

Int. Ch. Dermody called the Public Hearing to order at 6:38 p.m.

Roll found: Dermody, Powell, Schneider and McCarthy. Mr. Marzullo was running late.

Also in the audience were Trustee Schulte, Zoning Inspector Wilson, Fiscal Officer Catherwood, George Smerigan, David Hartt, David Terry, William Athens, Majeed Makhoul, Esq.; Josephine Calabro, William Budd, Jeff Hoop, Bill Schaefer and David Zeleznak (BZA members) and over 95 Hinckley Township Residents.

Int. Ch. Dermody welcomed the public to the hearing and asked everyone to silence their cell phones.

Int. Ch. Dermody stated that the Township received letters and emails concerning this public hearing and read into the record the names of the residents who submitted the written documentation: Jim Bialosky, Raymond Nash, Jerry and Mary Janesch, Pete and Kristen Henry, Betsy Borling and Nancy Meyers. Int. Ch. Dermody said that copies of these documents would be made available if anyone wanted to read them and would be attached to the minutes of this public hearing.

Int. Ch. Dermody said that she was glad to see so many residents in the audience and they are looking forward to hearing what they have to say. She said that Mr. Smerigan would be handling the public comments part of the hearing but she wanted to first introduce the Zoning Commission members.

Mr. Smerigan from Tactical Planning (third party planning consultant) who the Township has hired to assist with review of the proposed Text and Map proposal for a Senior Housing Planned Unit Development on the 60 Acre Pavluk property the Public Hearing(s) process gave the attendees an overview of the process:

- This meeting is for the purpose of hearing public comments regarding two (2) proposed amendments to the Hinckley Township Zoning Resolution submitted by Terry Properties LTD (David Terry) of 1285 Marks Road, Valley City, Ohio as follows:
  - Amendment 1: An application for a Zoning Text Amendment requesting to adopt proposed Section 6R3: Senior Housing Planned Unit Development (PUD) District – Route 303 & West 130<sup>th</sup> Street location (Pavluk Family Limited Partnership property permanent parcel 016-03C-03-003)
  - Amendment 2: An application for a Zoning Map Change to rezone 60 acre Pavluk Family Limited Partnership property, (owner the Pavluk Family Limited Partnership of 424 East Cowan Drive, Houston, Texas 77007), located at 2330 Center Road, Hinckley, Ohio 44233 permanent parcel 016-03C-03-003, in the area of Rt. 303 (Center Road) between Stony Hill and W. 130<sup>th</sup> Street of Hinckley Township from R1 – Residential District to the proposed R3 – Senior Housing Planned Unit Development District.
- The property owner, like anyone, has the right to make this type of request for an text and/or map amendments to Township zoning must go through a specific and well defined process; part of which ensures the right to public input into the process (per ORC Chapter 519)
- This hearing is a part of that process

ZONING COMMISSION

Public Hearing - Terry

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- Pursuant to the procedures, the Text and Map Amendments were filed with Medina County Planning Services but due to the holidays they will not address the request until their next meeting in August so no decision has been made from County Planning and no report has been received
- No decisions will be made by the Zoning Commission tonight
- The floor will be open to the public tonight so the Zoning Commission can hear your comments
- We wanted to give everyone who wishes to speak tonight to do so
- Once the comments are completed and the meeting is adjourned, the Public Hearing will not be closed but it will be continued on Thursday August 2, 2018 at 6:00 p.m. with the Zoning Commission's Regular Meeting to start at 7:00 p.m.
- If the Public Hearing needs to be continued a second time it will be continued at the next meeting yet to be scheduled
- The Applicant will have the first opportunity to speak
- All comments will be a matter of record and will be a part of the minutes
- There are a lot of people so please be considerate of your neighbors
- If you don't want your name to appear in record or you feel uncomfortable speaking, you can submit additional comments to Hinckley Township in a written letter or email
- All who would like to comment must approach the podium and speak loud enough for everyone to hear them.
- Everyone who wishes to speak will be allowed to speak
- All comments must be directed to the Zoning Commission
- This public hearing will be taped for transcription purposes and written minutes will be record of this meeting
- Comments must be specific to the topic at hand; if you get way off subject you will be asked to stop
- This is a long process because once this part of the process is completed with the Zoning Commission, the same process will take place with the Hinckley Trustees that will also include Public Hearings

Mr. Smerigan then asked Mr. Hartt to give his presentation. Mr. Hartt, Senior Advisor from CT Consultants introduced himself and the other members of the team:

