



**Summit County Planning Commission (SCPC)**

Thursday, January 18<sup>th</sup>, 2024 - 3:00 p.m.

County of Summit, County Council Chambers

175 South Main Street, 7<sup>th</sup> Floor, Akron, Ohio

**Meeting Minutes**

A. Call to Order

**Chair Allen Mavrides**

*Chair Allen Mavrides* called to order the Thursday, January 18<sup>th</sup>, 2024 - SCPC monthly meeting at \_3:00\_ p.m.

B. Roll Call

**Dennis Tubbs**

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

Reported by *Dennis Tubbs*, we have a quorum for SCPC meeting Thursday, January 18<sup>th</sup>, 2024 – SCPC monthly meeting at \_3:00:08\_ p.m.

C. Approval of the November 16, 2023, SCPC Minutes

**Chair Allen Mavrides**

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin					
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		

Reville, Rich	X		X		
Segedy, Jason			X		
Snell, Jeff					
Stoiber, Dennis		X	X		
Terry, Robert			X		

### **Motion**

*Rich Reville* made a motion to *approve Thursday, November 16, 2023, SCPC meeting minutes, with amendments* and it was seconded by *Dennis Stoiber, all in favor, aye, Thursday, November 16, 2023 ,SCPC meeting minutes*, the motion was *approved* with 0 abstentions.

*Dennis Stoiber* comments in reference to structure of the Meeting minutes for Thursday, November 16, 2023; error corrected on meetings and now reads.

*Change: Pre-Meeting Minutes to Meeting Minutes*

*Previous read:*

**Summit County Planning Commission (SCPC)**  
Thursday, November 16, 2023 - 3:00 p.m.  
County of Summit, County Council Chambers  
175 South Main Street, 7<sup>th</sup> Floor, Akron, Ohio  
**Pre-Meeting Minutes**

*New read:*

**Summit County Planning Commission (SCPC)**  
Thursday, November 16, 2023 - 3:00 p.m.  
County of Summit, County Council Chambers  
175 South Main Street, 7<sup>th</sup> Floor, Akron, Ohio  
**Meeting Minutes**

*Chair Allen Mavrides* requested an amendment to the Thursday, January 18<sup>th</sup>, 2024 - SCPC monthly meeting agenda adding new item to the agenda Rosemont Ridge – City of Fairlawn & Copley Township – this will be listed as Item #7 Rosemont Ridge – City of Fairlawn & Copley Township.

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin					
Wiedie- Higham, Christine		X	X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich			X		
Segedy, Jason	X		X		
Snell, Jeff					
Stoiber, Dennis			X		

Terry, Robert			X		
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### **Motion**

*Jason Segedy* made a motion to *amend* the Thursday, January 18<sup>th</sup>, 2024 - SCPC monthly meeting agenda adding new item to the agenda Rosemont Ridge – City of Fairlawn & Copley Township adding Item#7 and it was seconded by *Christine Wiedie-Higham*, ***all in favor, aye***, motion to amend the **Thursday, January 18<sup>th</sup>, 2024 - SCPC monthly meeting agenda adding new Item#7 Rosemont Ridge – City of Fairlawn & Copley Township**, the motion was *approved* with   0   abstentions.

D. Business Items

**Stephen Knittel**

### **New Business**

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

*Reported by Stephen Knittel:*

*Stephen Knittel* reported that this item is about Kingdom Preserve – Springfield Twp. located off of Killian Road east of the intersection with Pickle Road, there are many comments from the township and the county engineer's office.

Staff recommendation to members is to table this item so that the item can be adjusted further between the applicant, the township and the county engineer's office before the project continues moving forward.

*Representation for the Township:* The applicant was not present at this time.

*Questions/Comments from the members:* No comments

*County Engineer's Office:* No comments

*Summit Soil and Water:* No comments

*Questions from the Public:* No comments

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

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin					
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen	X		X		
Reville, Rich		X	X		
Segedy, Jason			X		
Snell, Jeff					

Stoiber, Dennis			X		
Terry, Robert			X		

### **Motion**

*Allen Mavrides* made a motion to *table* **Item#1- Kingdom Preserve Preliminary Plan – Springfield Township**, and it was seconded by *Rich Reville*, ***all in favor, aye, Item#1- Kingdom Preserve Preliminary Plan – Springfield Township***, the motion was *tabled* with   0   abstentions.

2. **Heartridge Final Plat Ph. 2 – Sagamore Hills Township** – Proposing 24 sublots and the creation of Timberidge Circle (public) and Kennaridge Circle (public) off of Heartridge Drive (public).

