



ENGINEERING • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1770

**Date:** September 2, 2021

**To:** Nick Sugar, City Planner, Community Development

**From:** Nate Wonsick, P.E., Assistant City Engineer

**Re:** **Hudson Preserve Subdivision – Engineering Review  
Viewpoint #21-688**

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The City of Hudson Engineering Department has reviewed the plans submitted and the comments are below. Note: The City of Hudson Engineering Standards (Engineering Standards) and Land Development Code (LDC) are available online at the City of Hudson Website [www.hudson.oh.us](http://www.hudson.oh.us) under the Engineering Dept. and Community Development Department respectively. The standards are also available in print for a fee. Please contact our office (330-342-1770) if you would like a cost for the printed version.

The City of Hudson Engineering Department has the following comments:

**Approvals that will be needed prior to the City of Hudson Engineering Acceptance include:**

1. Summit Soil and Water Conservation District
2. Ohio EPA Notice of Intent.
3. Summit County Building Standards shall review the building structures; fire lines; and any retaining walls proposed on the site.
4. Akron Water Dept. shall review and approve the waterline.
5. Summit County DSSS shall review and approve the sanitary sewer for this site.
6. Ohio EPA may need to review the sanitary and water systems, if applicable.
7. US Army Corp. of Engineers permit for wetland impacts.
8. Submit documentation of approval of all the above.

**General Comments:**

9. The City will perform a complete and thorough review when the revised set of improvement plans and reports are submitted to the City at a future date and the City reserves the right to add to these comments as needed.
10. Include a disposition of how each comment was addressed with the next submittal. Provide a written response on how the comment was addressed and reference the page of the plans or report where each revision is located.
11. The designer shall check sight distances at the new intersection with Norton Road. Submit a site distance exhibit.

**Overall plan comments:**

12. See the red-lined comments on all attachments. Review the City of Hudson Engineering Standards, as applicable.
13. The basements shown in the profile on sheet 12 overlap each other and the storm sewer. Reconfigure this to be legible.
14. All street signage shall be provided by the developer. Add proposed street sign plan.
15. Add a tree clearing note to your plans in accordance with your wetland permit for this project.
16. The improvement plans do not correctly show the required 12-foot-wide utility easement and a 3-foot-wide utility easement as shown on the plat.

17. Show all temporary soil stockpiles on the plans, as applicable. Add the following note regarding all temporary soil stockpiles: "Excess soil stockpiles that will not be used on the site must be removed within 48 hours."
18. Label all major cut and fill slopes (i.e. %, or 3:1, etc.) Note that 3:1 is the max. allowable slope for site grading.
19. Add details for curb inlets and yard inlets as needed.
20. Indicate the size of the collector lines for the house storm connections. Size the collectors to accommodate multiple storm connections as needed.
21. Please include the pre and post impervious box on the first page of the plans per section 1.7 of the Engineering Standards.
22. Include an electric plan sheet and a pedestrian lighting plan with City electric notes.
23. Also include locations of gas and phone service lines.
24. Include a streetlight at the intersection with Norton Road.

**Roadway comments:**

25. Per the Engineering Standards Section 7.14, soil borings are required to determine the CBR value. If the CBR value is less than 6.0, cement stabilization will be required.
26. Add a note to the ODOT Standard Drawing RM 1.1 that states "monument boxes shall be East Jordan 8365 Heavy Duty. No risers shall be used." Monuments shall be installed per City Engineering Standards Section 7.12. A monument is required in the intersection with Norton Road and in the cul-de-sac.

**Storm Sewer/ Storm Water Management Comments:**

27. The designer shall also complete a downstream analysis per section 5.5 of the Engineering Standards to ensure no adverse impacts downstream of the proposed development.
28. Provide separate pre and post-developed drainage area maps. From review of the grading plan, there appears to be some developed areas that will not drain to either of the detention basins. Any areas not draining to the detention basins should be accounted for as un-detained areas in the calculations and total post-developed discharge from the site, or additional swales could be added to ensure all development areas drain to the detention basins. Review rear and side yard areas of most lots.
29. Show that the 100-year design storm reaches all storm water management BMP's via the storm sewers or an overland flow path. If overland, show the 100-year overland flow path on the drainage area maps. It was unclear from the storm sewer calculations provided what design storm was being calculated.
30. Review Section 5 of the Hudson Engineering Standards for the 100-year flood path requirements for the retention basins for this site and make any applicable changes, as needed.
31. A professional engineer shall stamp and sign the storm water management plans and calculations.
32. The calculations shall also include the peak flow rates for the 2- and 5-year storm events.
33. Provide swale capacity calculations for the "bypass" storm runoff being routed around the development. The bypass swale will need to convey up to the 100-year design storm without impacting surrounding properties.

