

BEFORE THE JACKSON TOWNSHIP TRUSTEES

AMENDMENT NO. 630-17

JACKSON TOWNSHIP ZONING)
DEPARTMENT AMENDMENT)
APPLICATION)

TRANSCRIPT OF
PROCEEDINGS

The following Meeting was taken before me, the undersigned, Deanna Gleckler, a Registered Professional Reporter, Certified Realtime Reporter and Notary Public in and for the State of Ohio, at the offices of Jackson Township, 5735 Wales Avenue, N.W., Massillon, Ohio, before the Jackson Township Trustees, on Tuesday, the 13th day of June 2017, at 5:45 p.m.

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1 APPEARANCES:
 2 TRUSTEES
 3
 4 TODD J. HAWKE - PRESIDENT
 5 JAMIE WALTERS
 6 JOHN PIZZINO
 7
 8 ALSO PRESENT: Joni Poindexter - Zoning Inspector
 9 Michael Vaccaro, Esquire
 10 Randy Gonzalez - Fiscal Officer
 11 Mark Brink - Police Chief
 12 Ralph Boger - Public Works
 13 Director/Highway Superintendent
 14 Tracy Hogue - Fire Chief
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 3 MR. VACCARO: We're late going onto the
 4 record because we had a discussion about moving
 5 venues due to the crowd size. Obviously, the
 6 applicant is the moving party. I took his attorney
 7 aside and we discussed the legal nuances with that,
 8 and the decision has been made to move forward here
 9 at this venue. All right. So that's what the
 10 discussion was about, trying to make everybody as
 11 comfortable as possible. Does anybody have any
 12 questions about that?
 13 UNKNOWN SPEAKER: You are going to turn the
 14 speakers on out here?
 15 MR. VACCARO: Yes, sir. Give me a minute
 16 on that one.
 17
 18 (Off the record discussion was held)
 19
 20 MR. VACCARO: Just so we're clear for the
 21 record, there were no questions. We're going to go
 22 to regular agenda.
 23
 24 (General meeting was conducted)
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1 MR. HAWKE: We are now at 5:45, so I'm
 2 going to go ahead and call to open the 5:45 p.m.
 3 rezoning hearing with proposed rezoning of Property
 4 Zoning Amendment 630-17. Terry A. Moore, Esquire,
 5 4775 Munson Street, N.W., Canton, Ohio, 44718,
 6 agent for Tam O'Shanter, 5055 Hills & Dales Road,
 7 N.W., Canton, Ohio, 44708, proposes to rezone R-R
 8 Rural Residential District to B-3 Commercial
 9 Business District .36 acres more or less, of parcel
 10 number 1625421 located at the southeast corner of
 11 Everhard and Fulton and approximately 61.75 acres
 12 of a 112.84 acre tract, parcel number 1629943
 13 located approximately 70 feet east and 185 feet
 14 south of the southeast corner of Everhard and
 15 Fulton, section 23 southeast, 25 northwest and 26
 16 northeast in Jackson Township.
 17 Mr. Vaccaro, if you would read the
 18 recommendations, please.
 19 MR. VACCARO: This is Amendment 630-17.
 20 Stark County Regional Planning Commission
 21 recommended approval of a modification to B-1 and
 22 B-2. Some of the things that were considered in
 23 the recommendation are as follows. The surrounding
 24 zoning in this area reflects a mixture of land
 25 uses. There is B-3 to the north, R-R to the

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1 immediate south and northwest, B-1 to the east and
 2 R-R and R-4 to the west. Further south is R-1.
 3 According to the applicant, the reason for
 4 the zone change is due to the number of inquiries
 5 received regarding acquisitions of portions of the
 6 property for B-3. The applicant also mentions
 7 transferring approximately 205 acres to Stark Parks
 8 for park purposes and approximately 20 acres to the
 9 Jackson Township for community and school uses.
 10 The property has been zoned R-R since the late
 11 1970s and zone changes have been requested several
 12 times over the years. The Stark County 2030
 13 Comprehensive Transition Plan identifies the future
 14 land use in the area as park and with commercial
 15 intended for the north side of Fulton and developed
 16 urban and suburban living areas surrounding the
 17 park area to the south.
 18 Some uses in the B-3 could be detrimental
 19 to the surrounding residential area. Therefore,
 20 staff finds that a zone change that includes a
 21 combination of B-2 and B-1 zoning for a portion
 22 of the proposal tract would provide a reasonable use
 23 of the property, while also protecting the
 24 surrounding residential areas.
 25 The Zoning Commission recommended approval

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1 as requested at their May 18th meeting. The matter
 2 is now before the Board.
 3 MR. HAWKE: Thank you. All right. At this
 4 time, I will open the section of the hearing for
 5 the applicant to come up and give us their
 6 proposal.
 7 MR. VACCARO: Mr. President.
 8 MR. HAWKE: Yes, sir.
 9 MR. VACCARO: Do you wish me to read into
 10 the record the correspondence list, those who
 11 provided letters and/or emails in favor and in
 12 opposition?
 13 MR. HAWKE: Do you want to deal with that
 14 when we get to those sections or do you want to do
 15 it all now?
 16 MR. WALTERS: Go ahead and do it.
 17 MR. HAWKE: Go ahead.
 18 MR. VACCARO: For those of you who did
 19 submit something in writing to me or to Joni
 20 Poindexter, if I obliterate your name, I apologize
 21 right now. We're just going to go through this
 22 list very quickly. And again, I apologize. Chris
 23 Maggiore. I'm sorry. Let me back up. This is
 24 again Zoning Amendment 630-17 in favor. I'm about
 25 to read off 32 names. Chris Maggiore, 5081 Fulton

