

COPLEY TOWNSHIP ARCHITECTURAL REVIEW BOARD

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

March 7, 2022

Held

20

1 Mr. Mong convened the Architectural Review Board meeting at 6:00 p.m. Present were
2 Dale Couch, Christopher Mong, Randy Grigson, Kelly McPherson and Christine Davis.
3 Joe Gregory was absent. Also present were Shawna Gfroerer, Loudan Klein and
4 Clarissa Hunt from the Department of Community & Economic Development.
5

REVIEW OF MINUTES

8 Mr. Mong called for a motion. Mr. Couch made a motion to continue the review of the
9 February 7, 2022, meeting minutes. Ms. McPherson second. Mr. Mong asked for a vote.
10 The motion carried.
11

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X	X		X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X		X	X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

BUSINESS FROM THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

15 Ms. Gfroerer stated that the Department processed 18 applications for a total investment of
16 approximately \$2,495,000 in February.

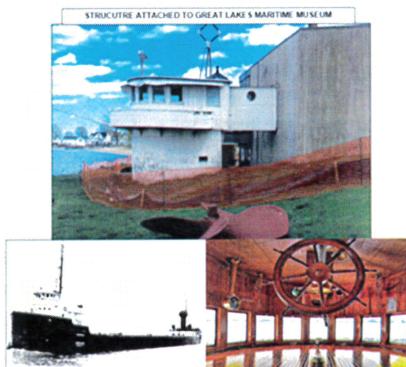
18 Mr. Klein gave an update from the Tree Commission on the Arbor Day 2022 celebration which
19 will be held on April 29 and 30, 2022.

NEW BUSINESS

23 **Applicant:** Bill Gribble
24 **On Behalf of:** Plasteak
25 **Landowner:** Bileve LLC
26 **Property Location:** 3489 Sawmill Road Parcels 1501709/1501708/1501707
27 **Acreage:** 3.5 Acres; Parcels 1501709 & 1501707 to be consolidated
28 **Zoning District:** Industrial
29 **Proposal:** Accessory Building
30 **Case #:** ARB202205

32 Ms. Gfroerer presented the application for the applicant, Bill Gribble, on behalf of PlasTeak,
33 who is requesting approval to place a Captain's
34 House (accessory building) in the front of the
35 building. The Captain's House will be connected
36 to the building entryway via a ramp.
37

38 The Captain's House is 19' x 29' (402 square
39 feet) in overall area. The applicant would like to
40 utilize the building to enhance the overall
41 architectural features of the primary business
42 located on-site, PlasTeak. PlasTeak provides
43 synthetic teak for the marine industry including
44 custom teak replacement, swim platforms,
45 pulpits, handrails, interior flooring, and
46 PlasDeck boat decking. PlasTeak also
47 specialized in recycled plastic furniture and
48 custom signs.
49



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1 The Captain's House was originally part of a Great Lake Ore Boat and has been purchased by
2 the applicant. The applicant desires to repurpose the structure and bring it back to life in
3 Copley Township.

4 Placement of the accessory building will require a lot consolidation of Parcels 1501707 and
5 1501709. Per a lot consolidation, the applicant is proposing the following setbacks:

8 ARTICLE 5-SECTION 5.01 D. DEVELOPMENT STANDARDS

10 25' Minimum Front Yard Setback: Upon consolidation, the structure will be set back 375+'
11 from the road right of way S. Cleveland Massillon Road

12 25' Minimum Rear Yard Setback: Upon consolidation, the structure will be set back 400+'
13 from the rear property line

14 25' Minimum Side Yard Setback: Upon consolidation, the structure will be set back 160+' from
15 the northern side yard property line; upon consolidation, the structure will be set back 30'
16 from the southern side yard property line.

17 50' Maximum Building Height: The structures will be 11' in overall height

18
19 The structure will be setback 20' from the existing building and connected with a ramp
20 structure. The existing accessible spaces will be relocated adjacent to the building.

24 SUMMIT COUNTY PLANNING

25 Lot Consolidation

27 COPLEY TOWNSHIP FIRE DEPARTMENT

28 No objections

30 COPLEY TOWNSHIP DEPARTMENT 31 OF COMMUNITY & ECONOMIC 32 DEVELOPMENT

33 The Community and Economic
34 Development Department is in support
35 of the applicant's request to place an
36 accessory building on the site which is
37 designed to enhance the architectural
38 feature of the business, PlasTeak. The
39 Captain's House is a unique structure
40 which is being repurposed and will
41 serve to welcome customers into the
42 business.



43
44 RECOMMENDATION: Approval
45 conditioned upon lot consolidation.

46
47 Mr. Mong asked if anyone wished to speak for or against this application.

48 Bill Gribble, 3489 Sawmill Road

50
51 Ms. McPherson asked if additional parking will be needed. Mr. Gribble stated, no.

52
53 Ms. McPherson stated that the existing structure looks to be in disrepair, and asked if
54 there are plans for outside improvements. Mr. Gribble stated yes, and work has already
55 started with the replacement of the windows and painting will begin once the weather
56 breaks.

57
58 Ms. McPherson asked if the Captains' House was already in place. Mr. Gribble stated that
59 it is on the side lot.

60

RECORD OF PROCEEDINGS

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1 **Ms. McPherson asked about improvements to the Captains' House.** Mr. Gribble stated
2 that they are going to restore it the best they can by installing their flooring inside the house
3 and painting the outside.
4

5 **Ms. McPherson asked how far off the ground it will be placed.** Mr. Gribble stated about
6 two feet off ground level.
7

8 **Ms. McPherson asked about landscape requirements.** Ms. Gfroerer stated that this is
9 being looked at as an accessory building, not an addition. So there are no additional landscape
10 required elements.
11

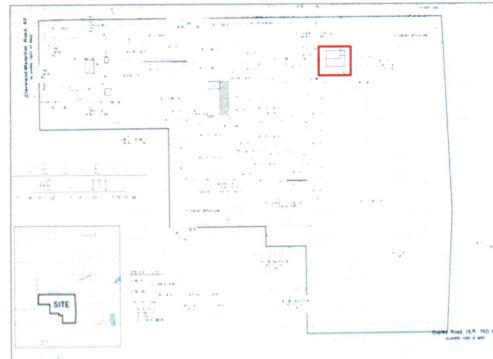
12 **Mr. Mong called for a motion. Ms. McPherson made a motion to approve the placement**
13 **of an accessory building (Captains Ship) as proposed conditioned upon lot**
14 **consolidation of Parcels 1501707 and 1501709. Mr. Couch second. Mr. Mong asked**
15 **for a vote. The motion carried.**
16

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

17
18 **Applicant:** Jeremy Simmons
19 **On Behalf of:** Graves Lumber
20 **Landowner:** Graves Lumber Co.
21 **Property Location:** 1315 S Cleveland Massillon Road Parcel 1507037
22 **Acreage:** 39 Acres
23 **Zoning District:** Industrial
24 **Proposal:** New Commercial Building
25 **Case #:** ARB202206
26

27 Ms. Gfroerer presented the application for the applicant, Jeremy Simmons, on behalf of Graves
28 Lumber who is requesting approval to construct a new saw building. The building will be
29 enclosed. The building is 35' x 70' (2450 square feet) in overall area.
30

31 Per the applicant, due to the demands
32 in recent years for special cut lengths
33 of lumber, Graves Lumber has decided
34 to invest in a large commercial saw to
35 expedite this process. Up to this time,
36 they brought crews in to cut lumber by
37 hand. It has been a time-consuming
38 and expensive process. The saw is an
39 electric machine which is quiet and
40 will be located in its own building. All
41 the scrap lumber and sawdust will be
42 contained and, when possible,
43 recycled. Utilizing this new saw will be
44 much more efficient and cost-effective
45 not only for Graves Lumber but for the customers we serve.
46



47 **ARTICLE 5-SECTION 5.01 D.**
48 **DEVELOPMENT STANDARDS**
49

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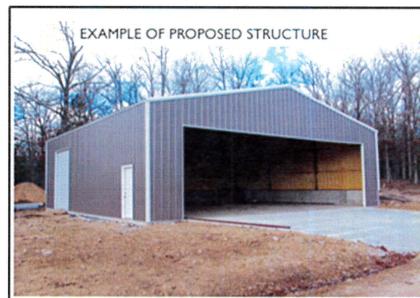
20

1 25' Minimum Front Yard Setback: Upon parcel consolidation, the structure will be set back
2 1000+ from the road right of way on S Cleveland Massillon Road.
3 25' Minimum Rear Yard Setback: The structure will be set back 485' from the rear property
4 line.
5
6 25' Minimum Side Yard Setback: The structure will be set back 139' from the northern side
7 yard property line and 1000' from the southern side yard property line.
8
9 50' Maximum Building Height: The structure will be 30' in overall height
10 The building will be comprised of metal siding to match existing sheds/warehouses. The
11 building will include a hanger/airport-
12 style door for access.

13
14 **SUMMIT COUNTY ENGINEERS OFFICE**
15 *Comments pending*

16
17 **SUMMIT SOIL & WATER CONSERVATION**
18 **DISTRICT**
19 *Comments pending*

20
21 **COPLEY TOWNSHIP FIRE DEPARTMENT**
22 *No objections*



23
24 **COPLEY TOWNSHIP DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT**

The Community and Economic Given that this construction will add additional impervious surface and runoff to the property, our approval would be subject to comments from the Summit County Engineers Office and Summit County Soil and Water for review of those impacts.

