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**HUDSON** 

COMMUNITY DEVELOPMENT • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1790

DATE: June 8, 2016

TO: City of Hudson Planning Commission for June 13, 2016 Meeting

FROM: Greg Hannan, City Planner  
Mark Richardson, Community Development Director

SUBJECT: Final Subdivision Plat and Improvement Plans: Lake Christine Subdivision  
Single Family Residential Subdivision– Parcel #3004050

ZONING: District 1: Suburban Residential Neighborhood

PC Case No: 2016-07

**Project Introduction**

LDA Builders has applied for Final Plat and Improvement Plan approval for the proposed Lake Christine single family residential subdivision. The existing 11.25 acre parcel is proposed to be subdivided into eleven (11) sublots accessed via a single cul-de-sac street, three open space parcels totaling 2.75 acres, and a one acre residual lot containing the existing single family residential structure at 7738 Darrow Road. The project was presented to the Planning Commission for Compatibility Review at the May 12, 2014 meeting and Preliminary Plan approval on February 8, 2016.

A summary of the applicable board reviews for the subdivision are listed below:

<b>Step</b>	<b>Board</b>	<b>Date</b>
Compatibility Review	Planning Commission	Completed May 12, 2014
Variance: Street separation, lot width, and cul-de-sac length	BZBA	Approved July 17, 2014
Variance: Wetland Setbacks	BZBA	Approved March 19, 2015
Preliminary Subdivision	Planning Commission	Approved February 8, 2016
Final Plat and Improvement Plans	Planning Commission	June 13, 2016

The following information is attached to this report.

1. Preliminary review comments of the February 29, 2016 plan submittal, prepared by City Planner Greg Hannan, dated March 17, 2016.
2. Memorandum from Asst City Engineer Brad Kosco, dated June 6, 2016.
3. Preliminary Engineering review comments of the February 29, 2016 plan submittal, prepared by Asst City Engineer Brad Kosco, P.E., dated March 16, 2016.
4. Review comments from Asst City Solicitor Aimee Lane.
5. Planning Commission Decision and staff report without attachments for Planning Commission Case 2016-03 – Preliminary Subdivision Plan approval dated February 8, 2016.
6. U.S. Army Corp of Engineers approval letter for wetland disturbance dated May 7, 2015 per Permit no. 2014-01190.
7. Trip Generation Analysis dated February 29, 2016, prepared by TMS Engineers, Inc.
8. Draft Final Subdivision Improvement Agreement.
9. Final Plat, Improvement Plans, and Sight Distance Plan received May 23, 2016, prepared by Spagnuolo and Associates, LLC.

Past Variance Approvals: The project has received variances from the Board of Zoning and Building Appeals (BZBA) on July 17, 2014 per case 2014-11 related to the following:

- 1) 1205.04(d)(4)(A): Lot width of residual residential lot at 7738 Darrow Road
- 2) 1207.13(c)(2)(B): Cul-de-sac length
- 3) 1207.13(c)(5)(B): Separation of 400 ft for intersections along an arterial street.

The project has received a variance from the (BZBA) on March 19, 2015 related to wetland setback requirements of Section 1207.03(c) for six areas per case 2015-09.

### **Chapter 1205 – District Regulations**

Lot Dimensional and Setback Standards: The proposed sublots are in compliance with applicable lot dimensional and setback standards. Staff does note however, that the concept layout for sublots 8 and 10 must be minimally adjusted to demonstrate compliance with the applicable 15 foot sideyard setback requirement.

Building Siting and Orientation: Sublots 1-8 must be minimally revised to depict the conceptual house footprints as parallel to the street or perpendicular to the radius of the curve of a street.

Pedestrian pathways and linkages: The plan proposes the sidewalk along Darrow Road from the proposed street south to Haymarket Way rather than along the full parcel frontage due to the presence of wetlands north of the proposed street. Staff finds this proposal provides an appropriate connection and avoids wetland disturbances along Darrow Road. Any extension of the sidewalk north of the proposed street would not be the developer's responsibility.

## **Section 1207 Zoning Development and Site Plan Standards**

**Tree and Vegetation Protection:** The Tree Commission reviewed the proposed clearing limits at their meeting of January 28, 2016 and provided a recommendation of approval for the proposed clearing. At this time the applicant has not requested authorization to clear trees in advance of the full project construction. Staff anticipates a single authorization would be released for the development allowing the contractors to proceed directly from tree clearing into the site development.

**Wetland/Stream Corridor Protection:** A variance was granted by the BZBA (2015-09) for wetland setbacks at six locations within the proposed development. The applicant has also submitted a copy of a permit to fill 0.48 acres of wetland per US Army Corp of Engineers (ACOE) Permit #2014-01190. The submitted plan is in compliance with the ACOE permit and the BZBA variance approval. Prior to authorization to commence construction the applicant must demonstrate compliance with the applicable conditions of the ACOE permit. Staff notes the ACOE permit includes restrictions on tree clearing from March 15-November 15<sup>th</sup>, the need to purchase wetland credits, and the need to record deed restrictions on all remaining wetlands prior to conducting work.

### **Landscaping/Buffering:**

As the adjacent uses are single family residential, no bufferyard is applicable. The applicant has submitted a landscape plan depicting the landscaping at the islands, entrance features, and gazebo to be located within Open Space Parcel #2. The plan must be submitted with the street trees and the proposed bufferyard plantings along the western development boundary depicted. The applicant has also proposed to establish the limits of disturbance along the south boundary at a 10 foot setback. While no landscaping is required at this location, the minor setback will aid the final grading work adjacent to the development boundary and provide some limited screening.

**Open Space:** The site is required to have a total of 0.64 acres of improved public park space or applicable funds in lieu of dedication may be received. Parks Director Trent Wash has stated a request from the Parks Department to receive cash in lieu. The applicant has stated the desire to contribute funds in lieu to meet the applicable requirement. The amount of funds in lieu must be based on a per acre value determined by a recent appraisal of the subject property.

The site is additionally required to provide 25% of the gross land area as private open space. The applicant has proposed three open space parcels which collectively comply with the applicable requirements. The applicant has proposed Bufferyard C (25 ft, moderate) within Open Space Parcel #1, as requested in the preliminary plan approval.

**Oil/Gas Exploration:** The development contains an existing gas well and tank battery located along the western portion of the site. The plans have labeled the appropriate installations and their applicable setbacks.

**Engineering Comments:** Asst City Engineer Brad Kosco has provided a letter dated June 6, 2016. Mr. Kosco stated the layout of the development, traffic impact submittal, and the proposed

stormwater management system are acceptable. A detailed review letter is presently being prepared related to final design details which need to be addressed prior to authorization for construction. The Engineering Department has stated the plans are developed to a level that would allow Planning Commission approval of the final plat and improvement plans approval.

### **Chapter 1208 – Subdivision Design and Improvement/Dedication Standards**

**Improvement guarantees:** The subdivider and the city shall execute a Final Subdivision Improvement Agreement setting forth what improvements are to be installed and when. A performance bond or other financial guarantee shall be posted by the applicant for the purpose of assuring the installation of such improvements at or before a time the agreement is executed. A draft Final Subdivision Improvement Agreement is attached.

**Assistant City Solicitor Comments:** Aimee Lane, Assistant City Solicitor, has completed a review of the plat and forwarded the attached comments. The comments relate to requested plat clarification regarding the various easements proposed and the need to submit the Declaration of Covenants and Restrictions.

### **Findings: Section 1204.05(c) Final Subdivision Plat**

The staff finds that the application complies with the purposes and intent of the code and community plans, subdivision development and design standards, regulations that minimize land disturbance and protect environmental features, and other applicable development regulations as specified in Section 1204.05(b) except as discussed above and recommended below.

### **Required PC Action, Chapter 1203.10(d)(2)(A)**

The PC shall take final action on a final subdivision application by reviewing the application and all submitted plans and reports, and then either approving, approving with conditions, or denying the application based on its compliance with the standards summarized in this report.

All decisions of the Commission shall be based on written findings of fact related to the relevant standards of the Code.

### **Recommendation**

Approve the application for Final Subdivision Plat and Improvement Plan approval for Case No. 2016-07 for the Lake Christine Subdivision according to plans dated as received May 23, 2016 subject to the following conditions:

1. The Final Subdivision Improvement Agreement must be accepted and signed by the City and Developer.
2. Revise the concept house layouts per the following:
  - a. Sublots 8 and 10 must be adjusted to demonstrate compliance with the applicable 15 foot side yard setback requirement.
  - b. Sublots 1-8 must be adjusted to depict the concept house footprints as parallel to the street or perpendicular to the radius of the curve of a street.
3. Prior to authorization to commence construction the applicant must demonstrate compliance with the applicable conditions of the ACOE permit.

4. Submit a revised landscape plan depicting the street tree and the proposed bufferyard plantings along the western development boundary. The final landscape plan must be accepted by City Arborist Tom Munn and include applicable notes, specifications, details, and plant lists.
5. Submit payment of the open space funds in lieu for the required 0.64 acres of public open space. The amount must be based on a per acre value determined by a recent appraisal of the subject property.
6. Plans are subject to the review and approval of the Engineering Department.
7. Plans must be revised to address the comments of Asst Solicitor Aimee Lane as attached to the staff report.
8. A performance bond or other financial guarantee shall be posted by the applicant for the purpose of assuring the installation of improvements at or before a time the Final Subdivision Improvement Agreement is executed.
9. No clearing or grading of any kind shall commence prior to the issuance of a zoning certificate.