1 Road, Mark Memmer, Westdale Road, Gene Barnhart,
 2 2805 Coventry Lane, Kathleen Schauer, no address
 3 given. Dennis Saunier, 222 Market Avenue, Francis
 4 and Beverly Paquin, 4056 St. Edmund Avenue, C. Todd
 5 Locke, no address given. William P. Blair, 2738
 6 Glenmont Road, Joe Linton, 3855 Willowcrest Drive,
 7 Donald Hart, 2513 Dunkeith Drive, David Peppard, no
 8 email or address given. William F. Schumacher, no
 9 address given. Joseph D. Schauer, 200 Market
 10 Avenue, Gabriel Boutros and Sharon Sterling
 11 E-L-H-A-G-E, 5364 Blackthorne Street, Nino
 12 I-A-D-A-N-Z-A, no address given. Carl Sorenson, no
 13 address given. Barry Steadham, 4124 Bramshaw Road,
 14 Troy Oreto, Amesbury Hills, Marta Hansson, 5382
 15 Blackthorne Street. Brad and Joy Vincent, Amesbury
 16 Hills, David C. Cronin, 5382 Blackthorne Street,
 17 Joseph and Frances Schirmer, 4129 Bramshaw Road,
 18 Dan and Jan Rohrer, 4130 Bramshaw Road, Christopher
 19 Goff, 4771 Fulton Drive, Boris E. Slogar, 4018
 20 Saint Edmund Avenue, Jerry Yochum, 3955 Saint
 21 Edmund Avenue, Bill and Gina Hosner, 4005 Bramshaw
 22 Road. Steve Rohr, Friend of Jackson Community
 23 Parks. Laszlo Krompecher, 2850 West Dale Road.
 24 Joseph Niamtu, Jr., no address given. Rosendo
 25 Fuquen, 2819 Brentwood Road. Virginia Kolasky, no

1 address given. Those were the in favor letters
 2 and/or emails.
 3 Opposed. Again, this is Amendment Number
 4 63-071. Maria Kalorides, no address given. Roy
 5 Everhard, no address given. Clark Richards, 5290.
 6 MR. CLARK: Schario.
 7 MR. VACCARO: Schario, thank you. That is
 8 the opposed list and that is everyone that provided
 9 correspondence that I have, and that would not
 10 count any emails that came in from 1:30 on today.
 11 I did get a couple but they're not part of your
 12 packet.
 13 MR. HAWKE: Okay. Good?
 14 MR. VACCARO: Yes, sir.
 15 MR. HAWKE: All right. Now it's your turn.
 16 MR. BENNELL: Thank you very much. We'll
 17 hope for success with the technology tonight. We
 18 shall see. I'm Chuck Bennell. I live at 6104
 19 Dorchester Court Circle in Jackson Township, and I
 20 want to thank the Trustees and thank everybody else
 21 in the room who are all here because you want the
 22 very best for Jackson. We all have that in common.
 23 I want the best for Jackson, too, but I'm also here
 24 tonight because of my responsibility to do the best
 25 for the 20 people who are the owners of Tam

1 O'Shanter.
 2 Brief history. I grew up in Canton and I
 3 lived there for many years and I moved to Jackson
 4 permanently in 1988 for the usual reasons; terrific
 5 schools, plenty of parks and open space, beautiful
 6 family neighborhoods, and a great local government
 7 that's respectful of its citizens and responsive to
 8 their needs. We have all of that in Jackson and
 9 that's why people keep moving here and why our
 10 population keeps growing. All of us here tonight
 11 thank the Trustees for your service and for making
 12 the easy decisions, as well as the hard decisions,
 13 for nearly 41,000 people, because that's what the
 14 census page told me was about how many people live
 15 in Jackson now.
 16 I'm giving you that history because I want
 17 you to know that our family's history and
 18 involvement in Jackson Township goes back almost a
 19 century. My mom would be 100 if she was still
 20 alive. She grew up in Jackson and we lived here
 21 with my grandmother during World War II while my
 22 dad was in the service. I really love the golf
 23 course business and taking care of our customers.
 24 I started working at Tammy in 1971, worked there
 25 full-time in the 80s and 90s and became one of the

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1 owners in the late 1990s.
 2 As the company's president, I am
 3 responsible for the business, but I'm no longer a
 4 full-time employee. My real job is to make sure
 5 that our management team has the tools and the
 6 training to do their very best and I'm proud to say
 7 they're doing a great job. Unlike 60% of the golf
 8 courses in the United States, we are profitable.
 9 That means we have the financial strength to
 10 deliver a great experience to our customers and we
 11 can deliver a modest dividend to our owners.
 12 However, our ownership group is aging. You're
 13 looking at the only person in the two families that
 14 has ever been a golf course operator. There's no
 15 next generation inside the company, and in November
 16 I will enjoy my 75th birthday.
 17 Yes, we're profitable, but others are not
 18 because the golf business is tougher than ever.
 19 Baby Boomers aren't playing the game as much as
 20 their parents did. People in their 20s aren't
 21 taking up the game in any great numbers. And for
 22 two-income families in their 30s and 40s with kids,
 23 even if they like golf, they don't have a lot of
 24 time to play. School events, ball games, soccer
 25 practice, you name it, that gets in the way of