**Plat Review Comments:**

34. Also see attached plat red-lined comments.
35. The 12-foot-wide utility easement and a 3-foot-wide City utility easement is not shown continuously around Preserve Lane. Provide a continuous 12-foot-wide utility easement and a 3-foot-wide City utility easement.
36. Do not show "future" storm easements on the plat that are required for this project. Include all required property and easements on the current plat or refer to existing recorded easements on the plat. See east detention pond outfall easement.

Please resubmit the plans and storm water management report for further review.

If you have any questions, please contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nate Wonsick".

Nate Wonsick, P.E.  
Assistant City Engineer

Attachments: red-line plans

C: File.



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SHAWN KASSON  
Fire Marshal

[skasson@hudson.oh.us](mailto:skasson@hudson.oh.us)  
(330) 342-1869

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M E M O R A N D U M

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**DATE:** July 29, 2021

**TO:** Nick Sugar, City Planner

**FROM:** Shawn Kasson, Fire Marshal SK

**SUBJECT:** Hudson Preserve (LDA Builders) – Norton Road

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I have reviewed the site plan set for the proposed Hudson Preserve subdivision dated *JUNE 2021* which was uploaded into OpenGov on 07/12/21. Upon review, I have the following comment:

- The fire hydrants must meet City of Hudson nozzle thread specifications.

Please contact me with any questions.



COMMUNITY DEVELOPMENT • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1790

## PLANNING COMMISSION

CASE NO. 20-914

### PRELIMINARY SUBDIVISION – HUDSON PRESERVE

### DECISION

Based on the evidence and representations to the Commission by Tony Lunardi and City staff at a public meeting of the Planning Commission held at the regular meeting on March 8, 2021 the Planning Commission approved the Preliminary Subdivision request for Hudson Preserve in Case 20-914 for an 11-lot subdivision at Norton Road according to plans received February 8, 2021 with the following conditions:

1. The following must be incorporated as part of the final subdivision application:
  - a. Plans must address the preliminary fire department comments noted within the February 18, 2021 letter requesting final improvement plans to identify locations of fire hydrants meeting City of Hudson nozzle thread specifications.
  - b. Plans must address the preliminary engineering comments noted within the February 25, 2021 letter including:
    - i. Other agency approvals including: Summit Soil and Water, Summit County Building Standards, Summit County DSSS, Ohio EPA, U.S. Army Corp of Engineers and City of Akron Water. Approvals to be submitted prior to final subdivision review.
    - ii. Improvement plans to conform to the City of Hudson Engineering Standards.
    - iii. Street signage provided by developer.
    - iv. Appropriate bonds and fees paid when identified through the improvement plan submittal
  - c. Final landscaping plan depicting all proposed plantings; including street trees, landscaping around stormwater ponds and established Bufferyard B where ponds are adjacent to property boundaries.
  - d. Final grading plans to depict all construction activity within the limits of disturbance boundary.
  - e. Revise the Private Open Space area to include additional protected wetland areas.
  - f. Establish a Public Open Space dedication or applicable funds in lieu of dedication in connection with guidance from the City of Hudson Park Board.
  - g. Improvement plans to depict sidewalks along both sides of the proposed road in addition to property frontage along Norton Road.
  - h. Revise the Orientation of Lot #1 or revise the design to Lot #1 pond to provide increased separation between the two.

