



City of Hudson, Ohio

Meeting Minutes - Final Planning Commission

Ronald Stolle, Chair
David Nystrom, Vice Chair
Andrew Furbee
Melissa Jones
Sarah Norman
Matt Romano
Erik Vaughan

Greg Hannan, Community Development Director
Nicholas Sugar, City Planner
John Kolesar, City Solicitor

Monday, August 14, 2023

7:30 PM

Town Hall
27 East Main Street

I. Call To Order

Chair Stolle called to order the meeting of the Planning Commission of the City of Hudson at 7:30 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

II. Roll Call

Present: 6 - Ms. Jones, Ms. Norman, Mr. Nystrom, Mr. Stolle, Mr. Vaughan and Mr. Romano
Absent: 1 - Mr. Furbee

III. Swearing In

Chair Stolle swore in all who will speak during the Public Meeting.

IV. Correspondence

V. Public Discussion

Mr. Skylar Sutton, 2243 Ravenna Street, stated that notices sent to homes and the printed agenda distributed at this meeting referred to this as a Public Meeting, however, the City social media post and the City website refer to this as a Public Hearing. This confusion must be addressed by the Commission since there are legal ramifications attached to the type of hearing.

Chair Stolle announced that Public Comment will be heard during this Public Meeting.

Seeing no one else coming forward to speak, Chair Stolle closed Public Discussion.

VI. Approval of Minutes

A. [PC 7-10-23](#) Minutes of Previous Planning Commission Meeting: July 10, 2023

Attachments: [PC Meeting Minutes July 10 2023](#)

A motion was made by Mr. Vaughan, seconded by Ms. Jones, that the July 10, 2023, Minutes be approved as amended. The motion carried by the following vote:

Aye: 6 - Ms. Jones, Ms. Norman, Mr. Nystrom, Mr. Stolle, Mr. Vaughan and Mr. Romano

B. [PC 7-17-23](#) Minutes of Previous Planning Commission Meeting: July 17, 2023

Attachments: [PC Meeting Minutes July 17th, 2023](#)

A motion was made by Ms. Jones, seconded by Mr. Vaughan, that the July 17, 2023, Minutes be approved as submitted. The motion carried by the following vote:

Aye: 5 - Ms. Jones, Ms. Norman, Mr. Nystrom, Mr. Stolle and Mr. Vaughan

Abstain: 1 - Mr. Romano

VII. Old Business

There was no Old Business.

VIII. Public Hearings

There were no Public Hearings.

Mr. Kolesar, City Solicitor, stated agreement with Mr. Sutton's comments, and noted the two agenda items this evening are not Public Hearings and no final decisions will be voted on at this meeting.

IX. Other Business**A. [PC 2023-676](#) A compatibility review/concept plan request for Canterbury Crossing, a 34-lot, single-family subdivision.**

Attachments: [Staff Report 2023-676 Canterbury Crossing Compatibility Review](#)

[Site Plans](#)

[Assistant City Engineer Review Letter](#)

[Wetland Delineation](#)

[Public Comments Final 8.14.23](#)

[Density and Open Space Calculation Exhibit](#)

[Renderings](#)

[Signed Affidavit - Property Owner A](#)

[Signed Affidavit - Property owner B](#)

Ms. Jones requested to speak on the record regarding her involvement as a PC member relative to the Canterbury Crossing application. The basis of the concern is Ms. Jones' ownership of property directly adjacent to the proposed project and the question of whether or not she should recuse herself from any PC discussion regarding

Canterbury Crossing. After first hearing the concern on Thursday, August 10, 2023, Ms. Jones reviewed advisory opinions from and spoke to the Ohio Ethics Commission (OEC) on Friday, August 11, 2023. On Monday, August 14, 2023, she submitted a formal request to the OEC for two opinions:

1. Whether Ms. Jones is prohibited as a PC member in matters pending before PC relative to the proposed Canterbury project which is adjacent to the Northwest corner of property owned by Ms. Jones.
2. If the OEC's opinion is 'Yes to recuse herself', is she prohibited from participating in any activity available to any other private citizen including appearing before the PC or any other City of Hudson agency to offer testimony.

Ms. Jones stated she does not have all the information necessary to fully and properly analyze whether she must recuse herself. If she makes the decision prior to having all of the information it potentially causes her to violate her oath to fully and fairly uphold her duties as a PC member. Notably any violation of the Ohio ethics laws carry potential civil and criminal penalties, however, the OEC advisory opinion states that any public official that follows an OEC advisory opinion is immune from penalties.

Ms. Jones submitted a request to the OEC to issue an advisory opinion on August 13, 2023. The OEC indicated that it currently issues an opinion within 45 days of receipt of the request. She deferred to her fellow Commissioners as to how they wished to proceed.

