

Jackson Township Zoning Commission Meeting Minutes
November 14, 2019

Members Present: James Conley
John Weston
David Thiel
Chylece Head
Matthew Sutter
Justin Gantz-Alternate

Zoning Inspector: Joni Poindexter

Absent Member: Matthew Williams-Alternate

5:00 PM Amendment 642-19 – Christopher Maggiore, 4788 Nobles Pond Dr. NW, Canton, Ohio 44718 agent for Roy S. Ormsbee, property owner, 69576 Brookhill, Romeo, MI 48065 propose to rezone B-1 Suburban Office & Limited Business District to B-2 Neighborhood Business District approx. 1.69 acres located at 4525 Everhard Rd. NW, Sect. 24NW Jackson Twp.

Mr. Conley read the file application into the record.

Those is favor of the amendment:

Chris Maggorie, 4788 Nobles Pond NW stated he is requesting the zone change to redevelop the property and increase the tax value in which the township will benefit.

Sean Sanford, 4607 Cleveland Ave. stated they will tear a portion of the building down and build a small retail building on the site in which 5,000 sq. ft. is permitted.

Mr. Conley asked if height is an issue.

Mr. Sanford stated no.

Mr. Sutter explained when looking at the property he thought it made sense but in the rear there are homes and the current zoning basically allows offices which do not have deliveries. With the rezone they will have a business that will have deliveries and he thinks there needs to be some consideration.

Mr. Maggorie stated they could do somethings to protect the other properties.

Mr. Sutter stated he is concerned about the residents behind the property.

Mr. Maggorie asked if Mr. Sutter thought a fence would be okay.

Mr. Sutter stated once rezoned it is not based on a plan.

Karrie Ackinger2340 Sheppler Church stated she owns the adjacent property to the left if facing the building and is in support of the rezoning.

No one else spoke in favor of the amendment and no one spoke in opposition to the amendment.

Mr. Thiel stated he has no objection to the rezoning.

Mr. Weston stated he thought it fits the area and is a step down from the B-3. There are no adjacent property owners in opposition.

Ms. Head explained that she drove around the area and doesn't see any issues that would be caused by the rezoning.

Mr. Conley closed the hearing to public input.

Ms. Head made a motion to recommend approval of amendment 642-19 as requested.

Mr. Thiel seconded the motion.

The vote was: Mr. Sutter-yes, Ms. Head-yes, Mr. Thiel-yes, Mr. Weston-yes, and Mr. Conley-yes.

Ms. Poindexter stated the request will be heard by the Trustees at their December 10th meeting. Those that received notices will receive them again stating the date and time of the hearing.

5:15 PM Amendment 641-19 – DeVille Enterprises LLC & DeVille Hills & Dales LLC property owner, 4811 Whipple NW, Suite 101, Canton, Ohio 44718 proposes to rezone R-R Rural Residential District to R-3 Residential Planned Unit Development District, approx. 39.119 acres, parcel # 1607196, 1601352, 1601353, & 1901354 located at and near the SW corner of Hills & Dales and Brunnerdale, Sect. 35NW Jackson Twp.

See Transcript Below.

1 BEFORE THE JACKSON TOWNSHIP ZONING COMMISSION
 2 JACKSON TOWNSHIP, OHIO
 3 AMENDMENT NUMBER 641-19
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 7
 8 PUBLIC HEARING
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 14 The following Jackson Township Zoning
 15 Commission Public Hearing was taken before me, the
 16 undersigned, Deanna Gleckler, a Registered Professional
 17 Reporter, Certified Realtime Reporter and Notary Public
 18 in and for the State of Ohio, at the Jackson Township
 19 Board of Zoning Appeals, 5735 Wales Avenue, N.W.,
 20 Massillon, Ohio, on Thursday, the 14th day of November
 21 2019, at 5:15 p.m.
 22
 23 -----
 24
 25

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1 -----
 2 MR. CONLEY: Okay, folks. Good evening.
 3 It's 5:15. The Zoning Commission's already been
 4 called to order. We had one previous rezone at
 5 5:00. We will now move on to Amendment 641-19,
 6 DeVillie Enterprises, LLC and DeVillie Hills & Dales,
 7 LLC, property owner, 4811 Whipple, N.W., Suite 101,
 8 Canton, Ohio proposes to rezone R-R rural
 9 residential district to R-3 residential plan unit
 10 development district, approximately 39.119 acres,
 11 parcel numbers, five of them, located at the
 12 southwest corner of Hills & Dales and Brunnerdale,
 13 Section 35 N.W. Jackson Township.
 14 I will repeat our process. I will ask the
 15 proponent, or the applicant to come forward and
 16 present the proposal. We will then ask for anyone
 17 in the audience who wishes to speak in favor of the
 18 proposal to come forward. Again, we ask that you
 19 give us your name and address when you come up to
 20 the podium and try your best to speak into the
 21 mike. What I will do is, I will time the amount of
 22 time that the applicant and the proponents take to
 23 present their application. Then we will ask anyone
 24 in the audience who is opposed to the rezone to
 25 come up. We will provide the opponents with the

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1 APPEARANCES:
 2
 3 JACKSON TOWNSHIP ZONING COMMISSION:
 4 JAMES CONLEY - CHAIRMAN
 5 DAVID THIEL
 6 JOHN WESTON
 7 CHYLECE HEAD
 8 MATTHEW SUTTER
 9 JUSTIN GANTZ - Alternate
 10 JONI POINDEXTER - Zoning Inspector
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1 same amount of time, plus an additional fifteen
 2 minutes to give us their reasons for opposition.
 3 At that point I will allow the applicant another
 4 fifteen minutes to respond, if he wishes, to any of
 5 the opposition. At that point we'll close the
 6 public comments and ask the Commission to consider
 7 the application.
 8 So first we'd like to hear from the
 9 applicant.
 10 MR. DEVILLE: Thank you. Donald Deville,
 11 Owner/Manager/Member of DeVillie Enterprises, LLC
 12 and DeVillie Hills & Dales, LLC of 4811 Whipple
 13 Avenue, N.W., Suite 101, Canton, Ohio, 44718. With
 14 me this evening I have, all of which will be
 15 speaking, I have John Walsh, professional engineer,
 16 professional surveyor and principal of GBC Design
 17 Group; Mike Gruber, Attorney at Law and principal
 18 of Gruber, Thomas & Company; Jim Camp, real estate
 19 broker and principal of Cutler Homes Real Estate,
 20 and my son Nicholas DeVillie, Project Manager of new
 21 development acquisitions with DeVillie Enterprises,
 22 LLC. And a little correction there. Nick isn't
 23 going to be speaking, he's going to be working the
 24 computer, unless he wants to come up and talk. And
 25 I'd also like to let everybody know, I think the

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1 Commission has a brochure with facts of tonight's
 2 presentation within it. There's also an ample
 3 supply over on the table. If anybody wishes, they
 4 can have that, take it with them and read along.

5 First, my son's going to bring up the
 6 general landscape plan there on all those videos.
 7 This process started three and a half years ago,
 8 where we acquired all the parcels involved in the
 9 application, there's four of which that are in
 10 there, and engaged the aforementioned professionals
 11 to perform an in-depth analysis in their respective
 12 fields of engineering, zoning law, single family
 13 real estate and construction management. As a
 14 result of these analyses and market studies, and
 15 with a keen sense of the surrounding neighborhoods,
 16 community in Jackson Township, we've concluded that
 17 the R-3 PUD attached single family map and then
 18 request before you represents and fills an
 19 absolutely, for this type of single family housing,
 20 and is fully compliant, aligns with and complements
 21 the surrounding existing zoning districts in the
 22 area.

23 Next we have the general development plan.
 24 It's a little tough to distinguish, but Nick will
 25 zoom in on points of fact as we go through the

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1 application. First and most important of which, we
 2 are proposing 69 single family attached villa type
 3 homes to be constructed on the approximately 39.12
 4 acres of the subject parcel, all of which is in
 5 specific compliance with Jackson Township Zoning
 6 General Development Plan section 801.10 regulation,
 7 along with all the other governing bodies that
 8 would regulate this development.

9 The development site, again, is, that 39.12
 10 acres, is currently zoned rural residential with
 11 the density regulations under the current zoning
 12 status - not current zoning status, but the R-R
 13 zoning status - would actually allow up to 2.2
 14 homes per acre or 86 homes under the current zoning
 15 status. We are proposing 69. The footprint area
 16 of these homes as proposed and the roadways
 17 encompasses 14%, or approximately 5.4 acres. In
 18 other words, the buildings, the roadways, hard
 19 surface areas comprise only 5.4 acres of that
 20 overall development acreage, where under that
 21 zoning status, the R-3 PUD, actually 70% coverage
 22 is permitted. We're only using 5.48 acres.

23 Although open space is not a requirement in
 24 the R-3 PUD attached single family classification,
 25 we will have remaining, the basic math is the

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1 difference between the acreage that we have and the
 2 5.48 acres, remaining we'll have 33.64 acres or 86%
 3 of the entire development site will remain open
 4 and/or green, meaning that all the wooded areas,
 5 landscape areas, lawn, retention basins and
 6 regulated wetlands and buffer zones are within that
 7 86% acreage calculation.

8 The entrance to the development out onto
 9 Brunnerdale, and it is approximately 257 feet,
 10 which I think, if you can see there, 257 feet
 11 moving south to Groton Street, which that distance
 12 exceeds the Township distance required between.
 13 And, Ms. Poindexter, I'm not sure what that
 14 measurement is that's required, but --

15 MS. POINDEXTER: 150.
 16 MR. CAMP: I think it's 150.
 17 MS. POINDEXTER: Yeah.

18 MR. DEVILLE: So 150 feet is required. We
 19 have 257 feet. That's basically the sight distance
 20 that's required between our entrance and the next
 21 closest intersection. So we exceed that by over
 22 100 feet. All utilities, water, sewer, gas,
 23 electric, are either located currently on the
 24 property or are readily available within a very
 25 short distance or proximity to the site. The next

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1 display on the screen there, it's a little
 2 difficult to see, but that is depicting the sight
 3 distance going both ways on Brunnerdale for turning
 4 in and out of the development, both turning left
 5 and turning right, either going into or out of the
 6 development. These measurements additionally
 7 exceed ODOT's minimum sight distance
 8 recommendations, which are 480 feet, and I think
 9 that's -- which one is that?

10 MR. NICK DEVILLE: The blue one.
 11 MR. DEVILLE: Is that going south or north?
 12 MR. NICK DEVILLE: South.
 13 MR. DEVILLE: Okay. So it's 480 feet south
 14 and turning north is 550 feet. So, again, we
 15 exceed all those dimensions.

16 MR. THIEL: Excuse me, Don.
 17 MR. DEVILLE: Yes.
 18 MR. THIEL: What is this, on the previous
 19 map?
 20 MR. DEVILLE: Go back one.
 21 MR. THIEL: What's that blue line?
 22 MR. DEVILLE: Oh, that is a Dominion Gas
 23 easement. It's a 60 foot wide easement that
 24 contains a gas line obviously, and as a matter of
 25 fact, that easement is somewhat restrictive, which

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1 we're complying with Dominion's requirements on
 2 that as far as fill above or getting close to that
 3 line. So we're basically not doing anything with
 4 that easement other than crossing it at two
 5 sections at a 90 degree parallel, which is what's
 6 required by Dominion Gas.
 7 MR. THIEL: Thank you.
 8 MR. DEVILLE: Future traffic generated by
 9 post development is minimal, and it's supported by
 10 the Trip Generation Analysis performed by TMS
 11 Engineers, Inc., and in fact, the Ohio Department
 12 of Transportation additionally concedes the traffic
 13 impact studies are not necessary when the resulting
 14 trip increase is less than 60 trips per hour. In
 15 other words, that's saying that TMS calculated that
 16 based on the type of housing that's going in here,
 17 and there's very concrete support of that through
 18 their engineering process that says that there's
 19 going to be so many trips per hour, per day on that
 20 site. The peak times on this site are in the a.m.
 21 hours, which is limited according to TMS
 22 calculations, and that report is in your manual
 23 there, if you have a chance to look over that, but
 24 the trips in the AM are 34. Obviously, well below
 25 the 60. And then in the PM it's 42. It peaks a

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1 little bit there, but, again, well below the 60
 2 that would be a requirement to mandate a traffic
 3 study. So no traffic study is mandated. And it's
 4 our opinion and TMS's engineers' professional
 5 opinion that the change in the amount of traffic
 6 generated by this development is minimal and will
 7 not have an impact on the surrounding roadways.
 8 And again, all that documentation is in your binder
 9 there. And feel free to ask questions as I go
 10 through this.
 11 MR. THIEL: Where is the fire, police and
 12 ambulance access service?
 13 MR. DEVILLE: That's right there, and I can
 14 describe that as such. As a matter of fact, I'll
 15 get that in a minute, if that's okay.
 16 MR. THIEL: Okay.
 17 THE WITNESS: Yeah, I've got a section on
 18 that. In fact, it is the next section. I take
 19 that back. So that is the connecting driveway,
 20 emergency access vehicle only driveway, that comes
 21 off the cul-de-sac there going south into Trillium
 22 Street. That again is designated as emergency
 23 access only. It will have a gate in front of that
 24 and a Knox Box in front of that. So that gate is
 25 always locked. The only ones that have a key to

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1 that gate are fire safety services that in the
 2 event of an emergency, if for some reason
 3 Brunnerdale and our entrance is somehow blocked
 4 off, they need to bring in an emergency vehicle,
 5 they have the Knox Box key, they can get into that
 6 entrance, and that roadway has all been designed in
 7 accordance with the fire safety services
 8 specifications as far as width, depth, type of
 9 material and everything. And, Nick, I think we
 10 have a little picture of that gate that's proposed.
 11 MR. NICK DEVILLE: Yeah.
 12 MR. DEVILLE: Something similar to that.
 13 Obviously that's not exactly what it's going to be,
 14 but it will be something similar to that that will
 15 be out there, whether it's wrought iron or the
 16 vinyl that's shown there, we haven't depicted that
 17 precisely yet, but there will be a gate on the
 18 nature very similar to that in place there. Again,
 19 it's important to remember, that part of the
 20 process in the analysis that we went through, very
 21 honestly with past attempts here, one of the major
 22 concerns was traffic traveling into the Springdale
 23 Allotment and we've tried to approach that in nth
 24 degree to insure that that would not happen.
 25 That's the reason for the service driveway.

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1 Next, Nick, I think is that -- oh, and one
 2 note there. I think somewhere a couple points in
 3 the brochure that you have there, the pamphlet that
 4 you have, I misstated Springdale as Spring Hill, I
 5 think, so just as a correction, note it's
 6 Springdale Allotment. And then next is the
 7 wetlands map. So we have undertaken a wetlands
 8 permit, a wetlands fill permit. We have that
 9 permit in hand. That was obtained via the Ohio EPA
 10 and the U.S. Army Corps. of Engineers. That permit
 11 is very specific as far as what we can do, what we
 12 can fill, what we can't fill. And this is
 13 considered a quote, unquote isolated wetlands fill
 14 permit. Those isolated wetlands amount to less
 15 than one half of an acre. They are defined on the
 16 map as area A, which is right there. Nick's
 17 pointing to it. Then we skip B, because it is not
 18 part of our permit. B is the large area off to the
 19 east, so that is not going to be filled. I don't
 20 have a permit for that or anything else. That's
 21 not going to be touched.
 22 And then we jump to C and then D, E, F and
 23 G. Those are the areas that I have a permit for in
 24 order to fill those locations. It amounts to less
 25 than one half of an acre. And then H is down below

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1 there. That, again, is not going to be filled.
 2 It's not going to be touched. I do not have any
 3 permit or intent to fill any of that. In fact,
 4 we're not even approaching that area at all.
 5 MR. SUTTER: Quick question.
 6 MR. DEVILLE: Sure.
 7 MR. SUTTER: How many acres, you said less
 8 than half, but do you know exactly how many?
 9 MR. DEVILLE: You know, I don't know that I
 10 have that, but if I remember right, I think it was
 11 .57, but I'm not positive.
 12 MR. SUTTER: That's more than half.
 13 MR. DEVILLE: Well, more than half, yeah,
 14 by 7/10th, but it's allowed up to an acre of fill.
 15 So that's all permitted through the -- and I don't
 16 think that's in the actual permit. That's in the
 17 application, but it's a permit granted by the EPA
 18 in accordance with their regulations, and I can get
 19 you that information.
 20 MR. CONLEY: Did you have to provide an
 21 additional wetland to make up for that?
 22 MR. DEVILLE: I did. Well, not actually
 23 provide wetlands, but the process is that, there's
 24 several different options there, but I bought into
 25 what's known as a mitigation bank. So there's, and

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1 I'll tell you the fee, there was a \$25,000 fee to
 2 buy into that wetlands bank to obtain that permit.
 3 That's required. It's either that or you have to
 4 establish wetlands on another property throughout
 5 the area, and we chose the mitigation bank, which
 6 is a very typical and standard practice when you're
 7 mitigating wetlands. Again, as I started out
 8 saying with the application, we have put an immense
 9 amount of consideration, or I should say immense
 10 amount of consideration was given to the homes and
 11 developments to the north, south, east and west of
 12 the development as it relates to setbacks, side
 13 yards, buffer zones, traffic, stormwater
 14 management, preservation of the natural
 15 surroundings of wetlands, aesthetics. And we are
 16 bound by adhering to this development plan, along
 17 with the regulations, approval permitting and
 18 construction processes that we additionally need to
 19 go through.
 20 All the development, engineering,
 21 architectural, number of homes, building plans,
 22 et cetera as they relate to the roadways,
 23 stormwater management, ingress/egress, regulated
 24 wetlands, building construction, et cetera,
 25 requires specific and detailed approval and

