Summit County Planning Commission (SCPC)
Thursday September 26, 2019 - 3:00 p.m.
County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio

Meeting Agenda

A. Call to Order Chair Mavrides
B. Roll Call Smith
C. Approval of the August 29, 2019 SCPC Minutes Chair Mavrides
D. Business Items Knittel

New Business

Item # 1 – Heritage Centre Allotment Replat – Copley Township – Proposed vacation of a portion of Heritage Center Drive, with the re-dedication of the cul-de-sac of Heritage Center Drive and the Creation of Sublot C-R1 from sublots C-R and D

Item # 2 – Chapter 130/450.02 Text Amendment - Northfield Center Township – Proposed text changes to Chapter 130 “Definitions” and to chapter 450 “Regulations for Wireless Telecommunications Facilities”

E. Report from Assistant Director Tubbs
F. Comments from Public Chair Mavrides
G. Comments from Commission Members Chair Mavrides
H. Other Nott
1. Legal Update
I. Adjournment Chair Mavrides
I. Call to Order

_Dennis Stoiber_ called the meeting to order on _Thursday, August 29, 2019 at 3:00 pm_ in the County of Summit Council Chambers, 175 South Main Street, 7th Floor, Akron Ohio 44308. A roll call was conducted by _Cazz Smith_ the attending members constituted a quorum.

II. Approval of the _July 25, 2019_ Meeting Minutes

A table listing the attendance and the vote is presented here. Each member is listed along with their presence (X for present, blank for absent), their motion (Y for yea, N for nay, A for abstain), and the second (X if present, blank if absent). The motions are as follows:

- **Beckham, George**
- **Corbett, Becky**
- **Feeman, Jerry** (X)
- **Humphrys, Helen** (X)
- **Kline, David** (X)
- **Mavrides, Allen**
- **Segedy, Jason** (X)
- **Snell, Jeff** (X)
- **Stoiber, Dennis** (X)
- **Terry, Robert**
- **Wilhite, Jeff** (X, X)

**Motion**

_Jeff Wilhite_ made a motion to approve the minutes of the _July 25, 2019_ meeting, and it was seconded by _David Kline_ the motion passed with no abstentions.
III. Business Items

A. New Business – (1) items

Item # 1 – Section 3 Residential Lights - Text Amendment – Sagamore Hills Township - Sagamore Hills Township Zoning Commission is proposing an amendment of Section 3 Residential District 3.11 Lighting to establish clarity about the use and direction of lighting on residential property.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed text amendment be APPROVED.

SCPC Action: Review sample legislation from the Township of Bath and comments from SCPC.
Approval: X
Disapproval: 
Action: Approved

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<th>SCPC Member</th>
<th>Present</th>
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<th>Second</th>
<th>Yea</th>
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<td>Willhite, Jeff</td>
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- Dennis Stoiber stated the Township of Bath is being used as an example of how to manage this issue.
- Jason Segedy asked the definition of an open light bulb versus a closed light bulb.
- Dennis Tubbs stated he was not sure of the exact definition. He did state it determines the amount of lumens or visible light emitted by the light source.
- Jason Segedy stated it is possible to have stringed lights as long as it meets the lumen requirements.
- Jeff Snell spoke on behalf of the Township of Sagamore Hills. He explained the inspiration for this text amendment.
- Dennis Stoiber made a suggestion on the language of the text amendment.
- Jeff Snell agreed some exceptions should be permitted.
Motion

A motion was made by Dennis Stoiber to approve Item # 1 – Section 3 Residential Lights - Text Amendment with the condition to review the sample legislation from the Township of Bath and comments from SCPC, it was seconded by David Kline the motion passed with one abstention from Jeff Snell.

IV. Report from Assistant Director

No comments from Assistant Director.

V. Comments from Public

No comments from public.

VI. Comments from Planning Commission Members

No comments from SCPC.

VII. Other

Joe Paradise from SCE stated it is difficult to distinguish the definition of holiday, as it pertains to the residential lights text amendment.

VIII. Next Meeting

The next Summit County Planning Commission meeting will be held on Thursday, September 26, 2019.

IX. Adjournment

Being no further business to come before the Planning Commission, David Kline made a motion to adjourn, and it was seconded by Jason Segedy. The motion passed unanimously. The meeting adjourned at 3:16 pm.
EXECUTIVE SUMMARY

Located in Copley Township at the intersection of Heritage Woods Dr. and Medina Rd. The applicant is proposing a vacation of a portion of Heritage Center Drive, with the re-dedication of the cul-de-sac of Heritage Center Drive and the Creation of Sublot C-R1 from sublots C-R and D 2 as well as easements within C-R1.

Staff recommends **CONDITIONAL APPROVAL**.

