

**Minutes  
Portage County Regional Planning Commission  
September 13, 2023**

Portage County Regional Planning Commission dated September 13, 2023 at 4:30 p.m. The meeting was held at the Reed Memorial Library, 167 East Main Street, Jenkins Room, Ravenna.

**Members Present:**

Atwater Twp., Thora Green	Brimfield Twp., Mike Hlad	Freedom, Charlene Walker
Garrettsville Vill., Rick Patrick	Hiram Twp., Steve Pancost	Mantua Vill., Tammy Meyer
Palmyra Twp., Sandy Nutter	Paris Twp., David Kemble	Randolph Twp., Sue White
Ravenna Twp., Jim DiPaola	Ravenna City, Frank Seman	Rootstown Twp., Joe Paulus
Sugar Bush Knolls Vill., Jim Beal	Suffield Twp., Adam Bey	Windham Twp., Rich Gano
Shalersville Twp., Ron Kotkowski	Windham Vill., Nick Bellas	County Engineer, L. Jenkins
PARTA, Amy Proseus	Soil & Water, Anthony Lerch	Water Resources, Tia Rutledge
Portage Park District, Allan Orashan		
P.C. Commissioner, Mike Tinlin		
P.C. Commissioner, Anthony Badalamenti		
P.C. Commissioner, Sabrina Christian-Bennett		

**Staff Present:**

T. Peetz	E. Beeman	L. Reeves	G. Gifford	N. DeHaven
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**Public Present:**

S. Fields	C. Dempsey	M. Weber	H. Lucas	D. Garnier
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**Members Absent:**

Franklin Twp., Joe Cicozzi	Hiram Vill., Keith Holmes	Mantua Twp., Susan Lilley
Nelson Twp., Mike Kortan		

The Regional Planning Commission meeting was called to order by Chairman, Jim DiPaola at 4:30 p.m.

**APPROVAL OF AUGUST 9, 2023, MEETING MINUTES**

The August 9, 2023 minutes were presented. R. Patrick made a motion to approve the minutes as presented. Motion seconded by T. Green. Motion carried with 21 Yeas.

**SUBDIVISIONS**

Variance to Section 305.3.F (Additional Plat Information) for the "Turnpike Commerce Center" Trevor Extine, applicant – Report presented by Todd Peetz

JIM DIPAOLA: "So, being that this is a quasi-hearing type deal, everybody raise your right hand. Do any of the testimony you're about to give this afternoon the truth? whole truth and nothing but the truth?"

EVERYONE: "I do." JIM DIPAOLA: "Thank you."

TODD PEETZ: "So, let's start out with this is the Variance for the Turnpike Commerce Center in Shalersville Township, just north of the turnpike."

I don't, I don't think there's anybody in this room, not aware of what that is. We've been working with the Geis Corporation now for well over a year. We recently approved their Preliminary Plan. They provided the information, and we approved their preliminary plan in July of 2022.

At that time, the Preliminary Plan did not require a wetlands evaluation. And so, we received their Plat and they're received, because they have some additional opportunities that we want to help have. But one of the things that we had requested was showing where the wetlands are on the Plat and when we got to the Plat they were not on the Plat. So, we went back to Geis, and we said Geis, do you have this? They kind of did, and so we've been working with them on trying to approve their project and we receive the variance, I believe, Thursday last week by our mailout absolute deadline Friday, last week. So, we didn't have a lot of time to work on it. We talked with them about submitting the variances and it was really the only way to be able to do the Plat tonight. So, we wanted . . . our most concerning thing is we don't want to create opportunities for other people to say, hey, I can get a variance for wetlands and/or not do my wetlands survey. That is not what we are actually suggesting. What we are actually suggesting is that the variance include which they didn't give us, but we've talked about it since, and we've got everything in order now. was that they would ask three lines that are Prosecutor's Office, David Garnier prepared, they made a slight change to it and slight change to it, which I don't believe it affects the intent and then also, the fact is the Army Corps has several U.S. Supreme Court cases and they stopped reviewing because of how they lost the court case and according to the last one last one where they've changed the definition of what a lot of the United States was right? So, they got back up on that because they're trying to reinterpret what that means. And so, our record right now is anywhere from six months to 48 months, depending on who you talk to. But even six months is a very long time. That is not an act of the applicant. That is the result of a backup, and I believe it is 12 to 24 months of backups. So, we believe the variance can be approved because of the delay by the Army Corps. and because they are willing to put up with the variance that they're approving the variance at their own risk. So, if there's any compliance issues, is at their own risk. And so that's where we are at on it. So go to the next couple of slides. That helps people a little bit. So, this is okay. I don't know how familiar you are with Beck Road and all that, but this is State Road 44 here, you can go just a little further south and that's the Turnpike and Beck Road. This is the first parcel. This is the parcel where the building is sitting on right now.