*Reported by Stephen Knittel:*

*Stephen Knittel* reported that the applicant is proposing a plat be converted into the creation of 24 sublots.

Staff recommends approval as there are no comments that suggest any other actions be taken.

*Representation for the Township:* The applicant was not present at this time.

*Questions/Comments from the members:*

*Allen Mavrides* stated that he did not want to address this item without the applicant or representation being present and suggested that we move the item until the end of the agenda today.

*County Engineer's Office:* No comments

*Summit Soil and Water:* No comments

*Questions from the Public:* No comments

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

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin			X		
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich			X		
Segedy, Jason		X	X		
Snell, Jeff					
Stoiber, Dennis	X		X		
Terry, Robert			X		

### **Motion**

*Dennis Stoiber* made a motion to move the item until the end of the agenda **Item#2 - Heartridge Final Plat Ph. 2 – Sagamore Hills Township**, and it was seconded by *Jason Segedy*, *all in favor, aye*, **Item#2 - Heartridge Final Plat Ph. 2 – Sagamore Hills Township**, the motion was moved to the end of the agenda with   0   abstentions.

3. **395 Springside Rezoning- Bath Township** – Applicant is requesting a rezoning of 395 Springside Drive from B-3 to B-2, to change the allowed uses from an office building to a retail store.

*Reported by Stephen Knittel:*

*Stephen Knittel* reported that the applicant is requesting a change in zoning classification, it is approximately 6 acres currently zoned to B-3 office use the applicant is requesting to a rezoning to a B-2 office use.

Staff comments are that the site could be used as currently zoned, but there are other offices that are B-2 zoned adjacent to this parcel and that under the proposed change there should be no adverse effect to the rezoning of this property.

*Questions/Comments from the members:*

*Allen Mavrides* made a comment that he would like the planning commission to please ignore of the proposed exhibits as we are looking at the property itself and if it should be rezone or not.

*Applicant:*

Applicant Angelo Petitti

*Petitti Garden Centers / Home & Garden Center, Plant Nursery*

25018 Broadway Avenue, Oakwood Village, OH

The applicant stated that they are looking to open another gardening center in Bath Township they applicant has another business like this in another community, on West Avenue, Tallmadge, OH, Petitti Garden Center. He explained that two members of his family currently reside in Bath Township. They were able to find a parcel that is close to Lowe's in Bath and ties in nicely with the retail community that is currently existing in Bath Twp. there is no other garden center close, and they believe that this will fill the need for a what they do or what they offer. They are looking to change the office building over to retail and open up a store there.

*Representation for the Township:*

*William Funk*, Bath Township, Planning Director/Zoning Inspector, stated the township had no comment at this time but welcomed any questions.

*Questions/Comments from the members:*

*Rich Reville* asked if all the planning would be under this structure about vented air.

*Townships* response, yes. Everything is done sales wise. The applicant is proposing a large indoor shade structure for their greenhouse and all sales will be made inside. All the planning would be under that shaded structure.

*County Engineer's Office:*

*Joe Paradise*, *County Engineers Office* stated that they are aware of this parcel as they are designing a sidewalk along Cleveland-Massillon Road they were right in the middle of finalizing the property changed hands so currently they are on hold, however, the County Engineer's office has no issues with the change from B-3 to B-2 as long as the applicants knows that the driveway entrance and exit need to comply with the traffic access manuals and stormwater also.

*Summit Soil and Water:* No comments

*Questions from the Public:*

Neil Levy

*David A Levy & Associates - Architecture Firm*

345 Springside Drive, Akron, OH 44333

*Neil Levy* stated that they currently have the small parcel to the left on the West side of the parcel on the table today. The biggest issue is the first domino of a cascading effect down Springside Drive, though there is a singular adjacent property that is a retail and currently B-2 zoned the rest of the surrounding Springside Drive is not. The intention of Springside Drive was never for retail. The way that the building is positioned on the lot determines the rest of the properties down the lane and being a property owner, they believe that they will be adversely affected should this continue to occur down the drive, as they are one of the smallest properties on the drive and if everything turns to retail they will lose value in their property currently zoned B-3 should this applicant build. The concerns that they wanted to address as well were parking availability being scarce, especially during peak times, water shut offs, the amount of fill needed will dwarf their property as the applicant will have a 25-foot difference in property heights.

Andrew Raines

*David A Levy & Associates - Architecture Firm*

345 Springside Drive, Akron, OH 44333

*Mr. Reems* asked the commission members if the County Engineer has had a chance to look at the impact to the storm water or will they at some point in time and will the commission members look at this. If they were to flatten their parking lot there would be a gap, and when they would look out of their property there would be a wall about 30-35 feet high. This would dramatically devalue their property and they are asking the County Engineer and Commission members to consider this once the site development plans is presented in the future.

