

## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Wednesday, November 2, 2022 3:54 PM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; Ross Babbitt; Kenneth M. Haneline  
**Subject:** Fwd: 33 S. Oviatt Street - Opposition to Hudson Community Living Request For Variance

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

Please add this email from Ross Babbitt to the comment section of the agenda of the November 14, 2022 planning commission meeting.

Please confirm receipt of this email to me and all other parties CCed on this email and that you will include Mr Babbitt's email in the agenda items.

WJ

Sent from my iPhone

Begin forwarded message:

**From:** "Ross M. Babbitt" <rbabbitt@babbitt-lawfirm.com>  
**Date:** November 2, 2022 at 3:36:27 PM EDT  
**To:** rhstoll@yahoo.com, davelehman@nickynicole.com, david.nystrom@alairhomes.com, mmjones330@yahoo.com, vaughan.hudson.pc@gmail.com, adfurbs@gmail.com, sgnorman@aol.com  
**Cc:** wellborn.jackiii@gmail.com  
**Subject:** 33 S. Oviatt Street - Opposition to Hudson Community Living Request For Variance

Dear Members of the Planning Commission,

I am writing to express my strong opposition to Hudson Community Living's proposed development of high-density housing at 33 S. Oviatt Street and its concomitant request that your commission grant it a variance for that purpose. To that end, I respectfully ask the members of this commission to require this developer to comply with the maximum density requirements set forth in Section 1205.06(d) of Hudson's Land Development Code, limiting housing density to 2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes.

I have spent the last two years radically improving the long-neglected home at 27 Roslyn Avenue for my family to live in for the next several decades, and I myself grew up in Hudson and graduated from Hudson High School in 1993. I am very invested in this community both in my upbringing and with my recent investment in our historic district. It is in the spirit of my commitment to the best long-term interests of our city that I send this request to you.

Thank you for your consideration,  
Ross M. Babbitt

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Ross M. Babbitt

Ross M. Babbitt Co., LPA  
1382 W. 9th Street  
Suite 220  
Cleveland, Ohio 44113

Telephone: 216-623-6346

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## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Thursday, November 3, 2022 10:04 AM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; Kenneth Haneline; Suzanne Kim  
**Subject:** Fwd: Hudson Community Living Proposal message from SUZANNE KIM

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

Below is an email from a resident that lives two doors down from the intersection of Oviatt and 303

Her comments are pertinent to the discussion we are going to be having at the November 14 planning commission meeting. Please include these comments in the agenda. Please confirm receipt of this email and that you will include the comments in the agenda.

Thank you

Wellborn

Sent from my iPhone

Begin forwarded message:

**From:** Suzanne Kim <suzkim1@yahoo.com>  
**Date:** November 3, 2022 at 9:07:29 AM EDT  
**To:** rhstolle@yahoo.com, davelehman@nickynicole.com, david.nystrom@alairhomes.com, mmjones330@yahoo.com, vaughan.hudson.pc@gmail.com, adfurbs@gmail.com, sgnorman@aol.com  
**Cc:** wellborn.jackiii@gmail.com  
**Subject:** Hudson Community Living Proposal

Dear members of Hudson's Planning Commission,

I'm writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 S. Oviatt Street. I support the original plan, but I am not in favor of the developer's revised plans to build high density housing at this location.

I have reached out to the City repeatedly with concerns about how dangerous it currently is to walk across 303 at Oviatt Street or at College Street. Nothing has been done. I was told that a study would take place so that the City could potentially get a grant to install a flashing walking light at the intersection of 303 and Oviatt. That was one and a half years ago. To add 30+ residents, plus 30+ staff with cars would surely increase the rate of accidents or result in a traffic fatality. Since I work from home I see car accidents on a very routine basis at the Oviatt/303 intersection. This area is not set up to support the dense housing proposed in HCL's revised plans.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Suzanne Kim  
89 E Streetsboro St, Hudson, Ohio



## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Sunday, November 13, 2022 6:06 AM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; rivkin@gmail.com; Foster, Chris  
**Subject:** Fwd: Hudson Community Living Proposal

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

Attached please see the email from Mr. Rivkin. Please add his Email to the comment section of the agenda item for the HCL project. Please confirm receipt and your ability to add the emailed comments to the agenda item. Thank you

Wellborn

Sent from my iPhone

Begin forwarded message:

**From:** Daniel Rivkin <rivkin@gmail.com>  
**Date:** November 12, 2022 at 9:03:36 PM EST  
**To:** rhstolle@yahoo.com, mmjones330@yahoo.com, david.nystrom@alairhomes.com, vaughan.hudson.pc@gmail.com, adfurbs@gmail.com, sgnorman@aol.com, davelehman@nickynicole.com  
**Cc:** wellborn.jackiii@gmail.com  
**Subject:** Hudson Community Living Proposal

Dear Planning Commission,

I'm writing about the City of Hudson's upcoming decision regarding Hudson Community Living's proposed development at 33 S. Oviatt St. I'm against the developer's revised plans to build high density housing at this location.

I respectfully ask the City to require the developer to comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes; 5 dwelling units per acre for townhomes). These requirements in the Land Development Code exist for a purpose and should be upheld, otherwise why have code at all? This kind of high density housing stands out of character with the surrounding homes and neighborhood, and many property owners surrounding the proposed development (including myself, a 20-year resident of Hudson -- all of it within one block of the site -- and my wife, a 48-year resident of Hudson) would like the code upheld. Beyond the code issue, high density housing will further worsen the immediate area's rapidly increasing traffic woes.

Thanks for your time, and please reach out if you have any questions.

Sincerely,  
Dan Rivkin

115 Ravenna St., Hudson  
330-603-7175

## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Sunday, November 6, 2022 2:44 PM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; Chris Foster; Rachel Urbanic  
**Subject:** Fwd: Hudson Community Living Proposal

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

Below see email from Rachel Urbanic regarding her opposition to the development of the Hudson Community Living proposed project at 33 S. Oviatt. Please make this a part of the permanent record of the planning commission by adding it to the comment section of the agenda item for the November 14 planning commission meeting. Please confirm receipt

Wellborn

Sent from my iPhone

Begin forwarded message:

**From:** Rachel Urbanic <rachelurbanic@gmail.com>  
**Date:** November 6, 2022 at 11:01:44 AM EST  
**To:** sgnormal@aol.com, rhstolle@yahoo.com, davelehman@nickynicole.com, david.nystrom@alairhomes.com, mmjones330@yahoo.com, vaughan.hudson.pc@gmail.com, adfurbs@gmail.com  
**Cc:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Subject:** Hudson Community Living Proposal

Good afternoon,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 S. Oviatt Street. I am not in favor of the developer's plans to build high density housing at this location.

I am deeply concerned about the safety issues with so many small children in the area having this many new people residing so close to where we live. I also have concerns about the extra traffic that this will incur, as this is already a heavily trafficked area.

I respectfully ask the City of Hudson to build the development elsewhere in Hudson (Phase II Plan, for example). Please take the time to think about what building in this area will do to the folks who live so close, and who came to this area to enjoy the peace, serenity, and quiet that this area offers.

Sincerely,

Rachel Urbanic  
49 Fox Trace Lane

Hudson, OH 44236

## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Saturday, November 5, 2022 3:18 PM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; Chris Foster  
**Subject:** Fwd: Hudson Community Living Proposal - 33 S. Oviatt Street

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

See below email from the Hayward family objecting to the HCL project. Please make this comment a part of the permanent record and agenda for the November 14 PC meeting in the comments section

Please confirm receipt of this email

Wellborn

Sent from my iPhone

Begin forwarded message:

**From:** haywardp@windstream.net  
**Date:** November 5, 2022 at 2:40:03 PM EDT  
**To:** rhstolle@yahoo.com, davelehman@nickynicole.com, david.nystrom@alairhomes.com, mmjones330@yahoo.com, vaughan.hudson.pc@gmail.com, adfurbs@gmail.com, sgnorman@aol.com  
**Cc:** wellborn.jackiii@gmail.com  
**Subject:** Hudson Community Living Proposal - 33 S. Oviatt Street

Everyone,

We are writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 S. Oviatt Street. We are not in favor of the developer's revised plans to build high density housing at this location.

We respectfully ask the City of Hudson to require the developers to comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

We are also concerned about the additional traffic from the facility.

Thank you for your consideration.

Sincerely,

Peter J. Hayward and Jane Earle-Hayward  
38 year Hudson residents  
114 E. Streetsboro St.  
Hudson OH 44236

## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Saturday, November 5, 2022 3:16 PM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; Chris Foster  
**Subject:** Fwd: Hudson Community Living Proposal Email number five

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

Begin forwarded message:

**From:** Dianne Ketler <ketler@gmail.com>  
**Date:** November 4, 2022 at 4:06:12 PM EDT  
**To:** mmjones330@yahoo.com  
**Cc:** wellborn.jackiii@gmail.com  
**Subject:** Hudson Community Living Proposal

Dear Ms. Jones,

I'm writing to you today about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 S. Oviatt St. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes). These requirements within the Land Development Code exist for a reason and should be upheld. High density housing of this nature is out of character with the surrounding homes and neighborhood, and many property owners surrounding the proposed development (myself included) would like to have the code upheld.

Thank you for your time. Please feel free to contact me if you have any questions.

Sincerely,  
Dianne Ketler  
115 Ravenna St.  
330-620-0674

## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Saturday, November 5, 2022 3:12 PM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; Chris Foster  
**Subject:** Fwd: Hudson Community Living Proposal

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

See below email from Lisa Friel

Please include her comments below in the agenda for the November 14 Planning commission meeting in the comments section.

Please confirm receipt

WJ

Sent from my iPhone

Begin forwarded message:

**From:** lisa friel <friellisa@yahoo.com>  
**Date:** November 5, 2022 at 8:49:07 AM EDT  
**To:** rhstolle@yahoo.com, davelehman@niynicole.com, mmjones330@yahoo.com, vaughan.hudson.pc@gmail.com, adfurbs@gmail.com, sgnorman@aol.com  
**Cc:** wellborn.jackiii@gmail.com  
**Subject:** Hudson Community Living Proposal

Good morning Hudson Planning Commission members,

Thank you for serving our community on this commission.

I'm writing about the proposed development on S. Oviatt street across from the police station. I am not in favor of the developer's newest version of plans to build super high density housing at the location.

Please require the developer to comply with the density requirements of Hudson's land development code, which is for 2.5 dwelling units per acre for duplexes and 5 units per acre for townhomes. I've heard that this is in Section 1205.06 (d) of the code.

I would like to express gratitude that the developers have thus far allowed that glorious old tree at the southwest corner of the property along Oviatt to remain. (I think it might be a catalpa tree.) That tree is a gift to the neighborhood with its white flowers that rain down like snow once they've finished their spring blooming. That tree has funky Dr. Seuss-like seed pods. I appreciate that huge, old tree \_every\_ day because that's the walking route I take with my dog. I also appreciate the family of deer that seek refuge in that last remaining wooded spot behind the area that has just been leveled. The idea of that area jam packed with residences is sad.

Please ensure that that area stays as low density as possible and that that tree gets preserved. I'd like the other trees diagonally behind the cleared area to remain. We already lost so many old trees between the two bodies of water behind Barlow Community Center due to the dam reconstruction project. Please communicate to the developers my appreciation for their efforts to preserve as many existing trees as possible.

Thanks for your time,  
Lisa Friel

64 N. Oviatt St.  
Hudson, OH



## Nick Sugar

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**From:** Mary Jack <jackfamilyone@gmail.com>  
**Sent:** Friday, November 4, 2022 4:29 PM  
**To:** davelehman@nickynicole  
**Cc:** Nick Sugar; cfoster@cfoster.com  
**Subject:** Fwd: Hudson Community Living Proposal

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dave

Our apologies. We misspelled your email address and the below email bounced.

Mary and Wellborn Jack

**Mr. Sugar**

**Please confirm receipt of this email and its recording in the agenda comments section for the November 14, 2022, Planning Commission Meeting**

Begin forwarded message:

**From:** Mary Jack <jackfamilyone@gmail.com>  
**Subject:** Hudson Community Living Proposal  
**Date:** November 4, 2022 at 4:24:55 PM EDT  
**To:** rhstolle@yahoo.com, davelehman@nickynicole.com, David.nystrom@alairhomes.com, Mmjones330@yahoo.com, Vaughan.hudson.pc@gmail.com, adfurbs@gmail.com, Sgnorman@aol.com, cfoster@cfoster.com  
**Cc:** Nick Sugar <nsugar@hudson.oh.us>, "ICE Jack, III" <wellborn.jackiii@gmail.com>

Planning Commission Members, Council Liaison and Staff,

We are writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 S. Oviatt Street. We are not in favor of the developers' revised plans to build high density housing at this location. We respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Mary and Wellborn Jack  
28 Fox Trace Lane  
Hudson, OH. 44236

330-802-3036

**Mr. Sugar**

**Please confirm receipt of this email and its recording in the agenda comments section for the November 14, 2022, Planning Commission Meeting**

**Nicl**

**From**  
**Sent**  
**To:**

**Cc:**  
**Subj**



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re Lehman <davelehman@nickynicole.com>  
uesday, November 8, 2022 1:09 PM  
l Kotheimer; rhstolle@yahoo.com; david.nystrom@alairhomes.com; mmjones330  
ahoo.com; vaughan.hudson.pc@gmail.com; adfurbs@gmail.com;  
norman@aol.com; Nick Sugar  
llborn.JackIII@gmail.com  
33 South Oviatt Development - Approve

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you. I have forwarded this thread to City Staff so your thoughts are available at our meeting.

Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission  
Industrial Design Subcommittee

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>

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**From:** Carl Kotheimer <cjkotheimer@gmail.com>  
**Sent:** Tuesday, November 8, 2022 11:58 AM  
**To:** rhstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>; david.nystrom@alairhomes.com; mmjones330@yahoo.com; vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; sgnorman@aol.com  
**Cc:** Wellborn.JackIII@gmail.com  
**Subject:** 33 South Oviatt Development - Approve

Ladies, Gentlemen,

In a few words: I am sick of NIMBY and can't take it any more.

As a general housing policy matter, the pattern of objection to any kind of housing development that is not large units and high-end is the proximate cause of our rampant national housing shortage. Is it not reasonable that people who work in Hudson should be able to live in Hudson? The consistent pattern in Hudson of resistance to any kind of modestly

sized homes connotes an underlying desire to perpetuate a "gated community". Were that standard in effect as Hudson was originally established, the existing Historic District would have been prohibited. A bit ironic. And it's a bit of a contradiction that even the Historic District is being made more dense by permitting new arrivals, downsizing from McMansions, to double the size of small homes on small lots. Praise to Alan Sveda for holding the line.

Please take a broader view; do not be part of the problem, but part of the solution to a rampant national housing problem. Please approve the South Oviatt St development and thoughtfully consider other similar housing propositions that will come before you.

--

Carl J. Kotheimer  
45 Division St.  
Hudson, OH 44236  
Tel. 330 554 8261  
[cjkotheimer@gmail.com](mailto:cjkotheimer@gmail.com)

## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Wednesday, November 9, 2022 2:50 PM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; Chris Foster  
**Subject:** Fwd: Hudson Community Living

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

Please confirm receipt of this email and it's inclusion in the November 14 PC meeting agenda under the comment section.

Thank you

Wellborn

Sent from my iPhone

Begin forwarded message:

**From:** cvanb2274@aol.com  
**Date:** November 9, 2022 at 11:37:43 AM EST  
**To:** sgnorman@aol.com  
**Subject:** Hudson Community Living  
**Reply-To:** cvanb2274@aol.com

Dear Ms. Norman,

At the September 12, 2022, Hudson Planning Commission meeting, members asked for neighborhood comment re the Hudson Community Living Proposal.

We are opposed to the developer's revised plans to build high density housing at the 33 S.Oviatt location. We would request that the City and the Planning Commission comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land Development Code.

We believe additional traffic generated by this high density development is a significant concern. While the HCL spokesperson indicated at the September 12 meeting that little additional traffic would be generated, we believe traffic is a concern. We expect that in addition to caregivers, there will be deliveries, serviceworkers, visitors and other traffic entering/exiting that development. South and North Oviatt are currently congested, without any additional burden. Consideration must also be given to emergency vehicle access to get through the Oviatt/ Rte 303 intersection.

We respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes.)

Sincerely,

George and Christine VanBuren

15 Bradley Dr.  
Hudson, Ohio 44236

## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Wednesday, November 9, 2022 9:59 AM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; Chris Foster  
**Subject:** Fwd: Hudson Community Living Proposal

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

See below email from Jeff and Lisa Laughlin and add to the comment section of the PC November 14 agenda

Please confirm receipt

Wellborn

Sent from my iPhone

Begin forwarded message:

**From:** jctlaughlin@gmail.com  
**Date:** November 9, 2022 at 9:46:44 AM EST  
**To:** vaughan.hudson.pc@gmail.com  
**Cc:** wellborn.jackiii@gmail.com  
**Subject:** FW: Hudson Community Living Proposal

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**From:** jctlaughlin@gmail.com <jctlaughlin@gmail.com>  
**Sent:** Wednesday, November 9, 2022 9:43 AM  
**To:** rhstolle@yahoo.com; davelehman@nickynicole.com; David.nystrom@alairhomes.com; mmjones330@yahoo.com; vaughn.hudson.pc@gmail.com; adfurbs@gmail.com; sgnorman@aol.com  
**Cc:** wellborn.jackiii@gmail.com; 'Leslie Laughlin' <unevenone@gmail.com>  
**Subject:** Hudson Community Living Proposal

Ronald, Dave, David, Melissa, Erik, Andrew, and Sarah,

We are writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 S. Oviatt Street. We are NOT in favor of the developer's revised plans to build high density housing at this location.

We respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Jeff & Leslie Laughlin  
64 Division Street  
Hudson, OH 44236



## Nick Sugar

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**From:** Melissa Jones <mmjones330@yahoo.com>  
**Sent:** Thursday, November 10, 2022 4:05 PM  
**To:** Cyndi Kiggans  
**Cc:** rhstolle@yahoo.com; david.nystrom@alairhomes.com; vaughn.hudson.pc@gmail.com; adfurbs@gmail.com; sgnorman@aol.com; Dave Lehman; Nick Sugar  
**Subject:** Re: Hudson Community Living Proposal

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Ms. Kiggans,

I am forwarding your communication to the other members of the Planning Commission and City staff so that your comments are included in the record.

We appreciate your involvement and input.

Melissa Jones

On Thursday, November 10, 2022 at 12:47:15 PM EST, Cyndi Kiggans <tulip8473@gmail.com> wrote:

Dear Hudson's Planning Commission member,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 S. Oviatt Street.

I am opposed to the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205/06(d) of Hudson's land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Cynthia Kiggans

80 N. Oviatt St

Hudson, Ohio 44236

## Nick Sugar

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**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Sunday, November 13, 2022 3:54 PM  
**To:** Nick Sugar  
**Cc:** Daniel Wright; Foster, Chris  
**Subject:** Fwd: Hudson Community Living Proposal

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nick,

Please add the below comments to the online agenda comments section as part of the permanent record of this meeting scheduled for the PCon November 14, 2022

Please confirm receipt of this email  
Sent from my iPhone

Wj

Begin forwarded message:

**From:** Nancy Klein <kleinnancy@yahoo.com>  
**Date:** November 13, 2022 at 3:35:01 PM EST  
**To:** rhstolle@yahoo.com, davelehman@nickynicole.com, mmjones330@yahoo.com, adfurbs@gmail.com, sgnorman@aol.com, david.nystrom@alairhomes.com, vaughan.hudson.pc@gmail.com  
**Cc:** wellborn.jackiii@gmail.com  
**Subject:** Hudson Community Living Proposal

I'm writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 S Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land development Code (.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhouses).

Sincerely,  
Nancy and Gary Klein  
61 E Streetsboro St, Hudson, Ohio 44236

Sent from my iPad

November 14, 2022

Chris Foster  
President, Hudson City Council  
1140 Terex Road  
Hudson, OH 44236

VIA EMAIL

**RE: Opposition to Hudson Community Living proposal at 33 South Oviatt Street**

Dear Council President Foster:

I am writing to strongly oppose Hudson Community Living's proposal for the development of a residential facility for persons with Developmental Disabilities at 33 South Oviatt Street.

I join in others' opposition to the proposal, on the basis that the project exceeds standards for housing density and presents environmental/stormwater management problems. However, my primary objection is based on the lack of professional standards and professional oversight for this project, creating an unsafe situation for the potential residents of this facility.

I speak with some experience on these topics. I am a board-certified psychiatrist/forensic psychiatrist, having been in practice for 32 years. I am Professor of Psychiatry and Adjunct Professor of Law at a local medical school and law school. I spent 15 years of my career as hospital administrator at a state-operated inpatient facility for persons with Severe/Persistent Mental Illness and Developmental Disabilities. I have evaluated, treated and designed/implemented Individual Treatment Plans for many persons with Developmental Disabilities. I also have a close family member with a Developmental Disability.

Hudson Community Living (HCL) proposes to build and operate a specialized residential living facility for persons with Developmental Disabilities. Persons with Developmental Disabilities have, by definition, impairments of personal, social, occupational and/or academic functioning. Problems with reasoning, problem solving, planning, abstract thinking, judgment, learning from experience, personal independence, and social responsibility may occur on a continuum of impairment. For those reasons, professional standards exist for the development and operation of residential housing facilities for persons with Developmental Disabilities, to provide evidence-based, national standards for the policies and procedures needed to safeguard this vulnerable population.

Yet, it appears that no professional standards or professional oversight have been incorporated into the HCL proposal.

Typically, professional oversight for these types of facilities is implemented via licensure by a governing agency, such as the Ohio Department of Developmental Disabilities, and/or certification by an accrediting body, such as The Joint Commission. Yet, my understanding is that there is to be no licensure or accreditation of the proposed facility, since it will be entirely privately funded.

My understanding is also that there is no oversight process in place, to ensure that mental health professionals (psychiatrists and/or psychologists) oversee:

1. The development of policies and procedures for the facility.
2. The development of an admission review process for the facility.
3. The process to review/screen potential HCL residents for admission to the facility.
4. Development of staffing plans and criteria for staff/resident ratios.
5. The development of policies to review incidents that may occur, and a process for the potential exclusion/dismissal from the facility.

My understanding is also that HCL proposes that lay persons, such as the parents of the prospective residents, attempt to complete some of the requirements listed above. While noble, that would be misguided and a recipe for bad outcomes.

Hudson Community Living cannot have it both ways – they cannot build and operate a residential facility for a very specific, vulnerable population (persons with Developmental Disabilities) with very specific needs, and not provide the necessary professional oversight required. Likewise, HCL cannot portray the facility as a private pay residential facility with a simple tenant/landlord relationship, and then operate the facility as a specialized facility for persons with Developmental Disabilities.

I encourage you, as well as members of the Planning Commission and City Council, to **not approve** the conditional use permit for the proposal at 33 South Oviatt Street.

Respectfully,

*Stephen Noffsinger, M.D.*

Stephen G. Noffsinger, M.D.  
102 Ravenna Street  
Hudson, OH

---

**From:** Wellborn Jack <wellborn.jackiii@gmail.com>

**Sent:** Monday, November 7, 2022 2:33 PM

**To:** Wellborn Jack <wellborn.jackiii@gmail.com>

**Cc:** Thomas Sheridan <TSheridan@hudson.oh.us>; Foster, Chris <cfoster@hudson.oh.us>; rhstolle@yahoo.com; david.nystrom@alairhomes.com; mmjones330@yahoo.com; adfurbs@gmail.com; davelehman@nickynicole.com; sgnorman@aol.com; Daniel Wright <dwright@dkwrightlaw.com>; vaughan.hudson.pc@gmail.com

**Subject:** Re: Hudson Community Living Company Proposal and P.C. Case No. 2022-822

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Resending email to all members of planning commission and Mr. Foster and Mr. Sheridan as Mr. Vaughan's email bounced As his email was misspelled.

Sent from my iPhone

On Nov 7, 2022, at 2:28 PM, Wellborn Jack <[wellborn.jackiii@gmail.com](mailto:wellborn.jackiii@gmail.com)> wrote:

Dear Mr. Foster and Mr. Sheridan:

I am a 29-year resident of Hudson, live at 28 Fox Trace Lane, and write today relative to some of my concerns about Hudson Community Living's ("HCL") proposed project at 33 S. Oviatt Street (Hudson P.C. Case No. 2022-822).

In the course of conversations with my neighbors about the proposed HCL project, several Hudson residents' on Edwards Dr. and Route 303, home owners with property boundaries backing up to the proposed HCL project, remarked that they "never had drainage issues until the

Barlow Community Center was built” and altered the natural drainage in the area.

The HCL project has given rise to the following immediate concerns before the Planning Commission approves this project:

1. Density in excess of that permitted under Hudson’s Land Development Code (the “LDC”);
2. Impervious surface coverage in excess of that permitted under Hudson’s LDC;
3. Destruction and removal of several natural wetlands that now exist on the HCL site;
4. Stormwater detention, retention, flow, and drainage issues resulting from HCL’s proposed project;
5. Impact of Stormwater runoff from the proposed HCL site on the upper/lower lake strategy to retain and release water to mitigate floods and control water flow through the Brandywine Creek area that flows through downtown and behind the Library at First and Main.

HCL’s revised new high-density proposal, which was discussed with Hudson Planning Commission during its September, 2022 monthly meeting, provides for a dramatic increase in the square footage proposed for this site when compared to the original proposal outlined in the February, 2022 Planning Commission meeting. The revised site plan has significantly more impervious surface coverage, coupled with the removal of the last remaining wetlands in the area between my home and the Barlow retention ponds/Oviatt Street area. With the amount of impervious surface shown on HCL’s September plans **AND** the removal of the multiple existing natural wetland areas, there will be almost nowhere for storm water to percolate into the ground. My fear is two-fold:

A. Will HCL's high-density development result in a change in the water table and/or drainage patterns in the surrounding neighborhoods, compounding the drainage issues that have plagued area residents for years since the area surrounding the HCL 33 S. Oviat site is one of the lowest areas in town requiring many area residents to use lift stations to reach sanitary lines.

B. HCL intends to direct site stormwater directly into the lower pond by tapping into the stormwater drain that runs underneath Edwards Drive and exits into the lower lake. If HCL diverts its volume of storm water runoff into the new lower Barlow lakes retention/detention pond, will the volume and speed of runoff exceed the capacity of that pond and associated dam, runoff structures, and down-stream areas, resulting in flooding and damage downstream? Has this impact of HCL's storm water design been factored into the revised strategy of the recent expansion of storm water retention in the upper lake and and decreased storm water capacity in the lower lake?

As you may know, a few years ago I expressed concerns over the recently completed Barlow retention pond/dam project and worked closely with Council members and the City Engineering office to reach a compromise between the city and the neighborhood regarding stopping the removal of all trees from the upper and lower lakes, protecting wetlands and correcting a glaring error in the contractors plans that placed the spillway on the north side of the dam when the south side was lower and there would be less chance of residential damage in the event of a failure of the spillway. In light of the mistakes and failures that occurred with the original Barlow retention/detention pond renovation project in 2012 — in which the city was cited by the Ohio Department of Natural Resources (ODNR) for the upper and lower dams not being in compliance with ODNR code — I do not have confidence that the proper review and approval procedures are being followed.

To protect our surrounding neighborhoods, and the large investment that my family and our neighbors have in our homes, I request that the City of Hudson not approve HCL's development until all aspects of the proposed development's density, impervious surface coverage, wetlands destruction and mitigation, and stormwater detention/retention and runoff plans are thoroughly reviewed and approved by a competent and experienced outside hydrologist and civil engineering firm retained directly by the City Council (not City staff) to verify that the developer's plans meet all Federal, State, County and local laws, ordinances, codes and regulations and generally accepted and prudent engineering standards. It is your job to protect our community. We need City Council to get involved and provide the necessary oversight and resources to do so.

Please make this communication part of the official record of proceedings in Hudson Planning Commission Case No. 2022-822 As part of the comments section for the agenda of the November 14, 2022 planning commission meeting.

Sincerely,

Wellborn Jack, III  
28 Fox Trace Lane  
Hudson, Ohio. 44236





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

November 10, 2022

To: Greg Hannan, Director of Community Development

From: Bradley Kosco, P.E., P.S., City Engineer

A handwritten signature in blue ink, appearing to read "BKosco", is written over the name of the City Engineer.

CC: Thomas J. Sheridan, City Manager  
Nick Sugar, City Planner  
David Rapp, P.E., P.S. Asst. City Engineer

**RE: Hudson Community Living Development Plan Submittal (Planning Commission Case No. 2022-822) - Response to Resident Inquiry Submitted, via email, 11/7/22**

On Monday, November 7, 2022, City staff received an email from Mr. Wellborn Jack, #78 Fox Trace Lane, expressing concerns regarding the proposed Hudson Community Living Development Plan, including specific questions regarding storm water management for the new development, concerns regarding improvements at the Barlow Community Center Dams and concerns regarding staff review of the new development.

This letter serves to respond to those items submitted by the resident. Upon your review, please do not hesitate to contact me should you have any questions regarding the information provided below.

---

Copied sections of email submitted to the City on 11/7/22 are copied below, *in italics*, with the City's responses following after each comment.

1. *Density in excess of that permitted under Hudson's Land Development Code (the "LDC");*

Reference staff report regarding Land Development Code requirements.

2. *Impervious surface coverage in excess of that permitted under Hudson's LDC;*

The Land Development Code requirements allow up to 60% impervious surface. The latest plan submittal is proposing 45.5% impervious surface coverage and therefore meets the code.

3. *Destruction and removal of several natural wetlands that now exist on the HCL site;*

Any impacts to wetlands, or other regulated bodies of water, shall be reviewed and addressed in accordance with the requirements of the Army Corp. of Engineers, Ohio Environmental Protection Agency, Summit Soil and Water Conservation District, City of Hudson requirements and any other applicable requirements.

4. *Stormwater detention, retention, flow, and drainage issues resulting from HCL's proposed project;*

See response to Item 5 below.

5. *Impact of Stormwater runoff from the proposed HCL site on the upper/lower lake strategy to retain and release water to mitigate floods and control water flow through the Brandywine Creek area that flows through downtown and behind the Library at First and Main.*

All development within the City of Hudson must comply with the latest editions of the City's Land Development Code, City of Hudson Engineering Standards and other applicable regulations.

Note that the referenced "strategy" for flood control through Brandywine Creek referenced in the email was identified in the 2019 hydraulic study, completed with cooperation with the North East Ohio Regional Sewer District, which examined Brandywine Creek, including the Brandywine Creek Tributary which flows through downtown Hudson. The study provided recommended improvements for future storm water construction and maintenance improvements to benefit the watershed. The study did not evaluate site specific property development.

*HCL's revised new high-density proposal, which was discussed with Hudson Planning Commission during its September, 2022 monthly meeting, provides for a dramatic increase in the square footage proposed for this site when compared to the original proposal outlined in the February, 2022 Planning Commission meeting. The revised site plan has significantly more impervious surface coverage, coupled with the removal of the last remaining wetlands in the area between my home and the Barlow retention ponds/Oviatt Street area. With the amount of impervious surface shown on HCL's September plans AND the removal of the multiple existing natural wetland areas, there will be almost nowhere for storm water to percolate into the ground. My fear is two-fold:*

*A. Will HCL's high-density development result in a change in the water table and/or drainage patterns in the surrounding neighborhoods, compounding the drainage issues that have plagued area residents for years since the area surrounding the HCL 33 S. Oviatt site is one of the lowest areas in town requiring many area residents to use lift stations to reach sanitary lines.*

The City of Hudson Engineering Standards, Section 5 – Storm Water Management, identifies requirements for surface storm water runoff by developments. The standards require developments to create a plan to minimize storm water runoff from the development, by reducing the rate of runoff by safely conveying and temporarily storing flows at an allowable rate to minimize flooding and downstream erosion and to protect storm water quality. The calculations provided by the developments site engineer meet or exceed the City's requirements for all rain events including the 2-year through 100-year rain events.

The proposed sanitary sewer system for the development will be reviewed and approved by the Summit County Department of Sanitary Sewer Services.

