

Int. Ch. Dermody called the August 2, 2018 Zoning Commission continued Public Hearing to order at 6:02 p.m.

Roll found: Dermody, Powell, Schneider and Marzullo present with Alt. Kalina moving into McCarthy's seat who had an excused absence.

Also in the audience were Trustees Schulte, Burns and Lutzko, Zoning Inspector Wilson, George Smerigan, David Hartt, David Terry, Peter Pavluk, William Athens, Majeed Makhlof, Esq.; Thom Sutcliffe, Dan Neff, BZA Members William Budd, Jeff Hoop, Donna Boleman and Bill Schaefer and over 95 Hinckley Township Residents.

Int. Ch. Dermody welcomed the public to the hearing and asked everyone to silence their cell phones. She also stated that a Regular Zoning Commission meeting is scheduled this evening and that the Board will recess the Public Hearing at 7:00 p.m. to conduct a short meeting and then reconvene to continue the Public Hearing for more public comment. Int. Ch. Dermody stated that the Zoning Commission Board will not be making any decisions tonight as the Board will evaluate the following:

- comments heard at each public hearing and letters submitted into record
- information provided by the Medina County Planning Commission
- Comprehensive Plan (Master Policy Plan)
- Zoning Code related to this particular request

Int. Ch. Dermody noted that this meeting is being taped for transcription purposes only.

Int. Ch. Dermody stated that anyone wishing to speak should do so at the podium, and those speaking should speak clearly and provide their name and address for the record.

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: Ginger and Mark Summers, Jim Bialosky, Ken Favrak, Shad Belanger, Laurel Jordan, Bill Schaefer, and Louis Bentzen. She added that these letters will be entered into record of this meeting and be attached to the minutes of this public hearing.

Int. Ch. Dermody stated that the purpose of the continued Public Hearing is to review and take public comment on two 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 District – route 303 & West 130th Street location (Pavluk Family Limited Partnership property)
- Amendment 2 – an application for a Zoning Map Change to rezone 60 Acre Pavluk Limited Partnership property located at 2330 Center Road Hinckley, permanent parcel 016-03C-03-003 in the area of RT 303 between Stony Hill and W. 130th Street of Hinckley Township from R1 – Residential District to the proposed R3 – Senior Housing Planned Unit Development District.

Int. Ch. Dermody introduced Mr. George Smerigan and said that he would be handling the public comments part of the hearing.

Mr. Smerigan began by stating that he was a consultant (*Tactical Planning*) working with the Township. He noted that as the Chairman indicated the Board will be recessing the Public Hearing at 7:00 pm for a brief Regular Zoning Commission meeting and then reconvene the Public Hearing for additional testimony.

Mr. Smerigan stated that the meeting will begin with an additional presentation by the applicant, who has additional information they would like to present to the Zoning Commission and also respond to some of the public comment heard at the last hearing. He added that if an email or a letter was sent in, it was not necessary to read out loud or repeat the contents as it has been entered into the formal record of the meeting.

Mr. Smerigan asked that comments be brief as there is a large audience who may like to speak. He asked that the audience be respectful and be as quiet as possible, as the acoustics are not good. The floor was then turned over to the applicant for additional presentation.

Mr. Majeed Makhoulf, partner with the law firm of Berns, Ockner and Greenberger, was first to speak. He noted that he is the legal counsel for the applicant. He thanked the Zoning Commission and the audience for being present. He stated that this is exactly what public engagement should be like, and that they very much appreciated the attendance, as it shows that the community cares.

Mr. Makhoulf stated he would start by making it clear that they look at this as a collaborative process, to work with the community, for this type of development. He stated that he was in attendance for the last public hearing, and with tonight's presentation, will answer the questions that were raised by the community from the last meeting. He stated that he would quickly clarify a few things from the questions raised as follows:

