

**Minutes  
Portage County Regional Planning Commission  
May 12, 2021**

Portage County Regional Planning Commission dated May 12, 2021 at 4:30 p.m. The meeting was held through ZOOM.

**Members Present:**

Atwater Twp., John Kovacich	Brimfield Twp., Mike Hlad	Garrettsville Vill., Rick Patrick
Hiram Twp., Steve Pancost	Mantua Vill., Ben Prescott	Nelson Twp., Mike Kortan
Palmyra Twp., Sandy Nutter	Paris Twp., David Kemble	Ravenna City, Frank Seman
Ravenna Twp., Jim DiPaola	Rootstown Twp., Joe Paulus	Suffield Twp., Adam Bey
PARTA, Clayton Popik	County Engineer, Larry Jenkins	Water Resources, Tia Rutledge
Portage Park District, Allan Orashan		
P.C. Commissioner, Vicki Kline		
P.C. Commissioner, Sabrina Christian-Bennett		

**Staff Present:**

T. Peetz	E. Beeman	L. Reeves	G. Gifford
K. McMullen			

**Public Present:**

D. Garnier	J. Gadd
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**Members Absent:**

Franklin Twp., Joe Cicozzi	Freedom, Roy Martin	Hiram Vill., Robert Dempsey
Mantua Twp., Matthew Benner	Randolph Twp., Victoria Walker	Sugar Bush Knolls Vill., Jim Beal
Windham Twp., Rich Gano	Windham Vill., Deb Blewitt	Soil & Water, James Bierlair
Shalersville Twp., Ronald Kotkowski		
P.C. Commissioner, Anthony Badalamenti		

J. DiPaola opened the meeting at 4:30 p.m.

**APPROVAL OF APRIL 14, 2021 MEETING MINUTES**

The April 14, 2021 minutes were presented. L. Jenkins made a motion to approve the minutes as presented. Motion seconded by S. Christian-Bennett. Motion carried with 15 Yeas

## **SUBDIVISIONS**

Plat of "Oakwood Estates" on Ranfield Road, Lot 42 in Brimfield Township, Bonder Development Co., applicant

A motion was made by R. Patrick to approve an extension of time until July 14, 2021. Motion seconded by S. Christian-Bennett. Motion carried with 15 Yeas.

Plat of "Germaine Reserve (Phase 1)" on Newcomer Road, Lot 63 in Brimfield Township, Newcomers Partners, LLC., applicant

A motion was made by D. Kemble to approve an extension of time until June 9, 2021. Motion seconded by S. Christian-Bennett. Motion carried with 15 Yeas.

Replat of Sublots 28, 29 and 30 in the "West Twin Lake Allotment" on North Blvd., Lots 76 and 77 in Franklin Township, Jerry & Rosmarie Fox, applicant

A motion was made by V. Kline to approve an extension of time until June 9, 2021. Motion seconded by J. Paulus. Motion carried with 15 Yeas.

## **ZONING**

Rootstown Township Text Amendment – Report presented by Todd Peetz

Rootstown Township reorganized and consolidated the permitted uses in Section 350.03, Schedule of Permitted Uses. Rootstown Township is also proposing to allow new commercial buildings to have second floor residential units in districts where it is already conditionally permitted for existing commercial buildings. "Carpenter", "cabinet shop" and "contractor's yard" were consolidated into "building trades" and "building material sales" and be considered either "retail in completely enclosed buildings (if enclosed)" or "outdoor display" (if not enclosed)".

Staff recommends approval of the proposed amendment. A motion was made by L. Jenkins to follow staff recommendations on the proposed amendment. Motion seconded by J. Paulus. Motion carried with 15 Yeas.

## **SUMMARY REVIEW OF THE PROPOSED AMENDMENTS TO THE PORTAGE COUNTY SUBDIVISION REGULATIONS – Todd Peetz**

The Subdivision Regulations were created in 1984 and there have been no major updates since. There were multiple attempts to update in 2004 and in 2007. There has been a start/stop process major update since 2012.