*B. HCL intends to direct site stormwater directly into the lower pond by tapping into the stormwater drain that runs underneath Edwards Drive and exits into the lower lake. If HCL diverts its volume of storm water runoff into the new lower Barlow lakes retention/detention pond, will the volume and speed of runoff exceed the capacity of that pond and associated dam, runoff structures, and down-stream areas, resulting in flooding and damage downstream? Has this impact of HCL's storm water design been factored into the revised strategy of the recent expansion of storm water retention in the upper lake and and decreased storm water capacity in the lower lake?*

All storm water systems and storm water management design must comply with the City of Hudson Engineering Standards including evaluation of overall runoff patterns. The design submittal by the development's professional engineering consultant, currently

under review, meets or exceeds the City's design standards and includes a reduction in the rate of storm water runoff leaving the proposed site for all required rain events. The calculations indicate that for storm pond located closest to Edwards Drive, the 100-year rain event rate of runoff is reduced by 60% in relation to the pre-development runoff rate.

*As you may know, a few years ago I expressed concerns over the recently completed Barlow retention pond/dam project and worked closely with Council members and the City Engineering office to reach a compromise between the city and the neighborhood regarding stopping the removal of all trees from the upper and lower lakes, protecting wetlands and correcting a glaring error in the contractors plans that placed the spillway on the north side of the dam when the south side was lower and there would be less chance of residential damage in the event of a failure of the spillway. In light of the mistakes and failures that occurred with the original Barlow retention/detention pond renovation project in 2012 — in which the city was cited by the Ohio Department of Natural Resources (ODNR) for the upper and lower dams not being in compliance with ODNR code —I do not have confidence that the proper review and approval procedures are being followed.*

The Barlow Community Center Dams were originally constructed around 1980. Improvements to the Barlow Community Center Dams site were constructed in 2008 which included additional storm water storage and automated valve installations allowing for additional storm water capacity ahead of rain events. Additional improvements to the lakes took place in 2011 to increase the depth of the lakes and improve the pond's aesthetics.

In 2012, the Ohio Department of Natural Resources (ODNR) inspected both the upper lake and lower lake dams for the first time. Up to 2003, ODNR had not included the dams in their inventory. Since 2012, City staff has worked with ODNR to address any deficiencies identified in the 2012 inspection, with the latest improvements to the dams meeting all ODNR's requirements.

During the design of the most recent improvements, the City was able to revise the preliminary design to meet some of the public's requests received, including modifying the upper lake dam's overflow location away from properties on Fox Trace, closer to properties on Ravenna Street while still meeting the state's requirements.

The improvements to the dams, including the introduction of additional storm water storage, have shown a net reduction in flooding to downstream properties as identified by the latest FEMA floodplain mapping.

Website: <https://www.hudson.oh.us/108/Planning-Commission>

**From:** Richard A Starr <rstarr1177@aol.com>

**Sent:** Friday, November 11, 2022 2:50 PM

**To:** sgnorman@aol.com; rhstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>; david.nystrom@alairhomes.com; mmjones330@yahoo.com; vaughan.hudson.pc@gmail.com; adfurbs@gmail.com

**Cc:** starrpatti@aol.com

**Subject:** Hudson Community Living Proposal ( HCL ) , 33 S. Oviatt St.

Dear Planning Commission: As 45 year residents of Hudson we are supportive of any inclusion effort that allows safe residential housing for special needs adults. The 8 patio homes as originally proposed with 2-bedrooms ( 16 adults ) to include clubhouse in the rear appears to be a nice concept.

Any expansion of residents & buildings beyond this is outside of current city density requirements and jeopardizes both the safety of the occupants and effective water drainage of the property. Hence, we trust the Commission will adhere to the current city guidelines and prohibit any further building/resident expansion on this site.

Other concerns include: 1) How will the occupants be monitored for their own safety; 2) Given this is a special needs environment, it seems some form of medical licensing should be in play to protect the clientele; 3) Both Barlow ponds were recently renovated to assist storm drainage, so any expansion beyond current city guidelines would challenge the due diligence of this work.

Perhaps licensing would also allow a government subsidy to be accessed to soften the economic balance point concerns of the developer. Again, we support our community's inclusive efforts as diversity helps everyone learn from another. Yet, we also feel the above concerns should be addressed to keep both the city and the potential occupants out of harms way.

Respectfully Submitted,

Dick & Patti Starr

28 Pinewood Lane

Hudson, Ohio 44236

45 Year residents of Hudson

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**From:** Daniel Wright <dwright@dkwrightlaw.com>

**Sent:** Sunday, November 13, 2022 5:44 PM

**To:** rhstolle@yahoo.com; mpitchford@dpylaw.com; info@hudson.oh.us; Dave Lehman <davelehman@nickynicole.com>; David.nystrom@alairhomes.com; Mmjones330@yahoo.com; Vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; Sgnorman@aol.com; tsheridan@hudson.oh.us; cfoster@hudson.oh.us; Gregory P. Hannan (ghannan@hudson.oh.us) <ghannan@hudson.oh.us>; tsheridan@hudson.oh.us; Erin Whaley <ewhaley@dkwrightlaw.com>

**Subject:** RE: Hudson Community Living LLC's request for Conditional Use and Major Development Site Plan approval – 33 South Oviatt Street, Hudson, Ohio 44236 - Hudson Planning Commission Case No.

**Importance:** High

Ladies and Gentlemen:

My firm represents Charlotte A. Barton, 142 East Streetsboro Street, Hudson, Ohio, Kenneth G. Henry et ux., 9 Edward Drive, Hudson, Ohio, Wellborn Jack, III et ux (individually and as trustee), 28 Fox Trace Lane, Hudson, Ohio, and Kenneth M. Haneline et ux, 42 Fox Trace Lane, Hudson, Ohio with regard to the above matter.

1. With regard to the public hearing on November 14, 2022, we expect anywhere from 30-60 people from the immediate neighborhood who support our clients' position. It is likely that Hudson Community Living will have a large number of supporters there as well. Both Wellborn Jack and Dr. and Mrs. Rigby have sent emails to City staff expressing concern about the ability of the Town Hall to accommodate the number of residents who wish to make their voices heard on this matter. As you well know, the neighbors have a right to be heard. Consequently, I ask that you make whatever arrangements are necessary to guaranty everyone's right to be heard.
2. Local issues can sometimes cause emotions to run high. I imagine that all present at the public hearing will conduct themselves with civility and decorum, as befits our town. Nevertheless, with such a large crowd, it may be wise for you to consider having Hudson's safety forces provide a presence at this public hearing.
3. As indicated in my letter to the Hudson Planning Commission dated November 11, 2022, I requested the information relative to the calculation of density for this development under Sections 1201.07(f) and 1205.06(d) of the Hudson Land Development Code from the Hudson Community Development Department on September 23, 2022, September 26, 2022, October 19, 2022, and again on October 28, 2022, and from Mr. Sheridan on November 7, 2022. I have still not received this information. It is apparently the developer's position, and the City staff's position, that there are no density requirements for this development. Our question is: "Where in the code does it say 'the residential density requirements in Sections 1201.07(f) and 1205.06 (d) do not apply to "institutional residential uses"'"?. The City staff needs to show us these provisions, and if they do not exist, provide a calculation of the density for this development pursuant to these sections.
4. I filed a request for public records under the Ohio Public Records Act with the City of Hudson on October 20, and then filed a second request for public records with the City of Hudson on October 28, 2022. I received a response from the City of Hudson on November 10 at 12:26 p.m. (for the record, the City Solicitor's letter to me with regard to this subject is attached to this email). Given this response, the timeframes involved, and the volume of materials produced, it is difficult to determine if the production is complete, much less read and assimilate the information produced. Furthermore, I understand that the Planning Commission has discussed (and perhaps adopted) a rule that requires an application for site plan approval to be complete 4 weeks prior to a meeting. I call your attention to the fact that the new traffic study that is a part of this application is dated November 3, 2022, and the storm water/wetlands letter submitted with respect to this matter is dated October 17, 2022, but is inconclusive and incomplete. All of these materials were first made available to the

public on November 10, 2022. Obviously, all materials were not submitted 4 weeks prior to the public hearing, and the application was not complete as of October 17.

“Trial by ambush” is never the fair and just way to do things. Consequently, we ask that this application be **tabled** until the application is complete and final, and 4 weeks have passed to allow for citizen review and comment.

Our clients reserve, and do not waive, all rights, remedies and claims whatsoever against all parties whomsoever relative to the within subject matter and all related matters.

Please make this letter a part of the official record of proceedings in the above-captioned matter, and acknowledge your receipt of this letter via return email.

Thank you for your consideration of these requests.

Very truly yours,

DANIEL K. WRIGHT, II, ESQ.  
[DWRIGHT@DKWRIGHTLAW.COM](mailto:DWRIGHT@DKWRIGHTLAW.COM)  
330-283-6381

**DKWRIGHT LAW LLC**  
HUDSON KNOLLS WEST  
56 MILFORD DRIVE, SUITE 405  
HUDSON, OHIO 44236

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# DKWRIGHT LAW LLC

HUDSON KNOLL WEST  
56 MILFORD DRIVE, SUITE 405  
HUDSON, OHIO 44236  
330-283-6381

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November 14, 2022

## **VIA FACSIMILE AND EMAIL**

Marshal Pitchford, Esq.  
City Solicitor  
City of Hudson, Ohio  
c/o DiCaudo, Pitchford & Yoder  
209 South Main Street, Third Floor  
Akron, Ohio 44308

**RE: Taxpayer Demand Ohio Revised Code 733.59  
Hudson Community Living Conditional Use Permit Application and Site  
Plan Approval – Hudson Planning Commission Case No. 22-822**

Dear Mr. Pitchford:

This firm represents Charlotte A. Barton, 142 East Streetsboro Street, Hudson, Ohio, Kenneth G. Henry et ux., 9 Edward Drive, Hudson, Ohio, Wellborn Jack, III et ux (individually and as trustee), 28 Fox Trace Lane, Hudson, Ohio, and Kenneth M. Haneline et ux, 42 Fox Trace Lane, Hudson, Ohio with regard to the above matter.

Pursuant to Ohio Revised Code Section 733.59, please accept this letter as a demand on behalf of each of our clients for you to take immediate steps to enjoin the Hudson Planning Commission, Council and any other Boards, Commissions or any Administrative employees and/or officials from furthering the pending conditional use permit application and site plan approval of Hudson Community Living which the Planning Commission is set to consider on November 14, 2022.

The development proposed by Hudson Community Living does not comply with the Hudson Land Development Code. We incorporate herein by reference our letter to the Hudson Planning Commission and to you dated November 11, 2022, which has been filed with the City of Hudson.

We would appreciate your response to this taxpayer demand within ten (10) days of the date of this letter.

WWW.DKWRIGHTLAW.COM

# DKWRIGHT LAW LLC

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Marshal Pitchford, Esq.  
Hudson City Solicitor  
November 14, 2022  
Page 2

Our clients reserve, and do not waive, all rights, remedies and claims whatsoever against all parties whomsoever relative to the within subject matter and all related matters.

Please make this letter a part of the official record of proceedings in the above-captioned matter, and acknowledge your receipt of this letter via return email.

Thank you for your cooperation in this matter.

Very truly yours,

**DKWright Law LLC**

By: 

Daniel K. Wright, II

cc: Hudson Planning Commission Members

Mr. Chris Foster, President of Hudson City Council

Mr. Thomas Sheridan, City Manager

Mr. Gregory Hannan, Community Development Director

# DKWRIGHT LAW LLC

HUDSON KNOLL WEST  
56 MILFORD DRIVE, SUITE 405  
HUDSON, OHIO 44236  
330-283-6381

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November 14, 2022

## **VIA FACSIMILE AND EMAIL**

Marshal Pitchford, Esq.  
City Solicitor  
City of Hudson, Ohio  
c/o DiCaudo, Pitchford & Yoder  
209 South Main Street, Third Floor  
Akron, Ohio 44308

**RE: Taxpayer Demand Ohio Revised Code 733.59  
Hudson Community Living Conditional Use Permit Application and Site  
Plan Approval – Hudson Planning Commission Case No. 22-822**

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The development proposed by Hudson Community Living does not comply with the Hudson Land Development Code. We incorporate herein by reference our letter to the Hudson Planning Commission and to you dated November 11, 2022, which has been filed with the City of Hudson.

We would appreciate your response to this taxpayer demand within ten (10) days of the date of this letter.

WWW.DKWRIGHTLAW.COM

# DKWRIGHT LAW LLC

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Marshal Pitchford, Esq.  
Hudson City Solicitor  
November 14, 2022  
Page 2

Our clients reserve, and do not waive, all rights, remedies and claims whatsoever against all parties whomsoever relative to the within subject matter and all related matters.

Please make this letter a part of the official record of proceedings in the above-captioned matter, and acknowledge your receipt of this letter via return email.

Thank you for your cooperation in this matter.

Very truly yours,

**DKWright Law LLC**

By: 

Daniel K. Wright, II

cc: Hudson Planning Commission Members  
Mr. Chris Foster, President of Hudson City Council  
Mr. Thomas Sheridan, City Manager  
Mr. Gregory Hannan, Community Development Director



# DKWRIGHT LAW LLC

HUDSON KNOLL WEST  
56 MILFORD DRIVE, SUITE 405  
HUDSON, OHIO 44236  
330-283-6381

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November 11, 2022

Via email: [rhstolle@yahoo.com](mailto:rhstolle@yahoo.com)

Hudson Planning Commission  
Attn: Mr. Ron Stolle, Chair  
Hudson City Hall  
1140 Terex Road  
Hudson, Ohio 44236

Via email: [mpitchford@dpylaw.com](mailto:mpitchford@dpylaw.com)

Marshal Pitchford, Esq.  
City Solicitor  
City of Hudson, Ohio  
c/o DiCaudo, Pitchford & Yoder  
209 South Main Street, Third Floor  
Akron, Ohio 44308

Re: Hudson Community Living LLC's request for Conditional Use and Major Development Site  
Plan approval – 33 South Oviatt Street, Hudson, Ohio 44236 - Hudson Planning Commission Case  
No. 2022-822

---

Ladies and Gentlemen:

This firm represents Charlotte A. Barton, 142 East Streetsboro Street, Hudson, Ohio, Kenneth G. Henry et ux., 9 Edward Drive, Hudson, Ohio, Wellborn Jack, III et ux (individually and as trustee), 28 Fox Trace Lane, Hudson, Ohio, and Kenneth M. Haneline et ux, 42 Fox Trace Lane, Hudson, Ohio with regard to the above matter.

We have reviewed the revised proposal submitted to Hudson Planning Commission in Case No. 2022-822 that was considered at its meeting on September 12, 2022 on behalf of our clients and have the comments set forth below.

At the outset, we wish to make it clear that we are not commenting on this project's overall concept or the viability of the use in the medium or long term.

## **A. Density Under the Code.**

The **density** proposed for this project is much too high, and does not comply with the requirements of the Hudson Land Development Code (the "Code").

Section 1205.06 (a) of the Code states in pertinent part as follows:

"Purpose. District 3 is established to preserve and protect an existing community character typified by single-family detached residential housing developed at moderate densities averaging about two dwelling units per acre....District regulations are intended to continue the predominant single-family detached use, while providing for the addition of attached single-family, duplexes, and townhomes, into the housing mix, as well as additional parks, open space, and

# DKWRIGHT LAW LLC

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Hudson Planning Commission  
Marshal Pitchford, Esq.  
November 11, 2022  
Page 2

trail/bikeway linkages to the Village Core. Additional uses include supporting institutional uses (such as churches and schools) and public services uses. Single-family detached residential housing densities will mirror existing densities and character and be permitted up to a maximum of two and one-half dwelling units per acre. Protection of remaining sensitive environmental areas, including wellhead protection areas, will be a high priority." (Emphasis added).

Except as noted below, the proposed uses are all conditional uses in District 3 and must therefore comply with Section 1206.02 of the Code, which provides in pertinent part as follows:

## "1206.02 CONDITIONAL USE STANDARDS.

(a) General Provisions. Conditional uses are listed for each zone district in Chapter 1205. Only those uses expressly listed as conditional uses in a particular district may be considered in that zone district. All applications for a conditional use shall demonstrate compliance with the general criteria and standards, as well as any special criteria and standards specific to the requested use as set forth in the Table of Permitted and Conditional Uses by Zone District (1206.01) and in this section.