- Question/issue regarding description of the proposed Senior Community – This is an Active Living Senior Community envisioned for those 55 and over – for some who are now empty nesters; a second life senior community
- Question/issue regarding 1st floor / 2nd floor dwelling – This is envisioned for first floor living, as the primary development will have a mandatory master bedroom on the first floor (as specified by legislation) for a senior housing community – with the ability to have a second level to allow for a secondary room for guests or children.
- Question regarding streets – private vs. public. The private streets will be built with the commitment to build according to County Engineers public road specifications and standards
- Question regarding the cost of the land – as they have noted before, there is the inability to develop the property as it is currently zoned. There were a lot of the comments that the issue is that the property owner is seeking too much money for the land. He noted that even at a zero cost for the land (free), they still conclude that it is not feasible to develop the land as it is currently zoned.
- Question regarding if there is a market for this – They are confident of the viability for the market of this product and type of senior housing development.
- Last clarification - question regarding “why does it have to be here, when there is land zoned for this and available elsewhere that allows Senior Housing as a Conditional Use”? – He referenced that the County Planning Commission looked at this proposal and submitted a report to the Zoning

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Commission. In summary, in the report, it clarified that the areas zoned B1 and B2 for senior housing are either developed or are not compatible or realistic.

- In terms of the developer, this individual has been a long time resident of Hinckley since 1976. In North Royalton, he developed Greenbriar River Valley development with similar homes for active senior living targeting the 55 plus market. He has developed Canyon Creek Estates in Hinckley, Hinckley Corporate Park, the CVS, as well as areas in Brecksville. He is a local developer, who is a Hinckley resident, who wants to stay in Hinckley, and who will invest in the community through this development proposal.

Mr. Makhlof explained that additional presentations will be made by the following:

- Mr. Thom Sutcliff – a land acquisition manager with Drees Homes and experienced in this product market will explain the validity of this market type.
- Mr. Dan Neff – an independent engineer with Neff & Associates who is licensed in several states specializing in developments of this nature will speak to the feasibility and the market feasibility of this development proposal.
- Mr. Peter Pavluk – property owner who will provide history of his family property and their efforts in selling their land to date.
- Mr. David Hartt – a land use planner with 50 years of experience in land development and land use; who is experienced in writing zoning codes will briefly comment on the Planning Commission report and also updates on additional information that he has obtained.

Mr. Sutcliff began by providing a little history of Drees Homes. Drees Homes started in 1976 in Kentucky. His office is in Brecksville and he is involved with land acquisitions. Mr. Sutcliff stated that he has no horse in the race, but has attended every meeting. Drees Homes is active throughout north east Ohio. He wants the community to be what it wants it to be. As a developer and a buyer, he spoke about the Cleveland Market.

- The over 55 segment is not looking for a retirement center, but an active living community
- Drees Homes is a custom builder, building quality homes in Hinckley, Richfield and Hudson marketing to the 55 plus individuals for mature living
 - 4 out of 10 homes they build target this segment of the 55 plus market
 - last home, with “2nd” life, remarried
 - target segment enjoying success – some downsizing, but some not
 - live active lives – lots still working
 - prestigious communities and Hinckley qualifies and fits that desire – Hinckley a red star community
 - some will travel – access to I71
 - want a local feel – they are currently building in North Royalton, people love the community, shopping, entertainment
 - want quality schools
 - regular homes to live in, with space between the homes
 - smaller lots and less maintenance, but want a yard
 - Home Owner’s Associations
 - Why Hinckley because all of what he just commented on is in Hinckley

Mr. Smerigan interjected and asked Mr. Sutcliffe to end the commercial for Drees Homes and asked that he stay on subject.

- Mr. Sutcliff then spoke of the CMA performance, the Competitive Market Analysis which shows the sewer, wetlands geo-tech studies, etc.

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- indicates that you cannot build on this lot with current zoning, even if the land is for free
- keeping an affluent community
- Zoning is a living and breathing document

Mr. Dan Neff from Neff and Associates spoke. He is a landscape architect and engineer, but not the engineer of this project. He was asked as an independent engineer to review the project and the cost of the project and feasibility. He has developed real estate over the past 25 years, residential and commercial.

