

**Brunswick Hills Township Zoning Commission
Public Hearing Meeting Minutes
October 3, 2019**

Chair Jenkins called the Brunswick Hills Township Zoning Commission regular meeting to order at 7:43 p.m.

- **Board Members in Attendance:** Sandra Jenkins (Chair), Matthew Mickas (Vice Chair), Barb Porter, Trica Murphy, Linda Kijek
- **Alternate Board Members in Attendance:** Patti Wetterman, Sy Mougabi
- **Others in Attendance:** Trustee John Witthuhn (Zoning Liaison), Evelyn Czyz (Zoning Inspector), Anthony Strazzo, Fire Chief, Matt Payne, Fire Prevention Officer, Mary Jean Milanko (Secretary)

CONTINUED BUSINESS: PUBLIC HEARING ON PROPOSED TEXT AMENDMENTS TO THE BRUNSWICK HILLS TOWNSHIP ZONING RESOLUTION

1. Agritourism – Add new Sec. 303-14 Agritourism Purpose and General Regulations.

2. Proposed Text Amendments to Existing Zoning Resolution: Sec. 303-10 (E), Sec. 406-7(A)(1), Sec. 411-5 (B), Sec. 411-5(F), Sec. 703, Sec. 704, Sec. 705, Sec. 902-2 (E), add new Sec. 904-3, 904-4, 904-5, 904-6, 904-7, Sec. 1103. Remove “equestrian activities” from Conditionally Permitted Uses in all Zoning Districts. Gender Neutral Changes in: Sec. 411-6, Article II Definitions Personal Care Services, Plainly Audible, Sec. 303-9 Driveways, Sec. 303-10 (C), Sec. 402-5(E), Sec. 406-1, Sec. 411-5 (A), Sec. 507 (D), Sec. 802-1, Sec. 804-2 (2) Sec. 903-2, Sec. 1001-1, Sec. 1003-4, Sec. 1004, Sec. 1103, Sec. 411-5 (D).

Chair Jenkins stated we have continued business on proposed amendments on Agritourism and the Brunswick Hills Township Zoning Resolution. The Medina County Planning Commission did not get us on their October 2, 2019 agenda; it was an oversight on their part. Secretary Milanko noted for the record that Ron Henwood, Director, Medina County Planning Services sent a letter to the Zoning Commission to apologize for confusion on their part for not getting the text amendments on their agenda. She stated it was an oversight on their part as other township business came in, but confirmed this matter will be heard at the November 6, 2019 Medina County Planning Commission meeting.

Motion to Continue the Public Hearing on Items 1 and 2

Chair Jenkins entertained a motion to continue the public hearing on proposed text amendments to the November 7, 2019 meeting. **Motion:** Mrs. Murphy made a motion to continue the public hearing on proposed text amendments to the November 7, 2019 meeting. Mrs. Kijek seconds the motion. **Roll Call:** Mrs. Porter-yes; Mrs. Murphy-yes; Mrs. Kijek-yes; Mr. Mickas-yes; Mrs. Jenkins-yes. **Motion carries to continue the public hearing on proposed text amendments to November 7, 2019 at 7:00 p.m.**

NEW BUSINESS: PUBLIC HEARING ON ZONING MAP AMENDMENT REZONING TO PMUOD

Chair Jenkins summarized the Zoning Map Amendment submitted by Terry Properties, LLC:

(3) Zoning Map Amendment by David Terry, Terry Properties, LLC, 1285 Marks Rd, Valley City, 44280 (in association with Ryan Homes), proposing to expand the existing 97-acre Marks Rd/Center Rd Planned Mixed Use Overlay District (PMUO) to include 214 acres (17 parcels present zoning C-2, R-1 and R-R) to the east (with frontage on Center Road and Substation Road) per Sec. 406-7E Addition of a Mixed Use Overlay of the Brunswick Hills Township Zoning Resolution.

Board Member Recusal: Vice Chair Mickas recused himself because of conflict of interest and alternate board member Patti Wetterman was seated in his place to represent a full board.

Chair Jenkins stated the Medina County Planning Commission and the Medina County Prosecutor's office have reviewed this request. She asked Mrs. Murphy to read the Executive Summary and Staff Recommendation from the Medina County Planning Commission.

Mrs. Murphy read the Executive Summary and Recommendation from the Planning Commission:

EXECUTIVE SUMMARY The subject parcel is located on the south side of SR 303 (including the Cossett Creek golf course (see Map 1). The applicant proposes to change the zoning districts on the subject parcel to PMUO Planned Mixed Use Overlay. Recommendation: **APPROVAL**

Medina County Planning Commission Comments:

1. The northern portion of the subject site is recommended for Mixed Use Commercial and is consistent with the preferred uses shown in the Comprehensive Plan.
2. Per the Comprehensive Plan, the remainder of the site is recommended for large lot residential development with two-acre lots. The Plan does reference some opportunity for zoning flexibility in unspecified locations.
3. Multi-family dwelling units, which are permitted under the PMUO, are not consistent with the Plan.
4. The proposed site meets the PMUO requirements as follows:
 - a. Is located on property with frontage on Center Road.
 - b. Includes commercially zoned land.
 - c. Contains more than 40 contiguous acres.
5. The proposed site may meet the PMUO requirements if sewer and water capacity can be obtained by the applicant. Per the Sanitary Engineer's comments above, sewer capacity is currently available to service the site, however improvements to the water system would need to be installed in order for the site to be serviced.
6. The applicant has indicated in previous submissions a desire to include multi-family and single-family components to the project. While multi-family is not recommended in the Plan, it does recommend the east side of Substation Road as an area where multi-family is appropriate.
7. The subject site has access to utilities and is surrounded on three sides by relatively high-density zoning and is not inappropriate for higher density.

Recommendation: Staff recommends that the Medina County Planning Commission recommend **APPROVAL WITH MODIFICATIONS** to the Zoning Commission of the proposed zoning map amendment expanding the PMUO Planned Mixed Use Overlay District with the following additional recommendations:

1. All commercial property must front on Center Road.
2. Water and sewer must be installed as part of the project construction.
3. All included multifamily property must be contained in the northeastern portion of the site near Substation Road.
4. Consider increasing landscape buffer requirements for parking adjacent to residential uses.
5. Landscaping guidelines separating residential uses outside the PMUO must be strictly maintained.

Chair Jenkins stated for the record this is a public hearing on rezoning, so anyone who has looked at the map with the sublots for general development, that is a moot point if the zoning does not happen. She stated this meeting is for rezoning only; this is not approval of the site plan.

Public Comment:

Chair Jenkins stated we will have an opportunity for the public to speak and we ask that the comments be limited to three minutes and not be repetitive. When we call you forward, please state your name and address for the record.

1. Wes Humphrey, 451 Substation Road, Brunswick Hills: Mr. Humphrey asked what commercial properties are going to be included in this rezoning as part of the requirement. He asked if it is on the southwest corner of Substation? He said there are two commercial properties there, the golf course and the daycare, and asked if they are included in that because otherwise there are no commercial properties for the rezone. Mr. Humphrey referred to the zoning code and said Substation Road is not included as an access road for egress/ingress. Mr. Humphrey said to be adjacent to another Planned Mix Use Overlay District is separate. I was on the board at the time and there was nothing about extending a PMUO, it was only for the purpose for the one that is there at the corner of Marks Road. The main road as Substation, that is out. Mr. Humphrey asked what is the commercial property that they are including to get the approval? He said this is something for you to look at because I don't know whether they signed on with them or not; otherwise there is only R-1 on Rt. 303. Mr. Humphrey said to extend an existing Planned Mix Use Overlay District is not in the zoning book from 2007 and I don't think there were any changes on that. Chair Jenkins stated correct.