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March 17, 2016

John Carse  
Carse Real Estate Corp  
7339 Darrow Road  
Hudson, Ohio 44236

Mr. Carse-

Thank you for your submission of the Final Subdivision Improvement Plan and Final Plat for the Lake Christine Subdivision. As previously discussed this request has been scheduled for the Planning Commission (PC) agenda on April 11, 2016. In preparation for such, I am forwarding preliminary comments related to compliance with the Land Development Code (LDC). Our goal is to provide you an opportunity to review the below comments and submit any additional or revised information by March 31, 2016. We will revise the comments accordingly for the staff report scheduled to be issued on April 6, 2016. Additionally I am available to meet and review the comments and the review process at your convenience.

**Submittal requirements:**

Please incorporate the following additional information on the plat:

1. Easements associated with the gas wells and tank battery must be depicted.
2. The applicable setback to the tank battery must be noted.
3. The deed restrictions associated with the residual wetlands must be referenced.

Please incorporate the following additional information on the improvement plans:

1. Landscape plan must be incorporated.
2. Exterior street lighting plan must be submitted
3. Central mail box location, if required by the US Postal Service, must be depicted.
4. Label the name of the proposed street.
5. Depict the location of the gas well, tank battery, and service lines.

**Procedure for Approval of Subdivisions**

Subdivisions in the City of Hudson are approved in three stages:

- A. Compatibility review – completed by PC at the May 12, 2014 meeting.
- B. Preliminary subdivision plan – completed by PC at the February 8, 2016 meeting
- C. Final improvement plans and subdivision plat –submitted to PC for consideration at the April 11, 2016 meeting.

**District Standards: District 1: Outer Village Residential Neighborhood**

Gross Land Area (sf)	Wetland/ Floodplain (acres)	Proposed Outlot	Proposed R/W (sf)	Net Land Area (sf)	Density	
					Allowable	Proposed
502,720	48,000 (estimated)	43,624	44,052	367,044 (8.46 acre)	16	11

\*Calculations assume cash in lieu of public open space dedication

Open Space: 25% of the development shall be set aside as private open space

Lot dimensional standards: The proposed lot size, width, and frontage are acceptable.

Setbacks: Recommended Minimums: 50 ft front, 15ft side, 50 ft rear

Building siting and orientation: The standards will be finalized with each individual house proposal; however, the plans must depict concept garage orientation, driveway placement, and entry door locations to demonstrate it is possible to comply with the applicable standards.

Pedestrian pathways and linkages

1. Provisions shall be made for sidewalks, pathways, and bikeways.
2. Sidewalks shall be provided on both sides of the proposed street and along the west side of Darrow Road. The plan proposes the sidewalk along Darrow Road from the proposed street south to Haymarket Way rather than along the full parcel frontage due to the presence of wetlands north of the proposed street. This alignment will be reviewed as part of the Planning Commission review. Staff acknowledges this proposal provides an appropriate connection and avoids wetland disturbances along Darrow Road. Any extension of the sidewalk north of the proposed street would not be the developer’s responsibility.

Past Variance Approvals: The project has received variances from the Board of Zoning and Building Appeals (BZBA) on July 17, 2014 per case 2014-11 related to the following:

1. 1205.04(d)(4)(A): Lot width of residual residential lot at 7738 Darrow Road
2. 1207.13(c)(2)(B): Cul-de-sac length
3. 1207.13(c)(5)(B): Separation of 400 ft for intersections along an arterial street.

The project has received a variance from the (BZBA) on March 19, 2015 related to wetland setback requirements of Section 1207.03(c) for six areas per case 2015-09. The variances approved expire within a year of approval unless substantial construction or activity has commenced. Staff has determined approval of the preliminary subdivision plan is substantial action.

**Section 1207: Zoning Development and Site Plan Standards**

**Section 1207.02 Tree Protection**

Revise the proposed limits of disturbance to address the following:

1. Shift the proposed storm and sanitary lines ten feet north so the clearing limits can be established at the shared property line between 7591 and 7605 Berks Way.

2. Maintain a 25 foot set back for the clearing limits from the perimeter of the development except for the limited clearing required as the emergency overflow turns westward toward 7605 Berks Way.

**Section 1207.03 Wetland/Stream Corridor Protection**

The proposed improvement plans depict multiple wetland areas. A variance was granted by the BZBA (2015-09) for wetland setbacks at six locations within the proposed development. The applicant has also submitted a copy of a permit to fill 0.48 acres of wetland per US Army Corp of Engineers (ACOE) Permit #2014-01190. The submitted plan is in compliance with the ACOE permit and the BZBA variance approval. Prior to authorization to commence construction the applicant must demonstrate compliance with the applicable conditions of the ACOE permit.

Staff notes the following related to the ACOE permit:

1. Condition #3 and #4 indicate tree clearing activities are not permitted from March 15-November 15<sup>th</sup>.
2. Condition #5 references the need to purchase wetland credits prior to commencing work.
3. Condition #6 states perpetual deed restrictions shall be in place on all remaining wetlands prior to conducting work.

**Section 1207.04 Landscaping/Buffering**

As the adjacent uses are single family residential no bufferyard is applicable. The preliminary landscaping plan previously prepared must be incorporated into the improvement plan set. Staff notes the previously submitted plan referenced mounding along Darrow Road and a gazebo with associated walkway; however, these improvements have not been depicted on the improvement plan. Additionally Bufferyard C (25 ft, moderate) should be installed at all areas within Open Space Parcel 1 where a 25 foot natural buffer cannot be maintained.

**Section 1207.05 Open Space**

	<b>Ratio Required</b>	<b>Area Required</b>
Community Parks	10 acres per 1,000 residents	0.34 ac.
Passive Open Space	6 acres per 1,000 residents	0.20ac.
Neighborhood parks	3 acres per 1,000 residents	0.10ac.

The site is required to have a total of 0.64 acres of improved park space or applicable funds in lieu of dedication may be received at the discretion of the Planning Commission. Parks Director Trent Wash has stated a request from the Parks Department to receive cash in lieu rather than dedication of land. The applicant has formally stated the desired intent to contribute funds in lieu to meet the applicable requirement.

Private Open Space – 25% of the gross land area is required and provided. Existing vegetation within Open Space Parcel #1 should be preserved to the maximum extent possible. Along the approximately 200 foot length of open space to the west of subplot 5 where the emergency overflow and storm line are proposed, preserve a 25 foot natural buffer or install Bufferyard C (25 ft, moderate).



### **Section 1207.13 Transportation/Circulation/Pedestrian Linkage**

A traffic trip generation report has been received and is under review by the Engineering Department.

Cul De Sacs – The proposed turning radii are acceptable.

Pedestrian and Bicycle Paths - Sidewalks have been appropriately depicted on both sides of the street.

### **1207.19 Special Development Standards**

Oil/Gas Exploration and Drilling Uses: No structure suitable for occupancy shall be erected within 100 feet of any unplugged oil and gas well head or within 200 feet of a tank battery. The plans must be revised to depict the tank battery and applicable setback, and the location of all sales and flow lines.

## **Chapter 1208: Subdivision Design and Improvement/Dedication Standards**

The submitted plan is in compliance with applicable standards of Section 1208.

Improvement guarantees: The subdivider and the city shall execute a Final Subdivision Improvement Agreement setting forth what improvements are to be installed and when. A performance bond or other financial guarantee shall be posted by the applicant for the purpose of assuring the installation of such improvements at or before a time the agreement is executed.

## **Department Comments**

Bruce Bee, Hudson Public Power:

Electrical distribution drawing and street light location plan have not been submitted.

Shawn Kasson, Fire Marshall:

Correspondence under separate cover will be forwarded

Brad Kosco, Asst. City Engineer

Correspondence under separate cover will be forwarded

**Summary:** Please address the following items as part of a revised submittal:

1. Incorporate the following additional information on the Plat:
  - a. Easements associated with the gas wells and tank battery must be depicted.
  - b. The applicable setback to the tank battery must be noted.
  - c. The deed restrictions associated with the residual wetlands must be referenced.
2. Please incorporate the following additional information on the improvement plans:
  - a. Landscape plan.
  - b. Exterior street lighting plan
  - c. Central mail box location, if required by the US Postal Service, must be depicted.
  - d. Label the name of the proposed street.

- e. Depict the location of the gas well, tank battery, and service lines.
  - f. Easements associated with the gas wells have not been noted.
  - g. Depict concept garage orientation, driveway placement, and entry door locations to demonstrate it is possible to comply with the applicable standards.
3. Tree protection: Please revise the following:
    - a. Revise the proposed limits of disturbance to address the following:
    - b. Shift the proposed storm and sanitary lines ten feet north so the clearing limits can be established at the shared property line between 7591 and 7605 Berks Way.
    - c. Maintain a 25 foot setback for the clearing limits from the perimeter of the development except for the limited clearing required as the emergency overflow turns westward toward 7605 Berks Way.
  4. Prior to release of a zoning certificate, submit the required cash in lieu funds (to be determined by the City of Hudson) to comply with the applicable open space dedication requirements.
  5. Prior to authorization to commence demonstrate compliance with the applicable conditions of the ACOE permit:
    - a. Condition #3 and #4 indicate tree clearing activities are not permitted from March 15- November 15th.
    - b. Condition #5 references the need to purchase wetland credits prior to commencing work.
    - c. Condition #6 states perpetual deed restrictions shall be in place on all remaining wetlands prior to conducting work.
  6. Landscaping:
    - a. The previously submitted preliminary landscaping plan must be incorporated into the improvement plan set.
    - b. The landscape plan mounding along Darrow Road and gazebo with associated walkway must be depicted on the improvement plans.
    - c. Install Bufferyard C (25 ft, moderate) at all areas within Open Space Parcel 1 where a 25 foot natural buffer can not be maintained.
  7. The site is required to have a total of 0.64 acres of improved park space or applicable funds in lieu of dedication may be received at the discretion of the Planning Commission.