- Reviewed the plan from Lewis Land and cost analysis and feasibility study from Mr. Terry's consultant, Mr. Hartt
 - in general agreement with the plan design; however found that after reviewing the costs, Mr. Hartt's numbers appeared a little light and should have 3-4% increase in what the industry is showing today with Mr. Hartt's numbers being a little conservative.
 - 21 lots, with two acre lots, with same entrance to 21 lots, and based on the analysis of the infrastructure, sanitary sewers, waterlines and roadway improvements per county specs and Mr. Hartt's cost analysis indicates the land has little development value.
 - Project presented as an active adult community
 - Project proposed with having centralized sewers, roadways, built to public roadway standards, would be improved with closed ditches, not like county road.
 - Project proposed of providing 58 % open space. Most of the land is fields and farm land and some tree lines/tree areas would be removed with the majority remaining. It would have walking paths. He noted the requirement on the current code for conservation is 30% open space, and this proposal is showing 58%.
 - Mr. Neff stated that he would not be interested in property with current zoning.

Mr. Peter Pavluk, property owner of the 60 acre parcel spoke. He thanked the Zoning Board for considering the proposal.

- land has been in family for 51 years and was a great place for his family to go to while growing up
- last March, they received letters, 5 individual bids on the property. He lives in Houston, TX, with his siblings also living out of state or in other areas of Ohio.
- The 5 bids received were unsolicited, but all were turned down.
- His family met to determine their options, looking at 21 /24 lots with septic, boilerplate, based on current zoning, the developers they spoke to stated it was not feasible for 21 /24 lots and developments are difficult to be profitable at that number, so all offers were declined.
- He is not a developer, and land was inherited from parents – did not know the market value of the land
- Once the land was for sale, the family received over 100 calls on the property, to include local developers and developers from Chicago and California
- The family would like a local presence in home building. All 5 brothers and sisters are in agreement about the property to build on smaller lots so that parents can be closer to their families.

Mr. David Hartt, from CT Consultants, representing Terry Properties spoke. For public awareness, he stated that at last night's Medina County Planning Commission meeting, the Planning Commission recommended approval, of both the map change and the text change. Although, in the staff report from Rob Henwood suggested numerous changes to the text proposed.

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- they (Terry Properties LTD and group) are willing to work with Hinckley Township and Mr. Hartt stated that he did not disagree with the suggested changes referenced in the report
 - will make some changes to the proposed text that works for both the Township and the developer
- noted that none of the text changes suggested, changes the direction or fundamental concept of density for the development
- clarified Dan Neff's cost estimates and that his estimates were based on a 21 unit sub-division under current zoning and not the cost estimates of the design plan provided by Lewis Land for the Planned Unit Development proposal
 - referenced Lewis Land cost estimates, noting the infeasibility for the development under the current zoning
- with two additional points, Mr. Hartt submitted two charts to the Zoning Commission for review
 - Median Values – Comparative Properties chart depicting the cost of a lot compared to land costs based on county records for surrounding properties and their market value; and estimated sales price in the residential area
 - Residential Parcel Size chart showing that about half of the residential sites in Hinckley are less than two acres (1.99 acre site or less category) and half are lots that are two acres or more; and the areas where planned conservation development sites exist

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. He also stated again that the Zoning Commission would break for a brief meeting at 7:00 and then would reconvene for more public comment.

Comments by Phillip Curran, 2398 Kellogg Road:

- Went through this once already when they lived in Summit County, in North Hampton Township. In 1985, Cuyahoga Falls annexed it and rezoned the area creating congestion and the infrastructure of the sewer system became overloaded
- this is opening the door to rezoning other areas
- if other properties are available under two acres, then people can purchase those lots
- more about money than keeping Hinckley a rural atmosphere

Comments by Susan Bradley, 986 River Road:

- owner of Classic Realty Group and has lived in Hinckley for 22 years
- what she heard tonight was how this development will put money into people's pocket that are involved and has nothing to do with our community and how we are going to keep our rural atmosphere
- as a realtor, people that she sells houses to have interests to buy in this area, move here for the rural area who want peace and quiet and out of the city – developments are changing that
- she sits on her front porch and sees trucks and semis
- ruining our community and this is not good
- has a neighbor, that when they put Westwind Trace and McKee Trail developments in off of River Road, his property flooded from the water coming down the hill, forcing him into foreclosure
- not a benefit to Hinckley except to the people who want to put the developments in

Comments from Joseph Scarcella, 2202 Northgate Drive:

Asked for explanation of the process and procedures and who the decision makers are. He understands that there is the public hearing, but wants to know how all this works out. He heard that the County Commissioners already approved “this thing”.

