

## RECORD OF PROCEEDINGS

### MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

**FEBRUARY 23, 2021**

Hawke called the meeting to order at 4:04 p.m. at the Jackson Township Hall with Trustees Todd Hawke, John Pizzino, and Jim Thomas present. Fiscal Officer Gonzalez, Administrator/Law Director Vaccaro, Zoning Inspector Poindexter, Fire Chief Hogue, Police Chief Brink, and Public Works Director Rohn were also in attendance.

Hawke moved and Thomas seconded a motion to go into Executive Session for Fire Department Personnel (Appointment / Employment / Compensation) – Fire Chief Appointment.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for Zoning Department Personnel (Appointment / Employment / Compensation) – Part-time Zoning Investigator position.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for Fire Department Personnel (Appointment / Employment / Compensation) – Grievance Answer.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for Police Department Personnel (Appointment / Employment / Compensation) – Special Assignments.

**3-0 yes**

Upon return from Executive Session at 5:02 p.m., Hawke called the General Session to order. Hawke requested that all cell phones be silenced at this time.

The Pledge of Allegiance was recited.

**Public Speaks - None**

#### **Administration Department**

##### **ATTACHMENT 02/23/21 A**

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 101.110.5387 Discretionary - Admin, to account code 101.110.5385 Other - Admin, in the amount of \$77,151.72.

**3-0 yes**

**ATTACHMENT 02/23/21 B**

Hawke moved and Thomas seconded a motion to approve the appropriation transfer request from account code 101.110.5387 Discretionary - Admin, to account code 101.111.5495 Streetlights, in the amount of \$11,700.00.

**3-0 yes**

**ATTACHMENT 02/23/21 C**

Hawke moved and Pizzino seconded a motion to authorize Michael Vaccaro, or his/her designee, as the Board of Trustees' representative to attend the annual Stark County Health District Advisory Council Meeting on Thursday, March 4, 2021, at 7:00 p.m., via Zoom.

**3-0 yes**

**RESOLUTION 21-043 ATTACHED  
PUBLIC WORKS DIRECTOR BASE COMPENSATION**

Hawke moved and Pizzino seconded a motion that effective February 27, 2021, Richard R. Rohn III, the Public Works Director shall receive an annual base salary of \$92,000.00.

**3-0 yes**

**RESOLUTION 21-044 ATTACHED  
STORM WATER EASEMENT AGREEMENT WITH ABC GARDENS LLC**

Hawke moved and Thomas seconded a motion whereas, ABC Gardens LLC ("Gardens"), an affiliate of ABC TGAB LLC, the master developer of the Greens at Belden (the "Project"), has requested that the Township grant it an easement for storm water flow and related improvements (the "Easement") over real property owned by the Township for the benefit of real property under development by Gardens;

Whereas, In furtherance of the Township's prior agreements with respect to storm water design for the Project, the Trustees believe that the Easement is in the best interests of the Township and the health, safety, and welfare of its residents.

Be it resolved that we hereby adopt, approve, and authorize the placement of our signatures upon, the attached Storm Water Easement Agreement.

**3-0 yes**

**ATTACHMENT 02/23/21 D**

Hawke moved and Thomas seconded a motion to approve a Then & Now Certificate for purchase order RG21313 to Stark County Treasurer in the amount of \$77,151.72 for Real Estate Tax Payment at 7557 Wales Ave NW.

**3-0 yes**

**RESOLUTION 21-045 ATTACHED  
WENS SERVICE AGREEMENT**

Hawke moved and Thomas seconded a motion that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached Agreement for WENS Services with Inspiron Logistics.

**3-0 yes**

**ATTACHMENT 02/23/21 E**

Hawke moved and Thomas seconded a motion that we do not request a hearing for the Liquor Permit for Macs Convenience Stores LLC, DBA Circle K 5388, 6697 Wales Ave NW, Jackson Township, Massillon, OH 44646.

**3-0 yes**

**Police Department**

Hawke moved and Thomas seconded a motion to accept a donation of \$15.00 from Alexander Vedmedev and Nina Stabrova.

**3-0 yes**

**RESOLUTION 21-046 ATTACHED  
SERGEANT PROMOTION ELIGIBILITY LIST**

Hawke moved and Thomas seconded a motion that pursuant to Article 34 of the Patrol Officer's Negotiated Agreement, we hereby establish the attached eligibility list for promotion to Sergeant, effective March 1, 2021.

**3-0 yes**

**Public Works Department**

**Highway Division**

**ATTACHMENT 02/23/21 F**

Hawke moved and Pizzino seconded a motion to accept all Materials bid submissions opened on February 9, 2021.

**3-0 yes**

**Park Division**

Hawke moved and Thomas seconded a motion to accept a sponsorship donation for the 2021 Community Celebration from Wood Electric in the amount of \$100.00.

**3-0 yes**

**ATTACHMENT 02/23/21 G**

Hawke moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 214.510.5387 Discretionary - Park, to account code 214.510.5432 Computer Svc - Park, in the amount of \$2,000.00.

**3-0 yes**

**ATTACHMENT 02/23/21 H**

Hawke moved and Pizzino seconded a motion to authorize the hiring of one (1) returning Leased Park Maintenance Worker, as attached, through a temporary service, subject to a negative drug screen, effective February 22, 2021, at the rate identified in the attached memorandum from David Ruwadi.

**3-0 yes**

**RESOLUTION 21-047 ATTACHED  
PROFESSIONAL DESIGN SERVICES RFQ**

Hawke moved and Pizzino seconded a motion that whereas, on April 26, 2016, pursuant to ORC Sections 9.33, 9.332, 9.333, 9.334, and 153.65 through 153.73 we hereby adopted the attached amended Selection Policy for Professional Consulting and Engineering Services and Construction Management Firms and Public Announcement Form.

Be it further resolved that, in accordance with the attached selection policy, we hereby authorize the advertisement of the attached public announcement for professional consulting, engineering, and/or construction management services at the Jackson Township Tam O'Shanter Park Project and hereby request proposals until March 23, 2021 upon the attached preliminary scope of services.

Be it further resolved that the Township Fiscal Officer is requested to publish the attached public announcement.

**3-0 yes**

**Fire Department**

**ATTACHMENT 02/23/21 I**

Hawke moved and Thomas seconded a motion to adopt and authorize the Board Chairman's signature upon the attached Change Order No. 1 for the Vehicle Exhaust Removal Systems Installation Project.

**3-0 yes**

**Zoning and Planning Department**

**ATTACHMENT 02/23/21 J**

Hawke moved and Thomas seconded a motion to report to the County Auditor the township action regarding abatement of a nuisance at 2414 Glenmont Dr NW, 44708, Jackson Twp., Parcel No. 1700567.

**3-0 yes**

**ATTACHMENT 02/23/21 K**

Hawke moved and Pizzino seconded a motion to continue the zoning amendment hearings for zoning amendment requests 643-20 and 644-20 as requested by the applicant.

**3-0 yes**

**Fiscal Office**

**ATTACHMENT 02/23/21 L**

Hawke moved and Thomas seconded a motion to pay the bills in the amount of \$1,256,708.80.

**3-0 yes**

## **ATTACHMENT 02/23/21 M**

Hawke moved and Thomas seconded a motion to approve the minutes of the February 9, 2021 Board of Trustees' meeting.

**3-0 yes**

### **Routine Business**

#### **Announcements**

- Next regular **Board of Trustees'** meeting, March 9, 2021, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **CIC**, March 18, 2021, 8:00 a.m., via video conference.
- **LOGIC**, March 4, 2021, 9:00 a.m., via video conference. Those interested in participating should call (330) 830-4285.
- **Zoning Meetings:**
  - Board of Zoning Appeals – None Scheduled.
  - Zoning Commission – February 25, 2021, 5:00 p.m., Jackson Township Hall.
- **Jackson Township Board of Trustees Special Meeting, Zoning Amendment 643-20 and 644-20**, has been cancelled.

### **Zoning and Planning Department (continued)**

#### **ATTACHMENT 02/23/21 N**

5:00 p.m. Public Hearing – Proposed re-zone of property Zoning Amendment 646-20: Dwight Yoder, PO Box 250, Uniontown, Ohio 44685 agent for Declaration of the Trust Agreement of Ronald A. Yingling dated 9/23/04 and Wayne Yingling, property owners, 8151 Athens Ave. NE, Massillon, Ohio 44646 proposes to rezone R-R Rural Residential District to R-3 Residential Planned Unit Development District approx. 17.32 acres consisting of Parcel Nos. 1620887, 1623024, 1602287 & 1602286 located on the south side of Stuhldreher approx. 720 ft. east of Ocala NW, Sect. 33NE Jackson Twp.

Poindexter stated that this matter went before the Zoning Commission on October 29, 2020 and recommended approval of the request with a 4-1 decision.

See [Court Recorder's Transcript](#) of the hearing.

Thomas moved and Pizzino seconded a motion to adopt the recommendation of the Zoning Commission to approve the re-zone.

<b>Hawke</b>	<b>No</b>
<b>Pizzino</b>	<b>No</b>
<b>Thomas</b>	<b>Yes</b>

Gonzalez summarized to the public that the re-zone proposal was turned down.

**Old Business** – Hawke said that the Community Celebration and events at the Amphitheater are being planned. Whether the events can actually be held will be determined by COVID and the requirements set by the Stark County Health Department.

**New Business**

**RESOLUTION 21-048 ATTACHED  
FULL TIME FIRE CHIEF APPOINTMENT**

Hawke moved and Pizzino seconded a motion that pursuant to ORC Section 505.38, we hereby appoint Timothy G. Berczik as Full Time Fire Chief for the Jackson Township Fire Department, Stark County, Ohio, effective March 12, 2021 at 1630 hours, with compensation of \$103,000.00 per year and the benefits of a Class A employee as described in the Benefit Package for Management Personnel, except Chief Timothy G. Berczik shall pay 2% of the employee's contribution to OPFPF, and will serve a one year probationary period.

**3-0 yes**

**Public Speaks - None**

Hawke moved and Pizzino seconded a motion to adjourn.

**3-0 yes**

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**Todd Hawke**

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**Randy Gonzalez**

BEFORE THE BOARD OF TRUSTEES  
JACKSON TOWNSHIP, OHIO  
AMENDMENT NO. 646-20

TRANSCRIPT OF PROCEEDINGS

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The following Board of Trustees Hearing was taken before me, the undersigned, Deanna Gleckler, a Registered Professional Reporter, Certified Realtime Reporter and Notary Public in and for the State of Ohio, at the Jackson Township Offices, 5735 Wales Avenue, N.W., Massillon, Ohio, on Tuesday, the 23rd day of February 2021, at 5:17 p.m.

