



Summit County Planning Commission (SCPC)

Thursday, March 28, 2024 - 3:00 p.m.

County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio

Meeting Minutes

A. Call to Order

Vice-Chair Dennis Stoiber

Vice-Chair Dennis Stoiber called to order the *Thursday, March 28th, 2024 - SCPC* monthly meeting at 3:00 p.m.

B. Roll Call

Dennis Tubbs

SCPC Member	Present
Open	
Dickinson, Erin	
Wiedie-Higham, Christine	
Jones-Capers, Halle	
Kline, David	X
Mavrides, Allen	
Reville, Rich	X
Segedy, Jason	X
Snell, Jeff	X
Stoiber, Dennis	X
Terry, Robert	X

Reported by *Dennis Tubbs*, we have a quorum for SCPC meeting Thursday, March 28th, 2024 – SCPC monthly meeting at _3:00:52_ p.m.

C. Approval of the February 22, 2024, SCPC Minutes

Vice-Chair Dennis Stoiber

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine					
Jones-Capers, Halle					
Kline, David			X		
Mavrides, Allen					
Reville, Rich	X		X		
Segedy, Jason		X	X		
Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert			X		

Motion

Rich Reville made a motion to *approve* the **SCPC Meeting Minutes for Thursday, February 22nd, 2024**, and it was seconded by *Jason Segedy*, *all in favor, aye, oppose_0_*, **SCPC Meeting Minutes for Thursday, February 22nd, 2024**, was *approved* with *_0_* abstentions.

D. Business Items
Stephen Knittel

New Business

1. **Swan Lake – Preliminary Plan – Copley Township** - Swan Lake is a multi-phase subdivision which began construction in 1993. The original project site contained approximately 129 acres and 164 sublots.

Reported by Stephen Knittel:

Stephen Knittel reported that this is a preliminary plan that began construction in 1993 original project was for approximately 129 acres and 164 sublots, the applicant is proposing 57 new residential lots on 41.73 acres and there is a pond there as well for storm waters control.

Staff comments is that the proposed plan does not currently meet our subdivision regulations standards for open space, during the initial proposal plan back in the 1990's the subdivision regulations were not in place and all the previous plans had expired, so they fall under the 2016 subdivision regulations as this is when this process started for the most recent set of plans.

Staff recommendation is disapproval of the plan as they do not meet the current subdivision regulations requirement for open space. An open space would be in a block reserved for open space per subdivision regulations a change to the lots or blocks on an approved preliminary plan would require it to be returned to

staff then to the planning commission to approve those changes. That is why this has been recommended for disapproval to complete the proper steps.

There is a letter from Dominion Energy that the applicant has received. Also, a letter from the Vice President of Swan Lake HOA was received, requesting if a potential trail to connect from the new developments to where the clubhouse pool and tennis courts are located to give more open space and the HOA requiring more open space there. An email from Township's Zoning Department, where they had scheduling conflict where they could not be present but did state that they are continuing to work with the applicant in terms of any further updates and developments that happen and any requests for impacts to the riparian.

Questions/Comments from the members:

David Kline asked if the applicant would have followed the proper requirements, you would have had a different opinion of your approval process?

Knittel answered, No. It's the procedures to make a change to an approved plan would require it to come back. Even if we gave a conditional approval the change to the lot use or block use would have to change designate new open space blocks to fulfill that requirements and would trigger the effect of it returning to planning commission.

Dennis Stoiber asked how long does a plan approval have life?

Knittel answered, under the subdivision regulations a preliminary plan, once approved by planning commission is good for two (2) years and then any Phase of that that gets recorded as a final plat would extend that preliminary plan for an additional year.

We also offer two (2) requests of time extensions, every additional year per the planning commission's approval if the planning commission approves the extension.

Jeff Snell asked were any of those done.

Knittel answered yes. Not to extend any previous approvals to this plan.

Jeff Snell asked when was the last phase that was approved if you know?

Knittel answered, a little over 10 years.

Jeff Snell asked *Knittel* to open the diagram and explain where is the open space?

**the diagram of the lots explained at this time*

Jason Segedy asked how much less open space is in this plan? How below is your requirement is?

Knittel answered from the table they need roughly 3.3338 ac. in the open space and the current is 0.905 ac. they are roughly 2 acres under.

Applicant:

Chris Brown, Representative

Prestige Homes

4301 Darrow Road, Stow, OH, 44224

Chris Brown explained that the plan did expire and was good until January 2014, that was the last extension request. This was a last-minute thing that was brought to their attention. They understand that staff has spoken to the law department, and they will need to comply with the 2016 Subdivision regulations as requested. The applicant explained there is a riparian area, and the intention is to set aside two (2) acres of the lot as part of the open space in combination with what is set aside where the pond is they would meet the criteria. Any changes to the blocks or lot configuration would require them to come back.

