

# RECORD OF PROCEEDINGS

Minutes of

COPLEY TOWNSHIP BOARD OF TRUSTEE REGULAR

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

TUESDAY, SEPTEMBER 11, 2018

20

## Open

President Scott Dressler convened the regular meeting of the Copley Township Board of Trustees at 6:00 p.m.

## Pledge of Allegiance

Welcome

**Trustee Dressler asked for a moment of silence in remembrance of September 11, 2001.**

## **PUBLIC HEARING: Map Amendment**

**Resolution 73-2018 To Rezone 447 Rothrock Road (Parcel No. 15-01281) from Current Zoning of Residential Medium Density (R\_MD) to Proposed Residential Higher Density (R-HD) Applicant: David M. Kolar Landowner: Richard W. Burke**

**Trustee Humphrys moved to open the public hearing, second by Trustee Koellner. Roll call: Trustee Dressler, Aye; Trustee Koellner, Aye; Trustee Humphrys, Aye.**

Assistant Zoning Inspector Shawna Gfroerer presented the map amendment proposal. The current zoning is Residential Medium Density (R-MD). The proposed is Residential High Density (R-HD). The proposal has been before the trustees three times and for three times, the applicant requested it tabled.

Recommendations of disapproval from the Summit County Planning Commission was May 31, 2018; and from Copley Zoning Commission on June 7, 2018. The applicant plans to build high density on properties in Fairlawn and Copley. The parcel in Copley is approximately 2.17 acres.

Trustee Dressler asked if the applicant or landowner was present. He was answered in the negative. Trustee Dressler asked for proponents to the proposal to step forward. Asking three times and hearing none, Trustee Dressler asked for opponents to the proposal to step forward.

Denise Starkey, 3816 Rothrock Place, Copley 44321 was sworn in to give testimony. Appreciative of Shawna Gfroerer's presentation, Ms. Starkey stated, "The trustees take into consideration what is in the best interests of all the residents and neighboring properties and you have done that by establishing a future land use plan in setting forth regulations and requirements that have standards and criteria by which any developer or landowner should utilize when developing a property. From the get go the plan has a lot of variances and has a lot of issues like 9,000 square foot lot sizes down to 7215, a 20% reduction. Rear lot sizes have 25% in variance setbacks for the rear yard. There is no open space requirements. The applicant hasn't taken into account in this plan for any preservation or conservancy requirements. As proposed there are a lot of gaps that need to be taken into consideration. Tantamount to this is that this 2 acre parcel is wholly dependent in being developed in conjunction with the adjacent property. I don't know how much has been discussed in earlier presentations but Fairlawn has denied this plan back on June 14 in their planning commission meeting. We checked back earlier last week with Fairlawn zoning and there's been no discussion on additional plans or what would be required to satisfy their needs. At this stage, myself and several of my neighbors ask that the trustees support the denial recommendation." All discussion is on tape and on file with the Fiscal Officer.

Trustee Dressler asked for other opponents to step forward and hearing none asked for a motion to close the hearing. **Trustee Humphrys moved to close the public hearing, second by Trustee Koellner. Roll call: Trustee Dressler, Aye; Trustee Koellner, Aye; Trustee Humphrys, Aye.**

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**Trustee Koellner moved to deny the map amendment, second by Trustee Humphrys.**

Trustee Dressler read the resolution into the record:

**RESOLUTION NO. 73- 2018 -A RESOLUTION TO REZONE 447 ROTHROCK ROAD (PARCEL NO. 15-01281) FROM CURRENT ZONING RESIDENTIAL MEDIUM DENSITY (R-MD) TO PROPOSED RESIDENTIAL HIGH DENSITY (R-HD)**

**WHEREAS**, the Copley Township Board of Trustees held a public hearing on September 11, 2018 to consider a map amendment for 447 Rothrock Road from Residential Medium Density to Residential High Density; and,

**WHEREAS**, the Trustees' deliberations were held on January 11, 2018 and included consideration of the Summit County Planning Commission's and the Copley Zoning Commission's recommendations of disapproval.