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MS. POINDEXTER: Okay. So this is amendment 646-20. The applicant is Dwight Yoder, P.O. Box 250, Uniontown, Ohio and the property owner is the Declaration of the Trust Agreement of Ronald A. Yingling and Wayne P. Yingling, 8151 Athens Avenue, N.E., Massillon, Ohio. The request is a rezone of parcels 1620887, 1623024, 1602287 and 1602286, consisting of approximately 17.32 acres located on the south side of Stuhldreher, approximately 720 feet east of Ocala, from RR Rural Residential District to R-3 Planned Unit Development District. This matter went before the Zoning Commission on October 29th of 2020, and the Zoning Commission recommended approval of the request with a 4 to 1 decision. And I will turn it over to the applicant.

MR. RICHINS: Good evening. I am Reed Richins, architect. Do you need an address?

MR. HAWKE: Yes, please.

MR. RICHINS: 5189 Park Drive, Medina.

MR. VACCARO: Sir, would you please remove your mask so that she could see you. We do have a court reporter, so it is imperative that no one talk over each other and that we give her time to

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APPEARANCES:

BOARD OF TRUSTEES

TODD J. HAWKE - Chairman  
JOHN E. PIZZINO - Vice-Chairman  
JIM THOMAS - Trustee  
RANDY GONZALEZ - FISCAL OFFICER

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get down your statements accurately. Thank you, sir.

MR. RICHINS: Thank you. Well, as Joni related, the progress of this application to this point is that it's been reviewed by Zoning Commission and recommended for approval. That was back in October 29. Prior to that we also met with residents and neighbors from the vicinity and provided answers to questions, and since the Zoning Commission meeting on October 29th, we've considered ways that we might accommodate one or two comments that were made, and so we have made very minor adjustments. We augmented, added some berming, and landscape buffering that I'll show here on this screen. What you're seeing now is what was presented to the Zoning Commission. This slide is with the increased buffering. Specifically that benefits the resident, existing resident adjacent to the emergency drive. It gives her a little bit better screening than she would otherwise have. That was one of the comments that arose both in our neighborhood meeting and the zoning Commission. We also have a copy of that here that is able to be entered into the record, but that's what we are proposing, is the additional

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1 screening, berming and buffering.

2 So you have the transcript of the Zoning  
3 Commission remarks in which we traced the approval  
4 basis for the project. I will summarize by saying  
5 that we see it fully in compliance with the intent  
6 of the comprehensive plan and with zoning. I'll  
7 emphasize that we're not asking for any variances  
8 or concessions. We see this as a stand-up proposal  
9 that in fact answers some of the intent, a lot of  
10 the intent of the comprehensive plan, and is  
11 consistent with zoning requirements.

12 I would like to point out a couple of other  
13 elements. Some of these we did bring out in the  
14 Zoning Commission meeting, but in general, this  
15 parcel is the only parcel remaining to complete a  
16 transition of uses from the high density uses.  
17 This might show up on that screen. High density  
18 uses R-3 and R-2 to the south and west and to the  
19 east. This parcel is the only parcel that is out  
20 of sync with the transition from those high density  
21 uses to single family and then rural uses to the  
22 north and to the east. And so rezoning, as has  
23 been recommended by the Zoning Commission to R-3  
24 PUD would complete that transition as envisioned by  
25 the comprehensive plan.

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1 generated by the proposed condominiums should not  
2 have an impact on the surrounding street network  
3 system. They further concluded the anticipated  
4 generated volumes from this development are less  
5 than the daily variations in the current volumes on  
6 the local roadway network and should not be  
7 perceived by the traveling public. To that I'll  
8 also add, that the anticipated demographic of  
9 residents in this community, we fully expect the  
10 majority, although this is not an age limited  
11 development, we fully expect the majority of the  
12 residents to be seniors, and they are not  
13 generating those peak rush hour trips the same way  
14 people who are not retired are. So we see this as  
15 an additional benefit on traffic.

16 I'd also like to point out that we have had  
17 approvals at a preliminary level from Stark County  
18 Engineers office, also their drainage engineer, and  
19 the preliminary design for all of these systems has  
20 been reviewed and endorsed for, at this level, by  
21 those public agencies. If there are any questions  
22 about the civil engineering component of this  
23 project, we have with us this evening Don Walsh,  
24 principal civil engineer with GBC Design.

25 I'd like to address just a couple other

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1 I'll also point out that the access, the  
2 street access requirement that's outlined in the  
3 comprehensive plan is also met. Stuhldreher Street  
4 is designated a major collector on Stark County's  
5 Federal Functional Classification of Traffic Ways,  
6 and that's a condition of R-3 PUD, and we went into  
7 some detail in satisfaction of the evaluation  
8 criteria, which I won't go into this evening unless  
9 there are questions, but one of the criteria has to  
10 do with traffic, and I would like to point out a  
11 couple of the items from the traffic analysis.

12 Here's where we see Stuhldreher - I'm sorry.  
13 Here - identified as a major collector, and then we  
14 did have traffic analysis done. First looking at  
15 the sight distances. The sight distances were  
16 analyzed by GBC Design, and they found that 500  
17 feet and 430 feet of available sight distance was  
18 present on the east and the west respectively.  
19 These are considered to be very generous distances  
20 for the traffic speeds on Stuhldreher.

21 There was also a traffic analysis done by  
22 TMC Engineers, and the conclusions are on this  
23 slide. I highlighted, it was their opinion that  
24 when the anticipated changes in traffic volumes are  
25 of the levels that they identified, the traffic

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1 items. I did mention the expected target market  
2 and national organizations, including the NAHB, the  
3 National Association of Home Builders, have done  
4 multiple studies on this demographic and found  
5 great benefits to communities, in that they are net  
6 producers, they are net positive consumers in that  
7 they don't utilize school resources, but they pay  
8 full taxes and they contribute to the community in  
9 monetary and immeasurable ways. It's a very  
10 attractive demographic, and the NAHB study was very  
11 encouraging to communities including this  
12 demographic.

13 I'd also like to point out - let me go to  
14 this slide - I think you have the architecture in  
15 front of you, presumably in the packet that was  
16 provided. If not, here's our elevations of the  
17 building. The front elevation of the two-unit  
18 building, here's the floor plan. I will add that  
19 the plans are designed to Fair Housing Standard,  
20 even though they're not required, for two-unit or  
21 three-unit buildings. This will enable residents  
22 to age in place without having -- it will extend  
23 the time that a person can age in place in their  
24 present residence. Here is the triplex elevations,  
25 front elevation of the triplex and the floor plan.

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1 I want to point out, as I mentioned, that  
 2 this R-3 PUD allows much greater utilization than  
 3 we're proposing. Under the R-3 PUD we would be  
 4 allowed 99 units at the allowable six dwelling  
 5 units per acre. We're proposing 69 dwelling units,  
 6 which works out to about 4.15 dwelling units per  
 7 acre. We would be able to build four units per  
 8 building. We're proposing two and three to an  
 9 average of about two and a quarter units per  
 10 building. The setbacks we are more than double in  
 11 most cases, and nearly doubled in the other cases.  
 12 Even though there's not a minimum open space  
 13 requirement for buffering and perimeter  
 14 landscaping, we have provided those features as  
 15 well. In addition, the minimum floor area is way  
 16 beyond the minimum that the R-3 PUD allows.

17 Finally, I will point out that this is  
 18 intended to be a private development. The streets  
 19 will be privately installed and maintained. We  
 20 make provisions. One result of our meetings with  
 21 township staff, as we got input about the  
 22 practicalities of snowplowing, and this probably  
 23 won't show very well. It won't show at all, but  
 24 there's a provision at the end of Bermuda Street  
 25 for public works to deposit that street's worth of

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1 MR. HAWKE: We need your name and address,  
 2 not just that you're a Yingling. We've got to have  
 3 a full name and address for the record.

4 MS. YINGLING: Okay. I am Patricia  
 5 Yingling. I am married to Wayne, one of the  
 6 owners. I want this to pass because I am one of  
 7 the seniors that doesn't want to live in a big  
 8 house anymore. I want a condo. I want to live in  
 9 Jackson Township, and there aren't a lot of condos.  
 10 I mean for us seniors that want to be someplace  
 11 that we want to stay for the rest of our lives, we  
 12 want a place that's nice. This is very nice. And  
 13 it's not just because I'm married to one of the  
 14 owners. It's very nice, and I'm sure a lot of  
 15 people will like it. A lot of people that are  
 16 seniors that want out of their big two-story home  
 17 and want to go somewhere else. So I'm in favor of  
 18 it. Not just because I'm a Yingling; because I'm a  
 19 senior that wants out of a two-story house. So  
 20 that's why I'm in favor of it. Thank you.

21 MR. HAWKE: Thank you very much. Anyone  
 22 else to speak in favor?

23 MR. VACCARO: Folks, if you would please  
 24 remove your mask when you get up to the podium.  
 25 Thank you.

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1 snow in a spot on this property, the development  
 2 property, so that they can turn around and resume  
 3 their work. They will not -- the township will not  
 4 plow, salt or maintain streets in this development.  
 5 When it comes time for those streets to be  
 6 maintained, they will be maintained through the  
 7 homeowners association and not the cost of the  
 8 township.

9 That's an overview of our proposal. We'd  
 10 be happy to entertain any questions and certainly  
 11 we respectfully request your favorable vote. Are  
 12 there any questions for me?

13 MR. HAWKE: There won't be any questions at  
 14 this point. Is there anybody else with you as an  
 15 applicant to present?

16 MR. RICHINS: Unless you have questions for  
 17 the civil engineer, no.

18 MR. HAWKE: No presentation. So if that's  
 19 that, then we'll go ahead and stop with your  
 20 presentation and ask for anybody who wants to speak  
 21 in favor of the amendment change. Come on up.  
 22 We'll just need your name and address for the  
 23 record, please.

24 MS. YINGLING: I am a Yingling and I am in  
 25 favor of this because --

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1 MR. ESBER: Good evening. My name's Mark  
 2 Esber. I'm the real estate broker that has the  
 3 17.20 acres listed for sale. My address is 1762  
 4 Turnberry Circle, N.W., Canton, Ohio, 44708. I've  
 5 been in the real estate business for 35 years.  
 6 I've represented many developers, both in Stark  
 7 County and nationwide. Dwight Yoder is one of the  
 8 most professional and honest developers I've come  
 9 across. He's done his due diligence, complied with  
 10 your rules and regulations, and actually has  
 11 filtered down his development below what your  
 12 requirements are. He's done his due diligence on  
 13 drainage, traffic analysis.

14 The big picture here in Stark County is we  
 15 have a shortage of inventory. Each one of these  
 16 condominiums that will be sold will provide a  
 17 resale home for another family to purchase. Prices  
 18 are rising. We don't want to get into a situation  
 19 like California, Chicago, Washington D.C. area.  
 20 Affordability's very important. I just sold a  
 21 condominium in Glenmoor, the real estate taxes,  
 22 \$5,000. Four to \$5,000 for each one of these  
 23 condos will go to help fund schools and the public  
 24 infrastructure here in Jackson Township.