Chris Brown asked, since this was prior to the 2016 Subdivision regulations, would any other areas in previous phase be set aside for open space?

Dennis Stoiber stated that staff addressed this and stated that because this is brought to us after the others had expired this is no longer considered apart of the original subdivision.

Knittel answered, if the developer still owns some land in previous phases would they be able place them into open face blocks to qualify the new development that is not currently open space blocks.

Jeff Snell asked, how far away are the blocks?

Brown explained,

Phase IV subplot 80, 81 and 82 units are vacant and owned by Prestige Homes.

Phase I lot 15 and 16, ODNr said their pond qualified as a Class-1 dam, so they had to build a dam in this area so they are considered a non-buildable lot currently, as this acts as a spillway for a dam that was constructed.

Dennis Stoiber asked so we know if any of the two (2) locations are presently land that is designated as open space as a condition of the approval of subdivision.

Brown answered, no.

Dennis Stoiber asked, can someone provide open space on land that is not contiguous with subdivision that is being presented.

Snell stated that this is the same developer and the same comprehensive development, but that was not done. The lots are in the same subdivision, the subdivision is the same developer with the same intent and if this all came in one (1) phase, we would count that. Its just phased because this is how it was constructed, and the same developer owns it. If it was a new developer, we would look at it differently.

Dennis Stoiber stated that the matter of documentation, if this went into a file and the map would show up for planning commission's approval, but part of the land that the approval lies upon is not in there. If this project was redefined so it includes this other lot that someone that pulled the lots 10 years from now and looking at it would see exactly what was approved.

Snell answered, you would have to amend the plat that is already there in order to take that property to create a whole new plat to existing lots.

Brown stated, if they had the ability to use subplot 80, 81 and 82 and /or 15 & 16 there could be a note on file open space requirements were met because of.....

Atty Marvin Evans stated that there is some language that is contiguous but he wil have to read it over as of current he could make no comment at this time without reading the plan completely.

David Kline, asked per previous conversation that you may pick up two (2) more acres with the riparian, however the Engineer's report states there is a conflict of driveways, so why wouldn't you take one of the

lots as open space and keep the other as buildable lots as you are close, you are looking at approximately ½ an acre.

Brown answered, they were planning on shifting them around per county engineers' notes. If you see where the riparian is running through, they do have lots that incorporate the riparian within the lots but if they create open blocks around those, they will lose 4 lots. He is looking to shorten those lots and redefine them.

Jason Segedy agreed with Jeff Snell if it's just a philosophical interpretation and not a regulation that precludes them from making a decision, he doesn't have an issue with considering. If it was something that was being treated as a wetland credit in the Bath Township he would feel differently, but it's another phase of the same project.

Brown stated if they decided to go that route the best course of action would be to consolidate the three (3) lots and the two (2) by the dam and make them block and make them a lot number.

Jeff Snell asked if you are going to vacate those lots and consolidate them. Aren't you going to do something with the plat anyway?

Placing a note that states, "All part of a common development we only needed X acres of open space before giving 2 acres more than that..." That would put all of this into the phase and make it more comfortable with the commission reviews it and it would be cleaned up with consideration of the HOA remarks.

Brown stated they will review it as if they went another route, they would have to prepare a new lot consolidation plan and it would have to have a new legal description and make reference to the recorded plat and anyone that would pull it would then see the note.

Chris Brown requested the preliminary plan presented today be tabled until the next meeting.

Representation for the Township: Township is not present but sent email that was presented to the commission members.

Questions/Comments from the members:

County Engineer's Office:

Joe Paradise, County Engineer's Office

Joe Paradise stated that numerous comments were provided the does not have issues with the lots being 80, 81 and 82. but does have a problem with lot 15-16 but its an unbuildable lot.

Summit Soil and Water: Not present

Questions from the Public: No one from the public wished to comment

Discussion from the members: No further discussion from the members.

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine					

Jones-Capers, Halle					
Kline, David	X		X		
Mavrides, Allen					
Reville, Rich			X		
Segedy, Jason		X	X		
Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert			X		

Motion

David Kline made a motion to *table* the **New Business Item #1 - Swan Lake – Preliminary Plan – Copley Township**, at the request of the applicant and it was seconded by *Jason Segedy*, ***all in favor, aye, oppose_0_***, **New Business Item #1 - Swan Lake – Preliminary Plan – Copley Township**, was *tabled at the request of the applicant* with *_0_* abstentions.