Thank you for the significant investment in the community and please contact me for any assistance I can provide.

Sincerely,

Gregory P. Hannan, AICP  
City Planner

CC: Mark Richardson, Community Development Director  
Thom Sheridan, City Engineer  
Brad Kosco, Asst City Engineer  
Shawn Kasson, Fire Inspector

— O H I O —

# HUDSON

ENGINEERING • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1770

## MEMORANDUM

**Date:** June 6, 2016

**To:** Greg Hannan, Hudson Community Development

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

**Re:** **Lake Christine Plan Review for Planning Commission Submittal**

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The City of Hudson Engineering Department has reviewed the above residential plan received May 23, 2016. In general, the overall improvement plans including utility layout, stormwater management system, sightline analysis, and roadway footprint are acceptable. The applicant has designed the stormwater system to control the 25 year post-developed peak discharge to the 1 year pre-developed peak discharge; note that a 2 year pre-developed peak discharge is normally required. The 100 year flood-path will be accommodated within the stormwater design and cut off swales have been proposed along the development boundary to further intercept and direct run-off to the stormwater management basin. The submitted plans are sufficiently developed to allow Planning Commission approval.

The Engineering Department will provide a separate letter outlining additional specific plan and supplemental calculation comments at a later date.

If you have any questions, please contact our office.

Respectfully,



**Bradley S. Kosco, P.E., P.S.**  
Assistant City Engineer

C: Thomas J. Sheridan, P.E., P.S., City Engineer  
File: Private Development/2014/Lake Christine

OHIO

# HUDSON

ENGINEERING • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1770

## MEMORANDUM

**Date:** March 16, 2016

**To:** Greg Hannan, Hudson Community Development

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

**Re:** **Lake Christine Plan & Plat Review**

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The City of Hudson Engineering Department has reviewed the above residential site plan received February 29, 2016 (please contact our office if you would like to review in detail).

Please see the redline comments on the existing set of plans attached to this letter. Return the redlined plans with the next submittal. The following review comments shall be addressed and all applicable items shall be resubmitted to the City of Hudson:

### General Comments:

1. City of Hudson infrastructure shall be designed in accordance with the City of Hudson Engineering Standards which can be found at: <http://www.hudson.oh.us/index.aspx?NID=205> (CAD details are available upon request).
2. The Summit County Department of Sanitary Sewer Services shall approve the proposed sanitary sewer installation.
3. The water provider needs confirmed. The preliminary plans show extension of the Cleveland water system down Darrow Road from the north. The newest set of plans shows connection to the existing Akron water main under Darrow Road. The water main design will need reviewed and approved prior to acceptance.
4. The plans and storm water management calculations shall be submitted to the North East Ohio Regional Sewer District for review (Brandywine Creek watershed is part of NEORSD service area).
5. Provide all EPA approvals for the water and sanitary sewer installations.
6. No work shall be on adjacent properties without written permission by the owners and provided to the city in advance of the work.

### Plan Sheet 2/15 – Grading and Storm Water Pollution Plan

1. Provide approval from Summit Soil and Water Conservation District for SWPP plan and calculations.
2. Show 100-year flood path along major storm system from Street A R/W to proposed retention pond and from pond to Berks Way. Path shall be designed in accordance with City of Hudson Engineering Standards, Section 5 – Storm Water Management.
3. Show emergency overflow at proposed retention pond.
4. Storm sewer materials shall be per Hudson Engineering Standards; 15” and under shall be PVC, SDR 35, 18” and larger shall be Class IV, RCP.

5. Extend "cut-off" swales to behind lot 4 and lot 11 per preliminary plan review comments.
6. The 100-year flood path between existing homes shall be shifted to be entirely located within the property at 7605 Berks Way (owned by LDA Builders). No disturbance to other residential private properties.
7. Have the existing oil/gas lines between the existing well and battery been located. Show line location on plans and verify clearance to proposed infrastructure.

#### **Plan Sheet 7/15 – Centerline Survey and Typical Section**

1. Additional details will be required including:
  - a. Bedding and Backfill details
  - b. Monument installation
  - c. Water, Sanitary and Storm Details
  - d. Lighting Details

#### **Plan Sheet 8/15 – Intersection Details and Water Main Notes**

1. Provide cul-de-sac dimensions and verify fire truck requirements are met.
2. Provide notes on detail at Darrow Road as red-lined.

#### **Plan Sheet 9/15 – Pond Details**

1. Verify weir size (3" or 8").
2. Provide additional details for pond as red-lined.
3. See storm water management calculations for additional comments.

#### **Plan Sheet 11 – Plan and Profile (Sta: 4+00 to Darrow Rd.)**

1. Boring and receiving pits will need detailed for water main tie-in at Darrow Road as currently shown on the plans.
  - a. A maintenance of traffic plan per the Ohio Uniform Traffic Control Manual and the City of Hudson Engineering Standards shall be approved by the City. The contractor shall have advanced warning signage in both directions along Darrow Road. The City shall approve the plan.
  - b. No staging of materials in the R/W is permitted without written consent from the City.
  - c. The backfill within the roadway will be Low Strength Mortar (50#) within the roadway and the angle of repose. The pavement shall be replaced to the current City of Hudson Engineering Standards, no matter what the existing depth is. See section 7.1.1 for a detail of this roadway section.
  - d. Roads shall be platted (90,000 #) with advanced warning signs indicating plate in road. Plates shall be cold patched at edges and spiked against the existing roadway.
  - e. The bedding material shall be per the City of Hudson Engineering standards.
  - f. The existing pavement shall be neat lined saw cut. Please show on the plan.
  - g. Restoration per City of Hudson Engineering Standards within 14 calendar days of the road opening. During inclement weather, a concrete cap shall be installed and removed when the asphalt plants open up.
2. Revise curb ramps as indicated and show truncated domes (ADA Solutions, brick red).

3. Is storm sewer to be installed along Darrow Road to capture existing ditch line? Does the ditch line fit along with the proposed sidewalk installation along Darrow Road, south of new Street A?
4. Show new street lights and electric in accordance with Hudson Public Power review.
5. No gas main connection is shown.
6. Note on all plan sheets...no storm water house connections are shown. Will a collector system be installed? Note that no downspout or sump pump connections will be permitted below the 100-year flood elevation.

**Plan Sheet 12 – Darrow Road (E. Haymarket Way to Sta: 105+50)**

1. No proposed grades are shown for the new 5' sidewalk.
  - a. Will the existing ditch line be able to remain or will it need piped in or re-graded?
  - b. Verify underground utility line conflicts (irrigation, electric, gas, phone, etc.)
  - c. Show existing landscape mound and evergreen trees.
2. Show existing R/W and any pins or monuments located along Darrow Road.

**Plan Sheet 13 – Sanitary Sewer Alignment (Sta: 20+00 to Sta: 23+00)**

1. Plans shall be reviewed and approved by Summit County Department of Sanitary Sewer Services.
2. The proposed sanitary and storm sewers and swale shall be placed entirely on the lot to the north (#7605 Berks Way). No disturbance to the land at #7591 Berks Way is permitted.
3. The 100-year drainage path shall be designed in accordance to the City of Hudson Engineering Standards, Section 5.2.

**Storm Water Management and Sewer Calculations**

1. Within the storm water management calculations, provide a map showing the pre- and post-developed drainage areas, Tc path, soils, etc.
2. Provide the pre- and post-developed site discharges, water elevations, etc. (information currently shown on plan sheet 9).
3. Design calculations of the proposed “cut-off” swales and 100-year overflow path shall be submitted.
4. Design calculations showing the existing, downstream capacity of the storm sewer(s) at the tie-in location shall be submitted.
5. A Long Term Maintenance Form (LTMA) will need to be filled-out for any proposed bio-retention pond and storm water management pond. The City will send the LTMA template under separate cover upon request.

**Plat Comments**

1. See red-line markups on plat attached.
2. There is an existing lease agreement and pipeline right-of-way over the entire parcel (sent to consultant engineer via email on 3/14/16). Will the easement remain as is, or will the owner modify the blanket easement?
3. Show existing tank battery and 200' setback in accordance with Hudson Land Development Code
4. Add state plane coordinates at a minimum of four boundary corners.
5. Is the existing Darrow Road R/W to be dedicated?

6. Show wetlands and setbacks in accordance with Hudson Land Development Code.
7. Provide closure sheets with next submittal.

### **Trip Generation Analysis and Traffic Comments**

1. TMS Engineers, Inc. shall include a review of the current traffic volumes and gap analysis on Darrow Road. In addition, the LOS of the intersection should be evaluated. This information can be added to the February 29, 2016 letter with an amended date as needed.
2. A site distance calculation shall be submitted verifying that all intersection site distances are met.

If you have any questions, please contact our office.

Respectfully,



**Bradley S. Kosco, P.E., P.S.**  
Assistant City Engineer

C: File: Private Development/2014/Lake Christine

**Request for Comments – Aimee Lane  
Lake Christine Subdivision – Final Plat/Improvement Plans**

1. HOA/Declaration - The Developer will need to create an HOA and prepare a Declaration of Covenants and Restrictions (and possibly Easements) to be recorded with Summit County to address maintenance of common areas – open space/storm water management facilities. Additionally, language similar to the following should be added to Sheet 1 of the Final Plat:

**RESTRICTIVE COVENANTS**

The “Lake Christine Declaration of Covenants and Restrictions” recorded for Lake Christine Subdivision apply to this Subdivision. That document has been recorded with the Summit County Fiscal Officer’s Office and may be found in Reception Number \_\_\_\_\_ of the Summit County Records.