25 Condominium owners are great neighbors

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1 because condominium owners live in a controlled  
2 environment. You're not going to be parking RVs  
3 and boats and working on cars outside of the  
4 condominium development. So it's a controlled  
5 environment. And typically these are 55 and older,  
6 and they make for great neighbors. So I'm in favor  
7 of this beyond my business involvement and interest  
8 in this, because it is needed in Jackson Township,  
9 and the condominium association, they will be great  
10 neighbors. Thank you for your consideration and  
11 approval.

12 MR. HAWKE: Before anybody else goes, I  
13 just asked Mr. Vaccaro to go out. We're going to  
14 have you guys come up to the microphone and take  
15 your mask off, so I asked him to get wipes so we  
16 take that foam thing off the microphone there, and  
17 we'll wipe that down for each person coming up  
18 since we're having folks with their masks off. As  
19 soon as he comes back, we'll go forward. Seems  
20 like we're getting somewhere in the numbers with  
21 the COVID thing so I'm going to make sure we try to  
22 keep that down on our side.

23 MR. PIZZINO: Can the people outside in the  
24 hall hear?

25 MR. VACCARO: Yeah, they can hear.

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1 the one where the drive into Stuhldreher will go.  
2 Also, I'm the executor of the family trust, Julian  
3 Family Trust at 7291, which is down the street,  
4 which is across from the other multi-family condo,  
5 duplex, triplex. They didn't get a triplex in  
6 there, but major concerns. Number one,  
7 Stuhldreher, you know, Stuhldreher is, as John  
8 says, very heavily stressed right now. And I'm not  
9 sure what type of traffic things that they did with  
10 it, but I can tell you living on that for 32 years  
11 and growing up on the farm for another fifteen, it  
12 has grown immensely, you know, there's a reason in  
13 our community, in our county, that everyone you  
14 talk to, I don't care if they're from Canton, I  
15 don't care if they're from Green, Akron, Massillon,  
16 Perry, they all know what Stuhldreher is  
17 Stuhldreher is a connector, and since the property  
18 that was donated -- well, not donated, sold to the  
19 township for Stuhldreher roads and the connection  
20 of Perry, blocking off Stuhldreher from Hills &  
21 Dales, has become a racetrack, and there's been  
22 numerous accidents as far as going off the road.  
23 Personally, I've lost three mailboxes in the past  
24 ten years. My next-door neighbor almost got -- he  
25 almost got killed, but their house was hit.

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1 MR. PIZZINO: All right.

2 UNKNOWN SPEAKER: Thank you.

3 MR. HAWKE: Each person when you come up,  
4 just wipe it down for yourself.

5 (Off the record discussion was held)

6 MR. HAWKE: Anyone else in favor to speak?

7 MS. POINDEXTER: Anybody out there?

8 MR. HAWKE: Yeah, anybody in the hallway to  
9 speak in favor?

10 MR. VACCARO: Nobody.

11 MR. HAWKE: Hearing none, we'll close that  
12 section of the hearing and we'll move to anyone  
13 who'd like to speak against the amendment.

14 MR. VACCARO: I want to do a rotation.  
15 Those who spoke in favor, could you give up your  
16 seats so we can move some folks in that want to  
17 speak in opposition. Trade seats, please.

18 (Off the record discussion was held)

19 MR. HAWKE: We'll go ahead and move forward  
20 then. So anyone who wants to speak in opposition,  
21 we'll just have you come forward. Grab a -- Mike  
22 just wiped that down, so I don't think you need to  
23 do it this time.

24 MR. JULIAN: That's good. Jeff Julian. I  
25 live at 7520 Stuhldreher, and our home is actually

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1 They're flying on that road, and it's a very small  
2 road, you know, in actuality, Stuhldreher, you  
3 know, from the point that it gets onto Stuhldreher  
4 is about a mile long. And as they go up or they  
5 come down, they're moving. And it's not that big  
6 of a road. I'm not quite sure what the plans for  
7 Stuhldreher is in the future, but obviously it's a  
8 very well used road.

9 Now, we've already got established eight  
10 acres that Ryan Homes were put in, and they took  
11 that from RR, which is property that the township  
12 sold after they got the Stuhldreher field, which  
13 they got a very nice price for, which is fine,  
14 because originally that was supposed to be part of  
15 the parks. They were supposed to put a bridge  
16 overtop of it and use both of them, but with it  
17 being sold as RR, which went for a pretty good  
18 price, it worked out very well for the township and  
19 it sat that way for a number of years.

20 Now, exactly how it got from RR to R-3 in a  
21 very short period of time, I'm not quite sure, but  
22 it did and passed, and Ryan Homes are in there.  
23 They're decent looking. I mean they're Ryan Homes,  
24 which is fine, but there's going to be a lot more  
25 traffic. They don't even have them filled up yet.

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1 They're building duplexes right now with only half  
2 of them filled so they can build their homes. So  
3 as that gets going on, that will increase the  
4 traffic as well.

5 So then you come along with a proposition  
6 such as this. You're looking at 69 units. And I  
7 will say this. It was brought up in the Zoning  
8 Commission by several people, that, you know, that  
9 amount of condos, especially the triplexes, I think  
10 is sort of uncalled for. I mean you're fitting in  
11 a lot of living space in a small area and, you  
12 know, I'm not a hater of the condos. I fully  
13 understand what they're presenting as far as they  
14 will maintain it themselves. Fair enough. But  
15 along with that, I think when we look at triplexes  
16 versus duplexes, and it's the same thing, call it a  
17 condo, call it a duplex, call it a triplex.  
18 There's no change. I mean before the meeting there  
19 was going to be change, it was suggested by at  
20 least three members prior to the vote, that they  
21 wanted that to be taken a look at, and not just the  
22 buffering part. I mean you're only going to lose  
23 seven units by going just to, you know, a duplex,  
24 or attached condos. I think the plan, it doesn't  
25 fit. I think personally this is well overdone.

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1 as 7291 that we built, in that direction, or  
2 condos, it's going to increase the traffic and I  
3 don't think we're set up for it right now.

4 I mean I've said before in the last meeting  
5 that, you know, R-1's not bad, I know you don't get  
6 as many homes in there, but at the same time, at  
7 least you have the people, and I fully understand  
8 that it's very attractive to the township of  
9 Jackson by having the roads done and they're taking  
10 care of everything and they're going to get these  
11 big tax dollars. But one of the things that they  
12 have mentioned about, it's not senior living with  
13 55 and over, so how many 55 and over is there going  
14 to be? Is there going to be 35? I know a lot of  
15 35 year olds today that are going to love to do  
16 that. That's fine. So what are you going to  
17 classify it as; 55 and older, senior living, or  
18 just open to people that want to buy a condo? And,  
19 you know, I don't think you can differentiate, you  
20 know, who's going to buy what, unless you classify  
21 it as that way.

22 The only one way in and one way out, you  
23 have other ways out. You can go right through that  
24 street right there back by Daytona. What is that,  
25 Buford or something like that? I mean they're

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1 The other part of it is and, you know,  
2 there's one entrance, there's one exit, and I can  
3 assure you there's people from Bradford Farms as  
4 well, you know, once that happens and with the  
5 speed of the traffic that's coming and the density  
6 of the traffic and the density of the people that  
7 are there, you say senior living, you know, 55 and  
8 up. Heck, I'm 60 years old. I'm moving at all  
9 times. And so will these people. These are  
10 supposedly going to be \$320,00, \$325,000 condos.  
11 Great. You know, I sit in a place. 32 years ago I  
12 bought a swimming pool for 69,5 and it came with a  
13 house. So I'm not sure it's really going to hurt  
14 my value of my home and I don't really plan on  
15 leaving, but I have great concerns as far as how  
16 the street can, or how Stuhldreher can accommodate  
17 what's going on and, you know, for instance like  
18 Bradford Farms, they're going to have issues.  
19 People are going to go through that allotment and  
20 they will go through it continuously. We have  
21 issues on Stuhldreher. It's not big enough, and I  
22 don't think it's big enough to accommodate that.  
23 Now, what happens when that happens? I don't know  
24 if you guys have a plan for that or not, but, you  
25 know, the more condos we put in, the more R-1 that

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1 going to use it as a maintenance road. Well, you  
2 just have another area for people to get out of  
3 that if you put something like that in, so they can  
4 go through. And I don't see a problem with that.  
5 If you want to have neighbors, be neighborly, open  
6 up that road as well to make sure that we don't  
7 have issues right on Stuhldreher, because we will.  
8 There's no doubt about it.

9 I don't know how long it's going to take  
10 them to build this, which is another factor, or how  
11 long it's going to take them to sell their units.  
12 I know for a fact that the duplexes over off Julian  
13 Street, they're having a hard time selling them.  
14 Now, will they sell them? They probably will. But  
15 then at the same time, how long is this build going  
16 to last and what's going to happen by the time it's  
17 all set up and we have people coming in and people  
18 going out? We're facing Bradford Farms. I can  
19 tell you my wife and I, we struggle getting out of  
20 our own driveway with Bradford Farms there. It's  
21 doable, but to throw, change something from RR to  
22 R-3, I don't think it's good for the township. I  
23 truly don't.

24 You know, it's a small piece of land, but  
25 now we're trying to populate it, and every one of

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1 those places, 69 units, they're going to have two  
 2 cars. You do the math. And there's going to be  
 3 people coming in and out of those places  
 4 constantly. And until some type of resolution for  
 5 Stuhldreher itself, I don't think it's a go. And I  
 6 haven't seen any changes what was recommended by  
 7 the Zoning Board before. So with that being said,  
 8 you know, like I said, I've lived there a long  
 9 time, and yes, I'm right at the entrance, so it's  
 10 not really going to impact it because I'm there,  
 11 that I'm upset about. We've known for years  
 12 something was going to go back through there.  
 13 We've used the driveway. We've had a gravel  
 14 driveway. If I would have known all the way back  
 15 then it would be 32 years till somebody tried to  
 16 use that property, I can assure you I would have  
 17 cemented it. But now my driveway theory, you know,  
 18 comes to fruition. Other than that, you know, I  
 19 object to it. I just don't see that the company is  
 20 presenting, and I'm not even sure if this company's  
 21 ever even done condos before. I know they talked  
 22 before about doing homes. I'm not sure if this is  
 23 their first go at it or if it's something they do  
 24 all the time.  
 25 And the other concern about the condos, so