2. **Commercial Trash Dumpsters and Enclosures — Text Amendment- Coventry Township** - The applicant has proposed that the Coventry Township Zoning Resolution be revised to add Section 3.03(.7) Commercial Trash Dumpsters and Enclosures.

Reported by Stephen Knittel:

Stephen Knittel reported that the township is proposing to revise zoning resolution to include Section 3.03(.7) Commercial Trash Dumpsters and Enclosures, during staff review there was some other language in Copley Township that was similar for the townships review.

Staff recommendation is approval as they found no issues.

Representation for the Township:

Josh Randal, Zoning Commission

Coventry Township

68 Portage Lakes Drive, Akron, OH 44319

Josh Randal reported this came about as residents have complained about their residential properties that butt up against commercial properties and then the lake area and you get a lot of trash that gets into our waterways. Cleaning up some of the dumpsters and cleaning up the trash around the dumpsters would illuminate some of the trash and debris that goes into our residents' properties.

Questions/Comments from the members:

David Kline asked that a gate is not required and is optional?

Randal answered they talked to Kimble and Republic, and they do not want any enclosures, but made it optional if a business wanted to lock it from keeping residential trash out that would be strictly up to them. They are trying to appease the trash companies to eliminate fees.

Dennis Stoiber asked about the height of the enclosure should be the greater than 6 feet high or 1 foot higher than the waste receptacle. 6 feet is an absolute minimal? Or if someone came in and said that the receptacle is only 3 feet so its 6 feet high or higher than 1 foot of the receptacle?

Randal answered, yes.

Dennis Stoiber asked about screening. The enclosure shall be screened from the adjacent property using natural colors screen or evergreen vegetation. If you use a fence, fencing shall be visible.

Dennis Stoiber suggested that if the property owners use an enclosure, it should state that if using an enclosure, the owner must use screening.

County Engineer's Office:

Joe Paradise, County Engineer's Office

Joe Paradise stated that there is a minimum height of 6 feet, is there going to be a maximum height? Recommends that the maximum height should be 8 feet as you do not know the height of the largest dumpster.

Discussion from the members:

Jason Segedy agreed there should be a maximum and 8 feet sounds good.

David Kline agreed that if a dumpster is 8 feet sitting 4 feet off the ground which is 12 feet and needs passage under all bridges.

Summit Soil and Water: Not present

Questions from the Public: No one from the public wished to comment

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine					
Jones-Capers, Halle					
Kline, David			X		
Mavrides, Allen					
Reville, Rich		X	X		
Segedy, Jason			X		
Snell, Jeff	X		X		
Stoiber, Dennis			X		
Terry, Robert			X		

Motion

Jeff Snell made a motion to *approve with due consideration of staff and County Engineer comments* the **New Business Item #2 Commercial Trash Dumpsters and Enclosures — Text Amendment- Coventry Township**, and it was seconded by *Rich Reville, all in favor, aye, oppose_0_*, **New Business Item #2 Commercial Trash Dumpsters and Enclosures — Text Amendment- Coventry Township**, was *approved* with *_0_* abstentions.

3. **Self-Storage Facilities – Text Amendment – Coventry Township** - The applicant has proposed that the Coventry Township Zoning Resolution be revised to add Article 30. Self-Service Storage Facilities Regulations.

Reported by Stephen Knittel:

Stephen Knittel reported that the township is proposing to add Article 30. Self-Service Storage Facilities Regulations. *Knittel* explained that when reviewing the zoning code to compare it with other zoning codes, he found no comparison.

Staff recommendation is approval.

Representation for the Township:

Josh Randal, Zoning Commission

Coventry Township

68 Portage Lakes Drive, Akron, OH 44319

Josh Randal reported that this amendment was started before he joined, he explained that this has been going on for some time now. They have six (6) self-storage facilities within the township, and they get a lot of complaints about crime, theft, stolen items, etc., they are trying to clean up the language. They are trying to clean up the language as if someone would like to place another facility in then it will have to be within so many miles from the others; sometimes you will get two (2) right next to one another which will invite the type of element that you do not want.

Questions/Comments from the members:

Rich Reville asked is this limited to a certain district? Industrial or Commercial?

Knittel and Randal both answered yes, Commercial/Industrial district.

Dennis Stoiber questioned Item 11 with the example in the second (2nd) example: Land To Be Developed 100 acres Land dedicated for community use (Youth athletic fields, developed walking trails, tennis court, etc.) 5 acres* (*This reduces the overall open space requirement by an equal amount.) Required open Space – Twenty (20) acres.

