway, the visibility is compromised already. It would be too complicated getting out of her driveway with the trucks coming down Colony Lane.

One resident came forward who (didn't state their name) is inquiring if the rezoning goes through, could there be a stipulation on beautification of the property? The streets property value would be decreased, which is unfair.

Mrs. Spanos came forward and stated if they rezone that land, it's rezoned. Whoever owns that property in the future could then put an industrial development in there.

Mr. Brown came forward and inquired about another path of an egress on the property. The Ronyak's stated that is an option they can and will look at.

Mr. Jarod Ronyak – non-resident. Mr. Ronyak stated all the runoff is not from Ronyak's, it's from the village.

Mrs. Moore mentioned there are thirty-three different sources of water feeding the lake around the property. There is water coming out of the ground on her property everywhere.

Mrs. Moore stated when the driveway went in, they noticed more sediment in their creeks.

Mr. Brown would like to see an alternate option, not a rezoning if it's only an access they are looking at. Mr. Hicks mentioned this would not be a rezoning request then. Going forward if it was rezoned to industrial, they could use the property for industrial purposes now or down the line. If they just want a driveway, they could file for a variance request. They could seek a "use variance" and go before the BZA (Board of Zoning Appeals). The question becomes is rezoning the property to industrial consistent with the remainder of Colony Lane.

Mrs. Spanos made a motion on recommending to council the property be rezoned to M-2. This motion failed three to nothing.

Mrs. Spanos voted NO on the motion to recommend the rezoning to Village Council.
Mr. Brown voted NO on the motion to recommend the rezoning to Village Council.
Mr. Johnson voted NO on the motion to recommend the rezoning to Village Council.

Mr. Johnson made a motion to adjourn the meeting, which was seconded by Mr. Brown.
All in favor? AYE! By voice vote motion passed.
Meeting adjourned at 5:10PM.