1 No matter what happens here tonight or what people
 2 wish could be true, we won't be a golf course
 3 beyond the next few years. Second, under the
 4 existing residential zoning on our property, what
 5 kind of purchaser is most likely and who benefits
 6 from that? Well, we're zoned right now R-1
 7 Residential and R-R Rural Residential. Now,
 8 selling for residential development almost all 300
 9 acres would be good for Tam O'Shanter, but it would
 10 be bad, we believe, for most people in Jackson. We
 11 get to win if we sell residentially, but we think
 12 the community gets to lose. Third, we'll discuss
 13 why we're asking for a commercial zone change up on
 14 Fulton for about 20% of our property.
 15 Now, B-3 Commercial land is valuable and
 16 it's in demand in Jackson Township. The proceeds
 17 from the eventual sale of the Commercial land,
 18 should you grant the zone change, will help us be
 19 able to afford to preserve 80% of Tam O'Shanter as
 20 public park land forever. So we'll go in to detail
 21 about why we believe our park land plan is not only
 22 a good choice for the Tam O'Shanter owners, but
 23 also the best choice for Jackson Township and Stark
 24 County. We get to win and the community gets to
 25 win. Now, as I said, under current zoning our

1 spending time at the golf course.
 2 Now, it's been well-known for the past
 3 several years that our company would like to sell
 4 our land, and various brokers and developers has
 5 approached us, as Mr. Vaccaro mentioned earlier.
 6 One of the reasons we're seeking this B-3
 7 commercial zone change is to be able to respond to
 8 some of the inquiries we're getting. However,
 9 here's what's interesting. Nobody has contacted me
 10 offering to buy our company as a going golf course
 11 business. There hasn't been a single individual
 12 investor who wants to own a golf course. There
 13 hasn't been a single management company, one of
 14 those groups that operates dozens of courses around
 15 the country. None of the specialty real estate
 16 brokers who work in the golf course industry has
 17 been in touch. I know all of them. I've been on
 18 the board of our National Golf Course Owners
 19 Association. I'm as wired into the golf business
 20 community as there is, and nobody is calling to
 21 say, Let's buy you as a golf business.
 22 So I'm going to talk about several things
 23 tonight. First and foremost, just in case anybody
 24 doesn't really know, the Tam O'Shanter ownership
 25 group has made a firm decision to sell our land.

1 property could be developed for Single-Family
 2 Residential housing. If you're a housing
 3 developer, Tam O'Shanter is probably the best place
 4 in the county for residential development.
 5 Let's take a look at the Tam O'Shanter
 6 property. Nearly 300 acres. This could be, if
 7 you're a developer, maybe the best piece of land in
 8 Stark County for houses. It's already zoned. It's
 9 close to Internet 77 and the shopping districts;
 10 it's good for commuting, it's good for shopping.
 11 It's in two very desirable school districts. The
 12 southern half is primarily in Plain Local and the
 13 far west and the north is in the Jackson Local
 14 School District. It's all rolling terrain with
 15 mature trees. It's not a flat former corn field.
 16 Utilities are nearby. Selling to housing
 17 developers would be good for us. After all, we own
 18 the land free and clear. It's been in the family
 19 since the 1920s. Think of it if you're a
 20 developer, 300 acres of prime residential land with
 21 owners willing to sell. Developers can do the
 22 math, exactly how many houses would fit onto that
 23 300 acres. This is about how many. About 400
 24 houses. If you're looking at that screen, and I
 25 know it's kind of small, over here on the west

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1 side - do you see where my mouse is moving around
 2 up there - that is zoned in Jackson Township R-1
 3 Residential. Over here on the right side, that's
 4 zoned R-R Residential. Now, all of that --
 5 MR. HAWKE: This will show up on that
 6 screen.
 7 MR. BENNELL: Oh, that's great. Thank you.
 8 Okay. There we go. That is R-1 Residential. That
 9 part, that's our Dales Course, that's Rural
 10 Residential. Now, this isn't intended to be an
 11 actual plan. This isn't something a developer did.
 12 I simply asked a civil engineering firm, under
 13 existing zoning, following all the rules about lot
 14 sizes, how many houses could get onto 300 acres.
 15 Almost 400. Well, just how big is 300 acres?
 16 Here's what 300 acres would look like if you were
 17 out near Rolling Green Golf Course near Strausser
 18 Elementary. If you think of it, there's the new
 19 school, there's the old Rolling Green, here's some
 20 farm land that's being developed. It stretches all
 21 the way east to Arlington on the east, down to
 22 Portage on the south. If you made it square, an
 23 allotment like this would eat up most of the land
 24 between Lutz, Strausser, Arlington and Portage.
 25 Tam O'Shanter is better for residential development

1 the schools, it would add to traffic in all
 2 directions around the golf course property. New
 3 streets on Everhard, new streets on Fulton, new
 4 streets on Hills & Dales Road intersecting with
 5 those. Traffic in all directions would include
 6 buses from two school districts twice a day. And
 7 up to 400 affordable new homes, most likely it
 8 would drive the values down of the great older
 9 homes on all sides of those, not to mention new
 10 streets for the township to plow, 400 houses hooked
 11 up to the sewers, and all the other things that new
 12 development brings that cost the government.
 13 One person in the neighborhood told me if
 14 all those homes get built, first thing they're
 15 going to have to do is build a new school. Well,
 16 I'm no expert on schools. For all I know, they'll
 17 just get more buses and transport them around to
 18 where the schools are not too overcrowded. So we
 19 asked ourselves what if we could develop a plan
 20 that would be good for the Tam O'Shanter owners
 21 without selling their land for a huge housing
 22 development. What if we could develop a plan where
 23 we get to win and the Jackson Township and Stark
 24 County Community also gets to win. We reached out
 25 to community leaders during the past three or four

