



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

**DATE:** September 3, 2025  
**TO:** Mayor Anzevino and City Council  
**FROM:** Greg Hannan, Community Development Director  
**CC:** Thom Sheridan City Manager, Brian Griffith, Asst City Manager  
**RE:** Request for permit extension of temporary construction yard at Stow Rd and Ohio Turnpike

Beaver Excavating is utilizing a temporary construction yard at Stow Road and the Turnpike (PP#3009781). The city has processed ZC 23-728 for a one year term with three subsequent six month extensions as permitted under the LDC allowances of 1206.04(c). The current, final extension will expire on January 27, 2026.

Beaver Excavating entered into a Property Lease and Easement Agreement with the previous owners allowing use of the property for a 36-month period ending on July 5, 2026. This 36-month agreement does not align with the maximum timeline allowed under the Land Development Code (30 months). The contractor had initially anticipated completing the project this Fall; however, the project will not be fully completed until Summer 2026.

**Requested Action:**

Beaver Evacating is stating a need to utilize the current construction yard until July 5, 2026, the end date of the lease agreement. Since the City purchased the property while the lease from the previous owner was still in effect, the Solicitors office anticipates the need to negotiate a settlement agreement to allow the use of the property under the expired permit until the lease expiration and to require liquidated damages of \$500 a day (per the standards of LDC 1212) to ensure they vacate per the lease expiration in July and that the site be properly restored.

Please see the following information collected as part of the permit extension recently processed in July 2025.

**Noise Recordings:**

Staff notes the construction site was operating each day; however, site noise was not observed to be beyond the baseline noise from the adjacent turnpike vehicular/truck traffic.

| <u>Date</u> | <u>Sound reading (decibels)</u> | <u>Observed site activity</u>                           |
|-------------|---------------------------------|---|
| 6/18/24     | 53-56                           | Workers on-site, no significant activity                |
| 6/21/24     | 58-64                           | Workers on-site, no significant activity                |
| 6/24/24     | 56-63                           | Workers on-site, lull lift operating, loading materials |
| 6/25/24     | 56-69                           | Workers on-site, no significant activity                |
| 6/27/24     | 56-67                           | Workers on-site, no significant activity                |
| 6/28/24     | 56-65                           | Workers on-site, lull lift operating, loading materials |

Note: The days with *no significant activity* indicate days construction crews were on-site but no active machinery was in operation - the recorded noise levels represent the baseline noise from the Turnpike.

**Previous Public Comment:** As part of the public comment period (sign posting and mail to residents within 300 ft) for the recent and final extension of the 2023 certificate, one comment was received:

7216 Huntington Rd: Steve Snyder (adjacent to the east)

Request to not extend the permit. Comments provided regarding concern over vehicle flashing lights and lack of mowing occurring at the site.

These comments were forwarded to the contractor.