Dated: March 10, 2021

CITY OF HUDSON  
PLANNING COMMISSION

*Tony Lunardi*

*Ron Stolle*  
\_\_\_\_\_  
Ronald Stolle, Chairman



COMMUNITY DEVELOPMENT • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1790

## **BOARD OF ZONING AND BUILDING APPEALS**

### **APPEALS DOCKET NO 2020-1035 PARCELS 3001868, 3003333, 3000882, 3003332 VARIANCE**

#### **VIA CERTIFIED U.S. MAIL DECISION**

Based on the evidence presented to the Board by the applicant, Tony Lunardi with LDA Builders, 6683 Olde Eight Road, Peninsula, OH 44264 and the property owner is LDA Land Group LLC for the Norton Road parcels at 3001868, 3003333, 3000882, 3003332 in District 1 [Suburban Residential Neighborhood]. A public hearing was held remotely via video conference pursuant to HB 197 on Thursday, January 21, 2021, the Board of Zoning and Building Appeals hereby grants:

A variance to allow a new street intersection that is proposed at fifty five (55) feet from an already existing street intersection, when the Land Development Code states intersections for new streets should be a minimum of four hundred (400) lineal feet from any intersection, requiring a three hundred and forty-five (345) foot variance pursuant to section 1207.13(c)(5)(E), "Streets and Easements and Alleyways – Curb Cuts and Intersections" of the City of Hudson Land Development Code.

After reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties and by taking into consideration the personal knowledge of the property in question, the Board of Zoning and Building Appeals grants the variance.

The Board finds and concludes;

1. The property in question will yield a reasonable return and there can be beneficial use without the variance; however, the project would not be developed without the granting of the variance.
2. The variance is substantial in terms of a lineal extent and the difference of 400 feet separation and 55 feet separation; however, taking in consideration the limited amount of traffic anticipated and the finding of the traffic impact analysis, the impact would be minimal.
3. The essential character of the neighborhood would not be substantially altered, and adjoining properties would not suffer a substantial detriment as a result of the variance.

4. The variance would not adversely affect the delivery of governmental services, (e.g. water, sewer, garbage).
5. The applicant purchased the property with knowledge of the zoning restriction.
6. The applicant's predicament feasibly cannot be resolved through some other method. It was discussed to construct the new intersection to the East side; however, this would also require a variance.
7. The spirit and intent behind the zoning requirement is to make sure that new intersections are being constructed at a safe distance. However, Norton Road has multiple street intersections, causing difficulty for the applicant to reach the required 400 lineal feet.

Dated: January 21, 2021

CITY OF HUDSON  
BOARD OF ZONING AND BUILDING APPEALS



\_\_\_\_\_  
Robert Drew, Chairman



\_\_\_\_\_  
*Amanda Davey, Associate Planner  
(Acting Executive Assistant)*

*I certify that this is a true and accurate copy of the Decision reached by the Board of Zoning and Building Appeals at the January 21, 2021 meeting.*

Failure of an applicant to obtain the necessary zoning certificate with regard to the variance approval within one year of receiving approval of the variance shall automatically render the decision of the BZBA null and void., pursuant to Section 1203.07 (e), "Variances – Lapse".





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A variance from the prohibited activity of disturbance, including clearing of vegetation within stream corridors, wetlands and their setbacks pursuant to section 1207.03(c), "Prohibited Activities", of the City of Hudson Land Development Code.

After reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties and by taking into consideration the personal knowledge of the property in question, the Board of Zoning and Building Appeals grants the variance.

The Board finds and concludes;

1. The property in question will not yield a reasonable return and cannot be beneficial without the variance because the applicant is requesting an 11-parcel subdivision and that is what is needed to make a profitable return on their investment.
2. The variance is substantial; however, the wetlands being impacted are of the lower classifications of wetlands.
3. The essential character of the neighborhood would not be substantially altered, and adjoining properties would not suffer a substantial detriment as a result of the variance.
4. The variance would not adversely affect the delivery of governmental services, (e.g. water, sewer, garbage).
5. The applicant purchased the property with knowledge of the zoning restriction.
6. The applicant's predicament feasibly cannot be resolved through some other method.



7. The spirit and intent behind the zoning requirement would be observed and substantial justice would be done by granting the variance because the applicant has proposed the vast majority of the higher-grade wetlands will be intact.

Dated: January 21, 2021

CITY OF HUDSON  
BOARD OF ZONING AND BUILDING APPEALS




\_\_\_\_\_  
Robert Drew, Chairman



\_\_\_\_\_  
*Amanda Davey, Associate Planner  
(Acting Executive Assistant)*

*I certify that this is a true and accurate copy of the Decision reached by the Board of Zoning and Building Appeals at the January 21, 2021 meeting.*

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A variance of twenty (20) feet from the required fifty (50) foot setback resulting in a thirty (30) foot setback pursuant to section 1207.03(e)(2), "Setbacks – Wetlands" of the City of Hudson Land Development Code, in order to build on lots #6 and #7.