They are in a jud where special taxes are taken from their paychecks to pay for economic development district there and from his understanding the entirety of Springside Drive was brought to support hotel, offices, etc. If another retailer wants to build this would take out a lot of office buildings.

Ian Jones

*Mann Parson Gray Architects*

3660 Embassy Parkway, Fairlawn, OH 44333

*Mr. Jones* stated that they are the architect firm that assisted with preliminary plans and the proposed rezoning from B-3 to B-2. He stated that the zoning will be a continuation to an existing B-2 similar to Springside on Rte. 18 where they have B-2's surrounding it where the two intersect and they do not expect any domino effect in that direction.

*Discussion from the members:*

*Rich Reville* asked a question to the township, you reviewed this and did not find a problem with the rezoning from B-3 to B-2 or the?

*Townships* response, there is no issue on their end, it is still going through the process, and they haven't had any recommendations back from their Zoning commission, but they are to meet next week for final decisions of looking at their comprehensive plan and it would be up to the townships Board of Trustees for the final

decision. Part of the process is going to the planning commission, then zoning commission, and then Board of Trustees for final decision.

*Dennis Stoiber* quoted, Item#3, is the proposed Map Amendment consistent with the objectives and goals of the Comprehensive Plan? The Township does Comprehensive/Future Land Use Plan calls for this parcel to be General Office use, which is the current zoning? The question is, does the township believe that this change complies with the current comprehensive plan?

*Townships response*, with this plan it was adopted in 2011 this lot was placed for offices for future landings plan, and there are variances for the current plan. The township is looking to update their comprehensive plan, but they will be looking closer at Springside Drive, and they feel that there are some changes and there are offices still there or is there possibly some other uses for the vacant units.

*Robert Terry* asked, why did the staff recommend approval, was it because of the current comprehensive plan? *Stephen Knittel* answered, because it was adjacent to another B-2, and it was not introducing a new zoning use in that area and it's along Cleveland-Massillon where traffic is busy already. The change to use would not increase traffic along that area.

*Andrew Raines, David A Levy & Associates - Architecture Firm* responded that although you cannot speak to the plan that the applicant is referencing. He stated that his office and mature driveways are off Springside Drive. If the approach is being serviced from Cleveland-Massillon is not correct at all, all the traffic in and out of the property is from Springside Drive. (2<sup>nd</sup> point) If you look at the map when they cut the parcel on Springside alone the applicant went one (1) property length and created a joint parcel. They took a certain distance from another B-3 and took an encroachment; they are trying to drive a hard line as to what was considered retail. Springside is a pretty quiet road and was designed to service office traffic not retail traffic and all traffic from this would be on the Springside Drive side at the intersection.

Applicant *Angelo Petitti, Petitti Garden Centers / Home & Garden Center, Plant Nursery*, responded in terms to the zoning and traffic impact, there is a light at the top of Springside, over the course of 12 months a year, aside from a 6 week period and some Saturdays/Sundays when there is the least amount of traffic, during the month of May they business does at least 40% of their annual volume and that is on Saturdays/Sundays. During the months of Mid-April to June he stated that he believes the rest of the year is negligible and should not inconvenience other offices on Springside much more than what exists currently.

*Christine Weidie-Higham* asked after today they would not see this item it would go back to the township. Yes. Engineer and township

*Robert Terry* stated that if we approve this based off of staff recommendations the township still has the last say? Yes.

*Ian Jones* added that they did receive Board of Zoning appeals approval for variance regarding pervious and impervious surface which was the only variance that they applied for. They have three applications through Bath Twp. Currently, which are Zoning Commission, Board of Zoning Appeals and Appearance review, the meetings have been held, but they are tabled until the next meeting.

*Chair Allen Mavrides*, asked are you asking the Summit County Planning Commission to approve a zoning when the township has already given approval to in some form or other? As he stated that he will not act on that.

*Stephen Knittel* stated that this was a completely separate process the rezoning is separate from any other application that has gone through.

*Ian Jones* stated that they have three (3) separate avenues that they must follow.

*Rich Reville*, stated you went to the Board of Appeals, to change from impervious to pervious or vice versa and they approved it?

*Ian Jones* answered, yes.

*Township* stated that any of the approvals that is given from appearance review for site plan were given through boards and appeals for variance were all contingent upon the rezoning, the rezoning is the factor.

