



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 Agenda

- A. Call to Order
- B. Roll Call
- C. Approval of the February 22, 2023, SCPC Minutes
- D. Business Items

Chair Mavrides
Tubbs
Chair Mavrides
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.
- 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.
- 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.
- 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.
- 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.

Old Business

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

- E. Report from Assistant Director
- F. Comments from Public
- G. Comments from Commission Members
- H. Other
 - 1. Legal Update

Tubbs

Chair Mavrides

Chair Mavrides

Evans

- I. Adjournment

Chair Mavrides



Summit County Planning Commission (SCPC) Thursday,
Thursday, February 22, 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 **Chair Allen Mavrides**
Chair Allen Mavrides called to order the Thursday, February 22nd, 2024 - SCPC monthly meeting at
 3:01 p.m.
- B. Roll Call **Dennis Tubbs**

SCPC Member	Present
Open	
Dickinson, Erin	
Wiedie-Higham, Christine	X
Jones-Capers, Halle	X
Kline, David	
Mavrides, Allen	X
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, February 22nd, 2024 – SCPC monthly meeting at _3:02_ p.m.

- C. Approval of the January 18, 2024, SCPC Minutes **Chair Allen Mavrides**

SCPC Member	Motion	Second	Yea	Nay	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine			X		

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

Motion

Rich Reville made a motion to *approve* the January 18, 2024, SCPC Minutes, and it was seconded by *Dennis Stoiber*, ***all in favor, aye***, the Approval of the January 18, 2024, SCPC Minutes, the motion was *approved* with 1 abstentions (*Jeff Snell*).

D. Business Items

Stephen Knittel

Old Business

1. **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 the applicant has a preliminary plan, proposing a 36 unit and a permanent cul-de-sac. There have been some comments from the engineer's office and the township that the applicant needs to address. Staff recommendation is that the comments from the engineer's office and the township be resolved before the planning commission takes action on this item and the applicant moves forward.

Staff recommendation is that the item be tabled at this time.

Applicant or Representation for the applicant:

Rick Kipphen, Contractor/Developer

Integrity Contracting Services, Inc.

3206 South Jackson Blvd, Uniontown, OH 44685-9734

330-802-1233

Rick Kipphen wanted to check to see where they were at and what they needed to do with the County engineer's office and Springfield Township. Explained that they have been in contact with both parties working through the list. From the engineers' side he has been working with Debra Grow and explained that this was approved prior to Debra Grow taking the new seat as Township Zoning Administrator and she was unfamiliar with the project and had questions. He is trying to bring her up to speed so that they can move forward with the Preliminary plans

Representation for the Township: Not present

Questions/Comments from the members: No questions or comments from members

County Engineer's Office: No questions or comments from County Engineer's Office

Summit Soil and Water: Not present

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

Discussion from the members: No further discussion from the members

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

Motion

Rich Reville made a motion to *table* **Old Business - Kingdom Preserve Preliminary Plan – Springfield Township**, and it was seconded by *Jason Segedy*, ***all in favor, aye***, **Old Business - Kingdom Preserve Preliminary Plan – Springfield Township**, the motion was *tabled* with 0 abstentions.

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

Reported by Stephen Knittel:

Stephen Knittel reported that this item is located off of Dunham Road, south of the terminus of Hawthorne Drive. The applicant is proposing a 24 Sublot and the extension of Heartridge Drive and the creations of Kennaridge Circle and Timberidge Circle.

Staff recommendation is approval.

Applicant or Representation for the applicant:

Matthew Weber

Weber Engineering Services, LLC

2555 Hartville Road., Rootstown, OH 44272

330-329-2037

Matthew Weber was here on behalf of Sagamore Land Properties, he stated that after the review and recommendation of approval he had nothing further to add. He thanked the members for coming today and allowing them to come before them and was available for any questions.

Representation for the Township: Jeff Snell, stated that on behalf of Sagamore Hills Township they support the project as Hawthorne Drive will now have a nice connection to Dunham Road.

Questions/Comments from the members: No questions or comments from members

County Engineer's Office: No questions or comments from County Engineer's Office

Summit Soil and Water: Not present

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

Discussion from the members: No further discussion from the members

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

Motion

Dennis Stoiber made a motion to *approve* **Old Business - Heartridge Final Plat Ph. 2 – Sagamore Hills Township**, and it was seconded by *Robert Terry*, *all in favor, aye*, **Old Business - Heartridge Final Plat Ph. 2 – Sagamore Hills Township**, the motion was *approved* with _1_ abstentions (Jeff Snell).

New Business

1. **Kings Ridge Drive – Riparian Variance** - The site is located in Richfield Township along Kings Ridge Rd, PN 4802421. The applicant is proposing to build a house that would encroach upon the riparian setback. Per the applicant: There is a stream with a 50-foot Riparian Setback that takes up 82% of the allowed buildable area. The applicant has a new site plan.

Reported by Stephen Knittel:

Stephen Knittel reported This site is located in Richfield Township alongside Kings Ridge Road, the applicant came before planning commission in 2022 they are proposing to build a house, which would encroach upon the riparian setback. There is a stream on the property with a 50-foot riparian setback that takes up 82% of the allowed buildable area. We have comments from Soil and Water that states with regards to the filtering of pollutants to the stream through surface runoff, this proposed variance will shorten the distance for vegetative filtration, will reduce the width of the riparian setback as there is a decrease in the buffer width allotted, the potential to increase in erosion due to the decrease of the width of the setback, can constitute a potential compromise to the health, safety, and welfare of the residents of the home. Summit Soil and Water brought attention to the predominant soil type within the location of the work as WaB (Wadsworth silt loam).

Staff recommendation per Summit Soil and Water comments and findings is to disapprove of the item.

Attorney Marvin Evans stated that this is part of a litigation that is currently in the 9th District Court of Appeals and he recommends that the planning commission hears from Summit Soil and Water and Public Health and any other agency that has any comments, because this is litigation the commission is entitled to speak about this in executive session, so that is a possibility if you would like to do this immediately or at the end of the agenda, it would be completely up to

the members. But it is an option and he wanted to remind the members that is litigation and they had previously denied the application for encroachment as the plans were substantially redone and now are encroaching less.

Stephen Knittel also submitted an email from the township Zoning Inspector, Patricia Ryan. It states that they were unaware of the item being on the agenda for today's meeting, nor have they seen the plans or been informed of the litigation, and they would not be able to attend to provide comments on the township's behalf. (attached).

Representation for the Applicant:

Attorney Tony McCanty requested that the item be moved to the end of the agenda as his associate was on her way with supporting documents.

Discussion from the members:

Allen Mavrides was in favor of moving the item to the end of the agenda, *Jeff Snell* stated he agreed with the potential of executive session.

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

Motion

Jeff Snell made a motion to move Item #1 to the end of the agenda the **New Business – Item #1 - Kings Ridge Drive – Riparian Variance**, and it was seconded by *Jason Segedy*, ***all in favor, aye, Item #1 - New Business - Kings Ridge Drive – Riparian Variance***, the motion was *approved to move Item #1 to the end of the agenda* with 0 abstentions.

2. **Sunset Drive – Final Plat – Copley Township** - Applicant is proposing extending Sunset Drive in Copley Township to complete the connection from Copley Rd to S. Cleveland-Massillon Rd.

Reported by Stephen Knittel:

Stephen Knittel reported that this is a proposed extension of Sunset Drive to have the roadway continue North and then turn east to access South Cleveland-Massillon Road.

Staff recommendation is approval.

Representation for the Township:

Loudan Klein, Director of Community and Economic Development
Copley Township
1540 S. Cleveland-Massillon Road, Copley, OH 44321
330-666-0108

Loudan Klein had nothing additional to add to the comments and recommendations of staff unless there were questions.

Questions/Comments from the members: No questions or comments from members

County Engineer's Office:

Joe Paradise, Summit County Engineer Office

Joe Paradise reported that this has been an ongoing project at least 16 years that he was aware of, he said he was glad to see that it was finally coming together, they have not objections to the project and the Engineers office was working on the final pieces of the legislation to make it happen.

Summit Soil and Water: Not present

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

Discussion from the members: No further discussion from the members

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

Motion

Jeff Snell made a motion to *approve* **New Business - Item #2 - Sunset Drive – Final Plat – Copley Township**, and it was seconded by *Christine Weidie-Higham, all in favor, aye* , **New Business - Item #2 - Sunset Drive – Final Plat – Copley Township**, the motion was *approved* with 0 abstentions.

- 202 Montrose West Ave – Lot Split & Variance – Copley Township** – Applicant is proposing to split parcel 1505034 (6.511 acres) into two parcels, B-1 (2.8315 acres) and B-2 (3.5153 acres). The creation of proposed parcel B-2 would require a full variance from SubReg 1105.05 (e): that a minimum of 30 feet of continuous road frontage on a dedicated street is required for both major and minor subdivisions.

Reported by Stephen Knittel:

Stephen Knittel reported that the applicant requested that the item be tabled prior to the agenda going out. He stated that the applicant wanted to review and talk to him more about what is being proposed and variance before coming before the planning commission.

Applicant: Not present

Representation for the Township: Not present

Questions/Comments from the members: No questions/comments from the members

County Engineer's Office: No comments from the County Engineer's office

Summit Soil and Water: Not present

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

Discussion from the members: No further discussion from the members

SCPC Member	Motion	Second	Yea	Nay	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 ***table, at the applicants request*** **New Business – Item #3 - 202 Montrose West Ave – Lot Split & Variance – Copley Township**, and it was seconded by _____, ***all in favor, _____***, **New Business - Item #3 - 202 Montrose West Ave – Lot Split & Variance – Copley Township**, the motion was ***tabled*** with ***_0_*** abstentions.

4. **2400 South Main St – Rezoning – Coventry Township** – The applicant is requesting to rezone 2400 South Main Street (PN 1907200) from B-2 Business to C-I Commercial/Industrial.

Reported by Stephen Knittel:

Stephen Knittel reported that the applicant is proposing to rezone parcel from B-2 Business to C-I Commercial/Industrial. Staff review is that the second be currently used as rezoned parcels and the parcel change will not adversely affect the adjoining properties as there are current C-I adjoining parcels.

Staff recommendation is approval.

Questions/Comments from the members:

Jason Segedy asked if the property was currently in the Akron/Coventry JEDD?
The question was placed on hold for the applicant to respond.

Applicant:

Jeffrey Setiger, CFO

Arc Gas and Supply
4560 Nicky Blvd., Cuyahoga Heights, OH 44125
216-341-5882

Jeff Steiger had nothing additional to add to the comments and recommendations of staff unless there were questions.

Jason Segedy asked if the property was currently in the Akron/Coventry Joint Economic Development District (JEDD)?

Jeff Steiger answered that he was not sure.

Representation for the Township:
Laura Cowles, Zoning Inspector
Coventry Township
68 Portage Lakes Drive, Akron, OH 44319
330-644-0785 ext. 695

Laura Cowles answered the question about the JEDD, she explained that she does not believe it is she can confirm it she believes its on the other side. The township was there to receive recommendations based on the information provided.

Questions/Comments from the members:

Jeff Snell asked *Laura* to explain on the graph what exactly they were looking at.(explained color format).

Allen Mavrides asked has the township have seen or received the application?

Laura Cowles explained that the zoning commission has received the application, we are waiting for what the planning commission, county and all the department included has to say about it before they move forward.

County Engineer's Office:
Joe Paradise, Summit County Engineer Office

Joe Paradise that they do not object to rezoning the parcel, but they do have a problem with the property. He addressed the property owner and stated that the driveway closest to South Main Street will not be permitted to be there in the future as it does not meet the County Engineer's current traffic access measure manual. The driveway has a continuous right turn southbound from Main Street on North Turkeyfoot Drive and if there was a truck full of explosives the turn would not be good. Joe Paradise suggested having the driveway moved further south on North Turkeyfoot and please refer to *Tim Boley*, *County Engineer's office* to work out the details as you go through the process.

Allen Mavrides stated that looking at it as zoning it seems to fit, but taking caution of the layout and what could happen...there are setback lines on the right-of-way as well.

Summit Soil and Water: Not present

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

Discussion from the members:

Rich Reville asked, how would we incorporate the Engineers office recommendation if we change it to zoning. *Allen Mavrides* responded we wouldn't at this time is not zoning; Joe was just kind enough to bring it up. Just like the statement of the setback lines on the roadway. We are only looking at if this is an appropriate use to rezoning the property only. At some point, the applicant will have to submit a site plan and it will have to go through the reviews and approvals process.

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

Motion

Jason Segedy made a motion to *approve* **New Business – Item# 4 - 2400 South Main St – Rezoning – Coventry Township**, and it was seconded by *Rich Reville*, *all in favor, aye*, **New Business - Item# 4 - 2400 South Main St – Rezoning – Coventry Township**, the motion was *approved* with 0 abstentions.

5. **Life Care Facilities – Text Amendment – Copley Township** - Proposal to amend Article 7, Section 7.10 Additional Criteria for Specified Conditional Uses L. Life Care Facility of the Copley Zoning Resolution in order to increase the effectiveness of on-site health care.

Reported by Stephen Knittel:

Stephen Knittel reported that the applicant has proposed zoning be revised to amend the townships Article.

Staff recommendation is approval of the proposed changes.

Representation for the Township:

Loudan Klein, Director of Community and Economic Development

Copley Township

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

330-666-0108

Loudan Klein reported that this stemmed from a moratorium that the Board of Trustees in Copley Township put in place for life care facilities, the township currently has 9 (nine) life care facilities in the township that depending upon the type of care they give are stressing out our Fire Department in calls and services. Changes in state regulations that have changes to private ambulance services it is creating over 40% of the calls for service to the fire department to these 9 (nine) locations. The trustees put a moratorium in place as part of that they looked at it to see how the township could place a more zoning level and they proposed as a conditional use and through the zoning regulation they can request different studies as how it could be used as a more conditional use, so they were looking into a transportation plan, proposing of this plan per regulation would need to provide a transportation plan and then it would be reviewed by the townships fire department as well as 1000 feet from another facility as well which was a part of regulations that they received from another community.

Questions/Comments from the members:

Dennis Stoiber asked, why is the township such a magnet for these facilities?

Loudan Klein answered, he could not answer that, but he stated the one was under construction but has not seen another, he did express that the township is an aging community, and they want to provide the residents with means to receive services needed.

County Engineer's Office: No comments from the County Engineer's office

Summit Soil and Water: Not present

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

Discussion from the members: No further discussion from the members

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

Motion

Dennis Stoiber made a motion to *approve* **Item #5 - New Business - Life Care Facilities – Text Amendment – Copley Township**, and it was seconded by *Halle Jones-Capers*, *all in favor, aye*, **New Business - Item #5 - Life Care Facilities – Text Amendment – Copley Township**, the motion was *approved* with 0 abstentions.

- Swimming Pools – Text Amendment – Twinsburg Township** – Proposal to amend Chapter 17, section 17.20 Swimming Pools, to alter allowable gap distance in the fence required to surround a swimming pool from 3 inches to 4 inches.

Reported by Stephen Knittel:

Stephen Knittel reported the applicant proposed this text amendment in reference to swimming pool gap distance fencing increase from 3 inches to 4 inches.

Dennis Stoiber included that this seems to be the standard maximum for all other openings like stair entrances, railings etc., the 4 inches would be the standard for safety, correct?

Stephen Knittel stated he believes so.

Staff recommendation is approval.

Representation for the Township:

Robert Kagler, Township Manager

Twinsburg Township

1790 Enterprise Parkway, Twinsburg, OH 44087

330-425-4497 ext 230

Rob Kagler reported that this text amendment is based on current standards safety requirements.

