



MEDINA COUNTY PLANNING COMMISSION
MINUTES OF MEETING
WEDNESDAY, MARCH 7, 2018, 6:30 P.M.
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE ROOM

Attendees / Representing (from sign-in sheet):

Tim Powers, Homer Township
Tom Calton, applicant
Dave and Dar Jacobs, Pinewood Condos
Lee Rugs, Pinewood Condos
Julie Larabee, Pinewood Condo Assoc.
Joe Mosyjowski, Helen Scott Custom Builders
Marla and Larry Wilson, Pinewood
Scott Stoyer, Helen Scott Builders

MCPC Members and Alternates in Attendance:

MCPC Members:

Mark Kolesar
Buck Adams
Jeff Brandon
Paul Jeffers
Sally Albrecht
Ray Schulte
Cliff Calaway

MCPC Alternates:

David Williams, (for Pat Geissman)
Jerry Cook, (for Adam Friedrich)
Jason Stevenson, (for Bill Hutson)

MCDPS Staff:

Cheryl Heinly, Admin Assistant
Rob Henwood, Planning Director

President Mark Kolesar called the meeting to order at 6:30 p.m. and began with the Pledge of Allegiance.

I. ROLL CALL

Mr. Kolesar, Mr. Adams, Mr. Brandon, Mr. Jeffers, Ms. Albrecht, Mr. Williams, Mr. Cook, Mr. Schulte, Mr. Stevenson, and Mr. Calaway were all present at the time roll was called.

II. MINUTES

Mr. Kolesar asked if there were any questions or comments on the February 7, 2018 minutes. There was none.

Mr. Jeffers moved to approve the February 3, 2018 minutes as presented. Ms. Albrecht seconded the motion. All voted AYE and the motion was approved.

III. CORRESPONDENCE

Mr. Henwood said there was a letter to extend the tabling of the Meadows at Pine Valley Subdivision until the April Planning meeting.

IV. CONSENT CALENDAR

There were no items on the Consent Calendar

V. OLD BUSINESS

There was no Old Business.

VI. NEW BUSINESS

A. Woodhaven Preserve, Ph 2-3, 007-2018 RPP, Revised Prelim Plan, Wadsworth Township

Mr. Henwood presented the staff report to the Commission for the above captioned subdivision located on the north side of Wall Road, west of Mount Eaton Road (SR 94).

The applicant proposes to modify the previously approved Preliminary Plan by adding two sublots. The new proposal would develop the remainder of the property in two phases containing 26 sublots and 1 public street, with 60 feet of right-of-way (ROW), Bolich Drive.

Phase 1 has been platted and nine of 10 homes have been constructed. The entire subdivision will contain 38 sublots. The site is to be served by on-site wells and City of Wadsworth central sewer. A stormwater basin is proposed on Sublots 10, 11, 12, and 13.

Most recently, the Preliminary Plan and a variance for the length of the street was approved by the Medina County Planning Commission (MCPC) in December of 2017. The Preliminary Plan was originally approved by the MCPC in May of 2005 and the Final Plat for Phase 1 in July of 2007.

Zoning: The subject property is zoned R-R Rural Residential. The Wadsworth Township Zoning Resolution indicates that the purpose of the district is to provide and permit the following:

- [L]ow density, large lot, residential development based on services available at locations throughout the township.
- Residential development [types] permitted are single-family and two-family structures [clarification added]. § 401-1
- Single-family homes served by central sewer are permitted on 1½-acre lots with a minimum lot width of 125 feet.

Comprehensive Plan: The Future Land Use map contained in the 2007 Update of the Wadsworth Township Comprehensive Plan (Plan) recommends the subject site for residential uses with a minimum lot size of two acres.

Discussion:

Mr. Jeffers asked if the sanitary sewer was not approved would the lot size meet the Health Department requirement for septic systems. Mr. Henwood answered that there is informal confirmation from the Wadsworth Engineer that did not quite meet muster. He received a letter that said it meets capacity and to let them know when they would begin designing. Mr. Henwood said he would like to have something a little more concrete to hang his hat on, but it appears they are headed in the right direction.

Mr. Adams asked about a fire pond with dry hydrants. Mr. Henwood said that a fire pond would not be necessary but the applicant would know better.

Mr. Kolesar asked about the zoning change from 2 acres to 1 ½ acres. Mr. Henwood answered that when it was reviewed in 2017 the Township did not update their book. When the applicant looked at what was posted on the Township's website (in the book) they were looking at the old information not yet revised.