(b) Conditional Uses: General Criteria and Standards. In addition to any special conditions and standards listed in the following division (c) and/or the Table of Permitted and Conditional Uses by Zone District, all applications for a conditional use shall demonstrate that:

(1) The use is consistent with the policies and intent of the corresponding plan district in which it is located, as set forth in the City Comprehensive Plan (as amended from time to time).

(2) The use is physically and operationally compatible with the surrounding neighborhood and surrounding existing uses...

(9) The residential use is proposed at a density consistent with that of the existing neighborhood density or is compatible by its use of architecture, orientation of structures and parking, and landscape buffer..." (emphasis added).

The Code defines "compatible" in Section 1213.02 (67) as follows:

"(67) "Compatible or compatibility" shall mean the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass, and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor and architecture. "Compatibility" does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of



# DKWRIGHT LAW LLC

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Hudson Planning Commission  
Marshal Pitchford, Esq.  
November 11, 2022  
Page 3

existing development with respect to lot size, building setbacks, location and use of driveways, location and use of open space, preservation of historic resources, and preservation of natural resources so as to be harmonious with and not at variance to nearby existing development." (Emphasis added).

The dictionary definition of "consistent" means "compatible" (cf. Code Section 1213.01).

Hudson Community Living's September proposal, which calls for 20 dwelling units on (at most) 3.9533 acres, or approximately 5 dwelling units per acre, is *not compatible* with the purpose and intent of the District 3 regulations, which is to "preserve and protect an existing community character....at moderate densities averaging about two dwelling units per acre". See Section 1205.06 (a). Hudson Community Living's revised proposal is **two and one-half times the average density now existing in District 3**, as indicated in Section 1205.06 (a). Such a disparity cannot be considered "compatible" with the "policies and intent" of District 3 regulations, the "surrounding neighborhoods and surrounding existing uses", or the "moderate densities" of those neighborhoods, as contemplated by Sections 1205.06 (a) and 1206.02 (a) of the Code.

Sections 1201.07 (f) and 1205.06 (d) of the Code set forth standards for maximum net density in District 3. Attached as Table 1 is a preliminary calculation of the net density proposed by Hudson Community Living in its September plan. Our calculation is preliminary only because as of this date the developer and the City have not made all information needed to complete the calculation available<sup>1</sup>. Nevertheless, as demonstrated in Table 1, the September plan exceeds the net density permitted on this site by at least 10,000 square feet, and we believe that the excess will be greater once the requisite information is available.

## **B. Density As A Function of Use.**

Second, Hudson Community Living has characterized this use as an "Institutional Residential Use" under Section 1213.02 (160) of the Code. We do not believe this to be correct for the following reasons:

The Code defines "group home" in Section 1213.02 (142) as follows:

"(142) "Group home" shall mean a residence operated as a single dwelling, licensed by or operated by a governmental agency, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age, or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises." (Emphasis added).

"Dwelling" is defined in Section 1213.02 (103) as follows:

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<sup>1</sup> This information was requested from the Hudson Community Development Department on September 23, 2022, September 26, 2022, October 19, 2022, and again on October 28, 2022, and from Mr. Sheridan on November 7, 2022.

# DKWRIGHT LAW LLC

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Hudson Planning Commission  
Marshal Pitchford, Esq.  
November 11, 2022  
Page 4

“(103) “Dwelling” shall mean a **building** used principally for residential occupancy, including single-family dwellings, duplexes, and multi-family dwellings, and that contains: (a) a minimum of 800 square feet of floor area, or (b) in the case of a permitted accessory dwelling a minimum of 500 square feet of floor area and a maximum of 850 square feet of floor area. The term dwelling shall not include tents, cabins, trailers or trailer coaches, hotels, motels, tents, or other structures designed or used primarily for temporary or transient occupancy.” (Emphasis added).

Consequently, under the Code, a “group home” is a single building, not a group of buildings, a development, a subdivision, or a neighborhood.

This is consistent with the overall regulatory scheme in Ohio, which provides for the issuance of certificates of occupancy to individual buildings or, in the case of multi-tenant buildings separated by fire walls (including duplexes and townhomes), individual units within the multi-tenant building.

Furthermore, in a subdivision (for instance, River Oaks on Boston Mills Road), certificates of occupancy are issued for individual homes, not a group of buildings, the entire development or subdivision, or an entire neighborhood. Consequently, in this case one must look at the occupancy of each individual building to determine use, *not the aggregate of all buildings in the development*. There is no provision in the Code that provides for such aggregation.

If aggregation of buildings was the rule under the Code, River Oaks would be a “multi-family” development because it contains “five or more units”. See Code Section 1213.02 (107). This is absurd. To follow this “aggregation” analysis to its logical conclusion, the development proposed by Hudson Community Living would be a multi-family use, which is not permitted under Section 1206.01 in District 3.

Although City staff may be of the *opinion* that because the proposed use is located on one parcel under one ownership, **the Code does not say this** - - in its more than 500 pages! And the Code controls, not the City staff’s opinion<sup>2</sup>. This discussion is like something from *Alice in Wonderland*: “When is a duplex not a duplex?” Answer: When the Hudson Community Development Department staff decides to call it something else! That is not the rule of law.

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<sup>2</sup> This is one of the many instances where the Code could have been drafted by the City in a certain way, but it chose not to do so. Ohio law provides that ambiguities in the Code will be construed against the City. These issues do not reach the level of ambiguity.



# DKWRIGHT LAW LLC

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Hudson Planning Commission  
Marshal Pitchford, Esq.  
November 11, 2022  
Page 5

Hudson Community Living's September plan calls for 8 separate and independent freestanding buildings<sup>3</sup>. Each of the seven residential buildings appears to have between 2 to 6 residents (two of the buildings appear to have 4 disabled residents and 2 non-disabled "caregivers").

Section 1213.02 (160) defines "institutional residential uses" as follows:

"(160) "Institutional **residential** uses" shall mean **residences** for nine or more unrelated persons who are elderly or developmentally disabled and who may or may not require facilities and services including restorative care and treatment, nursing services, aid with daily living skills, meal service, regular or as-needed medical supervision, social care, or other services that are supportive, restorative, or preventive in nature. Institutional residential uses include, but are not limited to, long-term care facilities, nursing homes, group homes for nine or more clients, and intermediate care facilities. "**Institutional residential uses**" **do not include** assisted living facilities, **group homes for eight or fewer clients**, day care centers, or family day care homes." [emphasis added].

The Code does not define "residence", so under Section 1213.01 we must look to the dictionary. The dictionary definition of "residence" is the place where one resides (actually lives or has his or her home), which is in a "building", or more particularly, "a building used as a home: a dwelling"<sup>4</sup>. It is not a group of buildings, a development, a subdivision, or a neighborhood.

Since no building in the proposed development houses more than 6 residents, the use of all of these buildings falls outside of the Code's definition of "institutional residential use", and each building must be classified as either a duplex, townhome, or "group home" under the table of residential uses in Section 1206.01. A group home is in all cases subject to the special conditions and standards in Sections 1206.02 (c)(4), (c)(14), and (c)(22) (see the second illustration in Section 1206.01).

Also of note is Section 1206.02 (c)(22) H, which states as follows:

"H. Group homes shall be designed as single-family homes in appearance."

This requires that all units be designed as single-family homes, not duplexes or townhomes, resulting in a different maximum net density calculation under Sections 1201.07(f) and 1205.06(d), that being 2.5 dwelling units per acre, which is "compatible" and "consistent" with the *moderate* densities now existing in District 3, as contemplated by Section 1205.06(a), and required under Sections 1201.7(f) and 1205.06(d).

In summary, the proposed use for the Hudson Community Living development does not fit within the institutional residential use classification in Code Section 1213.02(160) since none of the dwelling units will be used as a residence for 9 or more unrelated persons who are developmentally

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<sup>3</sup> "Building" is defined in Code Section 1213.02(40)

<sup>4</sup> Both "building" and "dwelling" are defined in the Code.

# DKWRIGHT LAW LLC

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Hudson Planning Commission  
Marshal Pitchford, Esq.  
November 11, 2022  
Page 6

disabled. Instead, as proposed, the dwelling units will each be used for **two** developmentally disabled individuals and (in some cases) caregivers. The definition is determinative of the number of unrelated persons living in a residence or dwelling unit, not a development. What is being proposed is simply a multi-family residential apartment development.

If Hudson Community Living's proposals are not "residences for nine or more unrelated persons" or "group homes", then the only other categories (or classifications) in the Code that accurately describes what is proposed are "dwelling, duplex" under Section 1213.02 (105) and "dwelling, townhome" under Section 1213.02 (111), which ties them to the definition of "dwelling" under Section 1213.02 (103) and the definition of "building" under Section 1213.02(40), and requires a building by building calculation of density under Sections 1205.06 (d) and 1201.07 (f).

The City staff may be of the *opinion* that **if** this proposed use *could* qualify as an "institutional residential use" under Section 1213.02(160), the density requirements in Sections 1201.07 (f) and 1205.06 (d) do not apply because the use is "institutional" and not "residential"<sup>5</sup>. This is of course more sophistry by the staff. The word "residence" appears in both the term "institutional **residential** use" and in the first 3 words of the definition in Section 1213.02(160) ("shall mean residences for nine or more..."). The special condition in Section 1206.02(c)(22) also applies to "institutional residences". (Emphasis added). Clearly, the proposed use is, and the actual use will be, residential, so the residential density requirements in Sections 1201.07 (f) and 1205.06 (d) are applicable. More Alice in Wonderland.

The staff also seems to have the notion that the nature of the *occupants*, or the number of occupants, changes the character of the buildings and the use. To this we say "a leopard does not change its spots". You can put sunglasses and a bow tie on a leopard, but it is still a leopard. And you can put the leopard, or nine leopards, into any one of these proposed duplexes or triplexes, **but the buildings shown on the site plan are still separate, free-standing duplexes and triplexes**. The character of the building does not change. This can't be twisted to fit the staff's predilections.

The City staff's opinions have no basis in law, and we look forward to exposing them to scrutiny before a neutral, disinterested party on appeal to the Court of Common Pleas, if necessary.

So on the issue of density, our question remains "Where in the Code does it say: 'The residential density requirements in Sections 1201.07(f) and 1205.06(d) do not apply to "institutional residential uses"'?" The City staff needs to show us this provision. We have been asking for it since September 23, 2022 and do not yet have an answer.

## **C. Security Plan**

Representatives of Hudson Community Living have indicated that they will not be licensed by any governmental authority, and will not be regulated in any way. They have also indicated that all of the residents of their proposed development will have varying degrees of physical and/or cognitive disability, and may therefore not be fully competent to manage their own affairs.

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<sup>5</sup> See footnote 2 above.



# DKWRIGHT LAW LLC

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Hudson Planning Commission  
Marshal Pitchford, Esq.  
November 11, 2022  
Page 7

To assist the residents with their activities of daily living, there could be perhaps 50-100 different people on site per day (33 residents x 2-3 shifts per day x 7 days plus resident assistants, housekeepers and cleaners, food service personnel, maintenance workers, etc.). The result is similar to an **unlicensed assisted care facility**.

Based on statistics kept by the State of Ohio, a caregiver and service population of this size is likely to present security issues from time to time, and therefore a security plan is advisable, particularly since this facility will not be licensed or regulated in any way by any governmental authority.

The Hudson Land Development Code anticipates this situation in Sections 1206.02 (c) (22) A and B, and **gives the Planning Commission the right to require a security plan**.

Given the unlicensed and unregulated nature of the proposed use, and the facts and circumstances surrounding this proposal, we ask that the Hudson Planning Commission require that HCL develop a satisfactory security plan in conjunction with City personnel and the Hudson Police, as contemplated by Land Development Code Sections 1206.02 (c)(22) A and B, to protect the health, safety, welfare, and security of both the residents of HCL's development and the surrounding neighborhood.

## **D. Wetlands/ Impervious Surface**

Code Section 1207.3 prohibits the disturbance of any wetland areas except as expressly permitted under the Code. Three separate wetland areas have been identified on the project site.

We incorporate by reference and adopt the comments and statements contained in that certain email dated November 7, 2022 at 2:33 p.m. from Wellborn Jack, III to Hudson City Manager Thomas Sheridan and Hudson City Council President Chris Foster et al. (receipt of which was acknowledged by Mr. Sheridan on November 7, 2022 at 3:01 p.m.), a copy of which email is already a part of the record of these proceedings.

Pursuant to Code Section 1205.06(a), "Protection of sensitive environmental areas...will be a high priority."

We ask that the requirements of Code Section 1207.3 be enforced without exception or variance.

## **E. Traffic and Parking**

The addition of 33 residents and a robust staff of caregivers, administrators, resident assistants, housekeepers and cleaners, food service personnel, maintenance workers, etc. on multiple shifts, seven days per week, will add significant traffic to the intersections of Oviatt Street and SR 303, Ravenna Street and SR 91 (both of which do not have traffic signals), and SR 91 and SR 303. All of these intersections are already congested, particularly at peak hours (shift changes)<sup>6</sup>. This may impact

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<sup>6</sup> With no Metro bus service to Hudson, all of these workers will travel to the site by automobile.

Hudson Planning Commission  
Marshal Pitchford, Esq.  
November 11, 2022  
Page 8

emergency vehicle access. Many residents have already submitted comments to the City expressing concerns about traffic and parking relative to this project (Ms. Kim, Mr. and Mrs. Van Buren, etc.).

HCL has submitted one traffic study, which has been discredited. A second study was just made available for public review and comment yesterday, November 10, 2022. Our preliminary review of the new study indicates that the “inputs”, which are key to the results of the study, may be understated by as much as 60%, in that the new study fails to fully take into account the extent of traffic generated by caregivers, families, and service personnel who will be visiting the 33 residents (some on multiple shifts) 7 days per week. More time and scrutiny are needed on this issue.

To protect the existing neighborhood and its present and future residents, we ask that the City of Hudson not approve HCL’s development until (a) all aspects of the traffic generation and parking needs of the project and their impacts on the surrounding community are thoroughly examined by an outside traffic and parking consultant engaged by City Council to verify that the developer’s plans (i) comply with all applicable laws, ordinances, codes, and regulations and generally accepted traffic engineering standards, and (ii) integrate and comply with the City of Hudson’s existing traffic management plan, and (b) there are agreements and funding arrangements in place under which the developer agrees to pay for all public improvements that are necessary or advisable to mitigate the traffic impacts of HCL’s development on the community.

## **F. Commercial Kitchen**

Hudson Community Living has indicated that they plan to have a “commercial kitchen” within their proposed separate, free standing, 4255 square foot “clubhouse” structure, and to sell “meal plans” to residents of their development. It is unclear whether food will be sold to staff, residents, family members, guardians, and/or the general public. Nevertheless, this use is a “restaurant” under the Code. “Restaurant” is defined in Code Section 1213.02 (251) as follows:

“(251) “Restaurant” shall mean an establishment where the principal business is the sale of food and beverages in a ready-to-consume state where (1) fermented malt beverages, malt, special malt and vinous and spirituous liquors may be produced on the premises as an accessory use; (2) where there is no service to a customer in an automobile; and (3) where the design or principal method of operation consists of one or more of the following:

A. A sit-down restaurant where customers, normally provided with an individual menu, are generally served food and beverages by a restaurant employee at the same table or counter at which the food and beverages are consumed; or

B. A cafeteria or cafeteria-type operation where food and beverages generally are served in non-disposable containers and consumed within the restaurant;

C. A carryout and/or take out where food is prepared on the premises for consumption off the premises.” (Emphasis added).



# DKWRIGHT LAW LLC

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Hudson Planning Commission  
Marshal Pitchford, Esq.  
November 11, 2022  
Page 9

Under Section 1206.01(c) and the accompanying table in the Hudson Land Development Code, restaurants are not permitted in District 3. The leopard does not change its spots. A restaurant is a restaurant. This use cannot be approved by the City.

## **G. Miscellaneous**

The proposed development fails to comply with the requirements of the Code in the following respects:

- (a) HCL's site plan indicates that all garage doors face forward from the center of the subject property *onto the surrounding property*. The Code requires that garage doors face to the side or rear. See Code Section 1205.06(d) 9D. This requirement must be observed to make this development "compatible" with the surrounding residential areas; and
- (b) Any deed restrictions should not be released without approval of the Hudson City Council (the *elected* representatives of the City of Hudson).