Mr. Smerigan explained the zoning change process, as he did in the first meeting:

- any property owner has the right to request a zoning text or map change
- an application is made for a zoning change at the Zoning Office and is referred to the Zoning Commission
- Zoning Commission is required to hold a public hearing regarding the request
- Township sends it, as required, to the County Planning for comment and recommendation
- County Planning is obligated to review and forward their comments and recommendations, back to the Township – the comments and recommendations, through a formal letter will go into record, just as the comments heard from the public will go into the record
- Township is not obligated to follow recommendation – they take the comments under advisement, as well as the public and applicant comments under advisement
- Zoning Commission will review all the information and then votes making a formal recommendation to the Township Trustees
- Once the Township Trustees receive the formal recommendation from the Zoning Commission, the Trustees will hold a public hearing
- Township Trustees, after their public hearing, will then make the final vote as to whether this is up or down
- It was reiterated that the Trustees make the final decision

Continued comments from Joseph Scarcella, 2202 Northgate Drive:

- he noted that he is 68 years old. He moved here for the rural atmosphere
- he is not for it
- 2 acre requirement when he built his home with a septic system
- he discussed the sanitary sewers, that they exist in the area of Boston Road and W. 130th street and the requirements for those houses
- information given regarding sewers is not correct – and asked that they clarify it
- they cannot make money on it, it’s not his problem, it is theirs
- does not make sense for the community and is not in the Master Plan

Comments from Jim Dolance, 270 State Road

- his property backs up to Hinckley Hills Golf Course
- a senior citizen of age 81
- moved to Hinckley almost 12 years ago
- rural area – two acres or more
- concern with the change

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- he lived in North Olmsted for 35 years and saw change leading to too much congestion
- that will happen to this community with this change
- some people not able to afford this – he and his wife are the President and Vice-President of the Senior Group here and he does not know any Seniors in his group that could afford up to a \$400,000.00 house
- other Senior possibilities within the community – most people that he talked with do not want apartment for retirement style living, rather have a house or town house and some property
- served on the Master Policy Plan committee a few years ago and the people who spoke at the two public meetings and 90% said they did not want anything else, but what we have right now – wanted to keep it the same
- streets, if dedicated, who will be maintain them? Township?

Mr. Smerigan answered by stating that the streets will be private and maintained by the folks who live in the development, as stated in the proposal.

Comments by Bill Schaefer, 1733 Stony Hill Road:

- Arborcrest Development, the developer did not get his land for free, nor did he go bankrupt
- Other developers have come in and developed property, and suggested Mr. Terry ask how other developers were successful with the current zoning
- Hinckley is a desirable community because of our current Zoning and that is what Hinckley is about

Comments by Lou Kaltenstein, 2540 Canyon Creek:

- resident of Hinckley for 20 years
- sees both sides of the argument
- grew up in Berea, moved to Strongsville and now Hinckley (has space)
- recently three neighbors by him have moved – they were of senior age
 - when he asked why, the neighbors responded “to much house” “to much grass to take care of” – “can’t find this in Hinckley but would love to stay here, but can’t”. He, himself would dearly like to stay in area, but his house will be going up for sale sooner than later for the same reason
- he would be pointed to a development such as this, it is ideal
- the population of country is aging; Hinckley population is aging
- rely on our town fathers to make sure that there is the right infrastructure there
- this is progress, not sure on land space utilization, but this is progress
- He asked everyone to keep an open mind and to move forward and not back

Mr. Smerigan suspended the meeting at 7:02 p.m. for the Zoning Commission to hold their Regular Meeting and then after, the hearing will reconvene.

The Zoning Commission Regular Meeting Minutes have been reported separately.

Mr. Smerigan reconvened the hearing at 7:08 p.m.