2. Kristin Hopkins, CT Consultants, 1001 Lakeside Ave. E. Cleveland, OH 44114 (Representative for the Applicant, David Terry): Ms. Hopkins stated that many of the questions people have might be answered if I were allowed to make a brief presentation on the proposal. She stated we have a map that identifies the land in the requested rezoning area showing the existing zoning so that question about where the commercial property is will be answered. Ms. Hopkins said as stated in the Medina County Planning Commission Report there are three different zoning districts that are included in the underlying area. Ms. Hopkins referred to the large map and said this is the existing zoning map and said there are three parcels at the corner of Substation and Center Roads that are zoned C-1; there is a daycare there and an animal grooming/kennel. She said then for a certain amount of frontage depth all along the remainder of Center Road, the Zoning is R-1 Residential and the rest is R-R Rural Residential.

Ms. Hopkins said the requirements for the Planned Mixed Use Overlay as specified in the Zoning Regulations identifies four criteria for an applicant to request, and for the township to approve, the establishment of a Planned Mixed-Use Overlay District. The first one is that the property is located with frontage and access on a major road, and those major roads are: Center, Marks, Grafton, Pearl and W. 130th Street, and has to include partially zoned land. Ms. Hopkins said I have identified on this map the areas that fall within the areas identified in the Zoning Resolution that can be considered for a Planned Mixed-Use Overlay District. It also says a request has to have a minimum of 40 acres, so we have 214 acres that are outside of the right-away and if you look at the Tax Maps in total, the total acreage is 218, so you have 44 acres. Mrs. Czyz, Zoning Inspector noted for clarification that it is not zoned C-1, it is zoned C-2. Ms. Hopkins stated I misread the map, thank you. Ms. Hopkins said Sec. 406-3 has the four items and the fourth one is that the property is served by public water and sanitary sewer facilities. She said all of these items were addressed in the County Planning Commission's response Staff Report and that is one of the reasons why I believe that the Planning Director recommended approval and the Planning Commission granted recommendation for approval.

Ms. Hopkins said in terms of the interpretation of frontage on Substation Road, is it ok to have frontage on Substation Road? The code does not preclude land having frontage on a different street. It requires it has to have frontage on a specific street, but it does not say that it can't have frontage on another street. Ms. Hopkins said that would not be a requirement and if it were she believed the Planning Director would have specified. She said in an earlier application, that did not actually get reviewed by the Planning Commission,

the Planning Director did have an opinion that land on the east side of Substation Road, land that is zoned Industrial, could not be included in a Planned Mixed-Use Overlay District. Ms. Hopkins believes that if he felt his interpretation of this section of the township zoning would preclude frontage on Substation Road he would have specified that.

Ms. Hopkins I would also like to underscore a couple of items in the Comprehensive Plan because there were comments about the Comprehensive Plan brought up by the County Planning Department in terms whether this is consistent. The Planned Mixed-Use Overlay District was in place at the corner of Marks and Center Roads at the time of the 2005 Comprehensive Plan was adopted and it was because it is shown in the existing Plan Use Map and the existing Zoning Map that is included in the 2005 Plan. The fact that the Comprehensive Plan talks about and makes use for frontage along Center Road, but does not address Residential or Multi-Family, raises the question of was there really an intention to say that the existing multi-family and higher density residential in the existing Planned Mixed Use Overlay District was inconsistent with the Comprehensive Plan. So that is a clarification that warrants some consideration in terms of if the Comprehensive Plan should be updated and clarified.

Ms. Hopkins said the recommendation for the Planned Mixed-Use Overlay District, or the way the Zoning Resolution is written, does identify three different types of residential uses that can be included in a PMUO and specifies the maximum density for each one of them. I believe we are not asking you to act on the Concept Plan that we have submitted. The Concept Plan does indicate to you what the developer and applicant's ideas are at this time. Ms. Hopkins pointed out that PMUO District does not set a maximum amount of the property that could be devoted to multi-family or a maximum of the townhouse area. We have shown the majority of the area for residential would be single-family residential, with only a small amount of land devoted to townhouses and no land devoted to multi-family.

Ms. Hopkins said consistent with what the Planning Department's recommendations were, we have kept to the higher density residential and abutting Substation Road with the belief that is an appropriate stepdown because the zoning across the street is Industrial. Another fact to point out in terms of the Comprehensive Plan, I do not believe it reflected existing conditions in 2005. This entire area on the east side of Substation Road was zoned Industrial at the time as it shows in the Comprehensive Plan Zoning Map; that Industrial Zoning was in place and the Comprehensive Plan recommends suburban residential. Right now, as it stands in our application, we indicated the properties that are currently developed with an industrial-type of land use or utility-type of land use on the east side of Substation Road. This is why we have shown on our plan that the higher density townhouses are legally appropriate for frontage along Substation Road.

Ms. Hopkins said I would like to clarify that a Traffic Impact Study will be required for the General Development Plan review. She said that is the time a specific number of units would be proposed and at that time we would present a Traffic Impact Study. The applicant acknowledges he will work with ODOT on Rt. 303 and improvements to Substation Road. She said whatever the state or county requires from a traffic improvement standpoint, the applicant will make those improvements.

Ms. Hopkins said also water and sewer requirements. The water and sewer is "quote" available in the sense that the applicant would partner with the county to make the water, I believe it's a water tower, or what the county says would be a necessity and they would expect the applicant to be a participant in the cost of that. She stated the applicant is agreeable to do that. Whatever the requirements are for the water and the sewer and the traffic would be accommodated.

Then finally I did want to read one thing from the Comprehensive Land Use Plan.

Audience Management Control

After several outbursts from the audience regarding the three minute time, Chair Jenkins had to calm the audience and state that Ms. Hopkins is not limited to three minutes because she is making a presentation to our township. She is giving us information on this that will help answer many of your questions and help your public comment. It might answer some questions that you all have, but she is not limited to three minutes. Trustee John Witthuhn also addressed the audience after outbursts continued and said let me remind everybody that the chairperson has the authority to have someone removed if we cannot conduct this meeting. We all need to be adults and let this meeting go on. If not, we are going to be here all night long and accomplish little. The chairperson has asked you to give respect to this board, which I don't see going on right now.

Kristin Hopkins said the 2005 Brunswick Hills Comprehensive Land Use Plan recommends that the township “quote” aggressively pursue the use of planned development method of development. She said the Planned Mixed-Use Overlay District is one of those PMUODs methods of development to ensure that new developments are well designed particularly with regard to the amount of the type and location of open space. So and recognizing that the majority of the property is currently a golf course and that there is a stream that runs through the golf course, there is a riparian buffer of 75 feet required on both sides of the stream. She said in our Concept Plan, the developer has shown over 30% of the property being maintained as open space; to maintain all the critical natural features including the wetlands and the riparian buffer area. Ms. Hopkins thanked the board for allowing her to make the presentation.