County Engineer's Office: No comments from the County Engineer's office

Summit Soil and Water: Not present

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

Discussion from the members: No further discussion from the members

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

Motion

Christine Weidie-Higham made a motion to *approve* **New Business - Item #6 - Swimming Pools – Text Amendment – Twinsburg Township**, and it was seconded by *Dennis Stoiber*, *all in favor, aye*, **New Business - Swimming Pools – Item #6 - Text Amendment – Twinsburg Township**, the motion was *approved* with 0 abstentions.

7. **Driveways – Text Amendment – Northfield Center Township** – Proposal to amend Chapter 410 Off Street Parking and Loading Regulations, Section 410.10 Regulations for Access Drives, B. Driveways in Residential Areas, to add a new #5 “One driveway permitted per residential lot.”

Reported by Stephen Knittel:

Stephen Knittel reported the applicant is proposing an amendment to the current Off-Street Parking and Loading Regulation is in place to one (1) driveway permitted per residential lot.

Staff recommendation is approval.

Representation for the Township:

Daniel Schade, Zoning Commission Member

Northfield Center Township

8484 Olde Eight Road, Northfield Center, Ohio 44067

Dan Schade reported they added #5 One driveway permitted per residential lot, as they had a resident apply for a permit for an accessory building and he put in a gravel driveway, and he said it was only temporary it has been 3 (three) months, and he has not removed it (the driveway).

Dennis Stoiber asked that presently in your regulation you do not have a restriction on how many driveways a resident can have.

Dan Schade stated that is correct. The resident never put a driveway on his plan.

Dennis Stoiber stated that in his community they noticed some new inclination of people putting circular driveways in the front of their homes. Now they have curve cuts in one driveway. Is there anything in the township that you can think this through as to what driveways consist of.

Allen Mavrides added, what constitutes the definitions of a driveway, the fact that you mention gravel, in peoples' minds when you state gravel or put down gravel, they think temporary but it's still a driveway.

County Engineer's Office:

Joe Paradise, Summit County Engineer Office

Joe Paradise stated, driveways in residential areas, what if it was a duplex would that be considered one (1) driveway or two (2) driveways, where would this fall. What would happen in the other areas with this change?

Maybe the word "lot" should be a little clearer

Summit Soil and Water: Not present

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

Discussion from the members:

Jeff Snell stated, Section 410 does this not apply to a PUD or where it could be clustering, he suggested the word "curb cut" as it makes it pretty simple.

In the next section you said it has to be asphalt, concrete, brick, stone, etc. He asked what does "stone" mean? Can the resident put limestone down? It is really not clear.

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

Motion

Dennis Stoiber made a motion to *approve New Business - Item #7 - Driveways – Text Amendment – Northfield Center Township*, with due consideration of staff and County Engineer's comments and it was seconded by *Christine Weidie-Higham*, *all in favor, aye*, *New Business - Driveways – Item #7 - Text Amendment – Northfield Center Township*, the motion was *approved* with 1 abstentions (*Rich Reville*).

8. **Definitions – Text Amendment – Northfield Center Township** – Proposal to amend Chapter 130 Definitions to amend Driveway, General to read “Driveways are restricted to that area of a lot reserved for ingress and egress to the main structure or to a detached garage and shall consist of a hard surface material such as asphalt, concrete, brick, stone or porous pavers”.

Reported by Stephen Knittel:

Stephen Knittel reported that the applicant is proposing a text amendment to Chapter 130 Definitions in reference to Driveway, General to areas Driveways.

Staff recommendation is approval.

Representation for the Township:

Daniel Schade, Zoning Commission Member

Northfield Center Township

8484 Olde Eight Road, Northfield Center, Ohio 44067

Dan Schade explained that the township would like to remove the word “gravel” from the definitions for “Driveways” as it is not recommended in the Summit County Access Manual for “Residential Lots”.

Questions/Comments from the members:

Dennis Stoiber stated as Jeff Snell mentioned you still have the word “stone” included the township will need to look at that.

Jason Segedy stated that the township may want to consider stating that gravel driveways are “prohibited” in reference to pavement. Not sure what the definition of a paver is, but you cannot get more pluralist than gravel.

Jeff Snell stated that it’s a little confusing as stone and gravel are interchangeable.

Dennis Stoiber suggested you can say small size gravel or aggregate is not permitted.

County Engineer’s Office: No additional comments from the County Engineer’s office

Summit Soil and Water: Not present

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

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

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

Stoiber, Dennis			X		
Terry, Robert			X		

Motion

Halle Jones-Capers made a motion to approve **New Business - Item #8 - Definitions – Text Amendment – Northfield Center Township**, with due consideration of staff comments in reference to surface material (pavement) and it was seconded by *Christine Weidie-Higham*, **all in favor, aye**, **New Business - Definitions – Item #8 - Text Amendment – Northfield Center Township**, the motion was approved with _1_ abstentions (*Rich Reville*).

9. **Residential District Regulations – Text Amendment – Northfield Center Township** – Proposal to amend Chapter 3.10 Residential District Regulations, Section 310.08, I#2, to alter allowable gaps in fences from 3 inches to 4 inches.

Reported by Stephen Knittel:

Stephen Knittel reported that the applicant is proposing to amend the zoning regulation to alter the allowable gap in fences from 3 inches to 4 inches.

Staff recommendation is approval.

Representation for the Township:

Daniel Schade, Zoning Commission Member

Northfield Center Township

8484 Olde Eight Road, Northfield Center, Ohio 44067

Dan Schade reported that the township would like to remove “larger than 3” to “larger than a maximum of 4 inches”. The reason being a resident was in the process of installing an in-ground pool and when the resident went to order his fencing, the manufacturer told the resident that they do not make a 3 inch, so the standard is a 3 ½ inch. Upon checking the ORC the recommendation is 4 inches so they want to implement that.

Findings: Codified in Chapter 3701 of the Ohio Administrative Code, states, “In Ohio it's the law to have a fence around an in-ground pool. For private pools in your own yard the regulation is 48 inches or four feet. It has to surround the pool on all sides and have a gate that can lock. If it's a public pool the gate has to be six feet tall with a lockable gate. There are no laws requiring gates around ponds.”

Questions/Comments from the members: No comments from the members.

County Engineer's Office: No comments from the County Engineer's office

Summit Soil and Water: Not present

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

Discussion from the members: No further discussion from the members

SCPC Member	Motion	Second	Yea	Nay	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine	X		X		
Jones-Capers, Halle		X	X		
Kline, David					

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

Motion

Christine Wiedie-Higham made a motion to *approve* **New Business - Item #9 - Residential District Regulations – Text Amendment – Northfield Center Township**, and it was seconded by *Halle Jones-Capers*, *all in favor, aye*, **New Business - Item #9 - Residential District Regulations – Text Amendment – Northfield Center Township**, the motion was *approved* with 1 abstentions (*Rich Reville*).

New Business

10. **(cont.) Item #1 - Kings Ridge Drive – Riparian Variance** - The site is located in Richfield Township along Kings Ridge Rd, PN 4802421. The applicant is proposing to build a house that would encroach upon the riparian setback. Per the applicant: There is a stream with a 50-foot Riparian Setback that takes up 82% of the allowed buildable area. The applicant has a new site plan.

Reported by Stephen Knittel:

Stephen Knittel reported This site is located in Richfield Township alongside Kings Ridge Road, the applicant came before planning commission in 2022 they are proposing to build a house, which would encroach upon the riparian setback. There is a stream on the property with a 50-foot riparian setback that takes up 82% of the allowed buildable area. We have comments from Soil and Water that states with regards to the filtering of pollutants to the stream through surface runoff, this proposed variance will shorten the distance for vegetative filtration, will reduce the width of the riparian setback as there is a decrease in the buffer width allotted, the potential to increase in erosion due to the decrease of the width of the setback, can constitute a potential compromise to the health, safety, and welfare of the residents of the home. Summit Soil and Water brought attention to the predominant soil type within the location of the work as WaB (Wadsworth silt loam).

Staff recommendation per Summit Soil and Water comments and findings is to disapprove of the item.

Representation for the Applicant:

Attorney Anthony Vacanti

Tucker Ellis LLP

950 Main Avenue, Suite 1100, Cleveland, OH. 44113

216-696-2093

Anthony Vacanti submitted supporting documents with the assistance of Associate, Danielle Easton Cleveland, OH 216-696-3793 to planning commission members.

Allen Mavrides asked, are these exhibits other than being colorized any different from previous exhibits submitted?

Anthony Vacanti stated there is nothing different from this application, but there are very different from the original application that he will point out.

Anthony Vacanti explained that the applicant is not here to make money or a large development, the application is here to request a straightforward riparian setback to be able to build on this grandfathered lot. He stated that the applicant would like to build their dream home, this is a pre-platted subdivision platted in 2002. The septic systems areas were approved and shown on the recorded subdivision plat and it was marketed as such. The issue is between 2002 and when the applicant acquired the property in 2021, the septic rules changed, and the riparian setback ordinance was enacted rendering this lot completely unbuildable. In addition, the applicant will have to deal with some township variances, but per the townships request they are going through this process first with the County. It has been a lengthy

process since 2022 when the application was submitted and denied, we had to file an administrative appeal. As Attorney Marvin Evans pointed out this case is in the 9th District Court of Appeals, but this revised application with lots of discussion will greatly reduce the variance request and that is why they are here before the member to ask if you would reconsider.

Anthony Vacanti explained that the commission first heard this application on May 26th, 2022, at that hearing the commission (per meeting minutes recorded that are public records) requested a Wetland Delineations report, the applicant proceeded and obtained the Wetland Delineations report.

The next hearing was July 28th, 2022, the Wetland Delineations report was submitted, the variance request was again reduced the wetland showed no issue as Mr. Neff testified (referencing the meeting minutes recorded) that the wetlands would not be impacted as the lot was pre-platted and approved prior to the adoption of riparian ordinances. The plans were revised to take septic out of the riparian setback area and there was testimony that practically speaking out of the 21 (twenty-one) lots in the subdivision 7 (seven) of the lots already encroached within the riparian area. Now, 3 (three) were developed prior to the riparian setback ordinance being adopted, but 4 (four) were improved and constructed after.

Ms. Ryan with the township testified at the hearing and indicated that there is no flooding on this site.

Summit County Soil and Water testified noting that the small stream as its meandering didn't seem to have any concern about erosion, then, did look and conducted a slope study and was not concerned about the slope.

That being said the commission at the time did vote 4 to 1 to deny that variance.

Anthony Vacanti referred to Summit County Ordinance Chapter 937 Section 937.01 Public purpose gives this commission the power to grant variances, the 3 factors that the commission is charges with reviewing are: (1) the extent which the request of the variance impairs functions of the riparian area (2) the soil type and natural vegetation of the parcel as well as the parcel is in the 100 year flood plan (3) the degree of hardship these regulations place on an applicant in the build alternatives to address the purposed activity.

Under Ohio Law, these variances are the reasons why variances exist. These variances act as safety valve when we have governmental regulations that may be otherwise valid, but undutifully burdensome in the use of property governments are allowed to grant variance from those requirements to avoid constitutional challenges to those overly burdensome application of regulation to a very unique property. It avoids a taking in essence.

Anthony Vacanti explained that what they did was if you look at Exhibit N this was the original application. Please keep in mind this is encroachment not on the variance not the wetlands area, but on the setback from those areas if you turn the page, you will see what is being proposed today, it is substantially reduced this is as far as they could go as there are living space requirements under the Homeowners documents where you have to have 3000 feet living space for a two-story home. Originally the plan was for a one-story home which took up more land area. Now it is a two-story home (see Exhibit N-1) taking up less of an encroachment. The original plans were encroaching on approximately a ¼ of an acre this is encroaching 1/20th of an acre of the riparian area. There are large swats of the riparian area being preserved more so than on any other lot and so that is something that they are requesting that the commission considers.

Based on the evidence that the variance is not impairing the function of riparian area. over an acre of preserved riparian area on this very unique lot. Over 82% of the buildable area is located in the riparian area, that is what makes this lot very unique and the reason why they need the variances to develop.

To address the concerns of all parties Anthony Vacanti stated: (1) The natural vegetation is going to be replaced with sod vegetation, it is not going to be hard scaped, the vegetation will be replaced which will help address Summit Soil and Water concerns. (2) We are going to comply with Stormwater requirements and obtain approval and comply with

every and all requirements as will be discussed today. Also, the fact that this is not located in the flood plain, so this does not need to be addressed. (3) The degree of hardship these regulations have had on the applicant is immense; he has suffered a lot. He purchased this lot and was approved (public record); the septic was approved (public record) but ordinance has changed, and he is stuck with this unusable lot and that is why we are here.

(Referred to binder)

- Exhibit A Resume of Steve Schill, Schill Architecture, he is the registered architect designing the Delfino home and redesigned.
- Exhibit B Jeffery Plautz, Neff & Associates, prepared and created the site plans previous and current.
- Exhibit C Kyle Saulsberry, Lewis Land Professionals, performed work on septic system that is outside the riparian area and also worked hand and hand with the county to figure out what would work, and directed where the home should go as well.
- Exhibit D Chapter 937 governs the Riparian Setback provisions Section 937.10 (F) sets forth Varian factors
**Please keep in mind that when you request a variance there is going to be an encroachment.
- Exhibit E Recorded subdivision plat; identified as being recorded in 2002; on the 2nd page the lot is Sublot 21, and this is what is approved of record.
- Exhibit F Restrictions of the living area of the two-story home
- Exhibit G Sketch of Home as to the new design of the home; what will be a buildable home by Neff & Associates
- Exhibit H Site plan
- Exhibit I Revised area of encroachment that was reviewed in N-1 it is a much smaller area than the original application
- Exhibit J Septic application
- Exhibit K The 4 (four) Homes improved after the ordinances were adopted
- Exhibit L Wetlands reports requested by the commission back in 2022

Anthony Vacanti introduced applicant Daniel Delfino

Applicant:

Daniel Defino, Owner of Property
1717 ½ Grovewood Avenue, Parma, OH 44134

Daniel Delfino gave a little background of the property, retired, decided to look at property in Hinkley, they found and purchased this parcel in hopes the property was buildable. The builder presented him with site location as to where to septic system could go approved by the county, they felt like they had a piece of property that was buildable. He reached out to Steve Schill with Schill Architecture, the owner wanted to build a ranch and came up with a plan to build a home which he then handed over to Dan Neff's company, Neff and Associates. He stated that Neff started doing his due diligence then the nightmare began with the riparian setbacks and variances needed to build the home.

Question asked from Attorney Anthony Vacanti to Owner, Daniel Delfino

Can you talk about the revisions to the plans?

Answer Daniel Delfino

The ranch is no longer, so now they are building a 2-story home. The owner and developer reduced the size. They reduced the plot at the site location to appease as much to minimize the variances that are required.

Question asked from Attorney Anthony Vacanti to Owner, Daniel Delfino

Did you rely on the subdivision plat and how that was marketed in trying to market the build of the home.

Answer Daniel Delfino

When they purchased the property the builder at the time Prestige, provided the owner with a site where the home could potentially be built, gave the septic system where the septic system could be located and approved by the county. Again, the owner stated that they had all the information to proceed.

Question asked from Attorney Anthony Vacanti to Owner, Daniel Delfino

And this information was all from the county, correct?

Answer Daniel Delfino

Yes.

Question asked from Attorney y Anthony Vacanti to Owner, Daniel Delfino

Could you briefly provide the hardship that your family is facing if this variance is not granted?

Answer Daniel Delfino

Daniel Delfino stated that he may have to come out of retirement and go back to work, he explained that they are living in an area that is working for them now, but it is not their dream home or one of their dream homes they anticipated.

