

COMPREHENSIVE LAND USE PLAN MEETING MINUTES  
JANUARY 9, 2008

Comprehensive Land Use Plan Meeting held on January 9, 2008 in the North Room of the Copley Town Hall.

Attendees:

Jeff Kerr, Laura DeYoung, Jim Rogers, Mark Mitchell, David White, Peggy Spraggins, Kim Ferencz, Dale Panovich, Scott Dressler, Helen Humphrys, Mike Stacy, Mark Stacy, Nancy Roesner, Mark Wasick, Colleen Ahern, Walter Benson, Jane Scott, Ernie Stein and Sue Schultz.

Residents / Business Owners Attendees:

Erich Leipold, Beth Leipold, Bill Daniel, Nancy Bodnar, Mark Perkins, Bill Klingele, Tom Vishnia, Sally Gamauf, Bob McKnight, Dwayne Mathias, Bob & Kathy Glidden, Charlie Karakis, Mr. & Mrs. Edgar Falconer, Mr. & Mrs. Edgar Falconer Jr., Barbara Sabo, Rev. Billy Falconer, Rich Crano, and David Schreck.

The meeting was convened at 6:00 p.m.

Colleen Ahern stated that she was pleased with the amount of residents who turned out for discussion of the Comprehensive Land Use Plan.

Peggy Spraggins welcomed everyone and introduced the Staff, Technical Advisory Group, Steering Committee and the Board of Trustees. Mrs. Spraggins stated that the document was on the website. Mrs. Spraggins stated that everyone was welcome to state their comments and suggestions at tonight's meeting.

The following draft e-mails were sent to the Township with comments:

Colleen Ahern stated that these comments were made after the initial draft of the Plan. Some of the following concerns have been met.

- Wants a Plan that will benefit and not hurt the Township in the long run.
- Too rushed to get the Plan done.
- Plan needs to incorporate the current and future needs of the Township.
- The Plan will affect the residents and businesses for years to come.
- Time needs to be spent to make this document right and to protect the Township from future lawsuits.
- Plan focuses too much on environmental issues than a detailed plan of action for future development.

Mrs. Ferencz summarized the comments of Sally Gamauf for the record:

- Pleased to see that the Plan is preserving farmland and supporting farmers as a priority.
- Pleased that the farmers were asked for their input.
- Urged that they meet with Amalie Lipstreu (Program Coordinator for the Farmland Center to dialog about ways to support farmers and preserve land.

Mrs. Ferencz summarized the comments of Bob McKnight for the record:

- Section titled "Soil Suitable for Septic" is confusing, to depict septic system conditions in Copley Township for current homeowners as being far worse than they really are.
- From what the Plan implies, I would expect that the Health Department would not allow septic systems at all in areas of "severe limitations".
- Suggests that the Plan more selectively use information in Section 3.7 to express issues of septic systems vs. central sewage and water so that the information is in synch with the criteria used by the Summit County Health Department.
- The Plan should explain the Map on Page 87 in relation to conditions for application of septic as recognized by the Summit County Health Department.
- Believes if the Plan were to express advocacy of central water and sewer for new development in the Township on criteria in synch with Summit County Health, the Plan would gain much more credibility.
- The source noted for each map is listed simply as "Summit County", which is too general.

Mrs. Spraggins summarized the comments from Susan DeChant for the record:

- Questions whether the Township has the ability to use Transfer of Development Rights.
- Not aware of any Township setting up a system of impact fees. Unclear if Copley Township has the authority to do so.
- Recommendations and Tools found in Chapter VII – Land Use Concepts Area in general seems appropriate.
- Many of the General Implementation Recommendations that are in the Land Use Policy Matrix should be expanded.
- Suggested that the Plan have an expanded implementation section in the final chapter.
- More strategies should be added that outlines and lists specific actions.
- Should have a timetable in the Plan of how and when the Plan recommendations are to be implemented.
- Many of the recommended land use tools can probably be adopted into the re-write of the Zoning Resolution.
- Clarification needed in the Land Use Concept Areas, which are a little vague in terms of residential densities.

Mrs. Spraggins summarized the comments from John Kline for the record.

- Report is too long.
- Give public your goals, how to do it, and costs.
- Do residents get to vote on the Plan? Is this just a zoning issue? Do Trustees just vote?
- Will Plan stay in present form or will it be scaled back?
- Voter approval?
- Public meeting held on November 2, 2007 was not conducted correctly.
- Residents stated that they did not like development, loss of rural setting, or taxes and the Plan ignored these results.
- Plan calls for impact fees, sewer and water expansion, cluster development, everything that Copley Township does NOT want.
- Since when is development a right, independent of land ownership? (Page 145).
- He felt that Copley Township wants:
  - Let's turn Copley Township "Green".
  - Residents want single family housing.