25
26
27
28
29 **RECOMMENDATION:** Approval conditioned upon satisfying all agency reviews.

30
31 **Mr. Mong asked if anyone wished to speak for or against this application.**

32
33 Jeremy Simmons, Applicant, 1315 S. Cleveland-Massillon Rd.

34
35 **Mr. Grigson asked if the building will be insulated.** Mr. Simmons stated that it will.

36
37 **Mr. Mong called for a motion.** Ms. Davis made a motion to approve the construction of a new accessory building (Saw House) as requested conditioned upon satisfying all agency reviews. Ms. McPherson second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X			X		
Christine Davis	X	X		X		
Joe Gregory	Absent					
Kelly McPherson	X		X	X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

42
43 **Applicant:** Cody Free
44 **On Behalf of:** MedVet
45 **Landowner:** Broadstone MV Portfolio LLC/Copley Road Holdings LLC
46 **Property Location:** 1321 Centerview Circle/3675 Copley Road/Parcels 1508153 & 1502424
47
48 **Acreage:** 1321 Centerview Circle: 2.80 3675 Copley Road: 1.93
49 **Zoning District:** Industrial
50 **Proposal:** Addition/Parking

RECORD OF PROCEEDINGS

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GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

March 7, 2022

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20

1 Case #: ARB202207

3 Ms. Gfroerer presented the application for the applicant, Cody Free, of Korda, on behalf of
4 MedVet Akron, who is requesting approval
5 to construct an addition and parking
6 expansion.

8 The applicant requires a variance for this
9 project. The variance request is to exceed
10 the maximum parking requirements.



12 The addition will be located on the north
13 side of the building. The addition will be
14 utilized to house two MRI cassettes totaling
15 1740 square feet in overall area and a 41
16 square foot entry vestibule.

18 Additionally, the updates will include renovation of existing space to accommodate additional
19 exam rooms, ophthalmology services, dentistry, and a pet relief area.

21 SUMMIT COUNTY ENGINEERS OFFICE

No objection to the proposed conceptual layout. Detailed stormwater calculations have not yet been submitted, as the location of the underground storage has not been finalized. There is an existing LTMA for the previous improvements. The LTMA will need to be updated to include these improvements. LTMA to address neighboring property. Awaiting Traffic Impact Questionnaire.

28 SUMMIT SOIL & WATER CONSERVATION DISTRICT

29 SUMMARY SOIL & WATER CONSERVATION
30 *There are no riparian setbacks, no wetlands, and no floodplains on site. Include limits of*
31 *disturbance on the plan as well as any sediment and erosion controls. Provide for SWPPP details*
on the updated plan.

33 COPLEY TOWNSHIP FIRE DEPARTMENT

34 No objections

36 COPLEY TOWNSHIP DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

The Department of Community and Economic Development is supportive of the major site plan application along with an increased parking variance request from MedVet. The proposed addition is a sign of a successful and growing business and one that we want to do our best to accommodate properly. If possible, we want to encourage expansion on-site to keep a thriving business in our community. The parking expansion will allow them to accommodate the additional square footage of the office, while also accommodating the large increase in staff and medical services that have occurred since MedVet took over in 2017. As the parking demand letter outlines, their current goal is to work towards 135 employees with a long-term projection of up to 200 in 5 years making them one of the largest employers in Copley Township. The methodology that created the current parking requirements for veterinary services did not necessarily consider this type of office which operates on a much larger and regional scale than traditional vet offices, accounting for nearly an 80% larger footprint and staff structure. In conclusion, the project supports our efforts to retain existing businesses within Copley, and the proposed parking request is a reasonable request to make the project viable

ARTICLE 5-SECTION 5.01 D.

ARTICLE 5 SECTION 5.1.1.1 DEVELOPMENT STANDARDS

54 This is a corner lot-Copley/Centerview

56 25' Minimum Front Yard Setback: Copley Road is the primary front yard. The addition will be
57 set back 209' from the road right of way.

59 25' Minimum Side Yard Setback (Secondary Front Yard): Centerview Drive is the secondary
60 front yard. The addition will be set back 56' from the road right of way.

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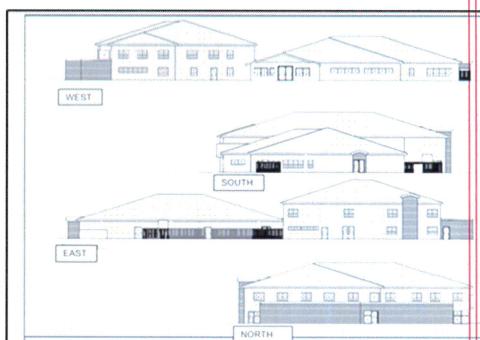
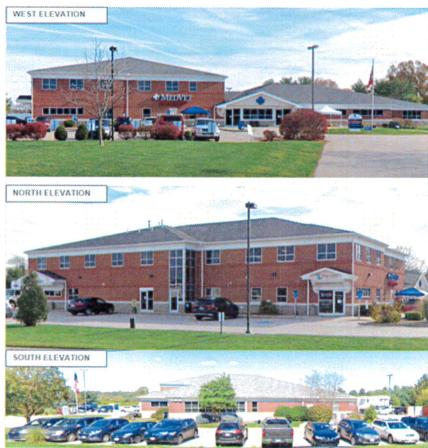
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- 1 25' Minimum Rear Yard Setback: The addition will be set back 58' from the northern property line.
- 2 25' Minimum Side Yard Setback. The addition will be set back 163' from the eastern property line.
- 3 50' Maximum Building Height: The addition is 11'-10" in overall height (one story)
- 4
- 5
- 6
- 7



12

LANDSCAPING, BUFFERING, SCREENING

13

14 14.06 Building Façade Landscaping

15 75% of Façade Landscaped

16 3 Deciduous Trees for every 100' linear feet

17

18 *The applicant plans to update the façade landscape on the north side of the building to accommodate for the addition. Landscape to include a Frontier Elm, Princeton Sentry, common boxwood, and ground cover.*

19

20 14.08 Screening and Landscaping of Parking Lots

21 Perimeter landscaping 10' in width 160 square feet of interior landscape per 10 spaces

22

23 *The applicant plans to maintain a 10' landscape buffer inclusive of boxwood, holly, juniper, Bald Cypress, yew. The applicant plans to install 3 interior islands inclusive of Celebration Maples, and American Elms. Recommend adding a small interior island in the center parking*

24

Article 9, Section 9.03

Parking Requirements

25

33 As part of the building addition, the applicant is seeking a variance to increase the maximum parking requirements.

34

36 Per Article 9, Section 9.03, and approval of the parking plan dated 9/5/2013, the applicant is permitted 85 spaces.

37

39 The applicant is requesting an increase of 71 additional parking spaces for a total of 155 spaces.

40

42 The new parking surface will be 25,738 square feet in overall area.

43 Parking calculations were provided for a similar MedVet Site located in Cleveland Ohio.

44

45 Copley MedVet: 31,000 square feet (155 spaces requested)

46 Cleveland MedVet: 35,000 square feet (175 spaces)

47

48 Additional parking will be provided via an easement agreement with 3675 Copley Road.

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1 The adjacent lot will be illuminated and buffered.

2
3 **3675 meets the parking required for the existing building. The land proposed for the**
4 **parking expansion has been underutilized as a vacant parking area for the existing**
5 **building.**

6
7 **Per the applicant, the practical difficulties that justify this application include: To be able to**
8 **meet the parking demand of not only the existing MedVet Akron building but also parking for**
9 **the new staff and customers that the building addition will bring, MedVet is seeking to expand**
10 **its parking lot, therefore is requesting the necessary variances to do so. The MedVet site is**
11 **limited on space, which is why they are leasing the neighboring gravel lot to expand parking.**

12
13 **Per the applicant, the granting of this variance would have no effect on the immediate**
14 **neighborhood and community. Granting these variances and allowing MedVet to expand its**
15 **parking lot will assure there is always the proper amount of parking for not only its staff but**
16 **also its customers. In an emergency situation with a pet, it is important that there is always ease**
17 **of access to the MedVet building.**

18
19 *The neighboring lot that is being leased is already an existing gravel lot, so in that sense, it will*
20 *not be affected too much. Landscaping/screening will be provided to ensure neighboring parcels*
21 *are not affected by car lights, etc.*

22
23 Ms. Gfroerer reviewed the parking requirements as found in the Zoning Resolution.