Question asked from attorney Anthony Vacanti to Owner, Daniel Delfino

How much did you purchase the lot for?

Answer Daniel Delfino

Purchased the lot for \$170,000, it's 2.34 acres.

Other representation for the applicant:

Steve Schill

Schill Architecture

1650 Crossing Parkway, Ste. E, Westlake, OH 44145

440-808-3483

Steve Schill gave background of the relationship with Danile Delfino. He stated that he designed Mr. Delfino's original home in 2000, and it was a 2-story home. He stated that Mr. Delfino retained him to design this home for his retirement as a aging place which was a 1-story based on the information that was given by Mr. Delfino. He designed the house that has been presented here and everything that happened. Since that time, he has revised the plan to again a 2-story home which is an elevator as Mr. Delfino is not getting older. They are trying to minimize all the setback requirements requested for this application.

Questions asked from Attorney Anthony Vacanti to Schill Architecture

Did you move the home around to make exceptions?

Answer Schill Architecture

Yes. They moved the home closer to the street which will require some township consideration, but it moved much closer to the street from its original location.

Questions asked from Attorney Anthony Vacanti to Schill Architecture

You are familiar with this area, correct? Could you explain from your position as an architect, would you agree that proposed home would be consistent with this area? And the proposed variance would be consistent from an architectural standpoint?

Answer Schill Architecture

Yes. He stated that they cannot build from economic consideration a much smaller house than that they are proposing.

Jeffrey Plantz, POE

Neff and Associates

6405 York Road, Cleveland, OH 44130

440-884-3100

Jeffrey Plantz gave background of his role as a with civil engineer and subdivision improvement and the role he plays with the project. He stated that they are seeking the setback variance which ends up being 25 feet defined as a quantity of .05 acres, which ultimately comes out of a number requires in 50 reducing that to 25. There is a slope leading the house which Soil and Water has an issue with the runoff and possibly some issues with that. They do have a

stormwater plan in place that will go to Soil and Water which will be approved which will be reviewed there are measures in it that will take care of runoff during the construction period. There are no plan for a hard surface in the back; no patio being developed, they are looking to replant the rear yard so after construction the impact is going to be less than what they are asking for there is going to be another type of ground or grass cover in that area.

Their home will not be in the 100-year floodplain, it's a very small stream.

Questions asked from Attorney Anthony Vacanti to Jeffrey Plantz

You do not have any issues with the slope, and we are talking about the slope that is into the riparian setback area, just to be clear?

Answer Neff and Associates

No. The concern would be if it was 2 to 1 ; 3 to 1, it's a really gradual slope and its going to be put back at a less slope than it is today, so we're actually helping not hindering.

Kyle Saulsbury, Engineer

Lewis Land Professionals, Inc.

8691 Wadsworth Road, Ste 100, Wadsworth, OH 44281

Kyle Saulsbury gave background of his part in the project, he that the garage was on the north side of the lot with the driveway coming on the north side. After reviewing the soil information, performed by Todd Houser, Soil Scientist, the original plat for the septic from 2022 is no longer valid with the new septic regulations were updated in 2007 then again in 2015. The new requirements in per new regulations require the owner to have a soil test completed by a qualified soil scientist and was found that you need a suitable soil boundary which Mr. Saulsbury showed on his septic plan and the areas where the test was conducted was on the north side of the lot, typically it's the driest and highest ground for the septic system to be placed.

The other important thing was the septic areas has to follow the contour you must follow the mound system have Plus (+) or minus (-) 3 inches of the elevation range of the mound or tiled field. So, they had to find enough length for the contour to fit the system and they were able to accomplish that north of the property line. Once they had put together the system design, he had to change the house location a little bit and rearrange the driveway and the garage to be on the south side, also have enough distance between the septic areas and the side of the house for grating and construction as they need to be able to give construction vehicles a way to get around without disturbing the septic area, soil and reserve.

Questions asked from Attorney Anthony Vacanti to Kyle Saulsbury

Would it be a correct characterization that the septic area is very narrow, there is no other place to put the septic outside the riparian setback?

Answer Lewis Land Professionals, Inc

That is correct. Using a traditional sizing the mount would have needed to be able 40% longer and that's why they had to propose a Peet Biofilter System, which is a newer type and a more expensive system that they have used in Ohio in the past years (1980's) than the less traditional septic system.

Questions asked from Attorney Anthony Vacanti to Kyle Saulsbury

Based on your experience and the review of the plans, do you have any concerns from an engineering standpoint any concerns about the erosion in the slope?

Answer Lewis Land Professionals, Inc

As far as the septic system goes, no. It's kind of a rounded hilltop, that side of the property is draining towards the road ditch. As far as any of the water being pumped into the septic system its wanting to go towards the road ditch it is the slope of the land. The slope is only at 4% slope so it's not steep where the primary system is being proposed.

Closing remarks from Attorney Anthony Vacanti

This is a very important matter from Owner, Daniel Delfino they would like to build their dream home that has already been modified. This is a textbook example of why we have variances, it's based off of the unique conditions of this lot. It's been preapproved and the Supreme Court has indicated that the government should grant reasonable variance to allow developments of preapproved lots.

Questions/Comments:

Attorney Marvin Evans asked to clarify something, this preapproval that you are talking about what is this. Is it because the plat was approved is that what you are saying?

Answer from Attorney Anthony Vacanti

Yes. To be clearer the subdivision plat was recorded and these lots were approved by the county, because otherwise you wouldn't get through subdivision platting and it was recorded in 2002 and identifies certain septic areas. That septic area is no longer appropriate due to the change in septic regulations which changes the location of the house which pushes it into the riparian setback which sets off a chain reaction.

Representation for the Township: The township is not present for the meeting as they were not informed that this item would be on the February 22, 2024, SCPC meeting agenda.

Zoning Inspectors, Patricia Ryan and Kendall Jarrell provided an emailed statement, stating that the proposed front yard variance has increased from approximately 15' originally 34' or 40% which is a very significant reduction to the front yard setback, however, the Board of Appeals is very strict about granting variances. In addition, the neighbors of this property also expressed objections to the initial proposed 15' from setback when they became aware of the initial proposal. **(enclosed)**

County Engineer's Office:

Joe Paradise, Summit County Engineer Office

Joe Paradise stated that he is not here to advocate for or against the variance, but wanted to point out that if you go the tab high there is a colored rendition of what they intend to build. We are talking about variances of the setbacks from the permanent structure. When you construct something, you dig a foundation, you dig the footers. What do you do with the dirt that comes out of there? Do not exacerbate the situation by placing a magnet further into the riparian setbacks. If it does get approved for variance there should be a stipulation that excavating materials be moved out of or away from the areas. There is no reason to make a bad situation worse.

Summit County Engineer Office has no issues with driveway or the site distance that he is aware of.

Summit Soil and Water:

Soil and Water wrote a statement that was submitted to staff.

Questions from the Public:

Tory Coils

Summit County Public Health

1867 W Market St, Akron, OH 44313

Tory Coils stated he did the review of the design plans. The design plans currently meet all sewage codes requirements. There are no size reductions or variances taking place to make the peat mounds fit within the approved soil boundary. Also, the water well meets all water codes, so SCPH has no issue with the current configuration of the property.

Discussion from the members:

Jeff Snell proposed that the members go into Executive session to at least discuss with counsel the pending litigation before they discuss anything further with others.

Questions/Comments from the members on **New Business - Item #1 - Kings Ridge Drive – Riparian Variance**

Allen Mavrides asked is all the topography, contourants, elevations, are those actual field shots or are they from GIS? Meaning, physically located, “Did you look at the stream?”

Jeffrey Plantz, Neff and Associates answered, yes. its been field topo.

Allen Mavrides asked the whole thing not just where the house is?

Jeffrey Plantz, Neff and Associates stated he believed that is correct.

Allen Mavrides stated do not believe, is it, or isn’t it?

Jeffrey Plantz, Neff and Associates stated he didn’t know.

A motion made by Jeff Snell for the SCPC members to enter Executive session to discuss New Business - Item #1 - Kings Ridge Drive – Riparian Variance litigation with counselor Attorney Marvin Evans and Summit County Engineers Office representative Joe Paradise was motioned at 4:20p.m.

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

Motion

Jeff Snell made a motion for the members *to enter into Executive Session* for the **New Business - Item #1 - Kings Ridge Drive – Riparian Variance**, and it was seconded by *Jason Segedy*, ***all in favor, aye***, **New Business - Item #1 - Kings Ridge Drive – Riparian Variance** *entered* Executive Session at 4:20p.m., with 0 abstentions.

A motion made by Jeff Snell for the SCPC members to return from Executive Session in discussion to New Business - Item #1 - Kings Ridge Drive – Riparian Variance litigation with no decision at 4:52p.m.

SCPC Member	Motion	Second	Yea	Nay	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David					
Mavrides, Allen			X		
Reville, Rich			X		

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

Motion

Jeff Snell made a motion for the members to *return from* Executive Session for the **New Business - Item #1 - Kings Ridge Drive – Riparian Variance**, *with no decision* and it was seconded by *Jason Segedy*, ***all in favor, aye***, **New Business - Item #1 - Kings Ridge Drive – Riparian Variance** the members *returned from* Executive Session at 4:52p.m., with _0_ abstentions.

Chair Allen Mavrides returned the SCPC meeting on February 22, 2024 @4:54pm returning from Executive session.

County Engineer's Office: Had no additional comments

Attorney Marvin Evans addressed the SCPC members as to further discussion on New Business - Item #1 - Kings Ridge Drive – Riparian Variance from Executive Session.

Questions/Comments from the members on New Business - Item #1 - Kings Ridge Drive – Riparian Variance

Dennis Stoiber stated that the comments from Summit Soil and Water divisions comments play a residual advocate. He stated the SCPC has been very consistent of going along with the findings and recommendations of Summit oil and Water in the past according to riparian setback. Taking into account to counsels' findings that there are some other houses in the subdivision that are encroachment on those variances. However, those increments be they lawful or not an excuse or condition to do so on a redemptional lot as this one is.

Jeff Snell stated that he agrees and appreciates the efforts to get out of the riparian, but it's still there and there is still a substantial impact as it relates to it and understands there driven by setbacks and riparian setbacks, and setbacks from the road and all kinds of issues and he understands that the applicant is trying to get away from it, but there are still significant impacts and it's still troubling. It's unfortunate but it's still there.

Jeff Snell made a motion to disapprove the proposal based on the materials presented.

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

Motion

Jeff Snell made a motion to *disapprove* the **New Business - Item #1 - Kings Ridge Drive – Riparian Variance**, and it was seconded by *Rich Reville*, ***all in favor, aye***, **New Business - Item #1 - Kings Ridge Drive – Riparian Variance**, the motion was *disapproved* with 1 opposed (*Jason Segedy*) and 0 abstentions.

E. Report from Assistant Director

Assistant Director, Dennis Tubbs

Assistant Director, Dennis Tubbs reported that we are still looking to fill the vacant seat for George Beckham for SCPC. He will reach out to members for suggestions.

F. Comments from Public

Chair Allen Mavrides

No comments from the Public

G. Comments from Commission Members

Chair Allen Mavrides

How do you establish a real riparian setback and not just a dimension? Because a dimension is not just the thing. He understands that there is a description of slopes, but the other thing is sometimes riparian setbacks do not follow contour lines, not in this instance, but in some. So how do we tidy up riparian setbacks?

H. Other

1. Legal Update

Atty. Marvin Evans

No further comments from the Legal

I. Adjournment

Chair Allen Mavrides

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

Motion

Rich Reville made a motion to *adjourn* the Thursday, February 22nd, 2024, SCPC Meeting, and it was seconded by *Jason Segedy*, ***all in favor, aye***, the Thursday, February 22nd, 2024, SCPC Meeting, the motion was *adjourned* with 0 abstentions at 5:05 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
Sunday, March 10, 2024 @ 6:24p.m.



Planning Commission
Preliminary Plan
Swan Lake
Copley Township

EXECUTIVE SUMMARY

The subject site is located on the east side of Medina Line Road between Swan Lake Drive and Lethbridge Lane in the southwest quadrant of the Swan Lake subdivision in 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. Most recently, the Summit County Planning Commission (SCPC) approved a Resubmitted Preliminary Plan in October 2010 for Phases V and VI.

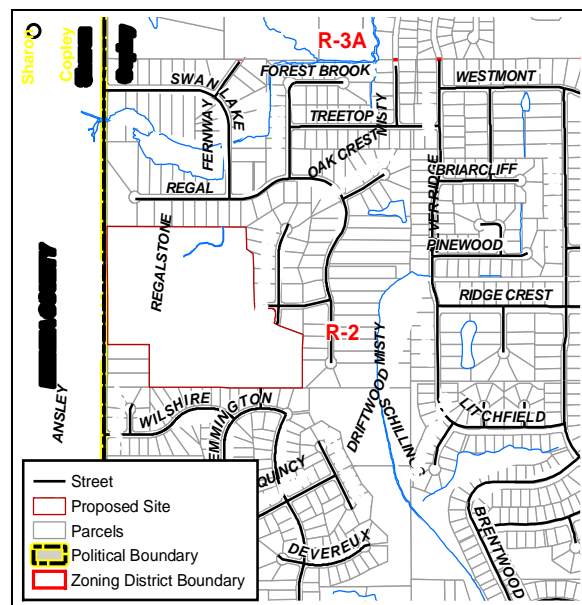
Staff recommends **DISAPPROVAL**.

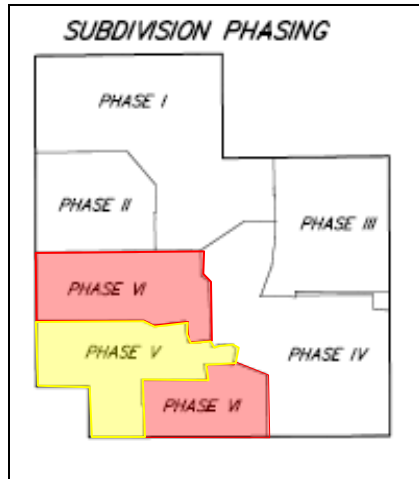
Meeting:	March 28, 2024	Parcels:	1504125, 1504082, and 1505630
Item No.:	1	Council Dist.:	5
Developer:	Prestige Homes, Chris Brown	Processor:	Stephen Knittel
Zoning:	R-2 Residential		

Proposal: The applicant is proposing 57 residential lots on 41.73 acres (sublots 109 through 165) in Phases Five and Six. Phase Five proposes 24 sublots on 16.76 acres and Phase Six proposes 33 sublots on 24.97 acres.

Background: The subject site is located on the east side of Medina Line Road between Swan Lake Drive and Lethbridge Lane in the southwest quadrant of the Swan Lake subdivision in Copley Township (see location map on right).

Swan Lake is a multi-phase subdivision which began construction in 1993. The original project site contained approximately 129 acres and 164 sublots. Most recently, the Summit County Planning Commission (SCPC) approved a Resubmitted Preliminary Plan in October of 2010 after the Revised Preliminary Plan, approved in 2008 had expired. The Revised Preliminary Plan in October of 2012, proposed





57 residential lots on 41.73 acres (sublots 109 through 165) in Phases Five and Six. Phase Five proposes 24 sublots on 16.76 acres and Phase Six proposes 33 sublots on 24.97 acres. The entire subdivision when complete will contain 165 sublots on 141.87 acres. Open Space Block C is 0.9453 acres and is contained in Phase Six. Stormwater management facilities are shown in Open Space Block C and on Sublots 146 and 147, which are also located in Phase Six.

