

OLMSTED TOWNSHIP BOARD OF TRUSTEES - FEBRUARY 1, 1999

The Olmsted Township Board of Trustees' regular meeting of February 1, 1999 was called to order at 8:14 p.m. Present were Chairman Michael Stallard, Vice-Chairperson Karen Straka, Trustee Robert Venefra, Assistant County Prosecutor Robert Matyjasik and Clerk Annette Wey. Chairman Stallard asked that everyone stand for the Pledge of Allegiance.

Correction and Approval of Previous Minutes

Trustee Straka moved to approve the January 25, 1999 meeting minutes as submitted. Seconded by Trustee Venefra. Roll Call: All approved.

Correspondence

Trustee Straka received correspondence from, but not limited to, Duvin, Cahn, URS Greiner, Auditor's Messenger, Police Department, City of Cleveland, Landrom & Brown, and Carl Patay regarding a sewer tap-in.

Trustee Venefra received correspondence from, but not limited to, the Police Department, the Weekly Operational Reports from the Police and Fire Departments, Cox Cable, the zoning report and a Fire Department schooling request.

Chairman Stallard received correspondence from, but not limited to, in addition to Trustees Straka and Venefra, Olmsted Falls Alumni Association, Solid Waste Hauling Company Landmark Disposal, a mesquite seminar, RTA Board of Trustees, and the Board of Health.

Reports

Trustee Straka reported on attending the quarterly Joint Cemetery meeting, attended a Common Pleas Court hearing regarding Dennis McCafferty, attended the Cuyahoga County Subdivision Regulation committee meeting, attended the OPBA negotiations, attended a special Joint Cemetery Association meeting and attended a SERB pre-hearing.

Trustee Venefra reported on resolving the drainage problem on McKenzie Road, attended the OPBA negotiation meeting and routine township business.

Chairman Stallard reported on attending the special Union Cemetery meeting, attended the SERB hearing, and working with the County regarding the Yellowstone-Brentwood road problem.

Clerk Wey, Zoning Inspector Moir and Police Chief McCafferty gave their reports.

Old Business

Chairman Stallard moved to recess the regular meeting for the purpose of continuation of Resolution D-98. Seconded by Trustee Straka. Roll Call: All approved.

Chairman Stallard moved to continue the public hearing on Resolution D-98. Seconded by Trustee Straka. Roll Call: All approved.

Mr. DeLorenzo explained his desire to seek a rezoning on his lot located on John Road. Discussions ensued regarding this matter. The Board asked Mr. DeLorenzo to provide assurances that the City of Cleveland will provide the water, that the sewer lines will be run in the right of way and that the City of North Olmsted will allow the homes to tie into its sewer lines.

Chairman Stallard moved to continue Resolution D-98 public hearing until February 22, 1999 for further review by the County Prosecutor. Mr. DeLorenzo agreed to this extension of time. Seconded by Trustee Straka. Roll Call: All approved.

Chairman Stallard moved to reconvene the regular meeting at 9:28 p.m. Seconded by Trustee Straka. Roll Call: All approved.

New Business

Trustee Straka moved to suspend Sgt. Dave Tkachik without pay for three (3) days effective February 9, 1999 through February 11, 1999. Seconded by Chairman Stallard. Roll Call: All approved.

Trustee Straka moved to purchase a desk and hutch from Office Max for the zoning office, not to exceed \$300.00. Seconded by Chairman Stallard. Roll Call: All approved.

Trustee Straka moved to purchase a Sony digital camera from Office Max for the zoning office, not to exceed \$800.00. Seconded by Chairman Stallard. Roll Call: All approved.

Trustee Straka moved to purchase a flatbed color scanner for the zoning office from Office Max, not to exceed \$200.00. Seconded by Chairman Stallard. Roll Call: All approved.

Trustee Straka moved to lease (2) computers from Gateway, Quote 0203273 & 245, lease option #3 for 60 months. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to set the public hearing for Resolution F-98, text amendment to the current zoning book, for February 22, 1999 at 8:00 p.m. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to set the public hearing for Resolution G-98, rezoning, for February 22, 1999 at 8:00 p.m. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to adjourn the meeting at 10:00 p.m. Seconded by Trustee Straka.
Roll Call: All approved.

Respectfully submitted,

Annette L. Wey
Clerk

Michael R. Stallard 2-22-99
Chairman Date


OLMSTED TOWNSHIP BOARD OF TRUSTEES - FEBRUARY 10, 1999

The Olmsted Township Board of Trustees' special meeting of February 10, 1999 was called to order at 7:30 p.m. Present were Chairman Michael Stallard, Vice-Chairperson Karen Straka and Clerk Annette Wey. Absent were Trustee Robert Venefra and Assistant County Prosecutor Robert Matyjasik.