*Allen Mavrides* reiterated to all members to keep in mind that this is about rezoning, would you forget about what is going there, and is this a reasonable request to rezone this property.

*Dennis Stoiber* stated that in his mind the density and intensity of use with the rezoning may be greater but would not be significantly greater. He believes the real issue is does this march down the street and is the neighboring property going to be affected by this as far as elevation and building of walls. This would be a burden by Pettitt's, and we will get to that once we see it.

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin					X
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich		X	X		
Segedy, Jason	X		X		
Snell, Jeff					
Stoiber, Dennis			X		
Terry, Robert			X		

#### **Motion**

*Jason Segedy* made a motion to approve **Item#3 - 395 Springside Rezoning- Bath Township**, and it was seconded by *Rich Reville*, **all in favor, aye, Item#3 - 395 Springside Rezoning- Bath Township**, the motion was approved with \_1\_(Erin Dickinson) abstentions.

- Signs Text Amendments – Springfield Township** – Township is looking to revise Section 13.05 Prohibited Signs, 13.07 Permitted Signs and 13.10 Nonconforming Sign Regulations to clarify the sections and restructure the items for ease of understanding.

*Reported by Stephen Knittel:*

*Stephen Knittel* reported that the changes that the township is requesting to make the text easier to understand in these texts make more sense to staff.

Staff recommends approval.



*Representation for the Township:*

*Michelle Moyer, Springfield Township representative* explained that the text amendment is to clarify some of the language within the portion of their zoning code. The township has made an attempt in the last year to reduce the number of pole signs, remove delapidated signs, broken signs to provide a more contiguous use of signs and their appearance in the township and in their efforts, they discovered languages that were more confusing to the applicants and to staff. So, the zoning administrator and members went through the zoning codes and provided more clarity to the language.

*The red marks are new additions the ~~struck through~~ will be eliminated.*

*County Engineer's Office:* Joe Paradise County Engineer's office stated that he has not reviewed this text amendment in detail, however, wanted to know if there is a variance process for this item?

Example: They recently had a KFC store, and they have one (1) single pole sign, but people could not find entrance and were driving in peoples' yards to turn around to find the entrance, just want to make sure there are visible entrance ways.

*Michelle Moyer* stated that variances are always available to applicants within reason considering safety concerns and visibility, that is always an option

*Questions/Comments from the members:*

*Dennis Stoiber* asked is there a cost for applicants to request that variance?

*Michelle Moyer* stated, yes but did not know the cost off hand.

*Dennis Stoiber* asked would it make any sense to make exit and inward drive signs an allowable sign?

*Michelle Moyer* responded that this is only a portion of the sign language that has been changed, all portions of sign language have not been updated.

*Summit Soil and Water:* No comments

*Questions from the Public:* No comments

*Discussion from the members:*

*Deborah Grow, Zoning Administrator,* stated that they are not making any changes to the resolution they are just making resolutions to make the language or give the language more clarity. There is a \$250 fee to go the Board of Zoning Appeals for variances. They made changes way back and do not have pole signs anymore although there are pole signs in the township, they just wanted to clean up the language. In and out signs the owners are permitted to have.

*Erin Dickinson* stated that the resolutions state the owner is responsible for damage to the sign, wouldn't to be best for it to be removed entirely, is that an option?

*Deborah Grow* answered yes. If it is a pole sign and it gets damaged, they would have to take it down and replace it with a monument sign.

*Dennis Stoiber* stated that sometimes reading zoning codes can be a little dull, but every now and then there is something that may pique interest, however in 13.05 (I) there is something that is called a "whirligig devices" and he was happy to see that and the usage of the word in the zoning codes.

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin			X		
Wiedie- Higham, Christine	X		X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff					
Stoiber, Dennis			X		
Terry, Robert		X	X		

### **Motion**

*Christine Wiedie-Higham* made a motion to *approve* **Item#4 - Signs Text Amendments – Springfield**, with due consideration of staff comments and it was seconded by *Robert Terry*, ***all in favor, aye***, **Item#4 - Signs Text Amendments – Springfield**, the motion was *approved* with   0   abstentions.

5. **R-CD Text Amendment – Copley Township** – Copley Homeowners Association is requesting that the removal of 3.06 R-CD (Conservation Development) entirely as the applicants claim the regulations of the district do not achieve its stated goals.