Below is a table summarizing previous SCPC approvals for the Swan Lake subdivision. Phases One through Four are already platted, therefore, this Resubmitted Preliminary Plan is only applicable to Phases Five and Six.

SCPC Approval History

Stage	Phase	Date	Sublots	Area (acres)
Preliminary Plan	-	March 1993	164	129
Final Plat	1	Nov. 1993	40	36
<i>Resubmit. Preliminary Plan</i>	-	July 1998	164	129
Final Plat	2	July 1998	13	14
Final Plat	3	August 1998	24	19
<i>Revised Preliminary Plan</i>	-	<i>May 2000</i>	164	129
<i>Revised Preliminary Plan</i>	-	<i>July 2002</i>	164	129
Final Plat	4	August 2003	31	31
Replat	4	May 2004	-	-
<i>Revised Preliminary Plan</i>	-	<i>June 2005</i>	165	142
<i>Revised Preliminary Plan</i>	-	<i>Oct. 2005</i>	165	142
<i>Resubmitted Preliminary Plan</i>		<i>August 2008</i>	165	142
<i>Resubmitted Preliminary Plan</i>		<i>October 2010</i>	165	142

Site Conditions: The western portion of the site is relatively flat while the eastern portion is gently rolling. The site generally drains from the southwest to the northeast. A stream is located in the northern part of the site. There is a 50 foot riparian setback associated with this stream.

The undeveloped portion of the site is currently vacant. An existing stormwater basin is located on the proposed Block C. A 30 inch East Ohio gas line and the associated 60 foot easement run south to north through the subject site and intersect with proposed Sublots 117, 149, 150, 156, 164, and 165 and the proposed Block C.

Agency Comments *Italicized text indicates quotations from submitted agency comments.*

Summit County Engineers Office: Andy Dunchuck, 03/19/2024:

Our office has reviewed the above referenced and attached Preliminary Plan and has the following comments. If you have any questions regarding this matter, please contact our office.

- 1. GIS indicates the presence of Wetlands in the general area of Open Space Block C (SWM Basin Location), Walden Court and adjacent Sublots. Has a current Wetland Delineation been performed?*
- 2. The proposed driveway locations for Sublots 135, 136 & 147 conflicts with the Riparian Setback. It appears the drive for Sublot 135 can be shifted to the East to avoid Riparian disturbance.*
- 3. All Stormwater Management for the site must follow the SCE Stormwater Drainage Manual, Current Edition (Revised 1/1/20). All SWM Facilities must be located outside of the Wetland and Riparian Setback. In addition, adequate outlets must be provided for the Proposed Basins.*
- 4. A 100-Year Overland Flow Path across the site to the SWM Facilities is required. When the flow path is located outside of the R/W, it must be centered in a minimum 30' wide SWM Easement.*
- 5. Review Fees to comply with Summit County Ordinance 943 must be submitted. The non-refundable application fee is \$250 and ½ the estimated review fee is \$2,801.40, for a total amount of \$3,051.40. The check should be made payable to: Summit County Engineer, 538 East South Street, Akron, Ohio 44311.*
- 6. The Intersection Sight Distance for proposed access onto Medina Line Road must be verified for a Design Speed equal to 50-mph.*
- 7. A Traffic Impact Questionnaire for the project must be completed to determine if additional Studies are warranted.*
- 8. Continental Pointe is classified as a Residential Medium Traffic Road, which requires a minimum 26' Wide Pavement (Curb and Gutter) or 24' (Open Ditch). Walden Court and Stoney Ridge Lane are classified as Residential Light Traffic Roads, which requires a minimum 24' Wide Pavement (Curb and Gutter) or 22' (Open Ditch).*

9. *The Curve Information for the Centerline Geometry needs to be provided. A minimum centerline radius of 250' is required.*
10. *All Catch/Inlet Basins, Storm Manholes, Headwalls, Monument Boxes, Curb and Gutter, etc... utilized on the project must follow Current ODOT Standard Construction Drawings.*
11. *An additional 10' of R/W or permanent Highway Easement along the frontage of the East Side of Medina Line Road shall be dedicated to Summit County for future road improvement purposes.*
12. *The Proposed Utilities must be located outside of the pavement.*
13. *A Road Opening Permit will be required for any proposed work within the R/W of Medina Line Road.*

Dominion Energy Ohio: Andrew Lonnemann, :

.... At this time, until DEO receives a full set of improvement plans submitted by the developer, I will be unable to provide a thorough review of work within and adjacent to the DEO easement/restricted area as requested.

DEO has elevated concerns of 5 sublots (117, 156, 163, 164 & 165) being considered buildable lots for the future property-owners/home-owners full enjoyment, and for these owners ability to build sheds, decks, pools, etc.. My land department has determined that DEO's easement is a defined, 60-foot corridor, with a centerline description. My concern with this easement, being a centerline description, is that the surveyor plotted the easement per the meets and bounds description, and not per the easement's intent; to provide 30-feet of unencumbered land paralleling each side of the pipeline. If this was not taken into consideration, the DEO pipeline could be much closer to the easement line. Please find attached, the documents that pertain to DEO Assets and easements/restricted areas.

Staff Comments:

While these phases seek to continue an existing subdivision the approvals for previous plans have expired making this new submittal a new subdivision subject to 2016 Subdivision Regulations. The requirements for Open Space are below:

- (1) Dedication Requirement. The requirements of this section shall apply to Major Residential Subdivisions. Land dedications or permanent conservation easements shall be dedicated to Summit Metro Parks, Township Park District, Owners' Association, Land Trust, Board of Township Trustees, or other public entity Land obtained under these requirements shall only be used for Open Space, parks, trails, playgrounds, play fields, swimming pools, or other passive or active recreational purposes.

The land dedication requirement for Open Space, Parks and Recreation facilities shall be calculated in accordance with the following Table:

Table 1. Recreation Requirements

AVERAGE SIZE OF RESIDENTIAL LOT	PERCENTAGE OF TOTAL LAND IN SUBDIVISION TO BE RESERVED FOR RECREATION PURPOSES
80,000 sq. ft. & greater	1.5%
50,000 sq. ft.	2.5%
40,000 sq. ft.	3.0%
35,000 sq. ft.	3.5%
25,000 sq. ft.	5.0%
15,000 sq. ft.	8.0 %

The Total area of the new phases is 41.73 acres, the lot minimum size is 21,780 sq ft. At 8% the required Open Space would be 3.3384 acres. The currently shown Open Space block is only 0.9453 acres and features a stormwater pond.

The following regulations detail how and what qualifies for set-aside credits for Open Space.

- (2) Set-Aside Credits. In determining the amount of land to be set aside by Developers for recreational purposes, the following credits shall be given:
 - A. Full acreage credit for Open Space areas preserved to be used in fulfilling the Major Subdivision Park and Open Space land dedication requirements.
 - B. Full acreage credit to be used in fulfilling their Major Subdivision Park and Open Space land dedication requirements for Riparian Setback Areas protected through conservation easements or donated to a Public Parks System.
 - C. Full credit shall be given for trails, linear parks, and greenways the Planning Commission may require as a condition of Final Plat approval the dedication of multi-purpose trails and linear parks.
 - D. Credit may be included for stormwater retention wet ponds and/ or fire ponds that are incorporated in Park and Open Space land dedication provided that such areas or facilities are safe, accessible, and useable as community amenities by the public or residents of the Subdivision (e.g., picnic areas, playgrounds, ponds for fishing and/or boating).
 - E. Full credit shall be given for the preservation of Category 2 and Category 3 wetlands with required buffers. Category 1 wetlands shall be calculated at a maximum eighty percent (80%) set aside credit. (Refer to Section 1105.02(c)(2) for description of wetlands categories).

Recommendation: Staff recommends **DISAPPROVAL** of the Swan Lake Preliminary Plan as it does not meet the Open Space requirements of the Subdivision Regulations.

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BRG / DIST	DELTA
C1	37.98'	275.00'	S 85°48'36" W, 37.95'	75°44'55"
C2	39.27'	25.00'	N 45°14'01" W, 35.36'	90°00'00"
C3	67.50'	275.00'	N 06°47'52" E, 67.33'	14°03'47"

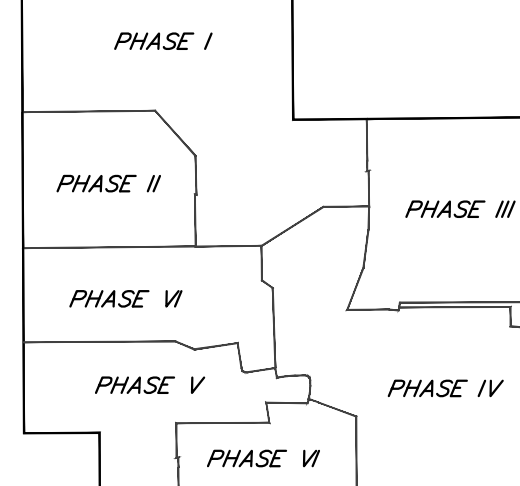
ACREAGE SUMMARY			
PHASES	LOTS	LOT AREA	TOTAL AREA
PHASE I	24	13.93 ACRES	2.83 ACRES
PHASE II	33	22.32 ACRES	2.65 ACRES
PHASE III	33	22.32 ACRES	2.65 ACRES
PHASE IV	33	22.32 ACRES	2.65 ACRES
TOTAL	57	36.25 ACRES	5.48 ACRES

ZONING DATA
ZONE = R-2
MIN. LOT AREA = 21,780 SQ. FT.
MIN. LOT WIDTH = 60 FT.
MIN. LOT WIDTH @ B.L. = 100 FT.
MIN. FRONT YARD DEPTH = 60 FT.
MIN. SIDE YARD DEPTH = 15 FT.
MIN. REAR YARD DEPTH = 50 FT.

OWNER/DEVELOPER
SWAN LAKE JOINT VENTURE
4301 DARROW ROAD, SUITE 2500
STOW, OHIO 44224
1-330-958-3356
CONTACT: CHRIS BROWN

PHASE ACREAGE SUMMARY
PHASE I 36.01 ACRES
PHASE II 14.04 ACRES
PHASE III 19.48 ACRES
PHASE IV 30.71 ACRES
PHASE V 16.71 ACRES
PHASE VI 25.02 ACRES
TOTAL 141.87 ACRES

SUBDIVISION PHASING



PREVIOUS RECORDED PHASES
PHASE I CAB. K SLIDES 178-184
PHASE II REC. #54191252
PHASE III REC. #54220685
PHASE IV REC. #54969406

I HEREBY CERTIFY THAT THE PARCEL SHOWN HEREON MEETS THE CURRENT ZONING REGULATIONS OF COPLEY TOWNSHIP.

COPLEY TWP. ZONING INSPECTOR



DAVID H. LEWIS
PROFESSIONAL ENGINEER 52504

REVISED PRELIMINARY PLAN FOR SWAN LAKE SUBDIVISION PART OF O.L. 10 TOWNSHIP OF COPLEY COUNTY OF SUMMIT STATE OF OHIO

GENERAL NOTES

NO ABANDONED MINES ON SITE

NO MARSHES ON SITE

NO ROCK OUTCROPPINGS ON SITE
SHALLOW ROCK HAS BEEN
ENCOUNTERED.

NO RAILROAD LINES ON SITE

NO POWER LINES OR TOWERS ON SITE

EROSION CONTROL SHALL BE AS
DIRECTED BY THE SUMMIT COUNTY
SOIL AND WATER CONSERVATION OFFICE.

RIPIARIAN SETBACKS SHALL BE PROTECTED
AS DIRECTED BY THE SUMMIT COUNTY SOIL
AND WATER CONSERVATION OFFICE.

THE SITE CONTAINS WOODS.

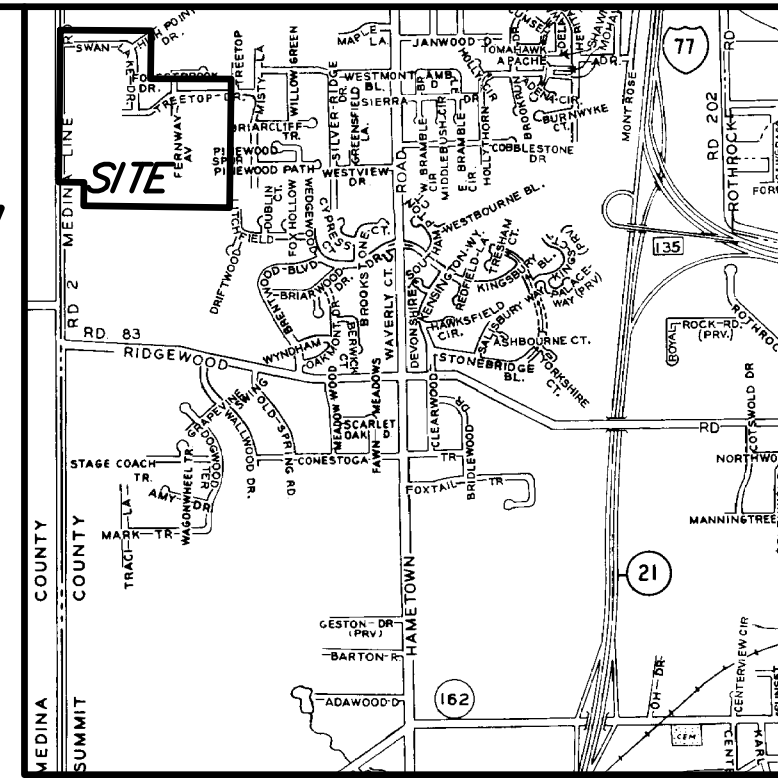
THE SITE DOES NOT HAVE FEMA
DESIGNATED FLOOD PLANE AREAS.

THE REMAINING TWO PHASES DO NOT
CONTAIN JURISDICTIONAL WETLANDS.

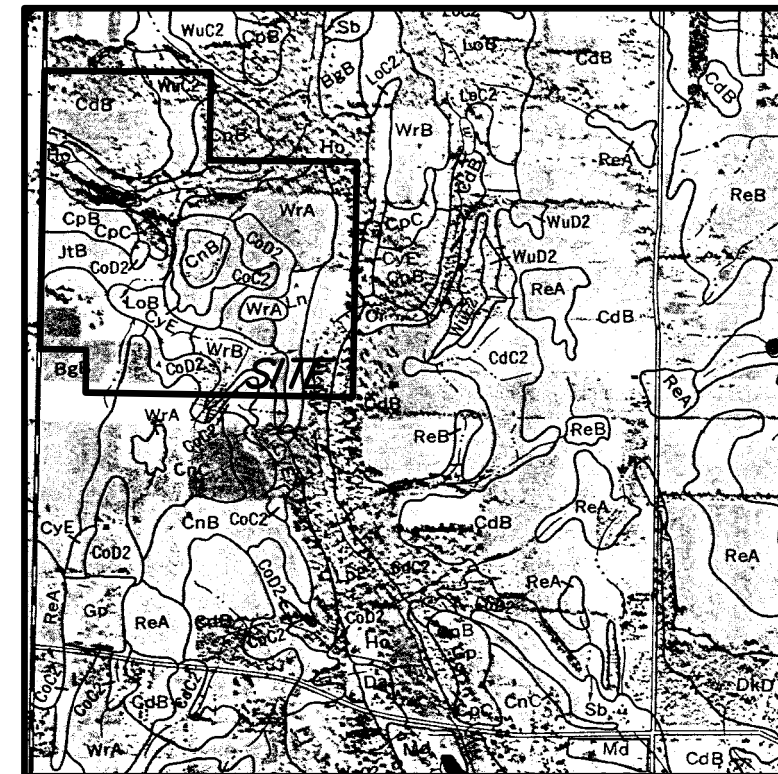
THE FOLLOWING HAVE BLANKET
EASEMENT LEASES AND/OR RIGHT
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1. OHIO EDISON
2. WILLIAM N. TOPKA
3. EAST OHIO GAS COMPANY
4. JRD ENERGY COMPANY
5. PENINSULA PARTNERS ONE

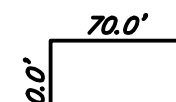
FIRE HYDRANT LOCATIONS SHALL BE
APPROVED BY THE TOWNSHIP FIRE
DEPARTMENT.