## **H. Conclusion**

The Hudson Land Development Code contains a set of rules that the community has agreed upon, and that everyone is bound to follow.

**For this project to move forward, it must be in compliance with the rules that the community has agreed to follow**, and has relied on when they moved to Hudson and invested in their homes.

The Hudson Land Development Code is a complex document. Care, attention, study, and the application of *reason* are therefore needed to understand its provisions.

When you consider the arguments above, please keep in mind the following:

1. When you signed up to serve on the Hudson Planning Commission, you took an oath, and that oath requires you to follow **the law**, *not the opinions of City staff*, and to not to be swayed by emotion or sympathy.
2. Civilization breaks down through the systemic subversion of the agreed up on rules to the advantage of some, at the expense of others. The Land Development Code sets forth the rules that govern development of land in Hudson, and they need to be observed and enforced.
3. As Thomas Paine said, "to argue with a man who has renounced the use and authority of reason...is like administering medicine to the dead."

The primary use proposed by Hudson Community Living, however characterized, is a *conditional use* in District 3; it is not a permitted use. Consequently, to be approved, the Code states that (among other things) it must be "**physically and operationally compatible with the surrounding neighborhood...**" (Section 1206.02 (b)(2)). The fact is that there is nothing like the proposed use in the neighborhood. No matter how you shade things, a density of 4.25 units per acre or 4.0 units per acre is NOT COMPATIBLE with the existing density of 2 units per acre in District 3, *as stated in Code Section*

# DKWRIGHT LAW LLC

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Hudson Planning Commission  
Marshal Pitchford, Esq.  
November 11, 2022  
Page 10

1205.06 (a). HCL's proposal must be brought into compliance with the Hudson Land Development Code in all respects, or it cannot be approved.

We ask that the City of Hudson and its Planning Commission, staff, and City Council enforce the provisions of the Code as written, including those relative to density, licensing, garages, roads, setbacks, parking, landscaping, sidewalks, wetlands, fences, Architectural and Historic Review Board compliance, emergency access, and impervious surface coverage (we reserve the right to comment on these and all other aspects of the plans for this proposed development as more information about the developer's plans become available in the future).

## **I. Requested Relief**

In light of the facts and circumstances surrounding this matter, and for the reasons set forth above, our clients respectfully request that:

- (a) The Hudson Planning Commission consult with the Hudson City Solicitor about the above aspects of this matter prior to making any decisions with respect thereto;
- (b) The Hudson Planning Commission issue detailed, written findings of fact and conclusions of law in support of any and all decisions that it may make with regard to this matter; and
- (c) That the City of Hudson and its Council, Boards, and Commissions **deny** Hudson Community Living, LLC's request for a conditional use permit and site plan review/approval with respect to this matter.

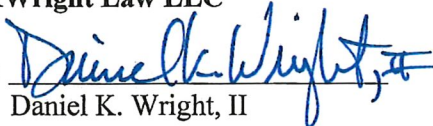
Thank you for your consideration of this request.

Our clients reserve, and do not waive, all rights, remedies and claims whatsoever against all parties whomsoever relative to the within subject matter and all related matters.

Please make this letter a part of the official record of proceedings in the above-captioned matter, and acknowledge your receipt of this letter via return email.

Very truly yours,

**DKWright Law LLC**

By:   
Daniel K. Wright, II

Attached: Table 1

cc: Hudson Planning Commission Members  
Mr. Chris Foster, President of Hudson City Council  
Mr. Thomas Sheridan, City Manager  
Mr. Gregory Hannan, Community Development Director

Table 1

Calculation of Net Density Under LDC Sections 1201.07(f) and 1205.06(d)

**A. AVAILABLE LAND AREA**

Total Gross Land Area		3.9533 acres =	172,561.55 sq ft
<u>Less Required Open Space</u> (Section 1205.06 (d) (2))		25% of gross land area =	(43,140.3875) sq ft
<u>Subtotal</u>			129,421.1625 sq ft
<u>Less streets, easements, public open space, land under water, and other excluded areas (please list each separately). See Section 1201.07(f)(2).</u>			( ) sq ft
Subtotal – Developable area			

**B. LAND AREA REQUIRED FOR BUILDINGS**

Building	Number of Dwelling Units	Number of Occupants	Square Footage	Land Area Required for Use (in square feet)
1. Clubhouse with kitchen and dining areas	4,255 sq ft	n/a		[City to provide]
2. Duplex plus 1 unit above	3 units	6		[City to provide]
3. Townhome	3 units	6	8,712 sq ft per unit x 3 =	26,136
4. Duplex plus 1 unit above	3 units	6		[City to provide]
5. Duplex	2 units	2	17,424 sq ft per unit x 2 =	34,848
6. Townhome	3 units	6	8,712 sq ft per unit x 3 =	26,136
7. Townhome	3 units	6	8,712 sq ft per unit x 3 =	26,136
8. Townhome	3 units	5	8,712 sq ft per unit x 3 =	26,136
Totals	20 units	37		[Preliminary – 139,392]
Net Density – (A minus B)			(shortage)	[Preliminary – (9,970.84)]



November 14, 2022

**VIA EMAIL:**

[mpitchford@dpylaw.com](mailto:mpitchford@dpylaw.com)

Marshal Pitchford  
City Solicitor  
City of Hudson  
1140 Terex Road  
Hudson, Ohio 44236

**RE: Taxpayer Demand Ohio Revised Code 733.59  
Analysis under ADA and FHA  
Hudson Community Living Conditional Use Permit Application and Site  
Plan Approval (Planning Commission Case No. 22-822)  
Resolution 22-27**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A PURCHASE AND SALE AGREEMENT WITH  
THE HUDSON COMMUNITY LIVING COMPANY FOR THE  
SALE OF A PORTION OF THE CITY-OWNED REAL PROPERTY  
LOCATED ON SOUTH OVIATT STREET (PERMANENT TAX  
PARCEL NUMBER 3201843); AND DECLARING AN  
EMERGENCY.**

Dear Solicitor Pitchford:

Pursuant to Ohio Revised Code Section 733.59, please accept this letter as a demand on behalf of residents and taxpayers, Donald M. Kurdziel and Leesa Hall Kurdziel for you to take immediate steps to enjoin the City's Planning Commission, Council and any other Boards, Commissions or any Administrative employees and/or officials from furthering the approval of the pending conditional use permit application and site plan approval of Hudson Community Living which the Planning Commission (Case No. 2022-822) is set to consider on November 14, 2022. The grounds for this request are as follows:

1) Concern that the HCL proposal and the requested deed restriction may conflict with the ADA's integration mandate and/or the FHA's proscriptions against discrimination and segregation. (See that attached analysis prepared by Reno and Cavanaugh, PLLC.)

2) The proposed use for the Hudson Community Living development does not fit within the institutional residential use classification in Hudson Codified Ordinance Section 1213.02(160) since each of the dwelling units will not be used as a residence for 9 or more unrelated person who are developmentally disabled. Instead, as proposed, the dwelling units will each be used for 2





Donald M. Kurdziel  
November 14, 2022  
Page 2

developmentally disabled individuals and in some cases caregivers. The definition is determinative of the number of unrelated persons living in a dwelling unit, not an entire development, even if located on one parcel and under one ownership. Some examples given in the City's code of institutional residential uses are long-term care facilities, nursing homes, and group homes for nine or more clients. This use is also not a group home for 9 or more clients, because group homes under Hudson's Code are required to be licensed by or operated by a governmental agency. (HCO 1213.02(142)). Hudson Community Living is a non-profit but will not be licensed by or operated by a governmental agency. What is being proposed is simply a multifamily rental apartment development. As a multifamily rental apartment development use it is neither a permitted nor a conditionally permitted use in Hudson's D-3 zoning district.

3) In addition, it is demanded that you take immediate steps to enjoin the City from taking any steps in furtherance of selling a part of the real estate known as Permanent Parcel Number 32-01843 under the Purchase Agreement entered into on or about March 1, 2022 pursuant to Resolution 22-27 since the action taken by the City Council is contrary to the mandates of the City Charter at Article 3.05(e), Ohio Revised Code Section 721.01 and Ohio Revised Code Section 721.03. First, City Council failed to properly determine that the real estate is no longer needed for any municipal purpose. Further, Ohio Revised Code 721.03 requires that the land be sold only to the highest bidder, after advertisement for once a week for five consecutive weeks in a newspaper of general circulation within the municipal corporation or as provided in section 7.16 of the Revised Code. Assuming for argument's sake, that the City intended to act under its "home rule" powers, it is still in violation of Charter Article 3.05(e) because City Council failed to authorize the contract for the sale of real estate by ordinance.

Hudson Charter 3.05(e) states in relevant part that Council's duties include:

*All the legislative powers of the Municipality and the determination of all matters of policy shall be vested in the Council.*

*Without limitation of the foregoing, the Council may by ordinance make provision differing from the general law with respect to:*

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*(e) The making, advertising and awarding of contracts, except as provided in Section [6.04](#) of this Charter;*

*(See *Great Plains Exploration, LLC v. City of Willoughby*, 2006-Ohio-7009, (Ohio App., Lake County 2006)).*

We would appreciate your response to this taxpayer demand within ten business (10) days of the date of this letter. Thank you for your cooperation in this matter.

Sincerely,

*Diane A. Calta*

Diane A. Calta

On behalf of taxpayers

Donald M. Kurdziel and

Leesa Hall Kurdziel

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Donald M. Kurdziel  
November 14, 2022  
Page 3

Enclosure

Cc: Hudson Planning Commission  
Ron Stolle, Chair [rhstolle@yahoo.com](mailto:rhstolle@yahoo.com)

Sheila C. Salmon  
(202) 349-2464  
ssalmon@renocavanaugh.com

## MEMORANDUM

**TO:** DIANE A. CALTA, ESQ.  
**FROM:** RENO & CAVANAUGH, PLLC  
**RE:** HUDSON COMMUNITY LIVING  
**DATE:** NOVEMBER 11, 2022

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## INTRODUCTION

A group of parents residing in Hudson, Ohio, all of whom have adult children with developmental disabilities, have created Hudson Community Living Company, a 501(c)(3) non-profit organization ("HCLC"), for the purpose of designing and developing an unlicensed, "safe, inclusive, and community-accessible neighborhood that provides a unique lifestyle for their" adult developmentally disabled children which will allow them "to work, socialize and age in place in Hudson." This proposed development, which will be known as Hudson Community Living ("HCL"), is intended to be a "community within a community" where these adults with developmental disabilities will be able to live "independently supported by family and friends" and "share fellowship" with other adults with developmental disabilities.

HCL will consist of a total of seven cottage-style buildings that will be able to house up to 33 "young adults with developmental disabilities." There will be a combination of one and two-bedroom units that will include kitchens, laundry rooms, and space for caregivers.

The property on which HCL will be developed was rezoned to a D-3 classification and HCLC is seeking a conditional use permit for "Institutional Residential" use which requires at least nine residents, housing for persons with developmental disabilities, restorative services, and meal services. Accordingly, HCL will include a clubhouse to be used for dining and socializing. In addition, there will be a full-time director and assistant director on-site daily.

HCLC has developed a rigorous screening and qualification process. This process will include an assessment of a prospective resident's "move-in preparedness, ability to socialize and integrate



with others, independence, and growth opportunities.” HCL is intended to be privately funded and each resident will be charged a rental fee of \$1,500 per month.

## **ISSUE**

Given HCLC’s stated intent to limit occupancy exclusively to individuals with developmental disabilities, we have been asked to assess whether, or to what extent, this raises any concerns under the federal Fair Housing Act (“FHA”).<sup>1</sup>

## **DISCUSSION**

### **I. Materials Considered and Scope of Review**

To assist in our assessment, we have reviewed the following information and materials: HCLC’s website;<sup>2</sup> the Solon Community Living project’s website;<sup>3</sup> a Home and Community-Based Services (“HCBS”) Housing Resource Guide developed by the Ohio Department of Developmental Disabilities (“DODD”); and the U.S. Department of Housing and Urban Development’s (“HUD”) Office of Fair Housing and Equal Opportunity (“FHEO”) guidance relating to integrated and community-based housing. In addition, although no public funds appear to be involved in the development or operation of HCL, we looked at and considered U.S. Department of Justice (“DOJ”) and HUD guidance and case law under *Olmstead v. L.C.*,<sup>4</sup> Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Section 504’s implementing regulations,<sup>5</sup> as well as the “integration mandate” under Title II of the Americans with Disabilities Act (“ADA”) and the ADA’s implementing regulations,<sup>6</sup> all of which seek to address and prohibit disability discrimination.

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<sup>1</sup> 42 U.S.C. §§ 3601–3619.

<sup>2</sup> See HCLC’s website, available at: <https://hudsoncommunityliving.com>. As previously noted, according to the website, HCL is being promoted as “a safe and accessible neighborhood for adults with developmental disabilities.”

<sup>3</sup> See Solon Community Living, Inc.’s (“SCLI”) website, available at: <https://soloncommunityliving.org>. SCLI is an Ohio 501(c)(3) nonprofit corporation whose stated mission is “[t]o provide a quality, community-accessible, sustainable housing option for individuals with disabilities.” According to the website, SCLI is promoting its proposed Solon Community Living community (“SCL”) as a “braided-community” presenting “an innovative community-accessible housing and living option” for adults with individual and/or developmental disabilities as their primary diagnosis. While SCL appears to be conceptually similar to HCL, we have not considered any potential Fair Housing-related implications that may be associated with the SCLI’s proposed “braided community” concept.

<sup>4</sup> *Olmstead v. L.C.*, 527 U.S. 581 (1999).

<sup>5</sup> 29 U.S.C. § 794 (“No otherwise qualified individual with a disability in the United States, . . . shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by any Executive agency or by the United States Postal Service.”); 24 C.F.R. pt. 8.

<sup>6</sup> 42 U.S.C. § 12134(a) (“[N]o qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”); 28 C.F.R. pt. 35; 28 C.F.R. § 35.130(d) (the

## II. Overview of *Olmstead* and General Principles Under the ADA and Section 504

The Supreme Court's *Olmstead* decision was decided under Title II of the ADA which applies to public entities, such as state and local government entities, and the services, programs, and activities administered by such public entities. Recognizing that individuals with disabilities have historically faced discrimination that limited their opportunity to live independently in the community and benefit from full participation in community life, the Supreme Court affirmed that the unjustified segregation of individuals with disabilities is a form of discrimination prohibited by Title II of the ADA.<sup>7</sup> In other words, "[u]njustified isolation, . . . is properly regarded as discrimination based on disability."<sup>8</sup> Accordingly, as a result of *Olmstead*, public entities are required to provide services to individuals with disabilities in community, or integrated, settings rather than institutional settings when certain criteria are met.<sup>9</sup>

Although *Olmstead*'s holding only applies to public entities, the federal and many state governments have encouraged widespread application and implementation by *all* housing providers of the *Olmstead* principle of facilitating community integration for individuals with disabilities. Indeed, following the *Olmstead* decision, recipients of HUD financial assistance including, but not limited to, states, local governments, public housing agencies, nonprofit organizations, and developers of multifamily properties, have increased efforts to improve housing choice and to provide greater opportunities for individuals with disabilities to reside in integrated, community-based settings where they can live and interact with individuals without disabilities.<sup>10</sup>

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"integration mandate") ("A public entity shall administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.").

<sup>7</sup> 527 U.S. at 597.

<sup>8</sup> *Id.*

<sup>9</sup> Similarly, Section 504 prohibits both public and private entities from discriminating on the basis of disability in any program or activity receiving federal financial assistance. Because HCL, at this stage of the planning process, references only private funding with anticipated future operating costs to be derived from residents' rental fees, we do not address Section 504.