Chairman Stallard moved to approve Draft Nos. 20105-20151, 20153-20165, 20217 and 20218. Seconded by Trustee Straka. Roll Call: All approved.

Chairman Stallard moved to adjourn the meeting at 7:45 p.m. Seconded by Trustee Straka. Roll Call: All approved.

Respectfully submitted,


Clerk


Chairman 3-1-99
Date

OLMSTED TOWNSHIP BOARD OF TRUSTEES - FEBRUARY 22, 1999

The Olmsted Township Board of Trustees' regular meeting of February 22, 1999 was called to order at 8:01 p.m. Present were Chairman Michael Stallard, Trustee Robert Venefra, Assistant County Prosecutor Robert Matyjasik and Clerk Annette Wey. Absent was Vice-Chairperson Karen Straka. Trustee Straka telephoned the Clerk that she would be unable to attend due to illness.

Correction and Approval of Previous Minutes

Trustee Venefra moved to approve the February 1, 1999 meeting minutes as submitted. Seconded by Chairman Michael Stallard. Roll Call: All approved.

Correspondence

Trustee Venefra received correspondence from, but not limited to, the Weekly Operational Reports from the Police and Fire Departments, Lorain County Prosecutor's township seminar, DARE Program brochure, Olmsted Chamber of Commerce, ShoreWest Construction, Fire Department request, Zoning office, and Greg Paradis applying for the vacancy on the Board of Appeals.

Chairman Stallard received correspondence from, but not limited to, in addition to Trustee Venefra's correspondence, a check from Berea Municipal Court, an invitation from Falls-Lenox School to read to the students for Right To Read Week, County Board of Health, and Clerk Wey.

Clerk Wey received correspondence from The Guardian regarding a rate increase, County Commissioners Service Report for 1998, Walter & Haverfield, and a quote from Great Lakes Billing Associates regarding squad run billing.

Reports

Trustee Venefra reported on meeting with the Fire Department regarding purchasing a new pumper truck, attended a meeting with the County Sanitary Engineers regarding the funding of the Schady Road sewer project and various resident complaints.

Chairman Stallard reported on attending two (2) SERB hearings, attended a County Planning meeting, attended a meeting with the Fire Department regarding a new pumper truck, attended a meeting with the County Sanitary Engineers regarding sewer assessments for south of the Turnpike, attended a special Trustee meeting, and announced an upcoming Bingo Night for the Olmsted Baseball/Softball Commission.

Old Business

Chairman Stallard moved to recess the regular meeting for the purpose of public hearings for Resolutions D-98, F-98 and G-98. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to reconvene the regular meeting at 9:27 p.m. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to amend the agenda under New Business to add 9. ShoreWest and 10. Police Department and to hold #3 & 4. Seconded by Trustee Venefra. Roll Call: All approved.

New Business

Trustee Venefra moved to approve Resolution 4-99 (DARE Appropriations). Seconded by Chairman Stallard. Roll Call: All approved.

Chairman Stallard moved to approve Resolution 5-99 (Service Department). Seconded by Trustee Venefra. Roll Call: Venefra-no, Stallard-yes.

Chairman Stallard moved to approve John Rice to attend the Ohio Fire Academy for Search and Rescue Fire Tactics schooling, not to exceed \$235.00. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to approve John Lavelle to attend Cuyahoga Community College for Fire Instructor Training, not to exceed \$250.00. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to approve Joe Fudale to attend Bowling Green University for Fire Tactics, not to exceed \$400.00. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to approve Officer Brewer to attend Callibrepress in Cleveland for Street Survival schooling, not to exceed \$199.00. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to approve Ptlmn. Jopek to attend the Ohio Peace Officers' Training Academy for Human Relations schooling, not to exceed \$70.00. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to approve Ptlmn. Sampsell to attend the Field Training Officer schooling at Twinsburg Police Department, not to exceed \$250.00. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard moved to approve Resolution 6-99 (Legal). Seconded by Trustee Venefra.
Roll Call: All approved.

Trustee Venefra moved to sign the letter of intent and allow ShoreWest Construction to construct a roadway on Permanent Parcel 264-15-022. Seconded by Chairman Stallard. Roll Call: All approved.