- David Terry, the developer who has the option on the property
- Majeed Makhoulf, attorney from Berns, Ockner and Greenberger

Mr. Hartt said that there were three (3) reasons for the plan:

- What the Proposal is
- What is before the Township
- Why they are making this application

Mr. Hartt then passed out new documents to discuss, in more detail their proposal, that showed an overhead view of the land, a drawing of the proposed concept plan for senior housing and a flyer announcing the new development and the public hearing. The double-sided page is taken directly from the Application. Mr. Hartt included the following:

- It is a 60 acre Pavluk property that will have access to Rt 303
- It is a Senior Age Restricted Senior Housing (single/family housing development)
- It will be for 55 and older residents in at least 80% of the homes
- It will be a clustering project
- It will be on private streets with about 50% dedicated to common open space
- It will be an alternative for seniors who are currently living in larger homes with larger land
- A more maintenance free environment who still want to live in a single family home
- This single family home is meeting a different niche for senior living, one that is not as prevalent as found in the senior living market
- Appealing to the younger seniors
- The proposed density will be one unit per acre
- It will be a minimum of 1,800 square feet
- Cost will be \$375,000.00 to \$450,000.00 per house
- Due to private streets the HOA will be in charge of the maintenance of the streets and common open space
- HOA maintenance may also include the individual yards away from the perimeter of the foundation of the house
- The main access road will be off of Rt 303 with no proposed connection to Country Brook to the south
- They propose a big buffer from the southern portion of the units and Country Brook
- They are envisioning a second access drive which is currently an unapproved road from Stony Hill just south of the water tower

Mr. Hartt said there are two items for the Township to consider. The first is a new Zoning District to permit this development at one (1) unit acres which would be the maximum density possible under the Zoning Regulation. It would also require a minimum of 45% of acres being common open space and only single family homes are permitted in the development. The second request is to apply this zoning to this property. He said that the Ohio Revised Code allows the Township to specifically respond this way with a zoning district that is specifically tailored and applied to a single property that doesn't have to be applied anywhere else in the Township. There are three options in the Ohio Revised Code for planned developments and this is the option that allows the Township to handle it in this manner – a new district tailored to this site and applied to this property.

Mr. Hartt said that they are proposing this because they believe that this type of development is a specific market niche but it fits in with the goals of the Townships long standing objective of senior housing in a way as close to the character of Hinckley as possible. Mr. Hartt said that it should be acknowledged that the demographics of senior housing is changing. He said that it should be acknowledged that senior opportunities need to be expanded as expressed in the Comprehensive Plan. And, the Township needs to recognize that zoning resolutions should be amended to allow for detached independent living.

Mr. Hartt said that currently the only place for senior housing is in the commercial districts. "This site will have sewers available and therefore sewers must be provided to develop the property." He said that this site at this location and the cost of development under the existing two (2) acre zoning is economically just not feasible. "The presence of sewer and water precludes development, without the provision of sewer and water, and, or, prohibits the development on septic tanks which is common throughout the Township."

Mr. Hartt concluded his presentation by saying this development will be a good tax benefit for the Township and the taxes that go to the schools and they don't believe there will be any school age children that will live in this development.

At the conclusion of Mr. Hartt's presentation, Mr. Smerigan asked for any comments from the floor. The audience was reminded to give their names and addresses and to speak loudly so everyone in the room can hear them.

**Comments by Nancy Meyers, 1550 Stony Hill Rd.:**

- Read onto the record a prepared letter which was given to the Recording Secretary
- 20 year Hinckley Township resident
- Two (2) acre minimum very important
- Wants to maintain the rural atmosphere
- Property values will drop
- There is already a traffic nightmare on Stony Hill and Rt 303
- Doesn't want to turn into a Brunswick or Strongsville
- Preserve our little slice of heaven

**Comments by Julie Twardzik-Cerny, 2401 Babcock**

- Does not see the benefit of building these homes by clustering the homes
- No senior is going to pay \$375,000.00 to \$450,00.00 for a home
- What really is involved with the green space and who will benefit from that
- If this is allowed it will be applied to other parcels, not just this one but for anyone down the road
- Senior homes for the rich and old people
- Sewers from Brunswick – worried about being annexed

It is noted for the record that Mr. Marzullo arrived at the Public Hearing at 6:50 p.m.