<sup>10</sup> The characteristics of an integrated setting have been described as "those that provide individuals with disabilities opportunities to live, work, and receive services in the greater community, like individuals without disabilities. Integrated settings are located in mainstream society; offer access to community activities and opportunities at times, frequencies and with persons of an individual's choosing; afford individuals with disabilities the opportunity to interact with non-disabled persons to the fullest extent possible." *Statement of the Department of Justice on Enforcement of the Integration Mandate of Title II of the Americans with Disabilities Act and Olmstead v. L.C. (DOJ Olmstead Statement)* at Q & A 1, available at: [https://www.ada.gov/olmstead/q&a\\_olmstead.htm](https://www.ada.gov/olmstead/q&a_olmstead.htm). "Examples of integrated settings include scattered-site apartments providing permanent supportive housing, tenant-based rental assistance that enables individuals with disabilities to lease housing in integrated developments, and apartments for individuals with various disabilities scattered throughout public and multifamily housing developments." *FHEO Providing Integrated, Community-Based Settings for Individuals With Disabilities*, available at: [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/integrated\\_community\\_based\\_settings](https://www.hud.gov/program_offices/fair_housing_equal_opp/integrated_community_based_settings). By contrast, "[s]egregated settings include, but are not limited to: (1) congregate settings *populated exclusively or primarily with individuals with disabilities*; (2) congregate settings characterized by regimentation in daily activities, lack of privacy or autonomy, policies limiting visitors, or limits on individuals' ability to engage freely in community activities and to manage their own activities of daily living; or (3) *settings that*

To identify and increase opportunities for individuals with disabilities to integrate more fully into their communities and to interact with individuals without disabilities, many states have adopted certain practices and enacted baseline rules. For example, in Ohio, the Ohio Administrative Code prevents the use of community capital assistance funds by county boards of developmental disabilities to acquire housing for youth with intensive behavioral support needs on adjoining lots or parcels if the Ohio Department of Developmental Disabilities (“DODD”) determines that “doing so would create the appearance of congregating individuals with developmental disabilities.”<sup>11</sup> Similarly, with respect to the development or renovation of licensed residential facilities, the Ohio Administrative Code restricts DODD from licensing residential facilities on adjoining property sites, or permitting more than one distinct and separate physical structure to be licensed on the same property site, subject to certain grandfather clause exceptions.<sup>12</sup> Additionally, the Ohio Administrative Code permits multiple apartments within an apartment building or complex of apartment buildings on the same property site to be licensed individually *only when* the apartments serve as “the best alternative for maximizing community integration.”<sup>13</sup>

Thus, while none of the above-referenced authorities are binding on HCLC or HCL, they are instructive on the general meaning of inclusion, or integration, for individuals with disabilities and the application of that principle under the FHA.

### **III. FHA Analysis**

Notwithstanding HCLC’s 501(c)(3) status or the private financing of HCL, as an owner of the project, housing provider, and/or landlord,<sup>14</sup> HCLC must comply with the FHA. The FHA has two main purposes – to prevent discrimination and reverse housing segregation.

DOJ and HUD are jointly responsible for enforcing the FHA, which prohibits discrimination in housing on the basis of race, color, religion, sex, disability, familial status, or national origin. The FHA prohibits housing-related practices that exclude or otherwise discriminate against individuals because of protected characteristics. The FHA recognizes individuals with disabilities as a protected class and, thus, prohibits discrimination in housing against individuals with intellectual or developmental disabilities.<sup>15</sup> As the Supreme Court recognized in *Olmstead*, and as is frequently cited as a basis for requiring scattered rather than congregated group homes or supported living properties, “unjustified ‘segregation’ of persons with disabilities” is a “‘for[m] of discrimination.’”<sup>16</sup>

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*provide for daytime activities primarily with other individuals with disabilities.” DOJ Olmstead Statement at Q & A 1.*

<sup>11</sup> Ohio Admin. Code Rule 5123-1-02(E).

<sup>12</sup> *Id.* at Rule 5123:2-3-08(C)(7)–(9).

<sup>13</sup> *Id.* at Rule 5123:2-3-08.

<sup>14</sup> As noted, the residents of HCL will be pay a monthly rent of \$1,500.

<sup>15</sup> 42 U.S.C. § 3604(f).

<sup>16</sup> 527 U.S. at 583 (citing 42 U.S.C. §§ 12101(a)(2), 12101(a)(5)).



HCLC's desire to provide "transitional independent living" for young adults with developmental disabilities outside of the residents' respective parental home(s) is admirable, but the exclusionary criteria HCLC intends to use in the selection of residents arguably fails to meaningfully integrate those residents into the broader community within the City of Hudson. Rather, HCLC's stated goal, as described and advertised to the public through its website, is to provide housing exclusively to individuals with developmental disabilities. As a result, by (1) excluding individuals with disabilities other than developmental disabilities,<sup>17</sup> as well as individuals without disabilities who may be members of other protected classes,<sup>18</sup> and (2) segregating or failing to meaningfully integrate disabled adult residents into the broader community, HCLC's goals appear utterly inconsistent with the FHA's goals of preventing discrimination and avoiding segregation.

As an aside, the FHA also makes it "unlawful [for housing providers] . . . [t]o make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination."<sup>19</sup> Representations contained on HCLC's website appear to be directly contrary to this proscription.

In addition to the foregoing, we considered and ruled out the applicability of a "private club" exemption contained within the FHA.<sup>20</sup> Specifically, Section 3607(a) provides that nothing in the FHA "shall prohibit discrimination by private clubs in the operation of their incidental, noncommercial lodgings."<sup>21</sup> However, as a general rule, the FHA exemptions under § 3607(a) are very narrowly construed and few courts have excused an FHA defendant's discrimination on the ground that its activities were protected under this section.<sup>22</sup>

Moreover, although courts have not ruled on the definition of a "private club" for purposes of this exemption, notably, "[t]he mere fact that an organization's facilities are privately owned does not qualify it for inclusion within [the] private club exemption."<sup>23</sup> Even if HCLC or HCL could qualify as a "private club" on the basis that membership is not generally available to the public at large, case law suggests that the exemption is intended only to cover temporary rooming facilities of – by HCLC for residency at HCL would, therefore, likely fall outside the purview of the FHA exemption under either the religious or private club categories.

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<sup>17</sup> The FHA defines disability as "a physical or mental impairment which substantially limits one or more of a person's major life activities." 42 U.S.C. § 3602(h)(1); *see also* 24 C.F.R. § 100.201(a) (defining "physical or mental impairment" broadly); 24 C.F.R. § 100.201(b) (defining "[m]ajor life activities" to include "functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.").

<sup>18</sup> Protected classes under the FHA include race, color, national origin, religion, sex, familial status, and disability.

<sup>19</sup> 42 U.S.C. § 3607(c).

<sup>20</sup> 42 U.S.C. § 3607(a).

<sup>21</sup> Robert G. Schwemm, *Housing Discrimination Law and Litigation* § 9:5 (updated August 2022) (citing 42 U.S.C. § 3607(a) and discussing the religious organization and private club exemptions).

<sup>22</sup> *Id.* n.2 (citing a single case applying the religious exemption as a "rare example").

<sup>23</sup> *Id.*

#### **IV. Additional Considerations**

Recipients of Community Block Grant, HOME, or other federal funds, are subject to HUD's Affirmatively Furthering Fair Housing Rule ("AFFH Rule"). HUD's general guidance with respect to affirmatively furthering fair housing emphasizes that fair housing choice and access to opportunity for persons with disabilities includes access to housing in the *most integrated setting appropriate* to an individual's needs.<sup>24</sup> In order to affirmatively further fair housing, HUD program participants must take meaningful actions to promote integration and reduce the unjustified segregation of persons with disabilities under the framework of *Olmstead*. This directive contemplates the creation of truly integrated and balanced living patterns which break down barriers and allow individuals with disabilities to interact with persons without disabilities to the fullest extent possible.<sup>25</sup>

Thus, while the AFFH Rule is not directly applicable to HCLC under its current funding structure, our concerns that HCLC's proposed community structure would raise red flags with DOJ and/or HUD under the FHA are reinforced by HUD's specific guidance to local governments, local communities, public housing authorities, states, and others as they engage in planning to ensure compliance with their respective obligation to affirmatively further fair housing consistent with the policy considerations of the FHA.

#### **CONCLUSION**

There appears to be no absolute answer regarding whether the community model proposed by HCLC would violate the FHA. However, our research has revealed that, even as creative approaches to housing for the disabled are proposed and tested across the country following *Olmstead*, a divergence of opinion has formed regarding whether communities, such as HCL, are acceptable notwithstanding the ADA's integration mandate and/or the FHA's proscriptions against discrimination and segregation.

Notwithstanding, based on the information provided and the resources available to us, we are concerned that HCL—as currently planned and advertised—may not comply with the federal FHA and its implementing regulations once completed.

As discussed above, both HUD, who has primary enforcement authority with respect to the FHA, and DOJ, which also has enforcement authority under the FHA but also enforces the ADA, seem clear in their stance that a housing provider's goal (whether private or public, and irrespective of the receipt or use of federal funds) should be to house disabled individuals in the most integrated settings possible and, thereby avoid segregation and isolation of such individuals from the broader community.

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<sup>24</sup> See, e.g., HUD's AFFH Rule Guidebook for general information and guidance regarding ways communities could affirmatively further fair housing, available at: <https://www.hud.gov/sites/dfiles/FHEO/documents/AFFH-Rule-Guidebook.pdf>. (Emphasis added.)

<sup>25</sup> Although it is our understanding that neither the City of Hudson nor Summit County, Ohio, have received or committed HUD funds to HCLC or HCL, we would expect that both should be familiar with the concept of affirmatively furthering fair housing.



## Nick Sugar

---

**From:** Erik Vaughan <vaughan.hudson.pc@gmail.com>  
**Sent:** Monday, November 14, 2022 2:22 PM  
**To:** Nick Sugar  
**Subject:** Fwd: Hudson community Living

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Begin forwarded message:

**From:** Katherine Barger <kgbarger@gmail.com>  
**Date:** November 14, 2022 at 11:13:26 AM PST  
**To:** vaughan.hudson.pc@gmail.com  
**Subject:** Hudson community Living

Hello Erik,

First, I would like to thank you for serving our community. It is often a thankless act of service although very important to all who live in this amazing community.

I am just writing in support of the Hudson Living Community project. I believe it would be a great addition to our community.

Thank you for your time,  
- Katie Barger



November 8, 2022

Mr. Ronald H. Stolle, Chair  
City of Hudson Planning Commission  
1140 Terex Road  
Hudson, Ohio 44236

RE: Hudson Community Living Project

Dear Mr. Stolle:

Summit County Developmental Disabilities Board (Summit DD) is aware of the project proposed by Hudson Community Living that is currently before the City of Hudson Planning Commission. We have met with the landlords and the proposed setting complies with the rules promulgated by the Ohio Administrative Code 5123:2-9-02: Home and community-based services waivers – ensuring the suitability of services and service settings. Under the current proposal, services within the home would be eligible for Medicaid Wavier services. Summit DD coordinates approved services within homes owned by several landlords throughout Summit County.

We appreciate your attention to this matter, and if you or members of the planning commission have any questions, please do not hesitate to contact me.

Very truly yours,



James W. Armstrong  
Director of Legal Services

cc: Nick Sugar, City Planner [nsugar@hudson.oh.us](mailto:nsugar@hudson.oh.us).

**Nicl**

**From**  
**Sent**  
**To:**

**Cc:**  
**Subj**



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re Lehman <davelehman@nickynicole.com>  
nday, November 14, 2022 11:55 AM  
gory Daniels; rhstolle@yahoo.com; David.nystrom@alairhomes.com; Mmjones330  
ahoo.com; Vaughan.hudson.pc@gmail.com; adfurbs@gmail.com;  
norman@aol.com; Nick Sugar  
lborn.jackiii@gmail.com  
Hudson Community Living Proposal

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Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission  
Industrial Design Subcommittee

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>

---

**From:** Gregory Daniels <gk\_daniels@hotmail.com>  
**Sent:** Monday, November 14, 2022 11:53 AM  
**To:** rhstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>; David.nystrom@alairhomes.com; Mmjones330@yahoo.com; Vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; Sgnorman@aol.com  
**Cc:** wellborn.jackiii@gmail.com  
**Subject:** Hudson Community Living Proposal

I am writing regarding the City's upcoming decision concerning Hudson Community Living's proposed development at 33 S. Oviatt Street. Based on my understanding of their revised proposal, I am not in favor of the developer's revised plans to build high density housing at this location. I respectfully ask the Cit of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06(d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

I also have a concern regarding drainage of the property to be developed and the impact to the retention ponds behind the Barlow Community Center to control flooding. In particular, I am concerned that the impact of the proposed drainage from this proposed development was not considered as part of the recently completed renovation project for the upper and lower ponds and as such, may have a detrimental impact on the recent work.

Sincerely,

Greg & Janet Daniels  
27 Pinewood Lane  
Hudson, Ohio 44236

**Nicl**

**From**  
**Sent**  
**To:**

**Subj**



re Lehman <davelehman@nickynicole.com>  
nday, November 14, 2022 2:15 PM  
a Teutsch; rhstolle@yahoo.com; David.nystrom@alairhomes.com; mmjones330  
ahoo.com; adverbs@gmail.com; vaughan.hudson.pc@gmail.com;  
norman@aol.com; Nick Sugar  
Hudson Community Living

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Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission  
Industrial Design Subcommittee

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>

-----Original Message-----

From: Lisa Teutsch <lisateutsch@gmail.com>  
Sent: Monday, November 14, 2022 2:13 PM  
To: rhstolle@yahoo.com; David.nystrom@alairhomes.com; mmjones330@yahoo.com; Dave Lehman <davelehman@nickynicole.com>; adverbs@gmail.com; vaughan.hudson.pc@gmail.com; Sgnorman@aol.com  
Subject: Hudson Community Living

Dear Hudson Planning Commission,

My name is Lisa Teutsch and I have been a Hudson resident for over 30 years. I have several friends who have young adult children with Developmental Disabilities.

I would like to state that my belief is this is something that the Hudson community could benefit from. I support the efforts by all to investigate the feasibility to deliver this living environment.

Sincerely,

Lisa Deutsch

Sent from my iPhone

**Nick**

**From**  
**Sent**  
**To:**  
**Subj**



re Lehman <davelehman@nickynicole.com>  
nday, November 14, 2022 1:59 PM  
an reilly; Nick Sugar  
Hudson Community Living Project

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Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission  
Industrial Design Subcommittee

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>

-----Original Message-----

From: ciaran reilly <willowcreek5@roadrunner.com>  
Sent: Monday, November 14, 2022 1:50 PM  
To: Dave Lehman <davelehman@nickynicole.com>  
Subject: Hudson Community Living Project

G'afternoon Commission Member,

I am writing to you to voice my support of the Hudson Community Living project being considered for approval by this Commission tonight.

I have read literature about the proposed community and believe it would be a valuable asset to Hudson and it's residents. To be able to provide safe and secure housing accommodations to current residents with developmental disabilities, allowing them independence and dignity as they navigate their adulthoods, would be a fabulous opportunity. One in which I believe Hudson would benefit by embracing wholeheartedly.

The location of this proposed community seems ideally situated due to it's proximity to our medical/EMT, fire, and police departments. The ability of the community residents to walk to the downtown areas and greens for events, shopping, and dining would be such a great advantage to these residents.

The architectural design of this community is stunning, and has great curb appeal. Just the club house alone looks like any Century home along Hudson Street. I commend Peninsula Architects on their attractive and well thought-out designs.

Please remember when considering approval of this project, Hudson is not a homogeneous group of similar people. We are all individuals who chose to live in Hudson for different reasons. Same can be said of the families of these adult children with disabilities. How wonderful it would be for them to know that their children can “leave the nest”, much like my children did, and perhaps much like your own children did, and go on to live safely, and productively, within the same community as their caring parents. These are not individuals of whom to be frightened. These are individuals of whom our town of Hudson should be most welcoming. They are your neighbors’ children, who deserve every advantage available to them, same as your children. They deserve to live with dignity.

I humbly request that you grant approval of the Hudson Community Living project.