Comments by Carol Hrbac, 2470 Center Road:

- she is fourth generation on this property, and owner of 25 acres; her property is next door to the Pavluk 60 acres
- not a quiet rural area
- traffic is horrible, whether it is 3:00 pm, 6:00 pm; cannot pull out of their driveway
- does not understand why 60 acres worth more than any other land there – she owns 25 acres – mentioned taxes, would like them lowered
- jake break problem on that road is horrible
- cemetery traffic across the street is non-stop 24 – 7
- industrial property behind her; noise from trucks; Great Lakes butts up against her property
- why is 60 acres worth more; Lekan’s sold their property and it was developed with two acre lots
- what will stop them from contacting her to sell her property to add to their development
- doesn’t know why the road has not been widened with the amount of traffic; and if it is widened, the road will be close to the houses
- she is a senior, and would not want to live in this

Comments by Francine Shuster, 2295 Country Brook Road:

- she moved from a cluster home in Brecksville that was on a private road
- the private street was not serviced by city with snow plowing – it was left up to the Homeowner’s Association
- could not bring garbage trucks down the culdesacs; they (residents) had to take rubbish to a designated area for collection; animals made a mess of the garbage
- suspicion with private roads – private roads typically, the county, the city, the township doesn’t/can’t support garbage trucks or snow plow trucks
- heard that sanitary sewers and city water will go into the development – what does that do to all of us with surrounding properties, what does it do to the septic fields, wells and watersheds?
- bringing sewers on 303 a bad idea, and asked that the issues be well documented

Comments by Bob Kremser, 1541 Mattingly Road:

- “ideal place for a senior center because it is across from the cemetery”, and said all joking aside, he continued
- reminded audience of flood five years ago
- the new Skyland development will only add to water problems; not sure proposed retention ponds will be enough
- those with two acre plus lots, who have lived here a long time could have a fire, or shoot a gun - he referenced surrounding cities, and with the growth in Hinckley will minimize the use of the properties; he commented that they will stop it and forbid it

Comments by Jane Eberhart, 1861 Center Road:

- commended the research team, they are very well versed, have done their homework in recognizing Hinckley as a red star Township

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- if approved, Hinckley will look like Strongsville, North Royalton or Medina
- potential for sewer and water - sewers will spread and will look like a Brunswick, Strongsville or North Royalton
- we will change to a suburban area, if we continue, no longer a rural area
- stated "Trustees, we do not have to do this - we need to tell the county not to railroad us, we do not want this, now or in the future"

Comments by Jerry Dolcini, 308 Bellus Road:

- He is a former teacher and now an organic farmer on eight acres
- if he owned the property he would attract more farmers and not white settlers
- young people are interested in farming and advises the owners of the property to divide the land into ten lots to ten farmers
- use solar power; food will be very important in the future, and we can not keep giving up our farmland for this
- while in Napa Valley during the winter months, he drives an electric car
- wonders if the Zoning board will get involved with the new elementary school, and hopes that the schools will start using solar energy

Comments by Gerry Parle, 1110 Stony Hill Road:

- spoke at the last meeting, stated he has a letter that he will read parts of and submitted the letter to the Board
- two items other than the text and map amendments: 1) type of housing and 2) cost along with one house per two plus acres
- in favor of two acre lots
- proposal for younger seniors 55 – 60 years of age - he is 74 years old and wants to know if he is being excluded by that comment or discriminated by this development.
- according to the Post, the Fair Housing Act states 80% must be 55 of age. How will this be monitored, who will police it? If not properly monitored, it will be another development masquerading as a senior development.
- he walks his dog twice a week and has spoken to many people; not one has said they would move into a two story house under a one acre lot
- cost is an issue
- In Arizona, Dell Webb communities and the Villages in Florida are both common in high density; they are developed with as many houses on an acre as possible
 - these homes are in senior communities – homes are 1,700 square feet, have wide doorways, etc.
- gave a simple example with simple math: 1 acre = \$150,000.00 for one house; if three homes are built on the same parcel, the lot cost is reduced to \$50,000.00 - with five houses on one lot, the developer is getting his money
 - if this were to happen in Hinckley, zoning laws would have to be changed and zoned for senior housing only