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1 my right, neighbors to my left.  
 2 we've got a nice area here and we've got to  
 3 be careful in what we're going to put in. Yeah, it  
 4 looks fancy, yeah, they're going to take care of  
 5 everything, as they say today. Yes, these are  
 6 going to be \$325,000 condos. That's a big number,  
 7 you know, and we've seen changes, you know, Troy  
 8 and I, we've seen changes at the other place that  
 9 you guys granted for R-3 and fortunately for my  
 10 brother Troy, he kept an eye on it because when  
 11 they started to do the triplexes, we called Joni  
 12 and basically told them what was going on, but they  
 13 were going to sneak that through. And when they  
 14 snuck it through, they would probably pay some kind  
 15 of fine, but they would continue to go forward. So  
 16 it's so easy to manipulate something of this  
 17 density to be able to do that. And I think they  
 18 just need to be laid out. I don't think they've  
 19 actually come to this Board with everything that  
 20 was talked about at the Zoning, and there's no  
 21 change, you know, a buffer. That's not a buffer.  
 22 You've got residents that have lived in that area  
 23 for many years, such as myself and we've got  
 24 triplexes right there, you know, enough with the  
 25 triplex, you know. I think the condo is a stretch

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1 many times, there's a company up in Akron, but they  
 2 made a great, a really nice living of building  
 3 condos and then renting them out by keeping  
 4 possession of those condos. And that was also  
 5 mentioned in the minutes from the Zoning  
 6 Commission. I think it's a bad idea. I really do.  
 7 I think something has to be done, because there's  
 8 more property that's looking to be put homes on, or  
 9 condos, it seems like the R-3 is a good way to go  
 10 right now. We always thought R-1 would be the best  
 11 way to, you know, come from RR, sort of like a  
 12 step. Yes, there is apartments there, yes, off  
 13 Daytona and off the other road there are duplexes  
 14 and they've been there a long time. And if you're  
 15 going to use that prior to zoning to be able to  
 16 have something from RR to R-3, I disagree, and I  
 17 just don't -- I don't think it's ready right now.  
 18 I don't think Stuhldreher can handle the stress  
 19 that's going to be put on it by these condos. And  
 20 I've often said, Hey, RR to R-1, I think it's a  
 21 good way of doing it, but I don't think the plan  
 22 that's being presented is anywhere near what they  
 23 could do for it, to really make it work, not only  
 24 for themselves, but also the neighbors such as  
 25 myself, neighbors across the street, neighbors to

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1 in itself, but, no, I don't think they've met the  
 2 criteria of the Zoning Board, that said they should  
 3 be coming back into it, and I don't think they  
 4 should have been recommended for passage from the  
 5 Zoning Board. There was actually three of them  
 6 that was in agreement and one at the end, is the  
 7 only one that voted against it, and he was the  
 8 architect. And some of the things they were  
 9 talking about, that they originally were going to  
 10 have condos, they were going to have stone. Now  
 11 it's vinyl, you know, so there's a lot of things  
 12 that have been unsaid that have been talked about  
 13 at the Zoning that need to be addressed, and I  
 14 don't think they've met that criteria. I truly  
 15 don't. Other than that, as I go through this  
 16 thing, there's a few points that my wife, who did  
 17 such a good job. Betsey, was there anything else  
 18 you wanted me to mention? You sure? She's my  
 19 boss.  
 20 MR. PIZZINO: You've got a thumbs up. You  
 21 better quit while you're ahead.  
 22 MR. JULIAN: She's my boss. But thank you.  
 23 I appreciate the time. Been here a long time, been  
 24 in Jackson, love Jackson, but I think it's up to  
 25 everyone, you know, you guys are sitting here

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1 making a tough decision, but it's everyone that  
 2 lives around to make sure you know how we feel, you  
 3 know, we've been taxpayers for a long time. We've  
 4 lived on that street a long time. We're proud of  
 5 that street. Yes, it's changed, but any further  
 6 change I think really has to be put under the  
 7 microscope and looked at, because you're jumping.  
 8 You're jumping from RR to R-3, and that's a pretty  
 9 big jump in my book, especially when you denied  
 10 change to R-1. So I think going from here, things  
 11 have to be rectified, and I don't think they met  
 12 their obligation of what the Zoning Committee had  
 13 said. Thank you so much.

14 MR. HAWKE: Thank you. Anyone else to  
 15 speak against? Come on up.

16 MS. KUNKLE: I did speak at the last  
 17 meeting, so you have my notes from that. My name's  
 18 Amy Kunkle. My residence address is 9077  
 19 Traphagen. However, I do own the 5.41 acre parcel  
 20 that is shown in the bottom left of the map. So I  
 21 want to start with a couple of facts and figures.  
 22 Maybe this can be interactive for all of you on the  
 23 Trustee Board. \$732,900, does that ring a bell?  
 24 Anybody? No. It was the amount recently that was  
 25 passed to pay for the expansion of wales, the

1 our schools, not only our roads, but it's affecting  
 2 our natural resources, our water. I won't go down  
 3 all the paths that it's affecting. But definitely  
 4 not opposed to development, not opposed to growth  
 5 in our township, but rezoning, especially like  
 6 Mr. Julian stated, from RR to R-3, I really would  
 7 recommend that you not keep approving these. So  
 8 thank you very much.

9 MR. HAWKE: Anyone else want to speak  
 10 against the amendment?

11 MR. NAVE: Hi. John Nave. My address,  
 12 747 Cheverton Circle, N.W. I guess I'm  
 13 representing Bradford Farms Development. And  
 14 again, I think echoed some of the questions or some  
 15 of the sentiments that Jeff indicated, concern  
 16 would be increased traffic. I believe Stuhldreher  
 17 right now is stressed with traffic right now, and I  
 18 think there would be an additional burden on  
 19 Stuhldreher with this development and then an  
 20 additional 69 units. I imagine it's going to be  
 21 mainly 55 and over, but, again, you'll see  
 22 increased traffic with garbage collection, with  
 23 Amazon, Fed Ex deliveries that you're going to see  
 24 coming in and out. I've lived in Bradford Farms  
 25 since '98, and Piperglen is the main entrance into

1 widening of the streets, and I want to point out  
 2 that this is one of those indirect connections that  
 3 rezoning is causing additional money from  
 4 taxpayers. So you may say that it's not, you know,  
 5 affecting the traffic, but it obviously is, because  
 6 we're having to widen roads, et cetera.

7 The second thing I want to point out,  
 8 because you do mention the comprehensive plan, it's  
 9 in the comprehensive plan the number 1 vision and  
 10 goal was to establish a program to purchase  
 11 existing land to preserve open space, and I would  
 12 like to draw your attention to the map that  
 13 indicates opportunity zones. K, the letter K as in  
 14 Kunkle, which is my last name, is actually this  
 15 property. That was an opportunity zone for Jackson  
 16 to purchase in 2007 when this comprehensive plan  
 17 was done and preserve it as open space.

18 So and then, you know, lastly, we have -- I  
 19 have kids in -- I've had kids in all the Jackson,  
 20 elementary, middle and high school, and back in  
 21 2007 when the comprehensive plan was done, our  
 22 schools were at 100% capacity, and we did do the  
 23 high school expansion right there as well, but all  
 24 of the additional housing specifically brought on  
 25 by rezoning is causing ripple effects in not only

1 Bradford Farms, you know, we walk our dog  
 2 religiously every day, and we see people flying  
 3 through there as, you know, like Jeff mentioned, it  
 4 is a racetrack, and there is a stop sign there that  
 5 people blow through. So our concern is the fact  
 6 that Bradford Farms has been around since '95,  
 7 we're getting new families coming in, younger  
 8 families, there's going to be younger kids on  
 9 Piperglen, my concern is for their safety. So,  
 10 again, I don't want to go into -- I think the main  
 11 concern right now is, for myself, is additional  
 12 traffic on Stuhldreher and going into our  
 13 development itself. Thank you.

14 MR. HAWKE: Thank you. Anyone else to  
 15 speak against the rezone?

16 MR. JULIAN: Hello. Troy Julian, 3110  
 17 Kennesaw Circle, N.W., Canton, Ohio. I ain't going  
 18 to -- they pretty much picked everything out, but  
 19 after the zoning meeting I did talk to some of the  
 20 zoning, Jeff my brother did bring it up, where the  
 21 homes on Stuhldreher where my brother lives, Benny  
 22 Stuhldreher live, I said, why would you take and  
 23 put triplexes against the people that live there?  
 24 why don't you put them in the middle or something,  
 25 you know, you're like -- and they all agreed.

1 They're like, well, after the meeting they said to  
 2 me first that I'll bring them back and we want to  
 3 have a special meeting, and they said, well, the  
 4 township will handle that. They'll definitely want  
 5 to change that. I said, well, why did you vote for  
 6 that? As Jeff said, there's like three of them,  
 7 you know, they're all, yeah, that needs to be  
 8 fixed, but they passed it on because I believe that  
 9 they just want to move on with their lives. Let's  
 10 get this over with.

11 Another concern, since the fire  
 12 department's here, is that two roads on Stuhldreher  
 13 going in - I'm sorry - that connects there? I'm  
 14 kind of lost. I know the main one by my brother.  
 15 Down lower, is this a road that turns in? Somebody  
 16 help me with that.

17 MR. HAWKE: We'll have them address your  
 18 question when they come back up.

19 MR. JULIAN: That's good. Okay. And also  
 20 the service entrance --

21 MR. HAWKE: You mean the one that's kind of  
 22 red down at the bottom?

23 MR. JULIAN: Right here on Stuhldreher  
 24 going this way.

25 MR. HAWKE: The first one you come to?

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1 ranches, and now there's like half of them are  
 2 two-stories because they're easier to sell. They  
 3 tried to put in triplexes. So that's another  
 4 question for these guys I wish they'd answer.  
 5 Guaranteed, as Joni told me later, Oh, you can do a  
 6 two-story. I was like, well, I don't recall that  
 7 in the meeting. So I just wanted to bring that up,  
 8 so there ain't a bunch of two-stories popping up.  
 9 But, again, back to the triplexes against the  
 10 people that lived in this township, especially  
 11 Benny Stuhldreher, I'm going to bring Benny up, his  
 12 family's the one they named it after, and they're  
 13 jamming a triplex up in his back yard. I think  
 14 that's the most horrible thing I've ever seen, and  
 15 at the last meeting Zoning they said, Oh, yeah,  
 16 they'll change that. Well, here we are again and  
 17 no change.

18 So that's it. I want to know about the  
 19 fire department, I think that should be a main road  
 20 coming from the off -- back off -- I'm sorry, I  
 21 grew up there, but not -- the road that's kind of a  
 22 special road, that should be a full road. That's  
 23 part of our township. And the only reason they do  
 24 not want that is because it's not a nice area.  
 25 How's that sound to you? And so that needs to be

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1 MR. JULIAN: Yes. And the main one I guess  
 2 Jeff would say. So to me that connects for the  
 3 fire department hazard, it goes -- so if little  
 4 Bobby falls down in that hole after my brother's  
 5 house and they can't get through to a fire down  
 6 there, then we have this surface road, correct?  
 7 Okay. Why is that not a full road? Well, we all  
 8 know why. You don't want people flowing through  
 9 there because there's already older four-unit. I  
 10 grew up here. I rode my bicycle back there. That  
 11 should be a road. And the reason they don't want  
 12 it, because they ain't going to be able to sell  
 13 them.

