

Nick Sugar

From: Natalie Yuhas <n.yuhas216@gmail.com>
Sent: Wednesday, July 3, 2024 3:45 PM
To: Planning Commission
Subject: Case No. 2023-676 Hearing

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.

To Whom it May Concern,

We are extremely disappointed to see a proposed development ruining the beauty of this rural part of Hudson. Not only will it increase traffic, but it will be a complete eye sore in this peaceful part of the town. No more housing developments ruining our natural land!

Best,

Natalie Yuhas and Braeden Quast
2595 Barlow Rd

Matthew and Melissa Jones
2233 Ravenna Street, Hudson, Ohio 44236

July 8, 2024

Re: *Preliminary Subdivision Plat request for Canterbury Crossing*

City of Hudson Planning Commissioners:

We reside at 2233 Ravenna Street, which is the adjacent property outlined in red below at the northwest corner of the proposed Canterbury Crossing subdivision:



Responding to the Preliminary Subdivision Request submitted by Prestige Builder Group for the July 8, 2024 Hudson Planning Commission meeting, we generally agree with many of the comments contained within the Staff Report, with certain initial exceptions:

- The proposed development does not satisfy the Code’s blending requirements. Code §1206.02(b)(9) provides:

Where sufficient natural screening does not exist, or will be disturbed, development adjacent to existing residential shall blend with neighboring properties and increased density shall be directed away from neighboring properties.

The Staff Report states that the proposed development complies with §1206.02(b)(9) with the proposed revisions to sublots 1 and 13 and the establishment of a 100 ft perimeter open space boundary. While we agree with the Staff Report recommending the removal of or revisions to proposed Sublots 1 and 13, the Staff Report does not provide any analysis supporting how the proposed plan includes “sufficient natural screening,” or how the establishment of a 100-ft boundary provides compliance with §1206.02(b)(9).

Additionally, the Staff Report identifies the lot sizes of the neighboring properties:

Properties Adjacent	District	Lot Sizes
To the east	D2	.91 – 2.78 acres, 130 acre farm
To the north	D3	0.88 – 8.58 acres
To the south	D8	n/a (NS Railroad)
To the west	D2	2-7 acres, 15 acre equestrian center

The proposed development provides for 10,000 square foot lots, which is far less than any of the lot sizes of any adjacent properties.

Open Space Conservation Subdivisions, which are a conditional use in D2, permits 10,000 square foot lots. While the Code expressly resolves the D2 density requirements (Code §1205.05(d)(1) - maximum of one dwelling per 2.5 acres) in favor of the Open Space Conservation Subdivision requirements (Code §1205.05(d)(2)(A)(3)), Code §1201.08(a) mandates:

Conflicts with Other Regulations. When the provisions of this Land Development Code are inconsistent with one another or when the provisions of this Code conflict with provisions found in other adopted ordinances or regulations, **the more restrictive provision shall govern. Provisions should be interpreted to require compatibility of land subdivision and development to neighboring residential development.**

The larger lot sizes and density requirements of the neighboring properties, half of which are not located within D2, are the more restrictive provision. Additionally, the proposed subdivision is not similar to any neighboring residential development in lot size, subdivision layout or style of homes. The proposed development is a subdivision island in the middle of farms, open space, and large lots.

- The proposed Stormwater Pond #1 will discharge directly onto our property. Existing stormwater drainage heavily discharges from that area directly through the east side of our property into our pond:



← location of proposed Stormwater Pond #1

proposed Stormwater Pond #1 →



- Water runoff and drainage during rains is significant. The pond cannot accommodate the drainage from the adjacent property, the pond overflows, the stormwater backs up in our front yard (which become so swampy you sink up to your ankles), and the areas to the south

of the pond become a lake. See below March 2024 photo as a recent (but not the worst) example:



Permitting Stormwater Pond #1 to discharge even more water onto our property will negatively impact an already bad situation. We strongly support the recommendation that Stormwater Pond #1 not discharge onto our property and instead be diverted directly to Ravenna Street. We also strongly support the recommendation that no other proposed stormwater ponds discharge onto any adjacent properties.