Mr. John P. Slagter, Tucker Ellis, LLP, stated since Ms. Jones lives at the adjacent property his concerns are ethical issues and due process. He also noted Ms. Jones' husband testified at the previous meeting regarding this application. He requested Ms. Jones recuse herself and noted it will be raised as an objection should she decline to recuse herself. Mr. Slagter also noted this is step one of the process which is for PC to review and comment on the plan, prior to scheduling a Public Hearing where citizens have the right to speak.

Chair Stolle again stated everyone at the meeting will be permitted to speak. He also stated that no vote will be taken but the Commissioners' comments will be heard.

Ms. Jones discussed Mr. Slagter's comments and stated she could not in good faith recuse herself at that time because she did not have all the information at the time.

Ms. Norman expressed her opinion that the LDC is inartfully written and is one of the causes of the confusion during this meeting. Ms. Norman also agrees this is a meeting not a hearing, which reduces the requirements on PC to hear from the public. She also stated a better course of action might be to delay this meeting to allow Ms. Jones to receive guidance from the OEC.

Mr. Vaughan requested staff comment on the timeline obligations if the discussion is deferred and stated he would like a decision from the OEC prior to holding this meeting.

Mr. Slagter stated the applicant would like to continue the process tonight and the possibility of Ms. Jones abstaining as a PC member and be free to comment as a private citizen. Mr. Slagter stated he will not waive any conflict of interest regarding Ms. Jones participating in the meeting as a Commissioner. Ms. Jones stated that she could not recuse herself at the time of the meeting because she does not have and could not have had all the information to make a final decision and cannot testify as a private citizen if she is on the PC.

Ms. Norman reminded the PC that Ms. Jones is the only representative of Ward 3 and has requested information from the OEC. The Commission discussed continuing the meeting to a future date.

The Commissioners and staff reviewed and discussed 1203.02 and the 120 days after the application is complete in which PC shall consider the application and take final action. Mr. Sugar noted the date the completed application was submitted was July 17, 2023.

Ms. Noman made a motion, seconded by Mr. Nystrom, to defer the Compatibility Meeting to

the October 9, 2023, Planning Commission meeting in order to allow the Ohio Ethics Commission to render an opinion regarding Ms. Jones conflict of interest.

Ms. Jones recused herself from voting upon, and did not vote upon, this specific motion.

The motion was approved by the following vote:

Aye: 5 - Ms. Norman, Mr. Nystrom, Mr. Stolle, Mr. Vaughan and Mr. Romano

Recused: 1 - Ms. Jones

B. [PC 2023-555](#) A compatibility review/concept plan request for the Cottages at Pine Ridge, a 13-lot, single family subdivision

Attachments: [Staff Report 2023-555 Cottages at Pine Ridge Compatibility Review](#)
[Site Plans](#)
[Assistant City Engineer Review Letter](#)
[Public Comments](#)
[Wetland Delineation](#)
[Signed Affidavit-Property Owner A](#)
[Signed Affidavit-Property Owner B](#)

Mr. Sugar introduced the application by: Noting this is a request to replat a 13-acre parcel, describing the location and size of the parcels, explaining this is a three-step process beginning with this Compatibility Review, and reviewing the staff report and comments.

Mr. Chris Brown, representing Prestige Builder Group, noted this was part of a previously recorded platt that is modified in this application with the back portion of the property dedicated as Open Space Conservation. Mr. Brown also reviewed and commented on the staff report.

The Commissioners, staff and applicant discussed: The expected size of the ranch and two-story homes, the open space conservation concept and how it is used in this subdivision, the required pedestrian bike path or money in-leu which would need to be approved by the Park Board, that interior trails are not planned because of the wetlands, that flooding issues will be addressed with Hudson West, that alternative entry drive locations were considered, discussed if this development is a small individual estate or cluster subdivision, has a build start of spring or summer 2024, how the Open Space will be used and accessed by the residents of the subdivision, the recreational uses of the wetlands area, the ownership of the Open Space area, that an HOA will not be needed to maintain the Open Space, and that the Army Corps of Engineers has not submitted a wetlands delineation.

The Commissioners and staff discussed the completeness of the plans when submitted, the discrepancy in the LDC regarding required Open Space Conservation, how the flood plain affects the Open Space Conservation calculations, the PCs authority and flexibility regarding setting setbacks, if the Open Space will be dedicated for public or private use, and if the Park Board policies and master plan are available for PC. The commissioners, staff and applicant also discussed the reason the 2009 platting was not built out, the 2009 wetlands area which has grown by approximately 10 or 15 acres, the pre application comments were discussed with Mr. Brown stating the meeting deadline did not allow enough time to revise the application, the possibility of removing lot number six, the elevated walkway that was proposed by the River Oaks project, the access to the Open Space Conservancy area, and lot seven being an existing house which will become part of the subdivision and exempt from the HOA.