*Reported by Stephen Knittel:*

*Stephen Knittel* reported requesting that the removal of 3.06 R-CD (Conservation Development) the applicant submitted with their application a presentation as well as letters of support from the organization. The primary concern is that the residential conservation development gives additional credit for density for things like riparian, wetlands and other areas that you cannot typically build on. Developers are getting extra credit for not building on things they cannot build on. In the example that the HOA provided this would increase the density by 200% from where the original density was which is a rather significant change for an area in a neighborhood. Staff looked at other relevant codes that have similar conservation developments and had found that Copley Township recommends increase is at 20% density which is on the high end of what is recommended while other agencies only require between 10-20%.

Staff recommendation is that rather than repealing the whole section that the township look into amending the text and maybe reducing the benefits of the residential conservation development in terms of extra density allowed to restrict that and alleviate some of those concerns of too much density.

The intension of conservation development would allow for more conservation of environmental areas that should be protected while also allowing developers to get their piece out of the land value as well. Rather than a full removal as this was put in place by the township maybe some tweaking should be involved. (ex. see City of Aurora revisions 2015).

### **R-CD example:**

*The City of Aurora had implemented a Residential Conservation District in 1999. Their code originally applied to R-1 (.67 dwelling units/acre), R-2 (.33 dwelling units/acre), R-3 (1.5 dwelling units/acre), and R4 (2.5*

*dwelling units per acre). Density is calculated as “statistical” density (direct division of the total project acreage by the density required), but the Planning Commission retained the ability to adjust the density allowed, based on site and development conditions. In 2015, the applicability of the RCD code was revised to exclude the R-3 and R-4 designations. Currently, the code applies to R-1, R-2 and Mixed Use (2.5 dwelling units per acre) districts only.*

Staff recommendation is that the application be denied with due consideration of staff comments.

*Representation for the Applicant:*  
*David Supelak, President of Copley Homeowners Association*  
1904 Bender Lane, Copley, OH  
330-819-9094

*David Supelak* gave public thanks to the members of Copley HOA that were present this evening and many evening for the benefit of Copley Twp., officers, committee and subcommittee chairs who tirelessly invest and address community concerns and future support our community interests for Copley Twp. Thank you to all those who thrive for continuous representation of Copley Twp., advance the principals and foundations that settle the community of Copley thank you to you all.

As follow-up from the Copley Twp’s zoning commission held January 4<sup>th</sup> discussion and their recommendation of Summit County Planning Commission the HOA thanks you for the opportunity to present the application for the complete removal of 3.06 R-CD (Conservation Development Residential District).

The goal of the application is to execute a contract with Copley Twp Zoning and trustees to prevent misuse of zoning and to preserve the character of the Copley community. As their members meet the third (3<sup>rd</sup>) Thursday of each month any recommendations of the SCPC will be considered this evening, and the HOA is not able to act any organization further than at this presented time. Town Copley 2023 comprehensive land use plan community prospective surveys in progress there is much work to do.

*Allen Mavrides* stated that he believes that you are able to act, the SCPC can only recommend however you accept the result.

*David Supelak* stated that the recommendation will be taken back to the membership and with that recommendation and with the recommendation of Copley Zoning Commission, they will speak to members in hopes to getting a contract with the township and get a resolution that is agreeable by all.

*Carl Talsma, R-CD 3.06 and HOA Committee Chair*  
2116 Mayes Place, Copley, OH

*Carl Talsma* stated that this came about as R-CD has been in their zoning code for over 13 years and had never attempted to be used until recently and that usage became more of abuse of that zoning code than what was intended. They realized that as written the section zoning code did not accomplish its stated goals. This went back to a section of Copley that was undergoing rapid development and they tried to slow that, so at this point it is inappropriate to accomplish the goals not solely from the density perspective as looted to by staff but from the consideration of the setbacks from wetlands, types and natural of structures allowed and the overall usage of the code. It also tends to be redundant with Section 3.07 which is Planned Residential Development District, which has the same set of goals but forces a development to first undergo a rezoning application rather than using an overlay that is by granted the power of the township.

The proposal is partly because they know how difficult it is to continue focus over a group of people who are volunteers to continue to work on topics such as this. They saw that it was a clean and easy concept to be completely removed since it had never been used except for one attempted time and was resulted to a high community focus for that period of time.

The issue is that they is there a roadmap laid out for developers and how to utilize what was potentially an oversights writing of the code that would allow that abuse to occur to over densify a certain area and not necessarily preserve the land that would have been preserved in the first place. They put it out to the members to try to work with the township and the current land use plan review or if it was going to be simpler to removed completed as it would not be missed as it was never used. The organization voted to completely remove which will prevent further use of this zoning code. They are here to make sure that the nature of Copley stays preserved.