1 than out there near Strausser. Location, location,
 2 location, as the realtors say. Better for shopping
 3 and better for schools. So if this is developed as
 4 a residential allotment, what kind of houses are
 5 likely to be there? It probably would look
 6 something like this. By the way, this picture has
 7 about 70 houses in it. An allotment on 300 acres
 8 or so like Tam O'Shanter would be more than five
 9 times as big. And these are nice houses. There's
 10 a high demand for affordable new homes in Jackson,
 11 but we're hearing that many people in Jackson would
 12 prefer the street view around Tam O'Shanter, or at
 13 least most of it, to look pretty much like this now
 14 and in the future versus having the street to go
 15 around Tam O'Shanter look something like that.
 16 (Indicating).
 17 Now, as I said, selling our land for
 18 residential development would be good for the Tam
 19 O'Shanter ownership, and it wouldn't take a zone
 20 change. So why am I here tonight asking for a zone
 21 change so we can eventually sell some of our land
 22 for commercial development? Yes, we would do well
 23 if we sold the whole thing residential. We win.
 24 But the community loses. 400 new homes divided
 25 between Plain Local and Jackson Local would crowd

1 years and we ended up in long discussions with Bob
 2 Fonte, the Director of the Stark County Park
 3 District. Bob's a civil engineer, he was a Stark
 4 County administrator before he was Director of the
 5 Park System, and some people might think he is the
 6 most experienced land planner in Stark County.
 7 Bob's here tonight and he will review what Stark
 8 Parks is planning for Jackson on this property.
 9 Now, as our plans took final shape this
 10 year, we reached out to the neighborhoods around
 11 the golf course. We had town meetings, if you
 12 will. We reached out to the owners of the
 13 businesses and business properties surrounding the
 14 golf course. We reached out informally to school
 15 district officials and we have talked to people who
 16 are supporters of the schools as well as families
 17 who have kids in sports, in school sports. We've
 18 heard many positive responses as we shared our
 19 plans, but not everyone has been positive. The
 20 Zoning Commission listened very hard to our
 21 proposal and they listened very hard to all the
 22 people who didn't like our proposal, and then they
 23 decided unanimously to recommend acceptance of our
 24 proposal to the Trustees, as you know.
 25 Well, my next slide will show you what

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1 we're asking Jackson citizens and the Trustees to
 2 help us accomplish. Again, this is kind of shrunk,
 3 so I'm going to go up there. Look at the pointer
 4 again. Here's Everhard Road, here's Fulton Road,
 5 here's Hills & Dales Road, here's Wackerly Road,
 6 here's the Marihill Allotment, here's Carriage Hill
 7 Apartments, here's the Amesbury Allotment, here's
 8 Westdale, here's Hills & Dales Village, here's
 9 Hollydale Farm, my favorite place to buy corn. My
 10 mom bought corn there until her death. And what
 11 we're hoping to do, if we can get 62 acres up along
 12 Fulton rezoned to B-3 Commercial, that's just going
 13 to put us in a position over the next few years to
 14 sell all of this 225 acres to Stark Parks,
 15 including a 20 acre donation to Jackson Parks. So
 16 roughly 205 to Stark Parks, 20 to Jackson.

17 Now, we have no purchase agreements or
 18 commitments on this land right now, but we've got
 19 plenty of interest. We have a contract in place
 20 with Stark Parks, contingent on our ability to get
 21 the zone change, because the sale of the commercial
 22 land is going to let us sell to Stark Parks for
 23 less money than a developer would pay. So B-3
 24 Commercial according to the Jackson Township
 25 Ordinance, and I read it this morning just to

1 refresh myself, is intended to serve a large
 2 trading area population. That's a quote. And you
 3 can see that in the businesses on Fulton near us
 4 and across from us. B-3 businesses, the Zoning
 5 Ordinance says, draw large segments of people from
 6 other areas and generates traffic.

7 Let's take a look at the zoning in the area
 8 right now. You know, if you think about it, and
 9 you think about B-3 Commercial, there's a reason
 10 why stores like Fishers Foods and Buehlers are on
 11 Fulton, why Acme Fresh Market is on Whipple.
 12 Customers of those grocery stores drive from their
 13 homes to wherever they want to shop. My wife
 14 drives from our house near the corner of Mudbrook
 15 and Arlington to Buehler's or Fishers or Acme,
 16 depending on who she thinks has the best cut meat
 17 or produce values that week, or whether the flier
 18 in the newspaper in the mailbox says Gerber's
 19 chicken is on sale. She calls it having a lot of
 20 shopping choices. Other people might call this
 21 traffic up and down Fulton too much traffic.

22 Now, as I said before, if we get the sale,
 23 the rest of the property here becomes park land.
 24 So we'll come back to this a little later, but I
 25 really do want to make a point. If the zone change

1 happens, we're going to be able to afford to make a
 2 bargain sale to Stark Parks for about 205 acres at
 3 a discount from what a residential developer would
 4 pay us if we sold it to them for houses, and we'll
 5 be able to donate 20 acres to Jackson Parks. It's
 6 good for Tam O'Shanter and we win. It's good for
 7 the community, too, I think, because there's the
 8 environmental benefit of keeping more than 200
 9 acres as green space.

