

Jackson Township Zoning Commission Meeting Minutes  
June 26, 2025

Members Present: Rich Cosgrove  
Dustin Wiggins  
Justin Gantz  
David Calveski  
Erin Domenico  
Zoning Inspector: Joni Poindexter  
Absent Members: Joshua Taylor-Alternate

**5:00 PM Amendment 20250421** – Vail Capital Group LLC, 7266 Portage NW, Massillon, Ohio 44646 agent for 2820 Farm LLC, property owner, 6472 Amblewood NW, Canton, Ohio 44718 proposes to rezone R-R Rural Residential District to R-3 Planned Unit Development District, approx. 25 Acres, Parcel # 1612828 located on the northwest corner of Perry and Brunnerdale, Sect. 34 SE Jackson Twp.

Mr. Cosgrove read the file application into the record.

Those in favor of the amendment.

Mark Memmer, 7266 Portage NW, Massillon explained he is a member of the Vail Capital Group. He is seeking zoning approval to a PUD 3 for the north side of the property. They also own the piece on the south side in which a preliminary plan is on file with RPC. This will be a detached single family development. Mr. Memmer showed a short video presentation Cypress Point and stated that this is a high end product that will be single story homes for empty nesters. He builds custom homes in the township and a lot of people are looking for this type of home. He feels there is a need for this. The property is currently one parcel. The portion on the north is what requested to be rezoned to R-3, and the southern portion will remain R-R. On the south side there will be 50 lots that will be being built as zoned R-R. The R-3 will be a maintenance free neighborhood. They have received preliminary approval from access management along Perry Drive and they are required to connect to Edinburg to the north. There is a retention pond that will manage their water along the eastern portion of the property. All of the R-3 regulations have being met. There will be a landscape mound along Brunnerdale and the adjoining properties for privacy.

No one else spoke in favor of the amendment.

Those in opposition to the amendment.

Mike Mast 3160 Modred Circle NW explained that his concern is the additional traffic on Edinburg as well as the traffic on Brunnerdale. When Hawks Nest crossing was put in there was an emergency exist on Trillium so they would like to see the same thing for Edinburg.

Don DeVille, 2807 Perry Dr. NW explained that he has his counsel with him but he will be speaking in opposition. There are 8 residential zoning districts in the township. The request is the 5<sup>th</sup> densest classification in the township. This will be an island of an R-3 PUD in the middle of an R-R zoning. Zoning section 401.1 (f), paragraph 2, calls out the classification for the PUD. It states this may occur between residential and multi-family zoning classifications, or residential and commercial zoning classifications, and shall have access onto an arterial, collector or local street according to the Stark

County Area Transportation Study street classification, and as determined to be compatible with surrounding land uses and appropriate for the area when considered within the context of an integrated development plan consistent with the PUD. It is not between residential and multi-family or residential and commercial and it fails to intergrade with the overall development for Jackson Township. This plan is inconsistent with the comprehensive plan. The proposed plan fails to meet the criteria to protect health, welfare and safety. The density in the R-3 allows for up to 6 units per acre for attached and 2.2 units for detached. He knows the plan complies with the density requirements but the R-3 would be in the middle of an R-R district. It would alter the character of the neighborhood and be detrimental to property values. He thinks this would be spot zoning. Spot zoning occurs when zoning is different than others surrounding it. It creates an island surround by incompatible uses. If rezoned it would be spot zoning. The request benefits the land owner rather than general properties. The R-3 would create an incompatible island of density. It would disrupt the established neighborhoods. The R-3 requires a 25 ft. setback from R-R but it is insufficient. If zoned R-R they could only have about 25-28 lots with the infrastructure. This R-3 plan will have 51 single family lots. There is no transition from the R-R to something denser. The proper planning should be gradual transitions. He thinks the township needs to consider the criteria in 805.10. This services private rather than a public interest. He is opposed to the rezoning request.

Mike Gruber, 4580 Stephen Circle stated section F of the PUD says "may" and this has come up in the past. It means you may or may not approve it and it has the standards you must use which is between multi-family or commercial. Section 519.021 of the Ohio Revised code says you must have standards. When you use "may" you have to follow the standards. It has to be adjacent to multi-family or commercial.

No one else spoke in opposition to the amendment.

Mr. Cosgrove closed the amendment to public input and asked Mr. Memmer if he would like to respond to the comments.

Mr. Memmer stated the layout that they have has the main entrance on Perry Dr. They have to connect to the Edinburg per Stark County Regional Planning no matter residential classification it is zoned.

They have open space and a lot of road frontage. They have a high end product with side courtyards. They have 33% of green space verses the required 25%. They are surrounded by R-1 so the existing R-R is like an island itself. The housing study calls for this type of development. They offer different options to people to stay in the township that don't want the larger homes. The R-3 allows the township to have the ultimate say. Whatever is approved is what they have to build. Memmer homes builds high end products and will not bring down property values. Currently this is a farm field that bring no tax dollars to the township. This development will bring tax dollars to the township but will not add to the burden of the schools because it is geared toward empty nesters. They feel there is a need and a want for this type of development. Mr. DeVille has the same type of development right down the road. However, these are detached single family units as opposed to his attached units.

Memmer stated the retention ponds needs to be where it is and they have to connect the roads. They are limited as to what they can do on the property.

Mr. Gantz stated that an R-1 would bring in 37 units.

Mr. Cosgrove stated they can only look at what is before them.

Mr. Wiggins stated that Mr. Memmer mentioned that there is an approval letter for access to the property.

Mr. Memmer stated that they have preliminary approval for access for the property onto Perry and also onto Brunnerdale on the south side.

Mr. Calveski asked if they considered rezoning for the R-R portion that is on the south side of Perry.

Mr. Memmer stated that they thought about it but he thought it would be better to leave the R-R on the south side as is. The R-3 portion warrants something different. It fits well and provides what people want.

Mr. Calveski stated, regarding spot zoning, if the property to the south were rezoned it would be a better step down.

Mr. Gantz stated he thinks the plan handles the density well and agrees with the language regarding saying "may". The step down is relevant. If there was an R-2 around it he would be fine with it.

Mr. Calveski stated the point is compelling.

Mr. Cosgrove asked Ms. Poindexter if Mudbrook Village is an R-3 PUD.

Ms. Poindexter stated it is an R-R PRD which is an overlay in the R-R district but has more or less the same regulations as the R-3. Heritage Park is an R-3 surrounded by R-R as well Villa Rose.

Mr. Poindexter explained, for clarification purposes, that the trustee recently approved text amendments to the R-3. The word "may" was discussed at the zoning commission meeting, in which Mr. Gantz, was not present for, and this was also discussed at the trustee meeting. Mr. Deville was present for the Trustee meeting and the consensus of the Trustees was that the word "may" does not mean shall so it is not a requirement.

Being no further comments Mr. Cosgrove motioned to recommend approval of the rezone.

Mr. Gantz seconded the motion.

The vote was: Mr. Cosgrove-yes, Mr. Gantz-no, Mr. Wiggins-no, Mr. Calveski-no, and Ms. Domenico-yes.

Ms. Poindexter stated this is just a recommendation to the Trustees. The amendment will be heard by the Trustees at their July 16th meeting at 5:00 PM. All those that received notices for the zoning commission meeting will receive them for the Trustee meeting.

Ms. Poindexter stated the approval of the meeting minutes from the May 15, 2025 meeting would need to be postponed due to there is only two members in attendance that were at the May 15<sup>th</sup> meeting.

Being no further business the meeting was adjourned.

Respectfully submitted,



Joni Poindexter,

Jackson Township Zoning Inspector