The proposed changes are as follows:

- Article 1: Title, Scope and Jurisdiction Amendments – There were minor grammatical changes and changes for current jargon and code citations.

- Article 2: Definitions – There were significant changes and the purpose of the changes was to use current jargon and to clarify pre-existing gray areas in the current subdivision regulations in the code.
- Article 3: Procedures for Subdivision Approval  
Section 301:
  - Strongly encourage pre-application meetings.
  - Create a pre-application committee of the primary review agencies and local jurisdiction.

Section 302:

- Preliminary Plan will be required rather than optional.
- The list of reviewers has been expanded.
- Requires the conditions of the preliminary plan to be completed and approved prior to any construction.
- Preliminary plans will be good for 3 years, plus will allow for extra years for extensions.

Section 303:

- Includes phasing requirements upfront, which isn't listed currently.

Section 305:

- Requires easements to be clearly marked.
- Open space statement on the plat (open space is for the whole development)
- Covenants and restrictions to be recorded with the plat.

Section 306:

- Plat extensions up to 12 months.

Section 309 and 310

- Five acres or greater and exchanges between owners.
- Language was replaced to be more consistent with the Ohio Revised Code.

Article 4: Open Space Requirements

Section 408.1

- Enhanced the open space requirements on smaller lot subdivisions which affects subdivision lots less than an acre. Subdivisions less than 20 acres will be exempted from requiring open space.

Section 408.3

- There will be sliding scale open space requirements for lots averaging between an acre and .46 acres requiring 7% open space and .46 acre and smaller requiring 10% open space.

Section 408.4

- Minimum standards have been added for open space.

#### Section 408.5

- Fee in-lieu of option is added where the developer can pay into an open space fund designated for the home Township use of providing new recreation opportunities. The funds must be used within five years and must be used for open space functions.

#### Portage County Engineer

#### Section 402: Road and Street Design

- Language was added that spells out what is required for traffic studies.
- The need for the study was defined based on the number of trips generated or if the development may impact capacity or safety of any road and/or intersection within 0.25 miles of the development.
- Parameters were established for permanent and temporary dead-end streets.

#### Section 402.1: Dead-End Streets

- Requiring termination of permanent dead-end street to be a cul-de-sac and also defines what needs to occur on temporary dead-end streets.

#### Section 511.1: Plan Review Fees

- Requirements were added to require the developer to be held responsible for the cost of plan review for subdivisions.

#### Section 512.3: Failure to Construct or Complete Improvements

- The time frame for construction was modified.
- The options were clarified to remedy incomplete subdivisions by utilizing the performance guarantee or the Commissioners have the option to vacate the plat.

#### Section 513: Haul Road Performance Guarantee

- Requirements were added to hold the developer responsible for any damage to previous phase of subdivision roadways being used for construction access of the current phase.

#### Section 518.5: Street Surface Course

- Surface course of asphalt will be required to be installed at the end of the maintenance period in order to turn over a new paved surface to the Township for maintenance.

#### Section 521: Minimum Road Pavement Specifications and Road Cross-Sections

- The Asphalt and Concrete Pavement Specifications were updated

#### Storm Water Amendments

- The outdated stormwater design standards were removed.
- Three primary regulatory documents were defined:
  - P.C. Construction Site, Sediment, Erosion and Stormwater Management Rules.
  - Ohio NPDES General Permit for Storm Water Discharges Associated with Construction Activity.
  - Ohio Rainwater and Land Development Manual.

### Water Resources

- Increased Maintenance Guarantee from 5% to 10% in order to ensure adequate funds are available to the County.
- Added the ability to extend Maintenance Guarantee period beyond one year and/or percentage.

