

BOARD OF APPEALS PUBLIC HEARING – MAY 18, 2017

PUBLIC HEARING  
**BOARD OF ZONING APPEALS**  
May 18, 2017

The Austintown Township Board of Appeals held a Public Hearing on Thursday, May 18, 2017, at the Township Building, 82 Ohltown Road, Austintown, Ohio, for consideration of the following case:

APPEAL CASE 2017-06-A-Sheetz.

The following Board members were in attendance:

Mr. Robert Satterlee – Chairman  
Mr. Joe Koch – Vice-Chairman  
Mr. Michael Beaudis  
Mr. William Glaros  
Mr. James Mahoney

Chairman Satterlee opened the public hearing at 7:00 P.M. The following testimony was given under oath or affirmation. Court Reporter in attendance, complete transcript taken of the hearing.

**APPEAL CASE 2017-06-A**

GPD Group, 520 South Main Street, Suite 2531, Akron, Ohio, 44311, on behalf of BTDFP, LLC, P.O. Box 2566, Altoona, Pennsylvania, 16602, appeals from the decision of the Austintown Township Zoning Inspector and requests a conditional use permit from the terms of Article XI-Business B-2 District, Section 1102-Conditionally Permitted Uses, Paragraph 9-Gasoline Service Stations, of the Austintown Township Zoning Ordinance, as amended through November 25, 2014, to allow for the remodel of the existing Sheetz fueling station and redesign of the site at the property located at 5499 Mahoning Avenue. Said property is located at the southeast corner of the Mahoning Avenue-South Canfield-Niles Road intersection and is further described as Parcel 48-017-0-041, Lot No. 1, Taylor Oldsmobile-Sheetz Plat No. 1 Replat; and is zoned as a Business B-2 District in Austintown Township, Mahoning County, State of Ohio.

Zoning Inspector Crivelli read the applicant's letter of request dated April 24, 2017 into the case record, referenced an existing conditions drawing, a proposed site plan, interior floor plan, exterior elevation drawing, the case mailing list, and four plat maps prepared by the zoning office.

Mr. Satterlee stated the mailing list for case 2017-06-A will be incorporated into the case record.

Ellen Selle, P.E., 520 South Main Street, Akron, Ohio, 44311, reviewed the existing canopies and noted the area on the drawing (Exhibit "A") in blue will have a removed

canopy (north side of property), and the permanent removal of the two sections of the canopies attached to the north and west side of the building. The red area represents the extension of the existing canopy (west side of the property) for additional fuel pumps. The amount of asphalt along Mahoning Avenue will be reduced and replaced with green space. The number of parking stall will be increased (red lined on site plan). There will be an area within the building for customers to eat their “Made to Order” menu items and also an outside dining area as depicted in yellow on the drawing. Ms. Selle also referenced the yellow umbrellas on the elevation drawings for outdoor seasonal seating. The entrance doors and sidewalks were reviewed as depicted on the floor and site plans. The building will be squared off to create additional space for the indoor seating. The second page of Exhibit “A” was the design of the new site. There is 40 feet for the fuel trucks to maneuver within the site. The existing fuel trucks movements will not be changed.

Brian Soyka, P.E., Sheetz Engineering, 5700 Sixth Avenue, Altoona, Pennsylvania, described this as part of their “Red Block Re-Model Program”. The existing white block no longer fits their image. This project is a remodel. All the underground piping/product lines and tank tops will be replaced. The underground tanks will not be replaced. The islands will be razed. The canopy on the west side will remain. The west island will be replaced in whole with new dispensers and product lines along with the entire pavement under the canopy. Diesel fuel will be offered but Sheetz will no longer offer Kerosene. The store opened January 2000 and it is estimated Sheetz can pump as much gas with five dispensers based on the historic volume. Removing the Mahoning Avenue canopy will allow for more and closer parking to the building and allow for more convenience and safety for customers. The new look is more of a restaurant quality image versus a gas station. The sidewalks will be brick pavers. There will be larger restrooms and a different kitchen buildout. For safety and efficiency, the business will be closed when construction begins. Construction will take between 10 and 12 weeks.

Mr. Beaudis inquired about underground tank inspection. Mr. Soyka stated their petroleum construction division handles permitting, testing, and certifications. There was discussion of the existing concrete conditions. Tractor-trailer refueling movements will remain the same.

Ms. Selle stated they will try to use as of much of the existing site lighting as possible. LED’s will be utilized. The poles along Mahoning Avenue where there will be a paving adjustment will be in closer. She referenced the photometric drawing. Mr. Soyka stated the lighting will look better and the fixtures will have less throw-off where they do not want light. Zoning Inspector Crivelli requested the lighting be pulled in to the edge of the road. Mr. Soyka stated some of the lighting can be toned down at the property lines. Ms. Selle reviewed the nighttime lighting drawing. The dumpster will remain in the same location and have a gated brick enclosure that matches the building. The signage was reviewed. There will be reduced building signage. Each side of the canopy will have signage. The free-standing sign will remain with just a change in the color of the poles (Exhibit “B”).

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There was discussion of diesel fuel which will be aimed towards cars. The dispensers will be on the ends of the island.

The site plan was marked as Exhibit “C” and the floor plan was marked as Exhibit “D”.

Mr. Satterlee inquired about ingress and egress. Mr. Stoyka stated the curb cuts will remain the same.

Mr. Koch inquired about natural gas. Mr. Stoyka stated none of their stores offer natural gas and it will be more likely that electricity will be offered before natural gas. Sheetz is working with Tesla for electric charging stations on some of their properties. It takes about 20 to 30 minutes for a full charge. Tesla is determining the Sheetz locations.

No one else in attendance to speak for the request.

No one in attendance to speak against the request.

**2017-06-A-Sheetz:** Motion by Mr. Koch to approve the conditional use request including all testimony and representations made during the hearing.

Seconded by Mr. Glaros.

Roll Call Vote: Mr. Koch – Yes; Mr. Mahoney – Yes; Mr. Glaros – Yes; Mr. Beaudis - Yes; and Mr. Satterlee – Yes.

Zoning Inspector Crivelli asked that they better maintain the existing retention pond to remove potential site obstructions from weed growth.

There being nothing further to come before the Board, the hearing was adjourned at 7:37 P.M.

AUSTINTOWN BOARD OF ZONING APPEALS

Darren L. Crivelli, Zoning Inspector, Austintown Township

APPROVED: \_\_\_\_\_  
Bob Satterlee – Chairman

DATE: \_\_\_\_\_