**Comments by Richard Borecky, 2261 Ridge Road**

- Resident for 8 years
- More is not better
- Concerned for additional costs to Police, Fire, School and 55 is not a senior

**Comments by Jim Groh, 2424 Country Brook Dr.**

- Moved to Hinckley to be in the country, rural, character
- Has lived here for 21 years
- Originally his builders intent was to tie into a second development on Don Pre Lane
- Senior housing does not fit the Master Plan
- Bring down property values
- Stony Hill and Rt 303 can't handle more traffic or an access road
- Can't put in a traffic light due to the one already at Stony Hill and Rt. 303
- Don't want to set another precedent
- Let's remain a small town with big hearts

**Comments by Jerry Parle, 1110 Stony Hill Rd.**

- Been here for 43 years
- Is 74 years old, part of the target market
- Enough changes with Walden Pond and Skyland
- Rural atmosphere with a two (2) acre lot
- Not a senior development – there are no amenities for seniors
- A senior living community in name only
- Live in Florida half the year, now that's a senior community

**Comments by Ellen Sullivan, 2340 Kellogg Rd**

- Seems that big business gets all the breaks but the little guy doesn't
- It is not a senior development
- If the Trustees allow this she will run for a Trustee position at the next election

**Comments by Garrett Robison, 1754 Jacklin Dr.**

- He has lived in Hinckley Township forever
- Was on the Planning Commission (*Comprehensive Plan Committee*)
- Doesn't want Hinckley to turn into Brunswick
- Agrees with everyone's comments
- Doesn't want cluster homes
- Seniors don't want to move into an 1,800 square foot house – they want smaller with no steps
- Seniors won't be able to afford the property taxes and insurance
- Look for smaller farmers to farm the land – let's save the farm land

**Comments by Joe Sasala, 1540 Stony Hill Rd.**

- His new neighbor will be the 1300 foot road they are going to put into Stony Hill

- What do you think that will do to his property value
- Will there be a buffer
- Too much traffic now, has a hard time getting out of his driveway now
- Not a fan

**Comments by Ben Zywiec, 1560 Stony Hill Rd.**

- Lived there ten years
- Concerned about drainage issues since they currently have flooding issues
- Even with sewers the run off will still be a problem

**Comments by David Pelagalli, 1260 Center Road**

- Spoke about variances and creating their own hardships
- Watershed issues
- Losing forests
- Where does it stop

Mr. Smerigan interjected that the issue at hand is that Mr. Hartt is requesting a zoning amendment, a text and map change to the Zoning Resolution to add a new district to the code, and is not asking for a variance.

**Comments by Chris Aceto, 2030 Pine Ridge Trail**

- Feels the price for the land is too high to make it feasible
- He invested in his home, voted for all the levies and does not want the changes
- It does not sound like senior living
- New schools are not sized right for more development
- Echoes the sentiments of everyone else in the room
- He knows Mr. Pavluk if they need any help negotiating a lower price

**Comments by Anthony Chesnick, 2362 Country Brook Dr.**

- Everyone has made great points
- The plan is relevant for them but not for the residents of Hinckley Township
- 20 year resident
- Moved here for the charm of Hinckley and the two (2) acre minimum
- Wants to keep the two (2) acre minimum
- Will bring too much congestion and traffic
- Wants to protect his investment
- The decision should not be about their development but about our community

- Don't know any seniors who would consider paying the high prices for the homes and to pay the taxes
- What happens if seniors won't pay for the houses and they have to open them up to everyone in order to sell them
- Just another Brunswick and Strongsville

**Comments by Matt Dorcik, 995 W. 130<sup>th</sup>**

- Everyone moved to Hinckley for the same reason
- The elected officials and representatives of Hinckley know what everyone wants
- Just do it (and not allow the development)

**Comments by Doug Krause, 1737 Stone Ridge Dr.**

- Applaud efforts for clustering the homes but it only increases the density by 2 1/2 times
- The site is uneconomical solely because of the purchase price of the land
- Nothing to do with sewers and water
- It is purely uneconomical with the price they are paying for the land and a 24 house density
- Top value of the land is \$900,000.00
- It would benefit him as a developer but as a resident who has spent a lot of money on his property, his investment, he does not want it to go thru

**Comments by Mark Wernet, 381 River Rd.**

- Loves the positive of the community
- The little road on the map goes to a larger parcel of land
- If that land is bought there would be a new road and it would become a bigger development
- If allowed it will never end
- As was previously stated, you know what we want – just do the right thing and not pass this