Response to comments received were as follows:

### Rootstown Township

**Comment:** The holding and release of funds shall be administered entirely by the Commissioners.

**Response:** The administration of the required holding and release of funds is governed by terms of an agreement in favor of the Commissioners. A subdivision rule requiring the Board to administer release of funds in a certain way may add cost or inefficiency, where the Board is accustomed to being able to rely on information and assistance from the County Engineer and Water Resources Department.

**Comment:** A signature approval from the Township shall be required at various stages of completion in the development project.

**Response:** The proposed amendments contained in Section 516.1(B) give Township's the opportunity to accompany the County Engineer on a scheduled inspection prior to any conditional acceptance of a roadway. Because the inspection during construction is the duty of the County Engineer and Township's now or in the future may have different preferences for involvement, it is preferred this remain invitational and not required.

**Comment:** Any alterations to the project to any aspect of the project shall be forwarded to the Township for its review and approval.

**Response:** Sections 503 and 506 of the current subdivision regulations in the proposed form in 514.8(A) and 514.9 and governs approval by the County Engineer of needed changes to improvement plans deemed necessary as work progresses. As the approving authority for the improvement plans during the subdivision planning states and responsible party for inspection during construction, the County Engineer has working knowledge of the plans and is in the best position to authorize any such changes.

All matters involving zoning at any aspect of plan or plat review or revision require township review and approval.

**Comment:** Change maintenance period starting when the project is 100% complete and 10% of the total project cost retained by the Commissioners as a maintenance bond for 1 year after the project is complete.

**Response:** The current maintenance amount of 3% hasn't been changed. The Engineer's Office wouldn't object to increasing the maintenance bond from 3% to 10% in Sections 516.1(F) and 517.

**Comment:** Each Township in Portage County shall sign off on the new Subdivision Regulations before they are presented to the Commissioners.

**Response:** The subdivision rules and regulations are implemented through the RPC Board and is made up of members including representatives from the Townships. The adoption of the Subdivision Regulations and their amendments by the RPC Board is an integral part of their coming into effect. All Townships have been notified of the proposed amendments, and their opportunity to provide feedback and comments is welcomed by the RPC and the Commissioners.

### Brimfield Township

**Comment:** The Trustees do not support the proposal to eliminate developers' ability to post security for a project through the traditional means of a bond. The Brimfield Township Trustees, unanimously implore the Commissioners to reconsider the proposed modification to the bond requirement.

**Response:** The current Subdivision Regulations do not currently accept surety bonds for performance guarantees. If the Commissioners would like to retain language from the existing Subdivision Regulations or change the Subdivision Regulations to allow the use of surety bonds for performance guarantees, staff would not be opposed.

### Home Builders Association

**Comment:** Planned Unit Development – There should be exemptions afforded for Planned Unit Developments to allow for innovative planning and design.

**Response:** The Subdivision Regulations do allow for flexibility as determined by the Township and the County Engineer's Office as well as Water Resources where appropriate.

**Comment:** Definitions – The term "road opening" should be defined. The definition of Preliminary Plan should be expanded to include a registered engineer as well. Variance should be defined as a modification of the strict terms of the relevant regulations, where such modification will not be contrary to public interest and are due to conditions specific to the property and not the result of the actions of the applicant.

**Response:** The definition of the "road opening" is in relation to the ORC Section 711.131 and is intended to have the same meaning.

In keeping with Section 302.2, definition of Preliminary Plan should include a registered surveyor.

The definition of variance is in accordance with Section 705 on Variances and change is suggested.

**Comment:** Pre-Application Meeting – This is an added step in the subdivision process and it is not required but "strongly recommended." The pre-application meeting will result in additional time and expense to the developer in the approval process.

**Response:** The pre-application meeting is as noted "strongly recommended" and the intent is to help the developer to work through some of the issues informally and have constructive dialogue before launching into extensive engineering costs, which may result in a savings for some developers.

**Comment:** Road and Street Design – It appears that the new regulations will require a variance to not extend public roadway to adjacent properties.

**Response:** The proposed amendments to this item are a clarification of an existing requirement found in Section 410.4 of the Subdivision Regulations and will be determined at the planning level.