PUBLIC COMMENT CONTINUED:

3. Rodney Hurkman, 5052 Center Road, Brunswick Hills – Mr. Hurkman stated one of the properties that they want to change to Commercial is mine. I've heard rumors that petitions have been signed that we are on board with this to include all properties along that frontage. Chair Jenkins stated she is not aware of any petitions. Mr. Hurkman said nobody wants this; the traffic is horrible on Rt. 303 as it is. The last development that went in just west of where the commercial property is supposed to end increased it to the point that the road needs fixed now. We can't get out of our driveways as we speak, nor do we have any interest in selling our properties to anything commercial for that area. We moved into that area because of what it is now. This is not what we want.

4. Thomas Carlisle, 3521 Foskett Road, Medina, OH - Mr. Carlisle stated they are proposing to rezone my property to Commercial from R-R (Rural Residential). Right now, they are showing townhouses behind my property and if that is the case, I don't want my property rezoned to Commercial. He said I would rather have it for townhouses or one-acre lots and I just want to put this on the record. He said I have no problem with the subdivision, but I don't want my property rezoned to Commercial. Chair Jenkins asked what his property address is. Mr. Carlisle said I don't know off-hand but it is five acres on Substation Road south of the water tower.

5. Kristin Hopkins, CT Consultants (Terry Properties), returned to the podium and said one other thing to clarify in case there was some misunderstanding – the way the Planned Mixed Use Overlay District works is it is a two-step process. She said according to the Ohio Revised Code Sec. 519.021(C) which calls out specifically, as does the township's chapter on the Planned Mixed-Use Overlay District, once the rezoning occurs it is considered an Overlay District. She said so the underlying district, the Rural Residential stays in place, the R-1 stays in place, the C-2 stays in place until a development plan is approved. She said even though we have shown areas for Commercial, townhouses and single-family, the rezoning does not indicate where those land uses would occur, that is the second step with the General Development Plan review, which comes back to the township.

6. **Lance Eipperle, 4855 Roscommon Drive, Brunswick Hills** – Mr. Eipperle asked what is the benefit of this to the community? Is it tax dollars? He said I don't understand because we will need more police, more firemen and with that many houses there will be more traffic issues. The roads are going to get worse by far and unless you plan on making Substation part of the Ohio Turnpike, it is bad enough as it is. I'm asking the council people what is the benefit to Brunswick Hills for moving ahead with this. Mr. Eipperle said I understand the developer's standpoint is business is business. If you are going to put in all those houses and condos there you will need more police and fire entrances on Substation. Chair Jenkins stated the board is just hearing this presentation tonight, and as a recommendation board, we each have individual feelings on this as well as the public, so that is why we are here tonight. Mr. Eipperle said I'm just trying to figure out what would happen with the schools and traffic, but I'm more concerned about police and fire more than anything else. I moved out to Brunswick Hills 10 years ago for a specific reason because I liked the area. He said we are a township and for the record, I don't know what the financial benefits of this are.

7. **Don Elwood, 1296 Substation Road, Brunswick Hills** – Mr. Elwood said I've been out here since 1954 and have seen a lot of changes. Mr. Elwood said I have no problem with this, but go to your two acres, not 1/3 of an acre, as the other developer presented to you with water. Mr. Elwood said I had a 50-acre farm on Sleepy Hollow and they put a little sewer line in there and we told them it was too small. Mr. Elwood said they are talking about sewage, where is it going? He said you are going to have a problem with water because you only have one little tower over there, so there is not enough water. You can't pump sewage so where is it going to go? He said there are a few other projects down here but they have their own septic tanks. Bennett's Corners had septic tanks and they all collapsed so we now have six pumping stations all through Brunswick. He said the houses behind me are \$400,000 with basements filled with water. He said I'm older so I'm not going to see all of this, but the rest of the people sitting here will.

8. **Samantha Brown, 1445 Muirwood Drive, Brunswick Hills** – Mrs. Brown said I am a teacher and I grew up in Brunswick and went through Brunswick City Schools, so I know the importance of class sizes. She said we are building a new middle school and there are talks of a new high school, but our elementary school class sizes are extremely important to be small. I have a kindergartener this year and we stayed in Brunswick because I love the schools and the small class sizes growing up. She said if that is what is proposed, I'm worried about where all of those kids are going to go to school. She said 561 homes and let's say each house has one kid, where are 561 more kids going to go to school? Chair Jenkins asked how large are your classes now? Mrs. Brown said my son is in elementary school right now with a class of 19, which is okay. She said it's hard for a teacher to go around and log 19 kids into a computer before computer time for the day is over. She said they have to take their state testing in school on a Chromebook computer and kids can't type so you have to have a teacher help them. She said so it is very scary to me if class sizes are over 25. She said I teach 7th and 8th grade and I have class sizes of 30, which is hard. She said the divide between high and low kids is getting wider and getting harder for teachers to help those lower-level students to keep going and the kids in the middle to not be forgotten about. Mrs. Brown asked if there is a plan to build a new elementary school because I don't know where all of those kids are going to go to school. She said I don't understand how Applewood, Towslee and Hickory Ridge schools are going to be able to take all those students.

9. **Laurie Zoss-Kraska 5096 Hartwell Lane, Brunswick Hills** – Mrs. Zoss-Kraska said I am in the Chelsea Greens development and my back yard abuts to the proposed rezoning by Terry Properties. Mrs. Zoss-Kraska stated I want to go on record saying I am disappointed that Mr. Terry is not here tonight to speak with the residents directly. Several individuals verified Mr. Terry is here tonight. Mrs. Zoss-Kraska said usually when somebody sends a consultant the person isn't here, so I was confused by that. Mrs. Zoss-

Kraska said I would like to build off this water issue and said we've already had to put sump pumps in our homes that we built with Drees Homes less than three years ago, and that's before any of this proposed rezoning. Mrs. Zoss-Kraska said does anybody have any idea how many trees are on Cossett Creek Golf Course? She said hundreds and according to the USDA Forest Service, one, one-hundred foot tall tree, and a lot of those trees are over hundred feet, can actually consume 11,000 gallons of water annually. Here's my question, those trees that have been on that property for hundreds of years before Brunswick Hills even existed, what happens with that water that all of those trees have been sucking up for hundreds and hundreds of years? That is an essential concern for me, especially because of the location of my home. She said I've seen nothing in any of the documentation that's been provided to us as residents, nor on the website, that answers this question. She said finally, I just want to appeal to the Zoning Commission to really think about this decision you have in your hands that affects this entire room and people who could not show up tonight. Do you really want your legacy to be this because I would really want you to think twice before you change the landscape of this beautiful township. She said at the end of the day, Mr. Terry can take these plans somewhere else, but us, we made a commitment to be in the township, I don't want to go; Mr. Terry can go, I'm not leaving.

10. John Kwiecien, 1453 Muirwood Drive, Brunswick Hills – Mr. Kwiecien said I'd like you to take into consideration Mr. Terry's prior record of conviction of bribery with a city official in Strongsville. Why he's even allowed to be here tonight to present this is beyond me. It's appalling and he should be completely out of the business of developing and having city officials bribed for favors.