Trustee Venefra moved to allow the Police Department to trade confiscated weapons for approximately \$3,000.00 and purchase one (1) shotgun and two (2) 9MM berettas. Seconded by Chairman Stallard. Roll Call: All approved.

Payment of Bills

Chairman Stallard moved to approve Draft Nos. 20223-20247. Seconded by Trustee Venefra.
Roll Call: All approved.

Chairman Stallard moved to adjourn the meeting at 9:48 p.m. Seconded by Trustee Venefra.
Roll Call: All approved.

Respectfully submitted,


Clerk


Chairman Date

RESOLUTION D-98 PUBLIC HEARING - FEBRUARY 22, 1999

Present for the continuation of Resolution D-98's public hearing was Chairman Michael Stallard, Trustee Robert Venefra, Assistant County Prosecutor Robert Matyjasik and Clerk Annette Wey.

Clerk Wey read the legal notice that was advertised in the Plain Dealer.

A resident asked if someone would read Resolution D-98. Trustee Venefra explained that it is regarding a parcel of land located on John Road. He further stated the property owner has assurances for water and sewers and is seeking to rezone from R1-40 to R1-15.

Chairman Stallard stated that the Board of Trustees have received notification from Butternut Ridge Properties regarding assurances for water and sewers.

Chairman Stallard moved to open the public hearing for Resolution D-98. Seconded by Trustee Venefra. Roll Call: All approved.

Tammy Tabor asked if the sewer lines would be run along John Road or in the back of the property. Mr. DeLorenzo, the property owner, stated they would be run adjacent to the right of way.

Cynthia Duncan asked if all of the wooded property adjacent to Eliza Jennings was included in this rezoning. Mr. DeLorenzo answered that part of it was. He explained that there was lot between Eliza Jennings and his lot. She asked how big that adjacent lot was. Michael Moir stated it was approximately 200 feet.

Ryan Thomas expressed his concern over whether the ownership of this land was North Olmsted and if Olmsted Township had the right to rezone this parcel. Trustee Venefra explained that ownership does not determine zoning. Ryan Thomas also asked if the parcel number would change upon rezoning this land. Michael Moir stated that it would stay the same parcel number, even with a rezoning.

Trustee Venefra moved to close the public hearing. Seconded by Chairman Stallard. Roll Call: All approved.

Respectfully submitted,


Clerk


Chairman Date

PUBLIC HEARING FOR RESOLUTION F-98 - FEBRUARY 22, 1999

Present for the public hearing on Resolution F-98 before the Olmsted Township Board of Trustees were Chairman Michael Stallard, Trustee Robert Venefra, Assistant County Prosecutor Robert Matyjasik and Clerk Annette Wey.

Chairman Stallard moved to open the public hearing for Resolution F-98. Seconded by Trustee Venefra. Roll Call: All approved.

Chairman Stallard explained that Resolution F-98 is a proposed text amendment to the current zoning resolution adding a new zoning district called Planned Residential Development Overlay District.

Clerk Wey read the legal notice that was advertised in the Plain Dealer.

Mr. Jim Schiely, a representative of Sharp Development, explained that Sharp Development owned approximately 400 acres in the southwest part of the township. A resident asked where specifically this land was. He stated that it was directly at the end of Stearns Road, south of Schady Road, between Schady Road and Sprague Road and over to Sharp Road. He stated that they have been working with the township for a period of over two (2) years, discussing such matters as zoning and bringing water and sewers to south of the turnpike. He explained that the township has expressed concerns over keeping this land in the township and that Sharp Development has been working hard at trying to keep this land part of the township. He stated that they have closely followed the Comprehensive Master Land Use Plan that the township adopted in 1998.

He explained that this Master Land Use Plan has some policies in it, such as the necessity of extending water and sewers to unserved areas of the township, both for health reasons and to fight off possible annexations.

Mr. Schiely further stated that the Master Land Use Plan also addressed the establishment of open space residential areas to preserve the semi-rural character of the township. He explained that one of the objectives was to establish a Residential Conservation District. This district consisted of 2.25 units per acre, with the stipulation of 20% open space. This district also allows a variety of construction, such as single family, detached clusters and attached clusters. He further explained that cluster homes typically do not generate school age children, since empty nesters generally utilize clusters.

Mr. Schiely explained that typically within the development is a Homeowner's Association that takes care of snow plowing, trash removal and also private drives within the development. This reduces the services the township would provide.

Mr. Schiely spoke of Falls Pointe Development, which has the density of 2.65 units per acre, being annexed from Olmsted Township to Olmsted Falls. He explained that this area is where

the most largest, wooded vacant property is located, allowing an increase in density in exchange for the preservation of open space and seen as a way to reduce the desire to annex to Olmsted Falls.