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- he spoke about the style of homes built in senior developments that accommodate the needs for senior living built in Florida
 - there are strict living requirements, that you must be 55 years of age or older; if you have family members that are less than 55, they are not allowed (no exceptions)
- he is not in favor of the current proposal and suggests it be rejected until a more suitable proposal for the needs of Hinckley is given; he is in favor of senior housing, just not this one
- this is second proposal that has been open for discussion, and comments given at that time are similar, which was soundly rejected and became Arborcrest
- he suggests the following if the current proposal is rejected:
 - in contradiction to the one house per two acre minimum, when a developer comes in with a plan, a one-time exception to the zoning code to allow for the proposed area. This area in the township deemed a senior housing area and the housing density changed to accommodate the proposal, if plan accepted.
 - Hinckley Township appoint an adhoc committee comprised of seniors 55 years an older with the mission to come up with the requirements of what senior housing should be comprised of.
 - if the aforementioned is accepted, then the developers should be made aware of the requirements
 - if we do not come up with a plan, then just scrap the whole idea
- the senior housing proposal by law under the Fair Housing Act, buyers cannot be discriminated upon and the correct wording should be Senior Housing in Hinckley Township

Comments by Ginnie Schneider, 1105 Stony Hill Road:

- attended many meetings for Redwood Falls (Skyland Golf Course) proposal and was against the plan
- her property backs up to the old golf course
- she learned that two acre lots do not make a community rural
- description of seniors who want two story homes for their kids; asked where is the study targeting seniors who want second level houses
- after the 70's there was a stipulation put in place for two acres per one house
- she stated that Redwood Falls was shoved through because of how the wording in the laws (code) was written - and that they met all the requirements for a Conservation Development with 50% greenspace
- thinks that they are finding loopholes in the code to go around the two acre law and call it seniors
- keep the two acres

Comments by Sara Thozeski, 1560 Stony Hill Road:

- property butts up to the land that is for sale
- likes the idea that the land be sectioned off for farmers or other people
- she would buy a section

Comments by Raymond Nash, 1259 Arborcrest Drive:

- asked for a show of hands who own under two acres; how many were built before the 1970 restriction
- he is 39 with two kids
- had lots of space in Wayne County, and moved to this township because of the excellent schools, location to the interstates and that he had space
- it is difficult now to exit onto 303 from Arborcrest; more houses on 303 will only make it more dangerous
- there will be water run off issues with more housing
- fortunate that we live in a country where we can speak our minds
 - he hopes the folks in charge (Zoning Committee and Trustees) hear the peoples voice
 - the majority of the community wants to stick to the master plan, with two acres or more; and this opposes the goals of the master plan

Comments by Bob Szymanski, 2547 Canyon Creek Drive:

- this is an emotional meeting; people wanting this to stay a rural area
- many of you have moved from other places like Brunswick, Medina and Strongsville due to growth
 - there are a lot of people who like that area to live
- the only thing that is constant is change – things change
- lived here since 1991 and has lived in a quiet development for 27 years
- he wants to stay here and find a smaller place to live
- this proposal is a perfect situation for those who live in a development with the ability to stay in the community they like
- he wants the committee to note that there are a lot of people who want this kind of a thing
- has been hoping that someone would build some kind of senior housing in Hinckley, Ohio
- people may have dealt with Dave Terry in the past, and speaking about his experience with Mr. Terry – he has always done what he says he is going to do
- this is progress

Comments by Matt Dorcik, 995 W. 130th Street:

- he spoke at the last meeting
- when you change the zoning laws, and start building houses, you get another Canyon Creek which is not really Hinckley

Comments by Gary Vandenhaut, 222 Concord Lane:

- President of Dutch Valley Homes
- resident of Hinckley for the last 30 years
- he is interested in this property; he wants to keep it 2 acre lots like Arborcrest across the street
- for the gentleman who said he wants the property to develop it, that it would not be worth it to him – Mr. Vandenhaut stated he would buy it and build two acre lots

Comments by Jim Bialosky, 2300 Sandy Creek:

- if you can not build two acre lots, you say it's not feasible, then don't do it
- per the Comprehensive Plan
 - 55% of the resident survey strongly opposes increased residential density
 - 60% supported continued growth at the two acre minimum
 - 2% wanted ¾ acre lots
 - spoke about the survey results included in the Comprehensive Plan
 - community support shown at Zoning Meetings – need for larger venue
 - listen to what people are saying and take that into consideration

Comments by Angela Chesnick, 2362 Country Brook Drive:

- purchased property 20 years ago and verified zoning before buying it
- they reviewed the Master Plan and thought they were protected by the two acre minimum in their area
- never thought they would have to be here today to discuss this
- we are the community and want the protection by the Zoning, we want protection by the Township
- Zoning is not fluid, unless you make it fluid

Comments by Bob Kremser, 1541 Mattingly Road:

- he is under the impression that the ultimate decision is made by the Trustees

Mr. Smerigan responded that, yes that was correct.