11. Matt Cooper, 4741 Laurel Road, Brunswick Hills – Mr. Cooper said I've been here since 1991 and I, like everybody else, am not a fan of this plan. We came out here because we wanted open fields, bigger lots, and now you are trying to zone it out where it becomes more like the city – nobody wants that. We can sit here and say we really don't want it and now we aren't going to do it, but what prevents them from this? He buys the big property and says I've got 214 acres and I'll just join the city if I want because the city guys always seem to want more in taxes. He said they did that with the Fairways and I was against that but it didn't do any good and I am afraid they would do it again.

12. Jim Hawley, San Francisco, CA – Mr. Hawley said since this has become an issue in this discussion with Mr. Terry's felony, I want to say I'm a friend of his and have known him since I was five years old living in Cleveland. He said what I think folks need to know about the conviction is that Mr. Terry was indicted and he confessed to a felony, no doubt about it. He was sentenced, he didn't get any jail time but he did get some probation time. Just recently, the Governor of Virginia who had been convicted of the same crime took his case to the Supreme Court and the Supreme Court determined that that was not a crime. He said David Terry now is awaiting a pardon that will clear up that felony. He said in terms of his character, at the time of his situation when he was in court, over 50 people, doctors, lawyers and judges, wrote letters about his character and their experience with him. He said so I think this felony thing is certainly something of consideration, but I think it is a red herring and a bit of a character assassination, especially with the fact that he is awaiting a pardon.

13. Dave Kraska, 5096 Hartwell, Brunswick Hills – Mr. Kraska asked if anyone has been to the back of that golf course because it is all hills, valleys and a creek runs through there. He said it seems to me to be way too tight to put a street or cul-de-sac in so close to the houses that are already there. He asked if you have had the Army Corps of Engineers look at that to see if it is even possible to do anything back there. Chair Jenkins stated that would be a next-step, this is just a plea for rezoning, but if anyone were to redevelop that area they have to abide by the county and the Army Corps of Engineers. She stated that is

out of our hands as it all goes to the county level. Mr. Kraska stated again he thinks it is way too tight for that street to go in by our area on the back-9.

14. Evert Van Staden, 4954 Roscommon Drive, Brunswick Hills – Mr. Van Staden said I'm sure you all are aware of the Comprehensive Land Use Plan that was developed a couple of years ago. That document reflects the vision of the community and it was compiled by input from the community. There are a couple of points under the Vision that I want to remind you of. He said we wanted a *well-planned and enforced development that implements the will of the community*. He stated it is important that we consider the will of the community. He continued reading from the plan, it needs to be *attractive and useful open spaces that link the community; we want to retain the Rural Visual Character dominated by the open spaces*. Mr. Van Staden said in that document a part of the land that was identified here for the development was designated as big-sized lots, not high-density lots. The point that I want to emphasize here is look at everybody here, are you polling the will of the community that was expressed in this document because the consultant said yes that we want to actively build and develop the community. He said but at the same time, we also want to strive to develop it according to the vision that was laid out here. Mr. Van Staden said so these are critical considerations.

Mr. Van Staden said a couple of other points; obviously, traffic has already been brought up as it is already a nightmare turning south from Center Road onto Substation Road. There's no turning lane and if a development is to be considered there will have to be traffic studies, but it is hazardous now. He said my teenage children are not comfortable turning there and the same from turning south from Laurel Road on Substation Road; sometimes you have to wait a long time just to turn so traffic is an issue. He said the key point I want to emphasize is we need to listen to the word of the community that was expressed in this document and why we are here tonight. I urge you not to accept this rezoning proposal.

15. Zack Hanson, 1740 Substation Road, Brunswick Hills – Mr. Hanson said we just bought our house in March and one of the big reasons we moved to this area was for the rural characteristics of the community. Brunswick Hills Township has been great this far and we want to continue living here. I grew up in North Ridgeville and that area was taken away from us with all of these developments. He said many of the things I wrote down have already been said, but when the Greenfields development went in it was 2- acre lots and I just want to know why Terry Properties can't do the same thing. The traffic is my biggest concern; you can't turn left from Center Road onto Substation so I always go around during rush-hour traffic because Substation is so busy. He said Sec. 406-3 of the Brunswick Hills Township Zoning Resolution states: *For the purposes of this Section, major roads shall be Center Road, Marks Road, Grafton Road, Pearl Road, and W. 130th Street*. Mr. Hanson said Substation is not a major road and may not be precluded in that section, but I think they probably would have put Substation Road in those streets if they intended for it to have a development coming out of it. He said the developer said in their proposal that this area is dominated by conventional density subdivisions. That might be true north of Rt. 303, but certainly not true to the south along Substation. He said I found the Estimate of Trip Generation from the developer to be willfully inaccurate. It only lists daytime values; I don't see any a.m. ins or outs. I didn't see anything in the proposal that says how much these single-family homes would sell for. I'm certainly concerned about flooding like the other residents have said and I also question who the target demographic group would be for these single-family houses. Mr. Hanson asked what businesses are intended to go in the commercial area? If you go up Pearl Road, there are plenty of vacant storefronts currently available. He said we don't want that there, but I understand it has to be there as part of the PMUO. The proposal mentions public facilities that might be available but it says they may or maybe would not. Mr. Hanson concluded with the big issue will be schools.

16. Darren Butler, Manager of Cossett Creek Golf Course, 4900 Center Road, Brunswick Hills – Mr. Butler said most likely all of you are here because of me. Terry Properties and the other group wanted to develop the property behind Number 3, so southside of the golf course, which is Pospishil farm. They approached the golf course, not the family, and I look out for the interests of the family. He said I was approached many times, said no, and listened to the different exclamations of the PMUO and that it would be best to be part of the zoning. They told me it can remain a golf course because it would take years anyway. He said that's what I was told, then there was a monetary offer, and that monetary offer then brought the ownership into play. He said after that was all said and done that's when everything moved. That's when they went to the neighbors and said that the golf course is on board for the rezoning and you should get on board too. He said in a sense because of my judgement of saying alright well we can get how many dollars, that aren't worth mentioning, but it could have been a watering system for the golf course, a couple of tractors and it could be equipment for the golf course. He said the golf course could remain a business. That was said, not sold, but there hasn't been a dollar amount offered. Mr. Butler said there have been fictitious dollar amounts said if those said plans are approved. He said zoning means nothing, those plans are what mean something and the PMUO would help the family eventually down the road. Who knows if golf is going to be great, if golf is going to be bad, that's why I'm here to listen and that is why I included the golf course in this rezone to look after the family as it's their investment. There is no mortgage on the golf course; there has not been a dollar amount discussed for sale of the golf course. I know what the dollar of the golf course was when I bought it and I know what the dollar amount of the golf course is right now because I got my card with the property value in the mail. I know exactly what it is worth and it's not what I originally bought the golf course for and it's definitely not what the property would be offered. He said in closing this is just a zoning thing; you guys have to approve it and it would be better for the family is the only reason as why the golf course is part of it. The golf course is growing and if you want it to remain a golf course then tell your friends to come play.