**Comments by Don Wochna, 1585 King Rd.**

- Attorney; previously represented Hinckley Township
- Disagrees with Mr. Hartt that you don't need a two (2) acre lot with sewer and water
- All is true but you can still have a two (2) acre lot with sewer and water
- Residents like the openness and low density of large lot requirements
- Said they might want private streets which can be a nightmare since most are not built to code
- Need to focus on the safety and welfare of the Township
- Have two shields/tools – if this goes forward you need to concentrate on the roads and seek help from the Prosecutor to focus on the welfare of the residents

**Comments by Melanie Lewis, 1207 Arborcrest Dr.**

- Agree with everything that has been said so far
- Cited pages from the 2015 Hinckley Comprehensive Plan and the Public Participation Survey
- Page 36 – the number one key desire of residents was to maintain the two (2) acre lots
- Page 37 – 60% of residents want to maintain the two (2) acre lots
- Page 38 – Number one desire is to promote rural low density developments and to maintain the two (2) acre lots

**Comments by Bill Schaefer, 1733 Stony Hill Rd.**

- Prior Zoning Inspector
- Diverse lot sizes that have been grandfathered in
- Should be no stub streets if passed since Mr. Terry wants a free standing development
- Believes that even Mr. Hartt doesn't believe that the Township has to do this for any lawful purpose

A question was asked by an audience member if there would be a vote on this. Mr. Smerigan reiterated the process and said that we are at the beginning of the process as there will be more public hearings and more opportunities for everyone to share their thoughts prior to any votes. Another audience member asked if the next meeting could be set in a larger venue since they will come back to each meeting with more neighbors.

**Comments by Linda Goodwin, 1740 King Rd**

- Her kids are 4<sup>th</sup> generation Hinckleyites
- She said that her parents would never go to a senior development like the one being proposed

**Comments by Kela Plamper, 2084 Stone Ridge Dr.**

- Has been a resident for 3 years
- Moved to south side of Medina and needed to leave due to the growth and traffic
- She currently avoids Stony Hill and Rt. 303 due to traffic
- Better life with a two (2) acre minimum
- Her father-in-law lives with them and he would never live in a two story house

Mr. Smerigan interjected and reminded everyone that this will not be the last meeting and there will be plenty of time if anyone would like to submit their comments and concerns in writing.

**Additional Comments by Ellen Sullivan, 2340 Kellogg Rd.**

- She had not heard one person in this room in favor of the development
- She reminded the Zoning Commission that they work for the people

- This is what the people want

Mr. Smerigan reminded everyone that there is a process required by law that they must follow. The Zoning Commission will do their due diligence and then will make their recommendation. Right now they are in the fact finding phase of the process. This hearing is simply fact finding.

**Comments by Fran Shuster, 2295 County Brook Dr.**

- She has lived less than one year in Hinckley
- She found her dream house on a two (2) acre lot that is quiet and rural
- The development will abut the back of her property
- Rt 303 already has flooding issues
- It will change the dynamics of the ecology
- The County will make them hook into the sewer
- Will likely have a negative impact on the ecology of Rt 303 and it won't be able to handle the water, roads and services

**Additional Comments by Jim Groh, 2424 Country Brook Dr.**

- What study has the American Planning Association done that backs up the claims that this development is a different niche for a senior development
- What happens if this doesn't work – will it be restricted to strictly age 55 and what happens if the restriction doesn't work
- Will this really work in this type of a community
- Show me the study

**Comments by Gina Miyamoto, 1580 Stony Hill**

- Lived in Hinckley for 36 years
- Teacher at Hinckley Elementary School
- Was so pleased that the community passed the school levy but feels a new school will be in jeopardy
- Feels the seniors won't be able to pay for the houses and pay taxes
- Wants to keep the way things are

Mr. Smerigan stated that the continued Public Hearing will be held on Thursday August 2, 2018 at 6:00 p.m. with the Zoning Commissions Regular Meeting to start immediately following the Public Hearing at 7:00 p.m. If they do not finish the Public Hearing, it may be continued again.

The meeting was adjourned at 7:50 p.m.

Carolyn Chism, Recording Secretary

Minutes Approved: \_\_\_\_\_, 2018

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Diane Dermody, Int. Chairman

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Jeff Hoop, Int. Vice-Chairman

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Bruce Schneider, Member

\_\_\_\_\_  
Matt Marzullo, Member

\_\_\_\_\_  
Sean McCarthy, Alternate