**NOW THEREFORE BE IT RESOLVED** that the Copley Township Board of Trustees approve the applicant's request to rezone 447 Rothrock Road from Medium Density to Residential High Density.

**FURTHER** that the applicant, Mr. David Kolar, and the landowner, Mr. Richard Burke, be notified by certified mail of the board's decision.

Discussion from the board. Trustee Dressler clarified that the resolution is written in the positive as the request. Opposition would be a Nay vote.

Trustee Humphrys stated that this is the third time to consider the map amendment and had postponed the hearing. Trustee Humphrys said that Mr. Kolar has failed to show several times. Zoning Inspector Sue Schultz sent him an email asking him to appear tonight. No response was received. She has tried to call him with no answer. With the setbacks, I feel this isn't the appropriate rezoning for this parcel.

Trustee Koellner stated, We have a land use plan and a lot of hard work went into developing the plan. We consider the plan to be very solid unless there are extenuating circumstances of which, there are not. I am against rezoning the property."

Trustee Dressler said, "The parcel already has an increased density from regular residential and I don't agree with the rezoning."

**Roll call: Trustee Dressler, Nay; Trustee Koellner, Nay; Trustee Humphrys, Nay.**

## **Fiscal Officer's Report – Ms. Linda Peiffer**

**Resolution 74-2018** to accept the regular meeting minutes of August 28<sup>th</sup> and the Special Meeting minutes of September 4 and September 10, 2018. **Trustee Koellner moved to accept the minutes as presented, second by Trustee Humphrys. Roll call: Trustee Dressler, Aye; Trustee Koellner, Aye; Trustee Humphrys, Aye.**

**Resolution 75-2018** requesting approval of a Purchase Order in the amount of \$30,000 to Ohio Edison to cover the remaining electrical cost for calendar year 2018. **Trustee Koellner moved to approve, second by Trustee Humphrys. Roll call: Trustee Dressler, Aye; Trustee Koellner, Aye; Trustee Humphrys, Aye.**

## **Administration - Mrs. Janice Marshall, Administrator**

Mrs. Marshall requested an Executive to discuss benefits in Administration & Service; acquisition of property; and employment of personnel in Fire Department.

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**Fire Department - Assistant Chief Keith Moore**

Assistant Chief Keith Moore reported on the annual fire hydrant maintenance project which was completed ahead of schedule and under budget. Firefighter/medic John Smith oversaw the program. Assistant Chief Moore expressed his gratitude to FF/Medic Smith and the workers for the excellent job. Out of 905 hydrants, 903 were completed. The two remaining were blocked by residents' landscaping. Working with the residents to make the hydrants accessible.

The new pickup truck which will be used as a grass fire truck has been received. The chiefs' cars should be delivered soon.

The department will participate in the Touch A Truck event at Copley High School September 15, 2018.

**Police Department – Chief Michael Mier**

Chief Mier announced there would be another movie premiere at Regal Cinemas with LeBron James. The affair is private as Mr. James invited his Family Foundation and I Promise school students and families to the movie event of Small Foot. Mr. James voice over's one of the animated characters.

Chief Mier reported his department would be at Touch A Truck event as well. The next Coffee with a Cop at Chick Fil A is Wednesday, September 19 at 9:00 a.m.

**Service Department – Mr. Mark Mitchell, Service Director**

**Resolution 76-2018** to remove Kyle Edwards from probation as he has successfully completed all the requirements to be established as a full-time employee in the Copley Service Department. **Trustee Humphrys moved to approve, second by Trustee Koellner. Roll call: Trustee Dressler, Aye; Trustee Koellner, Aye; Trustee Humphrys, Aye.**

Service Director Mitchell reported he submitted the monthly report for August via email. He also reported that the salt bids came in at \$79.82 per ton from Cargill Salt through the Community University Education (CUE) consortium. Last year the bid was \$48.47 per ton.

Mr. Mitchell reported that the service department will participate in the Touch A Truck event as well. The annual brush collection is underway on the east side and the west side starts September 17. The annual tire collection and E-Waste on the first Saturday in October is on the 6<sup>th</sup> this year from 9 a.m. until 1 p.m. Papers shredding is from 9 – noon only.