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1 permitting processes. It's not something that I
 2 can just go in there and put up a building and put
 3 it the way I want to. It's all permitted, it's all
 4 regulated. Highly regulated, quite honestly. I
 5 have to adhere to all those regulations and just
 6 general development there.
 7 MR. WESTON: Excuse me. I was looking
 8 through the notes here. Did you skip over K in the
 9 notes - I know you had it in the tab when you
 10 talked about the wetlands - for the homeowners
 11 association, did you want to comment on that?
 12 MR. DEVILLE: The wetlands as far as?
 13 MR. WESTON: No.
 14 MR. DEVILLE: Which item?
 15 MR. WESTON: In your section K, or part K
 16 in the text, it mentions a homeowners association.
 17 MR. DEVILLE: Oh, no. I'm going to get to
 18 that. I'm not following directly off of that.
 19 MR. WESTON: Okay.
 20 MR. DEVILLE: I kind of summarized some of
 21 those things. I'll get to that, yeah.
 22 MR. WESTON: Okay.
 23 MR. DEVILLE: Thank you for bringing that
 24 up, though. So all of that that I said before
 25 equates to any material change, if this plan were

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1 to be approved, is prohibited is what it amounts
 2 to. In other words, the unit count cannot
 3 increase. We cannot substantially change any of
 4 the setbacks, buffer zones, roadway locations,
 5 building locations, et cetera. They all must be
 6 substantially maintained. There isn't any plan at
 7 all to develop anything else on that site. It's
 8 going to be - it has to be - the way it's
 9 presented. There is no allocation for any other.
 10 This is again site plan specific. That's what
 11 those regulations state, and that site plan
 12 specific relative to a PUD 3 is actually a
 13 relatively new regulation in Jackson Township. I
 14 think it was inserted approximately four years
 15 ago, five years ago. I might be incorrect on that
 16 date, but it's very specific. It is what it is.
 17 Specific. I've got to build what's there and
 18 nothing else and no other location on that site.
 19 Understanding that, again, we have 86% of
 20 this site is open and green. The setbacks, we're
 21 going to start it at Brunnerdale, I'll just run
 22 through them real quick. We maintain, which is our
 23 designated front property line, 40 feet on those
 24 buildings up against Brunnerdale, and then we move
 25 around to the back. There's actually not a

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1 measurement on -- Nick, you can kind of point that
 2 out on that one building that we just did earlier
 3 today. That amounts to 115 feet. No, not that
 4 one. The one, yeah, right there. That's 115 feet
 5 there, that measurement. John, you missed that
 6 one. And then we move around, and I can't read
 7 them so, Nick, maybe you can call them out.
 8 MR. NICK DEVILLE: From here to here is 82
 9 feet. From the corner of the building here up to
 10 the property line is 253 feet.
 11 MR. DEVILLE: That's off of Brunnerdale
 12 obviously.
 13 MR. NICK DEVILLE: Correct.
 14 MR. GRUBER: Hills & Dales.
 15 MR. CAMP: Hills & Dales.
 16 MR. NICK DEVILLE: Hills & Dales.
 17 MR. DEVILLE: You skipped one there. Is
 18 there one there?
 19 MR. NICK DEVILLE: No, it's corner here.
 20 MR. DEVILLE: Oh, yeah, right there, that's
 21 the one.
 22 MR. NICK DEVILLE: 345 feet from the corner
 23 of the property here to the corner of the building.
 24 We are 412 from here to here. We are 150 here.
 25 MR. DEVILLE: And that is too, that's a

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1 little unique piece there. That property there is
 2 not part of this application. That little reverse
 3 L or whatever you'd call it is actually owned by
 4 the Stark County Commissioners. That I believe
 5 prior to the sewer being taken down there was a
 6 sewer plant, and it is what it is. I own the
 7 ground all the way surrounding it, but Stark
 8 County, and we've approached them, had some minor
 9 discussions with them, but at this point it doesn't
 10 affect anything I'm doing, nor does it affect them.
 11 So that is just not my problem. And I'm sorry,
 12 Nick. I didn't mean to cut you off there.
 13 MR. NICK DEVILLE: So we're at the corner
 14 of the building here to the property line here is
 15 215 feet, and the corner of the building here to
 16 the property line here is 219 feet.
 17 MR. DEVILLE: while you're there, Nick,
 18 stay on that, kind of show them that's a sewer
 19 easement. Well, that's the gas easement right
 20 there.
 21 MR. NICK DEVILLE: This is the gas. This
 22 is the sanitary.
 23 MR. DEVILLE: Yeah. Actually, the sanitary
 24 sewer and storm sewer runs through that other
 25 easement there. And then that's easement going up

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1 there too.
 2 MR. NICK DEVILLE: Yes. Right here is 58
 3 feet and right here is 71 feet.
 4 MR. DEVILLE: And it should be noted too on
 5 those, all the other measurements other than the 40
 6 feet and, Ms. Poindexter, correct me if I'm wrong,
 7 but all the other minimum setbacks are either 20 or
 8 25 feet; is that correct?
 9 MS. POINDEXTER: Between buildings?
 10 MR. DEVILLE: No, not between buildings.
 11 MS. POINDEXTER: Oh, you mean from the
 12 street?
 13 MR. DEVILLE: Side yard, rear yard.
 14 MS. POINDEXTER: Well, yeah. Well, between
 15 the buildings, it's 30 feet between structures.
 16 MR. DEVILLE: Right.
 17 MS. POINDEXTER: For the private roads you
 18 have a 20 foot setback from the edge of pavement.
 19 MR. DEVILLE: And then rear yard setbacks
 20 is 25?
 21 MS. POINDEXTER: Right, except for around
 22 the property. It's 35 around the perimeter.
 23 MR. DEVILLE: It's 35 around the perimeter,
 24 right.
 25 MS. POINDEXTER: Right.

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1 MR. DEVILLE: So obviously you can see that
 2 we exceed that by, in some cases, hundreds of feet
 3 and others it's double that, so all those -- all
 4 the setbacks are maintained all the way through the
 5 process. Next, if you could just kind of zoom in a
 6 little bit, Nick, on the retention basins. There's
 7 two retention basins planned with actually
 8 fountains, and there's one there, and then there's
 9 one down, right in there. Those retention basins
 10 are a very critical aspect to the design and water
 11 retention of this site, and of any site. These
 12 retention basins, and I'll ask John to come up here
 13 in a second to further explain that, but those
 14 retention basins are intentionally put into place
 15 and regulated to the extent that we have to, by
 16 regulation, by Soil and Water Conservation, John,
 17 is that the overriding body that controls that?
 18 MR. CAMP: Yeah.
 19 MR. DEVILLE: We have to retain all the
 20 water that comes off that site. So there is, with
 21 this new development, there is no water going onto
 22 any other property other than into those retention
 23 basins. So we are actually lessening the amount of
 24 water flow that currently exists, because we're
 25 retaining it in those basins. And those have to

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1 be, those basins have to be maintained on an annual
2 basis. That's regulated as well. The fountains
3 are, very honestly, a requirement to put those in.
4 Those have to be maintained. So we have to
5 constantly -- so there's always water in those
6 retention basins is what it amounts to, unless it
7 evaporates entirely in a situation, but it's always
8 set up to, of the size that will encompass the
9 entire site. And all of our water also, as another
10 requirement of storm water management, is going
11 directly into those catch basins. Or I mean those
12 retention basins. So in other words, we are not
13 going to put water into the existing storm sewer
14 system that crosses our property. We're putting it
15 directly into the retention basins. The purpose
16 for that is that on the context of not filling up
17 the existing system, we don't know whether it's
18 designed to hold that or not. So we have to design
19 our own to maintain that water flow. Again, all
20 that is very highly regulated and we have to comply
21 with the exact design and engineering that goes
22 into that.

23 And with that, John, maybe you can talk a
24 little more on that and some other aspects.

25 MR. THIEL: I have a question.

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1 MR. DEVILLE: And traffic. And everything
2 in here coincides with this plan. Very honestly,
3 we tried to look at every aspect of objections, and
4 I'm sure there will be more, but that's okay, but
5 we tried to look at everything that came up before,
6 and we tried to overcome that, and I think we have
7 inasmuch as the distance between development and
8 the Springdale Allotment. The traffic is another
9 one, which is considerably reduced. Water, the
10 water flow and storm water managers really didn't
11 change. We had that same type of plan before, but
12 this is less water running off the area because
13 there's less hard surface areas. So, yes, that is
14 unequivocally the difference. So, yes, John.

15 MR. WALSH: Good evening. My name is John

16 Walsh, GBC Design, 565 White Pond Drive, Akron,
17 Ohio. We're the surveyors, architects and
18 engineers for the project. Mr. Deville mentioned
19 quickly about the storm water management. As part
20 of any new project that we do in Stark County we
21 have to do storm water management, and it really
22 has two components to it today; one is what they
23 call a post construction water quality. We're
24 going to treat the run-off from the streets, from
25 the parking lots, from the roofs. It's going to go

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1 MR. DEVILLE: Oh, yeah. I'm sorry.
2 MR. THIEL: For the sake of the people here
3 and for my own knowledge, you've been through this
4 process before.
5 MR. DEVILLE: Uh-huh.
6 MR. THIEL: Could you outline in very
7 simple terms what's the difference between what was
8 previously proposed and what you're talking about
9 now.
10 MR. DEVILLE: Sure.
11 MR. THIEL: Just simple.
12 MR. DEVILLE: Sure. A dramatic difference.
13 Obviously what was previously proposed --
14 MR. THIEL: I know that, but tell these
15 people.
16 MR. DEVILLE: Okay. Previously proposed
17 were apartments, number 1, apartments and single
18 family villas to the south. The density was much
19 higher, much, much higher on that. These are
20 unequivocally single family villas that are for
21 sale. Mr. Camp will come up and discuss that. We
22 have engaged him. He is going to be the acting
23 agent selling these units. That is the biggest
24 difference, and the density as such.
25 MR. THIEL: And traffic.

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1 through the pond, sit in, it's what's called an
2 extended detention pond, and filter out so that the
3 water coming out is of an acceptable quality.
4 The other thing we're going to do is storm
5 water management, and I think the people here
6 recognize that there's roughly 2900 acres that
7 drain down through that ditch that's to the east
8 part of our property, and then also part of it is,
9 there's a flood plain there. We're not going to
10 change anything with respect to that flow. We're
11 actually going to reduce the flow into that. Our
12 detention basins are required to do that. We have
13 to meet the Soil and Conservation District
14 standards, we have to meet the EPA standards, we
15 have to meet the Stark County Engineers' standards,
16 and all these basins are going to be designed to
17 handle that, where we take what will be a
18 pre-developed flow off of this site, and everything
19 post development would be retained to or below that
20 original run-off for each basin. And as Don said,
21 all the water will be directed to one of those two
22 basins to treat it both for water quality and for
23 run-off consideration.

24 I'll be happy to answer. I don't want to
25 get too far into the engineering comments, but I'd

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1 be happy to answer any questions on that.
 2 MR. CONLEY: John, you said you were also
 3 the architect?
 4 MR. WALSH: Yes, sir.
 5 MR. CONLEY: So the buildings themselves?
 6 MR. WALSH: Yes, sir.
 7 MR. CONLEY: Your company is going to
 8 design those; is that right?
 9 MR. WALSH: Yes, sir.
 10 MR. CONLEY: Can you tell us a little bit
 11 about what you plan, how big they are, because
 12 nobody else has --
 13 MR. WALSH: I'd rather have Mr. Deville do
 14 that. My architect will get mad if I play
 15 architect. I'd rather have Mr. Deville describe
 16 those for you. Thank you.
 17 MR. CONLEY: Okay.
 18 MR. DEVILLE: Yeah, I'll actually get to
 19 that in a minute, if I can, that's kind of later
 20 on.
 21 MR. CONLEY: Sure.
 22 MR. DEVILLE: And I'm just about complete.
 23 Another point kind of related to the development
 24 and the architecture, all the roadways within this
 25 development are private. So we will be building

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1 them to specifications that are very similar to
 2 Stark County's specifications if they were public.
 3 The difference being, if they're public they have
 4 to be maintained by the Township if they're
 5 approved and passed on. Not by the Township
 6 necessarily, I'm not sure if that goes -- yeah,
 7 they would be Township roads. These are not going
 8 to have to be maintained by the Township. We have
 9 to maintain them as part of the condo association,
 10 which I'll get to in a minute. We're going to have
 11 curbs and gutters, which is not typical in a
 12 private development as this, but we feel it's
 13 important, again, because of storm water
 14 management. So there will be storm sewers coming
 15 off those streets and gutters that again will flow
 16 into the retention basins. So all that is private
 17 and most of which the design and criteria,
 18 including the curb and gutters, will be close to
 19 Stark County standards. But again, we have to
 20 maintain them. The association, the condominium
 21 association that will be developed, it is a
 22 requirement, by the way, the condominium
 23 association is a requirement of these regulations
 24 to be put into place prior to the start of
 25 construction.

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1 Again, I know I said this before, but I
 2 just want to reiterate it. This request is site
 3 plan specific. Therefore, the development is
 4 required to be built specifically in accordance
 5 with that plan. Any material change of the plan,
 6 if approved, is just prohibited. It can't happen.
 7 The unit count can't increase, side yard setbacks --
 8 again, I said that before -- all the infrastructure,
 9 construction of the buildings, the infrastructure,
 10 the roadways and everything is being undertaken by
 11 our company. We're doing the building. We're
 12 doing all the building. We're going to again
 13 retain Mr. Camp if everything goes according to
 14 scale to sell these units. They're for sale.
 15 Nothing else but for sale.
 16 MR. THIEL: How big are these units?
 17 MR. DEVILLE: They range from -- Nick, why
 18 don't you go ahead and bring up a couple of the
 19 elevations. They range from 1600 to actually a
 20 little over 1900 square feet. In fact, I'll kind
 21 of go through some of the details on that now and
 22 then I'll jump back to one other point there.
 23 All the exterior design is maintenance
 24 free, so there's not going to be any painting or
 25 anything else. Again, all the grounds, buildings

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1 and everything else is maintained by the
 2 association that has to be formed, the condominium
 3 association that has to be formed. They're open
 4 floor plans. Again, I said 1600 to 1900 square
 5 feet. They're all either a ranch plan, which
 6 actually probably approximately 60% of the units of
 7 the 69 is going to be a ranch plan. Obviously the
 8 ranch plan is going to have all the amenities on
 9 the first floor only, because that's all there is.
 10 There's going to be walk-out basement options with
 11 all these units. Or with most of the units. I
 12 can't say all of them. Again, I already said
 13 they're two or three bedrooms. There's also a
 14 large area above each garage that's designated
 15 right now as attic space, but we designed it with
 16 the help of John's firm to be potentially added --
 17 not added on to, but converted into additional
 18 living space of about, I think about 325 square
 19 feet, if the eventual owners would want to convert
 20 that, or it could be used as just a vast storage
 21 area.
 22 All have two-car garages. Obviously on the
 23 ranch plans, everything's on the first floor. On
 24 the two-story plans, the master bedroom's on the
 25 first floor, laundry is on the first floor. So we

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1 kind of really catered these units to what gets
 2 into kind of some things that Jim is going to talk
 3 about. Catered these units to, very honestly, what
 4 is the 55 and older Baby Boomer population that is
 5 literally a desire to move down into less square
 6 footage. Not into quality, but move down into less
 7 square footage.

8 A few other features on the housing itself,
 9 I mentioned the first floor laundry. We're going
 10 to have nine foot ceilings on the first floor.
 11 There's going to be potential for lofts, there will
 12 be potential for screened-in porches. We've
 13 incorporated a lot of the notable green features in
 14 housing construction today, such as tank-less hot
 15 water tanks, potentially radiant floor heat versus
 16 your typical furnace, which is much more efficient.
 17 Much more comfortable. Again, I mentioned before,
 18 all streets, all the grounds, everything is
 19 maintained by the association. Mr. Gruber will get
 20 into that condo association in a little bit as far
 21 as some of the requirements with that. I mentioned
 22 before the gated emergency vehicle only access is a
 23 benefit, I think, to the eventual homeowner of this
 24 too. All the buffer zones. So, yeah, that's
 25 generally construction style and content of that.

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1 Again, we think it's a very attractive
 2 design and we're excited about it.

3 MR. CONLEY: Do these similar to this exist
 4 someplace?

5 MR. DEVILLE: No. This is a, as far as I'm
 6 concerned, it's a brand new design first. I mean
 7 we worked long and hard on this and John billed me
 8 way too much money for it so far, but I'll reserve
 9 that comment. But no, we looked at every aspect of
 10 the economy, the housing market, and we came up
 11 with these plans, one of which is I think a very
 12 important fact, in the ranch style. So in that
 13 plan that's up there, the elevation, there's
 14 actually a ranch on either end of that and the
 15 two-story is in the center. So any three-unit
 16 building is going to have that similar setup and we
 17 literally have, right now we have four different
 18 options on the floor plans, so that there's I think
 19 three different ranch styles and one, and we're
 20 looking at a second, possible two-story style. But
 21 keeping that in mind, anything we do has to fall
 22 within those basic overall footprint because that's
 23 what we've portrayed on the site plan and one
 24 thing, Joni, I think you mentioned, that we do
 25 maintain 30 foot separation, at least 30 foot

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1 separation, between each building on the site,
 2 which again is a requirement.

3 MR. THIEL: I have a question. In your
 4 brochure you say you increase wages and peripheral
 5 spending. How?

6 MR. DEVILLE: How? It's a relatively
 7 common known estimate that number one, for every
 8 dollar of construction cost spent, there's three
 9 dollars that is generated in additional wages,
 10 peripheral spending. In other words, if this
 11 development wasn't there and there wasn't that
 12 additional construction, those people spend the
 13 money. When I'm paying the money to build the
 14 buildings and develop the site, that increases
 15 wages in the economy, in the local economy. Those
 16 people go out and they spend that money. Not all
 17 of it, hopefully, but they spend that money. Just
 18 like you or I or anybody else does with their wage.

19 MR. THIEL: Is it fair to ask, do you have
 20 a price range on these?

21 MR. DEVILLE: Yes. We have pegged that
 22 they'll be starting in the mid 200s. I can't be
 23 specific about that, but that's the range that we
 24 pegged them to start at. And again, there's
 25 numerous options that could increase that cost, but

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1 that's up to the market and up to the individual
 2 homeowners if they choose that. Now, an individual
 3 homeowner cannot expand the building or do anything
 4 on the exterior. That's all controlled by us and
 5 the association. Mainly us, because we're going to
 6 be the association starting out, until those first
 7 units are sold, and then it will eventually turn
 8 over, which I think is a pretty good segue to,
 9 Mike, maybe you can talk a little bit more about
 10 the condo association, if you would, please.