Continued comments by Bob Kremser, 1541 Mattingly Road:

- he asked if the results of how the Trustees voted would be posted in the Hinckley Recorder so they have that information prior to the next Trustee election

Mr. Smerigan responded that yes, the meetings are public meetings, so yes the public will know

Comments by AnnMarie Teresko-Brobst, 1024 Ridge Road:

- this proposal is something that she is totally, adamantly and with opposition to

Comments by Ed Kirk, 1905 Ridge Road:

- commented on the development already there across the street, the new development going in at Skyland which has already added traffic to 303; this will do the same and make it more maxed out
- if 60 homes are built, and 80% equals 48 homes, that means twelve homes can be under the age of 55
- those twelve homes could have kids, that could impact the schools and busing and with a potential bus stop on 303
- if this is approved, we can no longer boost about the two acre minimum; two acre minimum means were in negotiations all the time

Continued Comments by Joseph Scarcella, 2202 Northgate:

- He referenced the diagram provided showing the map of the proposed development and asked about acreage

Mr. Smerigan explained the map of 60 acres shown to the audience

Continued Comments by Joseph Scarcell, 2202 Northgate:

- He asked about the stub street, the road ends without a culdesac and does that mean they have future plans? To extend the development into the adjacent property?

Mr. Smerigan explained that the situation is that what is in front of the Commission is not the development plan, but the TEXT Amendment and MAP Amendment, rezoning of the property. If the TEXT and MAP Amendment proposal were to pass then the review of the development plan would come at a later date.

Continued Comments by Joseph Scarcell, 2202 Northgate:

- asked for a show of hands as to who is in favor and who is opposed to the plan.

Comments by Nancy Myers, 1550 Stony Road:

- spoke at the last meeting
- stated that the design is horrible and asked what the easement will this do to the property values
- if you want this kind of thing, there are communities in surrounding areas that you can go to
- number one reason why people move to this community, why we are a red star community are because of the large lots, the two acre minimum
- we want our rural flavor
- there are other options around, this is our town – our home and we want it the way it is

Comments by Dave Yatsko, 2167 Mattingly Road:

- one of few who still farms in Hinckley
- he referenced the site plan map and pointed out the wetlands
- if you approve this one, what is next?

Comments by John Kalas, 1809 Ridge Road:

- moved to Hinckley two and half years ago
- he has two lots; one that is about three quarters of an acre and the other giving him about 5 acres total
- he has two children
- we start today, what will happen in the future?
- a lot of comments from people, echo the same statements that he wants to make
- benefits of this plan? The benefits sited by Mr. Terry group do not benefit the rest of Hinckley
- he researched Mr. Terry and found that over the last three years, Mr. Terry has been involved in zoning variances, wanting something changed in his industrial property
- he found that Mr. Terry has been investigated by the FBI

Mr. Smerigan interrupted Mr. Kalas and stated that it is not Mr. Terry's character that is in front of the Commission – we are here to talk about Zoning.

Continued comments by John Kalas, 1809 Ridge Road:

- he wants to continue to live here and have his kids go to school here

Mr. Smerigan advised that the public hearing was going to close for the night and be continued to September 6, 2018 at 6:30 p.m.

A person from the audience asked how the public will be notified of the continued hearing. **Mr. Smerigan** responded that we are required to announce the time and date at this meeting. Int. Chairman Dermody explained that they met every first Thursday of the month and stated that it will be displayed on the sign board and website.

Int. Chairman Dermody entertained a motion to continue the public hearing on September 6, 2018 at 6:30 pm. Mr. Powell moved and Mr. Marzullo seconded. All were in favor.

The public hearing closed at 8:02 p.m.

Suzanne Peterlin, Acting Recording Secretary

Minutes Approved: _____, 2018

Diane Dermody, Int. Chairman

Calvin Powell, Int. Vice-Chairman

Bruce Schneider, Member

Matt Marzullo, Member

Chris Kalina, Alternate