17. Jennifer Brinkman, 4933 Roscommon Drive, Brunswick Hills – Mrs. Brinkman said I'm a resident in Greenfields and I agree with the residents here. She said please don't sell that property behind me because my home abuts up to that property and I want to know what is going to protect me? Is there going to be a sound barrier? What's going to protect our nature preserve? She said we paid big money to live out there and we pay a lot in taxes. Mrs. Brinkman said I'm in healthcare and what is this going to do to the Cleveland Clinic? Are you going to build another one to accommodate all of these people? She said healthcare is a big issue not only money-wise, the facilities, but it's driving our government. She said this is going to drive government too and I don't want to pay any more in taxes. I don't want to lose my home, meaning sell it, because I've got someone who wants to be greedy. Mrs. Brinkman said I agree with everyone in this room, so please don't sell that property because it sits behind me and I want a buffer.

18. Mike Nikolaus, 1485 Muirwood Drive, Brunswick Hills – Mr. Nikolaus said I agree with everyone here but I have a question on whether there was a petition that had to be signed as Mr. Hurkman said because he is in that purple area. Mr. Nikolaus said I just want to know if that is true that something needed to be signed to even get to this point. Chair Jenkins stated nothing that she knew of. Mrs. Czyn, Zoning Inspector, also was unaware of a petition.

19. Dean Collura, 3926 Foscett Road, Medina – Mr. Collura said this has been stated several times tonight and you don't want it repeated but I will say the intersection of Substation and Rt. 303, which I use frequently, is extremely dangerous. Trying to make a left from 303 onto Substation either from the east or the west causes absolute grid-lock because nothing can move. He said and the same situation happens on Substation trying to make a left onto 303 from either direction. Mr. Collura said the other piece of that is when you are on Substation south of Rt. 303 it's hilly and the line of sight is not good, so adding driveways that are going to go with higher density, if that is what it is going to be on that end of Substation as it is

proposed here, puts more traffic turning onto Substation and I see that as a dangerous situation. He reiterated sight visibility is poor and more traffic than what's in there now is an issue because it is bad enough as it is. Mr. Collura said I live on Foskett Road and too many people don't want to get on Interstate I-71 from Rt. 303, even though the city claims all the lights are timed perfectly, because of the grid-lock in the morning and evening rush hour. He said so what happens is that a lot of folks in Medina County that are trying to get to I-71 take Foskett because it is a cut-through to Rt. 3 to the entrance to I-71. He said there is no development there and it goes smoother. He said I don't care that they lowered the speed limit on Foskett, I can tell you that is ignored during the morning and evening rush hours; they are well above the speed limit. Mr. Collura said this will be adding more traffic and it's going to take that same route, so I hope you take that into consideration and don't increase density.

20. David O'Leary, 1493 Muirwood Drive, Brunswick Hills – Mr. O'Leary said I moved here from Nashville, TN about four years ago and came to Brunswick because of the country atmosphere. He said I take my son to high school every day and that is a chore. Travelling from 303 all the way back to work at Marks and 303 there are wrecks all the time by the golf course and there are also lots of wrecks by Marks. I am pointing this out for a visual aspect from someone who actually sees this driving every day. Please consider this and thank you for serving us along with the fire department, police, etc.

21. James Pospishil, 10125 Wright Road, Canal Winchester, OH 43110 – Mr. Pospishil said I've been here since 1955, and anybody here who has built a house since 1955 has moved in on me. He said I used to go down that road and never stop at the end of the driveway because you could see the dust trail from all the gravel. He said now it's paved and they are running like heck. He said that is not the problem with the development, that is a problem with people. He said we've got a problem at Substation there and they ought to be stopping these people. He said if you put a car out there, you could make some revenue for your community. Mr. Pospishil said we are worried about the trees the developer will cut down on the golf course and said I helped build the golf course. He said our farm is supposed to be part of that golf course. I know that the 30 acres next to us, and I went to Mr. Terry with my 47 acres, has never had a tree cut down that wasn't dead. He said I have a degree from the Ohio State University in Landscape, Horticulture and Landscape Architecture and you're wrong. All the problems you guys have with your basements has to do with drainage and your builder; it has nothing to do with my land or anything we do over there because yours flows south, ours flows towards Substation.

I tilled that land all my life. I stayed in Columbus after I graduated and got a job down there because there were no jobs in Cleveland. I had to leave the farm because there was no work for me to make a decent living, but I came home almost every weekend to help my dad farm that. That farm now produces net less than \$2,000 worth of hay in a year, but my taxes have gone up since my dad died four years ago over \$1,000. So now, you tell me what you want me to do with it and I'd like to know if any of you folks even know what's growing on that farm. You're all concerned about the wildlife, you're concerned about what's there and you don't know. How many of you have golfed on the golf course? What I'm saying is when I lived there it was a gravel road with very little traffic and now its paved and congested but whoever did that intersection at Substation and Rt. 303 put a light in with no turn lanes; that was done improperly. You can't blame everything on someone who wants to develop. I am surrounded by neighbors and unless you buy the property around you, you can't expect it to not change.

22. Shad Cunningham, 5030 Center Road, Brunswick Hills – Mr. Cunningham said I know the traffic issue because I am right on Center Road. I have a 3-acre lot that abuts to Cosset Creek 9th hole and a lot of animals come to my back yard. I discharge firearms because I'm allowed. I have backstops, but what kind of a concern do I have to have if I have a house right behind me? I'll build a wall 20 feet tall but I'm not stopping because it is my right and that's why I moved here. I moved from Brunswick to Brunswick Hills so

I could discharge firearms and I have enough property to where I can do that. I'll put a sign up in my backyard 60 feet tall to let these people know that I do discharge firearms, so you may want to question moving behind me. I didn't move here to have people right next to me and behind me. I like country living where I can go in my backyard and I can build a fire, play loud music, and shoot guns. Now this is going to take all of that away because all of the animals will be gone and it is a shame it has to come down to this when you have such a big property that everybody around here enjoys because it is quiet. He said the traffic is out of control right now and who is going to pay to widen the road? Is that going to shorten my frontage? I have 200 feet tall trees on my front lot, who is going to pay to put those trees back up because I'm not paying for it.

23. Christina Guk, 1609 Marks Road, Valley City, Ohio – Mrs. Guk said this will be butting up to my property so I went down to the Tax Maps a couple of days ago and I was told I have 5.5+ acres. I said, no, I have 6.65 acres I've been paying on for years. I took my documentation back today and now they have it as 6.653 acres and I got a copy of the layout. Mrs. Guk said you might want to check your property records. She said I plant a lot of stuff on my land, so if you don't like what is around you, you camouflage it with green stuff. We have 10 trees in the front and I've been planting down into the woods. She said I want you think about the sun. I came from Rt. 42 going west on Rt. 303 and it was so blinding at that time of day I almost pulled off the street. She said it just so happened that a car hit some bikers that day because the sun was in his eyes. She said you don't want to be driving into the sun on your way to or from your job. She stated there is a lot of traffic around there, but I live on Marks Road so I can shop right there or take the back roads into Medina. She said this is going to affect a lot of people going into the city because who is going to want to sit there for hours. Mrs. Guk stated they need to widen that road or do something.

24. Richard Vasel, 1679 Marks Road, Valley City, Ohio – Mr. Vasel said I'm the third generation to own the farm that I live on down the hill from Cosset Creek. He said you have had all of that water and all of that high density building in the last 20 years and the creek has doubled in size. He said I have erosion problems and if you put this high-density housing in there, I'm going to have all of that water. He said you have to consider the people down the stream.