LOCATION MAP



SOILS MAP



LEGEND



DATE: 7/5/2023		PROJECT: SWAN LAKE SUBDIVISION	
DRAWING FILE: 05-006_PPE-BB.DWG		TITLE: SWAN LAKE SUBDIVISION	
SHEET NUMBER: 1 of 1		BY: [Signature]	
SCALE: 1"=100'		REVISION TABLE	
PERMIT NUMBER: N/A		NO. DATE DESCRIPTION	
		PLAN PREPARED BY: LEWIS LAND PROFESSIONALS INC.	
		CIVIL ENGINEERING LAND SURVEYING	
		8691 WADSWORTH ROAD SUITE 100	
		WADSWORTH, OH 44281 (330) 335-8232	

Dominion Energy Ohio
Engineering - 2nd Floor
320 Springside Drive
Akron, OH 44333



12/13/2023

Project: Swan Lake Subdivision Phases 5 & 6 – 500009518, Copley Township, Summit County

Stephen Knittel
Department of Community & Economic Development
175 S. Main St., Suite 103, Room 113
Akron, OH 44308

Dear Stephen Knittel:

The East Ohio Gas Company d/b/a Dominion Energy Ohio (Dominion) appreciates this opportunity to work with you in the planning stages of your development and construction activity, and we look forward to working with you proactively. Dominion's primary concern when activities are taking place near our pipeline is public safety and environmental protection. The intent of this correspondence is to provide a clear and consistent set of requirements that will: (1) reduce the risk of damage to our pipeline and related facilities; (2) ensure unencumbered access to our right-of-way and pipeline facilities and the availability of adequate workspace for routine maintenance, future inspection, and/or repair work on our pipeline; and (3) enable the effective corrosion protection of our pipeline.

At this time, Dominion does not approve the above reference project as provided by your office on 11-27-2023. For Dominion to continue with the approval process, please review the attached requirements set forth in this correspondence and make necessary corrections to the plans previously submitted to this office for Dominion's review and approval. No construction may take place until approval is granted.

Upon review of the documentation submitted into Dominion, please see the following:

- Typically, Dominion requests that plans be submitted at least 6 months in advance of your construction. Dominion maintains the right to increase said notice requirement depending on the size conflict and nature of the project.
- All facilities and easement areas, if applicable, will be depicted, dimensioned, and identified on all survey plats, improvements, development plans and plats. Where Dominion holds undefined rights, all plans and the final recordable plat will dedicate these areas as being restricted areas.
- All parties will comply with the attached Dominion Ohio General Restrictions, Landscape/Fence Guidelines, and DEO 3rd Party Review - Heavy Equipment Crossings documents.
- Equipment specifications must be submitted for load analysis and mitigation when crossing Dominion's pipeline(s) by completing and submitting the load surface assessment form. Dominion will require an Air-Bridge for equipment that fails load analysis.
- When constructing third-party utility crossings between Dominion's high-pressure pipelines, a minimum vertical and horizontal clearance of two feet (2') must be maintained to reduce the risk of damage to Dominion's pipeline and related facilities. In addition to the review for conflicts with Dominion facilities and your project, Dominion will also need to review the plan, profile, and cross sections for the proposed improvements for said utility that crosses Dominion's pipeline. When crossing Dominion's high pressure pipelines the profile centerline should be based along the centerline of Dominion's pipeline. For Dominion's distribution pipeline, the profile centerline can be based along the centerline of the proposed roadway work. Use the standard scale of a vertical scale of 1 inch =5 ft and a horizontal scale of 1 inch =50 ft for your plan, profile, and cross sections.

Included in the profile and cross sections should be the existing and proposed grades, existing utilities, proposed road, and utility improvements, and Dominion's existing pipeline. The profiles and cross sections should be incorporated into your construction improvement plans.

- **You are required to contact OHIO811.org Call Before You Dig (1-800-362-2764) or 811, prior to your excavation or hand digging and submit an excavation ticket.** In addition to hand digging, you may use non-destructive pipeline location methods, such as vacuum potholing and ground penetrating radar (GPR). As required by statute, Dominion acknowledges its pipelines, as a rule, were installed at approximately thirty-six (36) inches deep. At concerned points where you need to know the location and elevation of Dominion's pipeline, you may excavate by hand digging to temporarily expose the pipeline enabling you to obtain the necessary information.

- That the following note shall be added to your plans for the benefit of your contractor.

"It is the contractor's responsibility to maintain the lateral and subjacent support of Dominion's pipeline(s), in compliance to 29 CFR, Part 1926, subpart P, (safe excavation & shoring). Extreme care should be taken not to harm any Dominion facility (pipelines, etc.) or appurtenance (pipe coating, tracer wire, cathodic protection test station wires & devices, valve boxes, etc.). Dominion facilities must be protected with a tarp during bridge construction. The contractor will be responsible and liable for ensuring that all Dominion existing facilities, above and below ground, remain undamaged, accessible and in working order. The crossing of Dominion's pipeline(s) with another steel facility may create a potential corrosion issue for the proposed facility and the existing Dominion facility. Please contact Dominion's Corrosion Department at least two working days before construction at: CorrosionGIS@dominionenergy.com".

- Dominion will pursue reimbursement for all costs associated with the event including, but not limited to, excavation services, inspection services, pipeline repairs, and loss of operations caused by the requesting party or its contractors.

Since over 1000 gas companies now operate in Ohio, proper pipeline identification is necessary to assure minimum critical response time. We request that you add the following general note to your construction plans: DEO = Dominion Energy Ohio, 1-800-362-7557. Dominion's facilities should be identified appropriately on your construction plans.

Dominion's response is based on the project information you or others provided for this project. The location of Dominion facilities within the project area are based on the records of the original installation, and are therefore approximate, and not guaranteed. Dominion has no knowledge or information of changes that may have been made to the site after the original installation. Any reliance on the information provided is solely at the risk of the user, who agrees to indemnify, defend, and hold Dominion, its shareholders, officers, directors, employees, representatives, agents, parent, affiliates, and subsidiaries harmless, to the fullest extent permitted by law, from and against any and all loss, claims, demands, damages, injuries, or suits in anyway arising out of or incident to its use.

To avoid personal injuries, property damages, legal actions, etc., no construction, grading or excavating should begin within thirty (30) feet of any Dominion high pressure natural gas pipeline without written approval from Dominion. No improvements of any kind should be made by any party other than Dominion within one hundred (100) feet radius of a Dominion Gas Well and/or Dominion Brine/Oil Tank.

Dominion requests electronic files for this project in AutoCAD 2018 format for use in preparing any relocation plan. AutoCAD files cannot contain XREFS, AutoCAD civil 3d or AEC objects. MicroStation files will need to be converted to AutoCAD.

Dominion will not be liable for nor accept any contractor delay costs that the company has not had an opportunity to review, dispute and/or resolve.

Please maintain communication with this office regarding the project and its schedule. Contact me if you have any questions.

Sincerely,

DOMINION ENERGY OHIO

Andrew Lonneman

Andrew Lonneman
Engineering Department
Email: andrew.j.lonneman@dominionenergy.com
Phone: 330-664-2441

Attachments:

- DEO Restrictions
- DEO Landscaping & Fence Guidelines
- DEO 3rd Party Review - Heavy Equipment Crossings
- PA500009518_DEO Red-Line_Swan Lake Revised Preliminary Plan 8-10-23

CURVE TABLE				
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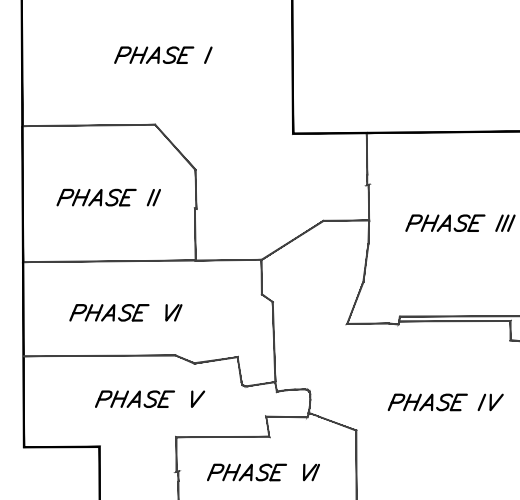
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MIN. LOT WIDTH @ B.L. = 100 FT.
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OWNER/DEVELOPER
SWAN LAKE JOINT VENTURE
4301 DARROW ROAD, SUITE 2500
STOW, OHIO 44224
1-330-958-3356
CONTACT: CHRIS BROWN

PHASE ACREAGE SUMMARY
PHASE I 36.97 ACRES
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PHASE IV 30.71 ACRES
PHASE V 16.71 ACRES
PHASE VI 25.02 ACRES
TOTAL 141.87 ACRES

SUBDIVISION PHASING



PREVIOUS RECORDED PHASES
PHASE I CAB. K SLIDES 178-184
PHASE II REC. #54191252
PHASE III REC. #54220685
PHASE IV REC. #54969406

I HEREBY CERTIFY THAT THE PARCEL SHOWN HEREON MEETS THE CURRENT ZONING REGULATIONS OF COPLEY TOWNSHIP.

COPLEY TWP. ZONING INSPECTOR



DAVID H. LEWIS
PROFESSIONAL ENGINEER 52504

REVISED PRELIMINARY PLAN FOR SWAN LAKE SUBDIVISION PART OF O.L. 10 TOWNSHIP OF COPLEY COUNTY OF SUMMIT STATE OF OHIO

GENERAL NOTES

NO ABANDONED MINES ON SITE

NO MARSHES ON SITE

NO ROCK OUTCROPPINGS ON SITE
SHALLOW ROCK HAS BEEN
ENCOUNTERED.

NO RAILROAD LINES ON SITE

NO POWER LINES OR TOWERS ON SITE

EROSION CONTROL SHALL BE AS
DIRECTED BY THE SUMMIT COUNTY
SOIL AND WATER CONSERVATION OFFICE.

RIPARIAN SETBACKS SHALL BE PROTECTED
AS DIRECTED BY THE SUMMIT COUNTY SOIL
AND WATER CONSERVATION OFFICE.

THE SITE CONTAINS WOODS.

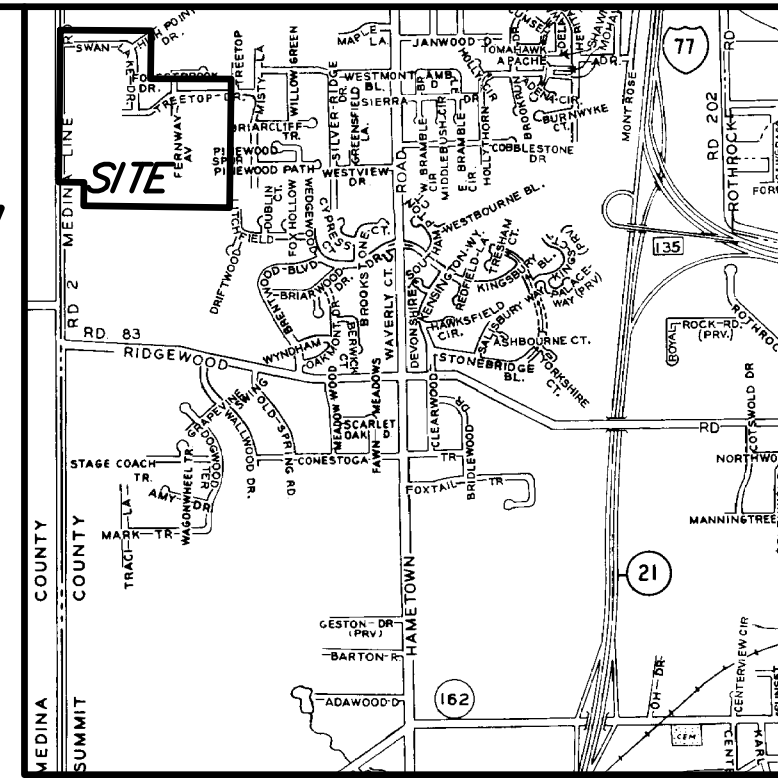
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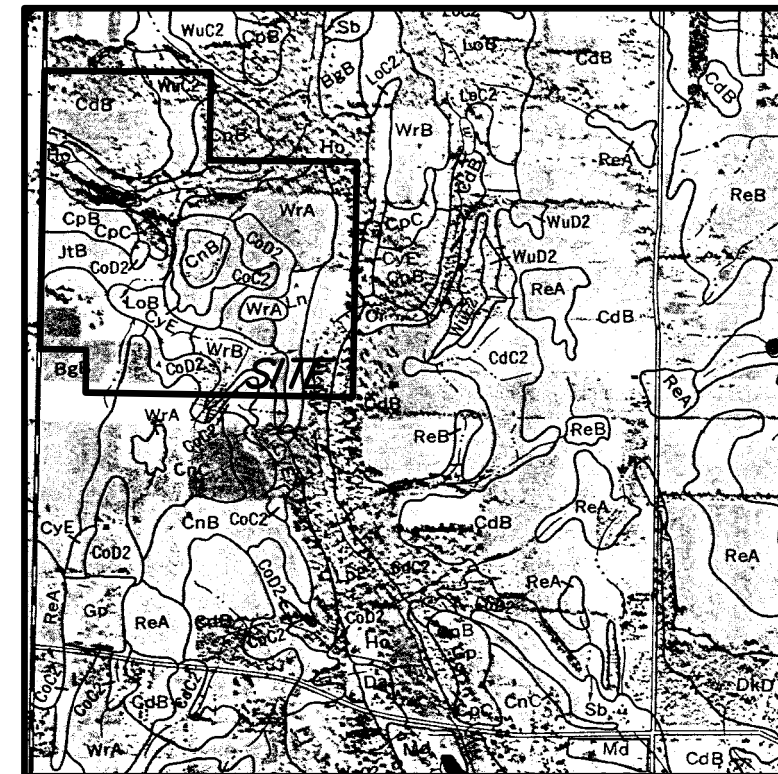
THE FOLLOWING HAVE BLANKET
EASEMENT LEASES AND/OR RIGHT
OF WAYS ON THE PARCEL:

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2. WILLIAM N. TOPKA
3. EAST OHIO GAS COMPANY
4. JRD ENERGY COMPANY
5. PENINSULA PARTNERS ONE

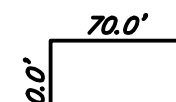
FIRE HYDRANT LOCATIONS SHALL BE
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DEPARTMENT.