When there was a realization that there was a problem, the trustees granted 1 (one) year more on the implementation of this portion of the zoning code, but they were uncertain of whether or not the vast quantity of changes that would be necessary of the negotiations that would has to take place with the zoning commission on a portion of the zoning code which is 30-37 pages. Copley has a lot of land left that is extremely sensitive and contains wetlands or has land which is predominately wetlands, and there are developers who are looking at the land and have a roadmap as to how to maximize their gain on how to build on it.

*Questions/Comments from the members:*

*Dennis Stoiber* commented that you said you had this review or attempted to be reviewed at one point in time, had this not been reviewed?

*Carl Talsma* answered, when the community officials or Board of Zoning appeals decided that part of the requirements that the developer had would not be allowed through variances, that would have stopped that particular project. But could not go into detail about this any further as there is a lawsuit from 2022 to current date.

*Discussion from the members:*

*Allen Mavrides* commented was that he has a problem with the “approval” or “denial” of text amendments and that we need to reconsider how we review text amendments.

*Helen Humphrys, HOA Sub-Committee*  
1294 Briggles road, Akron, OH

*Helen Humphrys* referred to a letter that was submitted by homeowner that addressed concerns, Eddie Arnold articulating certain points of the R-CD 3.06 text and the need for change and are not correct. Once the recommendation comes from SCPC it goes back to the zoning commission has the full authority for ye or nay, then it goes to then to the Trustees from response they can either accept or disapprove by the zoning commission, but if they disapprove it must be unanimous by all three (3) members as that is the law.

She also commented to Allen Mavrides comments and stated that they tried in the past to change how text amendments go through the chain of command and stated that townships are not like villages and cities it has to come through SCPC first then move forward to the next step.

She stated that currently there is a lawsuit, but it has been tabled for now and what they hear the developers are looking elsewhere anyway.

*County Engineer's Office:*

Joe Paradise, County Engineer's office had no comment at this time

*Representation for the Township:*

*Shawna Gfroerer, Zoning Inspector, MPA*

1540 S. Cleveland-Massillon Road, Copley, OH 44321

330-666-0108

*Shawna Gfroerer* gave information about the background of the application and the bodies that have reviewed the request thus far.

She explained on September. 12, 2023, the Board of Trustees of Copley Twp. signed a one-year moratorium for projects related to the residential conservation development district, the board requested that the text be reviewed and directed staff of the Community & Economic Development department to work with the zoning commission and public during the upcoming zoning resolution audit. It was scheduled to commence in early 2024 but has been delayed in light of the recent text amendment that has been received.

On November 12<sup>th</sup>, 2023, the Copley Twp. HOA submitted a text amendment to zoning to repeal the district.

On January 4<sup>th</sup>, 2024, Copley Twp. Zoning Commission opened a public hearing for that text amendment. During the merit of repealing regulations versus amending regulations.

*Shawna Gfroerer* stated that the township regulation mimics what the HOA would like and has been reviewed or is in review currently.

*Questions/Comments from the members:*

*Christine Weidie-Higham* asked does the township believe that they can make or propose a resolutions or revisions in the timeline of the one-year moratorium period?

*Shawna Gfroerer* answered that the one-year moratorium was put in place 9/12/2023 which gives approximately to encourage the revision.

*Jason Segedy* stated just for the record the R-CD is not a discreet geographic district, this is something that can be invoked to a new residential area in the township.

*Shawna Gfroerer* answered correct.

*Jason Segedy* reiterated a statement from the materials provided by the HOA there was a statement received the R-CD does not capture the use of land and contradicts the land use plan. Does the township have formal position or a reaction to this statement?

*Shawna Gfroerer* answered this was discussed publicly. It is in line with the comprehensive landing plan as a tool to implement conservation development with the goals and objectives within the existing plan.

*Allen Mavrides* asked, when was the latest review of the comprehensive plan?

*Shawna Gfroerer* answered, 2020.

Dennis Stoiber asked if staff recommendations have been reviewed?

*Shawna Gfroerer* answered the have reviewed staff recommendations and agree that there are certainly opportunities for the selections that were reviewed, especially about the density credit.

*County Engineer's Office:*

*Joe Paradise, County Engineer's Office*

*Joe Paradise* asked do you represent all of the HOA's combines?