25. Terry Sturgill, 1855 Substation Road, Brunswick Hills, Ohio – Mr. Sturgill said the way I understand it, the proposed redevelopment can't go forward unless it is rezoned, correct? Chair Jenkins stated that is correct. Mr. Sturgill said so the rezoning is a core issue then. He said the Medina County Building Commission recommended that you accept this? Chair Jenkins stated the Planning Commission, yes. He asked if there are any circumstances that you would go against that? Chair Jenkins stated sure, we are a recommendation board so we will recommend approval, denial or approval with modifications to the Board of Trustees and they will make the final decision. Mr. Sturgill asked what criteria do you use when you are making that type of decision. Chair Jenkins said that is why we are having a public hearing and we have public comment. Everything that everyone here is saying is something we all are considering so that is why we are having this meeting.

26. Pat Smith, 1786 Substation Road, Brunswick Hills, Ohio – Mrs. Smith said they are trying to get the zoning changed, and then do you hope the roads get fixed and widened? She said this seems backwards. Chair Jenkins said what happens is if they were to get the rezoning, all of that will be submitted to the county. She said the County Engineers dictate the road; the Medina County Engineers dictate any water running through the properties, so it all goes to a county level for that type of situation; streets, turning lanes and all of that if it were to be rezoned. Mrs. Smith said I think instead of rezoning first, and then thinking maybe the roads will be fixed or widened, a school built or anything else they will need, that should be done first. I don't think the rezoning should take place at this time.

27. Kathleen Scheutzow, 3926 Foscett Road, Medina, Ohio – Ms. Scheutzow said as many of you know, I served approximately three terms as a Township Trustee and ran because we had land in part of the township that kept going up for redevelopment and there were issues with it. She said and at the time the citizens got together and that particular parcel we purchased, and along with a grant, and we became an ad-hoc group and I got talked into running for Trustee and did it two more times. She said because the other thing that came up is there was a development on Pearl Road and folks who were fighting Pearl Road came down to talk to those of us who had dealt with another issue and said can you help us on this. Ms. Scheutzow said ultimately that was rezoned and a group of us worked to put it on the ballot as a referendum, so I think the folks in this room need to understand several things. She said the PMUOD as has been stated is an overlay district, so the land underneath stays exactly as it is. She said you have a PMUOD at the corner of Marks and Center Road, however, I believe Crossings at West Valley was pretty much designated as a senior community, so it didn't put a lot of children in the school system, but what you do with senior housing there are rules where it can be over 55 and other ages.

She said the process here is this board makes their decision with whether they want to recommend that it be rezoned or not rezoned and then it goes to the Township Trustees. The Township Trustees then have to have a public hearing, which means you get to go through all of this again and then they do what they are going to do. She said if they vote for the rezoning and you are adamantly opposed to it, you go out and get signatures on a petition and you put a referendum on the ballot; that's how it works. She said conversely, the developer who has the property could be unhappy if it is disapproved and can file a lawsuit against the township. She said we ended up with that on Fox Village where the developer came back and sued. She said he sued the Trustees and when that happens and it is a lawsuit issue, it is not subject to referendum. She said so you have to do it and if you look down there at the corner, that is the function of a settlement agreement between the Trustees and the developers, to all his heirs and assignments, forever and ever and there's limits. Ms. Scheutzow said I am just throwing that out so everybody in the room knows what the process is and where you can go and this board knows what the process is.

28. Shad Cunningham, 5030 Center Road, Brunswick Hills, Ohio returned to the podium – Mr. Cunningham said my part of the rezoning calls for Commercial property. He said I'm in the blue on top of that map and asked is that is Commercial? Mrs. Murphy said that is for the PMUOD. Mr. Cunningham said I don't understand what that means, am I going to be Commercial now and I will have to pay more taxes or what? Mrs. Murphy said they are asking for the rezoning to be a PMUOD. Mrs. Jenkins said it's an overlay so you are going to stay zoned as what you are now.

Kristin Hopkins, CT Consultants (Terry Properties) asked to comment on the tax issue. Ms. Hopkins said the question was two-fold, if the zoning goes forward would his property be rezoned to Commercial, so the answer is no. That is part of the development plan and actual assignment of land uses. She said rezoning only applies to the outlined boundary of the Planned Mixed-Use Overlay District and then it's through the review process of a development plan, like the Concept Plan that we've shown, but not that Concept Plan specifically per say. She said so that wouldn't occur and the fact that it would be part of the Planned Mixed-Use Overlay District by virtue of rezoning does not affect anyone's taxes. She said the development of the property, if the property were to be redeveloped, that is when your taxes would be affected; but just by virtue of a rezoning action does not affect your taxes.

Shad Cunningham said I had a relator from Terry Properties come to my house and wanted me to sign an HOA to be part of the development and to possibly sell. He said I'm never going to be part of a HOA I can tell you that because that is why I live on 3-acres and I can do whatever I want. He said I thought it was very interesting that someone came to my house last winter, wants me to sell, and wants me to be a part of the HOA. He said my neighbor who is not here tonight also was approached.

29. **Diane Bailey, 5000 Center Road, Brunswick Hills, Ohio** – Mrs. Bailey stated we were also approached this winter to sign a petition to be part of the rezoning and to also join a Homeowners Association, which we also denied. Mrs. Bailey said I think we are also part of that Commercial property because we are right next door to the golf course. Mrs. Bailey said we've been here 37 years and I don't want it rezoned.

30. **Ron Wetterman, 1085 Substation Road, Brunswick Hills, Ohio** – Mr. Wetterman said I was enlightened to find out that the golf course says they are going to stay, they are not going to sell out. He said if that is the case, why are we here worrying about rezoning this whole thing?

31. **Samantha Brown, 1455 Muirwood, Brunswick Hills, Ohio** returned to the podium – Mrs. Brown said one more question about the houses, and the properties that are being rezoned to Commercial. If those properties chose to sell their homes, could something Commercial go up there? Mrs. Jenkins said yes. Mrs. Brown said there are houses there now, but if somebody sells their property because they are unhappy with something going through, now we've got not only a huge development going in there but more Commercial buildings in there? Mrs. Jenkins asked if she is talking about properties on Rt. 303. Mrs. Czyz stated that is currently zoned R-1 on the upper half, so it would remain R-1. **Ms. Hopkins, CT Consultants** – Ms. Hopkins said that property is currently zoned R-1 and you get an overlay if the zoning were approved. The development plan would have to be approved and the development plan would have to show that area as "Intended for Commercial" and then if your property is in that Commercial Use area in the general development plan, then you would be eligible to sell it as Commercial. She said it would be occupied by Commercial.

Mrs. Brown said here is my problem, if somebody is in that umbrella and they are a home now, they could be listed Commercial and they are going to have a hard time selling their house if they want to move. She said if this goes through, selling homes is what people would look at doing and moving elsewhere. She said they are going to take whatever they can get and if that means a Commercial building buying three people's properties and they do that, now look what we have. She said so you are now taking people who have lived in houses that have been established for many, many years, to now be a building when there is plenty of vacant places already on Rt. 303. Mrs. Jenkins said that would be their decision, but they would remain R-1. Mrs. Brown said they would have that choice if they want to sell their home but nobody wants to buy their home now because there is a new home five feet from their backyard. She said if you are going to try to sell your home and you have a commercial person coming in as the only way you are going to sell your house, we are looking at more than just a development going in here. We are looking at Pearl Road (Rt. 303?) or Substation Road having more commercial properties let alone just houses.