That little pond, this is hydric soil and that's not wetlands. That up there is a little pond that was part of a house which that's been since been torn down and the pond is just an isolated pond that Ohio EPA says they're not worried about if we go south, which is the next one.

This is the whole proposed Lot 3 that are included with the Plat and there's another. . . there was another house here and then they've also I believe filled in that lot which Ohio EPA says they don't have a problem with. So as the nonprofessional, not a wetland expert, professional that I am not, we don't, and we are showing the National Wetlands Inventory . . . so this does not show any wetlands on the site. The other lot doesn't show any wetlands on the site. We do have some wetlands up here and Lot 2 on the Plat is up there. So, Lot 2, there are some wetlands they as part of the variance response that they would also make sure that went to Army Corps going forward as those lots are split in the future.

So, based on all of that, do we have any more things to look at? Because that is just a recommendation. So, our recommendation is to approve because of the backlog with the Army Corps. They're adding three statements to the to the plat stating what they agreed to in the variance and/or the other disapproval, which we're not recommending. Staff recommends approval. So, with that, they will need to put on the Plat which will be a conditional approval and we've talked with the applicant about that process. So, we recommend approval with a condition of adding those three lines or those three statements."

SUE WHITE: "I'll make a motion." RON KOTKOWSKI: "Second." JIM DIPOLA: "Okay. Motion and a second."

UNKNOWN PERSON: "What was the motion?"

TODD PEETZ: "To approve with conditions due to the backup of the Army Corps of Engineers?"

JOE PAULUS: "The only question I have is, is it really the buffalo district? Where's the Pittsburgh district?"  
SABRINA CHRISTIAN-BENNETT: "Buffalo." JOE PAULUS: "Okay. Because when I dealt with Berlin reservoir, we were out of Pittsburgh. Okay. With conditions to add the three statements to the Plat as a wetland note acknowledging a jurisdictional determination has been made by the U.S Army Corps of Engineers, and the property owner bears all risk of adverse impacts." JOE PAULUS: Question, what's the adverse impact and who's going to be following up on this to see if there are any adverse impacts or not?" TODD PEETZ: "Okay, so good question. Good question." So, we reached out to the Army Corps. and we couldn't get a hold of Army Corps but we did get hold of Ohio EPA and Ohio EPA and we didn't even talk to them today again, for they had some questions for us and they said that they will go out and eventually look at that site. We are again kind of fingers crossed. Hopefully they don't have any wetlands on those sites right now forever. But they're gonna . . . they've got to go back and look at it the later date and if they do find that a later date already built something they will have a fact they'll have an active after the fact and whatever that permanent six days or whatever it takes to come into compliance through mitigation of wetlands." Yeah, definitely does but we don't believe Lots 1 and 3 have that but again, again, I'm not a wetland biologist or specialists." RON KOTKOWSKI: "Those are all farm fields have been farmed forever." TODD PEETZ: And they're steep slopes on those especially a Lot 3, there's really steep slopes. The waters got to be coming off they can't be ponding." RON KOTKOWSKI: "The only wet area on the whole property on the north side was a manmade pond."

JIM DIPAOLO: "Anybody else from the board questions? We have motion and a second on the floor. All in favor" EVERYONE: "Aye." JIM DIPAOLO: "Opposed. JOE PAULUS: "AYE" Motion carries"

Motion carried with 20 Yeas 1 Nay (Joe Paulus).

Plat of "Turnpike Commerce Center" on State Route 44, Infirmary and Beck Road, Lots 46, 47, 48, 53, 54 and 55 in Shalersville Township, The Geis Companies, applicant

The applicant is requesting approval of an industrial development. The preliminary plan was submitted in June 2022 and was conditionally approved in July 2022. The conditions of the preliminary plan were met, and final approval of the plan was given on September 6, 2023.

The Plat is for three lots. Lot 1 is west of State Route 44 and north of Beck Road which is under construction on Lot 2 and 3. As part of the project, Beck Road will be realigned and a right only turn lane added to the south bound of State Route 44.

Central sewer and water are available from Portage County Water Resources. Water has been installed to serve the site. A gravity sewer is planned, but not installed. A force main currently serves Lot 1.

