

**PLAIN TOWNSHIP ZONING COMMISSION  
PLAIN TOWNSHIP HALL-2600 EASTON STREET NE  
CANTON, OHIO 44721  
MINUTES OF REGULAR MEETING  
FEBRUARY 16, 2005**

The meeting was called to order by Chairman David Roshong, with Terry Seeberger, Bill Lundin, Ryan Reaves, Janel Myers-Newell, and Stephanie Metzger present.

Mr. Seeberger made a motion to approve the minutes of January 12, 2005. Mrs. Myers-Newell seconded the motion. All members were in favor.

Mr. Roshong read the statements of duties, administered the oath and read the RPC recommendation of approval for Amendment #536 into the record.

The following Amendment was heard:

**AMENDMENT #536-ZONE CHANGE**

Applicant & Owner/Cairo Properties, 2814 Edison Street NW, Uniontown, Ohio 44685. Property owner as listed on the Stark County Auditor's tax list: Cairo Properties, 2814 Edison Street NW, Uniontown, Ohio 44685.

The properties to be considered are located in the Northwest and Northeast Quarters of Section 3 and consist of the following:

1. A 23.80 acre tract with approximately 850 ft. of frontage on Market Avenue North (Parcel #52-19114) and approximately 950 ft. south from the intersection of Mt. Pleasant Street NE and Kent Avenue NE.

Present Zoning Classification/ R-R, Rural Residential District and B-1, Neighborhood Business District.

Proposed Zoning Classification/R-6, Planned Unit Development District (PUD).

1. A 111.68 acre tract with approximately 218 ft of frontage on Mt. Pleasant Street NE (Parcel #52-19113) and approximately 1,450 ft. east from the intersection of Mt. Pleasant Street NE and Kent Avenue NE.

Present Zoning Classification/ R-R, Rural Residential District.

Proposed Zoning Classification/R-6, Planned Unit Development District (PUD).

Mr. Scott Zurikowski, 4775 Munson Street NW, stated that he is the Attorney for Cairo Properties. This land is currently vacant which has become a dumping ground; it has an inoperable vehicle, heater, cabinets, and building materials on it. The property has a long history before the Township. Mr. Day was denied by the Trustees because they wanted more control to work with the property owners and turn it into a PUD. Cairo Properties has made modifications to the original PUD plan to include more open space, no business use, and they took 318 units down to 274. Cairo listened and worked with the residents and the Trustees. Cairo will not have a negative impact on the Township only a positive one. The Township will not have to pay for the lighting, sewer, or most of the roads because they are private streets. Cairo will generate

more tax revenue for the schools.

Mr. Bryan Ashman, 1884 Summerchase Road NE, stated that he is with Cooper & Associates, he presented a Power Point Presentation for the PUD plans. He showed where all of the quad condos, the duplexes, and the single family villas will be located. He showed that there will be 2 dry detention and 5 wet retention basins, the public and private roads, and the buffer area around the property. There will be landscape mounds all around the property that are 3 to 4 foot mounds with 6 foot starter trees on top of them. There will be 5 points of ingress and egress, Market, Beverly, Dana, Mt. Pleasant and Old Elm. According to Subdivision Regulations these streets must go through. This plan exceeds the requirements of the Township. There will also be 1.72 acres of land set aside for the City of Canton to have a water booster pump. There will be a total of 52% of open space. There will be a small parking lot for people to park to enjoy the gazebo.

Mrs. Myers-Newell said that most of the land will not support buildings because it is considered a wetland.

Mr. Ashman said that they will obtain a permit from the Army Corp of Engineers.

Mr. Seeberger asked if the 160 lots on the preliminary plat are on the entire 135 acres.

Mr. Ashman said yes.

Mr. Seeberger said now instead of 160 units they will have 274.

Mr. Ashman said yes.

Mr. Roshong asked if they were taking the original 160 single family homes down to 83.

Mr. Ashman said that there will be 134 single family units.

Mr. Roshong asked if they would have basements.

Mr. Ashman said that the quads will not have a basement. The estates and the duplexes will have a basement, and he is not sure about the villas.

Mr. Roshong asked if there would be any problems digging a basement in a wetland.

Mr. Ashman said that they will have special permits if they happen to dig a basement in the wetland, but most of the wetlands surround the perimeter.

Mrs. Myers-Newell said that according to his plan there are quite a few homes right on top of the wetlands and the roads will go right through the wetlands.

Mr. Ashman said that Cairo has to go through the Army Corp of Engineers for all the permits to build on the wetlands.

Ms. Judy Bennett, 564 White Pond Drive, stated that she is with URS who did the traffic study. They used the year 2026 as a projection for traffic growth. She presented a Power Point Presentation with all of the traffic projections.

Mr. Lundin said that in the application there was a letter dated January 10, 2005 to Greg Smith stating that the study was not completed and a full study would be submitted to the Township on

January 24, 2005. The Board members did not receive that new traffic study.

Ms. Bennett said that the current report is on the screen.

Mr. Roshong said that the new traffic study was not submitted to the Board members

Mrs. Myers-Newell said that the worst case scenario is that if they don't have access to Market then all of the traffic will come out on Mt. Pleasant and Diamond.