24
25 *a) Can the property in question yield a reasonable return or can there be a beneficial use of the*
26 **property without the variance? Parking will limit the applicant's ability to provide the**
27 **highest and best level of service to customers at this location.**

28
29 *b) Is the variance substantial? Yes.*

30
31 *c) Will the essential character of the neighborhood be substantially altered or will adjoining*
32 **properties suffer a substantial detriment as a result of the variance? No. The adjoining**
33 **property will be improved by the variance.**

34
35 *d) Does the variance adversely affect the delivery of governmental services (i.e. water, sewer,*
36 **garbage)? No. The applicant is required to submit stormwater plans to Summit County**
37 **Engineers and Summit Soil and Water Conservation District. These improvements will**
38 **enhance the site aesthetically and bring the site, which is currently impervious, into**
39 **compliance with stormwater regulations.**

40
41 *e) Did the applicant purchase the property with knowledge of zoning restrictions? Uncertain.*

42
43 *f) Can the property owner's predicament be obviated through some other method than a*
44 **variance? The applicant is at maximum capacity for parking on the existing site.**

45
46 RECOMMENDATION: Approval conditioned upon removal of illegal parking spaces along
47 Copley Road, satisfying all agency requirements and recorded lease agreement

48
49 Mr. Mong asked if anyone wished to speak for or against this application.

50
51 Cody Free and Justin Grimm, Applicant, 1321 Centerview Circle

52
53 **Ms. McPherson asked about crossing over the property lines and if the same person**
54 **owns both parcels.** Ms. Gfroerer stated they do not. This has been researched quite
55 significantly. Per our zoning regulations, initially, we thought we had restrictions on offsite
56 parking. Those restrictions are not in the Industrial District, they are found in the Planned
57 Development District where parking needs to be provided on-site, and if off site an easement
58 for the life of use is to be recorded.

59
60 We did request that the applicant use what's required in the Planned Development District
61 by recording an easement for the life of the building.

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1 Ms. McPherson asked about the landscaping and if the trees and material comply with
2 the diversity, and plant species. Ms. Gfroerer stated that it does.
3
4 Mr. Mong called for a motion. Ms. McPherson made a motion to approve the applicants'
5 site plan as requested inclusive of an addition comprised of 1740 square feet on floor
6 one and 24 square feet on floor two conditioned upon approval of a variance to exceed
7 the maximum parking requirements, satisfying all agency requirements, recorded
8 lease agreement, and removal of temporary gravel parking spaces located adjacent to
9 Copley Road on the south side of the building. Upon removal of gravel, the applicant
10 will install impervious vegetation in this area. Mr. Couch second. Mr. Mong asked for
11 a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

13
14 **Applicant:** Christopher Schmidt-Davey Resource Group
15 **On Behalf of:** Storage King USA
16 **Landowner:** AGAP Akron LLC
17 **Property Location:** 1252 Mina Ave/3284 Copley Road Parcels 1506659 & 1500946
18 **Acreage:** 15.1 (Lots to be Consolidated)
19 **Zoning District:** Industrial
20 **Proposal:** New Commercial Buildings
21 **Case #:** ARB202208

23 Ms. Gfroerer presented the application for the applicant, Christopher Schmidt-Davey
24 Resource Group, on behalf of Storage King USA is requesting approval to construct a new flex
25 office/warehouse building, two self-storage buildings, and covered RV storage.

27 A lighting plan has been submitted for this project.

29 The applicant plans to secure the storage buildings with an automatic gate and keypad. A 6'
30 black vinyl chain link fence will surround the storage area.

32 The plan is inclusive of three products:

- 1. Flex Building
- 2. Personal Storage
- 3. RV Storage

Product 1: Flex Building

39 9,100 square feet in overall area (130' x
40 70') comprised of six proposed flex units



41 plus one self-storage sales office. The building will be comprised of vertical metal panels in
42 light and dark gray, metal cornice and canopy in yellow, and storefront glazing. The applicant
43 is proposing a wall-mounted building sign per storefront. There will be light fixtures on either
44 side of the storefront. Each unit will include access to a rear 12' x 14' roll-up door

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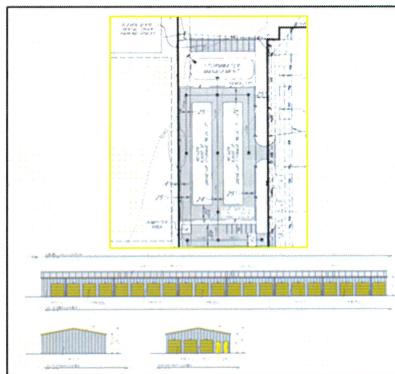
Held

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Product 2: Personal Storage

Two Enclosed Personal Storage Buildings: Each building will be 8,600 square feet in overall area (40' x 215'). 11 Rental Truck Parking Spaces. The building will be comprised of gray vertical metal panels and yellow roll-up storage doors. Units will range in size 10' x 10'-10' x 30' and include an 8' x 8' roll-up door



Product 3: Personal Storage

2 Single Story RV Canopy Buildings. Building 1 is 40' x 200' in overall area and will house 10 RVs. Building 2 is 80' x 200' in overall area and will house up to 22 RVs. Each space is approximately 17' 5" x 40'.

The applicant will consolidate parcels 1506659 and 1500946 to meet the required setbacks. The plan meets all of the required setbacks.

ARTICLE 5-SECTION 5.01 D. DEVELOPMENT STANDARDS

25' Minimum Front Yard Setback (Copley Road):

Flex Building-95'+

Personal Storage Buildings-245'+

Covered RV Storage-650'+

25' Minimum Rear Yard Setback (Northern Property Line):

Flex Building-975'+

Personal Storage Buildings-700'+

Covered RV Storage-350'+

25' Minimum Side Yard Setback (Western Property Line):

Flex Building-25'+

Personal Storage Buildings-25'+

Covered RV Storage-650'+

25' Minimum Side Yard Setback:

Flex Building-25'+ (Mina Ave.)

Personal Storage Buildings-25'+ (Mina Ave.)

Covered RV Storage-50'+ (Eastern Property Line)

50' Maximum Building Height:

Flex Building-22'3"

Personal Storage Buildings-15' 8"

Covered RV Storage-17' 10.25"

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1 **SIDEWALK**

2
3 The applicant has provided for a 5' sidewalk along Copley Road. Copley Township requests
4 that an 8' easement be recorded in this area for future installation of a potential shared-use
5 path.

6
7 **SUMMIT COUNTY ENGINEERS OFFICE**

8 *3/7/2022 No objection to the conceptual layout. A detailed stormwater analysis will need to*
9 *be provided. Addition of detention basin to the site plan. The site will be subject to an LTMA.*

10
11 **SUMMIT SOIL & WATER CONSERVATION DISTRICT**
12 *3/7/2022 Indication of wetlands present onsite. Submission of Delineation/ORM requested.*
13 *Add overall disturbed acreage/limits of disturbance and stormwater control/measurements to*
14 *plan.*

15
16 **COPLEY TOWNSHIP FIRE DEPARTMENT**
17 *No Objections*

18
19 **COPLEY TOWNSHIP DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT**

20 *The Community and Economic Development Department is in support of the major site plan*
21 *application for Storage King USA. The proposed use of self-storage is an approved use within the*
22 *Industrial District and a compatible use with their continuous storage development to the north.*
23 *The site plan also includes a flex building on the south end of the site along Copley Road. The flex*
24 *building will provide an inviting street-level appearance for an industrial site based upon the*
25 *renderings submitted. These flex spaces should be highly sought after based upon the inquiries*
26 *our office has received for this type of space. Furthermore, the numerous small businesses and*
27 *craftsmen within the Copley community will now be able to expand and grow operations in*
28 *buildings just like this.*

29
30 *We would encourage the applicant to review the potential to increase the 5' sidewalk to 8' or a*
31 *multi-use path to be part of a long-term plan to connect Copley Circle to Copley Community Park*
32 *for bikes and pedestrians. At a minimum, we ask a pedestrian easement be placed along the*
33 *Copley Road frontage to accommodate the trail at such time. Copley Township is in the early*
34 *stages of developing centralized sewer to these parcels along Copley Road, ideally, coupled with*
35 *the trail development which would further enhance the value of these and surrounding*
36 *properties.*

37
38 **RECOMMENDATION:** Approval conditioned upon agency approvals. Recommended
39 addition to plan-8' recorded easement along Copley Road.

40
41 **Mr. Mong asked if anyone wished to speak for or against this application.**

42
43 Christopher Schmidt, Davey Resource Group, Cheryl Travor, and Frank Relf, Architect, 1252
44 Mina Ave. Storage King USA

45
46 **Ms. Davis stated that she appreciates the flex space, and asked if the applicant could**
47 **clarify the RV parking, and how people will drive around to get there.** Mr. Schmidt stated
48 that there's an access road that goes to the back of the property or the east side of the
49 property.

50
51 **Ms. Davis stated with all of the great new improvements to the front path, will**
52 **everything be repaved?** Mr. Schmidt stated that could be explored with the owner.

53
54 The Board discussed in length the condition of the road pavement.

55
56 **Mr. Mong asked with regards to the flex space, are there any intended occupants at this**
57 **point?** Mr. Schmidt stated, not that I'm aware of.