- The half acre of “newly identified wetlands pockets at the southern acreage” should not be filled to accommodate additional home construction. While outside sources may classify these wetlands in a manner to suggest lesser importance, Hudson’s Code does not differentiate between wetland classifications. Indeed, the Code repeatedly reiterates the importance of preserving all wetlands, including (but not limited to):

The District 2 purpose statement (Code §1205.05(a)) expressly states that District 2 is established to:

. . . **protect and preserve the most rural areas of the City in which** agriculture, woodlands, **wetlands**, other sensitive environmental areas, and low-density residential development are the predominant land use patterns The regulations contained in this district will permit continued, low-density residential development, but will encourage new residential development that incorporates rural residential conservation designs and other open space preservation techniques, in order to preserve the existing rural character and **limit development in sensitive environmental areas such as wetlands**, floodplains, or aquifer recharge areas

Per Code §1207.06, Open Space Conservation Subdivisions (OSCS) in District 2 “are intended to result in environmentally sensitive and innovative design,” and must include “**preservation of** significant natural resources, natural areas and features, native vegetation, riparian corridors, **wetlands**, significant wildlife habitats, open lands, or

agricultural property through maintenance of large, contiguous blocks of land and other techniques.”

Per Code §1204.05, “Low Impact Development” allows developers the flexibility to cluster residential development in certain portions of a site and **leave** contiguous areas of stream buffers, **wetlands**, tree stands, and other assets **undisturbed**.

- Why the difference in wetland delineations between the 2018 wetland study and the 2024 wetland study? This question has been repeatedly asked but never answered.
- As articulated in the Staff Report, the proposal cannot be fully evaluated in the absence of the appropriate final wetland and stream delineations (Code §1207.03). The submitted plans do not accurately depict these final delineations, which could impact density requirements and location of the proposed lots.
- The City of Hudson Comprehensive Plan advises that the conversion of this area **“into more intense development patterns should be prohibited, and any development should protect the natural environment and embrace rural character.”** In other words, development of this area requires a very high standard. As stated above, the proposal does not protect the natural environment in that it seeks to fill in wetlands, and it is our opinion that the proposed House Renderings do not “embrace rural character.”

While reserving the right to provide additional commentary to the proposed subdivision, we thank Planning Commission’s thoughtful consideration the proposal, the Staff Report, and all comments.

Best regards,

Matthew and Melissa Jones

Matthew and Melissa Jones
2233 Ravenna Street, Hudson

Nick Sugar

From: Anthony S Havlicek <Anthony.S.Havlicek@sherwin.com>
Sent: Monday, July 8, 2024 11:19 AM
To: Nick Sugar
Subject: 7-8-2024 Hearing Public Comment

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.

Good morning,

I'm emailing you my comments on the purposed development on Ravenna Street. I understand the developer is looking to profit on the most they can fit on a parcel and don't think it's a great idea to add even more traffic on Ravenna St. This area already has issues of being congested on Stow Road and the intersection of Ravenna and 91. Stow Road is totally unsafe to walk down or even ride a bike on from 1:00 to 7:00 at night. I feel the project should be scaled back further on the northside of the drawing and have some consideration for those of us on the east side of the project who already live on these busy streets.

Thanks,

Tony Havlicek
6328 Stow Rd

Nick Sugar

From: eoschneider1@aol.com
Sent: Monday, July 8, 2024 4:15 PM
To: Planning Commission
Subject: Fw: Failure Notice

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.

----- Forwarded Message -----

From: MAILER-DAEMON@aol.com <mailer-daemon@aol.com>
To: "eoschneider1@aol.com" <eoschneider1@aol.com>
Sent: Monday, July 8, 2024 at 04:10:48 PM EDT
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<PC@hudson.oh.us>:

No mx record found for domain=hudson.oh.us

----- Forwarded message -----

Dear Planning Commission:

We are adamantly opposed to this development in the Rural Residential District. We have owned our house for 35 years.

As retired/almost retired Seniors still caring for our adult disabled son, we cannot afford the improvements; the sewers, the water, the electrical and other "improvements" for this developer to ruin our peaceful environment.

Furthermore, our property has suffered absolute criminal runoff from the City property across the street. We do not wish to further the problem by more population and no protective solutions. By the Fourth of July, the 5 foot ditch was dry enough to mow with a push mower. Now it is 20 plus feet across and out of our control. It has become its own wetland complete with migrating red winged blackbirds and others each spring. They need our protection too.