**Comment:** Open Space – The proposed regulations required increased open space for developments with lot sizes less than 0.92 acres. The proposed regulations change from 5% to 7% for medium density lots and 10% on high density, we want to keep 5%. Permanent water bodies should comprise no more than 30% of the required open space and no more than 40% of the open space may be sensitive or natural environmental areas stricken from the regulations.

**Response:** The intent of the change is first, as lots gets smaller under an acre and under a ½ acre kids and adults need space to recreate. A sliding scale was created to address smaller lots.

**Comments:** Article 5, Portage County Engineers Standards for Road, Storm Water and Drainage Improvements – The items proposed are not uncommon in other locations however, it is significant upgrade to the previous regulation and will result additional survey, design and construction costs for development projects in the County.

**Response:** The revisions are not uncommon and would have the additional result of reduced wear and tear on vehicles, lower maintenance costs to the community as well as higher quality standard of living and service within the communities of the County, which is believed to outweigh the risk of additional costs.

**Comment:** Road Plan and Profile Sheets - The scales designated for roadway plan and profile sheets by the highway engineer do not match the scales designated for sanitary/water plan and profile sheets by Water Resources in Section 601.2. Differing scales would require added plan sheets, resulting in additional design costs. The regulations need to be consistent with other regulations.

**Response:** The County Engineer agrees with matching the scale requirements and will adjust the appropriate sections to make them the same consistency.

**Comment:** As built Drawings – As built drawings will be required for all permanent Post Construction Storm Water Management facilities, all storm water structures, waterline and gas line structures in lots. The requirement for as built will be an added expense to the developer.

**Response:** This is viewed as a safety and cost saving measure for each individual lot.

**Comment:** Final Inspections – The proposed regulations will require all storm sewer to be cleaned and televised prior to acceptance by the County. This will be an added expense to the developer.

**Response:** This is currently part of the ODOT specifications and is only highlighted to ensure it is not missed by the contractors in their estimates.

**Comment:** General Liability Insurance – The proposed regulations will increase limits required by the developer. This will be an increased insurance premium for the developer.

**Response:** This is matching to the County's insurance limits for liability per the current coverage rate standards. The old rates were from 1984.

**Comment:** Minimum Roadway Specifications – The proposed regulations will change the roadway specifications for publicly dedicated roads. This is an upgrade and will result in a more superior roadway construction. However, it would be a significant cost increase for the developer to install streets.

**Response:** The revisions would result in reduced wear and tear on vehicles, lower maintenance costs to the community as well as higher quality standard of living and service within the communities of the County, which is believed to outweigh the risk of additional costs.

**Comment:** Water Resources Standards – Most items listed in the proposed regulations were already required for the installation and dedication of public water and sanitary sewer mains.

**Response:** The intent of the update to the Subdivision Regulations was to match the department's rules and regulations for sewer and water systems.

**Comment:** Section 601.2 - Drawings shall be submitted in the following format: The scales designated for sanitary/water plan and profile sheets by the highway engineer do not match the scales designated for roadway plan and profile sheet by the Highway Engineer in Section 502.5. Differing scales would require added sheets, resulting in additional design costs.

**Response:** The County Engineer agrees with matching the scale requirements and will adjust the appropriate sections to make them the same for consistency.

**Comment:** Section 404(B)3 – Not allowing cul-de-sacs to be longer than 1,200 feet if they do not intersect with an ingress/egress path from the development.

**Response:** Suggested revision: Lengths over 1,200 shall require a variance to the block length requirements.

1b) The variance will be required to demonstrate the ability to adequately address emergency vehicles for public safety.

1c) Variances should consider lot configuration, topography, environmental constraints, and the ability to appropriately sub-street connect to adjoining parcels.

The intent is primarily for public safety with emergency vehicles and to encourage interconnection to other existing or future subdivisions.