58
59 **Mr. Mong asked, how they intend to furnish the spaces and be flexible with the needs**
60 **of individuals. How do they plan to meet the building code requirements for individual**
61 **tenants? At this point, are you generating a cookie-cutter space with the furnishings in**

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1 **that manner or are you going to spec out each space as it is leased or rented?** Mr. Relf
2 stated there would be separation between each of the individual spaces per the building code.
3

4 This space is for business owners, not for personal storage. This storage is more for a
5 plumber or ceramic tile business. Instead of operating out of their home or a large building,
6 this will afford a small business owner to have a smaller space.
7

8 **Mr. Mong stated that he was more concerned about the opportunity before occupancy**
9 **for folks that are coming into a space that may be the space was originally classified, as**
10 **that certain type of user group. He wouldn't want to create any additional hazards that**
11 **the Fire Department or the building department would not be aware of at the original**
12 **inception of the project.** Mr. Relf stated there is typically a strict lease, and specifically in
13 the lease they identify no storage of combustible or hazardous materials. Any of the
14 managers that would rent any of these spaces typically keep tabs of who is coming and going.
15 There are security systems throughout the facility connected to CPD cameras with DVR
16 recorders. So if anyone should bring in things contrary to the lease, the manager would be
17 fairly aware vis-a-vis their surveillance.
18

19 Ms. Gfroerer expanded on the question regarding the uses. Each unit of the proposed six units
20 would be split as follows. The front portion of the unit, about 330 square feet would be set up
21 as an office, the rear one thousand square feet would be set up for the warehouse. The office
22 portion is where they're going to talk to the clients, take their orders, or talk about the site
23 plans. To the rear, that's where they're pulling in their company truck or bringing in tile
24 samples and things of a warehouse nature. When the building department looks at it, they
25 will evaluate construction requirements for office space as well as warehouse space for each
26 of the units.
27

28 **Mr. Mong stated, ultimately, he was trying to go back to the point of, how are we going**
29 **to manage the occupants. If it's a contiguous yearly lease, it's basically six individually**
30 **spaces that are being leased by whatever terms. Do we have the means to be able to**
31 **monitor what comes through those, as we would with any other space within the**
32 **Township?** Ms. Gfroerer stated that we do. We had some pretty significant discussions of
33 the original plan. They wanted to include a retail restaurant as that flex space, but they don't
34 have the parking. They can't meet the parking requirements at the minimum to do that. So
35 they revised the plan to do Office and Warehouse. Those would be the only uses that would
36 be available in that flex space.
37

38 **Mr. Grigson stated that in the past if there were six individual tenants, the landlord**
39 **would pull what we called a shell permit, then each individual tenant would have to**
40 **pull their own permit for the build-out of their individual space. Is that the direction**
41 **we're heading for there?** Ms. Gfroerer stated that we don't oversee the construction, but
42 that as far as zoning-wise, we will review a modified site plan.
43

44 **Mr. Grigson stated that would be the building department correct.** Ms. Gfroerer stated
45 yes, we will issue a zoning certificate for the shell. In that zoning certificate, it will list out the
46 approvals of the site plan that the Architecture Review Board has approved. But as far as
47 monitoring, each of those individual spaces will be submitted to the building department.
48 Then the Zoning Department will issue what's called a Business Use Certificate.
49

50 Mr. Klein stated that he didn't want to speak for the Architecture Review Board, and he knows
51 it's premature for this project because there's no signage proposed, but we have been
52 exploring uniform signage guidelines, and criteria. He would encourage, or at least state for
53 the record that the owner and the engineer look at such time as tenants are going into the
54 space, to have some kind of uniform signage plan. To have some cohesiveness between the
55 different tenants. Also, whether there's a business center sign in advance of having tenants in
56 the space.
57

58 *Mr. Relf explained there were sign placeholders on the plan for each tenant.* Ms. Gfroerer stated
59 that the ARB has the opportunity to make requirements of the sign placeholders during the
60 review.
61

Mr. Schmidt asked for clarification on the request for an 8' easement along Copley Rd.

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1 Mr. Klein stated to have the sidewalk in place the easement would be for the future trail
2 access. The Trustees are trying to expand trail networks within the Township, this being one
3 of them. As we look towards sewer expansion in this area, we were hoping to time it with
4 some kind of trail development. We don't know if the timing will work out, but this would be
5 able to get residents and visitors from Copley Circle to the community park, just east of this.
6

7 **Ms. McPherson asked if the eight-foot easement would include the sidewalk.** Mr. Klein
8 stated that the sidewalk could be installed now. The trail is a long term planning opportunity.
9 But while this project is going through development, and they've got survey work going on
10 and engineers out there, we would like to have the easement put in place rather than going
11 back after the fact and getting an easement from the property owners one by one. We see
12 this as an opportunity to establish an easement while we are in the development phase.
13

14 **Ms. Davis asked if a five-foot sidewalk is okay at this point than the eight-foot easement
15 in addition.**

16
17 **Ms. McPherson asked for clarification, are we saying that there is an eight-foot
18 easement and in that easement is a five-foot sidewalk.** Mr. Klein stated that it's up to the
19 property owner where they want to place it. Typically the sidewalks are placed within the
20 right away, but this is a state route. He doesn't know if they want to place it on their property.
21 Ideally, the way we wrote it, is requesting that just an eight path be installed on the property.
22 If there are no other pedestrian improvements out there, at minimum, we would like to see
23 the five-foot sidewalk.
24

25 **Mr. Schmidt stated that is something they can look into as they get into engineering, to
26 make sure, as there is limited open space on the property.** Mr. Klein stated that it would
27 be great if when the asphalt trucks are out there to grade it and put the eight-footpath that
28 would be tremendous. But like he said, given the limited pedestrian infrastructure there, he
29 thinks at minimum, we would like to see us start with sidewalk.
30

31 **Mr. Schmidt stated that once they have an actual topo and see what is going on outside
32 of the right-of-way, they will be better prepared to address the request.** Mr. Klein said
33 that is understood.
34

35 **Mr. Mong asked who owns Mina Ave. He has concerns with the Board stating a motion
36 that the property owner or someone thereof, repair the road if it's not theirs' to repair.
37 As part of our motion moving forward, Mr. Mong stated that he thinks they have to have
38 a better understanding of whose responsibility the roadway is.**
39

40 *The Board continued to discuss ownership of the road, and proposed required improvements.*
41

42 **Ms. McPherson asked if we know who maintains or plows Mina Ave.** Ms. Gfroerer stated
43 that Mina Ave. is a private road. The Architectural Review Board can make that, as a condition
44 of the motion, and then, if the applicant is unable to, for whatever reason, make that change,
45 they would bring it back to the Architectural Review Board. There are many times where
46 commercial businesses are required to make improvements on public roads in order to
47 expand their business or as in the parking expansion they have to complete a traffic
48 questionnaire. There are opportunities for the applicant to improve roadways that are not
49 theirs through every site plan.
50

51 **Mr. Couch asked if the Board would like to continue this application until next month
52 in order to obtain more road information.** Ms. Gfroerer stated that she would recommend
53 approval of the site plan conditioned upon those, but the Architecture Review Board may
54 certainly can continue.
55

56 Mr. Relf asked, if this is a private road, how does the Board have jurisdiction over having it
57 being paved. Wouldn't that be shared by everyone that has access to that road? How can
58 Storage King be responsible when there are other landowners that use the same road? **Ms.**
59 **Davis stated that with all those new buildings, there's absolutely no way that they're
60 going to leave that road in that condition, the road is going to crumble with the first
61 piece of construction equipment that comes onto it.** Ms. Gfroerer stated that the

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1 Architectural Review Board has authority to review recommended changes to site plans, and
2 recommended approval to site plans. So if this is the access drive that they're proposing to
3 utilize to access their site, it is part of the site plan.

4
5 Ms. Gfroerer stated that we can't require that the applicant pays for it, so the applicant can
6 cost-share with whomever the other property owners are. We are not determining who has
7 to pay for the improvement, we're just stating that as part of your site plan review that is an
8 improvement that would need to be made.

9
10 The Board continued to discuss how the motion should be made. Mr. Couch began to
11 make a motion, although no clear motion was made. Mr. Couch repeating his request
12 to continue the application. Mr. Mong asked Mr. Couch if he would like to rescind his
13 motion. Mr. Couch did rescind his motion and repeated his request to continue the
14 application.

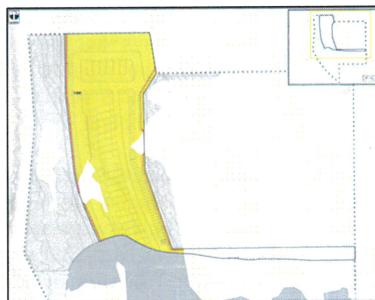
15
16 Mr. Mong called for a motion. Ms. McPherson made a motion to continue the
17 application. Mr. Mong second. Mr. Mong asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X			X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X		X	X		
Randy Grigson (alt.)	X			X		

19
20 **Applicant:** Matthew J. Birch
21 **Landowner:** One Hundred Three LLC
22 **Property Address:** 506 Rothrock Road
23 **Property Location** Parcel #1504432
24 **Acreage:** 21 Acres (Parcels to be consolidated)
25 **Zoning District:** C-GR (Commercial General Retail)
26 **Proposal:** Tree Clearing Phase 2A of Proposed MUCD

27
28 Ms. Gfroerer stated that this is a continuation of the site plan review for the Mixed-Use
29 Compact Development District, Rothrock Road, for the applicant and landowner, Matthew J.
30 Birch who is requesting approval of a Tree Clearing Permit for Phase 2A of the MUCD in
31 advance of the Zoning Certificate for the purpose of preparing the site for development.
32 Approval is conditioned upon approval of the plan by Summit Soil & Water Conservation
33 District.