According to the National Wetlands Inventory there appear to be wetlands on Lot 2 of the Plat. Lot 2 appears to have a pond surrounded by a wetland which drains westward to a ditch that empties into the neighbors pond eventually draining into the Cuyahoga River. The wooded area in the northern section of Lot 2 may also contain wetlands. Lot 3 appears to have a small pond which is located near where a structure was demolished.

According to the FEMA Flood Map there is a small flood hazard area, Flood Zone A, in the northern corner of Lot 3.

Staff recommends conditional approval. Conditional approval grants 45 days to meet the conditions of the approval. The conditions of the approval are:

1. Add ODOT's required statement to sheet 2.
2. Address Tax Map's comments.
3. Address Water Resources comments.
4. Address all comments found under Compliance with the County Subdivision Regulations.

Should the Plat be approved, the following items will be carried through to the Replats:

1. Open space provision as shown on Lot 2 in accordance with the approved Preliminary Plan.
2. Jurisdictional letter and/or determination from USACE and/or Ohio EPA submitted for Lot 2.

R. Kotkowski made a motion to follow staff recommendation. Motion seconded by S. Christian-Bennett. Motion carried with 22 Yeas.

Replat of Sublots 3 and 4 in the “Nanway Airpark No. 1”, Part of Lot 59 in Shalersville Township, P.C. Regional Airport Authority, applicant – Report presented by Gail Gifford

The applicant is splitting and combining a 5-foot-wide section of Lot 3 with Lot 4 to create Lots 3-R and 4-R. Several other Replats have been completed in this area to meet FAA standards.

Public sewers are available to the site through Portage County Water Resources and are in the taxiway clear zone. Water is not available to the site; however, the site is within the Portage County Water Resources service area.

According to the National Wetland Inventory there appear to be no wetlands on or adjacent to the site.

The FEMA Flood Insurance Rate Map shows a minimal chance of flooding.

The Replat has been reviewed and approved by the Shalersville Township zoning inspector.

The Replat is being completed to correct a violation of FAA safety standards. The 5-foot wide strip is being combined with Lot 4 is within the taxiway clear zone, but currently held by a private owner and the FAA requires it to be under the control of the Airport Authority. Approval of the Airport Master Plan and future project funding are dependent on the Airport Authority obtaining control of this property. The intention is to keep the area clear of buildings, debris and/or any street furniture for as long as the taxiway is located to the north of the runway.

Staff recommends conditional approval. The following conditions will apply:

- Receipt of the mylar consistent with the pdf submitted for final review and complete with the surveyor signature and seal.

S. Christian-Bennett made a motion to follow staff recommendation. Motion seconded by R. Kotkowski. Motion carried with 22 Yeas.

Replat of Sublots 13, 14 and 15 in Block “R” in the “Ravenna Building Company Allotment No. 2” on Muzzy Lane, Lot 20 in Rootstown Township, Mark Hirst, applicant

R. Patrick made a motion to approve an extension of time until October 11, 2023. Motion seconded by J. Paulus. Motion carried with 22 Yeas.

## **ZONING**

Atwater Township Text Amendment – Report presented by Todd Peetz

Atwater Township is proposing to REMOVE the following from Section 15: “All violations shall be corrected within a period of thirty (30) days after the written order is issued or for a longer period of time as indicated by the Zoning Inspector. All violations not corrected within a specified time period shall be reported to the County Prosecuting Attorney who shall initiate prosecution procedures.” The following is being proposed to be added:

D. Correction Period – The Zoning Code(s) have been approved by the Atwater Township Trustees and any violation of these codes shall be applied in this manner.

1. When the zoning inspector receives a complaint or witnesses a potential violation, the zoning inspector shall investigate. If after the investigation the violation is confirmed, a violation letter will be sent out to the property owner.
2. The property owner shall have thirty (30) days from the date of the letter to correct the violation. If more time is needed to correct the violation, the property owner needs to contact the trustees for an extension of time AT THEIR NEXT AVAILABLE TRUSTEES MEETING.
3. If after thirty (30) days, or the extension, the violation still exists, the matter must be turned over to the Prosecutor's Office for enforcement.
4. The ensuing action may result in court costs and fines that increase\$ with the length of time that the property owner remains in violation.
5. If fines do not result in compliance, the such amount may be placed as a lien on the property owned by the violator.

~~This is in reference to Section 15D of the zoning book.~~

~~This has been approved on the \_\_\_\_\_ date of \_\_\_\_\_, 2023.~~

~~Trustees:~~

~~\_\_\_\_\_  
John Kovacich \_\_\_\_\_ Charles Harris~~

~~\_\_\_\_\_  
Thora Green~~

The proposed amendment is intended to further describe in general terms the process of a zoning violation.