14 And to go back to another question for  
 15 these guys, they're showing condos ranch style.  
 16 Now, I had a discussion with Joni, because across  
 17 from our farm when they made this whole thing up  
 18 and you guys approved it, they said everything has  
 19 to be point, down to trees, down to everything.  
 20 The next thing you know, across the street from the  
 21 farm, they're building two-stories. So please help  
 22 me. You guys identify. Are they going to be able  
 23 to go in and make two-stories like they did down  
 24 off of Julian Street and Stuhldreher? If you go  
 25 down there now, they were supposed to be all

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1 opened up. You should really think about that.  
 2 But I grew up there and I dealt with it and I  
 3 played with all the kids there and I would play  
 4 with them again. That's about it. But please  
 5 remind me about the fire issue, the county roads.

6 MR. HAWKE: Sure. I'll get that answered  
 7 for you. Thank you. Anyone else to speak against  
 8 the rezone?

9 MR. HARVEY: Dave Harvey. I'm 3450  
 10 Dovershire, Massillon, Ohio, 44646. I'm the first  
 11 house when you come into Bradford Farms, and I've  
 12 got a dog and two kids. Across the street they  
 13 have eight kids. Across the street from them,  
 14 they've got three kids, and they come through there  
 15 and they're ripping, and I don't see it getting any  
 16 better. I've been there 23 years. I know Jeff. I  
 17 know everybody else, everybody from Bradford Farms.  
 18 We're not -- no one in there that I've ever talked  
 19 to is in favor of anything like this.  
 20 Single-family homes would be a different story, but  
 21 the triplexes, they just -- no one's going to go  
 22 for that. So I just wanted to let you know I'm the  
 23 guy that when they pull the cars over, my wife gets  
 24 mad because the flashing lights are in our back  
 25 windows. So, and of course, you know, they sit at

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1 the park, they come ripping around the corner and  
2 first place they can turn off is right into my back  
3 yard. So I appreciate your time. Thanks so much.

4 MR. HAWKE: Anyone else to speak against  
5 the rezone? Anyone?

6 MR. VACCARO: Ask about anyone out there.

7 MR. HAWKE: Anyone out there?

8 UNKNOWN SPEAKER: They said it all.

9 MS. POINDEXTER: They said they said it  
10 all.

11 MR. HAWKE: All right. So now we'll close  
12 this section of the hearing for opposition and  
13 we'll hear from the applicant if you want to rebut  
14 or answer any of the questions.

15 MR. RICHINS: Reed Richins again,  
16 architect. We'd be happy to respond to questions  
17 if they could be restated, please.

18 MR. HAWKE: So the first question was, I  
19 think the biggest question that I got out of the  
20 group from that is the, what would be the bottom  
21 road coming off of Stuhldreher that's in the red,  
22 in that space?

23 MR. RICHINS: There?

24 MR. HAWKE: There. Is that a full access  
25 road or what's the intention of that?

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1 MR. RICHINS: We did not make a change. As  
2 shown, it has stone on the front. If I could put  
3 them back up here, it would help me.

4 MR. PIZZINO: There's stone in the front  
5 only?

6 MR. RICHINS: Right. It turns the corner,  
7 but the majority of the sides and the rear are  
8 vinyl. The only error was my error, which was  
9 corrected at that meeting, that the sides and the  
10 rear are vinyl. In fact, I think I had mentioned  
11 fiber cement, but they were always going to be  
12 siding, but they're a high quality vinyl rather  
13 than fiber cement, and that correction was made at  
14 the meeting. The front was always going to be  
15 stone and remains stone.

16 MR. PIZZINO: And when you laid this out,  
17 and again, I live in an R-3 development, my last  
18 two homes, and I have no problems with it. It's  
19 great. We have one trash person, we have one yard  
20 person. It's picked up on the same day. There's a  
21 lot of benefits. It's got to fit also. And when  
22 my development was made, it was there before any of  
23 the houses in the allotment. I really don't have a  
24 big concern, but I do have a concern when you put  
25 the layout, you know, with the quality units there,

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1 MR. RICHINS: That is not a full access  
2 road. It's an emergency access road. It's  
3 protected by a gate right here, which has a Knox  
4 lock, so it would be for emergency vehicles only.  
5 We could get John Walsh to address this, but it's  
6 our understanding that the county would not approve  
7 two drives in such close proximity. So that's the  
8 intent, and the rationale.

9 MR. HAWKE: And I think the other question  
10 was on that particular piece that it appears that  
11 it's not a paved access road, it is a gravel access  
12 road; is that correct?

13 MR. RICHINS: That same road that we're  
14 talking about?

15 MR. HAWKE: Uh-huh.

16 MR. RICHINS: That's correct, it's a gravel  
17 road, because its intent is only to be, to provide  
18 emergency vehicle use.

19 MR. HAWKE: Is there anything else you  
20 wanted to address?

21 MR. PIZZINO: I have a question

22 MR. HAWKE: Go ahead.

23 MR. PIZZINO: Did you tell, at the last  
24 zoning hearing, that this was going to be a stone  
25 front and it changed to vinyl?

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1 why did you put the three-units in single-family  
2 residents' back yards? If you look -- if you're  
3 looking at your map, you've got 3, 6, and single  
4 families in front, but if you turn the corner and  
5 it touches. Now, I don't have a problem back where  
6 our park is with the twelve units in the back, when  
7 there's nothing there, but I guess I have a little  
8 concern having those -- why don't you just put the  
9 two-units there instead of the three-units?

10 MR. RICHINS: Well, there's clearly some  
11 subjective elements here, but I will point out a  
12 couple things. There's two instances that you may  
13 be speaking of. We have a triplex here and we have  
14 another one here.

15 MR. PIZZINO: Right.

16 MR. RICHINS: This location has the largest  
17 setback anywhere on the property, and that has been  
18 intended to provide that existing resident with as  
19 much as possible privacy and separation. It also  
20 has the largest berm, which will make it the  
21 tallest berm on the property. The other location  
22 has probably the second largest berm and probably  
23 the second greatest setback. Again, you saw in the  
24 earlier presentation that the setbacks that we  
25 provided are way in excess of those required by the

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1 Zoning. So we have endeavored to provide as much  
2 as possible privacy and separation for the existing  
3 residents. The fact that it's a three-unit rather  
4 than a two-unit seems to have, to me, seems to have  
5 less impact on protection of their privacy and  
6 views than the provision of the berms, the  
7 landscaping, and simply the distance of separation.  
8 So those are some of the elements that come into  
9 play in the placement of the two building types.

10 MR. PIZZINO: I don't know if I agree with  
11 you, but I guess back in the back here, this is  
12 where our park is, correct, Mrs. Poindexter?

13 MS. POINDEXTER: Yes.

14 MR. PIZZINO: Why wouldn't you move those  
15 three-units back there? Then you wouldn't have to  
16 worry about setback.

17 MR. HAWKE: Where are you pointing,  
18 Mr. Pizzino?

19 MR. RICHINS: All the way in the back.

20 MR. HAWKE: No. That's on top.

21 MS. POINDEXTER: No, that's on the other  
22 side. It's on top.

23 MR. PIZZINO: Oh, okay. It's still going  
24 to look the same way. Why don't you move them  
25 there? Get them out of the single family

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1 the PUD part that goes with it, because then you've  
2 got to present this to me and we've got to see it  
3 and the residents are going to actually see what  
4 you've got there, so they can actually get an idea  
5 of what's going in as opposed to just this is a  
6 zone change to a different classification. But  
7 what I've really struggled with, is at the bottom  
8 of that page, there are three roads, but only one  
9 has anything done to it. All along the bottom  
10 there, those three roads, I see Daytona, Bermuda,  
11 and Payton, all three are there. Two of them,  
12 Daytona and Payton, are left as stub roads, and  
13 Daytona in my -- is really a struggle for me. It  
14 dead-ends into someone's back yard. If someone  
15 hits that space and hits the wrong pedal in a car  
16 or isn't paying attention, they're in their back  
17 door.

18 So my questions aren't necessarily around  
19 traffic flow, other things like that; it's around  
20 safety of the people that are going to live there  
21 as well. So I have a real concern with that,  
22 because I know you're going there with a knox box  
23 and I'm fine with the safety access and the knox  
24 box location, I get that space, I get that idea.  
25 I'm perfectly okay with that as long as the police

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1 residential area's back yard, put the two-units  
2 there, give them a little bit more space and then  
3 put the four-units there and put the three-units in  
4 the back? Okay. I got my answer.

5 MR. HAWKE: I'm going to give you a  
6 different question. I've looked at this a number  
7 of times and I'm not sure -- again, I'm going to  
8 back up for a second before I start that comment.  
9 I don't get hung up on R-3, R-1, R-2 or any of the  
10 R stuff, because I've had this conversation with  
11 Ms. Poindexter before. Those tell you what the  
12 minimums are, right, what your size of lots have to  
13 be, all those kind of things. You can make an R-3  
14 that looks like an R-1, if you want.

15 MR. RICHINS: That's true.

16 MR. HAWKE: Correct? So that's part of my  
17 process. I don't get hung up on whether it's R-3  
18 or R-1. I look at what's the design, because in  
19 R-1 you don't have to show us. All you have to  
20 tell me is I'm going to go with single family  
21 R-1's, it's going to be this lot size, that fits,  
22 this is the number of units, lots that will be  
23 there, and I can't change what you're -- I mean  
24 you're going to have to go through the regulations  
25 and things for the roads. So I'm a bigger fan of

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1 and fire guys are alright, if they can get in and  
2 out of there, but, again, I appreciate the  
3 opportunity you gave putting the space for the snow  
4 removal going in there, because that's a really  
5 tough situation for our guys. I've really got to  
6 thank Mr. Rohn and the public works folks for all  
7 of the work they did over the last few weeks with  
8 everything that's happened with the snow. And to  
9 have a place to put it is always a tough challenge.  
10 I mean that's one of our biggest issues, when you  
11 get into cul-de-sacs or you get into dead-ends,  
12 where am I going to put this stuff? No one wants  
13 it piled up in their front yard, right, but if  
14 you've got ten inches of snow, it's got to go  
15 somewhere.

16 So with the other two, I don't see this.  
17 So it's either going to go in people's yards or  
18 it's going to get piled up into the buffer you  
19 created, or we're going to damage the buffer  
20 shoveling the snow into it and we're going to have  
21 an issue to deal with, but the bigger one for me  
22 is, both of those, those streets are emptying right  
23 into people's soon to be homes. That's a struggle  
24 for me. I really do appreciate the condo idea, the  
25 need for that type of housing in the township. I

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1 get that. I've spent a good bit of time through  
 2 some of the work in Strengthening Stark talking to  
 3 folks about that missing little housing and the  
 4 types of housing that are missing, and that's all  
 5 true. I believe that 100%. But I've got to look  
 6 at how it's with a safety issue for me. I mean you  
 7 can look back at any of these hearings that I've  
 8 gone through and 99% of my comments revolve around  
 9 safety. They always do, because that's what's  
 10 important to me. So for me when I look at this,  
 11 you know, I hear the folks talk about speeding and  
 12 those issues and you've got to tell us those and  
 13 we'll have extra controls that will monitor those.  
 14 You can't stop it. I mean let's be honest, we've  
 15 all tried, you know, people just do things the way  
 16 they want to do them.