34
35 The Tree Inventory Assessment for Phases 1 & 2
36 and the Phase 1 Tree Clearing Plan were
37 conditionally approved by the Architectural
38 Review Board on 2/7/2022.



39
40 *The applicant is permitted to request a Tree Clearing
41 Permit in advance of Major Site Plan approval for the
42 purpose of clearing and grading the land in
43 preparation for the development of the property
44 with new structures.*

45
46 Per Article 16, Section 16.02 B. 1., a minimum of
47 50% of woodlands shall be preserved.

48
49 Per Article 16, Section 16.03 A. 1., the applicant may off-set the loss of trees by depositing
50 funds into the Copley Township Tree Fund us the Fair Market Value Calculation as follows:

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1 The applicant has identified 3.21 acres of woodland canopy located within the Phase 2A
2 project boundary.

3

4 The applicant is permitted to clear 1.6 acres of woodland canopy.

5

6 The applicant has requested to clear 3.21 acres of woodland canopy.

7

8 The applicant is requesting a Fee In Lieu Fair Market Value Calculation of for 1.60 acres to
9 meet the regulations of Article 16.

10

11 FMV=\$32,200 x 1.6 acres

12 Total Fee=\$51,520

13

14 RECOMMENDATION: Approval as recommended by Summit County Engineers for tree
15 cutting only. No clearing or grading on 506/444 Rothrock is to be permitted until the
16 applicant has satisfied Summit Soil & Water and Summit County Engineers office review.

17

18 **Mr. Mong asked if the department had received any feedback with any of the other
19 agencies with regard to confidence level of passage of their request for the entire plan.**

20 Ms. Gfroerer stated that she has received no objections to the applicants' final development
21 plan proposed to the Architectural Review Board. The applicant, again, is proposing full civil
22 engineering documents, which you see before you, as well as a full stormwater report for
23 Phase 1.

24

25 They've submitted their traffic questionnaire to the Summit County Engineers Department
26 for Phase 1. There has been no feedback for improvements that will be required for Phase 1.
27 They've also drafted an agreement with Summit County Engineer's Office for a long term
28 maintenance agreement for the basin that's proposed for Phase 1 as well.

29

30 **Mr. Mong asked if there was a high probability of approval of passage so that we are
31 not cutting down all the trees and then having a hiccup in the road without a positive
32 outcome.** Ms. Gfroerer stated that here have been no objections to the Phase, however, we
33 can't speak on behalf of those agencies, as they have not seen a civil plans for Phase 2A of the
34 project.

35

36 **Ms. McPherson stated that there's a recommendation for the use of tree funds. Are we
37 to assign that?** Ms. Gfroerer stated that she had an opportunity to speak with Mr. Gregory,
38 who is a certified arborist, on the Architectural Review Board. He did recommend that the
39 Tree Board, of which the Architecture Review Board serves, reconvene to prioritize the
40 canopy plan in the township.

41 The Architecture Review Board and the Board of Trustees have embraced our regulations on
42 fair development, development that meets the goals and objectives of Copley Townships'
43 Comprehensive Land Use Plan, while also ensuring that there's some mitigation that stays
44 locally for any canopy that's removed.

45

46 The fee in lieu of; Fair market Value Restoration Fee, as well as, replanting on-site and
47 variances are four ways that the applicant can keep like replanting's local through the tree
48 fund. The ARB does not need to determine, at this time, exactly how those funds would be
49 used. But we would recommend that the Board reconvene at a time that's convenient for you
50 to develop that canopy plan.

51

52 Currently, we've been utilizing funds for the celebration and preparation of Arbor Day, which,
53 to date, with those funds, we've been able to put at least 900 trees into the community
54 through community giveaways, which occurred for three years in a row now. Through those
55 giveaways, we put at least 300 seedlings or small trees into the hands of residents and
56 stakeholders in the Township over three years for 900 trees. We've planted two community
57 tree gardens with those tree funds, one at Copley Township Middle School and one at Copley
58 Community Park. We also did a mature tree planting at Copley Community Park as well as a
59 Mature Tree planting at Arrowhead Elementary School with those tree funds to date.

60

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1 Ms. McPherson asked if once all of the final grading and phases are complete is there
2 not any room beyond the proposed landscaping to force mitigation on the property
3 itself. Ms. Gfroerer stated that she did look at the cost to restore with the applicant and CEC.
4 The funds to restore were exorbitant beyond the fair market value. We looked at replanting's
5 on-site, there is not enough open land to replant. Ms. Gfroerer said that she believes they
6 would be up to about 3.2 acres at this point. They do have an opportunity to enhance the
7 canopy along the western portion of Phase 1, but that would not meet the reforestation goal.
8 Really filling in that landscape buffer to the west of the detached single-family along the
9 interstate. They can replant in there but they wouldn't be able to reforest type on the site.
10

11 Ms. Gfroerer discussed other opportunities for use of funds established in the Tree Fund.
12 Including canopy banks which are similar to wetland banks.
13

14 **Mr. Mong asked if there were any questions from the floor or online.** There were none.
15

16 **Mr. Mong called for a motion. Mr. Mong made a motion to approve the 2A Fee In Lieu
17 of for 2A and approval of tree clearing for Phase 2A Limits of Disturbance in advance
18 of the Zoning Certificate conditioned upon approval from Summit Soil & Water
19 Conservation District and express approval by the property owner for Parcel 1501804.
20 Mr. Couch second. Mr. Mong asked for a vote. The motion carried.**
21

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X			X		
Christopher Mong	X	X		X		
Randy Grigson (alt.)	X			X		

22
23 **Applicant:** Wesley Noland
24 **On Behalf of:** Stoney Hill's Station
25 **Landowner:** Estate of Ronald G. Noland
26 **Property Location:** 4640 Medina Road Parcel 1700158
27 **Acreage:** 1.86 Acres
28 **Zoning District:** Commercial Office Retail (C-OR)
29 **Proposal:** Ground Sign
30 **Case #:** ARB202113
31

32 Ms. Gfroerer continued review of a Ground Sign associated
33 with the approval of a Major Site Plan application on
34 10/4/2021.
35

36 Per Article 8, Section 8.07 D. Table 2, the applicant is
37 permitted one ground sign at 8' in overall height. Per a
38 variance granted 3/21/1990, the applicant is permitted 48
39 square feet in overall area and placement 2' from the road
40 right of way.
41

42 The applicant is requesting a ground sign at 12'4 in overall
43 height, 73 square feet in overall area, 2' from the road right
44 of way. The applicant requires variance approval for this request.
45

46 Ground Sign Approved 3/21/1990
47 8' in overall height, 48 square feet in overall area, 2' from the road right of way.
48

49 Per Section 8.11 all legal non-conforming signs must come into compliance no later than
December 2022.



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1 VARIANCE REVIEW

2
3 Section 8.07 D. Table 2 4' 4" INCREASE IN THE
4 OVERALL PERMITTED HEIGHT: The applicant is
5 proposing to lower the sign to 12' 4" and is seeking
6 review and approval of a variance to maintain this
7 height. The applicant is permitted 8' in overall height.
8 The applicant is requesting a height variance increase of
9 4' 4".

10
11 Section 8.07 D. 8. Table 2 25 SQUARE FEET INCREASE
12 IN THE OVERALL PERMITTED AREA: The applicant is
13 proposing to revise the sign panels to 73 square feet and
14 is requesting a variance for the overall square footage. The applicant is permitted 48 square
15 feet in overall area per a previous variance. The applicant is requesting an area variance
16 increase of 25 square feet.

17
18 Section 8.07 D. 3.5 SQUARE FEET INCREASE
19 IN THE OVERALL PERMITTED AREA OF
20 CHANGEABLE COPY: The applicant is
21 proposing digital changeable price panels and
22 changeable copy signage at 39.5 square
23 feet in overall area. Based on 48 square feet
24 of the panel, the applicant is permitted up to
25 75% in changeable copy for a total of 36
26 square feet permitted. The applicant is
27 requesting an area variance increase of 3.5
28 square feet.

29
30 Section 10.04 2. Expansion of a structure devoted to a legal non-conforming use.

31
32 Section 8.11 C: Variance to maintain a legal non-conforming sign.