2. Sheet 2 - Who maintains the 20 ft. drainage easement on lots 5, 7-10? I assume the individual lot owners, but the maintenance obligation should be spelled out in the HOA Declaration so that if it is the lot owner, prospective buyers are on notice. Additionally, language like the following should be added to Sheet 1 of the Final Plat (subject to change based on the language in the Declaration to ensure consistency):

**DRAINAGE EASEMENT MAINTENANCE**

The drainage easements on sublots 5, 7, 8, 9 and 10 are to be maintained by the individual lot owners. The Homeowners Association reserves the right to assess the individual lot owners for any necessary maintenance and/or improvements that must be performed by the Homeowners Association.

3. Sheet 2 – “Stormwater Management Easement”. This easement should be clearly identified as an easement to the City (i.e., “Stormwater Management Easement to the City of Hudson” and further described on Sheet 1 of the Final Plat). This easement should also be granted/described in the HOA Declaration or in a separate easement document with the typical language giving the City the right to inspect and maintain and assess its costs. Additionally, language like the following should be added to Sheet 1 of the Final Plat:

**STORMWATER MANAGEMENT EASEMENT**

LDA Land Group, LLC, owner of the land embraced by this plat, does hereby grant unto the City of Hudson a permanent, non-exclusive easement, in, under, over and across the stormwater management easement as shown hereon, including the right, but not the obligation, to enter onto the same for the maintenance, repair and operation of the stormwater management basin and related facilities located thereon to the extent necessary to keep them reasonably operational and to the extent that the Homeowners’ Association fails to do the same. The stormwater management basin and related facilities [*NOTE* - revised to accurately reflect facilities] are to be privately owned and maintained by the Homeowners’ Association. The City of Hudson has the right to assess the Homeowners’



Association for maintenance that is not performed by the Homeowners' Association.

4. Sheet 2 – there is a 30 ft. storm sewer easement between lots 7 and 8. If this is an easement to the City, it should be clearly identified as such (i.e., “Storm Sewer Easement to the City of Hudson”). I assume it is through this 30 ft. easement that the City will be able to access the stormwater basin for inspection/maintenance. Correct?

If you/Thom think it is necessary, this easement could also be further described on Sheet 1.

5. Sheet 2 – the 25 ft. sanitary sewer easement should also clearly state who the easement is being granted to. If you/Thom think it is necessary, this easement could also be further described on Sheet 1.
6. Sheet 1 – Open Space – language similar to the following should be added to Sheet 1:

OPEN SPACE AND DRAINAGE MAINTENANCE

Except where otherwise noted on this plat, all open space, outlots, stormwater basin, swales and drainage easements in the Subdivision shall be maintained by the Homeowners' Association. No structure shall be constructed within any drainage easement.

7. Sheet 1 - The Developer may want to add any restrictions on the use of the Open Space to Sheet 1 of the Final Plat. This was done for Lighton on Main.
8. Sheet 1 - The Developer may want to add statements to Sheet 1 of the Final Plat referencing the variances granted by the BZBA for this Subdivision. That was done for Nottingham Gate Estates.



COMMUNITY DEVELOPMENT • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1790

## PLANNING COMMISSION

**CASE NO. 2016-03  
PRELIMINARY SUBDIVISION PLAN  
LAKE CHRISTINE SUBDIVISION  
PARCEL #3004050, DISTRICT 1**

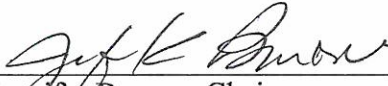
### DECISION

Based on the evidence and representations to the Commission by John Carse, 7339 Darrow Road, Hudson, Ohio representing the applicant, LDA Land Group, 6683 Olde Eight Road, Peninsula, Ohio 44264, and property owner, Christine Driver, 7738 Darrow Road, Hudson, Ohio 44236, and City staff at a public hearing of the Planning Commission held at its regular meeting on February 8, 2016, the Planning Commission approved the Preliminary Subdivision Plan for Case No. 2016-03 for the Lake Christine Subdivision according to plans dated as received January 29, 2016 with the following conditions:

1. Address the following regarding the Open Space requirements of Section 1207.05:
  - a. Applicant must state how the applicable public open space requirement will be met.
  - b. Preserve existing vegetation within Open Space Parcel #1 to the maximum extent possible. Along the approximately 200 foot length of open space to the west of subplot 5 where the emergency overflow and storm line are proposed, preserve a 25 foot natural buffer or install Bufferyard C (25 ft. moderate).
2. Depict concept garage orientation, driveway placement, and entry door locations to demonstrate it is possible to comply with the applicable standards.
3. Plans must address the preliminary engineering comments of Asst. City Engineer Brad Kosco from his letter dated January 8, 2016. In addition to the engineering comments noted within the January 8, 2016 letter, the following must be addressed:
  - a. The location of applicable gas well and tank battery service lines and easements must be shown on the plan with authorization from the easement holder provided as the proposed utilities are proposed within the vicinity of the gas well.
  - b. Submit written documentation from an environmental consultant regarding potential impacts to jurisdictional wetlands from the waterline extension along Darrow Road.
  - c. The proposed storm water management system must be designed to an increased standard requiring a 25 year post developed peak discharge to be a 1 year pre-developed peak discharge.
  - d. A trip generation report is required for submittal as part of the final plan application.

Dated: February 8, 2016

CITY OF HUDSON  
PLANNING COMMISSION

  
Jennifer Barone, Chair

— O H I O —

# HUDSON

COMMUNITY DEVELOPMENT • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1790

DATE: February 3, 2016

TO: City of Hudson Planning Commission for February 8, 2016 Meeting

FROM: Greg Hannan, City Planner  
Mark Richardson, Community Development Director

SUBJECT: Preliminary Subdivision Plan: Lake Christine Subdivision  
Single Family Residential Subdivision– Parcel #3004050

ZONING: District 1: Suburban Residential Neighborhood

PC Case No: 2016-03

**Project Introduction**

LDA Builders has applied for Preliminary Plan approval for the proposed Lake Christine single family residential subdivision. The existing 11.25 acre parcel is proposed to be subdivided into eleven (11) sublots accessed via a single cul-de-sac street, three open space parcels totaling 2.75 acres, and a one acre residual lot containing the existing single family residential structure at 7738 Darrow Road. The project was presented to the Planning Commission for Compatibility Review at the May 12, 2014 meeting.

A summary of the applicable board reviews for the subdivision are listed below:

<b>Step</b>	<b>Board</b>	<b>Date</b>
Compatibility Review	Planning Commission	Completed May 12, 2014
Variance: Street separation, lot width, and cul-de-sac length	BZBA	Approved July 17, 2014
Variance: Wetland Setbacks	BZBA	Approved March 19, 2015
Preliminary Subdivision and tree clearing	Planning Commission	February 8, 2016
Final Plat and Improvement Plans	Planning Commission	TBD

Surrounding Development:

East: To the east of the subject parcel is single family residential development across from Darrow Road within the Aviary Hill Estates subdivision, along Darrow Road and Partridge Meadows Drive. Further to the east is the Fairways of Hudson condominium development.

North: Immediately north of the subject parcel is a residential lot on Berks Way within the Chadds Ford Subdivision that contains a 150 foot deep undeveloped corridor containing utility and natural gas pipeline easements. Further north is land within Twinsburg Township containing the former Marcelitia's Restaurant and residentially zoned land developed with single family dwellings fronting Darrow Road and larger undeveloped back acreage.

South and West: To the south and west of the subject parcel is the Chadds Ford single family residential subdivision.

The following information is attached to this report.

1. Preliminary subdivision plans received January 29, 2016, prepared by Spagnuolo and Associates, LLC.
2. Tree survey, received January 5, 2016.
3. Preliminary landscape plans received January 14, 2016.
4. Preliminary review comments of the January 5, 2016 plan submittal, prepared by City Planner Greg Hannan, dated January 19, 2016.
5. Engineering review comments, prepared by Asst City Engineer Brad Kosco, P.E., dated January 8, 2016.
6. Staff report with attachments for Planning Commission Case 2014-11 – Compatibility Review for the subject property dated May 14, 2014.
7. Board of Zoning and Building Appeals Decisions per case Nos. 2014-11 (including three decisions) and 2015-09 dated July 17, 2014 and July 16, 2015 respectively.
8. U.S. Army Corp of Engineers approval letter for wetland disturbance dated May 7, 2015 per Permit no. 2014-01190.
9. Letters received from four adjacent property owners regarding the proposed development.

Past Variance Approvals: The project has received variances from the Board of Zoning and Building Appeals (BZBA) on July 17, 2014 per case 2014-11 related to the following:

- 1) 1205.04(d)(4)(A): Lot width of residual residential lot at 7738 Darrow Road
- 2) 1207.13(c)(2)(B): Cul-de-sac length
- 3) 1207.13(c)(5)(B): Separation of 400 ft for intersections along an arterial street.

The project has received a variance from the (BZBA) on March 19, 2015 related to wetland setback requirements of Section 1207.03(c) for six areas per case 2015-09. The variances approved expire within a year of approval unless substantial construction or activity has commenced. Staff has determined approval of the preliminary subdivision plan is substantial action.

**Standards for Review for a Preliminary Subdivision Plan, Section 1204.05(b)**

A. Compliance with the purpose and intent of the Code and community plans

The district regulations and zoning development and site plan standards were written to implement the purpose and intent of the Land Development Code (LDC) listed at Section 1201.03. The preliminary subdivision plan is in substantial compliance with the district regulations and zoning development and site plan standards and therefore staff believes the purpose and intent of the LDC. The preliminary subdivision plan has also been found to be in general compliance with the findings of the 2015 Comprehensive Plan.

B. Compliance with Subdivision Design and Improvements/Dedication Standards, Section 1208

1. Establishment of Limits of Disturbance: The submitted preliminary grading plan depicts the proposed grading for the street infrastructure and the stormwater management system. A site specific grading plan will be prepared for each subplot as part of the house construction review.