11 MR. GRUBER: Good evening. I'm Mike
 12 Gruber. I'm counsel to develop this project. My
 13 office is at 6370 Mt. Pleasant in Jackson Township.
 14 This is going to be a condominium. So every
 15 condominium by law has to have a unit owners
 16 association, and that unit owners association will
 17 take care of the exterior maintenance, or the
 18 landscaping, the snowplowing, all those kind of
 19 things. It will have reserve to make sure that in
 20 the future the roads are kept up and the property
 21 is maintained.

22 I don't know if you have any general
 23 questions on the association, but it is a
 24 requirement and the law sets forth that as the
 25 units are sold, the association control has to be

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1 turned over to the unit owners. So by the time
 2 approximately 50% are sold, the unit owners in
 3 there will completely run that association and the
 4 developer won't have any control anymore. So this
 5 is, as Mr. Deville has said, single family homes
 6 that are going to be sold to individual homeowners,
 7 as a typical residential community.

8 There's a couple other things I'd like to
 9 touch on. One is, I've heard some comments and
 10 I've seen some things in the paper that made it
 11 look like only about six acres was going to be
 12 subject to the PUD zoning, and that is not correct.
 13 This application is for the whole site, all 39
 14 acres. And I think that's important for people to
 15 understand that it is the whole site, because that
 16 whole site then is controlled really by the
 17 Township, because once the Trustees approve this,
 18 assuming it gets approved, then all 39 acres are
 19 going to be subject to the PUD requirements, and
 20 someone in the future is not going to be able to
 21 come in and just change things. With this being a
 22 condominium development the unit owners, the
 23 neighbors in the community actually have I think
 24 two levels of protection. First of all, it is a
 25 condominium, and as soon as you start selling

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1 those, all of the unit owners own a percentage of
 2 interest in all that green open space, that other
 3 86% that Mr. Deville talked about. And that's
 4 important because if someone ever wanted to build
 5 anymore units in there, it would take a vote of the
 6 unit owners, and they'd need 100%. They would need
 7 100% because you're affecting the interest in the
 8 common area, which would be very difficult to do,
 9 but that would be the first step before you could
 10 even then bring it to the Township to try and have
 11 it run through the process. And there's been a lot
 12 of litigation over the years with the PUDs and the
 13 right to referendum, and any time the Township
 14 Trustees take a legislative act like a zone change,
 15 it's subject to referendum.

16 Once the PUD's in place, if it is more of
 17 an administrative action, like approving a final
 18 plat from the preliminary plat, that's just
 19 administrative, but when you go to change the plan
 20 itself, like increasing the number of units or
 21 anything that's an actual plan change, that's like
 22 a zoning change. It has to run through the
 23 process, it has to be approved by the Trustees, and
 24 that's a legislative act. And that means it would
 25 also be subject to referendum.

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1 So you've got two layers really of
 2 protection here, that what you see is what you get,
 3 and that's what's going to be there. I mean it's
 4 not something that can just quickly be changed at
 5 somebody's whim. So with that, I think there's a
 6 lot of protection here for the neighbors between
 7 the PUD requirements and the condo requirements.
 8 Do you have a question?

9 MR. SUTTER: I do have a question. About
 10 the condo, the way the condo is set up, does each
 11 individual unit owner own the outside of their own
 12 building; how is that set up?

13 MR. GRUBER: The units are -- you might
 14 think about an envelope or air space, because the
 15 typical definition of a condominium unit is from
 16 the decorated services in. Now, that can be
 17 changed, and these condo documents aren't drafted,
 18 but typically what you're talking about is a box of
 19 air, and the things outside of that are all what
 20 you would call the common elements of the
 21 condominium. And the unit owners association
 22 controls the common elements. The individual unit
 23 owner controls the unit themselves, and you can
 24 have some things, like maybe if you've got a patio
 25 or something like that, what we call a limited

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1 common element, that would be just for that unit
 2 only. Does that answer your question?

3 MR. SUTTER: Yes, sir.

4 MR. GRUBER: All right.

5 MR. CONLEY: Do you have a, based on
 6 historical numbers, what condominium fees annually
 7 might approximate?

8 MR. GRUBER: We have not gotten into that
 9 yet and I have not discussed that with Mr. Deville,
 10 so that is not something I have an answer for
 11 tonight.

12 MR. WESTON: Do you feel, and a part of a
 13 concern of an area would be that the future owners
 14 of this area would purchase the units, pay the
 15 condo association fees and then let it degrade over
 16 time, would you see the types of folks who'd be
 17 owning these properties, would these properties be
 18 willing to let these properties go over time?

19 MR. GRUBER: I can say this. I've been
 20 doing this for over 40 years, and I've developed
 21 and I've worked with a lot of condominiums, both
 22 doing the condo documents up front and representing
 23 the condo associations. There are still a number
 24 that I represent. And when you get a development
 25 of this quality and you get this price point, I've

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1 never seen that before in this kind of a
 2 development. There's too much of a vested
 3 interest. Now, you could have problems where one
 4 or two people in there run into financial problems,
 5 and I can tell you back in '07, '08, '09, a number
 6 of condo associations had that. But the nice thing
 7 about a condo association, as opposed to a single
 8 family home, is no one's going to let that sit
 9 there and just go down the tubes. The condo
 10 association will keep it up and you sort of spread
 11 the liability over the rest of them until that gets
 12 resold and then it can be brought back up. So it's
 13 actually better for the community to have it with a
 14 condominium association, where you've got some
 15 numbers behind all of it to keep it nice as opposed
 16 to just a single family home.
 17 MR. WESTON: Okay.
 18 MR. CONLEY: Thank you.
 19 MR. GRUBER: Thank you.
 20 MR. DEVILLE: You know, I did touch on
 21 obviously some of the aesthetics of the buildings
 22 and benefits to the community. And I think, Jim,
 23 it would probably be best if you could come up now
 24 and kind of explain some of the market data and
 25 some of the real estate aspects of the units.

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1 MR. CAMP: Okay. Good evening. My name is
 2 Jim Camp. Our main office is at 4618 Dressler
 3 Road, N.W. in Canton. I was licensed with Cutler
 4 Real Estate in 1973. I've been in Stark County for
 5 fifty years. The last 40 of those years have been
 6 in Jackson Township. We are very pleased that Don
 7 and his team have asked us to market these
 8 properties, because I feel strongly that they will
 9 be a real asset for the Jackson community, and
 10 they're a product that's very much needed in this
 11 community.
 12 I'd like to cover five areas tonight. The
 13 first is Don Deville's connection to Jackson
 14 Township, and also Cutler and my connection to
 15 Jackson Township, because often times we find
 16 developers that are based in Virginia, that are
 17 based in Cleveland, we have one coming in to Green
 18 that's based in Columbus, and they are going to
 19 build and then they're going to leave. So I'd like
 20 to talk about that a little bit.
 21 I'd like to do a brief summary of zoning
 22 along the Everhard and Hills & Dales corridor,
 23 because that's been a number of years developing
 24 and I'd like to review that for your benefit and
 25 also for the audience's benefit. I'd like to talk

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1 about the future need, housing needs for Jackson
 2 Township and where we locate that housing. I'd
 3 also like to ask, is R-3 zoning appropriate for
 4 this particular parcel. And finally, how it will
 5 affect the adjacent properties which Don and other
 6 folks have already talked about.
 7 So let me first start with Don Deville.
 8 Don raised his family in Jackson Township. He
 9 continues to live in Jackson Township. Frankly,
 10 driving by this parcel twice a day for a number of
 11 years probably piqued his interest as a developer
 12 and what should happen here. He's going to
 13 continue to drive by this parcel at least twice a
 14 day in the future. He has other properties in
 15 Jackson Township and those properties are top
 16 floor. They are maintained as well as any
 17 properties that I've seen anywhere, and he takes a
 18 lot of pride and his team takes a lot of pride in
 19 how things are maintained. Don cares about
 20 housing. This isn't just a development for him.
 21 It's something that he prides himself, and with
 22 most of the developments that he does, he's
 23 involved in the ownership for much longer than
 24 we're looking in this particular project. But he
 25 cares as much about those projects 20 years later

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1 as he did on day one.
 2 Cutler, of course, was founded in 1947. So
 3 we've been serving Jackson Township for the last 72
 4 years. Over those 72 years nobody else has sold
 5 more real estate in Jackson Township than we have.
 6 All three of the partners in Cutler Real Estate
 7 live in Jackson Township. I said I've lived here
 8 for 40 years. My children went to Jackson schools,
 9 my grandchildren go to Jackson schools, and all of
 10 them still live in Jackson Township except my
 11 grandson, who's serving with the 101st Airborne
 12 Division at Fort Campbell, Kentucky so he's got
 13 temporary quarters there. So I think that we give
 14 back to the community, we pride ourselves on things
 15 that we've been associated with in the community,
 16 and candidly, if I thought Don was not the kind of
 17 developer that we could work with and would do a
 18 fantastic job, we wouldn't be here, because we have
 19 walked away from developments that we didn't think
 20 measured up, but that's not the case here.
 21 Let's move on to Jackson and the zoning
 22 corridor from along Everhard and Hills & Dales,
 23 from Fulton Road all the way out to Wales. And I'm
 24 going to ask Nick if he could bring it up. So the
 25 previous Zoning Commission or Commissions and Joni

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1 and her predecessors and the Trustees have done a
 2 great job in terms of development generally. I've
 3 been involved in some of those comprehensive plans
 4 and map studies and all those things. And quite
 5 candidly, I'm very proud of what we have today and
 6 the way the Township has developed.

7 You can see on the map that as you start at
 8 Fulton Drive, you have the dark red property that
 9 is zoned for business, and then you move to R-4 -
 10 I'm sorry - to step down housing, or step down
 11 zoning, which some folks in the audience might not
 12 understand. It is generally where on the busiest
 13 thoroughfares you have either business or R-4 and
 14 then step down to R-3 and then step down to R-2 and
 15 step down to R-1 or R-R rural residential. So as
 16 you come down Everhard, you can see B-3, and Nick's
 17 doing a good job with his stylist, you can see
 18 commercial business in red. Then it moves to R-4
 19 multifamily in brown, then all the way down to R-4
 20 across from this site, and R-3 to the north of this
 21 site.

22 To the west on Brunnerdale you can see what
 23 is a classic step down where there is an R-4 across
 24 from our site and then an R-3, R-4 and then it
 25 steps down to R-2, two family, which are

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1 condominium duplexes there, and then R-1. And this
 2 pattern continues all the way to Wales, typically
 3 along Hills & Dales there. The only single family
 4 development that we didn't use that kind of zoning
 5 step down was in a development that was built
 6 called Deer Trace. I'm sure all of you are
 7 familiar with that. Now, in Deer Trace what
 8 happened after the development was built, the
 9 residents complained about the noise along Hills &
 10 Dales and the State of Ohio ended up putting up a
 11 concrete wall that's ten or twelve feet high, and I
 12 understand the cost of that wall is a million
 13 dollars a mile or more. It was one of the first
 14 places that it was put on a residential area that
 15 was not an expressway. And of course, neither the
 16 developer, nor the folks living there paid for it.
 17 Nor the Township. That was paid with state
 18 dollars, which means all of us paid for that to try
 19 and cure that deficiency in how that property was
 20 used.

21 So the summary of that is, I think in
 22 keeping with good zoning practices, I believe R-3
 23 is the best use for this site. Let me talk a
 24 little bit about current and future housing needs
 25 in Jackson Township. Jackson Township, like much

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1 of Stark County, continues to get older. According
 2 to studies, 10,000 Baby Boomers retire every day,
 3 and 20 years later when they hit 85, 85% of those
 4 folks are still alive. One of the things that has
 5 happened, if they are physically able, people by
 6 and far prefer to live in their homes as long as
 7 possible. We have folks that we're working with
 8 now that are in their 90s and they are continuing
 9 to live in single family homes. I have a neighbor
 10 of mine who was 93 when she moved out of her house.
 11 My realtors continue to report to me that we have
 12 people in their late 80s and 90s that want to live
 13 in those properties. And frankly, with Uber, with
 14 home grocery delivery, with personal security
 15 devices and home health care, it's getting easier
 16 and easier for people to do that. There are two
 17 challenges with that. The two big challenges are
 18 home maintenance and steps. People that can't get
 19 up steps are then looking to go to an apartment or
 20 a condominium or a villa, which is a ranch style
 21 villa, which is why this product is very much in
 22 demand and will be even more so.

23 Hawk's Nest Crossing addresses both of
 24 those challenges. As you heard Don say, the
 25 maintenance, the exterior is maintenance free, the

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1 day-to-day maintenance, snow removal, lawn, all
 2 those kind of things, will be handled by the
 3 homeowners association. But we have hundreds, if
 4 not thousands of Jackson residents. We built an
 5 awful lot of three bedroom, four bedroom
 6 split-level, bi-level houses in the 60s, 70s, 80s,
 7 90s and 2000s before we really got to the place
 8 that people started asking for first floor masters.

9 The people that are living in those homes
 10 don't want to leave Jackson Township. They want to
 11 stay in Jackson, but one of my best friends, who
 12 has lived in Jackson Township for 74 years from his
 13 birth, he and his wife both had mobility problems
 14 and a few years ago they wanted to buy a villa.
 15 They are now living in North Canton because they
 16 could not find a villa in Jackson Township that
 17 would meet their needs. We have to provide -- if
 18 in fact we think that Jackson people should have
 19 the opportunity to continue to live in Jackson, we
 20 need to provide this type of housing for them.

21 Last year in Jackson fifteen condos sold
 22 between 200,000 and 350,000. Don I believe in the
 23 design and Jim have set things up so that there are
 24 a lot of variables. Some of these condos will not
 25 have basements, so that they can be less expensive,

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1 because a basement adds about \$30,000 to the
 2 property. So some of the properties will be, on
 3 the low end, perhaps even under the 250,000 Don
 4 talked about. Others will be well over, because
 5 particularly at the back of the development it
 6 looks like we will be able to have some beautiful
 7 walk-out basements that will be overlooking the
 8 green space. I can tell you from previous
 9 experience, those are things that people want.
 10 They may want to upgrade interiors. It's amazing
 11 to me in the business that typically we have
 12 sellers saying, I want to move down or move over,
 13 but very often they end up spending more money for
 14 the condo than they sell their current house for,
 15 because it's going to be the last house that they
 16 live in and they want to make sure that it's right
 17 there.

18 So last year fifteen condos sold in Jackson
 19 Township between 200 and 350,000. The market time
 20 ranged from three or four days to get those sold to
 21 one taking 176 days. The average of those fifteen
 22 condos was 35 days. Although the Zoning Commission
 23 has seen fit to allow a few pockets of condominiums
 24 to be zoned and exist, Fred Tobin's comes to mind
 25 on Jackson Avenue. The ones on either side of

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1 Amherst, north and south of 80, some of the
 2 condominiums and villas that are built, both in
 3 Glenmoor and in Carrington, but we also understand
 4 that they're not allowed places to put these types
 5 of units. So we would hope that you would continue
 6 to put them in single family developments, in a
 7 quarter of those, so that we could meet that need.
 8 Hawk's Nest Crossing is a place that will satisfy
 9 that need and a place that will work for this type
 10 of product.

11 So the last question is how will it affect
 12 nearby properties. First and foremost, we've
 13 already heard that Don is committed to leave 84.6%
 14 of the site as permanent green space. There can be
 15 no messing with it. Or at least theoretically if
 16 somebody wanted to mess with that, they would have
 17 to go to a lot of trouble to do it. And it's
 18 unlikely that that would happen. He also committed
 19 to build a high end product, which I think is
 20 important, and we believe that will sell, given the
 21 location and the demand for this product. There
 22 will only be a required emergency exit to the
 23 Springdale subdivision to the south, which I know
 24 was a point of contention the last time this plan
 25 came through.

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1 In the last three years, eight homes have
 2 sold in Springdale. There were ranches. I'm
 3 sorry. Three were ranches, five were either
 4 split-level, bi-level or two-stories. The prices
 5 ranged from 180,000 to 298,000 with an average of
 6 48 days on the market. So the new homes in Hawk's
 7 Nest Crossing would be very compatible with those
 8 properties.

9 Traffic is always a concern. We expect
 10 these ranch style homes to attract an older
 11 demographic, seniors, probably not 50 or 55,
 12 although there could be some of that. More seniors
 13 in my experience start to think about this in their
 14 60s and up. So it's going to be people probably in
 15 their 60s and 70s. I'm in my 70s now. My wife and
 16 I are just -- are in a split-level now. We're just
 17 starting to talk about that our next house probably
 18 needs to be a villa or a condominium, because we've
 19 been blessed with good health and are fairly
 20 mobile, so steps aren't an issue.

21 The other demographic that we believe may
 22 work for this is single women and single men,
 23 because there are a number of professional
 24 individuals, whether due to divorce, whether due to
 25 just wanting to live by themselves and they're

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1 dating somebody, you know, that they are going to
 2 want something that's upscale but something in this
 3 location because of the convenience. So we believe
 4 that there may only be overall 1.75 occupants per
 5 home on average. We know that it will be less than
 6 two. We just don't know how many more less than
 7 two. In some condominium developments that we are
 8 marketing, it's actually about 1.5, because many
 9 now, some of those are a little less expensive,
 10 where you have a number of widows and things like
 11 that that move into. These buyers would also have
 12 less than two cars per household, and they drive
 13 fewer places than a family with children. It's
 14 also probable that some of these buyers will be
 15 snow birds. These will be people that have a
 16 property in Florida or the Carolinas that will be
 17 living here part of the year and living down there
 18 part of the year. So we believe that actually this
 19 type of housing is probably the most desirable as
 20 far as increased traffic pressure on Brunnerdale.

