

Franklin Township, Portage County  
Zoning Commission Hearing  
August 19, 2021

**Members Present:** Chair Mary Organ, Mekal Banyasz, Beth Geist, and alternate Judy Spencer.

**Others:** Joe Ciccozzi, Zoning Inspector, Jenny August, Zoning Commission Secretary.

**Call to Order:**

Mrs. Organ called the meeting to order at 7:00 pm

**Minutes:**

Mrs. Organ moved to accept the minutes from the June 17, 2021 meeting. Mrs. Geist seconded. All Commission members voted yes. The minutes were approved.

**Discussion Topics:**

**Landscaping in a PUD:**

Mrs. Organ moved to table this discussion either until the end of the meeting or until the next meeting since we have members of the public here for the map amendment discussion. Ms. Banyasz seconded the motion. All voted aye.

**Proposed Map Amendment for part of former KSU Golf Course:**

Mrs. Organ introduced the Developers that are here tonight to present their proposal for the map amendment. Mr. Rob Benjamin from Heritage Development in Moreland Hills said his job is for commercial, residential, and industrial development. He has been involved in Barrington Estates in Aurora, Gilmore in Jackson Township, Twinsburg Whispering Pines and other cities around the country. He introduced Mr. Dan Barcikoski, the engineer from M.G. Civil Design.

Mr. Benjamin said they have an option to purchase 41 acres and they would like to develop it into residential lots. Rezoning it to R-2, and asking for a PRD conditional zoning certificate would allow them to create 84-85 lots. This is just a preliminary plan that they are working on at the site of the former Kent State University Golf Course. There are a couple of local builders interested in working with Heritage Development, but no contracts have been signed.

Mr. Barcikoski reviewed the drawings of the area. Their plan includes demolition of the old golf course building and parking lot. They will plan for 84 residential lots and will preserve the wetlands. Their plan basically consists of two streets that will be cul-de-sacs. The lots will be 65 feet X 110 feet and there will also be opportunities for detention ponds subject to Portage County critical storm outflows. The amount of open space is greater than 50%. Mr. Benjamin added that they will have gravity sewer lines and public water supply. They have had preliminary discussions with Portage County Water Resources. The Germaine Reserve (another PRD planned in Franklin Township) has already sold 18 homes at approximately \$400,000 each.

Mrs. Organ asked the Board if they have questions for the developers. Mrs. Geist asked how many entrances there will be into the development. Mr. Benjamin said there will be one on Powdermill Road and one on State Route 59. Regarding the 50% open space, Mrs. Geist asked if they will try to preserve some of the older trees and if they would keep

trees for screening Pebblebrook. Mr. Benjamin said they plan to preserve as many as possible. Mr. Barcikoski said the entry ways will be very nice.

Mrs. Organ asked what the square footage of the homes will be. Mr. Barcikoski said most will be ranch or two-story homes less than 2000 square feet. Mrs. Organ asked if these will be starter homes or if there is a higher price point. Mr. Barcikoski said they will be in the \$350,000 to \$425,000 range. Mrs. Organ asked if he has any specific plans for the open space. Mr. Barcikoski said they want to leave it natural, with a few detention ponds, and maybe some sidewalks or walking trails. Mrs. Organ asked who would control the wetlands. Mr. Barcikoski said there will likely be a home-owners association. Their design will avoid 95% of the wetlands, with less than ½ acre that will require mitigation. Mrs. Organ asked if they will have detention or retention ponds. Mr. Benjamin said these will be detention ponds.

Ms. Banyasz asked which builders they have been considering. Mr. Benjamin said they have been speaking with Ryan Homes, K. Hovnanian, Pulte, Drees, and others but they have no signed agreements.

Mrs. Spencer asked if they are building on spec or for the individual buyers. Mr. Barcikoski said there will be a model home with sales people offering a variety of different plans. Mrs. Geist asked if they will just use one builder or all four. Mr. Barcikoski said they have used multiple, but will probably use one or two for this proposed project.

Mrs. Geist said the plan is for 84 lots, but if the PRD allows for up to 110, and if the market is really good, would they consider going over 84? Mr. Barcikoski said 85 lots is a workable number. Mrs. Geist said in the application they stated that R-2 would fit. Their nearby neighborhood is R-1, single family homes. Would they consider R-1? Mr. Barcikoski said R-1 would not give them quite enough room. Mrs. Geist asked if all of the homes will look the same. Mr. Barcikoski said no.