Thank you,

Respectfully submitted,

Ciaran Boyes Reilly  
2815 Hudson Aurora Road  
Hudson, OH 44236  
330.283.2261



**Nicl**

**From  
Sent  
To:**

**Subj**



re Lehman <davelehman@nickynicole.com>  
nday, November 14, 2022 1:58 PM  
gan Hruby; sgnorman@aol.com; rhstolle@yahoo.com;  
id.nystrom@alairhomes.com; mmjones330@yahoo.com;  
ughn.hudson.pc@gmail.com; adfurbs@gmail.com; Nick Sugar  
Hudson Community Living

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Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission  
Industrial Design Subcommittee

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>

-----Original Message-----

From: Megan Hruby <tjhruby@icloud.com>  
Sent: Monday, November 14, 2022 1:48 PM  
To: sgnorman@aol.com; rhstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>;  
David.nystrom@alairhomes.com; mmjones330@yahoo.com; Vaughn.hudson.pc@gmail.com; adfurbs@gmail.com  
Subject: Hudson Community Living

Good afternoon!

I have been made aware of the planning commission meeting this evening. I cannot attend but am writing to support this wonderful addition to our community.

As a community with an education system that is known for its attention to our children with special needs I feel like it's only natural to also be able to provide these now adults a place where they can live independently and continue to

thrive in our community. Many of these adults are contributing members of our community working at our local businesses.

This project would not only allow these adults to live independently but would also provide jobs and volunteer opportunities to those who have a passion for helping those with special needs.

The location is perfect as it's close to downtown so they can easily access the downtown and also near the safety center for an extra layer of comfort for family members.

As a long time resident of Hudson I would be sad to see this project not come to fruition.

Sincerely,

Megan Hruby  
74 York Drive  
Hudson  
Sent from my iPad

**Nicl**

**From**  
**Sent**  
**To:**

**Subj**



---

re Lehman <davelehman@nickynicole.com>  
nday, November 14, 2022 1:23 PM  
rie Wood; rhstolle@yahoo.com; david.nystrom@alairhomes.com; mmjones330  
ahoo.com; vaughan.hudson.pc@gmail.com; adrurbs@gmail.com;  
ormman@aol.com; Nick Sugar  
Support for Hudson Community Living

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Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission  
Industrial Design Subcommittee

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>

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**From:** Carrie Wood <carrie.wood234@gmail.com>  
**Sent:** Monday, November 14, 2022 12:48 PM  
**To:** rhstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>; david.nystrom@alairhomes.com; mmjones330@yahoo.com; vaughan.hudson.pc@gmail.com; adrurbs@gmail.com; sgnorman@aol.com  
**Subject:** Support for Hudson Community Living

Dear Members of the Hudson Planning Committee,

I am writing to make you aware of my support for the Hudson Community Living project.  
I believe this is a valuable project that would enrich the lives of many adults in our community.

Sincerely,  
Carrie Wood  
[carrie.wood234@gmail.com](mailto:carrie.wood234@gmail.com)

**Nicl**

**From**  
**Sent**  
**To:**

**Subj**



---

re Lehman <davelehman@nickynicole.com>  
nday, November 14, 2022 12:30 PM  
h A. Baumhoer; rbstolle@yahoo.com; david\_nystrom@alairhomes.com; mmjones330  
ahoo.com; vaughan.hudson.pc@gmail.com; adfurbs@gmail.com;  
norman@aol.com; Nick Sugar  
Hudson Community Living Company

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Vice Chair – Planning Commission  
Industrial Design Subcommittee

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>

---

**From:** Beth A. Baumhoer <cbbaumhoer@gmail.com>  
**Sent:** Monday, November 14, 2022 12:28 PM  
**To:** rbstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>; david\_nystrom@alairhomes.com; mmjones330@yahoo.com; vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; sgmorman@aol.com  
**Subject:** Hudson Community Living Company

All

I am writing to each of you in full support of the plans for the Hudson Community Living Company. Hudson is known throughout the state to be one of the best school districts to help students with disabilities achieve their high school diplomas.

How sad would it be for us as a community to turn our backs on these young adults?

This is our community's opportunity to take what we are so well known for to the next level and provide these young adults a safe living environment in Hudson.

We cannot allow a small group to derail this project.

Please vote tonight in support of this program. We do not want Hudson known as a community that turns its back on these young adults.

Sincerely,

--

Beth A. Baumhoer

330-414-2974

[cbbaumhoer@gmail.com](mailto:cbbaumhoer@gmail.com)

<https://linkedin.com/in/bethbaumhoer/>

## Nick Sugar

---

**From:** Dave Lehman <davelehman@nickynicole.com>  
**Sent:** Monday, November 14, 2022 3:38 PM  
**To:** Kathi Gorman; rhstolle@yahoo.com; mmjones330@yahoo.com; vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; sgnorman@aol.com; david.nystrom@alairhomes.com; Nick Sugar  
**Subject:** RE: Hudson community living company

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Dave

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Vice Chair – Planning Commission

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>



Dave

David W. Lehman, Esq.  
Direct: 330-656-5210  
Cell: 216-410-8415  
Fax: 330-656-5211  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

-----Original Message-----

From: Kathi Gorman <[kgorms5@gmail.com](mailto:kgorms5@gmail.com)>

Sent: Monday, November 14, 2022 3:34 PM

To: [rhstolle@yahoo.com](mailto:rhstolle@yahoo.com); Dave Lehman <[davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)>; [mmjones330@yahoo.com](mailto:mmjones330@yahoo.com);  
[vaughan.hudson.pc@gmail.com](mailto:vaughan.hudson.pc@gmail.com); [adfurbs@gmail.com](mailto:adfurbs@gmail.com); [sgnorman@aol.com](mailto:sgnorman@aol.com); [david.nystrom@alairhomes.com](mailto:david.nystrom@alairhomes.com)  
Subject: Hudson community living company

To our Hudson planning commission,  
I am in favor of the planned Hudson community living. It is so overdue.

We, as a community, have already supported this population in education, sports, and benefitted from their locally chosen vocations.

I have taught special education, and my husband has coached the challenger league for many years. This population of our community, is caring, kind, giving, and in many cases smarter in knowing what is the best action to take when considering the feelings of others.

Being across from the safety center offers them a direct and immediate safety net. The parents are all caring, involved and close by.

Many of these possible future residents, are already employed in Hudson and offer valuable services to our community. Please consider voting yes to this valuable, caring, amazing living arrangement!

I have already bragged about it's future possibility to others from outside this community, with amazing feedback.

Sincerely,  
Kathi Gorman  
330-256-0231  
Sent from my iPhone



## Nick Sugar

---

**From:** Dave Lehman <davelehman@nickynicole.com>  
**Sent:** Monday, November 14, 2022 3:26 PM  
**To:** Lucy Smetham; Nick Sugar  
**Subject:** RE:

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you. I have forwarded this thread to City Staff so your thoughts are available at our meeting.

Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>



Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>

-----Original Message-----

From: Lucy Smetham <lcsmetham@gmail.com>  
Sent: Monday, November 14, 2022 3:21 PM  
To: Dave Lehman <davelehman@nickynicole.com>  
Subject:

I would like to offer my support to the proposed Hudson Living community project. I believe it's being discussed at this evening planning meeting.

Thank you

Lucy Smetham  
Hudson Resident  
Sent from my iPhone

## Nick Sugar

---

**From:** Dave Lehman <davelehman@nickynicole.com>  
**Sent:** Monday, November 14, 2022 3:25 PM  
**To:** karen miller; rhstolle@yahoo.com; David.nystrom@alarhomes.com; Mmjones330@yahoo.com; Vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; Sgnorman@aol.com; Nick Sugar  
**Subject:** RE: Hudson Community Living

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Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>



---

**From:** karen miller <karenmm4@aol.com>  
**Sent:** Monday, November 14, 2022 3:19 PM  
**To:** rhstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>; David.nystrom@alarhomes.com; Mmjones330@yahoo.com; Vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; Sgnorman@aol.com  
**Subject:** Hudson Community Living

I support the Hudson Living Community Project.  
Thank you,  
Karen Miller  
244 E. Streetsboro St  
Hudson

## Nick Sugar

---

**From:** Dave Lehman <davelehman@nickynicole.com>  
**Sent:** Monday, November 14, 2022 3:24 PM  
**To:** Paul Gorman; david.nystrom@alairhomes.com; mmjones330@yahoo.com; vaughn.hudson.pc@gmail.com; adfurbs@gmail.com; rhstolle@yahoo.com; sgnorman@aol.com  
**Cc:** Kathi Gorman; Nick Sugar  
**Subject:** RE: Hudson Community Living Project

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Thank you. I have forwarded this thread to City Staff so your thoughts are available at our meeting.

Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>



---

**From:** Paul Gorman <Paul.Gorman@cnginc.com>  
**Sent:** Monday, November 14, 2022 3:19 PM  
**To:** Dave Lehman <davelehman@nickynicole.com>; david.nystrom@alairhomes.com; mmjones330@yahoo.com; vaughn.hudson.pc@gmail.com; adfurbs@gmail.com; rhstolle@yahoo.com; sgnorman@aol.com  
**Cc:** Kathi Gorman <kgorms5@gmail.com>  
**Subject:** Hudson Community Living Project

Dear Planning Commission Member:

I am writing to you to voice my support for the revised plan of new Hudson Community Living Project.

As a 32 year resident of Hudson, former President of Hudson Little League Baseball (8 year term), Commissioner and Coach of the Hudson Challenger Baseball team (special needs team and part of Special Olympics) I believe this project will not only be a great project for the future residents but also for the Hudson Community as a whole.

The young adults who would become residents of this facility will benefit immensely from having an option to live independently and become a stronger part of the community. Having been around many of the future residents for many years I can attest that they are responsible, trustworthy, respectful and great to be around. Unlike non-challenged adults, these folks are focused on following the rules and being respectful and courteous of others. Please give them a much needed chance.

Having read most of the letters sent to this group of from neighboring residents, most of them were NIMBY focused and showed no concern for this group of as well as the benefit this project will add to our wonderful town.

Please vote yes tonight to keep this project moving forward.

Sincerely,

Paul J. Gorman  
5684 Reserve Lane  
Hudson, OH 44236



**Paul Gorman**  
Vice President of Sales-CPG  
Charter Next Generation  
**Mobile:** (330) 283-8941  
[Paul.Gorman@cnginc.com](mailto:Paul.Gorman@cnginc.com) [cnginc.com](http://cnginc.com)

## Nick Sugar

---

**From:** Dave Lehman <davelehman@nickynicole.com>  
**Sent:** Monday, November 14, 2022 3:23 PM  
**To:** jan7654 (null); rhstolle@yahoo.com; David.nystrom@aleirhomes.com; Mmjones330@yahoo.com; Vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; Sgnorman@aol.com; Nick Sugar  
**Subject:** RE: Hudson community living project....

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Thank you. I have forwarded this thread to City Staff so your thoughts are available at our meeting.

Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>



Dave

David W. Lehman, Esq.  
Vice Chair – Planning Commission

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>



-----Original Message-----

From: jan7654 (null) <jan7654@aol.com>

Sent: Monday, November 14, 2022 3:08 PM

To: rhstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>; David.nystrom@aleirhomes.com;

Mmjones330@yahoo.com; Vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; Sgnorman@aol.com

Subject: Hudson community living project....

In total support of the Community Living project!

Please realize how critical this is for those who would qualify & benefit from this experience.

Sincerely,

Janet Blemaster

4 Brandywine Dr.

Sent from my iPhone

## Nick Sugar

---

**From:** Dave Lehman <davelehman@nickynicole.com>  
**Sent:** Monday, November 14, 2022 3:18 PM  
**To:** dpamer@aol.com; rhstolle@yahoo.com; david.nystrom@alairhomes.com; mmjones330@yahoo.com; vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; sgnorman@aol.com; Nick Sugar  
**Subject:** RE: Hudson Community Living

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Thank you. I have forwarded this thread to City Staff so your thoughts are available at our meeting.

Dave

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Vice Chair – Planning Commission

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>



---

**From:** dpamer@aol.com <dpamer@aol.com>  
**Sent:** Monday, November 14, 2022 2:35 PM  
**To:** rhstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>; david.nystrom@alairhomes.com; mmjones330@yahoo.com; vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; sgnorman@aol.com  
**Subject:** Hudson Community Living

Good Afternoon,

I wanted to show my support for the proposed Hudson Community Living for young adults with disabilities. My husband and I have been Hudson residents for 28 years and have raised 3 children and they attended Hudson schools and Western Reserve Academy. Hudson has been such a wonderful community to have our children grow up in. We both believe the Hudson Community Living for young adults would be an excellent addition to our community. My husband,

Dave, has a brother with cerebral palsy and is on the board of the Cleveland Chapter of United Cerebral Palsy. We know first hand how integrating young adults with disabilities into a community can benefit the community.

Please approve this project for the benefit of all.

Thank you,

Dave and Kelly Pamer

## Nick Sugar

---

**From:** Dave Lehman <davelehman@nickynicole.com>  
**Sent:** Monday, November 14, 2022 3:18 PM  
**To:** Tracy S. Zuccaro; sgnorman@aol.com; rhstolle@yahoo.com;  
david.nystrom@alairhomes.com; mmjones330@yahoo.com;  
vaughan.hudson.pc@gmail.com; adfurbs@gmail.com; Nick Sugar  
**Subject:** RE: Hudson Community Living project

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Thank you. I have forwarded this thread to City Staff so your thoughts are available at our meeting.

Dave

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Vice Chair – Planning Commission

Phone: 330-656-5210  
Cell: 216-410-8415  
Email: [davelehman@nickynicole.com](mailto:davelehman@nickynicole.com)

Website: <https://www.hudson.oh.us/108/Planning-Commission>



---

**From:** Tracy S. Zuccaro <tsuccaro@gmail.com>  
**Sent:** Monday, November 14, 2022 2:24 PM  
**To:** sgnorman@aol.com; rhstolle@yahoo.com; Dave Lehman <davelehman@nickynicole.com>;  
david.nystrom@alairhomes.com; mmjones330@yahoo.com; vaughan.hudson.pc@gmail.com; adfurbs@gmail.com  
**Subject:** Hudson Community Living project

To whom it may concern,

The Hudson Community Living Center has my full support. What a terrific opportunity for those in need. Please add my name to the list of supporters.

Thank you,  
Tracy Zuccaro  
330-760-4173

November 7, 2022

Page 1

Mr. Chris Foster  
City of Hudson at City Hall  
Hudson City Council Chairman  
1140 Terex Road  
Hudson, OH 44236

November 7, 2022

Hand Delivered by Wellborn Jack

Received by

  
Name

11/7/2022  
Date

Mr. Foster,

Attached are 48 postcards collected by me and my group of volunteers that canvassed the surrounding neighbors of 33 S. Oviatt, site of the proposed Hudson Community Living Company project. The signers of these postcards are asking the City of Hudson to require the Hudson Community Living Company developer to comply with the maximum density requirements in Section 1205.06(d) (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes.)

If you have received signed cards at your residence, please file them with the Planning Commission office and provide me with a copy of the cards for my records.

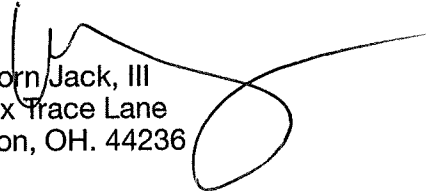
Signers of the attached cards are Hudson residents:

Lori Stickler, 204 E. Streetsboro  
Mike Stickler, 204 E. Streetsboro  
Margaret and Bryan Rooney 2200 Middleton Rd  
Kathleen Barret, 34 Fox Trace Lane  
John Barret, 34 Fox Trace Lane  
Christine Rigby, 88 Fox Trace Lane  
Jack Rigby, 88 Fox Trace Lane  
Suzanne Kim, 89 E. Streetsboro  
Christine Core, 290 Bicknell  
Kyla Elderton, 91 Fox Trace Lane  
Jeff Elderton, 91 Fox Trace Lane  
Phillip Brown, 135 E. Streetsboro St.  
Tate Elderton, 91 Fox Trace Lane  
John Gasparovic, 74 Fox Trace Lane  
Nancy Gasparovic, 74 Fox Trace Lane  
Mary C. Haneline, 42 Fox Trace Lane  
Kenneth Haneline, 42 Fox Trace Lane



Mr. Chris Foster  
City of Hudson at City Hall  
Hudson City Council Chairman  
1140 Terex Road  
Hudson, OH 44236

Thomas Bowen, 82 Manor Drive  
M. Kara, 21 Fox Trace Lane  
Leesa Kurdziel, 7 Fox Trace Lane  
Don Kurdziel, 7 Fox Trace Lane  
Dan and Margie Wright, 83 S. Hayden Parkway  
Jon Lund, 124 E. Streetsboro  
Suzanne Lund, 124 E. Streetsboro  
Marshall Murdough, 154 E. Streetsboro  
Cynthia Murdough, 154 E. Streetsboro  
Charlotte Barton, 142 E. Streetsboro  
John Scott, 142 E. Streetsboro  
Wilton Faster Jr., 20 Pinewood Drive  
Molly Logan, 49 Manor Drive  
Joshua McCallum, 234 East Streetsboro  
Shannon Strausser, 17 Manor Drive  
Tanya M. Lann-Murphy, 170 Elm St.  
Craig Moledor, 79 Fox Trace  
Peter Hayward, 114 E. Streetsboro  
Aimee Sergi-Moledor, 74 Fox Trace Lane  
Bob Price, 108 Fox Trace Lane  
Jane Earle-Hayward, 114 E. Streetsboro  
Cynthia Price, 108 Fox Trace Lane  
Brian Ray, 1275 E. Streetsboro  
Brian Benson, 132 E. Streetsboro

  
Wellborn Jack, III  
28 Fox Trace Lane  
Hudson, OH. 44236

Cc: Dan Wright  
Nick Sugar, please place this letter and the attached post cards in the comments section of the November 14, 2022, planning commission agenda.