2. Standards for lots

- a. The lots conform to zoning district regulations including those related to lot size, width, depth and shape. Side lot lines appear to be at right angles to streets or within reasonable tolerances to meet building orientation requirements.
- b. Building setbacks conform to district regulations. The applicant has proposed a front setback of 50 feet throughout the subdivision. A side yard setback of 15 feet (25 feet for sideyard facing garage facades) and a rear yard setback of 50 feet will be applicable.

4. Improvements: The subdivider must design and build improvements. Improvement plans will be reviewed with the final plat submission; their installation will be guaranteed with a Final Subdivision Improvement Agreement.

C. The site layout is to minimize land disturbance and protect natural features by considering applicable sections of the Zoning Development and Site Plan Standards, Section 1207

The applicable Zoning Development and Site Plan Standards are as follows:

1. Tree/vegetation protection and limits of disturbance: The applicant has submitted an existing conditions tree and vegetation plan. Staff notes the City of Hudson GIS aerial photographs depict the area as cleared in 1959, lightly tree covered in 1985, with more mature tree cover occurring by 2000. A large open area of approximately one acre exists along the western portion of the property, adjacent to the gas well installation. A subplot specific tree plan and proposed clearing limits will be reviewed administratively as each residential structure is proposed.

The applicant has requested authorization to clear trees only within the proposed clearing limits as part of the preliminary plan approval so this can be accomplished before applicable federal restrictions on tree clearing become effective related to the Indiana Bat

when it is present in the region from approximately March-October. The proposed clearing limits incorporate the proposed roadway/right-of-way, the stormwater management basin at the southwest portion of the site, drainage swales along the south and west portions of the site, and a construction staging area at sublots 9, 10, and 11. The applicant must submit a written statement regarding the need to clear the site at this time and document why the clearing activities can not be completed after the final improvement plans have been accepted.

The submitted tree survey, proposed clearing limits, and preliminary landscape plan have been submitted to the City of Hudson Tree Commission. The Tree Commission reviewed the proposal at their meeting of January 28, 2016 and provided a recommendation of approval for the proposed clearing.

Staff requests the applicant submit a revised tree clearing plan to incorporate the following:

- a. Stormwater Pollution Prevention Plan for review and approval by the City of Hudson and the Summit County Soil and Water Conservation District.
  - b. Revised clearing limits per the following:
    - i. Reduce the amount of disturbed area at subplot 11 to preserve the existing vegetation abutting adjacent development.
    - ii. Depict clearing of the drainage swales as these are requested for installation as part of the base infrastructure. Additionally the western swale must be extended further north along the rear lot line of subplot 4.
    - iii. Establish the limits of disturbance to be outside of the Open Space Parcel #1 except where disturbance is needed for installation of the stormwater management system.
2. Wetland Setbacks: The preliminary plan depicts multiple wetland areas. A variance was granted by the BZBA (2015-09) for wetland setbacks at six locations within the proposed development. The applicant has also submitted a copy of a permit to fill 0.48 acres of wetland per US Army Corp of Engineers (ACOE) Permit #2014-01190. The submitted plan is in compliance with the ACOE permit and the BZBA variance approval.
  3. Landscaping/Buffering: As the adjacent uses are single family residential, no bufferyard is applicable. The applicant has submitted a preliminary landscape plan depicting the street trees, entrance features, and a gazebo to be located within Open Space Parcel #2.
  4. Open Space: The site is required to have a total of 0.64 acres of improved public park space or applicable funds in lieu of dedication may be received at the discretion of the Planning Commission. Parks Director Trent Wash has stated a request from the Parks Department to receive cash in lieu rather than dedication of land. The applicant should formally state how the applicable public open space requirement will be met.

The site is additionally required to provide 25% of the gross land area as private open space. Staff recommends the limits of disturbance adjacent to the stormwater management basin within open space parcel #1 be revised to preserve the existing

vegetation along the south and west boundaries of the subdivision to the maximum extent possible. Some grading work will be required within the open space parcel along an approximately 200 foot long section west of subplot 5 where an emergency overflow and twelve inch stormline will be installed. At this location a minimum 25 foot natural buffer must be preserved or Bufferyard C (25 ft, moderate) must be installed.

5. Engineering Requirements: City Engineer Thom Sheridan P.E. and Asst City Engineer Brad Kosco P.E. have reviewed the preliminary storm water management, drainage, and utility plans and presented comments in a letter dated January 8, 2016. Mr. Sheridan has stated that due to the downstream storm water concerns raised by adjacent property owners, the proposed storm water management system will be designed to an increased standard requiring a 25 year post developed peak discharge to be a 1 year pre-developed peak discharge. A trip generation report is requested for submittal as part of the final plan application to confirm no impacts occur to the surrounding street network.

Utilities: In addition to the engineering comments noted within the January 8, 2016 letter, the following utility coordination items must be addressed within the final plan application:

- a. The location of applicable gas well and tank battery service lines and associated easements must be shown on the plan and authorization to conduct work in the easement must be provided from the easement holder as utilities are proposed within the vicinity of the gas well.
  - b. City of Cleveland water service is proposed to be extended from Twinsburg Township to the north. This water line will run within or adjacent to the jurisdictional wetlands along Darrow Road. The applicant's environmental consultant must confirm if such disturbance is acceptable or if the line must be bored.
6. Building Siting and Orientation: The house designs and site plans will be finalized with each individual house application; however, the final plan application must depict concept garage orientation, driveway placement, and entry door locations to demonstrate it is possible to comply with the applicable standards.
  7. Transportation/Circulation/Pedestrian Linkage:

Cul de Sacs - The proposed 650 foot length cul de sac exceeds the 600 foot maximum length. A variance was granted for the proposed length per BZBA Docket #2014-11.

Stub Streets - Stub streets are not appropriate to connect the subdivision to adjacent development due to the adjacent developed areas and the municipal boundary.

Pedestrian and Bicycle Paths - Sidewalks have been appropriately depicted on both sides of the new street. The plan proposes the sidewalk along Darrow Road from the proposed street south to Haymarket Way rather than along the full parcel frontage due to the presence of wetlands north of the proposed street and the desirability to provide a

connection between the two streets. Any extension of the sidewalk north of the proposed street would not be the developer's responsibility.

8. Oil/Gas Exploration: The development contains an existing gas well and tank battery located along the western portion of the site. No structure suitable for occupancy shall be erected within 100 feet of any unplugged oil and gas well head. If the well has been plugged or abandoned a 25 ft setback shall apply. Tank batteries require a 200 ft setback. The plans have labeled the appropriate installations and their applicable setbacks.

D. Subdivision shall comply with all applicable development regulations, standards, and requirements

The subdivision is in substantial conformance with applicable development regulations, standards, and requirements except as noted above.

**Findings: Section 1204.05(b) Preliminary Subdivision Plans**

The staff finds that the application complies with the purposes and intent of the code and community plans, subdivision development and design standards, regulations that minimize land disturbance and protect environmental features, and other applicable development regulations as specified in Section 1204.05(b) except as discussed above and recommended below.

**Required PC Action, Chapter 1203.10(d)(1)(B)**

The PC shall take final action on a preliminary subdivision application by reviewing the application and all submitted plans and reports, and then either approving, approving with conditions, or denying the application based on its compliance with the standards summarized in this report.

All decisions of the Commission shall be based on written findings of fact related to the relevant standards of the Code.

**Recommendation**

Approve the application for Preliminary Subdivision Plan and Tree Clearing approval for Case No. 2016-03 for the Lake Christine Subdivision according to plans dated as received January 29, 2016 with the condition that the applicant must address the following:

2. Submit a revised tree clearing plan to include the following:
  - a. Submit a written statement regarding the need to clear the site at this time and document why the clearing activities can not be completed after the final improvement plans have been accepted.
  - b. Stormwater Pollution Prevention Plan shall be approved by the City of Hudson and the Summit County Soil and Water Conservation District.
  - c. Revise the clearing limits per the following :
    - i. Reduce the amount of disturbed area at subplot 11 to preserve the existing vegetation abutting adjacent development.
    - ii. Depict clearing of the drainage swales as these are requested for installation as part of the base infrastructure. Additionally the western swale must be



- extended further north along the rear lot line of subplot 4.
- iii. Establish the limits of disturbance to be outside of the Open Space Parcel #1 except where disturbance is needed for installation of the stormwater management system.
  - d. Satisfaction of the above conditions prior to scheduling of a preconstruction meeting with City Officials and no clearing or construction of any kind shall commence prior to the issuance of a Zoning Certificate.
  - e. Before scheduling a preconstruction meeting, the applicant shall install silt fencing and/or polypropylene fencing to mark and protect the approved clearing limits, which shall be maintained by the applicant.
3. The following must be incorporated as part of the final plan application:
- a. Address the following regarding the Open Space requirements of Section 1207.05:
    - i. The applicant should formally state how the applicable public open space requirement will be met.
    - ii. Preserve existing vegetation within Open Space Parcel #1 to the maximum extent possible. Along the approximately 200 foot length of open space to the west of subplot 5 where the emergency overflow and storm line are proposed, preserve a 25 foot natural buffer or install Bufferyard C (25 ft, moderate).
  - b. Depict concept garage orientation, driveway placement, and entry door locations to demonstrate it is possible to comply with the applicable standards.
  - c. Plans must address the preliminary engineering comments of Asst City Engineer Brad Kosco from his letter dated January 8, 2016. In addition to the engineering comments noted within the January 8, 2016 letter, the following utility coordination items must be addressed:
    - i. The location of applicable gas well and tank battery service lines and easements must be shown on the plan with authorization from the easement holder provided as the proposed utilities are proposed within the vicinity of the gas well.
    - ii. Submit written documentation from an environmental consultant regarding potential impacts to jurisdictional wetlands from the waterline extension along Darrow Road.