21 So I thank you for giving me a chance to
 22 address you tonight. Are there any questions that
 23 any of you have?

24 MR. CONLEY: Maybe Don needs to answer this
 25 instead of Jim. If this all happens, would you

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1 build as needed or build sections and --
 2 MR. CAMP: Well, I'll answer it and then
 3 Don can -- so I think the plan is that we are going
 4 to build a fully furnished model, a fully
 5 decorated, fully furnished model of both the
 6 two-bedroom units and the three-bedroom units. The
 7 plan, as we did, we've done in other condominium
 8 developments, we marketed Belden Park, for
 9 instance, and we marketed a condominium villa in
 10 Hartville that had attached buildings like this.
 11 So what they did was, they wouldn't just start one
 12 unit. They would -- even if the second unit
 13 weren't sold, they would start both units and
 14 build, but it gets a little more complicated where
 15 one person, you probably are going to have
 16 basements in both buildings or you're not going to
 17 have basements in either building, because that
 18 part of it just gets, you know, too complicated.
 19 Do you want to correct me?
 20 MR. DEVILLE: No. No. That's good enough.
 21 MR. WESTON: So, Jim, I just want to
 22 confirm that -- I'm really losing my voice.
 23 MR. CAMP: No, that's fine.
 24 MR. WESTON: For the properties of where
 25 you're at, the other properties selling in Jackson

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1 and the other units, do you feel that the price
 2 is supported and easily -- I shouldn't say easily,
 3 but --
 4 MR. CAMP: We never like to tell people
 5 it's easy.
 6 MR. WESTON: It's not easy, that's right.
 7 If marketed correctly at a proper price point, that
 8 it can be sold within a reasonable amount of time
 9 for the location and the size and number of
 10 bedrooms for the area?
 11 MR. CAMP: We do. When properties are
 12 selling for, I'll just use one of our competitors,
 13 which is Ryan Homes, you know, they have taken
 14 several big parcels of ground, and right now,
 15 candidly, we are building more of this product in
 16 Jackson Township than we are -- I went through and
 17 looked at statistics from Green, North Canton, you
 18 know, Plain and Lake, to see what was happening
 19 there, we sold more of these units in Jackson
 20 Township than any of those townships did, or any of
 21 those communities did. And the fact that we're
 22 still at, you know, these buyers, about fifty
 23 percent of them will probably be cash. That's our
 24 experience, because they have another property and
 25 they don't want to have a mortgage payment and

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1 things of that nature. Or I also know folks that
 2 because they're buying up, they're paying more than
 3 they did for the house they sold, they take out a
 4 small mortgage and then pay that off over a few
 5 years and things. But, you know, as I say, there
 6 are a whole bunch of people living in two-stories,
 7 and candidly, some of them certainly Ryan will
 8 appeal to, but I also believe that the type of
 9 product that Don's talking about will be very
 10 appealing to people that want somebody who is a
 11 builder that will be here to back them up. They
 12 all know where he lives. So I think that, you
 13 know, that that's a good feeling.
 14 Okay. In closing, I would ask you to grant
 15 the request for this ground. I think there's a
 16 huge demand for it and I think it will be very
 17 successful. So thank you very much.
 18 MR. CONLEY: Thank you.
 19 MR. DEVILLE: One, not minor point to bring
 20 out, but I think kind of a major point. On the
 21 screen before you there, all the area in green that
 22 surrounds, the dark green, that surrounds the
 23 development, that is all your heavily brushed or
 24 wooded, and dense wooded, that is all going to
 25 remain as well. In other words, even with the

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1 development, that is not -- especially to the south
 2 of our property, the south of the buildings up
 3 against Springdale, that is all heavily wooded
 4 there. That's not being, number one, it's
 5 obviously not being developed, but it's not going
 6 to be interfered with or destroyed. So all that
 7 brush and trees are going to remain there. There
 8 are some buffer zones located, which is designated
 9 with the little round kind of bushes or trees there
 10 too, where there's not those existing trees, but I
 11 think it's important to point out that that main
 12 area to the south, that's going to remain wooded
 13 and brush as is.
 14 So with that, I too would, if you have
 15 anymore questions of me, but in closing I'd just
 16 like to thank you for the time and, you know,
 17 Jackson Township has been recognized nationally for
 18 a great and affordable place to live, and I think
 19 if there's anything we can all agree to in this
 20 room is that we all want that to continue. We feel
 21 through the research and analysis of this proposed
 22 development that that continues that advent of
 23 smart growth in Jackson Township. That's why I too
 24 would ask for your approval on this project. Any
 25 other questions of myself or anybody else?

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1 MR. SUTTER: I have a couple questions.
 2 MR. DEVILLE: Sure.
 3 MR. SUTTER: So you did mention that the
 4 development, you know, the roads will be privately
 5 maintained, and you also mentioned that what you're
 6 going to be developing as far as the roads goes is
 7 a little bit different than county standards.
 8 Could you elaborate on the width of the road, those
 9 types thing.
 10 MR. DEVILLE: The width of the roads, John,
 11 I don't recall from curb to curb what that number
 12 was.
 13 MR. WALSH: 26 feet back to back.
 14 MR. DEVILLE: 26 feet back to back.
 15 Construction of pavement is literally, we have
 16 contemplated to the identical to county standards.
 17 Again, curb to gutters, so basically county
 18 standards, but not -- just the difference being
 19 that they're private.
 20 MR. SUTTER: Okay. Are there sidewalks or
 21 walking paths?
 22 MR. DEVILLE: No, no sidewalks. We did not
 23 propose any walking paths. Contemplated that.
 24 Obviously through the wetlands I can't do that, the
 25 regulated wetlands. I haven't planned that yet.

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1 That's a potential one thing I just haven't.
 2 That's not determined, I guess as of yet. I don't
 3 know if you think that's a positive or a negative.
 4 That can go both ways sometimes. That's why I
 5 didn't pose it as such, so -- Anything else?
 6 MR. CONLEY: I think that's it.
 7 MR. DEVILLE: Okay. Thank you.
 8 MR. CONLEY: Is there anyone else who
 9 wishes to speak in favor of the application?
 10 AUDIENCE MEMBER: Can I ask a question? I
 11 don't know what the procedure is, so I'm asking.
 12 MR. CONLEY: Well, normally -- you'll have
 13 that opportunity.
 14 AUDIENCE MEMBER: Okay.
 15 MR. CONLEY: Okay. So 5:18 to 6:35,
 16 however long that was, and so I will propose that
 17 anyone wishing to speak in opposition we will give
 18 at least that amount of time. But having everybody
 19 sitting here for over an hour, maybe a couple
 20 people would like to stretch and take a break. So
 21 let's take about seven minutes and go off the
 22 record.
 23 (Short break was taken)
 24 MR. CONLEY: Okay. We're back on the
 25 record, folks. So we're going to ask those who are

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1 in opposition to the application to come forward,
 2 and also, anyone who is not necessarily for or
 3 against but wants to ask a question, please feel
 4 free to avail that opportunity and not, you know,
 5 place yourself in one camp or another. We're going
 6 to allow an hour and a half. If we don't need that
 7 much, then that's okay, but an hour and a half for
 8 the next session.
 9 May I ask, if you are directly adjacent to
 10 the development, that we let those folks speak
 11 first, because we don't want to run out of time and
 12 have somebody whose property directly is contiguous
 13 to this not have an opportunity. So with that, if
 14 there is anyone who owns a property directly
 15 adjacent to the development that would like to
 16 speak, please come on up and again, tell us -- give
 17 me your name, your address, and I've been told that
 18 sometimes we don't speak loudly enough. So please
 19 speak right into the mike.
 20 MR. MILLER: David Miller, 5804 Hills &
 21 Dales. Just had a couple questions. Mr. DeVille
 22 referred to the retention ponds and his architect
 23 referred to detention ponds. I'm not sure that
 24 they're the same thing. I don't think so. So we
 25 have retention ponds with fountains in them.

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1 There's not going to be any drainage off of those
 2 retention ponds; when we have heavy rainfall,
 3 that's not going to filter down into the small
 4 creek that runs in back of my property, causing
 5 flooding, because it's already bad enough over
 6 there, for sure.
 7 MR. CONLEY: Is that a question that you
 8 wanted an answer to?
 9 MR. MILLER: Yeah, I'd like to know, I mean
 10 the architect referred to detention ponds.
 11 MR. CONLEY: Is there any difference
 12 between a detention and retention pond? Come on,
 13 so let's hear it.
 14 MR. MILLER: So are they detention ponds
 15 or --
 16 MR. WALSH: They're retention ponds.
 17 They're going to hold water.
 18 MR. MILLER: Retention, not detention?
 19 MR. WALSH: Yes.
 20 MR. MILLER: Okay. So you correct
 21 yourself. Very good. Thank you. I kind of want
 22 to know which seniors are going to spend a quarter
 23 of a million dollars for a condo on top of a gas
 24 line. Just the whole thing doesn't fit. I mean,
 25 of course, for us, the residents and everything,

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1 nobody here has any trust for the Township,
 2 unfortunately, after what happened last time. It's
 3 just I don't think anybody believes a word of
 4 what's being said here today.

5 who are our Trustees now? Can you name our
 6 three Trustees?

7 MS. POINDEXTER: John Pizzino, Jamie
 8 Walters and Todd Hawke.

9 MS. HEAD: Jim Thomas.

10 MR. CONLEY: Jim, not yet. He will not be
 11 at the meeting that will hear this.

12 MR. MILLER: That's what I thought. I
 13 thought Mr. Walters got voted out.

14 MS. HEAD: Not yet. Yes, he did, but he'll
 15 still be in when this is going forward.

16 MR. MILLER: Right. And that's a direct
 17 result of this whole mess right here, because he
 18 was the one that was so for Mr. Deville last time.
 19 So I'd like the Trustees to think about what the
 20 residents of the Township overwhelmingly decided
 21 last time.

22 MS. HEAD: That's a separate.

23 MR. MILLER: This is an article that was in
 24 the Rep Extra today and, you know, they make
 25 reference to the numbers. I don't know that I need

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1 to go over them, but 12,000 and some to 4,000 to
 2 repeal what the Trustees had decided there with the
 3 zoning change. I mean I think the residents,
 4 people that don't even live along it, just people
 5 that are good people that live here that could see,
 6 you know, kind of what was up with the whole plan,
 7 because what everybody's worried is, is that, you
 8 know, the zoning is going to be changed and then
 9 the plan will not be followed. And I know that he
 10 said that, you know, it has to be followed and
 11 everything, but I think everybody has this in mind,
 12 that what will wind up being there will be
 13 apartments with Section 8 housing. I don't think
 14 that anybody believes that seniors are going to be
 15 buying condos over there for a quarter of a million
 16 dollars on a gas line.

17 MS. POINDEXTER: The plan that's approved
 18 is the plan they have to build, because of the
 19 planning development.

20 MR. MILLER: I mean I don't know one way or
 21 another. Like I said, I'm just a guy.

22 MS. HEAD: We're telling you that's what it
 23 is.

24 MR. CONLEY: You can have an opinion, but
 25 don't argue facts.

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1 MR. WESTON: That's a fact.

2 MR. MILLER: Well, what about this
 3 statement in this article here? As a planned unit
 4 development, the site, if approved by the Township
 5 and County officials, cannot be changed from the
 6 original proposal, but the property owner can ask
 7 for an amendment to the plan. So here we're
 8 contradicting what you're saying to be fact. I
 9 mean if this article's correct.

10 MS. POINDEXTER: I can explain that. If
 11 this plan is approved, they have to build what was
 12 approved. The only way anything can change is if
 13 they go back through a public hearing in front of
 14 the Trustees with a plan, and that plan would have
 15 to be approved again, and it would be a public
 16 hearing, everyone would be invited, it would be the
 17 same process. The only difference is, it doesn't
 18 go back to the Commission for recommendation. It
 19 goes straight to the Trustees.

20 MR. MILLER: Okay. And of course that
 21 would be after zoning was already changed. So
 22 other than that, your green plan there,
 23 Mr. Deville, you're saying that the spaces in green
 24 that are outlined on your thing here, what are you
 25 planning on doing with those? Those are to just

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1 stay green, you're not cutting any trees and
 2 there's nothing that can be changed there as part
 3 of this plan? If this is approved, that that's
 4 outlined in green on your colored map, if you want
 5 to bring that up, that's off the table, out of the
 6 question, nothing can be changed there, no trees
 7 can be cut? I mean talk about walking paths, I
 8 think maybe a little bit more specifics would be in
 9 order before -- I mean from my point of view. I'm
 10 concerned about the water, I'm concerned about the
 11 retention ponds when those get full, there has to
 12 be an outlet for those. They are designed to
 13 retain water under normal circumstances, but if
 14 they get full, it's just like a bathtub, there's
 15 got to be an outlet for them somewhere. Where's
 16 that outlet going? Is it going to the waterway
 17 there, is it going to the creek that runs behind my
 18 house? So I'd like to know that, and then I'd like
 19 to know about the green shading there, is that our
 20 buffer, is that going to be untouchable?

21 MS. POINDEXTER: For structures.

22 MR. MILLER: For structures, yes, but not
 23 for other improvements, cutting down trees, putting
 24 in walking paths.

25 MS. POINDEXTER: It's his property. If he

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1 wants to cut down trees, he has that right to do
2 that.

3 MR. MILLER: Right, that's what I'm saying.

4 MS. POINDEXTER: When I say he can't change
5 the plan, he cannot change the layout of the roads,
6 he can't change the densities of buildings, he
7 can't take a building and say, I don't want to put
8 it here, I want to put it clear over here. It's
9 the layout of the plan.

10 MR. MILLER: Right. Now we're getting to
11 the meat of the questions that I had. So it's
12 unchangeable to this area in a sense. It's just
13 the buildings that's unchangeable. It's the way
14 it's presented with all the green space and
15 everything else, that may or may not happen. So
16 thank you for answering my question. That's all I
17 had. I just, I don't know, I hope you guys make
18 the right decision this time. I know that the
19 plan's been revised, but I still don't believe any
20 of it, and I don't think anybody in the Township
21 believes anything that really comes out of you guys
22 or the Trustees. Nobody has any trust in the
23 Trustees.

24 MR. WESTON: John, would you like to make a
25 remark on the retention ponds?

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1 AUDIENCE MEMBER: Cutting into our time.

2 AUDIENCE MEMBER: Yes.

3 MR. WESTON: Well, wouldn't you want an
4 answer? I'm sorry. You asked.

5 AUDIENCE MEMBER: They already said they
6 are retention ponds and not detention ponds, so
7 let's be done.

8 MS. HEAD: You had asked the question. Do
9 you not want an answer?

10 AUDIENCE MEMBER: He already answered.

11 MS. HEAD: Okay.

12 MR. CONLEY: All right. Move on. Are
13 there any other neighbors, please.

14 MR. KESSLER: My name is Craig Kessler,
15 3575 Cornwall. I live in Brookshire Hills
16 Allotment. I have a couple questions on the Ohio
17 Department of Transportation. What specifically
18 are the a.m. hours? It says 34 trips. Does that
19 mean 34 cars per hour?

20 MR. CONLEY: Per hour during from 7 to 9
21 a.m.

22 MR. KESSLER: You're serious? Two hours,
23 34 cars, that's north and southbound on
24 Brunnerdale?

25 MR. CONLEY: No. No. No. Coming out of

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1 the allotment.

2 MR. KESSLER: Coming out of the allotment?

3 MR. CONLEY: Yes.

4 MR. KESSLER: How can we tell that when
5 they're not even built?

6 MR. CONLEY: They're estimates.

7 MR. KESSLER: They're estimates, okay.

8 MR. CONLEY: Because there are 9,998 cars
9 per day on Brunnerdale.

10 MR. KESSLER: Okay. Good.

11 MR. CONLEY: There will be, according to
12 this, there will be about 30 or 40 more per hour
13 between 7 and 9 a.m.

14 MR. KESSLER: Okay. That answers that.
15 One thing that I don't think was addressed on the
16 traffic situation, right across on the north side
17 of Hills & Dales, I think it's called Glendale
18 facilities there, they're opening, phase 2 is
19 opened up on that. They've never said or mentioned
20 anything about increase of cars there. Plus over
21 off Stuhldreher, across from the soccer fields on
22 Hills & Dales there, they are going to be building
23 there too. So that's going to be more traffic.
24 And I agree with the first gentleman here. My
25 house has 2400 square feet, it's been assessed a

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1 value at 229,000. I'm going to be able to sell my
2 house and buy a condominium at 250,000 and probably
3 minimally \$200 a month HOA fees, and that's
4 probably conservative. So at my age do I want to
5 go in debt like that? And one other thing, where
6 it says, I believe on the back inside page,
7 increase the quality of life for existing as well
8 as new Stark County homeowners. How is this going
9 to benefit my life? What's it going to do to
10 benefit me? I don't understand.

11 MR. CONLEY: He's not making a claim that
12 he's going to benefit the lives of every single
13 person in Stark County. They say that there are 69
14 families they believe that will find this to be an
15 attractive purchase. Mr. Camp knows more about
16 real estate than I do.

17 MR. KESSLER: Okay. And one other thing,
18 it's about the green space. One of the gentlemen,
19 I believe it was from Cutler, says it will be a big
20 hassle to change that. So there's really, I mean
21 they're making it sound like they're doing us a
22 favor by leaving this green space, and to me, it's
23 like just land that they found out that they can't
24 really develop on. Just a comment. I know where
25 Mr. DeVille lives. There's cornfields across from

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1 him, there's cornfields to the north of him. If
2 you want to build something like this and help
3 Jackson Township out and the community out there,
4 build them next to your home. We told him before,
5 we don't want this. Now we have to go through the
6 same process again. That's all I have to say.
7 Thank you.

8 MR. CONLEY: Thank you.

9 MR. HALL: Hi. I'm Todd Hall. I live at
10 3330 Dellwood Avenue, N.W. I'm in the Springdale
11 neighborhood. And as I mentioned to you earlier,
12 you know, I'm here to ask questions. I'm not going
13 to say I'm a proponent or an opponent of what's
14 going on here, because I'd like to learn a little
15 bit more, and I hope you all get all your questions
16 answered before you make a decision on the zoning
17 as well and had time to think about all the
18 questions that are being asked. I have a couple
19 very specific questions. One on the traffic flow,
20 in terms of the ingress and egress from the
21 development. The way it looks, the only way to get
22 into the development is you have to be heading
23 northbound off of Brunnerdale to turn into the
24 allotment, and you have to -- let's take a look at
25 the picture. Take a look at the picture. Could

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1 MR. HALL: Okay. Again, I'm worried about
2 people turning right, particularly heading south on
3 Brunnerdale turning in to the allotment, because
4 that's where most of the people are going to be
5 coming from. They're not going to be coming from
6 Perry going north. Most of the traffic going into
7 the allotment is going to be coming south on
8 Brunnerdale, so I'm a little bit concerned about
9 the traffic situation there.