- Copley Farmer's Market for organic farm food.
- Market Copley Township as "Environmentally Friendly Township".
- Share resources with neighboring communities.

The floor was opened for public comments:

A question was asked about the procedure for the adoption of this Plan.

Mrs. Spraggins stated that the Steering Committee has been working on the Plan and whenever they are comfortable with the document, they will vote to recommend the document to the Board of Trustees. The Board of Trustees will hold a public hearing and they will vote to accept the recommendations of the Steering Committee.

Mrs. Spraggins stated that the re-write of the Zoning Resolution would begin soon. Any change to the Resolution must go to the Summit County Planning Commission, Zoning Commission and the Board of Trustees.

Linda Phelps asked if the comments from the residents should be in writing?

Mrs. Spraggins stated that it would be best to put the comments in writing.

Linda Phelps asked if open space was being addressed in the Plan?

Laura DeYoung stated that when we looked at potential development areas, we looked at environmental issues, current zoning and property constraints.

David Sands (President, Homeowners Association, Heritage Woods):

- A number of residents attended a meeting last year regarding a proposed round-a-bout at Heritage Woods Drive. He felt there should be a lot of thought about a round-a-bout at this location because there is so much traffic. He does not see how anyone from Heritage Woods would be able to get out with all of the traffic on Rt. 18. Large trucks have to get around the round-a-bout to make deliveries on Montrose West.

Peggy Spraggins:

- Jack Noble (ODOT) is aware of the comments from the residents of Copley regarding the round-a-bout. There is a tentative meeting scheduled for February 25<sup>th</sup> to discuss the Rt. 18 plans with the residents.

John Gamauf:

- The proposed Historical District is very vague.
- What about the small business owners at the Circle?
- What are the plans for that area?
- What is going to happen if the current business owners decide to sell?
- The Circle area is downtown Copley.

Helen Humphrys:

- There are historic sites at the Circle. We want to identify them and protect them by creating a Historic District around the Circle. The Township does not want to get rid of the current businesses.

John Gamauf:

- We have been approached by a lot of people who want to purchase our property.
- The Township does not need another drugstore.

Colleen Ahern:

- We have discussed having other Committees that will address some of these issues.
- We need to know what you want the Plan to include, so we can protect you.

Helen Humphrys:

- This is not going to hinder zoning of your property.
- There will be overlay districts.
- We will have a walkable area around the Circle.
- The zoning is in place.

Dr. Braesamle:

- Concerned about the rezoning of the Copley Road area, by White Pond Drive Thru.

John Kline:

- Referencing Page 122 of the Plan – Housing & Development. The last sentence is Residents were asked to indicate how important they felt it is for Copley Township to encourage development of a greater variety of housing types.
  - 159 replied not very important
  - 73 replied somewhat important
  - 116 replied neutral
  - 97 replied somewhat important
  - 33 replied very important
  - This appears to be a conflict
- Referencing Page 126 of the Plan – Economic Viability. Residents were asked which new land uses they felt are important to the economic viability of the Township.
  - 234 replied residential (single family lots)
  - 63 replied residential (townhouses / condos)
  - 21 replied residential (apartments)
  - 126 replied (commercial / retail)
  - 128 replied (office)
  - 116 replied (light industry)
  - 176 replied agriculture
  - 267 replied open space
  - 39 replied none
  - Open space had the most responses, followed by residential then agriculture
  - The responses should be listed by highest to lowest response
- Referencing Page 86, the last paragraph, first sentence reads: In areas not served by sewer systems, it is recommended that only low density development will be allowed, in order to avoid potential public health problems should failing septic systems discharge off-lot. Mr. Kline stated that this is a very good point.
- According to Table 3.7 indicates that 72% of the Township has severe soils for septic.

- The future land use map indicates Cliffside Drive as medium density residential. This makes no sense.
- Transfer of Development Rights – fears that the developer has control of the land

Peggy Spraggins stated that TDR's at this time are not available to townships.

John Kline:

- Referencing Page 151 of the Plan, the first paragraph, second sentence reads: The approach involves severing the right to develop to preserve low density development or open space, and transferring the right to another site where higher than normal density would be desirable. Mr. Kline stated that this upsets him.

Mark Wasick:

- Transfer of development rights is when the landowner gives up his right in exchange for development in another spot.

Jim Phelps:

- Preservation of land can be done in partnership with other governments.

Dale Panovich:

- The Trustees have taken a strong stand on preservation of open space and the pristine areas of Copley.