17 The traffic issues, there are certain  
 18 regulations we have to look at what we can and  
 19 can't abide by on the traffic side, and we have to  
 20 take the engineers who know what they're talking  
 21 about in the traffic space to look at what's going  
 22 on there, but for me, the issues that I need  
 23 addressed that I don't see being addressed,  
 24 Mr. Pizzino talked about one, which is the triplex  
 25 issue. I think there's some opportunity to look at

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1 that this vehicle traveled. I mean honestly, the  
 2 distance between the back of that house and into  
 3 the stub is not very far. To my opinion, I mean  
 4 police officers could, you know, chief could tell  
 5 you better than I can, I don't think you're  
 6 stopping that quick. I think you're going to be in  
 7 their back door. I think that's a pretty short  
 8 distance of travel if you're going even 25 miles an  
 9 hour at the regulation speed.

10 So those are kind of my concerns. I don't  
 11 know how you can address those or if you can give  
 12 me answers or thoughts around or give me why I'm  
 13 wrong, because that's kind of where I'm at. I gave  
 14 you all of them at once. If you want me to go back  
 15 and give each piece.

16 MR. RICHINS: No, that's alright. I think  
 17 I can respond to those, a couple of them. There  
 18 was a question brought up earlier that I should  
 19 respond to also. You know, the stub streets on  
 20 Daytona and Payton, those are unchanged. They were  
 21 there already.

22 MR. HAWKE: Yeah.

23 MR. RICHINS: We have not affected those at  
 24 all.

25 MR. PIZZINO: But you will.

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1 that. Two, I'm not really, when I'm looking at  
 2 this in front of the neighbors that have lived  
 3 there and have a gravel road, I'm also concerned  
 4 about that. It's an emergency access and you're  
 5 leaving it gravel. Snows like this, you've got to  
 6 get it cleared out if an emergency is going to  
 7 access it. I would think if it was asphalt, it  
 8 would be easier to clean. You can put that Knox  
 9 box, you can put that gate anywhere along there.  
 10 So there's some thought there I think needs to go  
 11 into that. And I really think there has to be some  
 12 thought on those dead-end stub streets. I just had  
 13 a complaint, Mr. Vaccaro, three weeks ago?

14 MR. VACCARO: Yes.

15 MR. HAWKE: From actually a resident of  
 16 Massillon, because it's a property that hits the  
 17 Jackson Township line into Massillon, and a person  
 18 went through a stub street, exactly like I see  
 19 right here, through their back yard and took their  
 20 fence out and missed their house by about that  
 21 much. (Indicating). So I've seen it happen.  
 22 Doesn't mean it's going to happen. Doesn't mean  
 23 it's not. I hope it never happens, but I don't see  
 24 much protection there. And this was over a hill of  
 25 a barrier that was there, and through some shrubs

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1 MR. HAWKE: You will.

2 MR. PIZZINO: You will once you put your  
 3 development in there.

4 MR. RICHINS: They're already stub streets.

5 MR. HAWKE: They're stub streets into a  
 6 field.

7 MR. PIZZINO: That's in a field.

8 MR. HAWKE: If Mr. Pizzino drives through  
 9 the end of that street, I don't think -- right now,  
 10 he drives into a field, you know, we've just got to  
 11 go get him out. If he drives in there once your  
 12 condo's built, he's in their back door, where  
 13 someone could have been sitting at a table. That's  
 14 a tough spot for me. Put yourself in my spot, to  
 15 be approving the plan you have, knowing that that's  
 16 a possibility.

17 MR. RICHINS: Well, we did have this  
 18 evaluated by traffic professionals, also by Stark  
 19 County Engineer. I appreciate the concern. It was  
 20 not a concern that any of those gentlemen raised,  
 21 but it's a legitimate concern. So I'm not sure I  
 22 have a solution that will solve issues that were  
 23 already there. We feel like we've solved a number  
 24 of issues, but those were concerns I think that  
 25 were already there. Another one that --

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1 MR. PIZZINO: Let me stop you before you go  
2 on.  
3 MR. RICHINS: Sure.  
4 MR. PIZZINO: When you build those streets  
5 inside your development, are they going to be to  
6 our county specifications?  
7 MR. RICHINS: Yes.  
8 MR. PIZZINO: So they could be county and  
9 turned over to the township.  
10 MR. RICHINS: Oh, no, they would not be  
11 turned over.  
12 MR. PIZZINO: But they could be, if you're  
13 building to their specifications?  
14 MR. RICHINS: Legally they could not be.  
15 MR. HAWKE: well, that was my question.  
16 That was another question. I'm glad Mr. Pizzino  
17 brought that up. In your -- in the transcript, you  
18 guys touched on that a number of times, that  
19 they're private streets and you brought that up  
20 again today, which is fine, but then the first part  
21 of the transcript, the comment was made that  
22 interior streets have been designed to county  
23 standards for private residential streets. The  
24 county standards part is concerning to us, because  
25 if you build to county subdivision regulations,

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1 while they're private today, the condo association  
2 can turn them over to us and we can't say anything  
3 about it. We have to take them. So I guess, is it  
4 a misspoke? I mean maybe Mr. Walsh --  
5 MR. RICHINS: John can address this.  
6 MR. HAWKE: Because it could just be a  
7 confusion of wording.  
8 MR. WALSH: Good evening. My name is John  
9 Walsh with GBC Design, 565 White Pond Drive, Akron,  
10 Ohio, 44320, and we're the engineer and surveyors  
11 for the project. I think our intent was to make  
12 the pavement section, the thickness of the roads,  
13 to meet the county standards. That way they're  
14 going to hold up over time. What we propose is a  
15 24 foot wide road from, I guess back curb to back  
16 curb. The county standard is 29 feet back to back.  
17 MR. HAWKE: Okay.  
18 MR. WALSH: So it is going to be narrow,  
19 and I guess just that amount there would prohibit  
20 the county from accepting.  
21 MR. HAWKE: To be clear, they're not going  
22 to be built to subdivision regulations?  
23 MR. WALSH: Right.  
24 MR. VACCARO: On width.  
25 MR. WALSH: On width. The thickness --

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1 MR. VACCARO: On thickness, yes.  
2 MR. HAWKE: That was my question.  
3 MR. PIZZINO: But if they would build them  
4 to that and we would have to take care of them, the  
5 streets, like we do all the other roads we take  
6 care of, that would answer Mr. Hawke's safety  
7 questions about these stub streets, with a little  
8 tweaking of this plan. If they cannot use those  
9 stub streets and go into that allotment because  
10 it's going into a private development, isn't that  
11 the reason why they can't do that, Mr. Vaccaro?  
12 MR. VACCARO: I'm not 100% on subdivisions,  
13 but what I hear you saying is, those streets are  
14 already at subdivision standard going into a  
15 non-subdivision standard?  
16 MR. WALSH: Right.  
17 MR. VACCARO: I see your point, and I'm  
18 thinking of another PUD-3 in the township, and,  
19 Rich, do you know, I don't know if you know  
20 offhand, but I don't think -- those would have to  
21 be maintained as private roads.  
22 MR. PIZZINO: My R-3 is part of the  
23 township road because they made them the width.  
24 MS. POINDEXTER: It would have to be 50  
25 foot road right-of-way.

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1 MR. WALSH: The other increase would be, we  
2 would have to dedicate right-of-way, and if we  
3 dedicate right-of-way, then the setbacks are then  
4 forced off the right-of-way instead of the  
5 pavement, so it takes the -- I guess it shoves the  
6 buildings part, and I'm not sure they'd fit in  
7 there logistically if we did that.  
8 MR. HAWKE: Right. That was just a  
9 question I had because when I read that in the  
10 transcript, the comment of county standards, that  
11 triggered in my mind subdivision regulations.  
12 MR. WALSH: Right.  
13 MR. HAWKE: But if it's just you're looking  
14 at the thickness, it's not the right width, it  
15 doesn't have the right setbacks, then ultimately  
16 that makes it awesome that those roads cannot be  
17 turned over to the township at any point. There's  
18 no way you could do it, because we can only take  
19 roads over that are built to those subdivision  
20 regulations.  
21 MR. WALSH: Right.  
22 MR. VACCARO: But I just want to be clear  
23 about this. We do have a PUD-3 that is private  
24 roads connected to a public road that we maintain,  
25 and we have that PUD-3 condo group complaining that

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1 they want to turn their roads over.

2 MR. HAWKE: Correct.

3 MR. VACCARO: It can be done, but there's  
4 thru traffic that are using those privately  
5 maintained roads because that condo group never  
6 gated them. So in theory you could have the two  
7 meet up.

8 MR. HAWKE: Without the gate, without a  
9 Knox box?

10 MR. VACCARO: Without a Knox box or a  
11 security gate.

12 MR. PIZZINO: So they could use that as  
13 another exit?

14 MR. VACCARO: Yeah. So looking at this  
15 current plan, if you did not gate Bermuda, in  
16 theory, the folks living on Bermuda could travel  
17 east into the condo private road and travel - what  
18 would that be - northbound and out onto  
19 Stuhldreher.

20 MR. HAWKE: Yep.

21 MR. WALSH: And part of the public and  
22 private, the other concern about the traffic that's  
23 coming out of Stuhldreher, if we start connecting  
24 these, interconnecting these roads, that's going to  
25 change the traffic pattern and probably bring more

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1 make it high enough through there for the two  
2 buildings that are on Dayton. They wouldn't have  
3 the headlights and stuff from all the people coming  
4 down Dayton, that we could visually block that with  
5 the space we have there right now.

6 MR. HAWKE: I was looking at more of the  
7 safety, but you're right too, that that's the other  
8 issue, is anybody coming down those streets of  
9 Daytona or Payton would be, their headlights,  
10 because there are houses right against that  
11 property line, so as they would pull into the  
12 driveway their headlights would be right into those  
13 folks' back patios.

14 MR. WALSH: I think with the 47 feet, we  
15 have room to do some improvements through there to  
16 alleviate those safety concerns. And again, you  
17 know, the demographics is an older community. They  
18 want their nice unit, they want a nice patio. Most  
19 of them probably aren't that interested in back  
20 yards and that type stuff. So I think with the  
21 landscaping and the mounding, it could be  
22 attractive for those units and then also be a nice  
23 safety buffer at the end of the streets.