**Community & Economic Development – Mr. Matt Springer**

Request to set Public Hearings on October 9 at 6:00 pm for the following Map Amendment Applications:

a)

APPLICANT: Echo Realty, Attn: Joseph Tassone, P.E.  
LANDOWNER: Ronald G. Noland  
LOCATION: 4640, 4660, 4666, 4672 Medina Road  
PPN: 1700158, 1702590, 1702051, 1702589  
CURRENTLY: Commercial Office Retail (C-OR)  
PROPOSED: Commercial General Retail (C-GR)

b)

APPLICANT: Ronald Noland Managing Partner-WWRT LLC  
LANDOWNER: Ronald Noland Managing Partner-WWRT LLC  
LOCATION: 22 Scenic View Drive  
PPN: 1700134  
CURRENTLY: Commercial Office Retail (C-OR)

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PROPOSED: Commercial General Retail (C-GR)  
c)  
APPLICANT: Matt Manteghi  
LANDOWNER: Ghoham (Matt) Manteghi  
LOCATION: 4608, 4612 Medina Road  
PPN: 1700135  
CURRENTLY: Commercial Office Retail (C-OR)  
PROPOSED: Commercial General Retail (C-GR)

The trustees set the three public hearings at 6:00 p.m. on October 9, 2018 for Echo Realty, Inc. Land Owner Ronald Noland, followed by Landowner Ronald Noland Managing Partner, followed by Matt Manteghi, with a motion from Trustee Koellner, second by Trustee Humphrys. **Roll call: Trustee Dressler, Aye; Trustee Koellner, Aye; Trustee Humphrys, Aye.**

Mr. Springer requested an executive session to discuss employment of personnel in the Department of Community and Economic Development.

### Old Business

Township Administrator Janice Marshall reported that at the last meeting discussed was a complaint about signs being posted in Westview Drive to slow down cars. Getting information about electronic radar signs.

Mrs. Marshall also reported that the Bicentennial event with a Vintage Baseball Game scheduled for September 9 has been rescheduled for September 30, 2018. Also, that day will be the Farmer's Market, Corn Hole Tournament and Chalk Art.

### New Business

**Resolution 77-2018 – Recognition of Greenfield Estates and Its Dedication to Providing Care to Residents Requiring Addicted Living Services.** Trustee Koellner will present the proclamation at the celebration Thursday, September 13, 2018.

**Trustee Humphrys moved to approve, second by Trustee Koellner. Roll call: Trustee Dressler, Aye; Trustee Koellner, Aye; Trustee Humphrys, Aye.**

Mrs. Marshall announced a presentation by EDG Consultants on Complete Streets is scheduled for the trustees meeting on September 25 at 7 p.m. EDG is writing a Complete Streets policy for Copley Township.

### Business from the Floor

Mr. Michael Samarigan, 1343 Aberth Drive. Mr. Samarigan purchased his property in 1983. At that time, he was approached by the township to put a drainage ditch on his property. It worked well for 30 years. Now the pipe has caved in and he cannot mow his grass in the rear. Concrete catch basins were put in to receive the water. The neighbors' properties were piped in and his was except for 100 feet. Mr. Samarigan was told by Mr. Welton that it would be maintained with a handshake. Mr. Samarigan asked the trustees to resolve the issue.

The trustees asked Service Director Mark Mitchell to meet with Mr. Samarigan.

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## **Executive Session**

Trustee Dressler moved to enter executive session to discuss benefits in Administration & Service; acquisition of property; and employment of personnel in Fire Department and the Department of Community and Economic Development; Trustee Koellner, second.

**Roll call: Trustee Dressler, Aye; Trustee Koellner, Aye; Trustee Humphrys, Aye.**

**The session ended at 8:56 p.m. with a motion by Trustee Dressler, second by Trustee Koellner; the motion carried.**

With no further business to come before the Board, Trustee Dressler moved to adjourn at 8:56 p.m., second by Trustee Koellner; the motion carried.

Approved:

Respectfully submitted:



Scott D. Dressler, President



Linda J. Peiffer, Fiscal Officer