After reviewing the application, the hearing of evidence under oath, reviewing all documentary submissions of interested parties and by taking into consideration the personal knowledge of the property in question, the Board of Zoning and Building Appeals grants the variance.

The Board finds and concludes;

1. The property in question will yield a reasonable return but cannot be beneficial without the variance in the context of this project of building eleven sub lots, without the granting of the variance.
2. The variance is insubstantial due the variance representing only 40% of the requirement. Additionally, the setback intrusion of the wetlands is only on two of the eleven sublots.
3. The essential character of the neighborhood would not be substantially altered, and adjoining properties would not suffer a substantial detriment as a result of the variance.
4. The variance would not adversely affect the delivery of governmental services, (e.g. water, sewer, garbage).
5. The applicant purchased the property with knowledge of the zoning requirements; however, the applicant did not know the extent of the wetlands on the property.

6. The applicant's predicament feasibly cannot be resolved through some other method as it was discussed to remove lot #6, but this would cause the applicant to not be able to move forward with the project.
7. The spirit and intent behind the zoning requirement would be observed and substantial justice would be done by granting the variance.

Dated: January 21, 2021

CITY OF HUDSON  
BOARD OF ZONING AND BUILDING APPEALS



\_\_\_\_\_  
Robert Drew, Chairman



\_\_\_\_\_  
Amanda Davey, Associate Planner  
(Acting Executive Assistant)

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**DEPARTMENT OF THE ARMY**  
**BUFFALO DISTRICT, CORPS OF ENGINEERS**  
**1776 NIAGARA STREET**  
**BUFFALO, NEW YORK 14207-3199**

April 28, 2021

Regulatory Branch

SUBJECT: Preliminary Jurisdictional Determination for Department of the Army Application  
No. 2020-01128

Mr. Erik Flickinger  
Flickinger Geoservices Group, Ltd.  
2063 Williamston Court  
Akron, Ohio 44313

Dear Mr. Flickinger:

I have reviewed your request, submitted on behalf of LDA Land Group, LLC, for a jurisdictional determination (JD) on a parcel of land located north of Norton Road, in Hudson, Summit County, Ohio (Sheet 1 of 2).

I have evaluated your submitted aquatic resource delineation map (Sheet 2 of 2) and have determined that the aquatic resource boundaries shown on the map accurately represent on-site conditions. Please note that this is a preliminary JD. Preliminary JDs are non-binding written indications that there may be waters of the United States (WOUS) on your parcel and approximate locations of those waters. Preliminary JDs are advisory in nature and may not be appealed.

Pursuant to Regulatory Guidance Letter 16-01, any permit application made in reliance on this preliminary JD will be evaluated as though all aquatic resources on the site are regulated by the Corps. Further, all aquatic resources will be used for purposes of assessing the extent of project related impacts and compensatory mitigation. If you require a definitive response regarding Department of the Army jurisdiction for any or all of the aquatic resources identified on the submitted drawings, you may request an approved JD from this office. If an approved JD is requested, please be aware that this is often a lengthy process and we may require the submittal of additional information.

I have enclosed the preliminary JD Form with this letter. The form and attached table identify the extent of aquatic resources on the site and specific terms and conditions of the preliminary JD. Please sign and return a copy of this form to my attention so that I may complete my evaluation of your file. If you do not respond within 15 days, I will presume concurrence and no additional follow-up is necessary prior to finalizing this action.

In accordance with Regulatory Guidance Letter 05-02, "Preliminary jurisdictional determinations are not definitive determinations of areas within regulatory jurisdiction and do not have expirations dates." However, I strongly recommend that the boundaries of all aquatic resources on the parcel be re-evaluated by a qualified wetland biologist after five years of the

Regulatory Branch

SUBJECT: Preliminary Jurisdictional Determination for Department of the Army Application  
No. 2020-01128

date of this letter. This will ensure that any changes are appropriately identified and you do not inadvertently incur a violation of Federal law while constructing your project or working on your project site.

Lastly, the delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

A copy of this letter has been sent to the Ohio Environmental Protection Agency.