10 One of the questions had been asked before
11 and I guess I want some clarification again. If
12 there is an intent to change the plan at all, I
13 understand it has to go through the legislative
14 process again to go through the Township.
15 Obviously the concern that the community has is we
16 went through this before, and it's a rather lengthy
17 process and an expensive and time consuming
18 process, and we had to actually get 2000 signatures
19 plus to get special ballot initiative to put out
20 for the community to vote on and unfortunately, one
21 of the Trustees after we won on that said, well,
22 the system worked. Well, to me the system doesn't
23 work if you don't listen to the community.

24 AUDIENCE MEMBER: That voted you in.

25 MR. HALL: My point is, if you don't listen

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1 you show us the picture, Nick, please. Thank you.

2 AUDIENCE MEMBER: There's just one entrance
3 off of Brunnerdale.

4 MR. HALL: If I take a look at that, if you
5 want to leave, you've got to be going, I'm saying
6 heading toward Belden Village, you can turn right
7 onto Brunnerdale there, but if you want to enter
8 the property, you can't be coming southbound on
9 Brunnerdale and turn left into the property. You
10 have to be coming --

11 MR. DEVILLE: No.

12 MR. HALL: No?

13 MR. CONLEY: Is there a restricted right
14 turn only?

15 MR. DEVILLE: No.

16 MR. HALL: So it's going to be open now?
17 The previous proposal was made, we had that kind of
18 restriction.

19 MR. DEVILLE: No.

20 MR. HALL: Yeah, there was a divider in the
21 middle of the road. So you could only come in this
22 way and go out that way.

23 MR. CONLEY: They've answered it and it's
24 the same as Groton, you can turn right or left and
25 you can come in from the right or the left.

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1 to the community and we have to put a special
2 ballot initiative on, the system didn't work. So
3 I'm a little concerned if we have to go through
4 that process if there is in fact an amendment that
5 has to happen.

6 MR. THIEL: This is a different plan.

7 MS. HEAD: This is a completely different
8 plan.

9 MR. THIEL: Totally different. This is a
10 PUD.

11 MR. HALL: I understand.

12 MS. HEAD: Then we're not repeating
13 history.

14 MR. HALL: No, but you're going to have to
15 go through the same process. If he wants to amend
16 the plan, he has to go back through the Township
17 Trustees again.

18 MR. THIEL: Right.

19 MR. HALL: And if they approve it and the
20 community doesn't like it, then we have to go out
21 and get 2000 signatures, and get another special
22 ballot. So nothing's changed. It's the same
23 process.

24 MR. THIEL: Right.

25 MR. HALL: I understand. It's just not a

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1 process that was very friendly to the community to
2 go through that process to win by the margins that
3 we did. A question has also come up about the
4 dollar value of the condos, and I understood 250 to
5 300,000, and I believe that there's probably a
6 market for that, but if it turns out there isn't a
7 market for that and then we start to have to build
8 condos that are in the 125 to 150 range, I wonder
9 what that does to the property values in the area.
10 Do you have a comment with regard to whether or not
11 you really feel 250 to 300 is going to be the
12 target market?

13 MR. CAMP: I'll address that. So the
14 condominiums across the street, one just
15 transferred for 130,000 or 135,000. That was one
16 of the four units with a one car garage and two
17 bedrooms. Those are the least expensive
18 condominiums I believe in Jackson Township, and
19 that just sold for like 135. I cannot possibly
20 conceive -- now, Don and I are going to have
21 discussions about whether it's going to be a 250
22 starting point or maybe 225 or 200, so that we can
23 get some of the single individuals that don't care
24 about having a basement and some of the extras and
25 things like that, but I also believe on the topside

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1 that it's going to go to probably 350 on the
2 topside with a walk-out basement and upgrades and
3 countertops and all of that.

4 MR. HALL: I appreciate your answer, but
5 you kind of answered what I was expecting. You may
6 have to start low, and it may be 200, it may have
7 to go lower than that. So the estimates of the
8 return to the community in terms of tax dollars and
9 benefit may be overstated if you were originally
10 basing that on a \$300,000 condo versus 150 -
11 \$200,000 condo, so 175. So just a clarification on
12 that was all I wanted.

13 MR. CAMP: I'm not sure what Don based
14 those numbers on, but, you know, I've been selling
15 real estate for --

16 MR. HALL: I know you very well and I know
17 what you've done and you've done a fabulous job and
18 kudos to Cutler and to you.

19 MR. CAMP: Well, we've handled a lot of
20 projects and frankly, builders and developers come
21 to us all the time and we try and calculate before
22 they put things in parameter.

23 MR. HALL: Understood.

24 MR. CAMP: As to what they're going to sell
25 for. I don't have any guarantee.

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1 MR. HALL: That's my point, there is no
2 guarantee. You've answered my question. The
3 question also came up about the water retention or
4 detention or whatever has come up, and though you
5 said the question was answered, I still don't know
6 what happens when the pond fills up where the water
7 goes, because I happen to live at the lowest point
8 in that neighborhood. My property has been
9 subject, unfortunately, to water creeping up
10 through my yard because despite what was done over
11 the last year and a half, whether it was by the
12 County or the Township, to dredge back there and
13 created a ditch, that ditch isn't deep enough, wide
14 enough or whatever, because it fills up and
15 backflows into my property. So I've already got an
16 existing problem from what's been done. If these
17 retention ponds overflow, it just adds to the
18 problem of the creek, and I know the claim is it's
19 going to actually improve things by retaining part
20 of the water, at some point that water's got to go
21 somewhere. And so we've got to figure out what the
22 answer to that is.

23 MR. CONLEY: Do you want to respond? Tell
24 us again who you are.

25 MR. WALSH: I'm sorry. John Walsh from GBC

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1 Design Engineers.

2 MR. CONLEY: John, you've got to speak
3 loudly. Thank you.

4 MR. WALSH: Okay. The two ponds are
5 designed as retention ponds, it means they're going
6 to hold water permanently. The design is to take
7 what we would consider the run-off. We do
8 calculations of what runs off the property today.
9 We take and then take what is the additional storm
10 sewer, or the additional pavement, the additional
11 hard surface generates additional. That difference
12 is going to be retained in that pond. There will
13 be pipes that come out of the ponds. They will
14 probably drain into the wetlands, drain over land,
15 and then eventually drain into the stream or the
16 creek that's there.

17 The majority of the water that's in that
18 creek comes from the 2000 acres drained down
19 through there, and that drainage pattern I can't
20 change. I mean that's -- I can't build a pond big
21 enough. Our site's not big enough to do anything
22 to affect that. So the water that comes through
23 that creek today is going to continue to do what it
24 does today. All I'm saying is, we're going to take
25 our additional water, retain it and store it on

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1 site so that the amount that runs off our site is
 2 no greater than what runs off today.
 3 And we look at storm events for five-year
 4 storm events all the way up to 100-year storm. We
 5 retain that 100-year storm event in these homes.
 6 So there is no adverse impact on the downstream
 7 neighbors.
 8 MR. HALL: Well, just a little further
 9 clarification, I know you've done a lot of studies,
 10 but I'm concerned about what the land holds right
 11 now with those hydric soils in terms of what the
 12 land actually retains and does not run off versus
 13 what it will be when you build. I know you're
 14 saying when you build, the ponds will gather what
 15 you drain off your property, but I guess I'm just
 16 not quite convinced that that's in fact the case.
 17 And despite your studies, I haven't seen any of you
 18 sitting in my back yard when we get these rains
 19 coming down and that stream in the back and the new
 20 ditch that was done by the Township between my
 21 property and Mr. Reese's property overflows and
 22 comes right back into my back yard. So I don't
 23 think anybody's been down there actually watching
 24 what's happening.
 25 MR. WALSH: And I'm telling you we're not

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1 going to change what happens today. I can't change
 2 that.
 3 MR. HALL: The question is, do you make it
 4 worse?
 5 MR. WALSH: No, sir.
 6 MR. HALL: I don't have the confidence
 7 right now. That's why I'm asking the questions.
 8 So I'd like to hear more about that at some point.
 9 MR. WALSH: As part of our analysis, we
 10 look at the soils that are out there today, you
 11 know, Stark County is blessed with sand and gravel
 12 all the way up to clays, and sand and gravel, the
 13 water runs into the ground. We take that into
 14 account. If the majority of the water that hits
 15 the surface goes into the ground, we design our
 16 output to that. If it's a clay soil, where a lot
 17 of the water hits the ground and it runs off, we
 18 design it to that.
 19 MR. HALL: I got you.
 20 MR. WALSH: And then we take into account
 21 what the vegetation is out there today, you know,
 22 most of it's wooded or it's meadow. It all affects
 23 our analysis on what we're allowed to dump out. So
 24 we don't dump out anymore than what's there today.
 25 MR. HALL: I'm not going to go into it any

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1 further. The only thing I am going to say is, when
 2 this gets approved, whether it's by the Zoning
 3 Board or by the Trustees, if what's built there
 4 results in greater flooding and if I end up having
 5 my property flooded out, based on all the
 6 representations that have been made that that's not
 7 going to happen, things aren't going to get worse,
 8 I'm going to be the first guy knocking at people's
 9 door. I want this on the record to understand that
 10 if people in my neighborhood get flooded out as a
 11 result of any development in that property, if it's
 12 not properly built, we're going to come knocking.
 13 So, again, I'm not for or against right now. I
 14 want to learn more. I appreciate the presentations
 15 and the details that were given. It's a heck of a
 16 lot better than what we looked at before, but
 17 there's still some issues and problems that have to
 18 be resolved. So thank you.
 19 MR. CONLEY: Thank you. Any other
 20 neighbors?
 21 MR. BRUCE: My name's Chuck Bruce. I'm on
 22 Heather, 5885 Heather, N.W. My back yard abuts his
 23 property. I know he said the green space there
 24 between my yard and the condos is roughly 215 feet.
 25 Now, that's to remain woods and green space he

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1 says. Now, why is it listed off of my property a
 2 25 foot setback if he doesn't plan on anything
 3 going in there? Why isn't it a 250 foot?
 4 MS. POINDEXTER: That's what's required
 5 around the perimeter of the property for a setback
 6 for an R-3 development.
 7 MR. BRUCE: But he can go over that and
 8 say, okay, we're not going to develop this, we'll
 9 make it a 215 foot setback?
 10 MR. CONLEY: That's what he's done, yes.
 11 MR. THIEL: Yeah.
 12 MR. BRUCE: It says 25 feet.
 13 MS. POINDEXTER: No, that's just showing
 14 what is required. Not what he has. He's showing
 15 the 25 feet is required, but he's actually back
 16 215. So he's back more than what is required.
 17 MR. BRUCE: Okay. Number 2, one of the
 18 traffic thing is, listening to this, you know,
 19 there's going to be a super center going there on
 20 Fulton Road and that traffic from Massillon is
 21 going to come in Brunnerdale and Everhard, and it's
 22 all going to go through that intersection, no
 23 matter what. And that's going to be a problem in
 24 the future, because even though there's 69 doors
 25 he's building, there's still going to be an

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1 increase in traffic no matter what. And once that
2 super center goes in up there, my goodness, it's
3 going to be terrible, and turning into that
4 intersection off of his property through that
5 traffic is going to be a zoo. See, if you're
6 coming back from that area --

7 MR. CONLEY: I don't know what's going to
8 happen when Meijer's opens, it's certainly going to
9 create more traffic, we know that. But the
10 Meijer's store is a long way from here, so --

11 MR. BRUCE: Where do Massillon people come
12 from? They come down Everhard and they come down
13 Brunnerdale.

14 MR. CONLEY: I work in Massillon.

15 MR. BRUCE: It's two miles probably from
16 us, something like that. Okay. Now, I'm no
17 mathematician. I'm just an old retired
18 steelworker, so I don't know this stuff.

19 MR. CONLEY: Thank you for that.

20 MR. BRUCE: According to what I've read,
21 you know, purchase price and so forth for that
22 property is right around a million dollars, and you
23 put the 69 doors in there, okay, now the landscape,
24 make your retention ponds, put your streets in, all
25 that stuff there is going to cost a small fortune.

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1 Now, if he made \$150,000 per building, that's
2 \$6 million dollars. That won't even touch it. And
3 I guess my point is, he's going to come in and ask
4 for an amendment real soon and then we'll all be
5 back in here again.

6 MR. THIEL: Amendment for what?

7 MR. BRUCE: To change his zoning either for
8 more buildings or change that as initial. I dug
9 out the old plans and he had, off of my property he
10 had a three-story apartment building. And I've got
11 those plans. And he will be back in here asking to
12 change that because just the simple numbers doesn't
13 work.

14 MR. CONLEY: I'm going to assume that
15 Mr. Camp knows more about real estate than I do and
16 I'm going to assume that Mr. Deville knows more
17 about development than I do, so I can't answer you.

18 MR. BRUCE: I mean am I anywhere near
19 correct?

20 MR. DEVILLE: No, you're absolutely not
21 correct. There is no amendment planned,
22 anticipated.

23 MR. BRUCE: You've been saying that. I'm
24 not arguing about that, okay, but it's not planned
25 you're saying, but by the simple numbers it's not

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1 nearly enough to cover your investment.

2 MR. DEVILLE: I have to disagree with that
3 as far as the numbers go. Again, with my
4 experience, with Mr. Camp's experience, we have
5 studied this to the Nth degree, we feel we have A
6 very viable product, a marketable product and price
7 affordable product that will come in at close to
8 those numbers that will be representative of what
9 we've put on the screen there.

10 MR. BRUCE: But I guess I'm saying is --
11 my guessing, okay, I'm not in real estate or
12 development, \$150,000 profit per building, is
13 that --

14 MR. DEVILLE: Oh, absolutely not.
15 \$150,000, if I was doing that, if I was making that
16 much money on these buildings, absolutely not.
17 That's nowhere close from a profit margin. That's
18 just astronomically high.

19 MR. BRUCE: Okay. So that \$150,000 times
20 69 doors comes out to around 6 million dollars, a
21 little over, right?

22 MR. DEVILLE: But you're using a number
23 that I just said is not accurate.

24 MR. BRUCE: Okay. I didn't bring my
25 calculator. I can't argue.

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1 AUDIENCE MEMBER: He's saying you're not
2 getting a big enough return and you'll have to come
3 back and increase to get more return.

4 MR. DEVILLE: There is no increasing the
5 number of units, changing this plan. There just
6 isn't.

7 MR. BRUCE: I don't understand that.
8 That's why I say the numbers just -- they just look
9 like it's not nearly enough for you. So I just
10 hate to come back here again. I just had a
11 birthday. I ain't got a whole lot of them left. I
12 don't want to spend them in here, and I think we're
13 going to. Okay.

14 MR. CONLEY: Okay. Thanks.

15 MR. WARREN: Good evening. Mike Warren,
16 5919 Heather, N.W. A couple of quick questions.
17 His emergency access that he's got in his plan, one
18 of the questions I've been hearing from the crowd
19 is, can that be used for construction egress and
20 ingress?

21 MR. DEVILLE: I'm sorry. I didn't hear the
22 question.

23 MR. WARREN: The emergency access, during
24 construction.

25 MR. CONLEY: They're concerned about where

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1 the construction vehicles are going to come from.
 2 MR. DEVILLE: There could be construction
 3 vehicles going through there. However, our main
 4 intent is to come off of the main access road, but
 5 to get to that, the initial development. And very
 6 honestly, one thing I didn't point out, is that we
 7 have the dwelling at 3500 Brunnerdale, which is
 8 just north of the main access drive, that building
 9 is going to be proposed to be demolished. Not
 10 proposed. It will be demolished if the plan is
 11 approved. That's going to be our main point of
 12 egress and ingress and where the work's going to
 13 start.

14 MR. WARREN: I appreciate that. I will
 15 tell you that the neighbors to the south would
 16 prefer that that gate go up and be locked before
 17 construction, nonetheless. The other thing, Chuck
 18 was talking about numbers. In his application he
 19 says that the value is going to be \$21 million, and
 20 then there will be 114,000 square feet there.
 21 Okay. I did use my calculator. It's \$184 per
 22 square foot that he's proposing in value there,
 23 which means that his smaller condos, based on what
 24 he has in the application, would have to sell for
 25 \$294,000 and the larger ones at 349. I'm not

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1 saying it can't be done. I'm just saying there's a
 2 lot of people in this room who don't think that
 3 that would happen. So that's where the fear comes
 4 and the skepticism on the viability of this plan.

5 And finally, just a statement. I'll remind
 6 everyone that less than four years ago this
 7 community voted 73% not to put high density housing
 8 on this piece of property. I realize his plan's
 9 different, but it's still high density housing on
 10 this property. 11,000 residents in Jackson
 11 Township voted no for high density housing here.
 12 And not only that, over 50% in every precinct voted
 13 no. So it wasn't just a local tiny part of Jackson
 14 Township that said no to development at this time.
 15 Thank you for your time.

16 MS. CRAWFORD: Hi. Heather Crawford at
 17 3424 Brunnerdale. It's going to butt right up to
 18 my back yard. My biggest concern, my husband and I
 19 have discussed this tons of times, what do we do
 20 when Deville comes back? We knew he'd come back,
 21 because we stood here five years ago and we
 22 pitched a pitch, and my concern is, we pitched this
 23 pitch, the Township Trustees voted for it and then
 24 as Mike said, we took it to ballot and it was voted
 25 down. Nothing in this pitch that caused it to be

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1 voted down was addressed. So the traffic, the
 2 flooding. I realize that it's different, but it's
 3 not that different. It's different houses, but the
 4 flooding's still a concern, the in and out, the
 5 traffic, the bus that picks my three kids up every
 6 day, probably two days a week, it's five houses
 7 down skidding on its brakes because the people
 8 behind it, because the traffic's so bad in the
 9 morning. I can't imagine adding 10,000 more cars
 10 to the area, let alone what he brings,

11 MR. CONLEY: The 10,000 is what it is now.
 12 It's not going to add to.

13 MS. CRAWFORD: No. I'm just saying I can't
 14 imagine adding anymore additional traffic. It's
 15 horrible. I can't explain the fear in the bus
 16 driver's eyes when they're like, Hi, hi. Get the
 17 kids on. I mean my kids are here, the bus skids
 18 down four houses and now they're running on the
 19 street to go get on their bus. Yeah, I've talked
 20 to the bus garage, but the bus drivers say the same
 21 thing every time. It's the cars behind them. The
 22 bus will be ten minutes late purely because of the
 23 fact they can't make a right-hand turn onto
 24 Brunnerdale from Canterbury when they're back
 25 picking up those kids. So, yeah, it's a concern

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1 for me in several different areas, but the biggest
 2 concern is we're here again and no one's done a
 3 single thing to address anything that was a problem
 4 for us before. So I don't see what would change
 5 the people of the Township's mind.