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

Rec'd in Mail

REPLY TO  
ATTENTION OF:

May 7, 2015

Regulatory Branch

SUBJECT: Department of the Army Permit No. 2014-01190, Nationwide Permit No. 29, as Published in the Federal Register, Volume 77, No. 34, on Tuesday, February 21, 2012.

Mr. Anthony Lunardi  
L.D.A. Land Group, LLC  
6683 Olde Eight Road  
Peninsula, Ohio 44264

Dear Mr. Lunardi:

This pertains to L.D.A. Land Group, LLC's application for a Department of the Army permit to permanently place fill material into 0.48 acres of federally jurisdictional forested wetlands in order to construct a residential subdivision. The project is located west of Darrow Road (State Route 91) in Hudson, Summit County, Ohio (Sheets 1-2 of 2). All remaining on-site wetlands will be preserved by deed restriction.

I have evaluated the impacts associated with your proposal, and have concluded that they are authorized by the enclosed Nationwide Permit (NWP) provided that the attached conditions are satisfied.


Verification of the applicability of this NWP is valid until March 19, 2017 unless the NWP is modified, suspended, revoked, or the activity complies with any subsequent permit modification. Please note in accordance with 33 CFR part 330.6(b), that if you commence or are under contract to commence an activity in reliance of the permit prior to the date this Nationwide permit expires, is suspended or revoked, or is modified such that the activity no longer complies with the terms and conditions, you have twelve months from the date of permit modification, expiration, or revocation to complete the activity under the present terms and conditions of the permit, unless the permit has been subject to the provisions of discretionary authority.

It is your responsibility to remain informed of changes to the NWP program. A public notice announcing any changes will be issued when they occur and will be available for viewing at our website: <http://www.lrb.usace.army.mil/Missions/Regulatory.aspx>. Finally, note that if your activity is not undertaken within the defined period or the project specifications have changed, you must immediately notify this office to determine the need for further approval or reverification.

Regulatory Branch

SUBJECT: Department of the Army Permit No. 2014-01190, Nationwide Permit No. 29, as Published in the Federal Register, Volume 77, No. 34, on Tuesday, February 21, 2012.

In addition to the general conditions attached to the NWP, your attention is directed to the following Special Conditions which are also appended at the end of the NWP General Conditions:

1. You are responsible for ensuring that the contractor and/or workers executing the activities authorized by this permit have knowledge of the terms and conditions of the authorization and that a copy of the permit document is at the project site throughout the period the work is underway.
2. At the request of an authorized representative of the Buffalo District, U.S. Army Corps of Engineers, the permittee must allow access to the project site to determine compliance with the conditions of this permit.
3. To reduce any potential adverse effects on the federally endangered Indiana bat (*Myotis sodalis*), trees (woody stems greater than 5 inches Diameter at Breast Height and greater than 10 feet tall) must not be cut between March 15 and November 15, of any year.
4. To reduce any potential adverse effects on the federally threatened Northern long-eared myotis (*Myotis septentrionalis*), trees (woody stems greater than 3 inches Diameter at Breast Height) must not be cut between March 15 and November 15, of any year.
5. That as mitigation for the permanent and unavoidable loss of 0.48 acres of Federal jurisdictional wetlands, the permittee must purchase 1.2 credits from the Granger Wetland Mitigation Bank. Prior to commencing the work authorized by this permit, the permittee must supply this office with a copy of the Granger Wetland Mitigation Bank executed mitigation agreement and verification of the transfer of funds to the Granger Wetland Mitigation Bank. The executed agreement and verification of funds must be sent to the attention of Mr. Harold Keppner, Chief, Monitoring & Enforcement Section, U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199.
6.  Prior to conducting any work authorized by this permit, the permittee is required to place perpetual deed restrictions on all remaining wetlands and streams and their immediate upland buffers as identified on Sheet 2 of 2 to guarantee their preservation for wetland and wildlife resources. The deed restriction shall specifically state: (1) the Department of the Army Permit number; 2) the date the project was permitted; 3) the restricted uses as identified in Special Condition 7 of this permit, 4) the contact information for the Buffalo District U.S. Army Corps of Engineers Regulatory Branch, 5) that the remaining wetlands and streams and their immediate upland buffers are to be preserved and are not to be adversely impacted, 6) that the deed restriction runs with the land and burdens the property in perpetuity; and (7) that the deed restriction shall be transferred to subsequent property owners upon the sale, transfer, or reversion of the property. A map that is drafted by a professional surveyor and a legal description that defines the metes and bounds of the deed restricted area shall be attached to and referenced in the deed restriction. The permittee shall identify the location of federal jurisdictional boundaries

Regulatory Branch

SUBJECT: Department of the Army Permit No. 2014-01190, Nationwide Permit No. 29, as Published in the Federal Register, Volume 77, No. 34, on Tuesday, February 21, 2012.

on all documents recorded by the Summit County Recorder to include subdivision plats, deeds, and other legal real estate documents. The deed restrictions shall not be removed without written approval with the U.S. Army Corps of Engineers, Buffalo District. A draft copy of the deed restriction language must be submitted to Keith C. Sendziak of this office and approved, in writing, prior to recordation. An approved, certified copy of the recorded deed restriction is required to be provided to Mr. Harold T. Keppner, Chief, Monitoring & Enforcement Section, U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, prior to conducting work authorized by this permit, or by an extension authorized in writing from this office.

7. The permittee must ensure none of the following activities occur within the deed restricted areas (as described in Special Condition No. 6): filling, excavating, dredging, mining or drilling, use of ATVs or other recreational motorized vehicles, removal of topsoil, sand, gravel, rock, minerals, or other materials, nor any building of roads or change in topography of the land in any manner (with the exception of the maintenance of small foot trails), construction or placement of buildings, camping accommodations or mobile homes, fences, signs, billboards or other advertising material, or other structures. There shall be no removal, destruction, or cutting of vegetation, spraying with herbicides, grazing of domestic animals, or disturbance or manipulation of the mitigation area without first obtaining Department of the Army authorization. Control of nuisance vegetation, or any other manipulation within the mitigation areas, shall only occur after Corps of Engineers concurrence that such management practices are necessary to ensure the long-term success of the mitigation program.
8. Should human remains be encountered during any phase of the proposed project, such person or persons encountering the human remains shall immediately cease work and will make a reasonable effort to refrain from disturbing or removing the human remains, protect the exposed portions of the human remains from inclement weather and vandalism, and immediately notify the applicant. The applicant will immediately notify the U.S. Army Corps of Engineers and the Ohio State Historic Preservation Office. If the human remains are not subject to a criminal investigation by local, state, or Federal authorities, the Ohio SHPO's Policy Statement on Treatment of Human Remains (1977) will be used as guidance.
9. That the mechanical equipment used to execute the work authorized herein shall be operated in such a way as to minimize turbidity that could degrade water quality and adversely affect aquatic plant and animal life.
- \* 10. All erosion and sediment control practices shall be in place prior to any grading or filling operations and installation of proposed structures or utilities. They shall remain in place until construction is completed and the area is stabilized.
11. That the fill material shall be free of fines, oil and grease, debris, wood, general refuse, plaster, and other pollutants, and shall contain no broken asphalt.

Regulatory Branch

SUBJECT: Department of the Army Permit No. 2014-01190, Nationwide Permit No. 29, as Published in the Federal Register, Volume 77, No. 34, on Tuesday, February 21, 2012.

12. The permittee must install orange safety fencing around the perimeter of the development area to prevent any inadvertent disturbance to the adjacent wetlands or their wetland buffers by construction operations and equipment. The fencing must be placed in uplands, be maintained throughout the duration of the project, and must be removed immediately after construction has been completed.

This affirmation is limited to the attached NWP and associated Water Quality Certification, and does not obviate the need to obtain any other project specific Federal, state, or local authorization.

A copy of this letter has been sent to Mr. John Carse (Carse Real Estate Corp.), Mr. Erik Flickinger (Flickinger Wetland Company, LLC) and to the Ohio Environmental Protection Agency.

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

Sincerely,



Keith C. Sendziak  
Biologist

Enclosures

COMPLETION FORM / COMPLIANCE CERTIFICATION

*Submit when done*

Each permittee who receives a Nationwide Permit (NWP) verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any compensatory mitigation.

APPLICANT:  
L.D.A. Land Group, LLC  
6683 Olde Eight Road  
Peninsula, Ohio 44264

POINT OF CONTACT:  
Mr. Anthony Lunardi  
(same)

File No.: 2014-01190  
File Closed: 5/7/2015  
NWP No.: 29

**Upon completion of the activity authorized by this permit and any required compensatory mitigation sign this certification and return it to the address listed below within 30 days of project completion.**

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, revocation, and/or assessment of administrative penalties.

The permittee shall certify the completion of the authorized work and mitigation:

- a. The authorized work was done in accordance with the NWP authorization, including any general, regional, or activity specific conditions.
- b. The implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, this certification must include the documentation required by 33 CFR 332.3(1)(3) to confirm that the permittee secured the appropriate number and resource type of credits.