Joe Mosyjowski, GBC Design, said on February 19th a variance was approved from this Planning Board, to eliminate a stub street to the north near the end of the cul-de-sac. He said they received variance approval from the Township as well. He also said the road would be staying in the same location. Mr. Mosyjowski said he would answer any questions.

Mr. Stevenson moved to approve the staff's recommendation of Approval with Modifications for the Woodhaven Preserve, Phase 2-3, Revised Preliminary Plan. Mr. Williams seconded the motion. All voted AYE (to approve staff's recommendation) and the motion was approved.

*******Board members Sally Albrecht and Jeff Brandon stepped out of the room for the next item on the agenda, as they are Montville Township trustees, 6:42 p.m.

B. Reserve at Trillium Creek, 008-2018 PP, Preliminary Plan, Montville Township

Mr. Henwood presented the staff report to the Commission for the above captioned subdivision located on the east side of Wooster Pike (SR 3) and nearest the termini of Stockbridge and New Haven Drives.

The applicant proposes the following on the 13.99 acre site (see the attached Revised Preliminary Plan):

- 25 sublots developed in two phases; 15 in Phase 1 and 10 in Phase 2.

- Central water and sanitary sewer
- Extend two public permanent cul-de-sac streets with 60-foot right-of-ways with associated utility easements.
- Two stormwater basins

Zoning: The majority of the subject property is zoned R-3 Single-Family Urban Residential District (see GIS map). The Montville Township Zoning Resolution Section (§) 410.1(D)(4) indicates that the R-3 District...

... is established to encourage single-family residential dwellings at a density of approximately 2.7 dwelling units per acre in locations that are adjacent to the City of Medina.... This District is to serve as a transitional district between similar or higher density residential neighborhoods in the City and the intended lower density residential neighborhoods in the Township in a manner that will provide for the efficient development and utilization of community facilities such as water and sewers, streets, and schools.

Single-family residential detached dwellings, a permitted use (§ 410.3), with a minimum lot size of 12,000 square feet and a minimum width of 80 feet at the building line. The minimum lot frontage required for lots located on cul-de-sacs is 50 feet (§ 410.4).

A portion of the site along the western boundary is contained in the C-B Community Business District (see GIS map). § 430.1(F) indicates that the district should encourage...

... concentrated development areas within the Township offering personal services, community facilities, office, and retail facilities. This district is to be applied in areas where residential uses are concentrated, such as near the city of Medina. In order to limit the impact on adjacent residential development, these areas are designated for predominantly store-type uses in a shopping center environment.

The zoning amendment for the subject site has been approved by both the Zoning Commission and the Board of Trustees and will be effective on March 13, 2018. The Zoning Commission is scheduled to review the site plan on March 14, 2018.

As indicated above, GIS data indicates a stream on the site. Chapter 570 of the Zoning Resolution indicates a 25-foot riparian setback is required from each side of the stream on the subject site.

Comprehensive Plan: The proposed subdivision is not entirely consistent with the 2016 Montville Township Comprehensive Plan Update. The Proposed Land Use map, recommends the subject site for high-density residential development with density less than 22,000 square feet per unit and Community Business consistent with existing zoning district boundaries.

Discussion:

Mr. Kolesar stated his concerns regarding the headwaters close to the creek. He said that he knew the City had drainage issues, volume wise on that creek once it gets into the City limits. He said he spoke to the City Engineer; Mr. Pat Patton, and thought Mr. Patton would reach out to the Planning department or the Township as some families downstream have had close to washouts with existing conditions. He felt that maintaining the integrity of the land was important.

Mr. Kolesar added that even with the riparian setback and the tree program, he still has concerns.

Mr. Jason Brenner, Lewis Land Professionals, said they have no issues with the comments from the staff report. He said they are aware of some of the flooding issues that the apartments (condos) have to the north. Mr. Brenner said he has spoken with Paul Jeffers from the Township and some of the residents of the Pinewood condominiums (in the City). He said as they move forward if there is an opportunity to help the situation they would. He said that the waters do go down the drainage course to the east. Mr. Kolesar said what he brings up is properties to the east that already have significant issues.

Mr. Tim Powers, applicant, said he absolutely understood the concerns. He said he has dealt with Pat Patton on a number of occasions when he developed in the City of Medina. He said they would work with Mr. Patton. Mr. Powers asked about the HOA (homeowner's association) as he did not anticipate having/forming one. He stated that the islands inside the cul-de-sacs would be maintenance free, planting pine trees and adding fieldstones. He also had questions regarding the maintenance of the retention ponds, dry basins. Mr. Powers said as developers they are burdened with the first year assessments for the storm water retention. He said the homeowners and Township would be burdened with the ongoing assessment for clearing and the swales, which are never used.