Questions pertaining to this matter should be directed to me at 716-879-4339, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, or by e-mail at: [keith.c.sendziak@usace.army.mil](mailto:keith.c.sendziak@usace.army.mil)

Sincerely,

A handwritten signature in cursive script that reads "Keith C. Sendziak".

Keith C. Sendziak  
Biologist

Enclosures

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: LDA Land Group, LLC		File Number: 2020-01128	Date: 4/28/2021
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
	APPROVED JURISDICTIONAL DETERMINATION	D	
X	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

**SECTION I** - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at [http://www.usace.army.mil/CECW/Pages/reg\\_materials.aspx](http://www.usace.army.mil/CECW/Pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Keith Sendziak  
U.S. Army Corps of Engineers  
1776 Niagara Street  
Buffalo, New York 14207  
716-879-4339  
Keith.c.sendziak@usace.army.mil

If you only have questions regarding the appeal process you may also contact:

Suzanne Chubb  
Regulatory Appeals Review Officer  
US Army Corps of Engineers  
Great Lakes and Ohio River Division  
550 Main Street, Room 10-714  
Cincinnati, Ohio 45202-3222  
Phone: (513) 684-7261 Fax: 513-684-2460

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:

## ATTACHMENT

### PRELIMINARY JURISDICTIONAL DETERMINATION FORM

#### **BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD):** April 28, 2021

**B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:** Mr.  
Mr. Erik Flickinger  
Flickinger Geoservices Group, Ltd.  
2063 Williamston Court  
Akron, Ohio 44313

**C. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Buffalo District, LDA  
Land Group, LLC, 2020-01128

**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:**  
**(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)**

State: Ohio County/parish/borough: Summit City: Hudson  
Center coordinates of site (lat/long in degree decimal format): Lat. 41.2049°  
N Long. -81.4279 ° W

Universal Transverse Mercator:

Name of nearest waterbody: unnamed tributary

Identify (estimate) amount of waters in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres.

Cowardin Class:

Stream Flow:

Wetlands: 1.70 acres.

Cowardin Class: forested

Name of any water bodies on the site that have been identified as Section 10 waters:

Tidal:

Non-Tidal:

**E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

☒ Office (Desk) Determination. Date: April 28, 2021

☒ Field Determination. Date(s): April 21, 2021



1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable. This preliminary JD finds that there "*may be*" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

**SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply**

- checked items should be included in case file and, where checked and requested, appropriately reference sources below):

☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Flickinger Geoservices Group, Ltd..

☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.

☒ Office concurs with data sheets/delineation report.

☐ Office does not concur with data sheets/delineation report.

☐ Data sheets prepared by the Corps: .

☐ Corps navigable waters' study: .

☐ U.S. Geological Survey Hydrologic Atlas: .

☐ USGS NHD data.

☐ USGS 8 and 12 digit HUC maps.

☐ U.S. Geological Survey map(s). Cite scale & quad name: .

☐ USDA Natural Resources Conservation Service Soil Survey. Citation:

.

☐ National wetlands inventory map(s). Cite name: .

☐ State/Local wetland inventory map(s): .

☐ FEMA/FIRM maps: .

☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)

☐ Photographs: ☐ Aerial (Name & Date): .

or ☐ Other (Name & Date): .

☐ Previous determination(s). File no. and date of response letter: .

☐ Other information (please specify): .