10 The taxes on the commercial land will far
 11 exceed the taxes on the whole golf course. There
 12 won't be any burden on the schools, et cetera,
 13 et cetera. Now, make no mistake about it, it also
 14 gives government the opportunity to improve an
 15 already congested region that has traffic. It's no
 16 secret that traffic congestion in the
 17 Everhard/Fulton area includes people from Canton,
 18 North Canton, western Jackson Township, Massillon
 19 and Wayne County, commuting to work, going shopping
 20 at Belden Village, going to and from I-77. That
 21 traffic's going to increase no matter what happens
 22 here tonight. If the commercial zoning happens,
 23 Jackson Township is going to have the financial
 24 ability to deal with it.

25 Well, let's get back to what I showed you a

1 second ago, the zoning around Tam O'Shanter, except
 2 for the historic Rural Residential zoning on the
 3 golf course. It's funny when you think about it.
 4 Our business is already doing the kinds of things
 5 that happen in B-3 zones. We've got a bar, we've
 6 got a restaurant, we've got a retail store, and all
 7 of that has been there since 50 years before there
 8 was a zoning ordinance. That's why we're operating
 9 under what's called in zoning language a
 10 certificate of non-conforming use. The land is
 11 zoned Rural Residential, but we're allowed to
 12 continue our existing commercial use. What's
 13 interesting as you look around, take a look across
 14 the street from us. Mostly B-3 Commercial on our
 15 side of Fulton from the east side of Dressler all
 16 the way to Brunnerdale. B-3 zoning across Fulton
 17 from us. This is us. (Indicating). B-3 zoning
 18 catty-corner from us. In fact, virtually the whole
 19 area around us is B-3 Commercial, other commercial,
 20 and we believe B-3 zoning on our side of Fulton is
 21 consistent with the commercial character of this
 22 region. In fact, when you get down to it,
 23 virtually the whole area surrounding Tam O'Shanter
 24 includes uses that are not Rural Residential,
 25 including some areas that are Rural Residential.

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1 This allotment here, for example, is completely
 2 surrounded by B-3 Commercial and R-4 Multi-Family
 3 apartments. Commercial on Fulton, apartments
 4 wrapped around to the west, apartments across the
 5 street, one across Everhard. There are I think
 6 three houses on Everhard that are across the street
 7 from us. That's the only place that's Rural
 8 Residential across from Rural Residential, unless
 9 I'm reading the map wrong.

10 So looking back a little bit. Three years
 11 ago when we were first trying to think about what
 12 to do over the long term, we had in mind also to
 13 ask for rezoning of some of our land. Up here
 14 right next to Carriage Hill Apartments, we had in
 15 mind to ask for R-4 Multi-Family rezoning for this
 16 area right there. We figured all of Carriage Hill
 17 property is already zoned for Multi-Family, even
 18 though only a small portion of it has apartment
 19 buildings on it. This looks compatible to us. But
 20 it became really clear in 2015 and 2016 that
 21 township voters are not interested in seeing Rural
 22 Residential land rezoned to build more apartments.
 23 So we took that idea off the table. We're
 24 listening. No apartments for us. Logical
 25 commercial development up on Fulton - at least we

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1 hope you think it's logical - green space
 2 everywhere else. Our new plan means we can sell
 3 about 205 acres to the park for way less than a
 4 developer would pay, because new commercial zoning
 5 on Everhard and Fulton is going to give us the
 6 financial resources when we sell that to do a
 7 bargain sale to the parks. We win. The community
 8 wins. Sports fields can have it as a donation.
 9 The Jackson sports fields are probably going to be
 10 up in this general area. (Indicating). That will
 11 be figured out when Stark Parks does its master
 12 plans, if the zone change happens. The idea is for
 13 the sports fields to be accessible from a new road
 14 off of Fulton with no traffic going from Hills &
 15 Dales Road through the county park.

16 Now, as I said, we have a purchase
 17 agreement in place with Stark Parks. Bob Fonte
 18 will confirm that the Park Commissioners are
 19 committed to the plan and that we are committed to
 20 sell if we get the zoning. Stark Parks is stepping
 21 up big time in Jackson. In fact, they just bought
 22 18 acres over here between our property and the
 23 fire station. (Indicating). By the time they
 24 acquire the Tam O'Shanter property, that's going to
 25 mean about 243 acres of brand new parks in Jackson.

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1 Existing Jackson community parks are about 240
 2 acres now. So we've got the chance to double it,
 3 but the Stark Parks purchase and the Jackson Parks
 4 donation are completely dependent on our ability to
 5 obtain the commercial zone change we need.

6 Tam O'Shanter's going to be sold and it's
 7 no longer going to be a golf course in a few years.
 8 So really the Jackson Community's choice is pretty
 9 simple. Does the community want 300 acres of
 10 affordable new houses or does the community want to
 11 preserve most of Tammy as a green space and
 12 recreation? Well, Jackson's already thought hard
 13 about that, starting more than ten years ago.
 14 That's when the township put together its
 15 Comprehensive Plan. Now, the Steering Committee
 16 for that Comprehensive Plan included elected
 17 officials and community leaders, and some of the
 18 folks who worked on that Steering Committee are in
 19 the room tonight. Here's what that plan says about
 20 the Tam O'Shanter property, and this is from the
 21 text. Tam O'Shanter Golf Course is experiencing
 22 tremendous development pressure. The township may
 23 want to consider acquiring the southwestern portion
 24 of the site for park land and allowing development
 25 to occur along Fulton Road.