Ms. Bennett said yes. Only 10% of the traffic will be using Market.

Mrs. Myers-Newell asked where the 10% figure came from when Market would be the main access into the development.

Ms. Bennett said that if people are traveling North on Market they are more likely to turn right at the intersection onto Diamond and go in one of the side streets.

Mr. Roshong said that this will cause the residents to be impacted more because of the use of Dana and Beverly instead of Market.

Ms. Bennett said that during the peak hours of the traffic study there was only an average of 8 cars.

Mr. Roshong said that 8 cars is an educated guess.

Ms. Bennett said the counts were done in December and January.

Mr. Roshong said that the only way to get an accurate number is to stand there and count the cars.

Mr. Ashman said that if the PUD is granted they cannot change the plans, and if they do, they will have to come back in front of the Board.

Mr. Lundin asked where the water for the retention ponds will come from.

Mr. Ashman said the water will be captured through the storm sewers and it will generate enough water to maintain wet ponds.

Mr. Roshong asked that when the ponds reach the top level will they discharge into the streams.

Mr. Ashman said that the ponds are designed to hold a 100 year storm and the natural terrain drainage heads South and East.

There was one person to speak in favor and six in opposition of the Amendment.

Mr. Rob Kisha, 7875 Market Avenue N, stated that whatever is built on that property will generate traffic and this plan is the best plan that has been presented so far. Something needs to be built to make the property more appealing. He is in favor of this plan.

Mr. Gary LaLone, 1496 Mt. Pleasant Street NE, stated that he is concerned about the drainage, traffic and flooding. He is a retiree and he doesn't want to move into a condo and live out the rest of his life. The zoning on that property was established as R-R to protect the neighbors. He would like to keep this property zoned R-R.

Mr. Dwight Shetler, 1245 Echo Street NE, stated that he lives near the property which will be directly behind the villa condos where the gas well is which is the highest point of the land. All of the water runoff will end up on Echo.

Mr. Ashman said that they are proposing landscaping strips which will be mounds so Echo Street will have no drainage at all.

Mr. Cary Feller, 1391 Mt. Pleasant Street NE, stated that he has lived across from the property for 38 years and the water drainage runs west and with traffic coming out onto Mt. Pleasant that is going to be a site hazard because of the hill.

Mr. Ashman said that they are going to work with the County to intercept the water drainage. Also they have had Mt. Pleasant surveyed and it meets ODOT site distance regulations.

Mr. Fred Rossetti, 2048 Mt. Pleasant Street NE, stated that the R-3 zoning Mr. Day wanted to do was denied already. There are enough multi-family homes in the neighborhood. This PUD is simply an R-3 in disguise. There are no walking trails and no community centers. This is not what a PUD goal is. He suggests this plan is turned down tonight.

Mr. Mike Holbrook, 2031 Zircon Street NE, stated that Diamond Park Subdivision has very slow sales, which is not far away. Do we really need more houses that can't sell? How deep are the drainage ponds? Who is in charge of controlling the mosquitoes? There is a pond on Mt. Pleasant right now that won't hold water. What makes them think that these ponds will? If they disturb the ground to build then that will affect the area residents' well water. If this piece of property is a scrap yard then the owners need to take responsibility and clean it up.

Mrs. Chris Borello, 1900 Mt. Pleasant Street NE, stated that last summer the Trustees voted no for 90 condos, now they want to do 191 condos. What part of no don't they understand? This is simply an R-3 masked as a PUD. Only 2.4 acres out of 135 acres are zoned B-1 the rest is zoned R-R. Cairo knew the zoning when they purchased the property. The residents have very few rights. She will walk a petition on the November ballot. This property is not a dump. She has spoken to the lady whose parents used to own the property as farmland, it was the mothers request for the land to be a nature preserve.

After consideration of the facts presented, a motion was made by Mr. Seeberger to approve Amendment #536. Mr. Lundin seconded the motion.

Mr. Seeberger said that he believes 160 units is plenty on that property he will not support 274 units. He will have to vote no on this amendment.

Mr. Roshong said that this R-6 PUD is like a R-3 Multi-Family plan with too many units. The private roads maintained by the homeowners do not meet the Subdivision or Township requirements if we ever had to take them over. The multi-family homes are not consistent with the surrounding area.

Mr. Lundin said that he is between a rock and a hard place. These are reputable developers and builders, and even though the property is not that attractive now the Board has an obligation to the people who live around this property. All of the surrounding areas are beautiful neighborhoods. He would suggest another alternative plan to support the community.

Mrs. Myers-Newell said that she believes she made her points by the questions she was asking. The traffic reports are overly optimistic and she doesn't like that the wetlands are going to be built on.

Mr. Reaves said that he has the same concerns as his fellow Board members with the traffic, drainage, and the impact upon the wetlands.

The vote on the motion was as follows: Mr. Reaves; **NO**; Mr. Lundin, **NO**; Mr. Seeberger, **NO**; Mrs. Myers-Newell, **NO**; Mr. Roshong, **NO**.

The Plain Township Zoning Commission recommends DENIAL for Amendment #536.

The meeting adjourned at 9:05 PM.

PLAIN TOWNSHIP ZONING COMMISSION

STEPHANIE A. METZGER, SECRETARY