Mrs. Organ asked them to talk about traffic. Mr. Benjamin said there will be two exits and entrances. The one on State Route 59 will need a permit from ODOT. It will be full access. They used the traffic study from the Redwood application. Mrs. Organ asked if they have any plans to improve Powdermill Road. Mr. Barcikoski said they do not at this time. Mr. Benjamin said they will be working with Portage County Engineers. Powdermill is a county road. They are likely to update the traffic study. Mrs. Organ said the Redwood traffic study was only for right turn in and right turn out on State Route 59.

Regarding landscaping and buffering, Mrs. Organ asked if there will be a buffer along the railroad tracks. Mr. Barcikoski said there is an easement along the railroad tracks for water and sewer. The entryways will be landscaped, and also around the open areas, ponds and walkways.

Zoning Inspector Ciccozzi noted that the drawings being shown tonight are different than what was submitted originally and provided to the commission. He said that R-2 allows for two families per dwelling. He asked if there is any interest at all in doing that. Mr. Barcikoski said absolutely not.

Mrs. Spencer asked if they would commit to not going over 85 homes. Mr. Benjamin said it could go 1 or 2 either way. If the County Engineer wants them to do some improvements to Powdermill Road, a few extra homes would help with the cost, but they really want to stay with 84-85.

Mr. Ciccozzi said with the Germaine Reserve, a few of the larger homes resulted in a need to request variances. Mr. Benjamin said that is not uncommon in cluster developments, but their development is bigger. There may be a situation here and there.

Mrs. Geist asked if they are concerned about the lots by the railroad tracks not getting sold. Mr. Barcikoski said their builder is not concerned.

### **Public Comment**

Mrs. Organ opened the meeting up to public comment and reminded the public guests to address all comments and questions to the commission, not the developers.

Mr. Doug Bjerre of 5905 Roc Marie said he is in opposition of this project. First, nobody is going to want those lots by the tracks. Second, this development will cause traffic problems for them. Nobody will be able to get out onto S.R. 59, so they will all use Powdermill. Third, where is all of the water going to go? It will go into his back yard. He doesn't mind single family homes, but not 84 of them.

Mr. Tom Clapper of 5699 Powdermill Road said he is not against this. He thinks it is a great proposal and could be a beautiful area. The water is a very valid concern. There are future plans for bike paths that would connect this area, maybe on the property to the south. It is something he thinks Portage Park District is working on.

Mr. Pat Watson of 5903 Powdermill Rd. said ditto on the water and traffic. He doesn't think the traffic study was accurate. He wants to leave the trees to block the view of Pebblebrook and Walmart. He asked if they could potentially change their minds and build duplexes. Mrs. Organ said the zoning stays with the property, so it could potentially happen if this developer were to back out and another came in. He asked if there might be another traffic light on SR 59. Mr. Barcikoski said no.

Mr. Jason Thigpen of Back Nine Holdings said he is their biggest neighbor. He believes he is being ecologically sensitive as he develops his property. He knows Mr. Barcikoski and he thinks he will do what is best for the township and he is a man of good character.

Mr. John Rusanowsky of 5875 Powdermill Road asked if a PRD is locked in with the zoning change. Mrs. Organ said a PRD is a conditional certificate that would go to the BZA. This is only to change the property to R-2 but not necessarily a PRD. Mr. Rusanowsky asked if they would have city water and sewer because of the density. Mr. Barcikoski said yes. Mr. Rusanowsky said he agrees that the Redwood traffic study was not accurate. The railroad tracks are notorious for being torn up or closed.

Mr. Ron Willis of 2278 Willyard said he is against changing the zoning to R-2 because of the increased traffic. There is no traffic enforcement by the Portage County Sheriff.

Mr. Bjerre asked how the storm water will be handled from the detention pond. Mr. Benjamin said he will do a topographical survey, calculate the drainage flows for peak storms, and will regulate for "critical storm". The impervious surface will create more volume and slower drainage. There is an 18-foot culvert to help drain. Mr. Bjerre said yes, it goes from there to his back yard.

Mr. Tony Gosmer of 5955 Powdermill Road said the drainage goes right through his property. The water table has come up over the past twenty years. The county already recognizes that Powdermill can't handle this traffic. There are 4 to 5 large coal trains per

week and they always meet at the Powdermill crossing. He would love to have single family homes.