33
34 **Per the applicant, the Practical Difficulties that justify this application include: This sign has**
35 **been out there since the early 1990s. Currently, the Sunoco brand is making us bring everything**
36 **up to the current branding. This sign is the first thing you see and needs to be its current height**
37 **to be seen over traffic. We are not looking to change anything about the current sign, just the**
38 **facing and numbers which will digital, being that's what the brand is going to.**

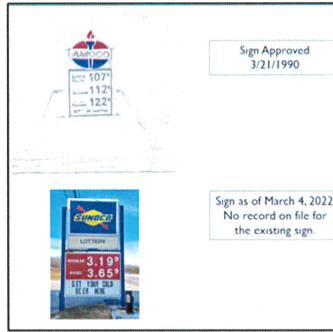
39
40 **Per the applicant, the granting of this variance will have no effect on the immediate**
41 **neighborhood as we plan to keep the same size and shape but there will be positive impact of a**
42 **newer cleaner-looking sign that will be crisp and clean.**

43
44 **Ms. Gfroerer reviewed the sign regulations as found in the Zoning Resolution.**

45
46 **a) Can the property in question yield a reasonable return or can there be a beneficial use of the**
47 **property without the variance? Yes. The applicant has access to two recently approved**
48 **canopy signs, a building sign, and one ground sign.**

49
50 **b) Is the variance substantial? Yes, the sign requires variances at greater than 50% of the**
51 **permitted height and overall square footage, an additional increase to a legal**
52 **conforming use, and is contrary to the goal of the Zoning Resolution regulation to bring**
53 **all signs into compliance by 2022.**

54
55 **c) Will the essential character of the neighborhood be substantially altered or will adjoining**
56 **properties suffer a substantial detriment as a result of the variance? Per the applicant, the**
57 **existing ground sign has been in place since the 1990s, however, there are no records**
58 **on file to support the existing ground sign height or overall square footage. There are**
59 **no similar ground signs in this neighborhood.**



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1 *d) Does the variance adversely affect the delivery of governmental services (i.e. water, sewer, garbage)? No*

4 *e) Did the applicant purchase the property with knowledge of zoning restrictions? Uncertain.*

6 **f) Can the property owner's predicament be obviated through some other method than a variance? Yes, installation of a ground sign as permitted.**

9 *g) Would the spirit and intent behind the zoning requirements be observed and substantial justice done by granting the variance? No. Granting of the variance is in direct conflict to the Zoning Resolution Article 8, Section 8.11 Regulations of Non-Conforming Signs C. C.*

12 All Legal-Nonconforming signs shall be brought into compliance with the provisions pertaining to signs contained in this Resolution no later than ten (10) years from the effective date of this Resolution (the Effective Date of this resolution is October 6, 2012)...

19 RECOMMENDATION: Approval of one ground sign at 8' in overall height, 48 square feet in overall area, inclusive of up to 36 square feet in changeable copy, placed a maximum of 2' from the road right of way. Applicant to confirm the right of way setback with ODOT prior to installation. CONDITIONED UPON REMOVAL OF ILLEGAL CHANGEABLE PORTABLE COPY GROUND SIGN



28 **Mr. Mong asked if anyone wished to speak for or against this application.**

30 Wesley Noland, applicant, 4623 Linda Lane

32 **Ms. Davis asked about the changeable copy portion, what do you plan on using that for.**
33 Mr. Noland stated that he has had the marquee sign for a while, using it for his quotes, and advertising. Mr. Noland said that they are a one-off station.

36 Mr. Noland spoke to the sign project, stated that they are going to fit everything below the poles, it's not going to be stretched any wider. They are going to redo the box up top, and the box below to meet the needs of the brand.

40 **Ms. Davis asked about the illegal, temporary, changeable copy sign. While she appreciates that it adds flavor and uniqueness, she is trying to think of a way to preserve that, without having it out there.** Mr. Noland stated that he'd like to preserve it, being able to flip and mix up his sayings and quotes. Mr. Noland said that he is on a 55 mph road, with seven lines of traffic, he just wants to be able to be seen while cars pull out. Examples are great, it's a harder ask when you're out on the main drag with very little perception as you drive up to it, especially being next to being on a hill with one thousand trees on it.

49 **Ms. McPherson stated that she thinks that the canopy improvement is a better advertisement than any ground sign. It's very identifiable and it adds to your advantage.** Mr. Noland stated that there's no pricing on the canopy, or they don't allow it.

53 *The Board continued discussion of the changeable sign.*

55 **Ms. Davis asked if the updated sign included electronics. She feels like if it was an electronic, changeable copy, he could get more bang for his buck.**

58 The Board discussed sign options.

60 Mr. Noland stated that even with the new canopy, people are not able to see the canopy. That is why he feels he needs the height of his sign to stay the same.

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1 Google Earth was brought up on the screen to look at the site from a street view. It was
2 determined that the canopy was visible.

3

4 Mr. Couch stated that you can't put anything but the logo on the canopy.

5

6 Ms. Davis stated that when you see a canopy, you know it's a gas station.

7

8 Mr. Grigson stated that to Mr. Nolands' point, the first thing that people look at when
9 they are going to a gas station is the price of gas. He is not looking at the canopy. Mr.
10 Noland stated that he is not going higher than what it currently sits. He is bringing everything
11 down two feet before leveling off and putting \$18,000 into the sign.

12

13 Ms. McPherson stated that before she goes to get gas, she pulls up Gas Buddy and it tells
14 her where to go.

15

16 Ms. Davis asked Mr. Noland if the point he is trying to make is, the reason he wants the
17 sign the same height is because the road is large, it's fast, and he needs people to see
18 the sign. However, when Ms. Davis is going westbound, which is where all of the trees
19 are she see the canopy at the same point that she starts to see the sign. Which indicates
20 or triggers her that it's a gas station. Either way, people are going to have to be almost
21 on top of the sign to see the prices. It doesn't matter if the sign is 6, 8, or 10 feet. People
22 will still need to be up close to see the prices. To Mr. Noland's point, it was, that he
23 needs people to see that it's the gas station and that it's there. Yet it's a clear indication
24 for Ms. Davis that it's a gas station, she can see the canopy and knows it's a gas station,
25 and she sees the canopy at the same time, that she see the sign.

26

27 Mr. Noland stated that it's always something that we fall outside this circuit of either the
28 zoning and how we can use the property or the zoning and how we are using the property,
29 and how they try to fit us in this box.

30

31 Mr. Noland spoke about another gas station in a different location, what they have and are
32 allowed to have in comparison to his station.

33

34 Ms. McPherson stated that the resolution was in 2012, and all signs were given ten
35 years to come into compliance.

36

37 Ms. Davis stated that the Board has already disapproved two other gas stations and
38 asked them to come into compliance on Route 18, and they did. For the Board to turn
39 around and not do the same for you... Mr. Noland stated that if you look at every GetGo
40 sign, every GetGo sign is the same. If you go out to Medina, they don't have any regulation on
41 signage. They have 23 feet high by 14 feet wide.... Ms. Davis stated, well, we're Copley that
42 is Medina.

43

44 Mr. Grigson stated that his viewpoint is that you are going down Route 18, and it is 50
45 mph. If he was a business owner, he would want the biggest sign he could get. Because
46 people are driving 50 mph, and there is no traffic light there where people stop like
47 there is at GetGo. If you are driving 50 mph, a small sign like that, no one will notice
48 that.

49

50 Mr. Couch stated that it's almost distracting.

51

52 Ms. McPherson stated that this isn't for us to decide it's our recommendation.

53

54 Mr. Klein stated that the speed limit is 45 mph.

55

56 Mr. Grigson stated, but there are no traffic lights. If you are at a traffic light, you stop
57 and look around.

58

59 Mr. Mong asked if there were any other comments or questions.

60

COPLEY TOWNSHIP ARCHITECTURAL REVIEW BOARD

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GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

March 7, 2022

Held

20

1 Mr. Couch asked to clarify the code and the request. Mr. Couch stated that he thinks
2 this is a unique situation. Mr. Couch stated that he understands what Mr. Noland is
3 saying with this kind of gas station is on that kind of road, it doesn't feel like it's falling
4 into the same apples to apples. It's been there a long time, and it is on a rather busy
5 highway. You don't have anyone slowing down to pull into there. Mr. Couch asked if
6 the Board can make a recommendation to do this at 12 Feet.
7

8 Ms. Davis stated that if the Board does it for one, then they would have to do it for
9 others.
10

11 Mr. Couch stated that no they don't. You have to look at each situation. This is not like
12 the other gas stations. This is a rural setting gas station. It's not in the populous or
13 people running back and forth.
14

15 Mr. Grigson stated that variances are given for a hardship. If you're driving 45 miles
16 an hour down a freeway and you see a small sign like that, to him as a business owner
17 that would be a hardship. Driving 50 mph, you're going to take notice of a bigger sign
18 than a smaller sign. To Mr. Grigson, this is a hardship.
19

20 Ms. Davis asked about the height of the sign minus the changeable copy. Because if
21 that's the only thing we're not talking about. You're talking about the size of the sign
22 and that you can see it and that you can read the price of gas. So none of that would be
23 changing. If the changeable copy portion was removed and it would probably then be
24 the correct height, the font size, and everything, nothing would be changed. The font
25 size of the price of gas is still the same regardless if it's 10 feet high or eight feet high.
26 So it's a moot point.
27

28 Mr. Couch stated to Ms. Davis, you are talking about chopping of the changeable copy
29 sign from the bottom. *Ms. Davis stated, right*
30

31 Mr. Couch stated that is the place for Mr. Noland to advertise.
32

33 Ms. Davis stated that they were just talking about when you're driving 45 miles down
34 the road, that you can't see the price of gas unless you're right up on it if it's eight feet
35 high. That's what you were just saying, right. So what's the difference? If its eight feet
36 high or 12 feet high, it's still the same size, the font is still the same size. Nothing
37 changes.
38

39 Mr. Couch stated, for that part. If you take away that part you are taking away his
40 ability to advertise.
41

42 Ms. Davis stated that she feels that things are being added into now. Ms. Davis clarified
43 that she was referencing the Board.
44

45 Mr. Couch stated that you can call it a hardship for a unique situation.
46

47 Ms. Davis asked if the quotes are going to add to some people stopping on a 45 mph
48 road, that they're going to notice the quotes and stop more. Mr. Noland stated that he
49 uses it for advertising and most of his customers know him and know his family. **Ms. Davis**
50 stated, so they already know you and know where the store is.
51

52 Mr. Couch said that this is a local business, it's been there forever.
53

54 Ms. Gfroerer asked if the staff could make a statement.
55

56 Ms. Gfroerer stated that the Township absolutely supports the gas station being there. We
57 supported the expansion of the non-conforming use. Mr. Noland is making a great point that
58 it is a non-conforming use and you want all of the same rights and privileges that would go
59 with a conforming use but it's not possible on a non-conforming use site. Everyone
60 recognizes that.
61

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March 7, 2022

Held _____ 20 _____

1 We brought the applicant before the Architectural Review Board and before the Board of
2 Zoning Appeals on August 29, 2019. We supported a 65% expansion of the non-conforming
3 use, so absolutely we want to see the business be successful. We are not trying to take away
4 the applicant's right to advertise their business. We supported an expanded canopy. We
5 supported using two advertising signs on that canopy, when really the Architecture Review
6 Board did not have to approve that as a building sign we supported for that.