<table>
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<th>Item No.:</th>
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<th>Area:</th>
<th>21.2701 Acres</th>
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<tr>
<td>Meeting:</td>
<td>September 26, 2019</td>
<td>Council District:</td>
<td>5, David Hamilton</td>
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<tr>
<td>Applicant:</td>
<td>Gary Biales</td>
<td>Processor:</td>
<td>Stephen Knittel</td>
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**Proposal:** Located in Copley Township at the intersection of Heritage Woods Dr. and Medina Rd. The applicant is proposing a vacation of a portion of Heritage Center Drive, with the re-dedication of the cul-de-sac of Heritage Center Drive and the Creation of Sublot C-R1 from sublots C-R and D 2 as well as easements within C-R1.

**Site Conditions:** The lots being altered are currently vacant with no structures present, there are structures present in lots A-R and B-R. Summit County GIS does not show any riparian or wetland features on the site.

**Township Zoning:** This plan is within the PDD district of Copley.

**Agency Comments:** *Italicized text* indicates quotations from submitted agency comments.

**Copley Township:** No comments received by 09/19/2019.

**SWCD:** Stephanie Deibel, 09/19/2019: The plans are still under SWPPP otherwise no comments.

**SCE:** Andy Dunchuck, 09/20/2019: *Our office has reviewed the revised resubmittal for the above referenced replat and has the following comments:*

1. Lot A-R1 is the only lot that is *not* changed in some way by this plat. Except for Lot A-R1, remove all notes ‘No Change to this Parcel With This Plat’ from the replat.

2. The legend shows a symbol and verbiage stating ‘Iron Pin or Pipe found as described’. On sheets 2 and 3, add monumentation descriptions to those symbols that need them.

3. On Sheet 2, where does the 10’ Extinguished Utility Easement on the N.E. side of Heritage Center Drive end?
4. On sheets 4 and 5, add missing bearings and distances to the east end portion of Heritage Center Drive.

5. On sheets 4 and 5, add ‘Group One Broadcasting, Parcel 1700492’ to the S.E. adjoinder information.

6. The vacated portions of Heritage Center Drive are not apportioned to the adjoining parcels. Nor is there documentation cited that the adjoining parcels have accepted this arrangement. Show apportion to adjoining lots by normal reversion rights.

7. The adjoining parcels that will receive the vacated portion of Heritage Center Drive are then dedicating land for the cul-de-sac, and therefore need to sign plat.

8. Parcel "B-R" may no longer have frontage along Heritage Center Drive. The property line and the right of way line for the cul-de-sac seem to meet at the property corner. A landlocked parcel cannot be created.

9. New easements seem to be added to Lot "B-R", a 50' Utility & Access easement and a portion of a sanitary sewer easement.

10. Construction plans and a construction agreement will be required for the proposed work and final plat approval will be dependent upon receipt and approval of construction plans.

11. Have the various property owners been notified?

12. A traffic impact study/traffic impact assessment will be required for this project.

13. Revised Drainage Maintenance Assessments will be required with this replat.

14. Due to the nature and number of comments provided our office is requesting a compliance submittal of the replat.

Staff Comments: This site has come before the SCPC previously with other Replat requests which were granted. Staff has no issues with this proposed Replat.

Recommendation: It is Staff’s recommendation that the Replat of Heritage Centre Allotment be Conditionally Approved with the conditions of the full filling the comments from the Summit County Engineer’s Office.
Proposal: The applicant has proposed that the Northfield Center Township Zoning Resolution Section 130 “Definitions” and 450.02 “Regulations for Wireless Telecommunications Facilities” be amended to add text regulating public notification of adjacent property owners of an appeal of the board of zoning appeals.

Proposed Text Amendments: Text that is struck through is text proposed for deletion, new proposed text is red and underlined.

Add the following NEW definition (in red) to Chapter 130 “Definitions” of the Northfield Center Township Zoning Resolution:

**FIRE DEPARTMENT:** An organization in charge of preventing or putting out fires, especially one working or currently contracted for a local government.

The Zoning Commission would also like to add NEW text (in red) to Chapter 450, “Regulations for Wireless Telecommunications Facilities”, Section 450.02, Letter G of the Northfield Center Township Zoning Resolution:

Sec. 450.02 Definitions.

A. **Co-location:** The use of a wireless telecommunications facility by more than one wireless telecommunications provider or by one provider for more than one type of telecommunication technology.

B. **Lattice tower:** A support structure constructed of vertical metal struts and cross braces forming a triangular or square structure, which often tapers from the foundation to the top.

C. **Monopole:** A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.
D. **Telecommunications:** The technology which enables information to be exchanged through the transmission of voice, video or data signals by means of electrical or electromagnetic systems.

E. **Wireless telecommunications antenna:** The physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

F. **Wireless telecommunications facility:** A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

G. **Wireless telecommunications tower:** A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopoles, guyed and lattice construction steel structures. Structures supporting antennas used by licensed amateur radio operators are excluded from this definition.

**Summary of the changes proposed:**
- To add a definition for Fire Department.
- To add clarification to Wireless telecommunications tower about exemption for licensed amateur radio operators.

**Staff Comments:**
Staff sees no issue with the proposed text amendments.

**Recommendation:** Staff recommends to the Summit County Planning Commission that the proposed text amendments be **APPROVED**.