Mr. Schiely stated that when the RCD district went to County Planning there was a recommendation that the 20% open space within a RCD was disingenuous to call it a conservation district if it only had 20% open space, even though any districts existing within Olmsted Township do not have any requirement for open space. He explained that County Planning offered the recommendation that if the intent was to develop at 2.25 to 2.75 units per acre, this should be not considered an RCD district and should be considered simply Planned Residential Development. They recommended that the RCD district should be removed and land should be developed under the Planned Residential Development Overlay zone. Mr. Schiely stated that in seeing this recommendation, they looked through the proposed zoning book and found in Section 220, the proposed PRD Overlay District.

Mr. Schiely explained that because of the delay in approving the proposed zoning book and map, Sharp Development felt they needed to move ahead and establish zoning on their property. Mr. Schiely stated that the main reason to do this was because with working with the County Sanitary Engineers in extending the sanitary down Schady Road to serve areas south of the turnpike, the Sanitary Engineers had asked Sharp Development to guarantee all the cost of the sanitary sewer for the entire area south of the turnpike, even though they only own 400 of the existing 1500 acres there. He explained that they are asking Sharp Development to guarantee 2.4 million dollars to the sanitary project. In order to do this, Sharp Development must have zoning established on their property. He stated they did not know when the overall zoning book will be complete, so they submitted a section out of the proposed zoning book and applied to the Township as a proposed text amendment to add the PRD Overlay District to the current zoning book.

Mr. Schiely stated that the proposed PRD Overlay District regulations allow the 2.25 units per acre density, with 20% open space. A stipulation of this district is a minimum of 30 acres of land. He explained that the whole idea of the PRD Overlay District is to allow more of a flexible residential development and allows you to put open space corridors through the development. He stated it allows you to have an inward orientated development, instead of having houses fronting the streets, it allows you to have buffers, such as mounding and landscaping along the frontages.

In reference to the open space requirement, Mr. Schiely stated that in their case, they are looking at setting aside 65-70 acres of open space that remains undeveloped. He explained that the Homeowners' Association would be responsible for the maintenance of this open space. He stated that there would be recreation facilities for the homeowners in the development.

Mr. Schiely stated that plan approval under the proposed PRD Overlay District would be done under the same statute in the Ohio Revised Code that is currently being used by the Township.

A resident asked how they planned on servicing traffic and will they have an access on Sharp and Sprague Roads. Mr. Schiely explained that a traffic study has been done and they will have an access on Sharp, Sprague, and Schady Roads and a connection to Falls Pointe. The same resident asked Mr. Schiely about the tree preservation ordinance that was part of his visual presentation. Mr. Schiely explained that this is part of the Comprehensive Master Plan and something the Trustees need to implement. Mr. Schiely further stated that Sharp Development plans on preserving as many trees as possible on their land.

A resident asked if the 65-70 acres of open space included the recreational area. Mr. Schiely answered yes that did include the recreational area, which would be approximately 3-4 acres. The resident asked what exactly did the 20% open space consist of. Mr. Schiely stated that it included land within the development, corridors that would go behind the single family homes, possibly some existing wooded areas. He explained that open space consisted of green space, wooded areas, existing water features and wild areas that are maintained. Chairman Stallard asked if open space includes roads and private drives. Mr. Schiely answered no that open space does not include roads and all private drives would be within a designated cluster parcel and are not included in the open space requirement.

A resident asked how their plan compares to Falls Pointe. Mr. Schiely answered it would be fairly similar to Falls Pointe in density.

A resident asked about the Master Land Use Plan provisions for a township recreation area. He stated that it seems that the township would be lacking in support if the developments have their own recreational facilities. Mr. Schiely stated that most planned residential developments do have their own recreational facilities for their homeowners and that a community recreational facility is a community issue.

A resident expressed her concerns regarding the township maintaining the rural atmosphere. Mr. Schiely pointed out that the township is not single family lots, but is one-third mobile homes, developed at a density of 16 units per acre. He reiterated that Sharp Development is willing to develop at 2.25 units per acre.

A resident asked the Board of Trustees if some of the people living in developments feel they are part of the township or are an entity in themselves. Chairman Stallard answered that if they live in the township then they are part of the township. He explained that some people choose to buy large acreage lots and some people prefer to buy in a development. The resident expressed concern over the homeowner's association creating a semi-quasi form of government. Mr. Schiely stated that a homeowner's association is responsible for the private streets. The township is responsible for the public streets. The resident further expressed his concern over what direction the township is taking regarding so called countryside programs or conservation districts.