Todd said he spoke to the Prosecutors Office, and he recommended the proposed amendment not be approved and he had several reasons why. The amendment as proposed needs to be changed.

A motion was made by R. Kotkowski to table the proposed amendments. Motion seconded by T. Meyer.

Rootstown Township Text Amendment – Report presented by T. Peetz

#### Amendment No. 1

Rootstown Township is proposing to allow pergolas to be less than 7-feet from the principal buildings in Section 340.09.D. This change has already been proposed in their other residential districts. Rootstown Township believes the 7-foot spacing is unnecessary for a pergola, which is unlikely to be used for storage.

Staff recommends approval of the proposed amendment.

#### Amendment No. 2

Rootstown Township is proposing the following change under Section 230.08:

- A. A person who opens a temporary place of business for the sale of goods or services shall be permitted to FOR A PERIOD not to exceed 4 CONSECUTIVE days ~~or 96 hours per calendar year~~ PER MONTH, PER LOCATION, PER PERMIT, EXEMPTING THE TOWNSHIP PARKS

Rootstown Township found that it was difficult to regulate the number of hours that a temporary vendor operates.

Staff recommends approval of the proposed amendment.

A motion was made by J. Paulus to follow staff recommendations for amendment No. 1 and 2. Motion seconded by R. Gano. Motion carried with 22 Yeas.

#### Brimfield Township Text Amendment – Report presented by Gail Gifford.

#### Amendment No. 1

There were several grammar and punctuation errors and inconsistencies throughout the Zoning Resolution.

Staff amended changes to Sections 400.10B.36.A.4, 400.10B.56.F.2.c.1, 400.10B.56.H.1, 400.10B.56.H.2, 400.10B.56.L.6.c.

Staff recommends approval of the amendment as proposed.

#### Amendment No. 2

The Section number of the major headings in Chapter 5 of the Zoning Resolution was changed to be consistent with the Zoning Resolution.

If the Township wishes to retain the missing section i.e. 503.00 and 504.00, a note should be added saying “these sections are reserved for future use”.

Staff recommends approval of the proposed amendment.

#### Amendment No. 3

Most of the changes were wording changes to make the intention of the parking requirement clearer. Parking requirements vary greatly across jurisdictions.

Staff recommends approval of the proposed amendment.

#### Amendment 4

The schedule of uses is not a comprehensive list of every use permitted or conditionally permitted by the Brimfield Township Zoning Resolution. For exact uses on the types of uses permitted or conditionally permitted refer to the Zoning District's specific requirements listed in Chapter 3 of the Resolution.

The following changes are being proposed:

- B. A LISTED use ~~listed in~~ shall only be permitted as a principal use in the designated district when denoted by the letter "P".
- C. A LISTED use ~~listed~~ shall be permitted as a conditional use in the designated district when denoted by the letter "C". Therefore, for any proposed conditionally permitted use to be allowed in the corresponding district, the Board of Zoning Appeals must determine that all of the requirements and conditions, as set forth in this Resolution, are satisfied.

The changes proposed were made for consistency and to clarify language. The equipment rentals and leasing category was missing markings in the table specifying conditional use versus permitted use. Staff suggests removing O-R from the table as it is no longer a zoning district on the zoning map and making General Commercial's code (G-C) consistent with the rest of the Zoning Resolution.

Staff recommends approval of the proposed amendment.

A motion was made by S. Christian-Bennett to follow staff recommendation. Motion seconded by M. Hlad. Motion carried with 22 Yeas.

#### Brimfield Township Rezoning From L-I (Light Industrial) and H-I (Highway Industrial) to R-4 (High Density Residential) – Report presented by Gail Gifford

The proposal is to change the Zoning Map from Light Industrial (L-I) and Heavy Industrial (H-I) to Residential High Density (R-4) along portions of Sunnybrook Road and Mogadore Road. The amendment consists of approximately 158.4 acres, 56 parcels and part of seven other parcels.

The amendment is to reflect the current development of the area and allow for continued development of residential. The existing properties are a mix of residential and agriculture uses as well as some vacant lots. One property is a former sand pit.

The surrounding area is predominantly non-residential and is a mix of commercial, industrial and vacant land with the golf course located east of the rezoning area. The rezoning area itself is a transition area from the residential and commercial mix to the north and west to industrial and commercial areas to the south.

The future land use map adopted by the township shows this area as future industrial.