*David Supelak* answered it's an independent organization that represents all HOA in Copley Twp. founded in 1978 that represents but does not govern and are under the ORC Authority of O.R.C. §1702.01

*Summit Soil and Water:* No comments

*Questions from the Public:* No comments

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin					X
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich		X	X		
Segedy, Jason			X		
Snell, Jeff					
Stoiber, Dennis	X		X		
Terry, Robert			X		

### **Motion**

*Dennis Stoiber* made a motion to *deny* **Item#5 - R-CD Text Amendment – Copley Township**, with recommendation that the application revisit their township and negotiate towards getting revisions that address the problems with due consideration of staff, County Engineer and member recommendation and it was seconded by *Rich Reville*, ***all in favor, aye, Item#5 - R-CD Text Amendment – Copley Township***, the motion was *denied* with \_1\_(Erin Dickinson) abstentions.

6. **Stockpile and Breezeways Text Amendment – Richfield Township.** The applicant has proposed that the Richfield Township Zoning Resolution be advised to amend definition and language regulating stockpiles and breezeways.

*Reported by Stephen Knittel:*

*Stephen Knittel* reported the applicant would like to edit some language about stockpiles and added language about breezeways.

Staff recommendation is approval.

*Representation for the Township:*

*Pat Ryan (outgoing retiring) with Kendall Jarrell, Zoning Inspector appointed December 2023*

3038 Boston Mills Road, Brecksville, OH

*Pat Ryan* stated a year or two ago they brought before the commission an added a definition for breezeway and it was very over restrictive, an application came before the Board of Zoning appeals and they found flaws in the language as written, so they had revised it still wanting the definition there but revising the language to make it more friendly.

Stockpiles was something that the zoning commission felt was not necessarily being a current problem, but neighboring communities saw it as a problem and wanted to add language for that. Temporary use went along with that, so this was one of the added definitions. General provisions were just clarifications for stockpile and breezeway.

*Questions/Comments from the members:*

*Allen Mavrides* read the new added:

**TEMPORARY USE**

A use established for a limited duration with the intent to discontinue such use upon the expiration of a designated time period.

*Pat Ryan* explained that this will be for the zoning commission to look at to determine at least what temporary uses they want to add or will have their own expiration.

*Allen Mavrides* asked the expiration will be on a form somewhere

*Pat Ryan* answered, yes.

*County Engineer's Office:* No comments

*Summit Soil and Water:* No comments

*Questions from the Public:* No comments

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

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin			X		
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich		X	X		
Segedy, Jason			X		
Snell, Jeff					
Stoiber, Dennis	X		X		
Terry, Robert			X		

**Motion**

*Dennis Stoiber* made a motion to *approve* **Item#6 - Stockpile and Breezeways Text Amendment – Richfield Township**, and it was seconded by *Rich Reville*, *all in favor, aye*, **Item#6 - Stockpile and Breezeways Text Amendment – Richfield Township**, the motion was *approved* with   0   abstentions.

7. **Rosemont Ridge – City of Fairlawn & Copley Township** – site is located East of Rothrock Road with access from intersection of Sawgrass Drive and Forest Oaks Drive, the proposed development is twenty (20) lots ; eighteen (18) of the lots and storm water control are within the City of Fairlawn and two (2 ) of the lots are in Copley Township splitting what would be currently parcel 1508654.

*Reported by Stephen Knittel:*

*Stephen Knittel* reported there is a previous relation of this plan which that there was as stormwater pond that was in the township portion which got the County Engineer and the planning unit involved in terms of the review. They have since moved the stormwater out of the township and is entirely within the city built to city standards because there is a difference between city standards and county standards which was causing conflict. With that there are no further issues from planning.

Staff recommendation is approval.

*Questions/Comments from the members:*

*Dennis Stoiber* asked, has this already been approved by the city?

*Stephen Knittel* answered, they are waiting to hear from us before they do the final. They have had preliminary staging, as their staging process is a little different from ours. They have received the plan and are happy per his knowledge.

*Marvin Evans* asked, they actually moved the pond off the Copley parcel.

*Stephen Knittel* asked, yes.

*Rich Reville* asked, what is the city waiting for us to make a decision on?

*Stephen Knittel* answered, when the stormwater pond was in the township it was sent up to legal, the township is waiting on our recommendation, before moving forward. Essentially this could have been done administratively, but it felt cleaner to bring it upon the planning commission.

*Representation for the Applicant:*

*David M Kolar, Cambridge Service Company*

130 West Streetsboro Street

330-650-2549

*Dave Kolar* explained that the plan meets the original preliminary plan, but a portion of the storm detention was in Copley Township, so they eliminated one (1) in Fairlawn so that they could move the basin completely out of the township by suggestion of Tim Boley, County Engineer's office and they agreed.