Chairman Stallard stated that County Planning did approve F-98 with thirteen modifications.

Ryan Thomas stated that he has reviewed the proposed zoning book in depth and believes the proposed density in the PRD district is actually higher than any current zoning the township has. Mr. Thomas expressed his concerns over the recommendations from County Planning and the township zoning attorney. Chairman Stallard asked Mr. Thomas if the Olmsted Township Zoning Commission approved F-98. Mr. Thomas replied that it is in Chairman Stallard's packet. Mr. Schiely reiterated the approval process would be the same as the current one is. Mr. Thomas expressed his concern over the proposed recreational land being deeded over to Olmsted Township. Mr. Schiely explained that in the letter of intent it explains that upon final plat approval, the land would be deeded over to Olmsted Township. Mr. Thomas read in the proposed text for the PRD District that roads are not included in the list of exclusions for open space requirements. Mr. Schiely answered that they do not factor in roads when calculating open space.

A resident asked about sewer assessment figures. Mr. Schiely stated that the final numbers are not finished yet. Trustee Venefra informed the resident that there will be public hearings on the sewer assessments.

A resident asked Chairman Stallard to read the thirteen recommendations from County Planning. Chairman Stallard read the recommendations from County Planning.

Chairman Stallard moved to close the public hearing on Resolution F-98. Seconded by Trustee Venefra. Roll Call: All approved.

Respectfully submitted,

Annette K. Wey
Clerk

Michael R. Stallard 3/15/99
Chairman Date

PUBLIC HEARING FOR RESOLUTION G-98 - FEBRUARY 22, 1999

Present for the public hearing on Resolution G-98 before the Olmsted Township Board of Trustees were Chairman Michael Stallard, Trustee Robert Venefra, Assistant County Prosecutor Robert Matyjasik and Clerk Annette Wey.

Chairman Stallard moved to open the public hearing on Resolution G-98, a rezoning of fifteen separate parcels from R1-40 to PRD-OD. Seconded by Trustee Venefra. Roll Call: All approved.

Clerk Wey read the legal notice that was published in The Plain Dealer.

Mr. Schiely, a representative of Sharp Development, explained Resolution G-98 proposes to rezone property between Schady and Sprague Roads and to the east of Sharp Road, which is approximately 308 acres. They are seeking to rezone to a Planned Residential Development, approximately 370 single family homes, 318 clustered dwelling units, for a total of approximately 680 dwelling units total. The density would be 2.25 units per acre with slightly over 20% open space. There would be a recreational center for the homeowners. They are planning 4 accesses, one being on Schady Road, one on Sharp Road, one on Sprague Road and a connector into Falls Pointe Development.

Mr. Schiely explained they are proposing single family colonial style homes, with a minimum of 2,000 square feet. Along with the single family homes, a mix of clusters, some being detached and some being attached are also being proposed. Mr. Schiely stated that the clusters are geared towards empty nesters and retirees, thus not overburdening the schools. He stated that the total development would probably send approximately 350 school age children into the system over a period of 8-10 years, which would be approximately 30 school age children per year.

Mr. Schiely stated that they would have landscaped entrance features, retention lakes and lakes as amenities, within the open space. A traffic study has been done and based on the proposed development, Sharp Development is looking at adding a left turn lane, but will be meeting with County Planning to discuss this further.

A resident commented on the extensive traffic already on Schady Road. Mr. Schiely explained that they looked at how they will distribute the traffic, that is why they have proposed several accesses into the development from different directions.

A resident asked about the price range of homes in the proposed development. Mr. Schiely answered that the single family homes would start in the 190's, around \$200,000.00.

A resident asked if there would be apartments. Mr. Schiely stated there is no multifamily proposed for south of Schady Road. Mr. Schiely further stated that they do have multifamily zoning north of Schady Road, but that is a separate project.

Ryan Thomas stated that he believes that G-98 is premature with F-98 not being adopted. Chairman Stallard stated that County Planning also felt that G-98 was premature to amend the township zoning district map until the actual zoning text amendment of the proposed PRD-OD have been formally approved. He further stated that County Planning disapproved it and the Olmsted Township Zoning Commission approved it.

Chairman Stallard moved to close the public hearing on Resolution G-98. Seconded by Trustee Venefra. Roll Call: All approved.

Respectfully submitted,

Annette L. Wey
Clerk

Michael R. Stallard 3/15/99
Chairman Date