Staff recommends approval of the proposed amendment from L-I and H-I to R-3. In addition, we recommend at the time of site planning the following be considered as part of the plan review:



1. Depending upon the proposed density a traffic study may be needed to ensure public safety.
2. Appropriate coordination with water and sewer providers or the Portage County General Combined Health District.
3. Hydric soils may impact foundation suitability of structures.
4. Work with the Township for emergency service provisions.

A motion was made by S. White to follow staff recommendations. Motion seconded by R. Gano. Motion carried with 22 Yeas.

## **EXECUTIVE COMMITTEE**

### **WORK PROGRAM**

- P.C. Subdivision Regulations Update – The Steering Committee met on August 29, 2023 and the next meeting is scheduled for September 26, 2023.
- Brimfield Township – Continued working on a Historic Structures Story Map and updating their Comprehensive Plan.
- Franklin Township – Working with the Township to discuss doing an income survey of the former Brady Lake Area and about CDBG funding available to the Township.
- Ravenna City – Started working on their Comprehensive Plan. The next JEDD meeting is scheduled for tomorrow.
- Ravenna Township – The next JEDD Meeting is scheduled for tomorrow.
- Shalersville Township – Staff is making great progress on the Land Use Plan. The next meeting with their Zoning Commission has been scheduled for tomorrow and a community meeting will be held the following week.
- Windham Township – Met with the Township on July 20, 2023 and are updating their zoning resolution to include any previous amendment that were approved.
- Quarterly Zoning Inspector's Meeting – A meeting was held on July 27, 2023 and the topic was about small solar farm requirements. The next meeting will be held on October 26, 2023 at 6:00 p.m. The meeting location and the topic is to be determined.
- Celebrate Portage! – The Celebration Dinner will be held on September 28, 2023 at the New Center. For more information contact Todd Peetz.

August 2023 CDBG Report – Report presented by L. Reeves

2021 Critical Infrastructure Grant – Windham Village

Construction has been completed. Final restoration is nearing completion and testing has been completed.

2022 Community Development Allocation Grant

Volunteer Park Project

Waiting on the road specifications from the Ravenna City Engineer's Office. The project is anticipated to go out to bid by the end of September.

Clearance Activities – Coleman Demolition Project – Contact is in place to complete the asbestos survey and a notice to proceed has been issued.

Freedom Schoolhouse ADA Project – The architect's contract is in place and a notice to proceed has been issued. It is anticipated that the drawings will be completed in the next couple of weeks and are anticipating the project will go out to bid by the end of September, beginning of October.

DMRC ADA Project

The Advertisement for Bid will be published in the Record Courier on September 10, 2023 and bids will be due by 2:00 p.m. on September 27, 2023.

Public Service – Streetsboro Senior Assistance Program

Ninety-Two (92) applications have been received for the Senior Assistance Program and 91 applications were approved for the program and one household had too much income. Lawn mowing services are still ongoing and will go until the end of October.

2022 Downtown Revitalization Target of Opportunity Program

Grant agreement has been signed and the environmental review is underway.

**FINANCE**

August 2023 Financial Statements

J. DiPaola stated that the Executive Committee reviewed the August 2023 financial statements and recommends acceptance.

R. Patrick made a motion to approve the August 2023 financial statements as presented. Motion seconded by R. Kotkowski. Motion carried with 23 Yeas.

2023 Appropriations Increase for the Operation of the Portage County Regional Planning Commission (Resolution No. 23-11) – Todd Peetz

The Portage County Budget Commission has made available for the operation of the Portage County Regional Planning Commission appropriations in the amount of \$529,745. The Portage County Regional Planning Commission finds it necessary to increase appropriations from \$521,449 to \$528,923.

A motion was made by D. Kemble to approve increasing and amending appropriations by an additional \$7,474 for the operating expenses for the Portage County Regional Planning Commission. Motion seconded by L. Jenkins. Motion carried with 23 Yeas.

**OTHER BUSINESS**

**Next Meeting**

J. DiPaola announced the next Regional Planning Commission meeting will be held on October 11, 2023 at 4:30 p.m. located at the Reed Memorial Library, 167 East Main Street, Jenkins Room, Ravenna.

**DIRECTORS REPORT**


P.C. Regional Planning Commission Retreat – A retreat has been scheduled From 9:00 a.m. – Noon on October 20, 2023 at the Restoration 44 Coffee Shop in Mantua Village.

**ADJOURNMENT**

A motion was made by S. Christian-Bennett to adjourn the meeting at 5:20 p.m. Motion seconded by R. Kotkowski. Motion carried with 23 Yeas.

Minutes approved at the November 8, 2023, Meeting.

  
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Jim DiPaola, Chairman

  
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Todd Peetz, Secretary