32. **John Pische, 1840 Limerick Lane, Brunswick Hills, Ohio** – Mr. Pische said I just wish you all put a thumbs down on this whole thing. It will mean a lot more problems with the police and do I understand that they are merging with Valley City? Chair Jenkins asked, Brunswick Hills Police Department? Mrs. Czyz said Valley City doesn't have their own Police Department, they contract with the Sheriff's Department. Mr. Pische said I just think this thing for the community is a bad idea.

33. **Terry Sturgill, 1855 Substation Road** returned to the podium – Mr. Sturgill said if this were to get rezoned or rebuilt, does that necessitate more police and fire infrastructure? Chair Jenkins said I'm sure it would. He said the proposed commercial area that's in purple on the map on the wall, part of that is on Substation so does that mean there would be more commercial development on Substation Road on the southwest side? **Kristen Hopkins, CT Consultants**, said in light of the County Planning Commission's response and recommendation, we would redesign the configuration of the commercial and the

townhouse development to accommodate those recommendations from the county. Ms. Hopkins said I would say this map gives you an idea, but this is not being decided upon tonight and we would submit a revised plan based on the comments and comments from the township as well. Chair Jenkins said the comments from the Planning Commission is for Commercial on Rt. 303. Ms. Hopkins stated correct, not on Substation Road.

34. Evelyn Czyz, Zoning Inspector, Brunswick Hills Township – Mrs. Czyz asked the Terry Property representatives if the streets will be public or private streets, because that is going to have a huge impact on our Service Department. Ms. Hopkins said that would be discussed and decided on with the General Development Plan down the road.

35. John Kwiecien, 1453 Muirwood Drive, Brunswick Hills returned to the podium – Mr. Kwiecien said why don't we leave well enough alone and if he wants to build there, stick with one house on two acres which is what it was intended to be. Mr. Kwiecien said he wants to make a killing so that is why he wants to put three houses on one acre. He said we are not against the development. We are against 500 new homes. He said stick to the original plan. We don't need 500 homes and if he wants to make more money, he can go somewhere else. He said no one has an issue if he wants to build one house on two acres, it would be a major headache to cram 500 houses in that area.

36. Mike Lytle, 5205 Center Road, Brunswick Hills – Mr. Lytle said this is a follow up to what you just heard and that is Medina County Planning Commission suggests that you consider a 2-acre lot for that area. The Brunswick Hills Zoning book for a PMUO allows 1/3-acre per development. He asked should there be some consideration of looking at what we've done in our own zoning code to prevent things like this from happening? He said take a more proactive approach and is it too late to do that now to prevent what is happening here? Mr. Lytle said if you approve this as a PMUO District, do you have sufficient time to look at overall zoning? Mr. Lytle said I was very much surprised when I looked at the zoning book and you are allowed to do 1/3-acre lots under this zoning. He said I opposed that. I moved out here and I've served on the boards and I believe in more rural atmospheres and that is why I moved to Brunswick Hills Township.

37. Jennifer Hombre, 5052 Center Road, Brunswick Hills, Ohio – Ms. Hombre said I've been at 5052 Center Road for seven years. She said I don't understand any of this; I watched the farm that was near me be developed and said I watched my land go from drying out to flooding. She said we have a ton of animals that come on my property because you guys took out a lot of land over there when that development went in. Ms. Hombre said and now we are taking out the golf course, or are we actually taking out the golf course, because I'm pretty sure he just said he wasn't selling. She said so why are we talking about rezoning my house to Commercial? She said how is that going to affect me if we rezone my house to Commercial, or it would be Commercial if I decide to sell. Where am I going to go? Ms. Hombre said Brunswick Hills is my home; I don't want to live in the City. She said she likes her home and it is quiet minus the Rt. 303 traffic. Ms. Hombre said I just put a brand-new septic system in and you are talking about running city sewage through there, correct? Ms. Jenkins said it would be the county. Ms. Hombre asked how is that going to affect me because I'm still paying \$10,000 on a new septic system. She said she's a paramedic and works three jobs. I love my home, I love my neighbors. I've looked for homes with one-acre of land in Brunswick Hills, there are only two for sale right now, and not one of them I could afford. She said I don't want to go anywhere; I enjoy my peaceful backyard. She said they have a heck of a time going through traffic with the squad on Rt. 303 and it's especially rough at Substation Road. She said people don't know where to go because there is nowhere to pull over.

Ms. Hombre said this will affect me in the long run, and if I don't want to sell, I'm being forced to get city sewage, correct? Chair Jenkins said no, you would not be forced to tie-in. Ms. Hombre said the county said I would be mandated to tie-in if that development goes in. Mrs. Jenkins said I can't answer that, but I would say you would not be forced to tie-in. Ms. Hombre said I tried to tie-in to the city when our septic had failed and I was told I could not unless I wanted to pay over \$20,000, however, if they brought it down to my property, they would force me to tie-in. Ms. Jenkins stated that is a county question that I cannot answer right now. Ms. Hombre asked why we are trying to do rezoning if the golf course isn't going anywhere because that's a big chunk of the property. Ms. Jenkins stated he (Mr. Terry) has every right to ask for a rezoning to build here, just as anybody else does, and we have to hear it so that's why we are here. Ms. Hombre said I agree, but if nobody is selling, why are we entertaining this? Ms. Jenkins said I don't know that to be a fact. I heard what you heard tonight and so we have the same information you do.

38. Mark Urban, 1297 Substation Road, Brunswick Hills, Ohio – Mr. Urban said I moved to Brunswick Hills 2.5 years ago with a purpose to have more space. He said my concern, as a relatively new resident to Brunswick Hills, is we can be a victim of our own fortune in that we like our privacy and space and like to do what we prefer. He said but bigger companies with bigger imaginations are making decisions that impact our actual residents' lives. He said we are not rezoning. We are residents and that perplexes me a bit because we are talking about stuff in a cloud. He said the Medina County Planning Commission has not knocked on my door. He said we are talking about people who don't live here making an impact on the peace of mind and purpose that was part of the reason why we came to Brunswick Hills. He said I know that can become shellfish, and I'm only one resident among many, but it sounds like bigger powers are making decisions that will force us to making a petition and doing some movement that was described earlier. Mr. Urban said I would like to think there is value to the people in this room. He said I was inclined not to speak, but I feel the volume in the room of people dissenting against this development needs to be as massive as possible even though I know there are many steps along the way.

39. Christina Guk, 1609 Marks Road, Valley City, Ohio returned to the podium – Mrs. Guk said there has been so much talk about the water that I checked into that and it will be Cleveland water. She said Medina County would handle the sewers. She said she saw the maps and the lines and said she remembered that Cleveland water did something to the City of Brunswick years ago and there was an argument over something. Mrs. Guk said we have our water from Lorain County on Marks Road. Mrs. Czyz, Zoning Inspector, said that will not be Cleveland water, if anything, it will be coming from Avon. Mrs. Guk said she was just at the county and they have Cleveland water on their map.