Sincerely,

Mark and Elizabeth Schneider
2170 Ravenna St.
Hudson, OH 44236

(234)380-0397

Nick Sugar

From: christopher cosma <siteartprints@gmail.com>
Sent: Monday, July 8, 2024 4:09 PM
To: Planning Commission
Subject: Case # 2023-676

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.

Dear Planning Commission,

Regarding Case # 2023-676

We the undersigned strongly object to the plan put forward by the Prestige Building Group, Kuchar LLC and George Vizmeg. This horrible plan is an abuse of the Rural Residential Conservation Zoning in District 2 and will destroy the rural character that this zoning was created to protect. Hudson cannot afford to lose the diverse landscapes, ie, town, suburban and rural that makes Hudson unique and attractive.

In addition the local wells and watershed will be compromised and polluted by the run-off from the roofs, driveways and roadways and the chemical run-off from the pesticides and herbicides that are employed by the commercial and private landscapers. We estimate that there will be over 300,000 square feet of impervious surface that will cause direct run off and extensive water damage to the surrounding properties located adjacent and downhill.

We also object to being asked to pay for the sewage, water and sidewalks that will be needed for this proposal. We urge the Planning Commission to reject this outrageous proposal and send them back to the drawing board for a reasonable proposal giving each home the three acre minimum that is required by the zoning no matter the threats of lawsuits or the pressure on public officials to side with these bullies.

Sincerely, the undersigned,

at 2242 Ravenna Street, Hudson, Ohio

Lee Cosma
Christopher Cosma
Paul Cosma
Kim Segedy
Samantha Segedy
Gary Copper
Denise Amses

My name is Skylar Sutton, I own 2243 Ravenna Street which shares approximately 60% of the western border of the proposed "Phase 1" (north of Ravenna Street).

Before getting into my specific concerns with the proposal, I must raise an objection to the process. Section 1203.10(D) outlines the workflow for subdivision approval: first a Compatibility Review, then a Preliminary Plan Review, and lastly Final Approval.

On October 9th 2023 the Planning Commission held a Compatibility Review for a plan and found that plan to be incompatible. That plan was not this plan. This plan is a new plan, and no plan should be at the Preliminary Plan Review step without being found "compatible" by the Planning Commission.

Now, let's discuss stormwater management. If you observe the grading elevations on page 3 of the applicant's site plan (labeled "Utility Plan") you will note that should the ponds ever reach capacity, any water that spills over the banks will travel directly towards my property. This is in direct conflict with Section 1419.05 which requires that major flood paths "... *prevent loss of property or life*".

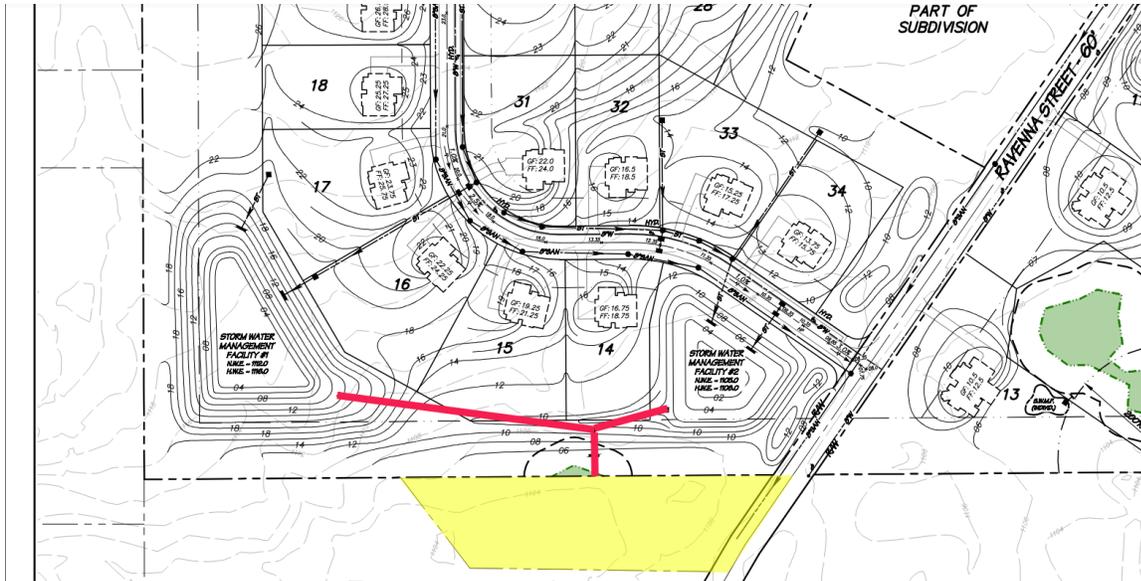
If you follow the grading lines carefully you will actually find a continuous downward slope from Units 14, 15, 16, 17, 18, 19, 28, 29, 30, 31, 32, 33, and 34 directly towards my dwelling. There is no mounding, no screening, no swales... just lot's of runoff directed at me.