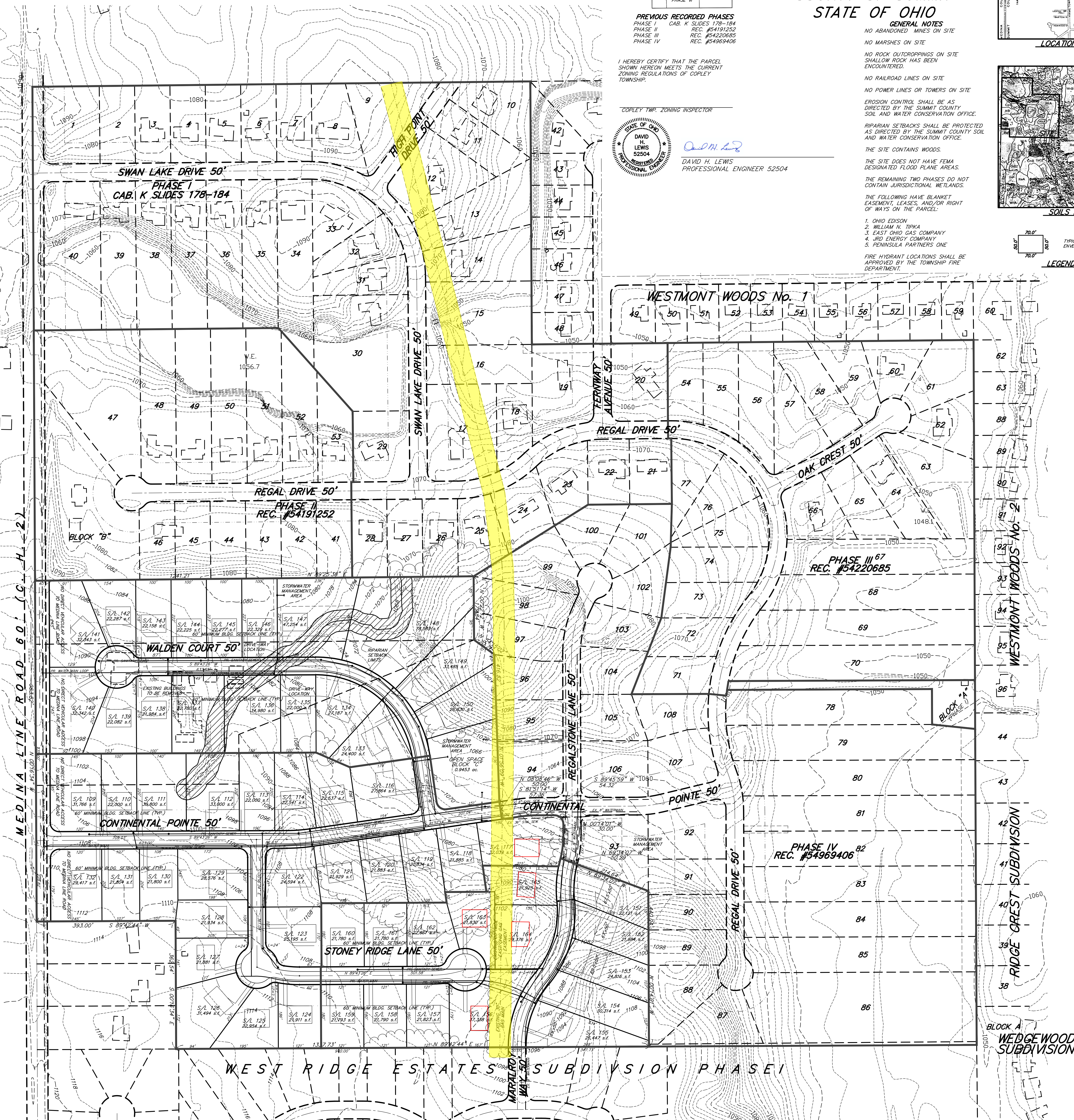
LOCATION MAP



SOILS MAP



LEGEND



- PLAN PREPARED BY -				PROJECT:			
LEWIS LAND PROFESSIONALS INC.				SWAN LAKE SUBDIVISION			
CIVIL ENGINEERING LAND SURVEYING				TITLE:			
8691 WADSWORTH ROAD SUITE 100				REVISED PRELIMINARY PLAN			
WADSWORTH, OH 44281 (330) 335-8232				BY:			
NO.				DATE			
DESCRIPTION				BY			
</							

Surface Loading Assessment

A field assessment and pipe stress analysis is required whenever a track or wheeled axle vehicle crosses Dominion Energy Ohio's transmission, storage, gathering, or high pressure distribution pipeline(s).

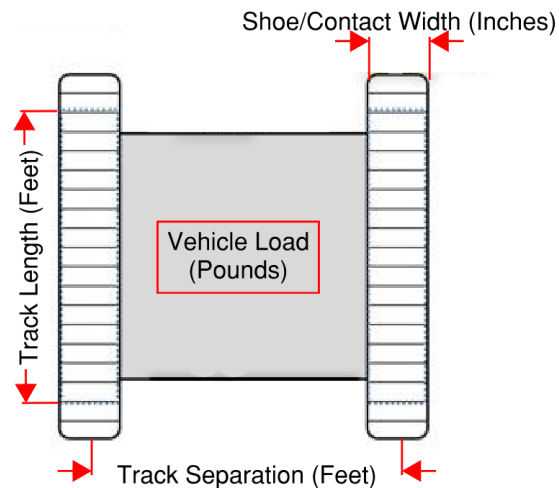
The third party can airbridge the DEO pipeline crossing in lieu of providing this load assessment data. An airbridge will be required per DEO specifications should the surface loading assessment fail.

Provide the following information to Dominion Energy Ohio for review.

- Duration (in days) or number of crossings: _____
- Make, Model, and year of vehicle or machine: _____
- Gross vehicle weight fully loaded: _____
- Number of axles: _____
- Load distribution (% of total weight per axle): _____
- Axle spacing: _____
- Tire configuration (dual vs. single): _____
- Tire size (diameter and width): _____

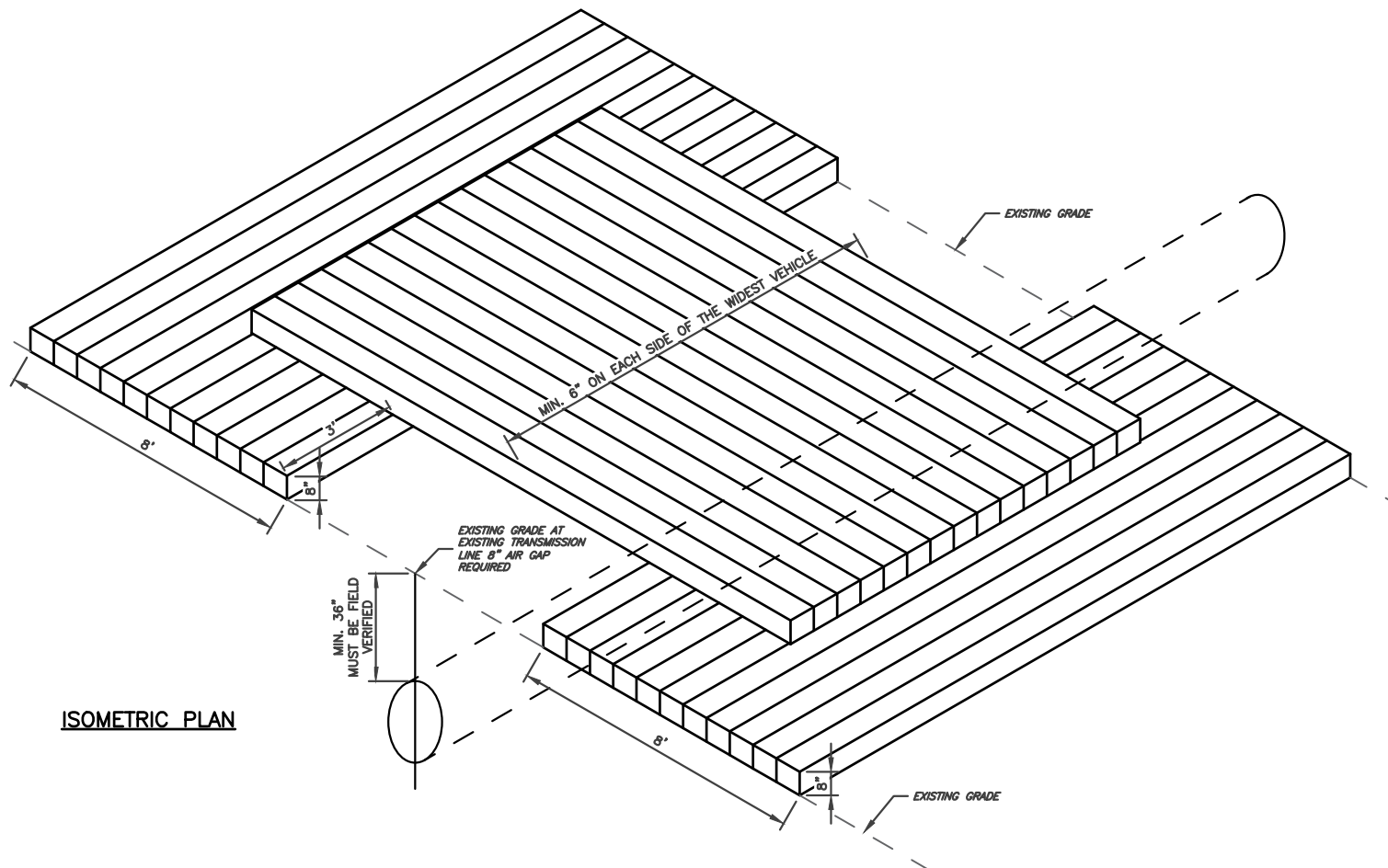
If track operated:

- Vehicle Load: _____
- Shoe/Contact Width: _____
- Track Length: _____
- Track Separation: _____

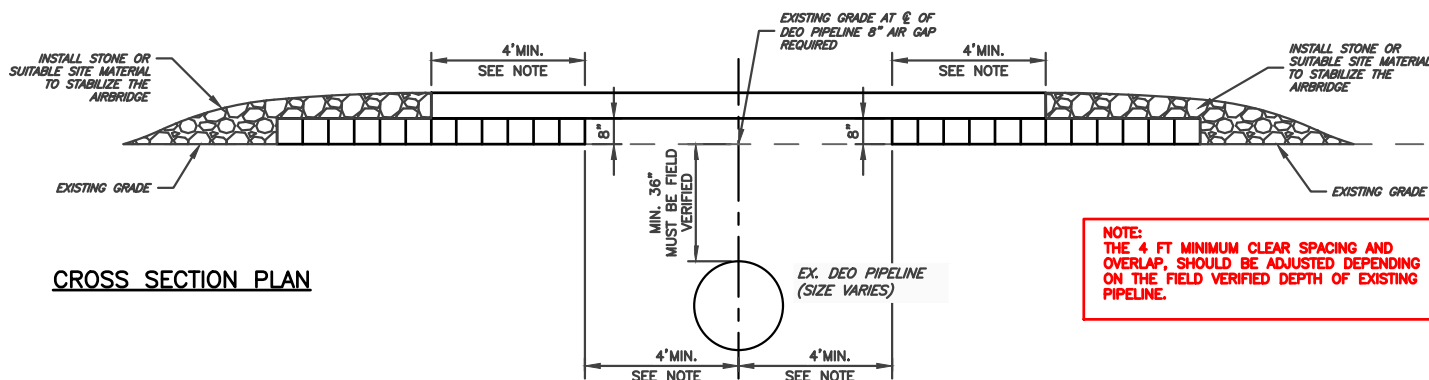


The crossing party must verify the depth of DEO's pipelines by excavating or hand digging to temporarily expose the pipeline. Contact the Ohio Utility Protection Service (OUPS) (1-800-362-2764) at least 2 days prior to excavation to submit an excavation ticket. A DEO representative shall be on-site to monitor any construction activities within 30 feet of DEO's Facilities or Requestor will cease and desist any construction activities within 10 feet of DEO's Facilities until the DEO representative is present.

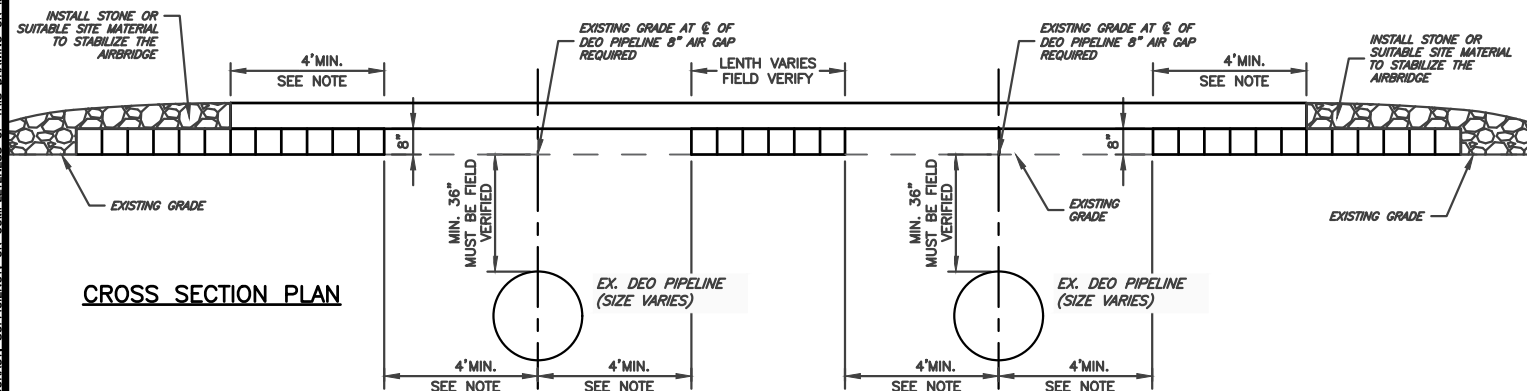
THE OWNER DOES NOT WARRANT THE ACCURACY, SUFFICIENCY, OR COMPLETENESS OF THIS DRAWING OR MAP FOR ANY PURPOSE, AND HEREOF IS AT THE RISK OF THE USER WHO AGREES TO HOLD HARMLESS AND INDEMNIFY THE OWNER AGAINST ANY AND ALL LIABILITY IN CONNECTION WITH ITS USE.



ISOMETRIC PLAN



NOTE:
THE 4 FT MINIMUM CLEAR SPACING AND
OVERLAP, SHOULD BE ADJUSTED DEPENDING
ON THE FIELD VERIFIED DEPTH OF EXISTING
PIPELINE.