*County Engineer's Office:*

*Joe Paradise, County Engineer's Office*

*Joe Paradise* clarified when you build a detention pond, they access the property owners for perpetual maintenance, long term, etc. Being that we would be building a pond in Copley Twp. We would have to be



accessing Fairlawn residents, if you move the pond homes go away and it would become a normal home on a city lot.

*Allen Mavrides* read comments from Tim Boley, County Engineers office.

*Representation for the Township:*

*Shawna Gfroerer, Zoning Inspector, MPA*

1540 S. Cleveland-Massillon Road, Copley, OH 44321

330-666-0108

*Shawna Gfroerer* stated that they have reviewed the project a little differently from a regular subdivision split and the applicant received an approval for a lot split with access drive and easement to access the second lot. This was a traditional lot split the subdivision review was pending how the basin was going to be placed would it be in the City of Fairlawn otherwise there would be no services that would be provided by Copley Township, but they have no issues with the project.

*Summit Soil and Water:* No comments

*Questions from the Public:* No comments

*Discussion from the members:*

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin			X		
Wiedie- Higham, Christine		X	X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich			X		
Segedy, Jason	X		X		
Snell, Jeff					
Stoiber, Dennis			X		
Terry, Robert			X		

### **Motion**

*Jason Segedy* made a motion to *approve* **Item#7 - Rosemont Ridge – City of Fairlawn & Copley Township** – and it was seconded by *Christine Weidie-Higham*, ***all in favor, aye, Item#7 - Rosemont Ridge – City of Fairlawn & Copley Township***, the motion was *approved* with   0   abstentions.

**(Cont.) Item# 2 Heartridge Final Plat Ph. 2 – Sagamore Hills Township** – Proposing 24 sublots and the creation of Timberidge Circle (public) and Kennaridge Circle (public) off of Heartridge Drive (public).

*Reported by Stephen Knittel:*

*Representation for the Township:* Applicant was not present

*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	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin			X		
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich	X		X		
Segedy, Jason		X	X		
Snell, Jeff					
Stoiber, Dennis			X		
Terry, Robert			X		

#### **Motion**

*Rich Reville* made a motion to *table* **Item#2 - Heartridge Final Plat Ph. 2 – Sagamore Hills Township**, and it was seconded by *Jason Segedy*, ***all in favor, aye***, **Item#2 - Heartridge Final Plat Ph. 2 – Sagamore Hills Township**, the motion was *tabled* with   0   abstentions.

#### **Old Business**

None

E. Report from Assistant Director

**Assistant Director Dennis Tubbs**

#### **George Beckham**

Assistant Director, Dennis Tubbs, reported that George Beckham resigned, and we are looking to replace him.

**2024 Summit County Planning Commission calendar**

Assistant Director, Dennis Tubbs made a motion to the members to approve the 2024 Summit County Planning Commission calendar.

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin			X		
Wiedie- Higham, Christine	X		X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff					
Stoiber, Dennis		X	X		
Terry, Robert			X		

### **Motion**

*Christine Weidie-Higham* made a motion to *approve 2024 Summit County Planning Commission calendar*, and it was seconded by *Dennis Stoiber*, ***all in favor, aye, 2024 Summit County Planning Commission calendar***, the motion was *approved* with   0   abstentions.

F. Comments from Public **Chair Allen Mavrides**  
**No further comments from the public**

G. Comments from Commission Members **Chair Allen Mavrides**  
**No further comments from the Commission members**

H. Other **Attorney Marvin Evans**  
1. Legal Update

Delfino case updates are on the February agenda which is the Kings Ridge Drive – Riparian Variance. Attorney Evans stated that the applicant has preliminary approval for the septic system that they are trying to put in with Summit County Public Health.

I. Adjournment **Chair Allen Mavrides**

*Chair Allen Mavrides* entertained a motion to adjourn the Thursday, January 18<sup>th</sup>, 2024 - SCPC monthly meeting.

SCPC Member	Motion	Second	Yea	Nay	Abstain
<b>Open</b>					
Dickinson, Erin			X		
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich	X		X		
Segedy, Jason			X		
Snell, Jeff					
Stoiber, Dennis		X	X		
Terry, Robert			X		

**Motion:**

*Rich Reville* made a motion to ***adjourn***, the Thursday, January 18<sup>th</sup>, 2024, SCPC Meeting and it was seconded by *Dennis Stoiber*, ***all in favor, aye***, the Thursday, January 18<sup>th</sup>, 2024, SCPC Meeting, the , the Thursday, January 18, 2024, SCPC Meeting was *adjourned* with \_0\_ abstentions at \_4:57\_ 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*  
*Friday, January 29, 2024 @ 10:27 a.m.*