More insultingly, if you zoom all the way to 100%, you will see two pipes leaving Stormwater Management Facility #1 and #2 and converging on my property. The applicant is proposing that you permit them to discharge their stormwater ponds directly onto my property. This is in conflict with Section 660.22 which states that no person shall "... *divert any water or drainage from adjacent lands to or upon any adjacent real property*". I have no agreement with the applicant or the City, and will not permit the discharge of stormwater onto, or through, my property. Who would even maintain the discharges in such a ludicrous proposal - there are no easements.

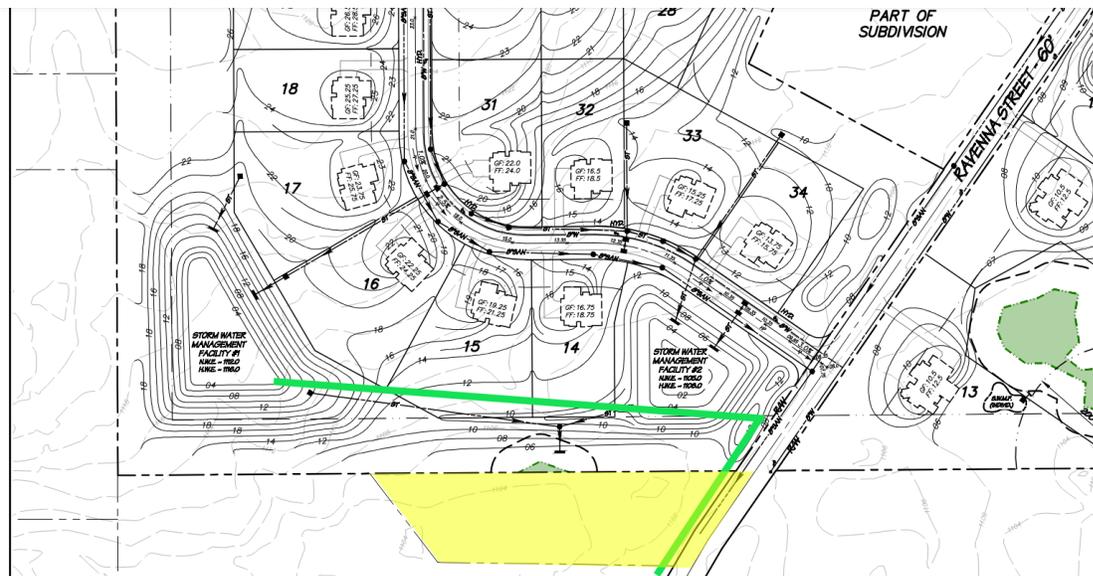
A city owned stormwater pond is located less than 500 feet west of the project. I propose that adequate mounding should be used on the western border to create both visual screening and a flood swale. Stormwater Management Facilities #1 and #2 should outflow towards Ravenna Street, and then be piped via the right-of-way to the City owned stormwater pond. The City's Engineering Report states almost exactly the same under General Comment (4)(a).

Piping the water will be critical, it cannot be allowed to flow on the surface as the right-of-way has a higher elevation than my front yard and any water discharged at street level will simply flow back towards my dwelling.

Stormwater Management: Applicant's Proposal



Stormwater Management: Alternate Proposal



An item of extreme concern to me in the Geotextile Report is Test Pit 6 (TP6). TP6 is located approximately where the applicant proposes Stormwater Management Facility #2, and immediately adjacent to my dwelling. The report states that: "TP6 encountered groundwater at just 4.5 feet, and a significant cave in was observed."