7
8 We supported an eight-foot sign in overall height, 48 square feet in overall area, of which the
9 applicant can use for changeable copy. As Ms. Davis stated, they can use it to make the gas
10 pricing letters bigger, if they want.

11
12 We have been charged with the regulations that the Architectural Review Board adopted. The
13 ARB adopted regulations then presented them to the Board of Trustees in 2012, saying that
14 they want administrative staff to bring all of these signs into compliance by 2022. That is
15 what we've been charged to do from the Township. So we are asking the Architecture Review
16 Board to uphold the regulation that you put into the Zoning Resolution to bring those signs
17 into compliance.

18
19 Mr. Nolan is still permitted to have a portable, temporary, changeable copy sign so many
20 times per year to advertise and put whatever message that he feels within the purview of the
21 business advertising, so we're not taking that right away from the applicant. We are asking
22 that while the applicant has the opportunity financially with the support of Sunoco with their
23 rebranding, that he take advantage of that. Otherwise, the sign is illegal, it's non-conforming
24 and it will have to come into compliance.

25
26 Our recommendation is that a variance not be granted. There are five variances that need to
27 be granted in order to keep that non-conforming sign.

28
29 **Mr. Couch stated that he understands the purpose to try and follow the regulations as**
30 **they are printed. But he doesn't believe we're standing with our feet in concrete and**
31 **not being able to move either way. He believes that the Board has made some**
32 **adjustments in other cases that may not work in the code correctly, or were in the code,**
33 **but still in a hardship case that we made allowances for and he thinks this is one of**
34 **them. Mr. Couch stated that he feels that making this one exception is going to set a**
35 **precedent. It is a single case, a unique situation, as far as he is concerned.**

36
37 **Mr. Grigson agreed.**

38
39 **Ms. Davis stated that a motion should be made and sent this to the Board of Zoning**
40 **Appeals.**

41
42 *Additional discussion took place in regards to the changeable copy sign.*

43
44 Mr. Klein commented on the land use and the character of this section of state Route 18 versus
45 the east side of State Route 18 on the east side of Interstate 77. In 2013, this section where
46 the gas station is had 10,000 more vehicles per day, than the east side of State Route 18, on
47 the east side of 77. It may look less dense and more rural in character when in fact it has a lot
48 more vehicles on the east side of 77.

49
50 **Mr. Mong called for a motion. Ms. McPherson made a motion of disapproval of the**
51 **applicants' request for a ground sign as requested. The Architectural Review Board**
52 **recommends approval of one ground sign at 8' in overall height, 48 square feet in**
53 **overall area, inclusive of up to 36 square feet in changeable copy, placed a maximum**
54 **of 2' from the road right of way. Applicant to confirm the right of way setback with**
55 **ODOT prior to installation. CONDITIONED UPON REMOVAL OF ILLEGAL CHANGEABLE**
56 **PORTABLE COPY GROUND SIGN. Mr. Mong second. Mr. Mong asked for a vote. The**
57 **motion carried.**

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X				X	

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Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X		X	X		
Randy Grigson (alt.)	X				X	

1 Original Submission: 7/5/2021

2
3 Applicant: Stephen Ciciretto, AIA, Architect
4 Business Name: Mr. Tee's Golf Driving Range
5 Landowner: 2782 Ridgewood Road LLC
6 Property Address: 2782 Ridgewood Road
7 Property Location: Parcel #1505166; 18.24 Acres
8 Zoning District: C-GR (Commercial General Retail)
9 Proposal: Major Site Plan & Variance

10
11 Applicant, Stephen Ciciretto, on behalf of Mr.
12 Tee's Driving Range, is requesting approval of a
13 Major Site Plan and variances required for the
14 installation of range nets.



15
16 July 5, 2021: The Copley Township Architectural
17 Review Board recommended/motioned the
18 following:

19
20

- 7/5/2022: Approval of a variance
21 required to exceed the overall height
22 permitted in the District for the installation of structural netting poles.
- 7/5/2022: Approval of a building sign at 150 square feet in overall area.
- 7/5/2022: The ARB to continue review of final site plan pending an updated
23 wetland delineation and approval from the Army Corp of Engineers.
- 9/7/2022: Disapproval of the applicants' request to place a mascot on the
24 building canopy.
-

25
26 RECOMMENDATION: Approval of site plan conditioned upon satisfying all agency
27 reviews and connection to the centralized sewer.

28
29 OHEPA

30 Connection to centralized sewer required for this site.

31
32 Summit County Engineers

33 No objections to the impact of proposed wetland. Plan review for site development in
34 progress.

35
36 Summit Soil & Water Conservation District

37 Updated delineation and Nationwide Permit review in progress.

38
39 Original Submission: 7/5/2021

40 Variance Request #1

41 Article 15, Section 15.06

42
43 The property formerly operated as a driving range known as "Highlander Golf". Highlander
44 Golf ceased operation sometime between 2006-2010. The property has been idle since this
45 time.

46
47
48
49
50

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20

1 There are identified floodplains, riparian, and
2 wetlands on the property. The applicant has
3 submitted for a revised wetland delineation. The
4 existing delineation has expired in March of 2021.

5
6 **Variance Required:** Article 15, Section 15.06 A.
7 Request to fill/dredge wetland for purpose of
8 maintaining range field.

9
10 Per Section 15.06 E. The applicant is permitted to
11 maintain the landscape/lawn located in the
12 floodplain/riparian as the lawn was established prior
13 to the Riparian regulations.



14
15 **Findings of Revised Delineation:**

16 The site was allowed to go fallow since 2016 (when it was an active driving range). As a result,
17 three "new" wetland areas were identified by PSI during the re-delineation. The revised
18 Wetland Delineation Report determined that Wetland D was expanded by 0.53 acres, and
19 Wetland B was expanded by 0.1 acre.

20
21 **Request for Permit Re-Authorization**

22 Allow the switching or changing of the area(s) of
23 wetland that are slated for impact. The proposed
24 impacts will remain the same, at 0.44 acres.
25 However, the original permitted impact to
26 Wetland A (0.15 acres) will not take place.
27 Additionally, the portion of Wetland D slated for
28 impact will change to a 0.44-acre area as shown
29 in the attached Figure 4. These impact changes
30 are necessary to allow the re-opening of the
31 driving range business; are located within the
32 previous grass driving range field. The previously
33 planned parking area expansion areas will not be
34 constructed. Because the site already has 0.9 acres of wetland mitigation credits purchased
35 (for 0.44 acres of originally planned impacts), the owner is requesting to apply this mitigation
36 credit to the revised 0.44 acres of proposed impact.



37
38 Per the Army Corp of Engineers Nationwide Permit 39 Verification letter, the update has been
39 submitted and reviewed as follows:

40
41 • Approval to fill/dredge 0.44 acre of (1) non-forested wetland for the purpose of
42 landscape, mowing, and range picking.
43 • Approval of Compensatory Mitigation of 0.9 acres of non-forested wetland credits

44
45 RECOMMENDATION: Approval pending Summit Soil & Water review.

46
47 The following is a copy of a letter dated January 31, 2022.

48
49 **DEPARTMENT OF THE ARMY**
50 **U.S. ARMY CORPS OF ENGINEERS, HUNTINGTON DISTRICT**
51 **502 8TH STREET**
52 **HUNTINGTON, WV 25701-2018**
53 **Regulatory Division**
54 **North Branch**
55 **LRH-2016-169-TUS-Unnamed Tributary (UNT) to Schocalog Run**
56 **NATIONWIDE PERMIT NO. 39 VERIFICATION**

57
58 **Mr. Michael Niederst**
59 **NM Residential**
60 **21400 Lorain Road**
61 **Fairview Park, Ohio 44126**

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20

1 Dear Mr. Niederst:

2
3 I refer to the pre-construction notification (PCN) received in this office on October 13, 2021,
4 concerning the Ultimate Golf Facility Project. You have requested a Department of the Army
5 (DA) authorization for the discharge of dredged and/or fill material into waters of the United
6 States associated with a commercial development located at 2782 Ridgewood Road, in the City
7 of Fairlawn, Summit County, Ohio (41.110672 latitude, -81.611329 longitude). We have
8 assigned the following file number to your PCN: LRH-2016-169-TUS. Please reference this file
9 number on all future correspondence related to this subject proposal.