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

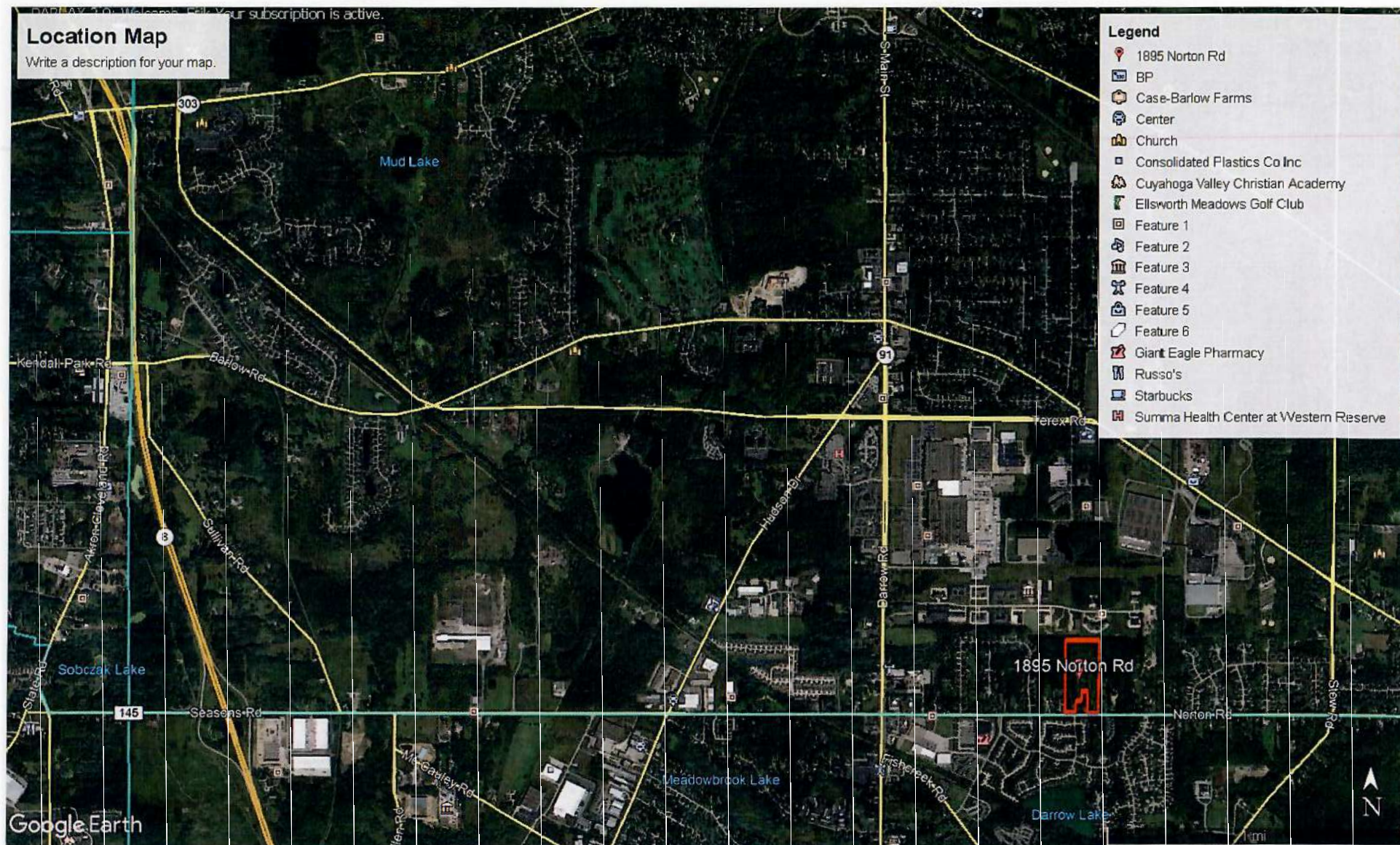
*Keith C. Sendziak*

\_\_\_\_\_  
Signature and date of  
Regulatory Project Manager  
(REQUIRED)

\_\_\_\_\_  
Signature and date of  
person requesting preliminary JD  
(REQUIRED, unless obtaining  
the signature is impracticable)

<b>Site number</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Cowardin Class</b>	<b>Estimated amount of aquatic resource in review area</b>	<b>Class of aquatic resource</b>
Wetland A	41.2049°	-81.4279	Palustrine	1.67 acre	non-section 10 – wetland
Wetland B	41.2049°	-81.4279	Palustrine	0.03 acre	non-section 10 – wetland

# Sheet 1 of 2







CHRIS D. LUDLE  
Service Director

JEFFREY J. BRONOWSKI, P.E.  
Water Bureau Manager



DANIEL HARRIGAN, MAYOR

EUFANCIA G. LASH  
Deputy Director of Service  
and Neighborhood Assistance

JIM AITKEN  
Deputy Director

**DEPARTMENT OF PUBLIC SERVICE**

166 S. High St., Room 201  
Akron, OH 44308-1657  
Phone: (330) 375-2270  
[www.akronohio.gov](http://www.akronohio.gov)

June 18, 2021

Dennis Stoffer - Spagnuolo & Associates, LLC  
[dstoffer@spagnuoloassoc.com](mailto:dstoffer@spagnuoloassoc.com)