6 MR. CONLEY: Thank you. Okay. So I think
 7 the neighbors have had a chance.

8 MR. PARRISH: I'd like to say something. I
 9 live close to this area, and as a member of the
 10 community --

11 MS. HEAD: Can you state your name and
 12 address, please.

13 MR. PARRISH: Pardon?

14 MR. CONLEY: Name and address.

15 MR. PARRISH: My name's Craig Parrish, 6853
 16 Thicket Street in Deer Trace. In 2016, 11,679
 17 members of this community that you're here to
 18 represent told these people no apartments. We do
 19 not want apartments in that community. That's it.

20 AUDIENCE MEMBER: Or zoning change.

21 MR. PARRISH: Hopefully our new Trustee
 22 will learn from what happened to the old Trustee
 23 when you don't represent your community's wishes
 24 and you represent the special interests among.
 25 Thank you.

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1 MR. CONLEY: You all know there are no
2 apartments in this plan, right?
3 MS. HEAD: Yes.
4 MR. CONLEY: Okay. Just so everybody comes
5 up here and says, we don't want apartments. There
6 are no apartments.
7 MR. BADER: Hi. I'm Jason Bader from 3321
8 Hadrian Circle. I think you're missing the point.
9 The point is that we do not want a rezoning.
10 What's wrong with just having a rural residential?
11 Why can't he just build homes?
12 MR. THIEL: Why can't he sell his product?
13 MR. WESTON: He bought the property. He
14 has an investment, right?
15 MR. THIEL: He didn't buy it to look at it.
16 MR. BADER: The reason we're here tonight
17 is the shortcomings of this group and our Trustees.
18 We thank you for joining us, Mr. Thomas.
19 Congratulations! This does exist. It exists in
20 the Ryan Home Development that's going up basically
21 across the street from the same property. I don't
22 understand why we need more of it. I don't support
23 this project as a local resident and I don't
24 believe our group will support it in the future.
25 Thanks for your time.

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1 MR. CONLEY: Thank you.
2 MR. VINCENT: Hi. Tim Vincent, 3389
3 Waterford. To correct Mr. Thiel, when he bought
4 this property it was - what is it - it was zoned
5 R-R. Now he wants to change it. That's all we're
6 beefing about. That's all I wanted to say.
7 MS. HEAD: I wrote down during the initial
8 discussion that under the current zoning there
9 could be 86 homes put on the property? Is that a
10 right number?
11 MR. GRUBER: That's correct.
12 MS. HEAD: That's correct?
13 MR. GRUBER: That's actually less than the
14 current zoning.
15 MS. HEAD: Right.
16 AUDIENCE MEMBER: Single family homes.
17 MS. HEAD: You'd rather see 86 homes than
18 69 homes?
19 MR. WESTON: And the traffic and the water
20 and everything else that has to be no changes
21 whatsoever to the property.
22 AUDIENCE MEMBER: Who's going to build on
23 swamp? Nobody. So that's kind of like not going
24 to happen. Nobody. Condos or houses, nobody's
25 going to build.

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1 AUDIENCE MEMBER: Not on an easement.
2 MR. WESTON: Not on the easement, you can't
3 build on the easement, but you can build east of
4 the easement.
5 AUDIENCE MEMBER: Can you imagine that gas
6 line blowing up if you're living there?
7 AUDIENCE MEMBER: Something tells me this
8 is a done deal anyway.
9 MR. CONLEY: Hold on, if you're not at the
10 mike, she can't understand you. So you have an
11 opportunity to come up because the lady to my far
12 right is recording what goes on and she can't hear
13 you when you're talking over her, but, please, if
14 anybody wants to speak.
15 MS. GUERRIERI: All right. I do have some
16 questions. Patty Guerrieri. I live on Dellwood.
17 MR. CONLEY: I'm sorry. I didn't hear you.
18 MS. GUERRIERI: Patty Guerrieri. I live on
19 Dellwood. I was wondering --
20 MS. POINDEXTER: I need your correct
21 address. Sorry.
22 MS. GUERRIERI: 3276 Dellwood.
23 MS. POINDEXTER: Thank you.
24 MS. GUERRIERI: What kind of lighting do
25 you have proposed?

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1 MR. DEVILLE: Planned for the interior?
2 MS. GUERRIERI: Uh-huh.
3 MR. DEVILLE: LED lighting.
4 MS. GUERRIERI: Street lamps?
5 MR. DEVILLE: Street lamps, there are
6 proposed a lamp in front of each building, yes.
7 MS. GUERRIERI: Okay. Because the previous
8 was big parking lots, if I recall, and then with
9 the lights on these people that their property
10 backs right up, and I just wondered what kind of
11 lighting was proposed.
12 MR. DEVILLE: Street lamps being
13 residential posts. Post lights.
14 MS. GUERRIERI: Very nice. And I'm
15 wondering, do you have any kind of a time frame
16 you're thinking from start to finish how many
17 years, months, how long is this going to go on with
18 the building?
19 MR. DEVILLE: Jim, I would defer to you.
20 MR. CAMP: It's a multi-year project.
21 MS. GUERRIERI: What is multi year?
22 MR. CAMP: Well, if you can tell me what
23 the economy's going to be like for the next four
24 years, I'll be happy to tell you how long it takes.
25 MS. GUERRIERI: We watched the Marzilli

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1 Development over there staying forever.

2 MR. CAMP: Well, you did and now that's
3 moving along, so I think that -- I would expect it
4 could be as much as three or four years.

5 MS. GUERRIERI: Okay. And I think and I
6 listen to everyone with interest too and I don't
7 know that I'm saying yes or no now. It is very
8 different. I think the real important point to not
9 just us, but Jackson voters, residents of the whole
10 Township, is that Jackson's changed over the years.
11 I've been here forever and, you know, controlled
12 growth is very important, and I just think that
13 when those voters all went to the vote, we've seen
14 it just escalate. We can't get through
15 intersections anymore. There's all this building,
16 building. And the voters said enough, and they
17 backed us. Whether we were residents or not, they
18 said, we've had enough. And without putting the
19 numbers in front, which other people did, and we
20 had to fight so hard to get that to you Trustees
21 instead of backing us.

22 MS. HEAD: You know we're not Trustees,
23 right? We're not Trustees.

24 MS. GUERRIERI: Part of the Zoning
25 Commission and then have to go to the Trustees, you

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1 you're going to have to put lift stations in, which
2 is a very expensive project. I don't know if
3 they've addressed that. Did you address the lift
4 stations that you're going to need in these
5 retention ponds?

6 MR. WALSH: They'll drain by gravity.

7 MS. PANDOLI: But you know where gravity
8 goes?

9 AUDIENCE MEMBER: Into our back yard.

10 MS. PANDOLI: Anyway, that's all I have.

11 MR. CONLEY: Thank you.

12 MS. BUETTLELL: Hi. Laura Buettell, 4450
13 Brunnerdale Avenue, N.W. 23 years ago my husband
14 and I bought our home in Jackson Township. We
15 moved here. It had a beautiful scenic view on a
16 quiet road, and we only had one neighbor at that
17 time. Now there's six homes in the place of one
18 and that quiet road that we used to love has
19 developed a 300% or more increase in traffic, with
20 noise levels that rival a busy freeway. That
21 street is Brunnerdale Avenue and the traffic is
22 absurd. I've had people getting hit, rear-ended
23 and hit broadside trying to pull into my driveway
24 because the traffic is ridiculous. We watched
25 first hand as the developer came and destroyed our

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1 know, to get what the people wanted, and then
2 through a vote, not just people from our little
3 allotment, but Jackson voters told you what they
4 wanted. And now it's going to go again. Or maybe
5 not. I hope that everyone's listening.

6 MS. PANDOLI: Hi. My name is Sandra
7 Pandoli. I'm talking for my father. He lives in
8 Jackson Township. He lives in Forest Trail in a
9 free-standing condo. His home was just appraised
10 at between 174 and 200,000. Okay. It's not a lot
11 of traffic there. It's very residential. They
12 have basements, they have sidewalks, and I can't
13 see where this is going to run for 250 to 300,000,
14 these homes. It's just -- it's just insane. I
15 mean it's not going to happen.

16 MS. HEAD: Is he in opposition to this
17 plan?

18 MS. PANDOLI: No. He's just here as
19 support to the people that live close here. Okay.
20 And also, he's a contractor. He's been a
21 contractor all his life. The water, he's telling
22 about lift stations that you need to have on these
23 retention ponds. Yeah, you can have these
24 retention ponds, but if you don't put lift stations
25 in, eventually they are going to fail. Okay. Then

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1 scenic beauty on our home, which was a farm. That
2 property was low. So he raised it as much as 15
3 feet higher than us and, of course, gravity did the
4 rest. The drainage now is in our yard and we can't
5 get rid of it.

6 That water is never going to go away and
7 the builder is responsible for it, the developer,
8 who didn't put the water where it was supposed to
9 go. And we found that out the hard way because
10 they say one thing and do another. It seems like
11 they don't seem to care about the water that
12 they -- the drainage problems that they create for
13 the surrounding neighbors. As they said, the water
14 will drain out of these retaining basins, and where
15 are they going to go? They're going to go downhill
16 and into the wetlands, which can flood. Glenmoor
17 has a retaining pond across the street from us and
18 it floods constantly. It floods the whole golf
19 course. It's closed for several days until that
20 water goes away.

21 I spoke with Joe Underwood from the
22 Regional Planning about this development and in his
23 words, I'm going to quote his words, That
24 development should never be approved. And I asked
25 him why and he said, It's going to create

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1 incredible water drainage issues because there's
 2 nowhere for the water to go. He also stated that
 3 the increase of traffic from this project will
 4 further impede an area that already has traffic
 5 congestion, out of control.

6 We moved to Jackson Township because of
 7 this rural environment that was filled with deer,
 8 pheasant, fox, wild turkeys and even gray horned
 9 owls, which are all gone now. This rural feeling
 10 is the heart and the charm of this community, but
 11 that charm is being threatened by overdevelopment,
 12 and this community doesn't want it. This community
 13 does not want more development. We've spoken very
 14 highly and very loudly at the voting polls. It is
 15 well-known that developers would like to monetize
 16 every square inch of green if you'd let them, and
 17 rezoning from R-R to R-3 would only open up many
 18 more options to this builder that zoning is not
 19 going to be able to necessarily regulate. So I'm
 20 hoping that you will listen to the people of this
 21 community and vote no and vote against this R-R
 22 rezoning. I mean R-3 rezoning and leave it R-R.
 23 We have no problem with that.

24 It's my impression that this PUD that
 25 you're talking about - I've printed this out, tell

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1 me if I'm wrong - the term planned unit development
 2 is used to describe a type of development and
 3 regulatory process that permits a developer to meet
 4 overall community density and land use goals
 5 without being bound by existing zoning
 6 requirements. That's my problem.

7 MS. HEAD: Where did you get that from?
 8 MS. BUETTLELL: Off your website.
 9 MS. HEAD: I don't have a website.
 10 MS. BUETTLELL: So I'm just saying that
 11 there are concerns by many people here of traffic
 12 problems. I think it's already ridiculous on
 13 Brunnerdale. I mean I've had rose bushes die from
 14 exhaust fumes, and I can't imagine being a parent
 15 who's having to watch their kid trying to get on
 16 the bus because the bus almost gets rear-ended
 17 because of the idiots on Brunnerdale and the
 18 traffic's ridiculous. But there's also water.
 19 I've seen the developers. We get the run-off.
 20 I've seen the retaining pond across the street that
 21 doesn't really retain the water too well. It
 22 floods all the time.

23 So those are the concerns of the
 24 individuals in this room. Thank you.
 25 MS. HEAD: Ma'am, would you step back up to

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1 the microphone for a second, please.

2 MS. BUETTLELL: What's that?
 3 MS. HEAD: Would you step back up. Would
 4 you mind please repeating the name and the title of
 5 the person you said you spoke to.

6 MS. BUETTLELL: Joe Underwood, Regional
 7 Planning. Stark County Regional Planning. I've
 8 spoken to him many times.

9 MS. HEAD: Okay. Thank you.
 10 MR. CONLEY: Anybody else who wants to come
 11 up?

12 MS. CRAWFORD: I'm going to come back up
 13 again. No, I'm sorry. Look, 3424 Brunnerdale,
 14 Heather Crawford. Like I'm sitting here watching
 15 everybody and listening to what everybody is
 16 saying, and it's all the same things you've said
 17 before. And I do have like one of the most -- like
 18 I have a huge stake in this, like my yard is right
 19 where that turn-around is. And I'm going to talk
 20 about the flooding. My back yard, we bought this
 21 house, we walked out and we said, wow, this house
 22 is awesome. We have three kids. We have an
 23 amazing house and this amazing yard for them to
 24 play in. My kids never go in my back yard because
 25 they're up to their ankles in water. And it

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1 doesn't matter the time of year.

2 MR. CONLEY: Where's your property? You
 3 said the turn-around.
 4 MS. CRAWFORD: So see the turn-around in
 5 his diagram? That property right there that the
 6 hand's on, that's mine. So that entire back yard
 7 back there, it doesn't matter what we do, it is a
 8 constant swamp. The mosquitoes and everything
 9 else. So you put in a turn-around and cement right
 10 there, like I'm just picturing just water, so much
 11 more. And it makes me mad, but we're not here
 12 against the Zoning Commission. We're not here
 13 against Mr. DeVille. We're just here to protect
 14 our properties and our investments.

15 So there's a time where you guys were kind
 16 of getting mad and sarcastic and hostile. I ask
 17 don't think of it that way, because I mean this is
 18 my investment I'm trying to protect. I want to
 19 call my husband and be like, we have to move right
 20 this minute. That's how I feel right now. That's
 21 how threatened I feel by just coming in and this
 22 happening again. But I'll never be able to sell my
 23 house, not for what I paid for it. And before it
 24 was, Don't talk about house properties. Okay,
 25 great. So everyone else gets to have all this

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1 money and income from this change in zoning, but
 2 screw the people that have houses right there on
 3 Brunnerdale that are already paying for it with the
 4 water, the traffic. I just -- look, it makes me
 5 regret my decision to move into Jackson Township.
 6 And I hate that because I love our schools. The
 7 last thing I want to do is rip my kids out of them,
 8 but I'm not going to sit by and live in a swamp.
 9 Just keep in mind that we're all just people here
 10 to protect ourselves against the rest of the world,
 11 and we have that intention, or that right, I should
 12 say.

13 MR. DEMANGENT: My name's Joe Demangent,
 14 5866 Heather. I really want to speak to all of
 15 you. It's apparent to me, not anybody else, that
 16 you guys have been rehearsed. You guys have made
 17 up your mind and you may deny that, but what I see
 18 here is all of you seem to be advocates for
 19 Mr. Deville's project. I don't think that's your
 20 job. I think your job is to thoroughly research,
 21 listen to both sides objectively. Objectively.
 22 Not already been rehearsed, tutored, reviewed.
 23 This is the first time I've heard this damn plan,
 24 but you guys are real, real aware of it.

25 Now, I have a request. Instead of you

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1 being advocates for Mr. Deville or advocates for
 2 the opposition, you be objective judges of
 3 everything. And in that respect, I ask you to
 4 instead of being advocates, to create for yourself
 5 a critical mind such that you can fulfill your
 6 fiduciary responsibilities. Look at this from both
 7 sides and ask yourself what could go wrong.
 8 There's a whole bunch of questions here that
 9 address what could go wrong. Is the traffic more
 10 or less than you state? Is the water more or less
 11 than you state? Is the retention pond bigger or
 12 smaller? Did any of you get any other input from
 13 any other expert or any other anybody about those
 14 issues? You go to the state, you go to the EPA,
 15 the engineers. I know Mr. Deville. He's a good
 16 businessman. I don't know him personally, but he's
 17 a good businessman. He does take care of his
 18 homework and he has put, I'm sure, countless,
 19 countless hours in lobbying and convincing and the
 20 like, to get this thing on the road.

21 I ask you to be the people's advocate.
 22 That's what you're in those seats for. To be the
 23 people's advocate. Not Mr. Deville's, not mine
 24 personally, but the people's. What is there the
 25 matter with this program? Not just the good. You

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1 guys have stated all the good time and time again.
 2 Almost every single one of you has come out as an
 3 advocate for this program. Not one of you has come
 4 out as an advocate for some of the problems, and I
 5 think that's what you ought to do before you even
 6 get to deciding this. You've got to get all the
 7 facts. Be objective and be judges. Don't be jury.
 8 with that I thank you.

9 MR. CONLEY: We got this book a week ago.
 10 So, you know, the fact that we know something about
 11 the project is because we've been looking at it for
 12 a week. Not because we had some secret meeting. I
 13 haven't talked to any of the other commissioners
 14 about this project ever, period.

15 MS. HEAD: You're right. I feel the same.
 16 We, for every single zoning referendum we receive a
 17 packet ahead of time individually, that is given to
 18 us and we're to go do a drive-by, you can look
 19 online, do our own research. We have to. We can't
 20 come here the first time and hear it the first time
 21 here. But make no mistake, we're not talking to
 22 each other, or Mr. Deville or Mr. Gruber or anybody
 23 else. We're making our own independent decision on
 24 the filing. Just the filing, the black and white
 25 pieces of paper and then sitting here listening to

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1 you, to everybody that speaks.

2 MR. THIEL: I'd like to add, we're a review
 3 board. We are not elected by the people. We're
 4 appointed by the Trustees.