10
11 The United States Army Corps of Engineers' (Corps) authority to regulate waters of the United
12 States is based on the definitions and limits of jurisdiction contained in 33 CFR 328 and 33 CFR
13 329. Section 404 of the Clean Water Act (Section 404) requires a DA permit be obtained prior to
14 discharging dredged and/or fill material into waters of the United States, including wetlands.
15 Section 10 of the Rivers and Harbors Act of 1899 (Section 10) requires a DA permit be obtained
16 for any work in, on, over or under a traditional navigable water.

17
18 The proposed project, as described in the submitted information, has been reviewed in
19 accordance with Section 404 and Section 10. Based on your description of the proposed work,
20 and other information available to us, it has been determined that this project will not involve
21 activities subject to the requirements of Section 10. However, this project will include the
22 discharge of dredged and/or fill material into waters of the United States subject to the
23 requirements of Section 404.

24
25 In the submitted PCN materials, you have requested a DA authorization for the permanent
26 discharge of dredged and/or fill material into 0.44 acre of one (1) non-forested wetland, in
27 association with the improvement of the Ultimate Golf Facility Project. The proposed discharges
28 of fill are associated with filling and grading of one (1) wetland to improve the landscape for
29 mowing and range picking. In order to compensate for the permanent discharge of dredged
30 and/or fill material into waters of the United States, you have agreed to provide a total of 0.9
31 acre of non-forested wetland credits from the Stream + Wetlands Foundation Huntington
32 District In-Lieu Fee Program. We have determined your compensatory mitigation proposal is
33 acceptable. All work will be conducted in accordance with the PCN received in this office on
34 October 13, 2021.

35
36 Based on your description of the proposed work, and other information available to us, it has
37 been determined the proposed discharges of dredged and/or fill material into waters of the
38 United States in conjunction with the proposed project meets the criteria for Nationwide Permit
39 (NWP) No. 39 (enclosed) under the January 13, 2021 Federal Register, Reissuance of NWPs (86
40 FR 2744) provided you comply with all terms and conditions of the enclosed material and the
41 enclosed special conditions. Please be aware this NWP verification does not obviate the
42 requirement to obtain any other federal, state, or local assent required by law for the activities.

43
44 This verification will remain valid until the expiration date of the NWP (March 16, 2026), unless
45 the NWP authorization is modified, suspended, or revoked. The verification will remain valid if
46 the NWP authorization is reissued without modification or the activity complies with any
47 subsequent modification of the NWP authorization. Prior to the expiration date, it is not
48 necessary to contact this office for re-verification of your project unless the plans for the
49 proposed activity are modified. Furthermore, if you commence or under contract to commence
50 the proposed activity before March 16, 2026, you will have twelve (12) months from the date of
51 the modification or revocation of the NWP to complete the activity under the present terms and
52 conditions of this NWP

53
54 A copy of the NWP and this verification letter must be kept at the site during construction. Upon
55 completion of the activities authorized by this NWP verification, the enclosed certification must
56 be signed and returned to this office. If you have any questions concerning the above, please
57 contact Rachel King of the North Branch at 304-399-6902, by mail at the above address, or by
58 email at Rachel.A.King@usace.army.mil.

59
60 Sincerely,

61

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March 7, 2022

Held _____ 20 _____

1 Cecil M. Cox
2
3 Regulatory Project Manager
4 North Branch
5 Enclosure(s)
6 cc (via email):
7 Paul Bowyer, PSI, Inc.
8

9 Per Article 6.01 B-Permitted Height Exceptions, no structure may be erected to exceed by
10 more than 15 feet of the height limits of the district in which it is located. Per Section 4.01 F.
11 5., the maximum height for this district is 35'. Therefore, a structure can be no taller than 50'
12 in overall height.
13



14 The applicant is requesting approval for the
15 installation of 600' of structural netting 75' in overall
16 height and 300' of structural netting 95' in overall
17 height for the purpose of constructing a perimeter
18 range net.
19

20 Posts will be located 15' outside of the Riparian
21 setback to ensure all guy wires are outside of the
22 setback.
23

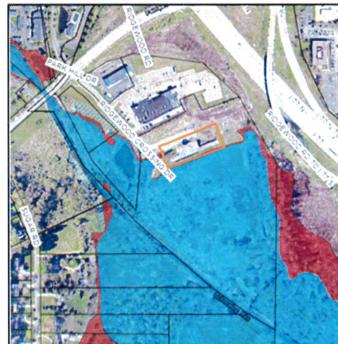
24 RECOMMENDATION: Approval-Posts and nets will be
25 placed outside of the Riparian and wetland areas. Netting will help maintain the sensitive
26 areas to the rear of the property.
27

28 **Per the applicant, the difficulties which justify this application include, this project anticipates**
29 **the addition of fencing/poles to restrict the golf balls from entering the wetlands. The Riparian**
30 **setbacks to stream/wetlands are complied. Since the entire range area is a Zone A wetland**
31 **construction on any part of the site requires relief from the Riparian regulation.**

32 **Per the applicant, the granting of this variance would not affect the neighborhood since the**
33 **range is a permitted business. Granting the variance to restrict the flight of golf balls into the**
34 **watershed/wetlands will protect these areas from potential damage.**
35

36 Ms. Gfroerer reviewed the criteria as found in the Zoning Resolution.
37

38 a) *Can the property in question yield a reasonable return*
39 *or can there be a beneficial use of the property without*
40 *the variance? The commercial building can be used*
41 *as a stand-alone structure without the variance.*
42 *However, a variance is required to bring the site*
43 *into compliance with the use which has existed on*
44 *site since 1971 (golf driving range).*
45



46 b) *Is the variance substantial? No. There are 3.33 acres*
47 *of identified wetlands on this site. The request to*
48 *impact .44 acres of wetland has been approved by*
49 *the Army Corp of Engineers through a Nationwide*
50 *Permit and mitigation plan.*
51

52 c) *Will the essential character of the neighborhood be substantially altered or will adjoining*
53 *properties suffer a substantial detriment as a result of the variance? No. The site has been*
54 *utilized as a golf driving range since 1971.*
55

56 d) *Does the variance adversely affect the delivery of governmental services (i.e. water, sewer,*
57 *garbage)? The variance will impact stormwater by filling of identified wetland area.*
58 *Negative impacts will be mitigated by the applicants' compliance with the floodplain*
59 *administrator, Summit County Building Inspection, Summit Soil & Water Conservation*
60 *District, and Summit County Engineers to ensure the property manages stormwater as*

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1 required. The applicant has submitted and received the necessary approvals from the
2 Army Corp of Engineers to impact and mitigate the site as requested.

4 e) Did the applicant purchase the property with knowledge of zoning restrictions? Uncertain.
5 Review of the applicants' intent to utilize this site has been ongoing since 2016.

7 f) Can the property owner's predicament be obviated through some other method than a
8 variance? No, a variance is required to utilize the site as requested.

10 g) Would the spirit and intent behind the zoning requirements be observed and substantial
11 justice done by granting the variance? Yes. The site has been utilized as a golf driving range
12 since 1971. The applicant will improve the site by compiling with the current
13 regulations and mitigation of wetland area as required by current regulations. The
14 project will help protect exterior wetlands and Riparian's through the installation of
15 range netting.

17 Mr. Mong asked if anyone wished to speak for or against this application.

19 Stephen Ciciretto, AIA Architect

21 Mr. Ciciretto stated they were excited to keep moving on the project.

23 Mr. Mong called for a motion. Ms. McPherson made a motion to approval of the final
24 site plan as proposed conditioned upon satisfying all agencies and connection to
25 centralized sewer as required by OHEPA. Mr. Couch second. Mr. Mong asked for a
26 vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

28 Mr. Mong called for a motion. Ms. McPherson made a motion to recommend approval
29 of a variance to exceed the overall height limitation for the C-GR for the installation of
30 600' of structural netting 75' in overall height and 300' of structural netting 95' in
31 overall height, and impact to the wetland as required. Mr. Couch second. Mr. Mong
32 asked for a vote. The motion carried.

Board Member	Present	Motion	Second	Yea	Nay	Abstain
Dale Couch	X		X	X		
Christine Davis	X			X		
Joe Gregory	Absent					
Kelly McPherson	X	X		X		
Christopher Mong	X			X		
Randy Grigson (alt.)	X			X		

35 36 Business from the Floor – There was no Business from the Floor.

37 38 The next Architectural Review Board meeting is scheduled for Thursday, April 7, 2022.

39

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20

1 With no further business to come before the Architectural Review Board, Ms. Davis made a
2 motion to adjourn the ARB meeting at 9:03 pm.

3

4 Approved By:

Submitted By:

5

6

7

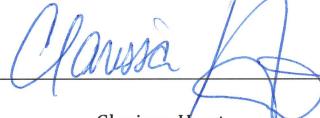
8

9

10

11 Christopher Mong, Chair
12 Architectural Review Board

13



Clarissa Hunt
Community & Economic Development