\_\_\_\_\_  
Mr. Anthony Lunardi

\_\_\_\_\_  
Date

Permittee Telephone Number: \_\_\_\_\_

Project location: west of Darrow Road (State Route 91) in Hudson, Summit County, Ohio

Project Description: place fill material to construct a residential subdivision

Authorized Impacts (Waters of the U.S. Impacted by Project): 0.48 acres federally jurisdictional forested wetland

Waterway and/or Project Setting: Federal jurisdictional wetland

Return completed form to:  
**Mr. David Leput**  
**Regulatory Branch**  
**U.S. Army Corps of Engineers**  
**1776 Niagara Street**  
**Buffalo, NY 14207**



# TMS Engineers, Inc.

## Transportation Management Services

2112 Case Parkway South, #7 · Twinsburg, Ohio 44087  
www.TMSEngineers.com

February 29, 2016

Mr. Tony Lunardi  
LDA Land Group, LLC  
6683 Olde Eight Road  
Peninsula, Ohio 44264

**Re: Proposed Subdivision  
City of Hudson, Ohio  
Trip Generation Analysis**

TMS Engineers, Inc. has performed the following trip generation analysis for the proposed subdivision that will be located west of Darrow Road (SR 91) just south of Partridge Meadows Drive in the City of Hudson, Ohio (see **Location Map, Figure 1**). The purpose of this trip generation analysis is to estimate the traffic generated by the completion of the proposed residential development. The analysis was completed based on the number of anticipated dwelling units in the development. The site plan can be seen in **Figure 2**. The following are the results of our trip generation analysis.

### *Trip Generation*

The calculation of future traffic requires an estimate of traffic the development will generate after construction. The most widely accepted method of determining the amount of traffic that a proposed development will generate is to compare the proposed site with existing facilities of the same use. This estimate is typically expressed as a trip rate. In order to estimate traffic for the proposed subdivision, a trip rate was calculated using data and procedures found in the Institute of Transportation Engineers (ITE) "**Trip Generation**" **Manual, Ninth Edition**. For the proposed residential site, the trip rates were calculated using the total number of single-family dwelling units being constructed. A copy of the trip generation worksheets can be seen in the attached **Figures 3**.

### *Proposed Subdivision*

The table on the following page shows the estimated generated traffic during the AM and PM peak hour for the proposed residential subdivision based upon the national averages considering the total number of homes in the development and the trip generation analysis described on the previous page.

Mr. Tony Lunardi

February 29, 2016

Page 2

ITE TRIP GENERATION		Dwelling Units	TRIP ENDS			
ITE Code	Description		Weekday Peak Hour Between 7-9 AM (Enter/Exit)		Weekday Peak Hour Between 4-6 PM(Enter/Exit)	
210	Single Family Detached Housing	11	5	13	9	6
Total New Trips			18		15	

The previous table shows that the proposed residential subdivision is expected to generate a total of 18 new trips in the AM peak hour and 15 new trips in the PM peak hour. It is our opinion that, when the anticipated changes in traffic volumes are at these levels, the traffic generated by the proposed subdivision should not have an impact on the surrounding street network system.

This opinion is based upon the fact that traffic impact studies are recommended to be performed by the **Institute of Transportation Engineers** whenever an increase in trips in any peak hour is greater than 100 trips per hour. This recommendation is made because this is the point where a change in roadway capacity may be found and mitigation may or may not be needed. The anticipated levels of volume from this development are less than daily variations in the current volumes on SR 91 and should not be perceived by the traveling public.

The Ohio Department of Transportation concedes that traffic impact studies are only necessary when the resulting trip increase is more than 100 trips per hour. This is stated in their **State Highway Access Management Manual**. Since this development is expected to generate less than 100 new trips during either the AM and PM peak hours, it is our professional opinion that the change in the amount of generated traffic will **not** have an impact on the surrounding roadway network nor require a full traffic impact study.



**Mr. Tony Lunardi**  
**February 29, 2016**  
**Page 3**

If you have any questions or need additional information, please do not hesitate to contact me.

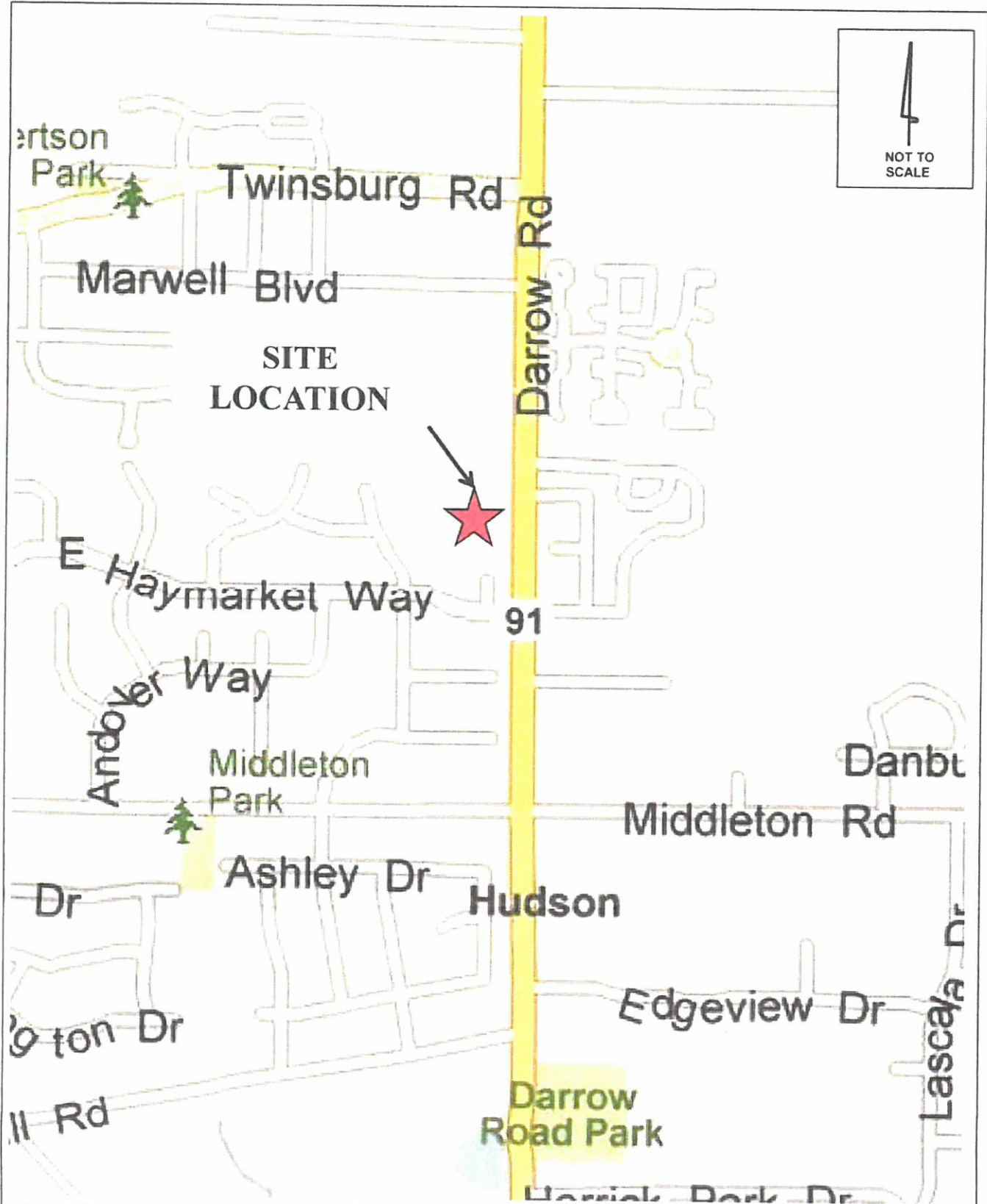
Very truly yours,

**TMS Engineers, Inc.**

A handwritten signature in blue ink, appearing to read "Andrew Pierson".