5 MR. DEMANGENT: So all your allegiance is
 6 to the Trustees?

7 MR. THIEL: I don't have any allegiance. I
 8 do this for seven bucks a day or something. I
 9 don't even know what it is.

10 AUDIENCE MEMBER: Not enough.

11 MR. THIEL: It's not enough to cash the
 12 check, you know, this is totally volunteer on my
 13 part. Community service. We serve -- we don't
 14 serve anybody. Our job is not to measure the
 15 progress or the traffic or the flooding. Our job
 16 is to listen to the presentation as presented. I
 17 understand all of you had an election and you
 18 voiced your opinion on a project that was presented
 19 a long time ago, all right? This is a totally
 20 different project. Our job as the review board is
 21 just to review it and say does it meet the
 22 guidelines of Jackson Township's zoning rules.
 23 That's the only thing we do. We don't have any --
 24 I don't even know these people. I don't associate
 25 with them. So I take a little exception to what

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1 you said.
 2 MS. HEAD: I feel the same.
 3 MR. THIEL: That's just the way it is.
 4 MR. DEMANGENT: Okay. You take exception
 5 to all you want, and I hear you, but I didn't say
 6 those things you accuse me of. I said your job is
 7 to be at least very objective.
 8 MR. THIEL: I agree.
 9 MS. HEAD: I agree. We agree with you.
 10 MR. THIEL: We totally agree.
 11 MS. HEAD: We totally agree with you.
 12 MR. DEMANGENT: Now, the simple fact that
 13 you argued with me with my request tells me a lot.
 14 MS. HEAD: No.
 15 MR. DEMANGENT: Please let me finish.
 16 MR. THIEL: I'm not arguing with you.
 17 MR. DEMANGENT: Let me finish. Quit
 18 interrupting me. The simple fact that you argue in
 19 favor of this thing, in favor of your position, and
 20 I'm looking at the presentations, alone says a lot.
 21 It says that you look at nothing else, which I
 22 don't think is appropriate, and that's my opinion.
 23 I think there's a lot of other sources of
 24 information that you as Zoning Commission members
 25 should look at. You don't have to. You don't have

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1 to, but I think you should so you can get a more
 2 balanced perspective. And quite frankly, after you
 3 look at other sources, other objective sources or
 4 even critical sources, after you put that all
 5 together and measure it, then is the time to make a
 6 decision. Not when you just have a couple hours,
 7 or in your case a week or so, to review a very
 8 polished presentation that's probably taken fifty
 9 guys two, three years to put it together, and then
 10 you come here and say well, you're getting input
 11 from the public. We haven't had a chance to look
 12 at that in-depth. Nor have you. I'm saying that
 13 should be part of your responsibility is to look at
 14 the question from all sides.
 15 MS. HEAD: You're making the assumption
 16 we're not doing that.
 17 MR. DEMANGENT: Pardon me?
 18 MS. HEAD: You're making the assumption
 19 we're not doing that.
 20 MR. DEMANGENT: Well, I don't hear it.
 21 MS. HEAD: But you used the word hip pocket
 22 like we were corrupt. You used in your first
 23 go-around, you used the words hip pocket, like we
 24 were in their hip pocket, or you gestured it.
 25 MR. DEMANGENT: I didn't use that.

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1 MR. CONLEY: You said we were in the hip
 2 pocket of the Trustees.
 3 MS. HEAD: You did.
 4 MR. CONLEY: You said it.
 5 MS. HEAD: You said it.
 6 MR. DEMANGENT: I didn't say hip pocket. I
 7 said that you are beholden to the Trustees for your
 8 positions.
 9 MR. THIEL: You've got to go to them
 10 anyway. We're just the review board.
 11 MS. HEAD: We're just the review board.
 12 MR. DEMANGENT: Well, my point is, I don't
 13 think you are a generally objective part for us and
 14 you ought to do something about that. Thank you.
 15 MR. CONLEY: Thank you. Do you want to
 16 respond to that, Jim?
 17 MR. CAMP: I guess I feel compelled to
 18 respond to number one, I think we started out
 19 saying that we would like to keep this respectful.
 20 I have been to a ton of zoning hearings like this
 21 over the years. Inevitably neighbors don't like
 22 something about it. I've heard them say they walk
 23 their dogs on that property, they like to see the
 24 birds on that property, they don't want anything on
 25 it. Craig Snee some years ago when we were

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1 developing the piece of property north of Fox Chase
 2 there were a whole bunch of folks from Fox Chase
 3 who said, We don't want that developed, and that
 4 was single family housing. We like it just the way
 5 it is. We want open space. Everybody wants open
 6 space. And Craig made a statement, well, I grew up
 7 in Jackson Township and I used to hunt rabbits
 8 where you now live and I still would like to hunt
 9 rabbits there, but I can't because you're living
 10 there. But the point with this whole thing is
 11 frankly, the Zoning Commission and the Trustees are
 12 in a box and Joni is in a box because this never --
 13 this should have been changed from R-5 a long time
 14 ago, and I'm not sure whether all of you, when the
 15 condominiums went in across the street on
 16 Brunnerdale, were you at that meeting opposing
 17 those condominiums?
 18 AUDIENCE MEMBER: We weren't even notified.
 19 AUDIENCE MEMBER: Nobody ever got notified.
 20 MR. CAMP: There were signs up.
 21 MR. CONLEY: Let Mr. Camp finish.
 22 MR. CAMP: So I guess the only thing I'm
 23 saying is that this is a problem, because I guess I
 24 would challenge you before you go to extraordinary
 25 efforts, to hire a competent land planner from

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1 Cleveland to Akron, someplace far away, and have
 2 them come down and evaluate that piece of ground
 3 and say, what's the highest and best use? That's
 4 the job of the Zoning Commission and the Trustees
 5 is to not say, We aren't going to do anymore
 6 development in Jackson Township. If that's what we
 7 want to do, we're all going to pay higher taxes for
 8 the things we want. They don't come free.

9 AUDIENCE MEMBER: I'm going home. We're
 10 done.

11 MR. CONLEY: Okay.

12 MR. CAMP: Thank you very much.

13 MR. CONLEY: Thank you.

14 MR. PARRISH: My name is Craig Parrish. I
 15 appreciate what you said, but this isn't rebuttal
 16 time. And I hope we'll all be respectful of
 17 everybody in this room, the citizens, the members
 18 here of the Zoning Committee, the Trustees. We
 19 have to be respectful of each other. We have very
 20 differing opinions. We have different interests
 21 and different concerns, but we do need to be
 22 respectful of each other, but this business about
 23 what the best high value use of any piece of
 24 property in the Township is, that ought to come
 25 back to the citizens of the Township to make that

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1 decision. And that's what we had to do last
 2 go-around, and that's the point that's been made.
 3 And though we have legitimate questions, we have
 4 legitimate concerns, we're just asking for you to
 5 take the time to make your decision, think through
 6 all the issues and the concerns that have been
 7 raised.

8 I think to make a decision tonight after
 9 this presentation is awfully quick. I would
 10 suggest humbly that you recess, take some time,
 11 reconvene at some later point and make your
 12 decision based upon the info that you've been given
 13 and any further research that you need to do, but,
 14 again, being mindful, you know, the Township has
 15 spoken in terms of what they would like to see done
 16 or not have done. I know that's not your job, but
 17 you've got to think about the people, the community
 18 needs to be represented. All right. That's all I
 19 have. Again, we need to be respectful to each
 20 other.

21 MR. SMITH: Hi, my name is Tony Smith, 6114
 22 Groton Street. My perspective is three houses west
 23 of Brunnerdale. The problems I see with some of
 24 the things we've been talking about and perspective
 25 is we don't have any ground, visual pictures of

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1 what that intersection looks like, where Groton
 2 comes to Brunnerdale, also where the new street is
 3 coming to Brunnerdale. As a lot of you guys know,
 4 Brunnerdale, Hills & Dales is kind of in a bowl.
 5 That intersection is in a bowl. As you head south,
 6 you're going up a hill, where that perspective, or
 7 where that house is going to be torn down, you're
 8 still going up the hill. So once you get to the
 9 top of those hills, those people have a green light
 10 that are heading south, but -- there is no
 11 pictures. Okay, there we go. Nice. The reason
 12 why that intersection on Groton is so scary is
 13 because you don't see people coming who just caught
 14 a green light going south who are going 45 miles an
 15 hour. So if you say you're building condos. That
 16 is difficult. I live across the street from
 17 condos. And then there's some other ones, Cedar
 18 Dale, I don't know how many people are there, it's
 19 a nice size place. There's a lot of traffic coming
 20 out on the road. People come out, turn left, turn
 21 right. Turning right is no problem; turning left,
 22 though, you're going to have to hit the 10,000 cars
 23 daily going up and down that street.

24 It's very hard to get an idea of how fast
 25 these cars are coming, you know, how you've got to

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1 hit it, you've got to make a quick decision.
 2 You've got school buses in the morning. Okay. So
 3 now we're going to build a condo unit where the
 4 gentleman from Cutler's advertising it as folks
 5 that are elderly. Now, elderly is a scientific
 6 fact that once you get older, your reflexes don't
 7 -- are not as quick as when you're younger in life.
 8 It's a fact. That's why I said, that I'm not
 9 speculating like some other folks have done
 10 tonight. So with these people turning left out of
 11 this new development, this is a dangerous
 12 situation. So once people die or have some very
 13 bad accidents, they're going to reconstruct this
 14 intersection, and what's going to happen is like
 15 these people from this new condo are not going to
 16 be able to turn left anymore because it's
 17 dangerous. I've heard these talks from the last
 18 time we dealt with this problem.

19 So what's going to happen now is they're
 20 going to say left-hand only. Well, me living on
 21 Groton, what I'm going to have is people turning
 22 down into my neighborhood, shooting up Groton,
 23 turning left so they can turn right into the
 24 condos.

25 AUDIENCE MEMBER: Yes.

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1 MR. SMITH: That's exactly what's going to
2 happen. So that's my problem with the traffic.
3 10,000, we're going to get more from the
4 development up in Belden Village. We've got 69
5 units, 1.7 drivers per unit, that's well over
6 another 100 going from and coming back, that's at
7 least a couple more hundred cars a day. So that
8 was my argument for traffic.

9 Okay. Now the water. I mean just quick
10 the water. I live on Groton, three houses from
11 this intersection. On July 5th there was a pop-up
12 storm that stayed right around our neighborhood for
13 an hour or two. We had over three inches of rain.
14 We had cars coming out of in front of the condos,
15 Cedar Lane condo complex. We had cars break down,
16 one who got destroyed. Obviously the drain system
17 is not working there. Since I've been there in ten
18 years, this has happened a half dozen times.
19 Before you guys make a decision - one, going back
20 to the traffic - before you make a decision, I
21 would like for you guys or someone to investigate
22 how many accidents actually do happen at Groton,
23 because I really - has that been studied - because
24 I really do think that is a problem.

25 MR. CONLEY: I asked Chief Brink before the

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1 meeting if there were a significant number of
2 accidents on Brunnerdale. I'm not talking about
3 the intersection. I understand that Hills & Dales
4 and Brunnerdale is a heavy intersection. On
5 Brunnerdale itself, his answer was very, very few.

6 AUDIENCE MEMBER: Oh, that's not true.

7 MR. CONLEY: He's the chief. Maybe you're
8 smarter than him. I don't know.

9 AUDIENCE MEMBER: How long's he been
10 around?

11 MR. CONLEY: How long has the Chief been
12 around?

13 CHIEF BRINK: You guys are welcome any time
14 to come, give me a call. I'll provide the stats
15 for you. It's not a problem at all.

16 AUDIENCE MEMBER: Okay.

17 CHIEF BRINK: You can look at the stats. I
18 can tell you, when you look overall in Jackson
19 Township, because of the heavy traffic here, we
20 have a lot of accidents. I can tell you exactly,
21 but you were talking to Major Bissler who gave you
22 that number, though, earlier in the evening, but
23 I'm more than glad to provide that to you folks.
24 If you want it, let me know.

25 AUDIENCE MEMBER. Okay.

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1 MR. SMITH: Okay. One last thing, because
2 we've got to go watch the Browns play. Our
3 Trustees, are our Trustees here tonight?

4 MR. CONLEY: Mr. Thomas is a future
5 Trustee.

6 MR. SMITH: But our other Trustees are not
7 here?

8 MR. CONLEY: I don't see them.

9 MS. POINDEXTER: They can't attend a Zoning
10 Commission meeting.

11 MR. SMITH: Oh, they're not allowed?

12 MS. POINDEXTER: No. They cannot hear it
13 until it comes before them.

14 MR. SMITH: Got you. All right. Thanks
15 for the answer.

16 MS. POINDEXTER: Sure.

17 MR. SMITH: Have a good evening.

18 MR. CONLEY: Okay. We've had about an hour
19 and ten minutes of that. If there's one more
20 person that wants to speak, I'd love to have you.
21 It's up to you. I said in the beginning that if
22 you wanted a couple minutes at the end, you could
23 do it, but you certainly don't have to.

24 MR. DEVILLE: Yeah. I won't take a bunch
25 of everyone's time. Just a couple things, I guess.

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1 There was comments again about density, and I
2 believe Ms. Head repeated that correctly, that
3 under the single family density requirements under
4 the R-R restriction, there could in fact be as many
5 as 86 units, where we're proposing 69. That's just
6 the numbers.

7 MR. SUTTER: Well, I have a question about
8 that.

9 MR. DEVILLE: Go ahead.

10 MR. SUTTER: So there are a lot of wetlands
11 on it. As I read it, maybe a third of the property
12 has wetland issues.

13 MR. DEVILLE: Uh-huh.

14 MR. SUTTER: So each lot requires a certain
15 amount of square footage for R-R. So I think that
16 statement is not quite accurate.

17 MR. DEVILLE: No. From the mere density
18 calculation.

19 MR. SUTTER: Yes.

20 MR. DEVILLE: It's an accurate statement.
21 From what could actually be developed --

22 MR. SUTTER: Actually what could be
23 developed, I think it's a different number.

24 MR. DEVILLE: I totally agree. It's the
25 same thing with my development. We exclude that.

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1 In our density, we could be permitted up to 138
 2 units. We're only requesting the site specific
 3 plan of 69. So you're correct. There was
 4 obviously a lot of mention of the water run-off.
 5 And again, John is the expert on that, but
 6 literally on all sides, with the exception of the
 7 east part of the parcel in question, all the water
 8 off of Brunnerdale, off of the homes on
 9 Brunnerdale, off of the homes in the Springdale
 10 Allotment literally drains down into this subject
 11 parcel. That's not a complaint. That's not a
 12 concern of mine. I don't want to say concern.
 13 Obviously it's concerning, but just the mere fact
 14 that we're just not adding to the flooding. We're
 15 not. We're reducing it, with a potential of
 16 reducing it. We can't stop what already exists in
 17 that flood zone, that 100 year flood zone. That's
 18 been there forever. It's always going to be there.
 19 Nothing I do is going to change that, make it
 20 worse. Any other development up the street
 21 upstream or downstream. I mean it is what it is,
 22 and I'm not saying that's something that anybody
 23 here has any control over. We have control over
 24 what we can do on our site and we're taking those
 25 steps to control it and reduce the water.

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1 AUDIENCE MEMBER: Mr. Deville.
 2 MR. CONLEY: No.
 3 AUDIENCE MEMBER: I don't want to fight
 4 with him. I just want to ask him a question.
 5 MR. CONLEY: No.
 6 MR. THIEL: All right. What's the
 7 question?
 8 AUDIENCE MEMBER: Let's go. I've never
 9 been so disrespected in this building. Thank you.
 10 MR. CONLEY: Look, in the beginning I set
 11 the ground rules. He had an hour and fifteen
 12 minutes. Opposition had an hour and fifteen
 13 minutes. At the end I asked does anybody else want
 14 to speak. Nobody asked to speak. If she wants to
 15 speak after we close, then that's a problem that I
 16 can't handle, that anybody else can just pop up and
 17 decide now's the time I want to talk. He's going
 18 to finish and the public speaks is going to be
 19 over, which was what I said in the beginning.
 20 Okay.
 21 MR. DEVILLE: And the only other comment I
 22 have is, again, relates to the density and the
 23 prior plan just referenced the last time around
 24 very honestly, there was 150 multi family units,
 25 and I believe 23 single family units in

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1 comparison -- so that being 173 in comparison to
 2 the 69. Those are the differences in the plans
 3 from then till now. This is site plan specific
 4 again in the end. Unless you gentlemen have any
 5 other comments at all, I think that concludes.
 6 MR. CONLEY: Thank you.
 7 MR. DEVILLE: Thank you.
 8 MR. CONLEY: All right. We're going to
 9 close it to public comment. Thank you so much.
 10 Okay. Now to you. Let me explain what we look at
 11 and then what we don't look at. The Zoning
 12 Commission makes a recommendation to the Trustees
 13 on whether we feel that the proposed rezone is
 14 appropriate for the Township as a whole. We do not
 15 look at flooding. We don't. That is for the
 16 developer to work out with Regional Planning and
 17 the other people who make those final
 18 determinations. No developer - and I'm sorry that
 19 the lady left - no developer is allowed to have
 20 more water flow from the property than what
 21 currently flows. And that's just a rule. Does it
 22 happen? I suppose it does, but they're not
 23 allowed, and he is not allowed. And he's said more
 24 often than we need to hear that their intent is to
 25 do what the folks require them to do in terms of

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1 water retention. We don't look at it because
 2 that's somebody else's job. We have some
 3 responsibility to look at safety, although that's
 4 primarily the chief and the fire department that
 5 are concerned about that.
 6 MR. THIEL: Traffic.
 7 MR. CONLEY: And we make what are our best
 8 decisions based on what we hear, what we know by --
 9 I've walked that ground. I know I think you have
 10 also, but I've driven down Heather, gotten out,
 11 walked the whole thing. So I know what it looks
 12 like. I know where the wetlands are, I know where
 13 the woods are, and I think I've got a pretty good
 14 idea of what ultimately makes sense. Flooding
 15 ain't part of it.
 16 Okay. Now, Joe, I understand you feel that
 17 our comments and questions indicated a bias, and I
 18 appreciate that is your, what you feel, but when
 19 somebody says, we don't want anymore apartments, I
 20 think I have an obligation to say, there aren't
 21 any, okay? Not because I'm doing his job for him.
 22 I just think that the audience ought to know when
 23 somebody says, we don't want anymore apartments,
 24 and there aren't any, that that ought to be clear.
 25 AUDIENCE MEMBER: I didn't say that.