My dwelling is a split-level, a construction style that features significant portions of the living space below ground level. Ground level for my home is 1,106 feet above sea level and the applicant seeks to store tens of thousands of cubic feet of water mere feet from my foundation walls, between altitudes of 1,102 and 1,108. Hundreds of thousands of gallons of water, stored

at or below my finished floor height. It's not a question of if that water will find its way into my home, it's a question of how soon. This creates a very real and imminent danger to me, my family, and our property.

To illustrate the danger this pond poses to my dwelling, I have included a profile illustration of the elevations. Note how the design of new units sit at or above the high water mark, with little regard for existing residential units:

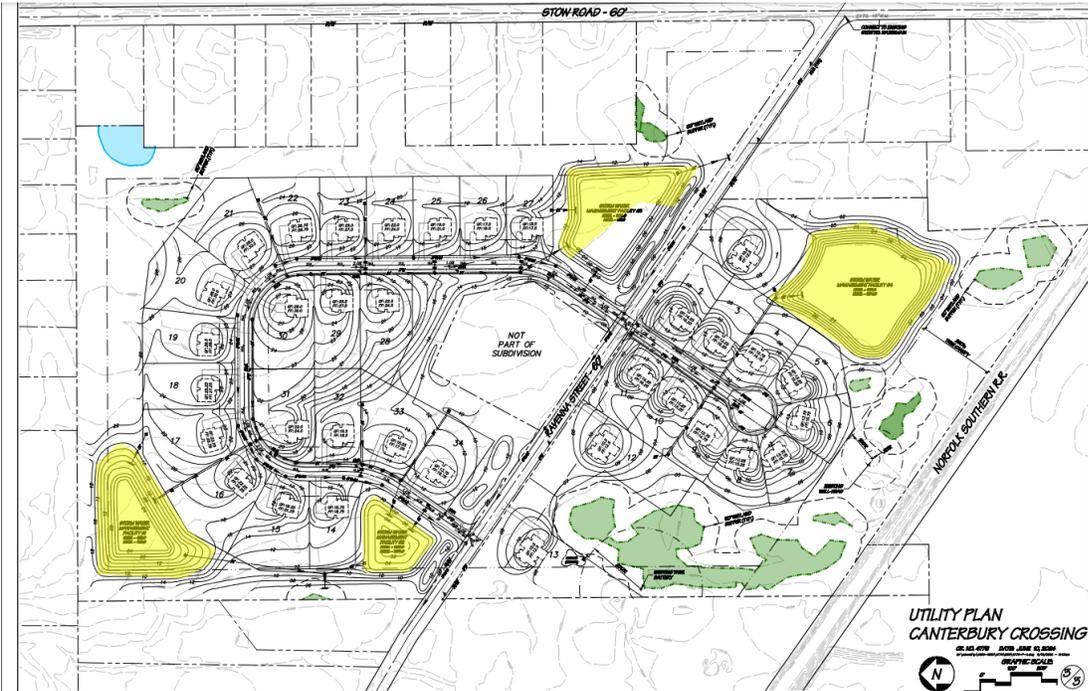
Elevation	2243 Ravenna St.	S.W.M.F. #2	C.C. Unit 14
1118			
1116			
1114			
1112			
1110			
1108			
1106			
1104			
1102			
1100			
1098			

I am happy to see we've finally put the "it's one neighborhood not two" argument to bed. It's clearly two neighborhoods and claiming it was one was a blatant attempt to cheat the density calculations. Unfortunately, we still have several other attempts to cheat the density calculations with us.

Net density as defined in 1201.07(F)(2) is *".. the measure of dwelling units permitted per acre of land area **contained in the development**, excluding streets, easements, public open space, **land under water**, and certified wetlands and floodplains"*. The 5.61 acres contained in parcels 3002375 and 3006323 are clearly not "contained in the development" as illustrated in yellow on the graphic below. No development activity will take place on either of these parcels. In fact, the applicant even uses a similar argument to explain why 0.48 acres of land on parcel 3001397 is excluded from the project. Shouldn't the same reasoning apply to the entirety of parcels 3002375 and 3006323?



Additionally, the applicant has failed to include new or enlarged stormwater ponds as “land under water”. These new ponds are illustrated in blue on the applicants site plan, and labeled Stormwater Management Facilities #1, #2, #3, and #4. While an exact area was not provided on any drawing that I could find, I think a reasonable estimate is 3 acres on the north, and 2 acres on the south.