#### Richard Bancroft and Mike Wohlwend

**Comment:** Section 301.1(B) – Clarify what is wanted for a pre-application sketch.

**Response:** We want applicants to use FIRM Maps and NWI maps for the surrounding parcel information.

**Comment:** Section 303.2 – Clarify what is wanted as part of the preliminary plan (information just outside the project site).

**Response:** We want applicants to use FIRM Maps and NWI maps for the surrounding parcel information.

#### General Inquiries

The following items were also added to the Subdivision Regulations per the County Prosecutor's Office:

- Added Section 180: Enactment
- Added Appendices 5A & 6A – The template/example documents provided in the appendices are not themselves rules or regulations and are being stricken during the pendency of the amendment process so that they may be updated and provided for convenience of developers at the time any amendments to the subdivision rules and regulations are approved and adopted.

### EXECUTIVE COMMITTEE

#### Work Program

##### April 2021 Work Program Report

Todd presented the April 2021 Work Program Report.

- Portage County Subdivision Regulations Update – An informational meeting was held on April 22, 2021 at RPC old office at 124 N. Prospect Street, Ravenna. The Portage County Commissioners held a public hearing on May 6, 2021 however it was continued to June 1, 2021. The Regional Planning Commission will present it for adoption on June 9, 2021. The proposed changes to the Subdivision Regulation have been posted on our website at [www.portagecounty-oh.gov/regional-planning-commission/pages/subdivision-regulations-proposed](http://www.portagecounty-oh.gov/regional-planning-commission/pages/subdivision-regulations-proposed).



- Atwater Township – Helped work with the Army Corps of Engineers on a letter so they can receive grant funding.
- Brimfield Township – Staff is working on the update to their Comprehensive Plan from 1988. The final meeting with the Zoning Commission has been scheduled for May 13, 2021.
- Hiram Township – Staff is continuing to look into grant opportunities for Broadband grants pending legislative approval.
- Hiram Village – Staff met with the Zoning Commission on April 20, 2021.
- Mantua Township – Staff is finalizing a Historic Preservation District and an interactive structures map for the Township. Staff is also working with them to update their zoning resolution.
- Mantua Village – Staff is looking into a variety of grants to help the Village out i.e. road improvements, water & sewer improvements, and historic preservation. We will be submitting a Targets of Opportunity Grant.
- Nelson Township – Staff has prepared a map showing all of the non-conforming uses and met with the Township on April 15, 2021.
- Palmyra Township – Staff has prepared a map showing all of the non-conforming uses.
- Ravenna City – Staff is also discussing the JEDD, Bike Plan, Landscape Plan, Wayfinding Plan and have scheduled a date for a presentation on their Land Use Plan. Staff will be re-submitting a Critical Infrastructure Grant.
- Ravenna Township – Staff is discussing the JEDD, pending response from property owners.
- Rootstown Township – Staff has been working with them on Subdivision Regulations changes. Staff also submitted a Recreational Trails Park Grant.
- Shalersville Township – Staff is working on a Recreational Trails Park Grant and are now working on a Nature Works Grant.
- Windham Township - Staff is continuing to look into grant opportunities for Broadband pending legislative approval.
- Windham Village – Staff is helping the Village find a recreational grant. Staff will be re-submitting a Critical Infrastructure Grant.
- Quarterly Zoning Inspectors (QZI) Meeting – A meeting was held on February 25, 2021 at 6:00 p.m. via ZOOM and the topic was about the update to the Subdivision Regulations. The next meeting will be held on June 24, 2021.