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1 What's the difference between ten years ago
 2 and now? Stark Parks wants to buy this land so
 3 Jackson doesn't have to. The plan goes on to call
 4 the Tam O'Shanter area an opportunity area for
 5 green space preservation. Well, if you look at
 6 this map, which is out of the Comprehensive Plan,
 7 and go inside the purple circle, that H is what the
 8 plan calls the southwest part of the golf course,
 9 and if you take a look at the part that's white and
 10 not green, that shows you comprehensively how the
 11 planners, the Citizens Committee, ten years ago
 12 said, man, if we could save most of that as green
 13 space, it would be okay to let Fulton Road get
 14 developed. That's not me. That's the Planning
 15 Commission ten years ago. So, we're hoping Jackson
 16 Township leaders today will put in place what the
 17 Comprehensive Planning Steering Committee and
 18 Jackson's leaders ten years ago envisioned. Some
 19 commercial on Fulton so most of the land can be
 20 open space and park land.

21 Well, now back to our request. B-3
 22 Commercial. I've heard some people say that B-3 on
 23 Tam O'Shanter property is going to be bad for
 24 Jackson because it permits large stores, taller
 25 office buildings, hotels. I even heard that you

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1 can have a strip mine in B-3 Commercial. Well, for
 2 what it's worth, I think it's very unlikely that
 3 we're going to see a strip mine on Fulton Road on
 4 the Tam O'Shanter property. I suppose there's some
 5 sand and gravel in that sled riding hill, but you
 6 know what, you can have strip mines in Rural
 7 Residential right now. There's an active strip
 8 mine on High Mill out west near Mudbrook, Rural
 9 Residential. We're not going to put a strip mine
 10 there, B-3 or R-R. I've also heard that 62 acres
 11 is too big, too much to ask for. Well, how much is
 12 62 acres? Well, it's big. If you flipped it
 13 across Fulton, it would look pretty much like this.
 14 It would go from Fulton and Everhard, up to Munson
 15 where KFC is, down this way, take up some of
 16 Thursdays Plaza down Dressler and over here.
 17 (Indicating). All of that right now is zoned B-3
 18 Commercial with a single exception of the senior
 19 citizen apartments on Stephen Circle. So our side
 20 of Fulton is about the size as the shopping and
 21 office area across Fulton from us, between
 22 Dressler, Fulton, Everhard and Munson, and we're
 23 asking for the same zoning on our side of the
 24 street.

25 Now, I've also heard that 62 acres is as

1 big as The Strip. Well, I think the county records
 2 say that the retail stores part of The Strip is
 3 roughly 95 acres, and that includes Walmart and the
 4 movie theatre. It doesn't include the out lots
 5 with the restaurants last time I looked. But 62
 6 acres is a lot smaller than The Strip. 62 acres is
 7 in fact a little bit smaller than Belden Village
 8 Mall and its parking lot. 62 acres is big, but
 9 I'll show you something that's really big. I'll
 10 show you what 62 acres -- rather, I'll show you
 11 what 225 acres of park land would look like if you
 12 dropped it right on top of the mall and looked in
 13 all directions. That's what it would look like.
 14 That's something big. Think of it. Over here is
 15 Whipple. You see all inside that red area, that's
 16 the 225 acres that could be park. If you put it
 17 out at the intersection of I-77 and Everhard, it
 18 would go from Whipple on the east almost all the
 19 way to Sunset Hills Cemetery on Everhard, all the
 20 way south down here to Holiday Street. Then you'd
 21 go over back this way, it takes in Olive Garden,
 22 part of Thursday's Plaza, the Verizon store, the
 23 new Westfield Bank and the place where they tore
 24 down Belpar Square to build a new Panera and
 25 Marc's. So I think this brings home what we're

1 talking about. Jackson has the chance to preserve
 2 from development forever an area about four times
 3 as big as the mall. In fact, it covers almost the
 4 whole area we call Belden Village.
 5 So I could go on forever, and I've probably
 6 gone on forever already, but I'll summarize. Tam
 7 O'Shanter is going to sell our land in the next
 8 three years. It won't be a golf course much
 9 longer. We've got two alternatives in front of us.
 10 Both are good for Tam O'Shanter, only one of them
 11 is a win, win for Tam O'Shanter and the community.
 12 On one hand, we can work with the zoning we have
 13 right now. We can reach out to one of those
 14 national corporations that builds huge allotments,
 15 but that's the plan where we win and the nearby
 16 neighborhoods lose. Lots of traffic all day long,
 17 affordable new houses driving down existing values,
 18 and local governments lose. Burden on the school
 19 districts, more traffic, yada, yada, yada. On the
 20 other hand, there's the plan where we win and the
 21 whole Jackson community wins. We think after the
 22 Township Officials and Jackson Citizens think
 23 really long and really hard, they just might agree
 24 the best choice for Jackson is to approve
 25 commercial zoning up on Fulton, to preserve 80% of