Mr. Henwood said the challenge with a subdivision of this nature is that there is almost no common area. He said in this case what was going to be the structure for the maintenance of the basins. He said that he spoke with the Prosecutor's office briefly and a HOA is preferred so then they could specify necessary language. Mr. Henwood encouraged them to reach out to the Prosecutor's office so they could begin a discussion to figure out the most appropriate mechanism. Mr. Powers felt another alternative would be to allow deed restrictions on the properties to have the homeowners responsible.

Mr. Kolesar questioned regarding surrounding HOAs and perhaps potential homeowners joining. Mr. Henwood said that would depend on other association's interest on allowing other HOAs to join and how they wrote their documents. Mr. Kolesar asked if the Township had similar areas where they would take care of the basins. Mr. Henwood said it would have to be either be a HOA or specifically to the property owners where the ponds are located.

Mr. Adams stated that the cul-de-sac maintenance is not maintenance free. He said that they overgrow and fall down [pine trees] and are full of weeds. He stated that there has to be a way to maintain them. Mr. Powers thought by putting down the (landscape) matting with the field stones and no mulch so there would be no need to keep mulching, they could set up a development reserve for so many years to handle the maintenance. Mr. Henwood said the conversation for the maintenance should be held outside the confines of this meeting. Mr. Kolesar said they are discussing the Preliminary Plan and felt it was definitely valid by not putting the burden on one government entity. Mr. Henwood agreed saying that the Subdivision Regulations require a HOA satisfactory to the Prosecutor's Office.

Mr. Adams was concerned regarding the building envelopes being close to the riparian corridor as well as what would be localized flooding during a particularly wet season. Mr. Powers said he walked there the other day after all the heavy rains and snow. He said the ground was saturated and the stream was running but not up to the banks. Mr. Powers said Mr. Adams' point was well taken.

Mr. Powers also said the builder would try to keep as many trees as possible, especially surrounding the existing neighbors. He said it was not his intention to go in and clear-cut all the trees. Mr. Kolesar said it was out of his hands afterwards as the builder could come in and clear. Mr. Powers thought that a topo had to be prepared that has to be reviewed by Montville Township. Mr. Jeffers stated that per Chapter 570 of the Zoning Resolution, they (the builder) would have to leave a certain number of trees. Mr. Kolesar said the location could be the side or back of the property, it does not say where those trees have to be located.

Bill McCude (? did not sign in and could not hear name very well), 24 Pinewood Drive, Medina, stated that he was a trustee with the Pinewood Condominium Association. He said they are not opposed to the building of the homes. The residents are opposed to the grievous amount of environmental impact and damage that has been done to Pinewood Properties from the property to the south of them (Trillium Creek). Mr. McCude said they are in a low-lying section and where they are going to build is in a high section. He said the ponds have become mud puddles, the fish have died, the wildlife has been damaged, and homes have been flooded, including his own (twice from runoff). He stated that the neighbor's property has been flooded and in mid-summer, other properties are saturated with a foot of water.

Mr. McCude (?) continued on saying that the swale runs underneath the Pinewood property. He said there is a 45" pipe that runs under the property from the north end of Trillium creek to the north end of Pinewood, which is Sturbridge condominiums. He said the swale causes the property to the north of them to be flooded all through the spring and during the summer. Mr. McCude felt that would not only overwhelm the 45" pipe but it would flood to the north of them also. He said they could not have any more water issues at Pinewood as they have had enough water damage. He hoped that the Board listened to what he had to say. Mr. McCude hoped that they would address the issues. Mr. Kolesar encouraged Mr. McCude to contact Pat Patton (City of Medina engineer) as well as the Township.

Mr. Cook moved to approve the staff recommendations of Approval with Modifications for the Reserve at Trillium Creek, Preliminary Plan. Mr. Schulte seconded the motion. Mr. Kolesar voted NAY. All other members voted AYE (to approve staff recommendations) and the motion was approved.

******Mr. Brandon and Ms. Albrecht return, 7:02 p.m.

VII. PLANNING DIRECTOR'S REPORT

Mr. Henwood stated that he did not have anything to add this evening.

VIII. PUBLIC PARTICIPATION

There was no Public Participation.

IX. OTHER BUSINESS

There was no items for Other Business.

X. ADJOURNMENT

Mr. Kolesar moved to adjourn the March 7, 2018 MCPC meeting at 7:04 p.m.

Mark Kolesar, President

Cheryl Heinly, Admin Asst.