- Portage County Storm Water Program – Home Sewage Repair and Replacement Program – Currently three septic system is in process. The contract to extend the program is also in process.
- Celebrate Portage! – All of the events have been cancelled and are planning a kick-off to 2021 in August 2021. The next meeting will be held on May 17, 2021. The Ravenna car showing is anticipating being held on August 4, 2021 as permitted by the Health Department due to the pandemic

#### Grant Report – Report presented by K. McMullen

- A TechCred Grant was funded for Job & Family Services.
- A FEMA SAFER Grant was submitted for Palmyra and Windham Township.
- ODNR: Clean Ohio Trail Fund Grant and the ODNR: Recreational Trails Program Grant were submitted for Shalersville and Rootstown Township and for University Hospital.
- Part 1 of the Ohio Humanities Quarterly Grant was submitted for JFS. Part 2 of the grant is due by June 7, 2021.
- Part 1 of the Ohio Humanities: Special Grants is due by June 15, 2021 and the final is due by July 15, 2021.
- EPA Brownfield Grants are due by October 28, 2021.

#### April 2021 CDBG Report

#### **2020 Community Development Allocation Grant**

Haven of Portage County Water & Sewer Improvements Project – The bid opening was held on April 22, 2021. The contracts are being circulated for signature and a Notice to Proceed will be issued once contract is in place.

Windham Community Center Project – The is currently out to bid for the “Center Hall” and bids are due by 2:00 p.m. on June 2, 2021.

Freedom Township ADA Project – A building permit is being required as well as architectural drawings. Working with the Township to obtain an architect for the project(s).

Fair Housing – There was one request for assistance received in April and was located in the City of Aurora.

Streetsboro Senior Assistance Program – We are currently taking applications for the Senior Assistance Program. To date we have received 31 applications. Applications were mailed out to 11 homeowners and information about the program has been posted to the City of Streetsboro’s website.

No RFQ’s were received on April 28, 2021 and the RFQ will go back out again for the lawn and leaf cleanup services on May 9, 2021 and RFQ’s will be due by 2:30 p.m. on May 26, 2021.

Streetsboro Home Repair Program – We are currently taking applications for the Home Repair Program. The contract between RPC and Neighborhood Development Services to assist RPC in the work related to the Home Repair Program is being circulated for signatures.

### **2021 Residential Public Infrastructure Grant**

A letter of interest was submitted on March 18, 2021. OCD has reviewed the letter of interest and has said the project was a good fit for the grant and that we may apply for the program. OCD will open a full application for Portage County on or around July 1, 2021.

### **2021 Critical Infrastructure Grant**

A Critical Infrastructure Grant will be resubmitted for the Village of Windham and the City of Ravenna and are due by June 16, 2021.

### **Finance**

#### **April 2021 Financial Statement**

J. DiPaola stated that the Executive Committee reviewed the April 2021 financial statements and recommends acceptance.

V. Kline made a motion to approve the April 2021 financial statements as presented. Motion seconded by R. Patrick. Motion carried with 18 Yeas.

### **OTHER BUSINESS**

#### **Next Meeting**

J. DiPaola announced the next Regional Planning Commission meeting will be held on May 12, 2021 at 4:30 p.m. via Zoom.

### **DIRECTORS REPORT**

Portage County Comprehensive Plan and Vision – Todd said he will be reaching out to all of the communities regarding appointing someone to be on a committee for the Comp Plan side and for the Vision side to gather input. Communities will have an opportunity as well to provide comments on the comprehensive plan every 30, 60 and 90 days.

Community Planner – Maria Palmisano who will be a Community Planner will start on June 16, 2021.

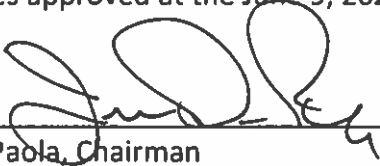
Intern – A new intern, Grace Petitjean who is majoring in communications. She will be working on social media, community surveys and Portage County Fair Housing and will start June 7, 2021.

Regional Planning Commission Old Office - Todd mentioned that he has 3 showings coming up.

### **ADJOURNMENT**

A motion was made by R. Patrick to adjourn the meeting at 5:38 p.m. Motion seconded by J. Paulus.

Minutes approved at the June 9, 2021 Meeting.



Jim DiPaola, Chairman



Todd Peetz, Secretary