1 Tam O'Shanter, 225 acres of green space as
 2 permanent public park land. That's the kind of
 3 legacy we'd like to leave behind when we're not in
 4 the golf business anymore.
 5 Well, something else. I said something
 6 about taxes before, and the township's resources
 7 that those taxes will give. For example, everybody
 8 knows right now that people drive south on
 9 Everhard, south on Frank Road and cut through a
 10 quiet neighborhood over here behind Lake Nursery to
 11 get to Everhard Road. Well, it's hard for --
 12 everyone knows it's hard for people at Carriage
 13 Hill Apartments to get out of their driveway. Hard
 14 enough to make a right turn. Almost impossible to
 15 make a left turn.
 16 UNKNOWN SPEAKER: We'll speak for
 17 ourselves.
 18 MR. HAWKE: Sir, no breakouts. You've got
 19 to keep that down, sir.
 20 MR. BENNELL: Gosh, I thought I was stating
 21 the obvious. So besides the once in a lifetime
 22 opportunity to save some green space - some green
 23 space, four times as big as Belden Village - we
 24 have a once in a lifetime opportunity or once in a
 25 generation opportunity to create the necessary

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1 traffic improvements along Everhard and Fulton,
 2 making it safer and more convenient for everybody
 3 whether they live there or work there or drive
 4 through it on their way to somewhere else.
 5 So it's up to the Jackson Community. Tam
 6 O'Shanter won't be a golf course after a few more
 7 years. You have the choice to decide what the 300
 8 acres will become. Someone at one of the
 9 neighborhood meetings said, Well, what if you don't
 10 get the zoning that you need? What if you're stuck
 11 with plan B? Well, I guess in conclusion, we
 12 really need to take a look hard at the alternatives
 13 for Tam O'Shanter. Let me back up. I'm moving too
 14 fast here. That's really what we're looking at.
 15 The right-hand side of the page, no zoning change,
 16 no nothing. We just start answering the phone
 17 calls. Left-hand side of the page, we still do
 18 fine, we think the community does fine. Ultimately
 19 what happens to Tammy isn't up to its owners, but
 20 it's up to the people in Jackson Township. Thanks
 21 for the chance to talk to you tonight.
 22 MR. HAWKE: Do you have anybody else
 23 presenting anything?
 24 MR. BENNELL: There are no other
 25 presentations. I do know that among the people

1 that I know wants to speak on our behalf tonight is
 2 Mr. Roger DeVille, who has to be over in Perry for
 3 a zoning hearing pretty quick, so if he can come up
 4 first, that would be great.
 5 MR. HAWKE: Okay. Then at that point then
 6 we'll close the section of the hearing for the
 7 presentation from the applicant and I will open the
 8 section of the hearing for anyone who wishes to
 9 speak in favor of the applicant.
 10 MR. DEVILLE: My name is Roger DeVille. I
 11 live at 2530 Inverness Parkway. Actually, right
 12 across the street from Tam O'Shanter Golf Course.
 13 I've lived there for 50 years. I love living
 14 there. I love the community. I love the area.
 15 And I'm very much in favor of this. To have the
 16 opportunity for the Bennell family and his
 17 relatives to give us 200 plus acres I think is a
 18 once in a lifetime opportunity and I think it would
 19 benefit everybody.
 20 But I want to speak a moment about the
 21 commercial aspect of this proposal. I'm actually a
 22 retail developer. I live in Canton, Ohio, across
 23 the street from Tam O'Shanter actually, and for 50
 24 years I've developed shopping centers and office
 25 buildings in seven different states, throughout all

1 Ohio and seven other states. Ohio, Kentucky,
 2 Tennessee, Pennsylvania, Michigan, Iowa and Florida,
 3 and I can tell you without any equivocation my
 4 primary desire is to develop in and around Ohio,
 5 and just recently I developed the corner of
 6 Everhard Road and Whipple Avenue. We had to tear
 7 down buildings because there was no land available
 8 for us to put the people that were interested in
 9 coming to the area. I know another developer that
 10 just tore down some property to build a new Marc's
 11 and Panera Bread. Again, if there was area
 12 available, they would have used those other
 13 properties. However, there was nothing available.
 14 And I guess I can say that I believe the Belden
 15 Village area is a great asset to the community and
 16 the request for commercially zoned land is a need.
 17 Mr. Bennell and his team are right on
 18 target. The office concept theory, we have ample
 19 office zoned property on Fulton, Dressler, Munson,
 20 Higbee Avenue, Whipple Avenue. In fact, I have
 21 some of that ground and I've had it for many years.
 22 I'm having a tough time even giving it away. And
 23 even though the retail industry today is going
 24 through some transition, we all know that Sears and
 25 K-Mart and Penney's and hhgregg are having

1 difficulties. However, they're not even close to
 2 the difficulties the office industry is having.
 3 AT&T, Google, Xerox, IBM, Sysco, Microsoft, Bank of
 4 America, Seagate Technology, intel, Humana, to name
 5 a few, have laid off tens and tens of thousands of
 6 people and vacated hundreds and hundreds of
 7 thousands of office space. And I can tell you our
 8 community here does not need more office space and
 9 office development. We have land for that. We
 10 really don't have proper land for commercial
 11 development. This is right across the street from
 12 what we call Belden Village. It's a perfect
 13 extension, and there are other very good retailers
 14 that would love to come to our area. This area is
 15 a very desirable area, and if this is approved, I
 16 think everybody has an opportunity to provide jobs,
 17 increase taxes, take some of the taxing burden off
 18 the homeowner and put it on the commercial
 19 development. That's all I have to say. If anybody
 20 would have any questions, I'd try my best to answer
 21 them. Other than that, I thank you for this
 22 opportunity.
 23 MR. PIZZINO: Thank you.
 24 MR. PEPPARD: Hello. My name is Dave
 25 Peppard. I live at 2395 Brentwood Road, N.W. I'm