Tony Lunardi – LDA Builders  
[Tony@LDAbuilders.com](mailto:Tony@LDAbuilders.com)

**Subject:** Water Service  
Hudson Preserve 11 Single Family Lots  
City of Hudson  
Summit County

Dear Mr. Stoffer and Mr. Lunardi:

The subject water mains are to be laid by the developer, who shall purchase the necessary supplies in accordance with plans and profiles, approved by the Akron Water Department. This method requires the execution of 3 year maintenance bond; once the water infrastructure is accepted. The water main materials and installation must be in conformance with the specifications and Rules and Regulations of the Akron Water Department and shall be inspected, tested and supervised by the Akron Water Department, at the developer's expense. Connection of the new water main to the existing water main within Norton Rd shall be performed by your contractor under City of Akron and City of Stow inspection. The Maintenance bond be 10% of overall costs, include the costs of inspection as indicated below, testing, and the engineer's estimate, including a material list.

Please work with the City of Stow for the street opening permit on Norton Rd, to install the water tap.

**An address for each lot must be submitted when the system charge is paid.** Each lot in the development is required to have its own water service and individual shut off with the box being located in a grass area; boxes within pavement are prohibited. Outside meter installations are available upon request at additional cost.

**WATER**

System Charge (11 lots @ \$1,550 each)	\$17,050.00
Construction Water Charge (11 lots @ \$100.00 each)	\$1,100.00
Public Water Main Inspection Fee	\$2,310.00
Houseline Inspection Fee	\$1,100.00

**Total System Charge** **\$21,560.00**

**The above total is the current estimated cost, subject to change without notice; and**

Water Distribution • 1460 Triplett Blvd • Akron, Ohio 44306 • (330) 375-2420 • FAX (330) 375-2301  
[www.akronohio.gov](http://www.akronohio.gov)

**dependent upon design.** This amount is payable by check to the "Akron Utilities Business Office", P.O. Box 3665, 146 S. High Street, Room 211, Akron, Ohio 44309-3665, Attention: New Sites (330) 375-2554.

**The contractor will be required to stake the service locations, lot lines and establish the final grade.** If it becomes necessary to adjust the curb boxes or meter pits after the initial installation, you will be billed for any additional work performed by the City of Akron. Water shut-off boxes are prohibited to be installed within any paved area.

**The contractor will be required to provide all labor and materials to perform the taps and install the water service lines within this allotment.** Water service installation will be performed under the direction of the City of Akron. Construction is not to proceed prior to the payment of all fees, and the recording of the dedication plat. Additionally, prior to construction, the contractor is to submit a list of materials to this office for review and approval along with all necessary permits.

Any questions, including information on the maintenance bond, plan approval, or addressing should be directed to Doug Zwahlen at 330-375-2227.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph A. Okolish".

Joseph A. Okolish  
Water Distribution Division

JAO:

C. Ludle, J. Bronowski, D. Zwahlen, G. Loesch, V. Townsend, A. Johnson, J. Esque, D. Smith  
J. Kajimura, T. Puglia, B. Geiser, T. Barnett, J. Shaver- City of Stow



**ILENE  
SHAPIRO**  
COUNTY EXECUTIVE

Department of Sanitary Sewer Services

Michael Vinay, Director

June 30, 2021

LDA Land Group, LLC  
6683 Olde Eight Road  
Peninsula, Ohio 44264

Sent the 3  
original agreements  
back to Missy  
7-5-2021

**RE: Hudson Preserve Improvement Plan  
SANITARY IMPROVEMENT NO.1681  
City of Hudson**

Dear Dennis Stoffer

Please find attached three (3) copies (each) of our Privately Financed Sanitary Sewer Agreement regarding the above referenced project.

Our office WILL NOT APPROVE ANY PLANS FOR PROJECTS UNTIL THE AGREEMENTS HAVE BEEN AUTHORIZED TO BE SIGNED BY COUNTY COUNCIL. **Please sign and date all three agreements and return the agreements to my attention.** A fully executed agreement will be sent to you after all parties have signed. Included in this packet are samples of project close-out paperwork.

Our objective is to process the agreements as soon as plans are submitted so that the approval process can be expedited.

Sincerely,

*Missy*

**Missy Moore**  
Quality Assurance Coordinator