Does this mean you dedicate the 5 acres to community use, and for that you not only get to count those 5 acres but in addition 5 acres to be subtracted from 30% of all land. *Stoiber* suggested that this language be reviewed and cleaned up as well. This would mean you get double to value of the land that you are giving to the community.

Jeff Snell agreed the language or explanation in Item 11 - (*This reduces the overall open space requirement by an equal amount.) is a bit confusing especially when the reading states, “*The percentage of required open space may be reduced by developing and dedicating some of the land for use by the public on a one-to-one basis, but the area required to be dedicated to open space may not be less than twenty percent (20%).*”

Snell also suggested, may want to add “*The percentage of required open space may be reduced by developing and dedicating some of the land for use by the public on a one-to-one basis, but the area required to be dedicated to open space may not be less than twenty percent (20%) of the whole parcel.*”

And also, the statement, “*be dedicated to open space*”, this has to be accepted by the public, it has to actually be a ballfield, etc. this may need to be cleaned up as well. Or state that the township has to accept it on a one-for-one basis.

County Engineer’s Office:

Joe Paradise, County Engineer’s Office

Joe Paradise commented on Section 30.01 (A)(4) - All access drive aprons (ingress and egress) shall meet council regulations or state regulations coming off the highway, as you need a permit. You cannot say it needs to be 40’ it needs to be larger or needs to be smaller, needs to match adjoining governmental agency (county, township or state) highway access manual.

Item 10 No habitation of any kind outside of business hours.

Paradise asked, what if you have a security problem and you want to place a night watchman there, would that be considered habitation? Does he have a shack he can be in? or does this count? Is there an administration office?

Item 11 At least thirty percent (30%) of all land must be used or open green space.

Paradise stated we still need stormwater detention there at these sites, he assumes that this will be heavily paved with a hard surface.

Discussion from the members:

Suggested languages to be cleaned up by Reville, Snell and Stoiber.

1. A Self-Service Storage Facilities’ office staffed on site a minimum of two (2) hours daily and contact person information posted on the office for Coventry emergency personnel use.

5. No building, structure, lot, or land shall be used except to provide temporary indoor storage for legal personal or business property.

Jeff Snell stated that Item 10 is confusing as the language states, “No habitation of any kind outside of business hours.”

Does this mean you can habitat some of the time, but not all the time?

Suggested to change language to, “*No Habitation of any kind.*” or “*Occupation or habitation of any kind.*”

Meaning you cannot use this as a business of any kind, but you can drop off your items to the unit.

Jason Segedy suggested adding language to limit the number of people in this section.

Summit Soil and Water: Not present

Questions from the Public: No one from the public wished to comment

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine					
Jones-Capers, Halle					

Kline, David		X	X		
Mavrides, Allen					
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert	X		X		

Motion

Robert Terry made a motion to *approve with due consideration to staff and County Engineer comments* the **New Business Item #3 Self-Storage Facilities – Text Amendment – Coventry Township**, and it was seconded by *David Kline, all in favor, aye, oppose_0_*, **New Business Item #3 Self-Storage Facilities – Text Amendment – Coventry Township**, was *approved* with 0 abstentions.

4. **Zoning Certificate – Text Amendment – Northfield Center Township** - The applicant has proposed that the Northfield Center Township Zoning Resolution be revised to amend Chapter 610.07 Denial of Zoning Certificate to include a section requiring there not be zoning violations attached to the property in order to receive a zoning certificate.

Reported by Stephen Knittel:

Stephen Knittel reported that the township has proposed for language to be added to current resolution adding new letter “B” that zoning certificate shall not be issued if there are any zoning violations attached to the property.

Staff recommendation is approval as per review other townships have the language as well.

Representation for the Township:

Daniel Schade, Zoning Commission
Northfield Center Township
8484 Olde Eight Road, Northfield Center, OH 44067

Dan Schade reported that this was reported by the new zoning inspector in Northfield Twp. He is going through the process of issuing a permit and found that he could not issue the permit as the applicant had violation on the property and requested that we add language to zoning regulations.

Questions/Comments from the members:

Dennis Stoiber stated that this makes sense, and in his community some people ask for forgiveness rather than permission.

County Engineer’s Office: County Engineer office had no comment on this Item.

Summit Soil and Water: Not present

Questions from the Public: No one from the public wished to comment

Discussion from the members: No further discussion from the members.

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine					
Jones-Capers, Halle					
Kline, David		X	X		
Mavrides, Allen					
Reville, Rich					X
Segedy, Jason	X		X		
Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert			X		

Motion

Jason Segedy made a motion to *approve* the **New Business Item #4 Zoning Certificate – Text Amendment – Northfield Center Township**, and it was seconded by *David Kline*, *all in favor, aye , oppose _0_*, **New Business Item #4 Zoning Certificate – Text Amendment – Northfield Center Township**, was *approved* with *_1_* abstentions (*Rich Reville*).