Andrew Pierson, P.E., PTOE  
Traffic Engineer

*attachments*

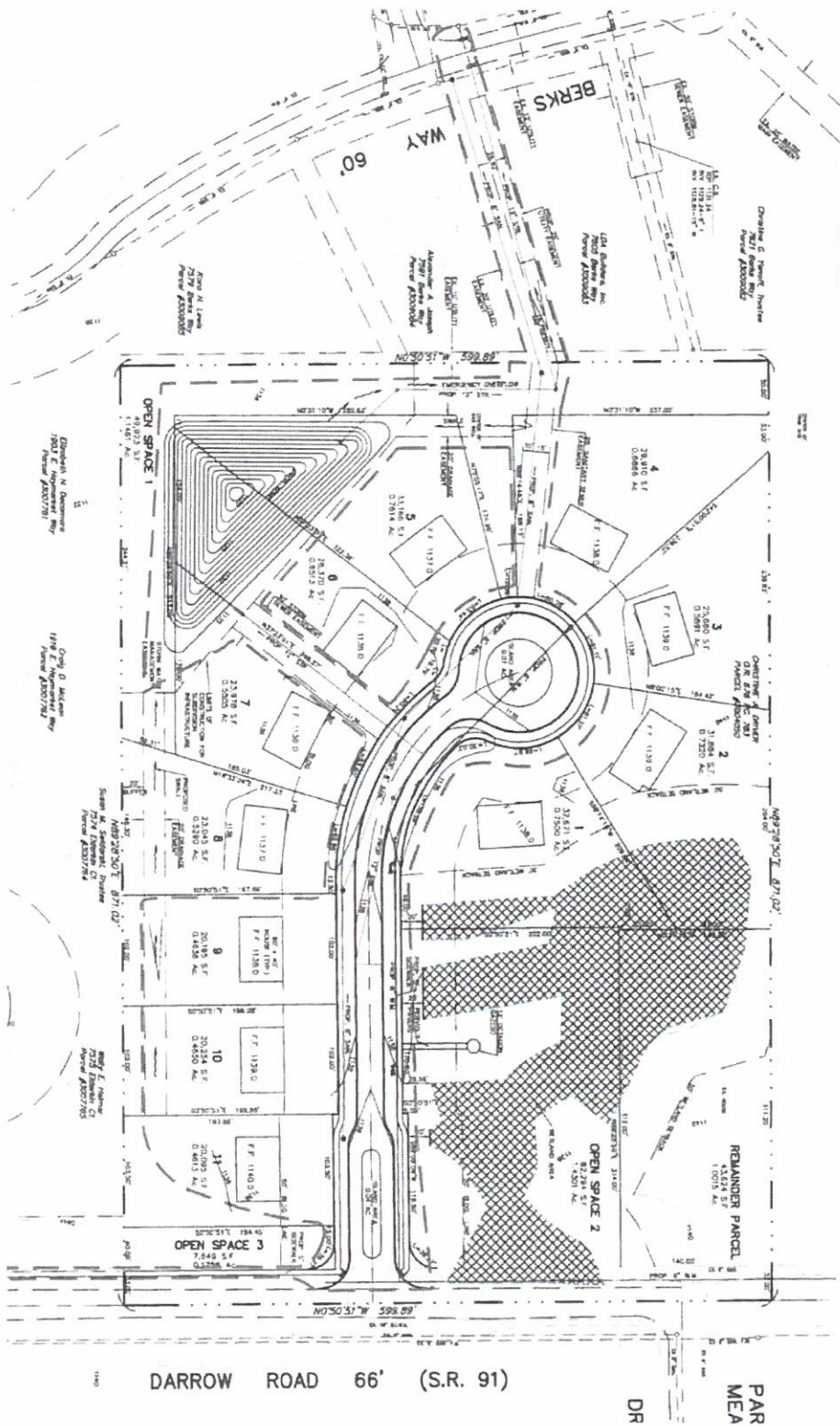



**TMS Engineers, Inc.**  
 Transportation Management Services  
 2112 Case Parkway S., Unit 7, Twinsburg, Ohio 44087  
 www.TMSEngineers.com

**Residential Subdivision  
 Hudson, Ohio  
 Trip Generation Analysis**

**Location Map**

**Figure 1**  
 Attachment



NOT TO SCALE

**TMS Engineers, Inc.**  
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 www.TMSEngineers.com

**Residential Subdivison  
 Hudson, Ohio  
 Trip Generation Analysis**

**Site Plan**

**Figure 2  
 Attachment**

## SINGLE-FAMILY DETACHED HOUSING

ITE CODE = 210

Project

Date: 2/29/2016

Trip Generation based on:

Size of Analysis Area: 11 Units

11 Dwelling Units

	Average Rate	Standard Deviation	Adjustment factor	Driveway Volume
Average Weekday 2-way Volume	12.55	0.00	1.00	138
7-9 AM Peak Hour Enter	0.45	0.00	1.00	5
7-9 AM Peak Hour Exit	1.18	0.00	1.00	13
7-9 AM Peak Hour Total	1.64	0.00	1.00	18
4-6 PM Peak Hour Enter	0.82	0.00	1.00	9
4-6 PM Peak Hour Exit	0.55	0.00	1.00	6
4-6 PM Peak Hour Total	1.36	0.00	1.00	15

Average Weekday 2-way Volume	$\ln(T) = 0.92 \ln(X) + 2.72$		
7-9 AM Peak Hour Total	$T = 0.70(X) + 9.74$	Enter	0.25
		Exit	0.75
4-6 PM Peak Hour Total	$\ln(T) = 0.90 \ln(X) + 0.51$	Enter	0.63
		Exit	0.37

Source: Institute of Transportation Engineers  
Trip Generation, 9th Edition, 2012.



**TMS Engineers, Inc.**

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www.TMSEngineers.com

**Residential Subdivision  
Hudson, Ohio  
Trip Generation Analysis**

**Trip Generation  
Calculations**

**Figure 3**

**Attachment**

**FINAL SUBDIVISION IMPROVEMENT AGREEMENT**

THIS AGREEMENT, made at Hudson, Ohio, this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between **LDA Land Group LLC**. (hereinafter referred to as "Developer") and **Hudson, Ohio**, a municipal corporation organized as a city under the laws of the State of Ohio (hereinafter referred to as "City").

**WITNESSETH:**

WHEREAS, Developer is desirous of developing certain lands situated in the City, known as Lake Christine Subdivision; and

WHEREAS, a final plat for said Lake Christine Subdivision, has heretofore been filed with the Planning Commission of the City, and said Planning Commission has approved the final plat at its regularly scheduled meeting of June 13, 2016 which is to be recorded with the Summit County Recorder's Office; and

WHEREAS, Developer desires to comply with the "Land Development Code" of the City of Hudson, so that it may proceed with the improvements for the Lake Christine Subdivision; and

WHEREAS, the Planning Commission recommends the execution of this Agreement between the City and Developer.

**NOW, THEREFORE, IT IS AGREED THAT:**

1. The Developer will complete the improvements for Lake Christine Subdivision, (hereinafter referred to as "Subdivision"), as further defined herein, within a period of eighteen (18) months from the date of approval by the City of the Performance Bond (s), an irrevocable letter(s) of credit, or any other security acceptable to the City, for the various portions of construction with proper surety in the amount of One Hundred Ten Percent (110%) of the cost of the improvements as a condition of the approval of the Planning Commission, and as a guarantee that such work will be completed. The total cost of the improvements to be done has been determined by the City Engineer as an estimate of cost in the amount of \$XXX,XXX. All improvements are to be done in accordance with the plans and specifications for such improvements approved by the Planning

Commission and City Engineer which by reference hereto are made a part hereof and are dated \_\_\_\_\_, as may be revised and approved by the City Engineer.

2. All such improvements shall be inspected during the course of construction and improvement by an inspector appointed by the City Manager, the compensation for which and other costs shall be paid by Developer. The estimated cost of inspection is \$X,XXX.

The initial deposit with the City by the Developer for the inspection costs shall be \$X,XXX, which amount shall be deposited with the City prior to construction of the improvements commencing. When the costs of inspection are within \$1,000 of exhausting the initial \$X,XXX, the Developer will be notified in writing of the need to deposit the remaining \$X,XXX of the required deposit and shall have ten (10) calendar days from the date of the written notice to deposit said \$X,XXX.

In the event the cost of inspection exceeds the amount on deposit at any time, the City shall have the right to demand a sum of money to bring the deposit equal to the actual cost of inspection within ten (10) days of written notice upon the Developer, whether or not the actual cost of inspection exceeds the estimate of \$X,XXX. Failure to comply with the written demand to bring the inspection deposit current shall be cause to stop all work upon the improvements until such demand is complied with.

3. The Performance Bond (s), an irrevocable letter(s) of credit, or any other security acceptable to the City, shall be conditioned upon completion of the improvements as shown on the improvement plans and conditioned that the Developer will construct and install all of said improvements at its own expense within eighteen (18) months from the date hereof. No Zoning Certificate for new houses shall be issued until completion of the improvements, except for street trees. Notwithstanding the foregoing sentence, no Zoning Certificate for a house shall be issued after the three (3)-year anniversary of the date of this Agreement, unless the installation of all

sidewalks, trails, street trees and street lighting is complete and accepted by the City Engineer.

4. Upon completion of the improvements and receipt of the approval of the City Engineer and before the Performance Bond(s), irrevocable letter(s) of credit or other security is released by the City, the Developer shall submit a Maintenance Bond in an amount equal to Fifteen Percent (15%) of the final construction cost to guarantee the workmanship and material for a period of two (2) years following the completion of the improvements.

5. In the event that the Developer defaults on its obligations hereunder to construct the improvements in accordance with the City specifications and approval, the City shall have the right to collect the proceeds of the financial guarantee and to enter upon the property of the Developer to make the appropriate improvements and to withhold additional approvals until the default is corrected or the City collects on the proceeds.

6. Developer shall also, prior to commencement of construction, file with the City a Certificate of Public Liability Insurance in an amount not less than One Million Dollars (\$1,000,000.00) for personal injuries, including wrongful death due to injuries and subject to the same limit for each person, and an amount of not less than Three Million Dollars (\$3,000,000.00) on account of any one accident, and property damage insurance with limits of One Hundred Thousand Dollars (\$100,000.00). This insurance shall be written with an acceptable company authorized to do business in the State of Ohio; shall be taken out before any operations of Developer are commenced; shall name the city as an additional insured; and shall be kept in effect until all operations shall be satisfactorily completed. The Developer shall provide title insurance in the amount of One Thousand Dollars (\$1,000.00) meeting the approval of the City Solicitor, covering the streets, lands, and public improvements to be dedicated to public use, showing the good title to said dedicated streets, lands and public improvements in the name of the City of Hudson, Ohio.

7. Upon completion of construction of the improvements and approval by the City

Engineer, Developer shall dedicate to the City all streets, lands and public improvements set forth in the final plat.

9. Upon completion of the work, Developer shall furnish to the City "as built" drawings on reproducible material and in a digital form approved by the City.

10. Upon execution of the Agreement and the deposit of all the items mentioned herein, the City will issue any applicable building and/or zoning permits provided that the applicants for said permits have met the necessary requirements for the issuance of said permits in the City's Land Development Code.

11. This Agreement shall be made a part of and incorporated into any and all bonds or other security agreements that may be issued or entered into pursuant hereto.

IN WITNESS WHEREOF, the parties have set forth their hands the day and year first written above.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

**LDA Land Group LLC**  
("Developer")

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

**CITY OF HUDSON, OHIO**  
(A Municipal Corporation - Incorporated as a City in Ohio)

By: \_\_\_\_\_  
JANE HOWINGTON  
CITY MANAGER



PLANNING COMMISSION  
CITY OF HUDSON, OHIO

By: \_\_\_\_\_  
JENNIFER BARONE, CHAIR

APPROVED AS TO LEGAL FORM:  
R. TODD HUNT, CITY SOLICITOR

By \_\_\_\_\_  
AIMEE W. LANE  
ASSISTANT TO CITY SOLICITOR