CROSS SECTION PLAN

DRAWING SCALE: 1" = 5'



**Dominion
Energy**

STANDARD AIRBRIDGE DETAIL

REV.#	DESCRIPTION	DATE	BY
1	AIRBRIDGE DETAIL	4/21/20	MAS

DOMINION ENERGY OHIO

LANDSCAPING/FENCE GUIDELINES WITHIN PIPELINE EASEMENTS

ACCEPTABLE

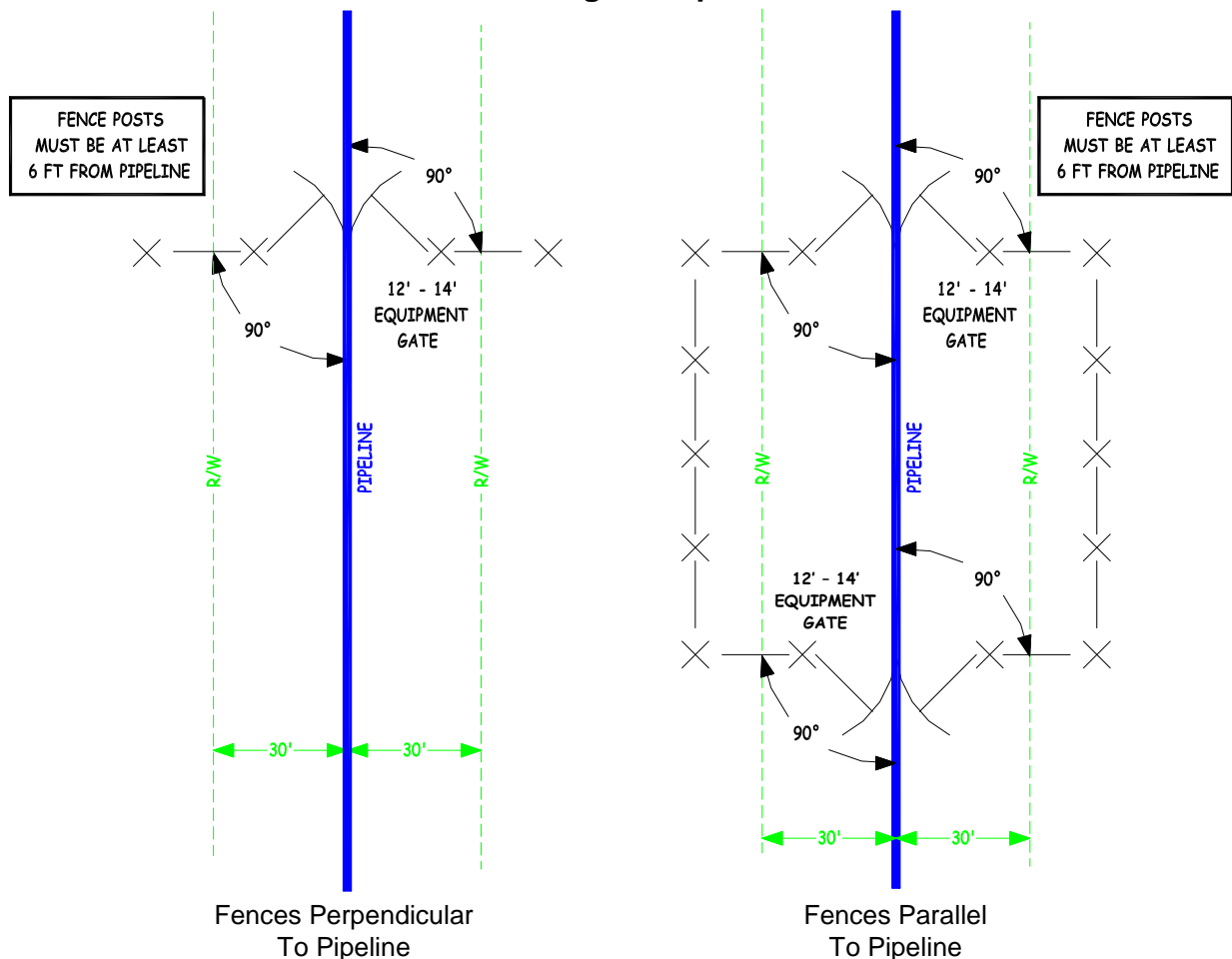
- Agricultural Crops
- Flower Gardens
- Small (< 3' High) Shrubs/Bushes
- Grass (Preferred)
- Fences (Per Diagram Below)

NOT ACCEPTABLE

- Trees
- Bunkers/Earth Landscape Mounds
- Ponds
- Rock Gardens
- Improvements Requiring a Permit
- Landscape or Retaining Walls
- Outside Swimming Pools or Hot Tubs
- No Dumping of Debris in Easement

No such improvements may be made by others within Dominion Energy Ohio gas well or brine/oil tank easement areas.

Fencing Examples



- Fences cannot impede Dominion Energy Ohio's access to its facilities.
- No fences may be parallel to the pipeline within the right-of-way.
- 12' – 14' equipment gate must have a Dominion Energy Ohio lock to allow 24-hour access.
- Call OUPS 48 hours before any digging at 811 (or 1-800-362-2764) to have all utilities located.

Dominion Energy Ohio

Please be informed that The East Ohio Gas Company's trade name is Dominion Energy Ohio.

RESTRICTIONS

on land that Dominion Energy Ohio holds various rights for its Gas Wells, Metering and Regulating facilities, Transmission, Storage, Gathering and/or Distribution Pipelines, based on the rights held by Dominion Energy Ohio, and maintaining compliance with Dominion Energy Ohio, State and Federal codes, regulations, and laws.

For Dominion Energy Ohio's transmission, storage, gathering and distribution pipeline's operating previously or currently at 100 psig or higher (being high pressure pipelines), the EASEMENT area in general is considered to be 60 feet wide, on, over, under and 30 feet on each side of the pipeline(s) centerline. For Dominion Energy Ohio's distribution pipelines operating at less than 100 psig, the EASEMENT area in general is considered to be 20 feet wide, on, over, under and 10 feet on each side of the pipeline(s) centerline, unless specifically defined otherwise. If multiple pipelines exist paralleling each other, the EASEMENT area is increased in width by the distance between the pipelines. Dominion Energy Ohio's EASEMENT area in general is considered to be 100 feet radius around Dominion Energy Ohio's gas wells and 100 feet radius around Dominion Energy Ohio's brine/oil tanks. Dominion Energy Ohio's EASEMENT areas for its access driveways to said facilities is considered in general to be 20 feet wide, on, over, under and 10 feet each side of the driveway's centerline.

- 1) Sewer, water, drainage culverts, cable, electric and telephone/communication lines may cross Dominion Energy Ohio's pipeline and driveway easement areas at near right angles, providing that they vertically clear Dominion Energy Ohio's pipeline(s) by a minimum of 12 inches, and be within suitable conduit if it is an underground line carrying an electrical charge, and the installer complies with safe excavation and shoring FED-OSHA 29 CFR Part 1926 Subpart P, and its counterparts, and in accordance with any and all other applicable government codes, regulations, and laws. Unless it's not practical or possible, Dominion Energy Ohio prefers that all such lines cross under its pipelines.
- 2) No lines other than Dominion Energy Ohio's, such as but not limited to, sewer, water, drainage culverts, cable, electric and telephone/communication, may parallel within Dominion Energy Ohio's easement areas or be installed anywhere within Dominion Energy Ohio's gas well or brine/oil tank easement areas.
- 3) No buildings, structures, obstructions (obstructions being anything that impairs Dominion Energy Ohio's use of its easement), or above ground appurtenances (manholes, catch basins, signs, poles, fire plugs, transformers, pedestals, and etc.) may be placed within Dominion Energy Ohio's easement areas, by anyone other than Dominion Energy Ohio.
- 4) Within Dominion Energy Ohio's easement areas the existing grade may be altered by others, providing that the cover upon Dominion Energy Ohio's pipeline(s) is not reduced to less than 36 inches or increased to more than 72 inches, the existing soil conditions are stable, and such alteration of grade would not have an adverse effect upon Dominion Energy Ohio's pipeline(s).
- 5) Adjacent to Dominion Energy Ohio's easement area there shall be no change in grade which would cause Dominion Energy Ohio's easement area to become unstable or affect the lateral or subjacent support of Dominion Energy Ohio's facilities and/or appurtenances.
- 6) Paved driveways or future public and/or private roads may cross Dominion Energy Ohio's pipeline and driveway easement areas at near right angles. Paved parking lots may be placed in Dominion Energy Ohio's pipeline easement areas, providing that there is a means for Dominion Energy Ohio to leak detect its pipelines for its own purposes and in accordance with government codes, regulations, and laws. This might be accomplished by a green space 10 feet wide approximately centered on Dominion Energy Ohio's pipeline(s), or by vents installed according to Dominion Energy Ohio's specifications. Excepting said drive and road crossings, and excepting parking lots, there shall be no macadam, pavement, black top, concrete or other impermeable surfaces placed within the EASEMENT area by anyone other than Dominion Energy Ohio. No such improvements may be made by others within Dominion Energy Ohio's gas well or brine/oil tank easement areas.
- 7) No driveways (including parking lot driveways), roads, or their associated road right-of way, other than Dominion Energy Ohio's, may parallel within Dominion Energy Ohio's easement areas.
- 8) There shall be no impounding of water within Dominion Energy Ohio's EASEMENT area by anyone other than Dominion Energy Ohio.
- 9) There shall be no dumping of debris within Dominion Energy Ohio's EASEMENT area, or placement of fill material that is not acceptable to Dominion Energy Ohio.
- 10) Limited landscaping may be made within the easement areas. If any party questions what would be acceptable to Dominion Energy Ohio, they should contact Dominion Energy Ohio prior to making any such landscape improvement.
- 11) In the case of new development or improvements to existing roads within Dominion Energy Ohio's easement areas, the developer shall prepare Plan, Profile and Cross Section plans of the improvements, showing Dominion Energy Ohio's pipeline(s) plus existing and proposed grade, sewers, utilities, road improvements, etc. for Dominion Energy Ohio to review. For new construction any violation of these restrictions will be subject to denial of gas service. No construction on such improvements may begin until Dominion Energy Ohio has provided written approval to the developer.

All improvements made within the easement areas by parties other than Dominion Energy Ohio will be considered encroachments. Such improvements would be done at the risk and peril of the developer, owner of the facility, and/or landowner, and said parties shall be liable to Dominion Energy Ohio for any damage or loss to Dominion Energy Ohio's facilities caused by such improvements. Moreover, Dominion Energy Ohio reserves its rights at anytime, without notice, and without permit to remove any encroachments from within its easement areas to facilitate maintaining, operating, replacing, adding to, or etc. its facilities and/or appurtenances; and Dominion Energy Ohio will not be liable to replace or compensate any party for damages Dominion Energy Ohio inflicted upon any encroachment. To have the on site location of any DEO pipeline marked for any reason, call the Ohio Utilities Protection Service.

Inquiries or questions pursuant to Gas Wells, Transmission, Storage, Gathering, and/or Distribution pipelines should be directed in writing to **Dominion Energy Ohio, Engineering Department, 320 Springside Drive, Akron, OH 44333** or via email to relocation@dominionenergy.com.

Ohio Law requires all parties to contact the OHIO UTILITIES PROTECTION SERVICE

Call 811 (or 1-800-362-2764) at least 48 hours before digging or excavating.

ORC - 3781.28 A & B

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BRG / DIST	DELTA
C1	37.98'	275.00'	S 85°48'36" W, 37.95'	75°4'45"
C2	39.27'	25.00'	N 45°14'01" W, 35.36'	90°00'00"
C3	67.50'	275.00'	N 06°47'52" E, 67.33'	14°03'47"

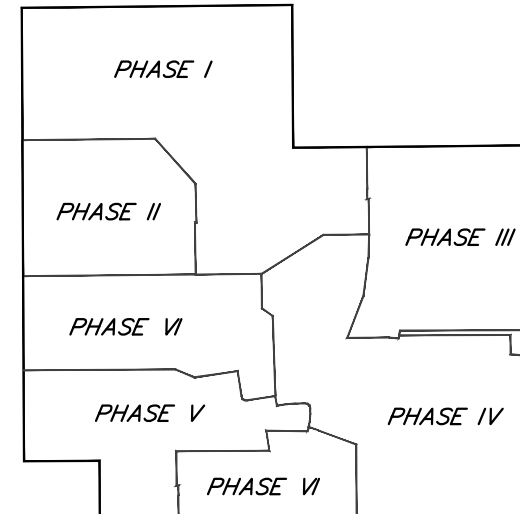
ACREAGE SUMMARY			
PHASES	LOTS	LOT AREA	TOTAL AREA
PHASE I	24	13.93 ACRES	2.83 ACRES
PHASE II	33	22.32 ACRES	2.65 ACRES
PHASE III	33	22.32 ACRES	2.65 ACRES
PHASE IV	33	22.32 ACRES	2.65 ACRES
TOTAL	57	36.25 ACRES	5.48 ACRES

ZONING DATA
ZONE = R-2
MIN. LOT AREA = 21,780 SQ. FT.
MIN. LOT WIDTH = 60 FT.
MIN. LOT WIDTH @ B.L. = 100 FT.
MIN. FRONT YARD DEPTH = 60 FT.
MIN. SIDE YARD DEPTH = 15 FT.
MIN. REAR YARD DEPTH = 50 FT.

OWNER/DEVELOPER
SWAN LAKE JOINT VENTURE
4301 DARROW ROAD, SUITE 2500
STOW, OHIO 44224
1-330-958-3356
CONTACT: CHRIS BROWN

PHASE ACREAGE SUMMARY
PHASE I 36.97 ACRES
PHASE II 14.04 ACRES
PHASE III 19.48 ACRES
PHASE IV 30.71 ACRES
PHASE V 16.71 ACRES
PHASE VI 25.02 ACRES
TOTAL 141.87 ACRES

SUBDIVISION PHASING



PREVIOUS RECORDED PHASES
PHASE I CAB. K SLIDES 178-184
PHASE II REC. #54191252
PHASE III REC. #54220685
PHASE IV REC. #54969406

I HEREBY CERTIFY THAT THE PARCEL SHOWN HEREON MEETS THE CURRENT ZONING REGULATIONS OF COPLEY TOWNSHIP.

COPLEY TWP. ZONING INSPECTOR



DAVID H. LEWIS
PROFESSIONAL ENGINEER 52504

REVISED PRELIMINARY PLAN FOR SWAN LAKE SUBDIVISION PART OF O.L. 10 TOWNSHIP OF COPLEY COUNTY OF SUMMIT STATE OF OHIO

GENERAL NOTES

NO ABANDONED MINES ON SITE

NO MARSHES ON SITE

NO ROCK OUTCROPPINGS ON SITE
SHALLOW ROCK HAS BEEN
ENCOUNTERED.

NO RAILROAD LINES ON SITE

NO POWER LINES OR TOWERS ON SITE

EROSION CONTROL SHALL BE AS
DIRECTED BY THE SUMMIT COUNTY
SOIL AND WATER CONSERVATION OFFICE.

RIPIARIAN SETBACKS SHALL BE PROTECTED
AS DIRECTED BY THE SUMMIT COUNTY SOIL
AND WATER CONSERVATION OFFICE.

THE SITE CONTAINS WOODS.

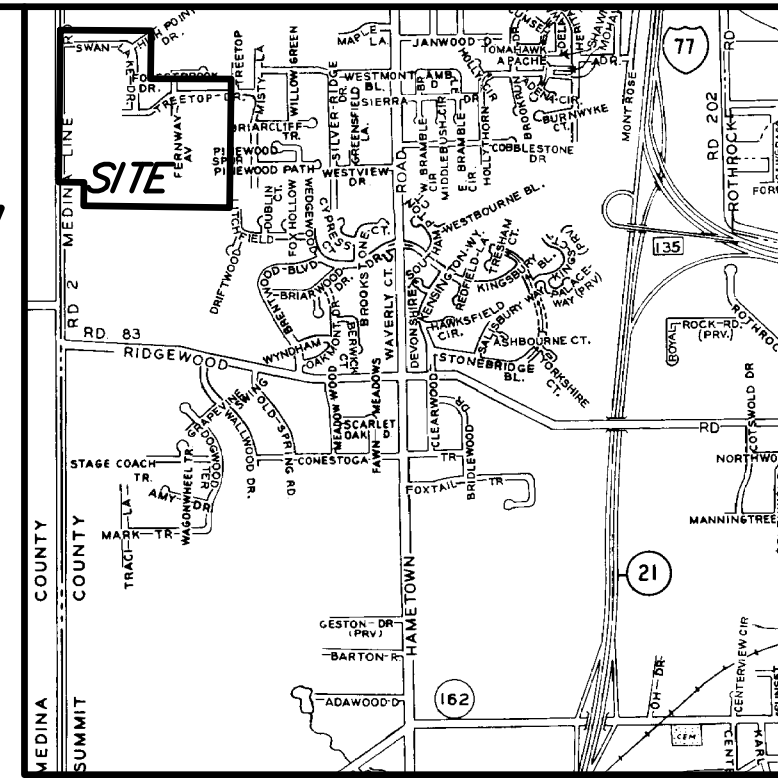
THE SITE DOES NOT HAVE FEMA
DESIGNATED FLOOD PLANE AREAS.