Chair Stolle opened the meeting for public comment.

Ms. Sharon Papes, 553 W. Streetsboro Street, questioned the land near her property, which is lot S-1 and the ownership of the pond for continuing care. Mr. Brown stated the company's intention is to care for the pond. Mr. Hannan stated it is possible the wetlands boundaries will change, and the existing City of Hudson responsibilities will be researched. Mr. Brown stated his preference is that the pond does not shrink.

Ms. Judith Rose, 499 c, West Streetsboro Street, stated she sees beautiful wetlands that will be cluttered and have water problems if this is developed. Ms. Rose also stated that over the 30 years she has lived in her home the water problems have worsened, and this development will create additional traffic.

Ms. Nancy Wides, 459 D, W Streetsboro, stated the land as is, is beautiful and this development will make the area less nice.

Mr. Ted Huziak, 5621 Abbyshire Drive, stated that 100 foot wide lots make getting into a garage difficult and more room is needed, that Hudson is not growing and the PC should plan for our growth which will also bring in significant revenue to aid our schools, that commercial building are not as desirable in this location, and that Hudson has a housing shortage and Prestige has built great quality houses.

Ms. Sandara Ferek, 469 W Streetsboro Street, noted the wetlands are growing in recent years with outrageous flooding which remains for days, that the water needs someplace to go and the land would be better used as recreational area.

Ms. Laura Anderson, 5800 Laurawood Drive, noted she has built approximately 150 homes in Hudson, that her family has developed many of Hudson's neighborhoods, that there are few lots available in the City for building, and she believes working with local developers will be good for the City.

Ms. Lisa Behm, 2178 Middleton Road, noted she has been working with Prestige and they have been great to work with and have helped with water issues on her property.

Ms. Janice Kampf, 561 W. Streetsboro Street, questioned lots S-1 and S-2 regarding the existing trees and the location of the houses on the lots. Mr. Brown stated as many trees will be saved as possible, and the location of the house will be partially determined by the homeowner in accordance with the setback requirements.

Ms. Laurie Main, 489 C, W. Streetsboro Street, noted the Zoning of this property is Residential Conservation, thanked Prestige for caring about the wetlands, and is appreciative of the City for care given to the land.

Seeing no one else coming forward to speak, Chair Stolle closed Public Comments

Mr. Brown thanked the Commission for their consideration of the question and noted that he recognizes storm water is a most difficult issue and that he believes in this development the proposed property and Hudson West will both benefit.

Chair Stolle noted this is a Compatibility Review and comments are to be given to the applicant, he then asked each Commissioner to give feedback.

The Commissioners:

- Noted the good work of Prestige Builders and that the area is zoned as Residential Conservation and this proposal may conflict with that zoning.
- Questioned other ways to spread out the structures on the property.
- Stated that water runoff is the principal concern of every proposed development, and the Commission will want a detailed plan on how this is addressed.
- Displayed a possible site plan with smaller lots outside the wetlands and noted how the residents or public might enjoy the open space area.

- Reviewed the staff recommendations and encouraged a strong landscaping buffer .
- Questioned reducing the number of lots, and what amenities will be planned for the residents .
- Stated this development may not be the Open Space Conservancy which the LDC anticipated .
- Recognized that Hudson West might be improved and may not be hurt .
- Thanked all who participated in Public Comments .
- Noted the engineering reports will be important to the Commissioners, and the need to fit these homes onto this property in light of the Open Space Conservation zoning .
- Appreciated the attitude of the neighbors and staff .
- Stated that spreading the houses out may be desirable and that the pond and water issues are critical issues to address .
- Noted the pond should be properly maintained, and creative amenities be created for the residents .

Following these comments Chair Stolle closed the Public Meeting.

X. Staff Update

Mr. Sugar noted a special PC meeting will be held on August 28, Chair Stolle reviewed the latest Comprehensive Plan Update meeting and the Commissioners discussed the late September meeting regarding the LDC .

XI. Adjournment

A motion was made by Mr. Romano, seconded by Ms. Jones, that this be adjourned. The motion carried by an unanimous vote.

Ronald H. Stolle, Chair

Joe Campbell, Executive Assistant

Upon approval by the Planning Commission, this official written summary of the meeting minutes shall become a permanent record, and the official minutes shall also consist of a permanent audio and video recording, excluding executive sessions, in accordance with Codified Ordinances, Section 252.04, Minutes of Architectural and Historic Board of Review, Board of Zoning and Building Appeals, and Planning Commission.

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