Mr. Pat Watson asked when they would start construction, and how long it will take. Mr. Barcosky said it will be done in two or three phases, with 42 homes built in each phase. They expect to sell 30-40 homes per year.

Joe Casamento of 5895 Roc Marie said there was not a water problem when his home was built. The water problem increased as more homes were built. He thinks this will make it worse.

Tom Clapper agrees with everyone's comments, but wants them to look at the alternative. What if they built a big shopping center? It could be worse.

Mrs. Spencer asked if it would be crazy to consider gravel roads to help with drainage. Mr. Barcoski said it would not be a good selling point.

There was no more discussion, so Mrs. Organ moved to pass the proposed amendment to Portage County Regional Planning for their input for help in calculating the maximum housing units on this property as an R-2 district, also an R-2 district with a PRD designation, and also to request that an updated traffic study be done, and to ask about potential storm sewers as opposed to detention ponds. Mrs. Spencer seconded the motion. All commissioners voted yes. Mrs. Organ is hoping we will hear back from PCRCP and be able to meet and discuss their recommendations at our Sept.16 meeting.

#### Landscaping Within Planned Unit Developments (PUD'S)

Zoning Inspector Ciccozzi said currently in the PUD section of the Zoning Resolution, there are no landscaping or buffering requirements to screen the high-density housing. He reached out to PCRCP and they didn't have anything either. He was not sure that the Trustees would support it because trees grow and their roots cause problems with sidewalks. Mrs. Organ asked if the PRD section doesn't reference chapter 9, Landscaping and Buffering, does a developer and the BZA even need to look at landscaping? Mr. Ciccozzi said no. In the site plans submitted for commercial properties there are landscaping requirements. Mrs. Organ thinks that the BZA member that brought this to her attention was concerned that high density housing might need to be screened from low density housing areas. She was in contact with Todd Peetz from PCRCP and he said we need to be more specific, maybe 75-80% opaqueness within five years of installation. Ms. Banyasz would like to see it be 75% opaque within two years of new structures being built.

Mrs. Organ moved to recommend to the township trustees that they approve the language in 601.01.A.56.N.8 as follows:

#### 8. Landscaping and Buffering Requirements

- A. As specified in Chapter 9: Appropriate landscaping and/or buffering shall be used to screen the PUD structures from pre-existing surrounding properties:
  1. Landscaping/screens can include, but are not limited to berms, natural landscaping plants such as trees and shrubs, fences, etc. and shall be appropriate (and not harmful) to the natural existing conditions (i.e., wooded areas, streams/wetlands, open grasslands areas, etc.).

2. Landscaping shall be 75% opaque within 2 years of the new structures being built in the PUD.
3. Every effort shall be made during construction to preserve existing healthy trees and shrubs on the site.

With this recommendation, #8 Parking and Loading Requirements becomes #9, and #9 Minimum Living Floor Area Requirements per Dwelling Unit becomes # 10, and #10 Floor Area Requirements for Non-Residential Buildings will become #11.

Mrs. Geist seconded the motion. All Commissioners voted yes. Mr. Ciccozzi said a homeowner's association may also contribute to the landscaping requirements.

Requirements for an Accessory Building in a Planned Unit Development

Elsewhere in the Zoning Resolution, there is a 15 foot minimum requirement between the primary and accessory structures. The fire department prefers a 15 foot separation for easy access between structures if needed. This amendment was overlooked in the PUD section.

Mrs. Organ moved to recommend that the township trustees approve the following change to Section 601.01.A.56.N.3.b:

3. Accessory Buildings

- a. Accessory buildings should be placed to the rear or side of the principal building.
- b. The minimum spacing between an accessory building and its principal building (e.g. residential, commercial/office, industrial or recreational) shall be fifteen (15) feet.

Mrs. Geist seconded the motion. All voted aye.

**New Business:**

Mrs. Organ said there is a proposal for an assisted living center on Rhodes Road. Mrs. Organ will be in contact with the developer by August 27 so we will be able to advertise it in our legal notice for the September meeting. She may choose to recuse herself since this project will abut her property.

**Next Meeting:**

The next meeting is to be held September 16, 2021

**Adjournment:** Mrs. Organ moved to adjourn at 9:08 pm with a second from Mrs. Geist. All Commission members voted yes.

Respectfully submitted by Jenny August, Zoning Commission Secretary.

Approved:

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Mary Organ, Zoning Commission Chair