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1 MR. CONLEY: You did not.
 2 AUDIENCE MEMBER: Right.
 3 MR. CONLEY: You did say I was beholden to
 4 the Trustees.
 5 AUDIENCE MEMBER: I just said ask some
 6 questions.
 7 MR. CONLEY: And I agree. And our job is
 8 to be as objective as five fallible human beings
 9 can be. All right. Matt, are you ready to make
 10 any comment?
 11 MR. SUTTER: Sure, I'll do it. I'll start.
 12 MR. CONLEY: All right.
 13 MR. SUTTER: So I will preface this that
 14 I'm an architect, so I come from a planning
 15 standpoint. So interesting thing too is, you know,
 16 I've got a little bit of background in this type of
 17 planned unit developed. Where I grew up, that's
 18 all there is, and where the density is a little bit
 19 tighter, but then that gives you plenty of room to
 20 have open space, green space. Where I came from, a
 21 lot of walking paths, and it can be a very nice
 22 arrangement. However, my comments on this plan, it
 23 seems a little bit tight to me, to be frank. There
 24 are some units that just feel like they've been
 25 squeezed in and the density's a little bit too much

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1 for the geometry of the site.
 2 So I think for me, I like the concept of
 3 this, but I think right now there are just -- there
 4 are a number of units that are squeezed in in
 5 places where it feels uncomfortable to me. So I
 6 don't know, at this point I think I can support the
 7 overall concept, but some of the way things are
 8 laid out, you know, are a little bit of a
 9 difficulty to me and they feel too tight, like
 10 they're not oriented in the proper position, there
 11 are a few units like that and a few units that,
 12 yes, they meet the setbacks, but they're very close
 13 to the road off of Brunnerdale. Some of the
 14 traffic concerns with the speeds that people are
 15 going. So I look at a couple of those things.
 16 So in my mind, I would like to see this
 17 tabled for a few weeks on this, but overall, I
 18 think it's a pretty solid plan.
 19 MS. HEAD: So there's a lot of research
 20 that goes into this, and it's not that we're on a
 21 side, because we're clearly not. I've been here
 22 for now three hours. I already have seven hours in
 23 the planning of this. This meeting pays \$40 plus
 24 tax. I've gone backwards tonight, honestly. So
 25 We're not doing this for money or prestige or any

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1 of those other things. We're not beholden to
 2 anybody. We're not in anybody's hip pocket. We're
 3 clearly in an adversarial position making difficult
 4 decisions. When it comes down to brass tacks, we
 5 are making a determination if the rezone is
 6 appropriate for an area based on the laws that are
 7 already set forth in the zoning.
 8 We hear all of you. We hear every one of
 9 you. We've heard every one of your comments and we
 10 keep your names, writing comments down. We do have
 11 to assume, and I think this is where I discount a
 12 lot of -- I won't say discount. Where I have to
 13 kind of weed out of my head a lot of the comments
 14 that have been made.
 15 We have to assume, we have no choice but to
 16 assume that the people that have been hired to make
 17 these plans, the architects, the people that deal
 18 with the water and the wetlands and the distances
 19 and traffic and all these things, that they are
 20 much smarter than me and the information they put
 21 inside this book is fact. The fact that the page
 22 that had all the -- that one. I wouldn't know the
 23 difference between this wetland and that wetland,
 24 but I do see on that map that it follows to the
 25 letter the requirements and more for what stays

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1 green and the zoning plan that's been - excuse me -
 2 the drainage plan that's been created for that
 3 area. I have to assume that it's going to do
 4 exactly what it says it's going to do, because I
 5 have no choice, A, because I don't do that for a
 6 living, but also, the people that are hired to make
 7 this determination is saying, we're not going to
 8 have an impact on the things around us. Therefore,
 9 the water problems that I can appreciate, having
 10 gone through that myself, I appreciate where you're
 11 coming from, that I also am saying, both thinking
 12 that this unit will not change the water problems
 13 that people already have, because this is going to
 14 take care of its own water. Because the plan as
 15 put forth requires that this developer makes sure
 16 that that water doesn't impact anyone else. So the
 17 water that's there, it's going to be the water
 18 that's there. There's still going to be water
 19 problems. Water problems on the properties that
 20 are around. Not because of this property.
 21 The traffic on Brunnerdale, 10,000 cars a
 22 day. If you add 1.7 cars to 69 units, that's about
 23 100 cars, that's 1% of the cars, that's a
 24 difference of 1% traffic. Brunnerdale is busy.
 25 It's going to remain busy. It's going to be busy

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1 whether this development exists or not. And this
 2 development is not going to materially impact by
 3 100 cars that would be added by this development's
 4 existence. So, again, I appreciate that fact. I
 5 appreciate that the traffic, and the bus - my gosh,
 6 I can't imagine the horror she must feel with
 7 that - it's not going to change if this development
 8 exists. That bus, she's going to go through the
 9 same thing when her baby's getting on and off that
 10 bus on Brunnerdale because Brunnerdale's a very
 11 busy road. This doesn't change it. It doesn't
 12 make it worse; it doesn't make it better. The
 13 difference in impact is immaterial. It is 1%.

14 We all have free will to buy a property and
 15 to do with that property what we wish to do with
 16 that property. I own a home. I can plant trees, I
 17 can cut down trees and I can do whatever my
 18 property allows me to do. I cannot put a
 19 McDonald's on my property. Zoning doesn't allow
 20 it. Therefore, I can't do it. As much as I like
 21 my McDonald's, I can't do it. Mr. Deville owns
 22 this property. He has the right to ask for a
 23 rezone, and he is a developer, and he has the right
 24 to ask for whatever the zoning rules allow him to
 25 ask for, and he's allowed to ask for this, and he's

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1 allowed to have it if it's approved. If I don't
 2 like my neighbors, if I like having my neighbor's
 3 property empty, the vacant land that's behind my
 4 house, if I want to change that, I have to buy it.
 5 If I don't own it, I really can't control it. And
 6 I appreciate what's being said, but when it comes
 7 down to it, we all own property and we can do with
 8 that property what is allowed with that property.
 9 The traffic sight distance, the traffic sight
 10 distance study is interesting to me. Is
 11 Brunnerdale, Joni, a County Road or a Township
 12 Road?

13 MS. POINDEXTER: County.
 14 MS. HEAD: County Road?
 15 MS. POINDEXTER: I think it is.
 16 MS. HEAD: Pardon?
 17 MR. CONLEY: It's County.
 18 MS. HEAD: I think it's County. I'm pretty
 19 sure it is. So not every -- most of the
 20 thoroughfares inside Jackson Township are not
 21 Township roads. Fulton is a State road. The other
 22 big roads are County roads. So if you don't like
 23 the speed limit on that, we can't change it.
 24 Jackson Township can't change the speed limit on a
 25 County road. It's maintained by Stark County. If

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1 there is problems on Groton, I think is how it's
 2 pronounced, and the other roads coming in and out,
 3 then by all means, the Stark County Engineers is
 4 certainly the next phone call somebody should make
 5 tomorrow morning and say, Hey, we need to look at
 6 that, because nobody should be screeching to a halt
 7 behind a school bus. Nobody should be. But the
 8 existence of that allotment again doesn't
 9 materially change that. We're talking 1.7 cars for
 10 every unit, about 100 units. The only way it would
 11 change is if you're all leaving at the exact same
 12 time every day.

13 I heard everything that was said. I wrote
 14 down names, I wrote down instances. I don't want
 15 anybody to think for a second that we don't take
 16 any of this seriously. But I also don't want
 17 anybody to think for a minute that we are beholden
 18 to anybody or that we're being groomed or talked to
 19 outside of this room. We have not talked about
 20 this. We have not talked about this. We make our
 21 own decisions based on what we're allowed to base
 22 our decision on and nothing more. Thanks.

23 MR. WESTON: I applied for this position
 24 because of sitting in this room and being a part of
 25 the discussion that I did not like, and Todd Hawke,

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1 one of the Trustees, said, well, he says, if you
 2 want to see change, then we have an opening coming
 3 up in the Zoning Commission in the next year. So I
 4 applied for it for the very reason to be a part of
 5 this. I don't know what's coming up here, but
 6 definitely volunteering or being part of the, you
 7 know, the Township I think is a very valuable part
 8 to be able to listen and to hear and we do really
 9 listen.

10 We had a property recently, I think it was
 11 this year, that was in question because the person
 12 who had the property did not pay attention to
 13 detail. They were an inexperienced developer. And
 14 as we listened to them, as I listened to them, I'm
 15 like, they are not going to develop this property
 16 in the proper way. I did not feel confident in
 17 their ability to actually make their property good
 18 for the neighbors. We even did a step-down between
 19 two different properties. And so it was a very
 20 easy no. And we look at all of these -- I want to
 21 say I. I can only speak for myself. Like I look
 22 at these things to say like what really does make
 23 sense. And Jackson is a great place to live and I
 24 know a lot of folks who say they feel like moving
 25 out to Northwest or to Tuslaw for the farmland

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1 again, because that's what it is, until it
2 develops, but it's like there is development and it
3 does continue. It is a great place to live. A lot
4 of people want to be here. And for our retirees to
5 have this place, I mean looking at this plan four
6 years ago when we were in this room and looking at
7 it now, seeing the way less units, it's a very,
8 very clean map, taking into consideration the
9 traffic, taking into consideration the design and
10 the build and creating that open space, and I had
11 somebody last time that said I was in -- I'm sorry.
12 I just want to call you Dan or Don. Don. They say
13 that I was in your pocket when I was walking in
14 this room. I've never talked to you before in my
15 life other than here. I don't know any of you
16 gentlemen. And those are like very frustrating
17 comments to hear. And somebody asked me the other
18 day, why are you on this? Do you get any business?
19 I said, No. I just get hated. So believe me, it
20 is not a fun time being up here, but we do look at
21 these things and there's a lot of times when we say
22 no, but this, as much as it like may feel like it
23 stinks for the neighbors, I get it. There's houses
24 going in at the very end of my development, and it
25 was completely open, it was just an empty

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1 cul-de-sac, and the guy who owns the property,
2 lives on the other side, and they just take
3 whatever construction vehicles just up and down the
4 road all day, and it is frustrating, and I totally
5 get it, but I feel like looking at the plans, the
6 setbacks, the open air space, having it as a PUD,
7 and, Don, it's like you -- I don't discount that
8 you're going to make money on this. I don't know
9 any person who's in business who's going to go into
10 a venture and not make money, and I don't see any
11 reason why you're going to build in the heart of
12 Jackson Township and build junk. It doesn't make
13 sense to build junk and to make a shoddy thing in
14 an area that goes for a lot of money.

15 And if anybody's bought or sold a home
16 recently, and my wife's a real estate agent, and it
17 is incredible how the values of the homes in this
18 Township can, just going north to Green or going to
19 any other townships contiguous to us, it is such a
20 difference in this township what people really pay
21 for. The demand is there, because this is a great
22 place to live, and I don't have any doubts that the
23 price point for these are going to be an issue. I
24 mean I see it. I see the other stuff and my wife
25 buys and sells weekly, and you see this stuff

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1 happening and I just -- I do feel very confident in
2 looking at this, especially from looking at it,
3 wherever how many years ago it was till now and how
4 much more you've like taken all the concerns, and I
5 feel really addressed them in a way that is -- that
6 does make sense and trusted by the engineers to
7 work on this. It's a formidable plan. I feel it's
8 going to be a great addition to that area in terms
9 of what are the possible outcomes for a
10 development.

11 I love kids, I have four, but having the
12 traffic of a retirement village versus a bunch of
13 families, it's a lot less people coming in and out.
14 I mean it's not like my neighborhood's full of kids
15 riding their bikes and people running down the
16 street, you know, people driving down the streets
17 too fast, but this isn't going to be that same
18 neighborhood. I feel like this is, I would prefer
19 this one if it was my neighborhood, but I just want
20 to, you know, coming from just straight from the
21 heart, I'm not near as polished as Ms. Head was in
22 her comments, but that's just kind of my feeling
23 from looking at where it was before, where it is
24 now, the location of it and just kind of going
25 forward, so --

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1 MR. THIEL: I listened to David, Kessler,
2 Chuck, Mike, Patty, Tony, Joe, and we heard -- I
3 heard you. I heard five of you talk about a vote
4 that people in the Township passed in prior months.
5 That was on a totally different project. This is a
6 different project. If you want to go to a vote
7 again, that's your right and it's the process. I
8 don't have any problem with that. As far as in an
9 advisory capacity, based on what you've heard and
10 seen, based on what I've read, based on what you've
11 told me, the developer has met or exceeded almost
12 most or all the issues that we had in the past.
13 And I mean we don't deal with issues of water. We
14 have limited input into traffic. I've heard the
15 Chief and I've looked at the studies of traffic
16 count. I don't believe that's going to be a major
17 issue. I think the developer has a decent plan.
18 All we can do is make a decision that it meets the
19 rules and regulations of the Jackson Township
20 Zoning Board, zoning rules and regulations, and you
21 take it to the Trustees. And that's what we do.
22 So that's my comment.

23 MR. CONLEY: I think our job's a little
24 more than that, David. It is not just that it
25 follows some basic core standards.

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1 MR. THIEL: It's a process.
 2 MR. CONLEY: Does it meet something
 3 approaching best use? And that's where I think
 4 your opinions are your opinions. The neighbors I
 5 think generally, or maybe unanimously, feel this is
 6 not the best use, but what the Township
 7 overwhelmingly turned down a few years ago was
 8 nothing that looked like this. And I'm not
 9 presuming that the Trustees will vote in favor of
 10 this. I have never spoken to a Trustee about a
 11 project that I don't know, but this is not the same
 12 thing. I really appreciate Matthew's comments that
 13 the density in his view may be a little too high,
 14 and I respect that. Architect's opinion.
 15 Overall the plan, you know, the old plan
 16 called for an exit into your neighborhood. This
 17 one doesn't. The old plan was for multi family.
 18 This one isn't. The old plan, had it been
 19 approved, would have left the design of the project
 20 in the hands of the developer. This one doesn't.
 21 The design is the design. I think it's a pretty
 22 good one.
 23 I'm going to ask somebody to make a motion
 24 to approve. And again, a motion to approve does
 25 not mean you're going to vote for it. It's just to

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1 get it on the table.
 2 MR. THIEL: I make a motion for approval of
 3 Amendment 641-19.
 4 MR. WESTON: Second.
 5 MS. POINDEXTER: Mr. Thiel?
 6 MR. THIEL: Yes.
 7 MS. POINDEXTER: Mr. Weston?
 8 MR. WESTON: Yes.
 9 MS. POINDEXTER: Ms. Head?
 10 MS. HEAD: Yes.
 11 MS. POINDEXTER: Mr. Conley?
 12 MR. CONLEY: Yes.
 13 MS. POINDEXTER: And Mr. Sutter?
 14 MR. SUTTER: No.
 15 MR. CONLEY: All right. The recommendation
 16 will go to the Trustees to approve. The meeting
 17 will be same as the other one?
 18 MS. POINDEXTER: December 10th, yes, and
 19 those that receive notices will receive notices
 20 again for the time.
 21 MR. CONLEY: Anything else we need to
 22 address?
 23 MS. POINDEXTER: Yeah, I do have minutes
 24 from the August 22nd meeting, and everyone except
 25 Matt can vote on them.

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1 MR. THIEL: I move they be approved.
 2 MS. HEAD: I second.
 3 MS. POINDEXTER: Okay. Mr. Conley?
 4 MR. CONLEY: Yes.
 5 MS. POINDEXTER: Mr. Weston?
 6 MR. WESTON: Yes.
 7 MS. POINDEXTER: Ms. Head?
 8 MS. HEAD: Yes.
 9 MS. POINDEXTER: Mr. Thiel?
 10 MR. THIEL: Yes.
 11 MS. POINDEXTER: And Mr. Gantz?
 12 MR. GANTZ: Yes.
 13 MS. POINDEXTER: All right. That's all I
 14 have.
 15 MR. CONLEY: We're adjourned.
 16
 17 - - - - -
 18
 19 (Meeting adjourned at 8:22)
 20
 21 - - - - -
 22
 23
 24
 25

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1 C E R T I F I C A T E
 2 STATE OF OHIO)
 3 STARK COUNTY)
 4 I, Deanna Gleckler, a Registered
 5 Professional Reporter, Certified Realtime Reporter, and
 6 Notary Public in and for the State of Ohio, duly
 7 commissioned and qualified, do hereby certify that the
 8 within meeting was by me reduced to Stenotypy and
 9 afterwards transcribed upon a computer, and that the
 10 foregoing is a true and correct transcription of the
 11 testimony so given as aforesaid.
 12 I do certify that this Meeting was taken at
 13 the time and place in the foregoing caption specified. I
 14 do further certify that I am not a relative, counsel or
 15 attorney of either party, or otherwise interested in the
 16 event of this action.
 17 IN WITNESS WHEREOF, I have hereunto set my
 18 hand and affixed my seal of office at Salem, Ohio on this
 19 3rd day of December, 2019.
 20
 21
 22 DEANNA GLECKLER, RPR-CRR, Notary Public
 23 My commission expires 1-6-20.
 24
 25

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Mr. Thiel made a motion to recommend approval of Amendment 641-19.

Mr. Weston seconded the motion.

The vote was: Mr. Sutter- No, Ms. Head-yes, Mr. Thiel-yes, Mr. Weston-yes, and Mr. Conley-yes.

Ms. Poindexter stated the amendment will go before the Trustees on December 10th and those that received notices will receive them stating the date and time of the hearing.

Mr. Thiel made a motion to approve meeting minutes from the August 22, 2019 meeting

Ms. Head seconded motion.

The vote was: Mr. Gantz-yes, Ms. Head-yes, Mr. Thiel-yes, Mr. Weston-yes, and Mr. Conley-yes.

Being no further business Mr. Conley adjourned the meeting.

Sincerely,

Joni Poindexter
Jackson Township Zoning Inspector