Fox Trace Neighbors  
28 Fox Trace Lane  
Hudson, Ohio 44236

Chris Foster  
President, Hudson City Council  
7303 Walters Road  
Hudson, OH 44236

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,



Signature

Lori Stickler

Printed Name

204 E. Streetsboro St. Hudson, OH 44236

Street Address, City, State

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,



Signature

Mike Stickler

Printed Name

204 E. Streetsboro St. Hudson, OH 44236

Street Address, City, State

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Sincerely,

Margaret + Bryan Rooney  
Signature

Margaret + Bryan Rooney  
Printed Name

2200 Middleton Rd. Hudson, OH 44236  
Street Address, City, State

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Kathleen English Barrett  
Signature

Kathleen English Barrett  
Printed Name

34 Fox Trace Lane, Hudson, Ohio 44236  
Street Address, City, State

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Sincerely,

John D. Barrett  
Signature

JOHN D. BARRETT  
Printed Name

34 Fox Trace Lane; Hudson, OH 44236  
Street Address, City, State

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

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Sincerely,

Christine Rigby  
Signature

Christine Rigby  
Printed Name

88 Fox Trace Lane  
Street Address, City, State

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Sincerely,

  
Signature

JACK RYB  
Printed Name

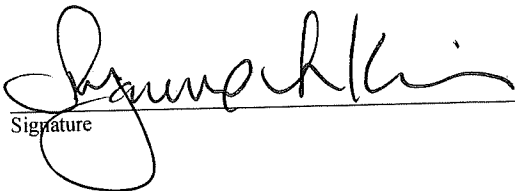
88 Fox Trace Ln Hudson OH 44236  
Street Address, City, State

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I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

  
Signature

SUZANNE L. KIM  
Printed Name

89 E Streetsboro St, Hudson OH 44236  
Street Address, City, State

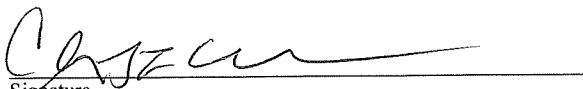


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Sincerely,

  
Signature

Christine Corr  
Printed Name

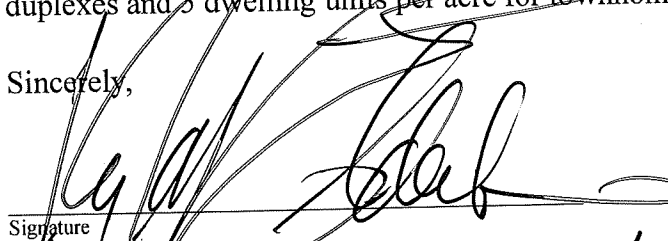
290 Bicknell Dr, Hudson, OH 44236  
Street Address, City, State

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Sincerely,

  
Signature

Kyla Tiberia  
Printed Name

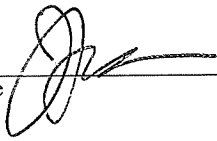
94 FOX TRACE LN. Hudson, OH 44236  
Street Address, City, State

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Sincerely,

  
Signature

JEFF ELDERTON  
Printed Name

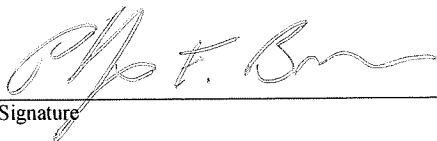
94 FOX TRACE LN, HUDSON, OH 44236  
Street Address, City, State

Dear Council President Foster,

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Sincerely,

  
Signature

Philip F. Brown  
Printed Name

135 E. Streetsboro St., Hudson, OH 44236  
Street Address, City, State

cell (614) 361-7455

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Sincerely,

Tate Elderton  
Signature

Tate Elderton  
Printed Name

94 Fox Trace Ln, Hudson Ohio  
Street Address, City, State

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Sincerely,

John J. Sampson  
Signature

John Gasparovic  
Printed Name

74 Fox Trace Ln Hudson OH 44236  
Street Address, City, State

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Sincerely,

Nancy K. Gasparovic  
Signature

Nancy K. Gasparovic  
Printed Name

74 Fox Trace Ln. Hudson, OH 44236  
Street Address, City, State

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Sincerely,

Mary C. Haneline  
Signature

Mary C. Haneline  
Printed Name

42 FOX TRACE LANE Hudson, Ohio 44236 440-737-1551  
Street Address, City, State

Dear Council President Foster,

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I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Kenneth Haneline  
Signature

Kenneth Haneline  
Printed Name

42 FOX TRACE LN. HUDSON, OHIO 44236  
Street Address, City, State  
440-821-2517

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Nancy Karman  
Signature

Nancy Karman  
Printed Name

29 FOX TRACE LANE HUDSON, OH 44236  
Street Address, City, State

330 635 0633

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Mary Fearon Jack  
Signature

MARY FEARON JACK  
Printed Name

28 FOX TRACE LN HUDSON OH 44236  
Street Address, City, State

330571-7555

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Jessica Obert  
Signature

Jessica Obert  
Printed Name

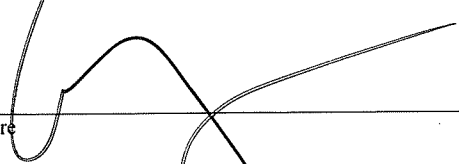
26 Parmelee Dr, Hudson OH 44236  
Street Address, City, State

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Sincerely,

  
Signature

Weiborn Jack  
Printed Name

206 Fox Trace Lane Hudson OH  
Street Address, City, State

330 802 3036

Dear Council President Foster,

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I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

  
Signature

Christophe J Karman  
Printed Name

29 Fox Trace Lane, Hudson OH 44236  
Street Address, City, State

330 607 7006



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I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Kenneth G. Henry  
Signature

Kenneth G. Henry  
Printed Name

9 Edward Dr. Hudson Ohio 44236 330-614-1377  
Street Address, City, State

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Thomas R. Bowen  
Signature

Thomas R. Bowen  
Printed Name

82 Manor Dr Hudson OH 44236 216-410-9259  
Street Address, City, State

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

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Sincerely,

M Kara

Signature

M Kara

Printed Name

21 Fox Trace Ln Hudson OH 44236

Street Address, City, State

330 892-8581

Dear Council President Foster,

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I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Leesa Hall Kurdziel

Signature

Leesa Hall Kurdziel

Printed Name

7 Fox Trace Lane Hudson Ohio

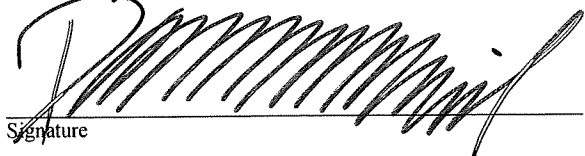
Street Address, City, State

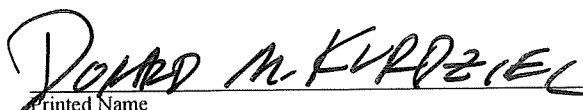
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Sincerely,

  
Signature

  
Printed Name

  
Street Address, City, State

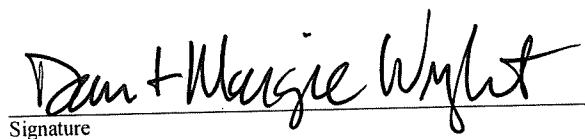
330.653.5430  
917.355.0870

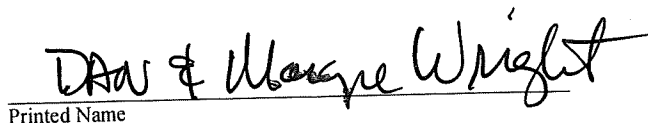
Dear Council President Foster,

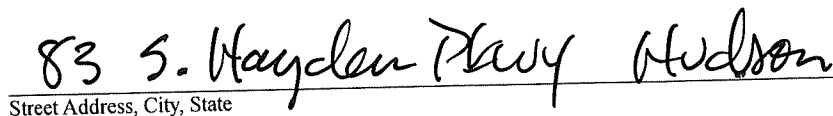
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Sincerely,

  
Signature

  
Printed Name

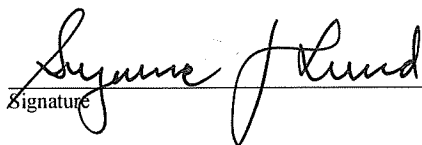
  
Street Address, City, State

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Sincerely,

  
Signature

Suzanne J Lund  
Printed Name

124 E Streetsboro St. Hudson, OH  
Street Address, City, State

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Sincerely,

  
Signature

Jan C. Lund  
Printed Name

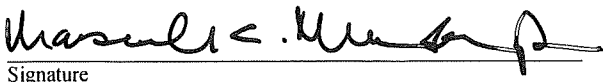
124 E. STREETSBORO ST.  
Street Address, City, State

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Sincerely,

  
Signature

Marshall C. Murdough  
Printed Name

154 E Streetsboro St  
Street Address, City, State

Dear Council President Foster,

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I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

  
Signature

Cynthia C. Murdough  
Printed Name

154 E Streetsboro St Hudson, OH  
Street Address, City, State

Dear Council President Foster,

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I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

  
Signature

**CHARLOTTE BARTON**  
Printed Name

**142 E STREETSBORO STREET**  
Street Address, City, State  
**HUDSON, OHIO**  
**44236**

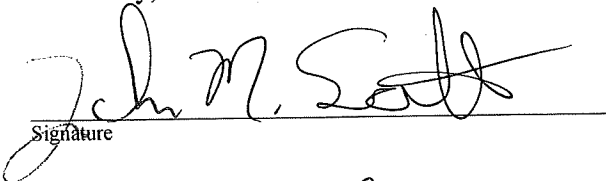
**330.714.5726**

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Sincerely,

  
Signature

**JOHN M SCOTT**  
Printed Name

**142 E. STREETSBORO ST.**  
Street Address, City, State  
  
**Hudson, OH**  
**44236**

**330.714.4320**

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Sincerely,

Wilton E. Foster Jr

Signature

Wilton E. Foster Jr

Printed Name

20 Pinewood Lane Hudson, OH 44236

Street Address, City, State

440 396 7247

Dear Council President Foster,

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I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,

Molly Logan

Signature

Molly Logan

Printed Name

49 Manor Drive, Hudson, OH 44236

Street Address, City, State

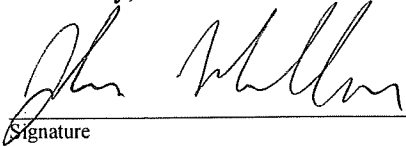


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Sincerely,

  
Signature

Joshua McCallum  
Printed Name

234 East Streetboro Street  
Street Address, City, State

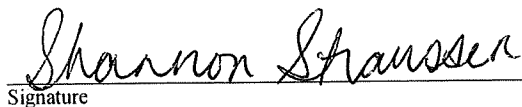
(330) 993-8043

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Sincerely,

  
Signature

Shannon Strausser  
Printed Name

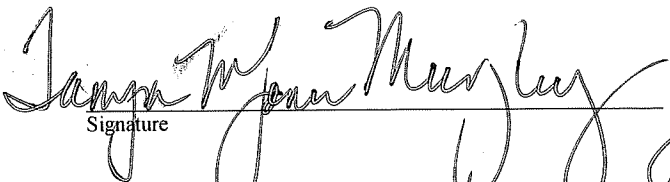
17 Manor Dr. Hudson OH 44236  
Street Address, City, State

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Sincerely,



Signature

Tampa M. Lann-Murphy

Printed Name

170 Elm St Hudson, Ohio 44236

Street Address, City, State

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Sincerely,



Signature

CRAIG Moledor

Printed Name

79 Fox TRACE LN Hudson, OH 44236

Street Address, City, State

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Sincerely,

Almee Sergi-Moledor  
Signature

Almee Sergi-Moledor  
Printed Name

79 Fox Trace Ln, Hudson, OH 44236  
Street Address, City, State

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Sincerely,

Peter J. Hayward  
Signature

PETER J. HAYWARD  
Printed Name

114 E. STREETSBORO ST., HUDSON OH 44236  
Street Address, City, State

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Sincerely,

Jane Earle Hayward  
Signature

Jane Earle-Hayward  
Printed Name

114 E. Streetsboro St - Hudson Ohio  
Street Address, City, State

330 656 3445

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

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Sincerely,

R. Price  
Signature

Bob Price  
Printed Name

108 Fox Trace Lane Hudson OH 44236  
Street Address, City, State

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Sincerely,

Cynthia J. Price  
Signature

Cynthia J Price  
Printed Name

108 Fox Trace Lane Hudson, Ohio 44236  
Street Address, City, State

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Sincerely,

Brian Ray  
Signature

BRIAN RAY  
Printed Name

127 E STREETSBORO ST HUDSON OH 44236  
Street Address, City, State

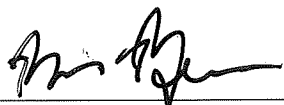
330.310.6868

Dear Council President Foster,

I am writing about the City's upcoming decision concerning Hudson Community Living's proposed development at 33 South Oviatt Street. I am not in favor of the developer's revised plans to build high density housing at this location.

I respectfully ask the City of Hudson to require the developer to comply with the maximum density requirements in Section 1205.06 (d) of Hudson's Land Development Code (2.5 dwelling units per acre for duplexes and 5 dwelling units per acre for townhomes).

Sincerely,



Signature

Brian Benson

Printed Name

132 E. Streetsboro St Hudson, OH 44236

Street Address, City, State

## Nick Sugar

---

**From:** Wellborn Jack <wellborn.jackiii@gmail.com>  
**Sent:** Tuesday, November 8, 2022 3:06 PM  
**To:** Chris Foster; Nick Sugar  
**Cc:** Daniel Wright  
**Subject:** Additional cards asking for planning commission to vote against HCL Project  
**Attachments:** Adobe Scan Nov 7, 2022.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Chris,

Attached are additional cards that I have received. Please place them into the record of the Hudson Community living company proposal currently before planning commission on the agenda for the November 14 2022 planning commission meeting

Nick

Please confirm receipt of Of this email and that these cards will be included in the agenda comments section of the November 14 PC meeting along with The items I left for you at City Hall yesterday including my letter of Transmittal to Chris Foster and the 48 cards that were attached to said letter.

Thank you

Wellborn

Wellborn

Sent from my iPhone

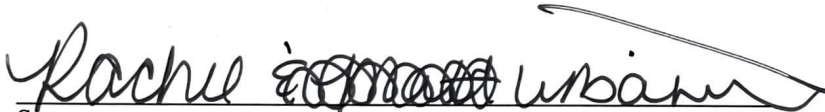


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Sincerely,

  
Signature

Rachel Urbanic  
Printed Name

49 FOX TRACE LN. HUDSON, OH 44236  
Street Address, City, State

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Sincerely,

  
Signature

Matt Urbanic  
Printed Name

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Street Address, City, State

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Sincerely,

  
Signature

DANA GIEL-RAY  
Printed Name

127 E. Streetsboro St. Hudson, OH 44236  
Street Address, City, State