THE REMAINING TWO PHASES DO NOT
CONTAIN JURISDICTIONAL WETLANDS.

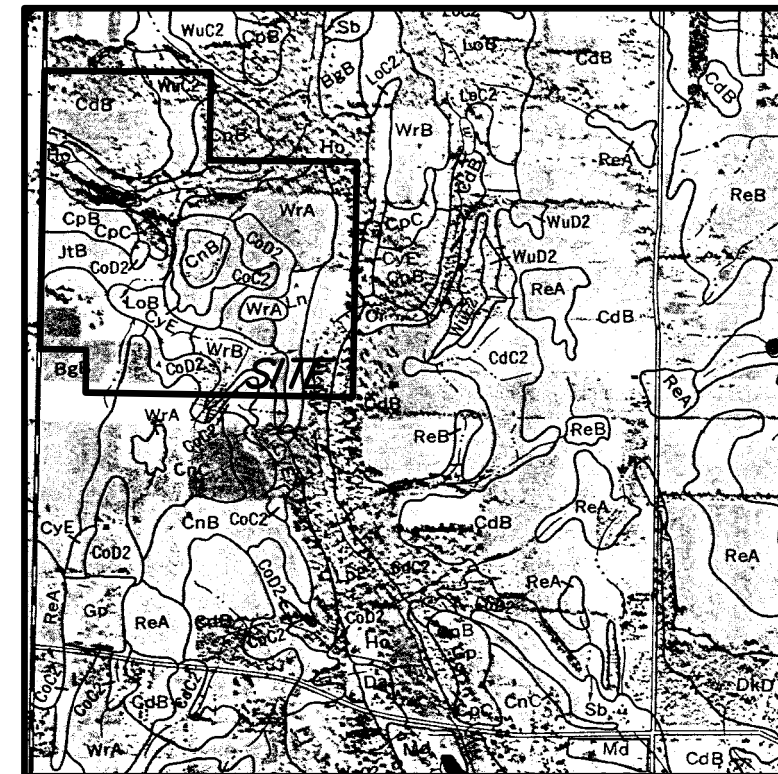
THE FOLLOWING HAVE BLANKET
EASEMENT LEASES AND/OR RIGHT
OF WAYS ON THE PARCEL:

1. OHIO EDISON
2. WILLIAM N. TOPKA
3. EAST OHIO GAS COMPANY
4. JRD ENERGY COMPANY
5. PENINSULA PARTNERS ONE

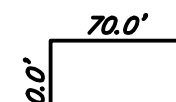
FIRE HYDRANT LOCATIONS SHALL BE
APPROVED BY THE TOWNSHIP FIRE
DEPARTMENT.



LOCATION MAP



SOILS MAP



LEGEND



SALES: 05-006 PRE-BB.DWG			DATE: 7/5/2023
DRAWING FILE: 05-006 PRE-BB.DWG			PROJECT NUMBER: 05-006
PERMIT NUMBER: N/A			SHEET NUMBER: 1 of 1
PROJECT: SWAN LAKE SUBDIVISION			
TITLE: SWAN LAKE SUBDIVISION			
REVISION TABLE			
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Planning Commission
Zoning Text Amendment
**Commercial Trash Dumpsters and
Enclosures**
Coventry Township

Item No.: 2
Meeting: March 28, 2024
Proposal: **Commercial Trash Dumpsters and Enclosures**
Processor: Stephen Knittel

Proposal: The applicant has proposed that the Coventry Township Zoning Resolution be revised to add Section 3.03(.7) Commercial Trash Dumpsters and Enclosures.

Proposed Text:

Article 3 Section 3.03 (.7)

7. Commercial Trash Dumpsters and Enclosures

Commercial dumpsters, defined as any receptacle measuring a half cubic yard or larger, used by a commercial business to hold or retain waste including trash, grease, recyclables, metal, scrap or corrugated material shall meet the standards below and other applicable standards of this ordinance. This section shall not apply to residential curbside pick-up or recycling trash bins or cans, defined as any receptacle measuring equal or less than 96 gallons.

- a. **Enclosures:** commercial dumpster must be enclosed on 3 sides; a fourth (4th) side front gate is OPTIONAL.
 1. **Materials** – The enclosure walls shall be constructed of brick, concrete, decorative masonry, or fencing. The exterior of the enclosure may be in a different material that compliments the principal building. Fencing shall be screened in accordance (C) with attached “Screening” requirements.
 2. **Height** – The enclosure shall be the greater of six (6) feet high or one (1) foot higher than the waste receptacle.
 3. **Separation Distance** – There shall be at least three (3) feet between the receptacle and the enclosure wall.
- b. **Location:** Commercial dumpsters and enclosures shall only be in the rear or side yard of any commercial lot.
 1. **Setbacks** – Commercial dumpster enclosures shall be set back a minimum distance from lot lines, as outlined below.
 - a. **All Lot Lines** – Commercial dumpster enclosures shall be at least ten (10) feet from all lot lines.

- b. **Residential Districts** – Commercial dumpster enclosures shall be at least twenty (20) feet from all property lines shared with a residential district.
 - c. **Watercourses** – Commercial dumpster enclosures shall be at least fifty (50) feet from all watercourse.
- 2. **Greater Distance** – A greater distance of up to one hundred (100) feet may be required if the commercial dumpster is likely to emit any odors.
- c. **Screening:** The enclosures shall be screened from adjacent properties on all sides using a natural color screen or evergreen vegetation.
- d. **Lid and Cover:** Commercial dumpsters shall have a lid or cover that shall be kept covered except when accessing the commercial dumpster.
- e. **Base:** Commercial dumpsters shall be placed on concrete or gravel surface that extends out a minimum of ten (10) feet from the front of the enclosure as a base for the front axle of the refuse vehicle.
- f. **Accessibility:** Commercial dumpsters shall be accessible to refuse vehicles in a manner that does not conflict with designated parking, loading, or maneuvering lanes.
- g. **Shared Waste Receptacles:** Commercial dumpsters may be shared by several adjacent properties or users.

Staff Comments: Copley Township also requires an enclosure or screening of loading areas, outside storage areas and other service areas:

14.07 SCREENING OF LOADING AREAS, OUTSIDE STORAGE AREAS AND OTHER SERVICE AREAS

The following accessory uses/areas shall be screened from any adjacent street or adjoining property in order to prevent direct views of loading areas, outdoor storage areas, service areas, and associated service driveways from adjacent properties or from the public right-of-way when viewed from ground level.

- A.** Each loading area and outdoor storage area shall be screened along any perimeter that faces a street right-of-way or adjoining property. Screening shall consist of:
 - 1.** Brick, slump block, stucco wall, or ornamental fencing that is architecturally compatible with the principal building on the lot, having a height of six (6) feet, or
 - 2.** Dense staggered evergreen planting consisting of a double row of evergreen trees, spaced a minimum of 15 feet on center, of sufficient quantity and having a minimum height of six (6) feet, to completely screen the designated areas.
- B.** Dumpsters shall be enclosed on all four sides by an opaque fence or wall having a height of six (6) feet.
- C.** All screening shall be at a height of six (6) feet.
- D.** Roof mounted mechanical equipment shall be screened by parapet walls or other screening device with height not lower than six (6) inches below the height of mechanical equipment.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **Approved**.



Planning Commission
Zoning Text Amendment
Self- Service Storage Facilities
Coventry Township

Item No.: 3
Meeting: March 28, 2024
Proposal: Self- Service Storage Facilities
Processor: Stephen Knittel

Proposal: The applicant has proposed that the Coventry Township Zoning Resolution be revised to add Article 30. Self- Service Storage Facilities Regulations.

Proposed Text:

ARTICLE 30.00

SELF-SERVICE STORAGE FACILITIES REGULATIONS

SECTION 30.01

Self-Service Storage Facility: A commercial facility consisting of individual storage units that are typically rented on a month-to-month basis for the purpose of storing personal, household, or business items. *ORC 5322.01(A)

A. RESTRICTIONS AND REQUIREMENTS:

Self-Service Storage Facilities as part of

C/I are required to have:

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.
2. Central sewer and water for mandatory office facility building.
3. All utilities including phone, electric, cable, etc. are required to be underground.
4. All access drive aprons (ingress and egress) shall have a maximum width of 40'. Drives shall be of asphalt or concrete surfaces. Curbing and street lighting along all streets are required. All street lighting shall be attractive and comply (see Article 29.00).
5. No building, structure, lot, or land shall be used except to provide temporary indoor storage for legal personal or business property.
6. Access permitted from 7 am to 10 pm. No twenty-four (24) hour access.
7. No objectionable by-products such as odors, smoke, dust, refuse, electromagnetic interferences, noise, etc. are permitted.
8. No outdoor storage is permitted.

9. No business office other than the office required to serve the Self-Service Storage Facility.
10. No habitation of any kind outside of business hours.
11. At least thirty percent (30%) of all land must be used for open green space. All open space must be landscaped and well-maintained. Roadways and parking areas may not be used in calculating the amount of land dedicated to open space. 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%).

Example #1:	Land To Be Developed	100 acres
	Required Open Space	30 acres

Example #2:	Land To Be Developed	100 acres
	Land dedicated for community use (Youth athletic fields, developed walking trails, tennis courts, etc.)	5 acres*

(*This reduces the overall open space requirement by an equal amount.) Required Open Space – Twenty (20) acres.

12. Self-Service Storage Facility LOT SIZE

One and a half (1.5) acres of land minimum is required for Self-Service Storage Facilities.

13. STRUCTURES

No more than fifty percent (50%) of Self-Service Storage Facility property covered w/buildings/structures.

14. SITE COVERAGE

No more than seventy percent (70%) of the area of each building site may be covered with buildings, structures, street right-of-way paved areas, off street loading area, driveways, walkways parking areas and other paved areas, and the remaining area shall be devoted to open space, except as otherwise permitted under General Requirements.

15. BUILDINGS

Building shall be single story construction and not exceed 20' twenty (20) feet in height (relative to the average street centerline elevation adjacent Self-Service Storage Facility property).

a. SETBACKS

In addition to Inter-District buffering defined in this resolution the following apply:

1. Front: Fifty (50) feet (corner lots would have two effective front faces, as measured from the street right-of-way)
2. Rear: Twenty (20) feet (measured from rear property line)
3. Sides: Fifteen (15) feet (measured Side property line)

b. PARKING AREAS

All designated parking areas or driveways must be separated from property lines or street right of way line by a minimum Ten (10) feet of landscaped buffer strip. Drive aisles shall not be less than Twenty-five (25) feet wide.

C. Architectural Requirements

Subject to appearance review and approval by the board on renderings, provided by applicant. 50% Masonry / Stone is required on all public facing structure elevations of office and individual storage units. No unfinished metal or painted metal without 50% stone or masonry will be approved.

a. FENCING / SCREENING

In addition to the provisions of article 20 of this zoning resolution, the

following superseding specifications for a permitted Self-Service Storage Facility apply: 6' minimum height fencing of entire facility is required (except where public access / green space is being utilized). Self-Service Storage Facilities located adjacent R-1/R-2/R-3 require a min Fifteen feet (15') of screened masonry wall 6' tall plus with trees planted 8' on center. Fencing can be masonry or PVC coated (no bare metal or galvanized will be permitted). Self-Service Storage facilities must have locked and gated access.

b. DENSITY

Self-Service Storage facilities must be located a minimum of one and a half (1.5) miles from another Self-Service Storage facility in or outside of Coventry Township.

A. PLAN REVIEW FOR PERMITTED USES

- a. Provide PLAN VIEW and views of elevations including street, sides and rear.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **Approved**.



Planning Commission
Zoning Text Amendment
Zoning Certificate
Northfield Center Township

Item No.: 4
Meeting: March 28, 2024
Proposal: Zoning Certificate
Processor: Stephen Knittel

Proposal: 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.

Sec. 610.07 DENIAL OF ZONING CERTIFICATE.

- A. A Zoning Certificate shall not be issued where the structure or use, as proposed, would violate one or more provisions of this Resolution. In such case, the Zoning Inspector shall state on the application the reason for the denial, including the regulation(s) which would be violated by the proposed use, and shall transmit one copy thereof to the applicant along with one copy of the plot plan, signed, dated, and noted as disapproved.

ADD NEW LETTER "B" TO READ:

B. A Zoning Certificate shall not be issued if there are any zoning violations attached to the property, unless the permit being applied for is deemed necessary to correct the existing violation(s).

Staff Comments: Twinsburg Township also requires a property meet zoning standards in order to be permitted a zoning certificate.

3.3 Permits, Certificates and Approvals. In order to effectuate proper and effective enforcement of this Zoning Resolution, the required permits, certificates, and legal and administrative documents and approvals shall be obtained and the following stipulations and procedures shall be followed in order to obtain them prior to constructing, reconstructing, changing, maintaining, or using any building, structure, or land:

a. Issuance Of Zoning Certificates. No building or structure shall be erected, moved, added to, or structurally altered, nor shall any building, structure, or land be established or its use changed, without a Zoning Certificate therefore, issued by the Zoning Inspector. Zoning certificates shall be issued only in conformity with the provisions of this Zoning Resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, variance; or from the Zoning Commission approving a Planned Residential Development (*effective 5/31/2002*), or Planned Commercial Development (*effective 4/22/2006*) or Category 2 Use Development (*effective 2/18/2010*), as provided by this Zoning Resolution. (*effective 01/07/2022*) No zoning certificates shall be issued for Business, Commercial, Industrial, Multi-Family, or single family dwelling projects without evidence that:

1. The grading plan, drainage plans, and the provisions for future maintenance of the drainage facilities have been reviewed by the Summit County Engineer and that the cost of review and inspection by the Summit County Engineer's Office shall be borne by the applicant or developer.
2. The design of the project provide for the following:

- i. Acceptance of upstream drainage;
 - ii. Provisions for the development of upstream properties;
 - iii. Storm water management so that the adverse effects on underground water recharge and abutting and downstream properties are minimized;
 - iv. The maintenance of surface water in its natural drainage course where the water enters and leaves the project site; and
 - v. Any drainage easements necessary for the project.
3. If a non-publicly owned sanitary sewage collection and treatment system will be utilized for the disposal of sanitary sewage, the facilities have been reviewed and are in compliance with the standards of the Summit County Department of Environmental Health and Services and the costs of such review and inspection by the Department of Environmental Services shall be borne by the developer.
4. The proposed site plan has been reviewed by the Summit County Department of Planning and Economic Development and show a proper relationship between thoroughfares, service roads, driveways, parking areas, and access to adjacent land which will foster pedestrian and vehicular traffic safety and minimize adverse effects on adjacent property.
5. An erosion, sediment control, and water management plan has been developed and was reviewed and approved by the Summit County Soil and Water Conservation District and include the following as needed:
 - i. Temporary or permanent sediment retention basins;
 - ii. Temporary diversions;
 - iii. Surface water management;
 - iv. Seeding to prevent soil erosion and minimize sedimentation of streams, creeks and drainage ditches;
 - v. Sub-surface water management including facilitating underground water recharge; and
 - vi. Preservation of permeable and unstable soils and plans to include such soils in the minimum required open space.
6. Meets the minimum standards of this Resolution.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **Approved**.



Planning Commission
Zoning Text Amendment
Solar Panels
Northfield Center Township

Item No.: 5
Meeting: March 28, 2024
Proposal: Solar Panels
Processor: Stephen Knittel

Proposal: - 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.

Add a new letter E to Chapter 230, “General Provisions”, Section 230.17 to read:

E. Solar panels shall be removed if not functioning and disposed of in accordance with county, state, and federal guidelines.

Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendments be **Approved**.