CONCLUDING COMMENTS FROM THE APPLICANT(S)

Kristin Hopkins, CT Consultants stated there were a lot of questions raised tonight, so we would ask the township Zoning Commission to give us a chance to respond in writing to some of the issues that were raised. She said specifically, what is the impact to schoolchildren. There was acknowledgement that there is a senior living complex in the existing PMUO and that has zero impact on the school district. She said we would like to do a detailed analysis and get back to you. She said there were some additional questions so we would request that you not take action on this tonight and that you give us a chance to give you our responses to the questions.

Ms. Hopkins said there are two things that I would like to reiterate; first regarding the traffic and just to say again that the traffic issues that are currently existing will be addressed in the traffic study if this were to be rezoned. When the project is presented to the township, a Traffic Impact Study would be conducted. She said ODOT would be involved and ODOT's issues with Rt. 303 would be taken into consideration and any improvements that are related to the development on this property would be taken care of. She said the same with water and sewer.

Ms. Hopkins said there was a question early on as to what the benefit to the township is. She said the Comprehensive Plan does address the need for a variety of housing and acknowledges there are likely to be residents who want properties less than 2-acres or desiring smaller housing. She said in a sense, *preserving residential opportunities for Township residents who are not seeking large acre properties*. Ms. Hopkins said the response is based on the **Medina County 2018 Comprehensive Economic Development Strategy** that was prepared on behalf of the Medina County Economic Development Department last year. She said it stresses the need for more variety of housing, new housing and more housing construction. From an Economic Development strategy standpoint, and economically for the county to continue to grow, there is a need for housing that is not the 2-acre and larger lot housing that is being developed in Montville Township, Hinckley Township and some of those other areas.

Ms. Hopkins said in terms of the criteria for the rezoning, I would like to point out there is a Constitutional criteria that you do have to take into consideration and I would underscore the fact that this property abuts Industrial and abuts a PMUO District already. This property fronts on Center Road and it does meet the criteria of the PMUO as specified in the zoning. Ms. Hopkins said yes, you have a Comprehensive Plan from 2005 and the typical recommendation is to revisit your plan every 10 years or so to update it and take into consideration changing development patterns, market needs and things like that. Ms. Hopkins said those are the points I would like to conclude with and again ask for the ability to respond in writing to some the questions that were raised.

QUESTIONS/COMMENTS BY THE BOARD

Chair Jenkins stated she (Ms. Hopkins) did mention going over the Comprehensive Land Use Plan and said that is open to the public and everything you've said here tonight would be great input for this when we revisit it again. Mrs. Jenkins said The Comprehensive Plan is based on an advisory council that everyone is welcomed to help the township with, so I just wanted to mention that.

Patti Wetterman said one thing that has been brought up is the traffic and said there have been attempts with ODOT on Rt. 303 because they manage that road. She said there have been attempts on Substation Road because that is a county highway; the township does not control that. She said we are waiting for a survey to be done by ODOT and we have been told that that survey will not take place until they find somebody to do the survey and pay for it. Mrs. Wetterman said traffic is a big concern in that area. She said we as a board can ask that an Impact Survey be done for the traffic coming from Marks Road to Substation on Rt. 303 and Substation down to Laurel Road; and the other side of Marks Road. Mrs. Wetterman said it is something we should take into consideration before we do any rezoning because where they want Commercial lots on their PMUO is putting Commercial on Rt. 303 with driveways and on Substation with driveways. She said these roads in our plan that they are talking about were designated as main routes for people to get to Rt. 42, get to the towns and the main roads that would get us out of the township. Mrs. Wetterman said I would very much like to have that Traffic Impact Study done before anything is required and it's necessary because it addresses the public. Mrs. Wetterman said I think with all of the comments, maybe we need to wait until something is done with the traffic situation. She said they want to put all of these houses on there for rezoning and they are requesting us to change our zoning that was in this plan that was designed in 2005 by input from the public. She said I think we need to address the current situation because at the time this was written, we didn't have as many problems on Substation, on Marks and Rt. 303.

Barb Porter said this rezoning is totally inconsistent with our Comprehensive Land Use Plan. Mrs. Porter said our Land Use Plan was put into effect in 2005, that is correct, and it was with surveys of all of the residents in the township of their desires, their wishes, and the township hired professional planners to put this together for us. She said many of the township residents worked to help compile the information

and so forth for the professionals to put this together for us. Mrs. Porter said it was not only a vision for what the residents desired at that time, but what they visualized for the township up until the year 2025. She said as it says on our Vision page, the resident's desired *Well-planned and enforced development that implements the will of the community*. Mrs. Porter said the will of the community is to be taken into consideration. She continued reading from the Plan and said they wanted *Attractive and useful open spaces that link the community*; and *A Rural Visual character dominated by natural open spaces*. Mrs. Porter said I can't look at that plan and see a rural vision. She said I just can't see that, so I'm saying this is not consistent with our Land Use Plan and we need to take a look at some more things here before we make a decision on that.

Trica Murphy said I agree that the Preferred Land Use Plan calls for this to be large-lot residential and also a green corridor in that portion there. Mrs. Murphy said regarding the requirements for a PMUO District, one of the requirements says "*with frontage located on a major road*". She said the existing PMUO is on Center Road and Marks Road, which are enumerated in the code as major roads; Substation is not, so this would have frontage on Substation Road. She said although it doesn't say it can't, it does enumerate the major roads, so it doesn't say it can be on a non-major road, so I think that's another problem with this plan being on Substation Road. Mrs. Murphy said I agree with the first comment that there is nothing in our code that says an extension of a PMUO. Those are my comments.

Patti Wetterman said where they are asking for zoning for their Commercial, there is driveway that also comes out on Substation Road, which is designated for a housing development. She said that Commercial zoning there is a problem and that is something else that has to be considered before we rezone.

Barb Porter said she would like to make another comment and that is that we have had some rezoning requests since the Land Use Plan went into effect and every time that the rezoning requests came in, the Land Use Plan was followed and the current zoning was adhered to. Mrs. Porter said this would be setting a precedent, and once you set that precedent where can you ever stop.

Mrs. Kijek said I'd like to make a recommendation that we put this aside for now and table this until we can get some further information on the PMUO.

Motion to continue the Public Hearing on the PMUO Rezoning

Motion: Mrs. Kijek made a motion to continue the public hearing on the Tax Map Amendment for PMUO rezoning to the November 7, 2019 at 7:00 p.m. Mrs. Murphy seconds the motion as a courtesy to the applicant so they can have time to provide information and address some of the comments so we will have all of the information for making a recommendation. **Roll Call:** Mrs. Porter-yes; Mrs. Kijek-yes; Mrs. Murphy-yes; Mrs. Wetterman-yes; Mrs. Jenkins-yes. Motion carries to continue the public hearing to November 7, 2019.

Secretary Milanko stated to the audience that since the public hearing is continued, please write down the date and the time because the township is not required to re-advertise a continued public hearing. The Continued Hearing Date of November 7, 2019 at 7:00 p.m. was restated to the audience.

Patti Wetterman said as a board member, I would like to thank all of the people who attended here for expressing the interest in our township and I wish we could get you all to our Trustee meetings.

MOTION TO ADJOURN

Motion: Mrs. Wetterman made a motion to adjourn. Mrs. Kijek seconds the motion. **Roll Call:** All in favor to adjourn. Meeting officially adjourned at 9:45 p.m.

Respectfully Submitted,
Mary Jean Milanko, Secretary

Sandra Jenkins, Chair

Date