Jeff Kerr:

- There are a lot of different tools available in the document for when different situations arise.

Betty Scheck:

- Asked what the Township considers low or medium density?

Helen Humphrys:

- Explained the current densities: 1 ½ acre (single family, septic), 2 units to an acre, 2 units to an acre and as high as 6-12 units per acre. She added that the Township is diverse because it offers housing for all residents' needs and budgets.

Gene Smith:

- Asked what the Township is doing about the contamination of their water wells on Copley Road, which was previously a dry cleaner.
- Wants to know if this could happen again.
- Every time that the contamination is in the newspaper, the real estate drops.
- Doesn't think that the residents should have to pay for this. The Township should pay.

Helen Humphrys:

- The contamination was from a dry cleaner.

- The containers were leaking into the soil.
- With new regulations in place, this should never happen again.

Peggy Spraggins:

- There is report from EPA which should be completed by the end of February with three interventions: The Township has been in touch with Congresswoman Betty Sutton's Office regarding this matter.

Charlie Karakis:

- When the CVS was built, they could have made it look better. Other communities have required better designs.
- Pulte development is behind here and it is a mess. Mud is everywhere.
- Wishes the community could have more say in what happens.

Dale Panovich:

- This is what the Historic District is for, to get more continuity in the Circle area.
- Pulte – the Planned Development District was approved in 1984 and does allow higher densities.

Louise Gregory:

- Asked if there are going to be density definitions in the Plan?

Dale Panovich stated that the density definitions would be in the Plan.

Joan Bailey:

- Asked for clarification on what open space subdivision was.

Laura DeYoung:

- Stated that "An open space subdivision is a parcel that normally could be developed at one house per five acres, you keep the same number of units and condense the units into the portion of the parcel that is the least environmentally sensitive – you have the same density but 50% of the large lot is preserved as open space."

Joan Bailey:

- Could this happen where the Panzner wetlands are on Wright Road?

Helen Humphrys:

- Explained that Panzner's property is zoned open space and conservation and the minimum lot size is five acres.

Jim Phelps:

- Offered caution on the concept of open space subdivision, using the low impact development brings more water and sewer. Water and sewer is a very dangerous thing because it opens the door for more development.

Jeff Kerr:

- We also have to make sure that the development isn't tied just to sanitary sewer because when new technology changes the requirements we could have higher density.
- If we base our zoning on lot size that doesn't rely on septic and it changed, and then we would need to rewrite the text.

Bob McKnight:

- Sewer and Water: asked if there was financial assistance to hook up with JEDD and wondered if that could be in the Plan.

Helen Humphrys:

- Stated that assistance could come from Summit County Community Development Block Grants based on income eligibility. There are grants available through them for financial help for septic systems.

John Kline:

- Referencing Page 171 of the Plan – Natural Resource Goals, Policies and Initiatives, under Policies (g): Support the creation of a storm water utility charging landowners for impervious surfaces and giving them credits for woodland and wetlands preservation, restoration and creation.
- Charging landowners for something that is not under our control is a bit much.
- Would he be permitted to cut down trees on his property? He has a lot of trees on his property that were planted years ago by the previous owner.

Jeff Kerr:

- Stated that he could be obligated to contact the Township of his intent of which trees would come down.

Carolyn Chatman:

- Is ODOT working in conjunction with the zoning board and if they are, are they going to be receptive with the landowners.

ODOT is conducting public meetings for comments. The Rt. 18 corridor is at the design stage and not written in stone. The future plan for Rt. 18 will be based on the 10-year traffic study.

Tim Vereb:

- Lives in the area where the future land use map indicates commercial retail zoning (west of Hametown, south side of Rt. 18) and he does not want the retail zoning at that location.

Tony Cireno:

- Notes that the new Health Department regulations for septic systems are expensive, maybe city water and sewer is better.

Paul Wilkerson:

- Requested that the BZA be given the opportunity to provide input as the Plan moves forward.

- The Board of Zoning Appeals is considering creativity with site plan layout.
- Would like to see more emphasis with park trails / open space.
- Greenways and stream corridors – they can connect areas with significant attributes.
- Long line trails – there is an interest in developing potential trails on the county greenway plan.
- Walkability – less reliant on automobiles.

Since there were no other comments, Mrs. Spraggins, summarized the Action Steps from tonight's meeting. She suggested that the Consultants and Staff meet to discuss and incorporate the comments and suggestions in the Plan document. She also suggested that the Steering Committee not schedule another meeting yet until we know the document has been amended and available for review.

There being no further comments, the meeting was adjourned at 7:55 p.m.