Using only the land contained in the development, subtracting the estimated land under water, and using the Rural Residential density of one dwelling per 2.5 acres - you should arrive at 17 units on the north instead of 21, and 11 units on the south, instead of 13. The staff report indicates that public amenities must be incorporated into the final design - which may further reduce the number of allowed units. The detailed math has been provided in Appendix A.

An Open Space Conservation, as defined in 1207.06 seeks to “... *preserve open space in amounts that are greater than that achievable by conventional subdivision planning*” and “... *produce building/street patterns that evoke the character of small rural villages*”.

The Rural Residential Conservation zoning district, as defined in 1205.05 states that new residential development will “...incorporate rural residential conservation designs and other open space preservation techniques, in order to preserve the existing rural character”.

The Comprehensive Plan identifies this land as a “candidate for low impact development” which seeks to cluster development and leave large contiguous areas undisturbed.

An observer standing on the western edge of phase one would not observe “rural character”, large contiguous areas of undisturbed land, or a small rural village. What they would observe is a strange juxtaposition between rural and suburban. The applicant’s proposal for phase one is nothing more than a conventional suburban subdivision built around a central street, with vacant land sprinkled around the fringes. While the volume of vacant land may satisfy mathematical calculations, the proposal does not satisfy the requirements of an Open Space Conservation, the Rural Residential Zoning District, or the Comprehensive Plan.

An example of a proper design with large undisturbed areas and clustered development can be found in the book “Rural By Design” by Randall Arendt. The illustrations are copyrighted, so I cannot include them below - but my edition shows them on pages 101 and 102, and the book is available through the Hudson Library if you do not have your own copy.

The applicant has included a October 2022 wetland study conducted by HZW Environmental Consultants which is in significant disagreement with documentation attached to case PC 2018-2332 for these same parcels. The 2022 study initially identified slightly less than 3 acres of wetland and appears to have been recently updated to show slightly more than 3 acres of wetland. Documents attached to the 2018 Public Hearing identified 8 acres.

A five acre discrepancy is significant, given that wetlands are a named component of the density calculation, and may potentially affect the number of units permitted. One strategy for resolving conflicting expert opinions is the Delphi Method, which would require a third study to be conducted by an independent expert to determine which study is “more correct”. To prevent conflicts of interest, this expert should not be hired by the applicant.

The Geotextile Report and the Wetland Studies confirm what residents have been testifying: the project site is wet and prone to severe flooding, the western edge of “Phase 1” in particular. I

would like to enter a few lines from the Geotextile Report into the public record:

- “...dewatering for the sewers should be anticipated”
- “... layers of soft clay and very loose sands were encountered... which are unsuitable to support structural loads and utilities”
- “... special care should be taken in developing this site due to various subsurface conditions”.

As additional proof of the above, I have included updated photographs of flooding in the project area in Appendix B.

Tonight will be no less than the third time the applicant has heard these concerns. It has crossed from accidental into intentional, perhaps even vindictive. Based on previous meetings I am sure the applicant's attorney will dash up here shortly with theatrics and rebuttals to many of the views expressed tonight. Regardless of what he says or threatens, the applicant has deliberately made a decision not to address many of these, and the time for continuations and additional design is over. I am asking the Planning Commission to deny this plan tonight.

Appendix A: Net Density

North (P1) Parcels			North (P1) Net Land	
Parcel	Area	Undeveloped		
			Gross Land	58.58
3002169	4.31		(-) Existing R/W	-0.77
3002375	4.18	4.18	(-) Proposed R/W	-3.53
3003108	4.55		(-) Existing Wetland	-0.226
3006323	1.43	1.43	(-) Existing Pond	-1.195
3006324	4.89		(-) Undeveloped Land	-5.61
3010370	39.22		(-) Under Water (aprox.)	-3
	58.58	5.61	Net Land	44.25
South (P2)			South (P2) Net Land	
Parcel	Area	Undeveloped		
			Gross Land	36.82
3001397	4.91	0.48	(-) Existing R/W	-0.07
3004552	27.48		(-) Proposed R/W	-1.02
3004555	4.428		(-) Existing Wetland	-3.446
	36.82	0.48	(-) Undeveloped Land	-0.48
			(-) Under Water (aprox.)	-2
			Net Land	29.80

Appendix B: Flooding



January 2024



April 2024



March 2022:



March 2020