24 MR. THOMAS: Sir, is that a dedicated road  
25 on Bermuda, would that be an extension there or is

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1 people out on our exit at that point. I'm not  
2 sure -- I think they exit further west. I'm not  
3 familiar enough with where they come out onto  
4 Stuhldreher, but it wouldn't change, I guess the  
5 traffic patterns there. I guess we have -- there's  
6 roughly fifty feet from the property line to the  
7 back of those units.

8 MR. HAWKE: Okay.

9 MR. WALSH: And we're proposing an earthen  
10 mound and stuff as a buffer through there. If we  
11 would come through and I guess enhance those mounds  
12 or make them higher to, one, be a visual, you know,  
13 rather than just seeing trees, it would be a four,  
14 five, six foot high mound, and I'm not sure what's  
15 at the end of the streets today, whether there's  
16 guardrail or anything that tells you today what's,  
17 that the road ends or that there's a field.

18 MR. VACCARO: It would be posted that it's  
19 a no outlet road.

20 MR. WALSH: Right.

21 MR. VACCARO: Right.

22 MR. WALSH: I think your safety concerns  
23 are legitimate, but I think with some mounding  
24 through there, we can put enough of a barrier  
25 through there to prohibit, and then also it would

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1 that just for safety?

2 MR. WALSH: It's for safety.

3 MR. THOMAS: Only for emergency?

4 MR. WALSH: Only for emergencies, and  
5 again, it has a gate with a Knox box. That way the  
6 fire department can come. Only safety services can  
7 open that. And that would be just in case the main  
8 entrance off of Stuhldreher was blocked.

9 MR. HAWKE: I'm not trying to ignore you  
10 guys. I wanted to look at a picture of that issue  
11 that I was talking about.

12 MR. THOMAS: I'll ask a question while  
13 you're looking. Maybe you're not the person to  
14 answer this. We talked about whether or not the  
15 condos would be all single story or at some point,  
16 you know, you might want to build more than one  
17 story. And if so, is that something that you guys  
18 would have to come back to the Board for approval  
19 on?

20 MR. WALSH: I've got to defer to the  
21 architect. They get mad when you --

22 MR. RICHINS: Our understanding, and  
23 actually, this is pretty clear to us from the  
24 zoning ordinance and township ordinances, is that  
25 whatever gets approved has to be built

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1 substantially as is approved. We see this as a  
 2 benefit to the public, of course, and the township,  
 3 but also to us in proposing the development, in  
 4 that there's no questions about changes occurring  
 5 later. So to continue on that point, once it's  
 6 approved, the proposed development and all the  
 7 particulars that are shown here, including the  
 8 footprints of the buildings, the descriptions of  
 9 the buildings, the grading and landscaping,  
 10 streets, buffers, all of this would be locked in.  
 11 The phrase from the ordinance is, Binding  
 12 commitment for the proposed development. We accept  
 13 that. It is a binding commitment. So I frankly  
 14 can't understand how changes could have occurred in  
 15 other instances, but we recognize that whatever  
 16 gets approved is what gets built.

17 MR. VACCARO: Sir, real quick. I want to  
 18 ask you a quick question. You were talking about  
 19 the front and being brick.

20 MR. RICHINS: Stone.

21 MR. VACCARO: Or stone, excuse me. But  
 22 isn't it a mixture? I'm looking at your profile.  
 23 Isn't the front a mixture of stone and --

24 MR. RICHINS: There are some siding  
 25 elements. The front is mostly stone, but our view

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1 but we're talking about this right now. We show  
 2 those sunrooms at a 12 foot depth off the back of  
 3 the main building rear wall. There may be some  
 4 clients who don't want that full sunroom. So it  
 5 may end up being, you know, four feet, six feet,  
 6 but we would expect to have that flexibility and  
 7 still be recognized as complying substantially with  
 8 what's being presented tonight.

9 MR. THOMAS: So am I to understand that you  
 10 would build it based on somebody who wants to buy  
 11 it, you would build it to their specifications?

12 MR. YODER: That's correct. I mean within  
 13 reason.

14 MR. THOMAS: Okay.

15 MR. YODER: Within reason.

16 MR. THOMAS: And what if it's not  
 17 already -- will you only build it if it's already  
 18 pre-purchased, or what would you do if it wasn't  
 19 pre-purchased?

20 MR. YODER: No. We expect to have some  
 21 built on speculation for sale.

22 MR. THOMAS: Okay.

23 MR. YODER: But this project would probably  
 24 take five to seven years to build out, right?

25 MR. THOMAS: Right.

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1 is that a mixture handled well is the best.

2 MR. PIZZINO: Why? When I'm looking at it,  
 3 80% of all stone and it looks like it's half done,  
 4 because it's not stone all the way up here, if this  
 5 is the right view here.

6 MR. RICHINS: The idea of a stone wainscot  
 7 with siding above is a well-known and attractive  
 8 architectural motif. We certainly don't have any  
 9 qualms about using that motif. In other areas you  
 10 can see that the stone goes all the way up to the  
 11 gable, and so the mixture of an articulated facade  
 12 with different materials like that is actually what  
 13 we're aiming for.

14 MR. VACCARO: Okay. My point in answering  
 15 that, I was just led to believe it was all stone.  
 16 I just wanted to make sure we were clear on what  
 17 your profile showed.

18 MR. RICHINS: Okay.

19 MR. YODER: My name is Dwight Yoder. I'm  
 20 actually the developer/builder here. P.O. Box 250,  
 21 Uniontown, Ohio. So I just wanted to clarify on  
 22 these footprints, and we mentioned that, you know,  
 23 it is our intent to comply substantially with what  
 24 is showing. I wanted to point out that we on some  
 25 of the sunrooms, and this is sort of a minor point,

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1 MR. YODER: And we're not going to get  
 2 ahead of the market. We're going to build what  
 3 people want, amenatize them inside to what they  
 4 want.

5 MR. THOMAS: Appreciate it. Thank you. So  
 6 I'm not that particularly concerned with the stub  
 7 roads. I think, you know, it might be more traffic  
 8 actually going through those, through that area,  
 9 and I'm not sure those people would want that. As  
 10 far as the potential moving of the three-units,  
 11 that sounds reasonable, if you would consider  
 12 moving them to the side where the township property  
 13 is, I think that sounds reasonable. But other than  
 14 that, the proposal sounds quite good. I think the  
 15 township could certainly use some other types of  
 16 housing. So I think otherwise it sounds pretty  
 17 good. Thank you.

18 MR. HAWKE: Let me clarify my statement to  
 19 you. I'm not suggesting that those stub roads  
 20 should be full access. I'm just saying I don't  
 21 particularly think it's a safe idea to put a home  
 22 right at the end of a stub. That's all. I mean  
 23 there could be another -- again, I have no problem  
 24 with the knox box situation or the emergency  
 25 dedicated street or if it were open to some extent

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1 or something. There's just got to be -- to me, I  
 2 look at these things too and I have to step back  
 3 and I look at all the pieces and parts of things,  
 4 you know, to the earlier comments from  
 5 Mrs. Yingling, we want to find a place, I want a  
 6 place as that, you know, my in-laws have wanted to  
 7 move into if they chose to come out of their  
 8 two-story home, that is right across the street  
 9 over here, or that if I wanted to go into it, I  
 10 would feel comfortable and I would feel safe. I  
 11 think you have a good plan. That's not my issue.  
 12 I'm just looking at the overall safety, and those  
 13 two points are a concern. I mean I wouldn't want  
 14 to be sitting in that back door, look up and see  
 15 headlights coming through my door. And I don't  
 16 mean just the lights. Mr. Walsh gave that comment.

17 I just got to those pictures from the  
 18 earlier incident. The mound's probably what, four  
 19 feet maybe? It went over a four foot, the vehicle  
 20 went over a four foot embankment that was about 20  
 21 feet from the end of the actual roadway roughly.  
 22 And Mr. Rohn looked at all that for us, and it went  
 23 over a sign, over that, through a split rail fence,  
 24 over a bush, and it never stopped. Through an  
 25 allotment street. So, you know, again, whether

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1 they're speeding or not, I don't have any access  
 2 points to, we don't know that, but that to me, I  
 3 mean I look at that and I look at this picture and  
 4 I look at where you are distance-wise and I can see  
 5 just on the other side of that mound being where  
 6 this house would sit. If that mound comes back  
 7 closer to me, because to your point this is tighter  
 8 than what this particular image is, they're going  
 9 to hit it sooner, but it still doesn't mean it's  
 10 going to stop. That safety concern's just really  
 11 eating at me, and I don't know how else to say that  
 12 to you.

13 MR. YODER: So, Mr. Hawk, let me just draw  
 14 an analogy here, if that's the right expression,  
 15 but I would say within a half mile radius of where  
 16 we're at tonight, there are probably at least a  
 17 dozen T intersections within developments, where  
 18 you have, to your way of thinking, an even more  
 19 dangerous situation. And we have that everywhere.  
 20 You know, to your concerns, we would be willing to,  
 21 as John Walsh mentioned, you know, building the  
 22 mound higher. We can put ballards up and we can  
 23 put guardrail, but what we're proposing here is  
 24 safer than what you'll find on many public streets,  
 25 and you can find examples, as I said, I bet a dozen

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1 within a half a mile of here.

2 MR. HAWKE: You won't get a disagreement  
 3 from me on that, but I didn't approve those  
 4 streets. Those streets were built in an R-1 or an  
 5 R-2 or some other piece where it was, you know this  
 6 is the number of units, this is the number of lots,  
 7 and this is how it's going to be built, and they  
 8 were approved based on the subdivision regulation  
 9 side. This is a specific plan that I as one of the  
 10 three trustees would approve. So I have a  
 11 different perspective than that side. But, again,  
 12 I completely agree. Trust me, when I pull up to  
 13 those, I have the same angst as I pull up to it  
 14 about the person who's coming behind me not going  
 15 around me through it, you know, I mean that's not  
 16 the issue. And whether it's drainage pitching,  
 17 whether it's additional build-up, but we have to  
 18 get -- we've gotta know what that is to be able  
 19 to -- in my opinion, I would have to know what that  
 20 is.

21 MR. PIZZINO: I agree. I think they could  
 22 make that buffer higher and wider. I still have a  
 23 concern, but it would help our concern, but I don't  
 24 think I'm going to back down from the three, those  
 25 three-units, where they're at. You know, honestly,

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1 if you're going to leave it that way, I'm going to  
 2 vote against it. I've always been open and honest  
 3 for 20 years, I'm not changing now, and I just -- I  
 4 put myself in those residents', if I owned that  
 5 house, what would I want? I don't want nothing in  
 6 my back yard, but the point is --

7 UNKNOWN SPEAKER: They can't hear out here  
 8 anymore.

9 (Technical difficulties)

10 MR. PIZZINO: Can you hear me? I'm sorry.  
 11 No, but what I'm saying is, I do put myself in the  
 12 position of those homeowners, and if I was living  
 13 there, I wouldn't want that three-unit in my back  
 14 yard either. So I'm not going to, you know, I'm  
 15 just not going to back down from that. I mean it's  
 16 up to the other two trustees, I'm only one vote,  
 17 but if that three-unit doesn't become a two-unit,  
 18 I'm not going to vote for it. I'm just telling you  
 19 open and honestly. You do what you have to do.