5. **Solar Panels – Text Amendment – Northfield Center Township** - The applicant has proposed that the Northfield Center Township Zoning Resolution be revised to amend Chapter 230 General Provisions to include a section requiring that solar panels shall be removed if not functioning and disposed of in accordance with county, state, and federal guidelines.

Reported by Stephen Knittel:

Stephen Knittel reported the township is requesting text amendment to their current resolution. Staff found no issues with the requested text amendment.

Staff recommendation is approval.

Representation for the Township:

Daniel Schade, Zoning Commission

Northfield Center Township

8484 Olde Eight Road, Northfield Center, OH 44067

Dan Schade reported that this was reported by the new zoning inspector in Northfield Twp. What do you do with an old solar panel, and how do you remove it? Mr. Schade stated that he did some research and called Kimble who stated that they will not take them. Did find two (2) companies that will take them (1)Summit County E Waste and (2)We Recycle Solar will take them for a fee. Right now, the township would like to make sure the solar panels are disposed of in the proper way.

Rich Reville added the panels' lifespan is supposed to be 15-20 years and one resident that they spoke to has had them for 20+ years and are still working.

Questions/Comments from the members:

Dennis Stoiber how do know if the panel is still functioning or not, you do not really care about that if it's up on the house, just as long as it is not in a plastic bag lined against a garage, correct?

Schade answered, correct.

County Engineer's Office: County Engineer office had no comment on this Item.

Summit Soil and Water: Not present

Questions from the Public: No one from the public wished to comment

Discussion from the members: No further discussion from the members.

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine					
Jones-Capers, Halle					
Kline, David	X		X		
Mavrides, Allen					
Reville, Rich					X
Segedy, Jason		X	X		
Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert			X		

Motion

David Kline made a motion to *approve* the **New Business Item# 5 Solar Panels – Text Amendment – Northfield Center Township**, and it was seconded by *Jason Segedy*, *all in favor, aye, oppose _0_*, **New Business Item# 5 Solar Panels – Text Amendment – Northfield Center Township**, was *approved* with *_1_* abstentions (Rich Reville).

Old Business

No vote was taken to table Old Business Item #1 Kingdom Preserve Preliminary Plan – Springfield Township

Kingdom Preserve Preliminary Plan – Springfield Township – Proposing 36 units on a proposed public cul-de-sac off Killian Road.

Reported by Stephen Knittel:

Applicant:

Representation for the Township:

Questions/Comments from the members:

County Engineer's Office:

Summit Soil and Water:

Questions from the Public:

Discussion from the members:

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine					
Jones-Capers, Halle					
Kline, David					
Mavrides, Allen					
Reville, Rich					
Segedy, Jason					
Snell, Jeff					
Stoiber, Dennis					
Terry, Robert					

Motion

_____ made a motion to _____ the **Old Business Item #1 Kingdom Preserve Preliminary Plan – Springfield Township**, and it was seconded by _____, *all in favor*, _____, *oppose* _____, **Old Business Item #1 Kingdom Preserve Preliminary Plan – Springfield Township**, was *tabled* with ____ abstentions.

E. Report from Assistant Director
Bonds have been released.

Assistant Director, Dennis Tubbs

Still have not finalized the replacement for George Beckham's seat, however, names have been submitted to the Executive to review.

F. Comments from Public
No further comment from the public.

Vice-Chair Dennis Stoiber

G. Comments from Commission Members
No further comment from the commission members.

Vice-Chair Dennis Stoiber

H. Other
1. Legal Update

Attorney Marvin Evans

Atty. Marvin Evans reported that the Delfino's have refiled an appeal with the Court of Appeals again and they will need to resubmit to the Summit County Planning Commission.

I. Adjournment

Vice-Chair Dennis Stoiber

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine					
Jones-Capers, Halle					
Kline, David	X		X		
Mavrides, Allen					
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff			X		
Stoiber, Dennis		X	X		
Terry, Robert			X		

Motion

David Kline made a motion to *adjourn* the SCPC meeting held Thursday, March 28th, 2024, and it was seconded by *Dennis Stoiber*, ***all in favor, aye***, the SCPC meeting held Thursday, March 28th, 2024, the motion was *adjourned* with 0 abstentions at 4:01 p.m.

These minutes were recorded, prepared, and represent the writer's best recollection of the items discussed by:
Tazena Long, Executive Assistant
Department of Community and Economic Development
Tuesday, April 9th, 2024 @ 2:00p.m.