20 MR. HAWKE: So for me, where the points are  
 21 still, I have the concerns around the stub streets  
 22 and doing some kind of additional protection to  
 23 that point.

24 MR. RICHINS: Can I address that point  
 25 briefly?

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1 MR. HAWKE: Hang on one second.

2 MR. RICHINS: Sure.

3 MR. HAWKE: I'm going to get it here. And  
4 as well, at those, whatever we do, I think we need  
5 to come up with something at the ends of those  
6 streets like you've done at Bermuda for our  
7 township folks to be able to push snow. They're  
8 not marked off on those two, so we want to just get  
9 that, because look, I don't want to damage the  
10 things you put together with a snowplow, because  
11 you build a nice buffer that the residents are  
12 supposed to have there to protect them and put them  
13 in a space, and then our plow comes through, out of  
14 no fault of their own, because they're pushing ten  
15 inches of snow through and it ruins the part of the  
16 buffer and tears it up, we're going to have to fix  
17 that, number one. Number two, it's going to be a  
18 mess for a while because we all know what's about  
19 to happen as the temperature heats up a little bit.  
20 I only use the heat word because I'm trying to  
21 think about that. You know, there's going to be  
22 some muddy mess out there where we couldn't fix it  
23 for a while. You're going to have to live with  
24 something like that. You don't want to put us in  
25 that spot.

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1 doesn't have to be, so that's, you know, and also  
2 it is up against Mr. Pizzino's point, folks who  
3 live there, I understand you're putting a buffering  
4 in, but I just look at that as, it's not -- to me  
5 it's not a long run. I mean it's money obviously  
6 and obviously that's part of the process here,  
7 someone's got to pay to put that in, but I think  
8 that's something that should be looked at at least.

9 And again, I get the county's thing, like I  
10 sat on a committee for their access management, I  
11 put it together, but, you know, again, you can move  
12 a Knox box location out closer to the edge of the  
13 road to let people know and signage could be put up  
14 there. So those -- and I do agree with Mr. Pizzino  
15 on the triplex piece up against the folks' house,  
16 but that to me is something I think you've got to  
17 look at and you've got to make -- I just -- I  
18 don't -- I think there's a way to do it without  
19 putting it right in their back yard, personally. I  
20 don't think it's a problem. Again, I love the  
21 idea. I've just got to get comfortable with those  
22 few points. So if you want to answer any  
23 questions.

24 MR. RICHINS: Well, I can try to answer on  
25 one of those points certainly. We did not get

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1 If we can get -- so I would want to see  
2 additional protection at those stubs, snow removal  
3 space at those stubs, and I do have a concern about  
4 that other emergency access being gravel. I mean  
5 it doesn't need to be, you know, hugely thick  
6 asphalt, but I think to keep it clean, you know, is  
7 there something else, unless the Chief has a  
8 different --

9 CHIEF HOGUE: No. Emergency access road is  
10 defined in the Ohio Fire Code in appendix B, and it  
11 can be gravel. Actually, if you go down to  
12 Serenity Shores, those are slag. It just has to be  
13 engineered so it takes the weight of our vehicles.  
14 So we'd love for them to be paved. It's better for  
15 us.

16 MR. HAWKE: Right.

17 CHIEF HOGUE: As long as it meets the  
18 intent of the code, the Ohio Fire Code.

19 MR. HAWKE: Right.

20 CHIEF HOGUE: I can't tell him he has to  
21 pave it.

22 MR. HAWKE: Right. So from an overall  
23 perspective from me, I would prefer it be paved,  
24 because of what he just said, it's easier to clean  
25 and clear and take care of. I understand it

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1 input from public works on snow storage at the  
2 existing stub streets, so that wasn't addressed,  
3 but I understand that concern. Nor did we get  
4 input, you know, from any safety concerns about  
5 those, but we do appreciate your concern, because  
6 there's obviously been an incident, but I think our  
7 response would be that there are ballards that will  
8 stop a car.

9 MR. HAWKE: Sure.

10 MR. RICHINS: And so I think that ballards  
11 are probably the answer there. Now, whether those  
12 ballards occur on dedicated streets or on our, you  
13 know, the developer's private property, is probably  
14 a good discussion to have. It seems like they  
15 ought to occur on the dedicated right-of-ways, but  
16 if it needs to be a stipulation that those ballards  
17 occur on private property, which I frankly think is  
18 an odd arrangement, but if it needs to be  
19 stipulated, those ballards could be provided at  
20 Daytona and Payton.

21 MR. HAWKE: I'll leave that to Mr. Rohn as  
22 far as there are some regulations. Obviously  
23 you're dealing with a township, not a city or a  
24 county, and we have some different regulations  
25 under O.R.C. as to what we're allowed to install

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1 and what we're allowed to put up in those  
2 situations, so I would leave that to him as to  
3 whether that's a -- which route you would go.

4 MR. RICHINS: Yeah.

5 MR. YODER: So, Mr. Pizzino, to your  
6 concern about the triplex. With the mounding  
7 that's behind that triplex and the trees planted on  
8 top yet, they will never be visible from the homes  
9 that front on Stuhldreher. They just -- it's just  
10 a non-issue, and one of the reasons we laid it out  
11 as we did -- assume a few considerations. If you  
12 look at these duplexes along here, the drives line  
13 up with the duplexes across the street from them,  
14 and there's a pleasing appearance. It's also  
15 functionality. It makes sense for this to be laid  
16 out just the way it is. It's just a non-issue from  
17 a screening standpoint, what we're going to be  
18 doing, and this is a beautiful development. I mean  
19 this is going to be a gem with how we build it,  
20 with ponds and fountains, with how I do things,  
21 it's going to be done right, but we won't give up  
22 the triplexes.

23 MR. PIZZINO: Then we'll vote.

24 MR. HAWKE: The other thing I'll say to you  
25 on that is, and I appreciate your piece on the

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1 MR. THOMAS: I'm sorry. You want to move  
2 six of them, right? 1, 2 and 3?

3 MR. PIZZINO: Well, it don't matter.  
4 Pipeglen side, there's two units there, two  
5 three-units. Those are the only two we want to  
6 take down to two-units and hopefully try to give  
7 them a little more room, as Mr. Hawke said, away  
8 from the single family homes.

9 MR. HAWKE: And I completely understand the  
10 mounding, but, you know, that's, you know, it's  
11 part of it and I think that it's just one -- that's  
12 a piece for me that makes sense too is to move  
13 those around to some degree. And I guess the  
14 question is, we really have three ultimate  
15 things -- we have four ultimate things we can do.  
16 Obviously some of the questions we've asked, you  
17 can't make a modification sitting here right now  
18 because you're going to have to make a change, I  
19 would assume. So we can't approve the -- we can't  
20 do something with the Zoning Commission's  
21 recommendation with a modification because you're  
22 not going to be able to make the modification. So  
23 that option is out. We can vote to either accept  
24 the modification, or accept the Zoning Commission's  
25 recommendation or deny it, or we can continue it,

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1 symmetry point. You don't have that on the rest of  
2 the development. The driveways don't line up on  
3 the two-units on the other side.

4 MR. YODER: It's actually less about the  
5 driveways lining up and more about just the  
6 buildings that face each other.

7 MR. HAWKE: That was your comment was that  
8 it was about the driveways lining up. It's not on  
9 the other side, that's all I'm saying. And the  
10 driveways don't line up on the triplexes either.  
11 The twos are on the side of the ones, across from  
12 each other.

13 UNKNOWN SPEAKER: No.

14 MR. VACCARO: Your time's over with, sir.

15 MR. HAWKE: So that would be --

16 MR. VACCARO: Do you understand? Okay.  
17 Sorry for interrupting.

18 MR. HAWKE: No, you're fine. So you know  
19 what I mean, I mean I guess that's the question.  
20 Are there any other comments?

21 MR. PIZZINO: He's only talking about two  
22 units that have got to go down. I'm not asking for  
23 all seven of them, but he doesn't want to do that,  
24 so --

25 MR. HAWKE: I guess my --

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1 if you want to take a look at it, if you could make  
2 anything work that we've asked for. Those are the  
3 options that I would see. We either continue it  
4 and you look at that and bring it back and we'll  
5 have to reschedule a date, or we take the full vote  
6 on either approval or denial. Am I correct,  
7 Mr. Vaccaro?

8 MR. VACCARO: You're correct. I think  
9 before we vote -- Are we done?

10 MR. HAWKE: Well, the only other discussion  
11 point is, are you even willing to look at it?

12 MR. YODER: I'd like an up and down vote on  
13 what you see.

14 MR. HAWKE: Then I'll close the hearing to  
15 any further comment, and will take a motion for --  
16 anybody want to make a motion for the --

17 MR. THOMAS: I'll do it to accept the  
18 zoning Board's recommendation.

19 MR. HAWKE: Correct.

20 MR. PIZZINO: I'll second that.

21 MR. HAWKE: You'll second that. So the  
22 motion is to accept the recommendation to approve  
23 the rezone?

24 MR. THOMAS: That's right.

25 MR. HAWKE: As it's amended?

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MR. THOMAS: (Indicating affirmatively).  
MR. GONZALEZ: Mr. Hawke?  
MR. HAWKE: No.  
MR. GONZALEZ: Mr. Pizzino?  
MR. PIZZINO: No.  
MR. GONZALEZ: Mr. Thomas?  
MR. THOMAS: Yes.  
MR. GONZALEZ: So everybody understands it  
was turned down. The zoning was turned down.

- - - - -

(Hearing concluded at 6:55)

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C E R T I F I C A T E

STATE OF OHIO )  
STARK COUNTY )

I, Deanna Gleckler, a Registered  
Professional Reporter, Certified Realtime Reporter, and  
Notary Public in and for the State of Ohio, duly  
commissioned and qualified, do hereby certify that the  
within Board of Trustees Hearing was by me reduced to  
Stenotypy and afterwards transcribed upon a computer, and  
that the foregoing is a true and correct transcription of  
the Hearing so given to the best of my ability.

I do certify that this Hearing was taken at  
the time and place in the foregoing caption specified. I  
do further certify that I am not a relative, counsel or  
attorney of either party, or otherwise interested in the  
event of this action.

IN WITNESS WHEREOF, I have hereunto set my  
hand and affixed my seal of office at Salem, Ohio on this  
15th day of March, 2021.

\_\_\_\_\_  
DEANNA GLECKLER, RPR-CRR, Notary Public  
My commission expires 1-6-25.

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