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1 in Hills & Dales Village. I grew up -- this is a
 2 tough thing for me. I've known Chuck Bennell and
 3 family my whole life. I grew up in the game of
 4 golf. Less people are getting into the game of
 5 golf. My whole family plays golf. My mother was a
 6 very good golfer. So was my father. My
 7 grandfather was a golf pro at Fairlawn for 45
 8 years. We hate to lose that as a golf course, but
 9 we do know it is going to go. I have been speaking
 10 with Chuck probably for three years on this
 11 project. I also met with Bob Fonte. At least in
 12 my opinion, I agree it's probably the best outcome.
 13 We would hate to see 400 homes go there, or some of
 14 the mixed use spaces that we saw before. I'm also
 15 the President of the Hills & Dales Owners
 16 Association. We have over 15, could be 20 percent
 17 of the homeowners present here this evening, and
 18 every single person that we've talked to, including
 19 the Owners Association, is fully behind this plan.
 20 So if there's any questions, I'd be happy to answer
 21 them.

22 MR. HAWKE: Thank you.

23 MR. HAMMONTREE: I'm Charles Hammontree. I
 24 live at 5072 Armandale Avenue and I support this
 25 zone change as being very fair and reasonable.

1 tight. I work at Jackson High School. If we have
 2 400 houses with two students each in those homes,
 3 we would be looking at 800 new students. As a
 4 teacher, I can't even imagine where we would put
 5 them or what kind of building would have to be
 6 built for them. A lot of people in here have their
 7 own children at Lake Cable. They know what that
 8 building's like and they know that it's already
 9 strained.

10 I just think that as we look at R-1 and R-R
 11 backing up to our allotment, that's huge density.
 12 On the other hand, this morning I got, you know,
 13 since I'm out of school now, I had the privilege of
 14 going down, walking on the tow path for four miles
 15 this morning. Yesterday I got to go over to Sippo
 16 and kayak on the lake and, you know, it was a great
 17 experience. Those are both Stark Parks. That's
 18 what we're looking at putting in our back yard, and
 19 each one of us being able to share and enjoy for a
 20 lifetime. When we talk about the students, we're
 21 talking about giving that to the future generations
 22 of Jackson. I don't see how 400 homes is going to
 23 give them. It's redundant on what we already have.
 24 Thank you.

25 MR. GONZALEZ: Could you hold on one sec.

1 Thank you.

2 MR. HAWKE: Thank you. I think what we'll
 3 do, we've done this in the past when we have a
 4 large group. After you get done, we'll probably
 5 just start on one end of the room and just try to
 6 go through so we don't have everybody trying to
 7 jump up at the same time, and we'll work our way
 8 through it.

9 Go ahead.

10 MS. GERMANO: I'm Kim Germano and my
 11 address is 3999 Ashford Avenue. I live in Amesbury
 12 Hills. I think our address, our allotment in
 13 particular, is seeing a huge impact from this.
 14 We're surrounded by Tam O'Shanter. And if I
 15 believe one thing that Mr. Bennell said, I think
 16 this decision is actually simple. If I believe Tam
 17 O'Shanter is being sold, then we are looking at
 18 development. We are either looking at 400 homes or
 19 we are looking at preserved park space and B-3. I
 20 can't see how, you know, 400 homes makes a lot of
 21 sense. We've got a lot of strain on our resources
 22 here. I'm a teacher at Jackson, and as a teacher
 23 at Jackson, I know at Lake Cable Elementary we
 24 actually had two classrooms sharing a science lab
 25 this spring, and so I know that space is already

1 Steve, do you need to get going?

2 MR. MEEKS: Good evening and thank you for
 3 allowing me to come up so I can get my wife back
 4 home. I'm Steven Meeks. I live at 5310 Echo Hill
 5 Avenue, N.W. My address is North Canton, but very
 6 proud to say Jackson Township. Many of you in this
 7 room know who I am, know that I wear a lot of hats,
 8 or have worn a lot of hats, but I also had the
 9 privilege and honor to serve the residents of
 10 Jackson Township not too long ago and served very
 11 proudly. The reason why I served was because I
 12 truly care about this community more than any of
 13 you would ever know. Or maybe not. Maybe you care
 14 as much as I do. That's the reason why I got
 15 involved in wanting to be an elected official, so
 16 that those that -- those plans that we have could
 17 come to fruition and help make this community the
 18 great community that it possibly is and possibly
 19 can be.

20 One thing that I know, that I think we all
 21 could agree upon, is that Tam O'Shanter is the
 22 Crown Jewel of Stark County and possibly beyond.
 23 Who would have ever thought that the rarity of a 36
 24 hole golf course would some day be sold? But, you
 25 know, reality of it is, unless I buy that course or

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1 you buy that course, we have really no right to say
2 what future that course would hold. I think it
3 would be a travesty if the day comes that Tam
4 O'Shanter's developed into 400 plus homes. It is,
5 like I said, a true icon. It's a beautiful -- I
6 think all of us have been on it at one time or
7 another. It's a beautiful lay of the land. And
8 for a plan to come before this township to preserve
9 so much green space is almost a gift. And I know
10 that we have a lot of difference of opinions in
11 this room and I know that each one of us who are
12 landowners have a right to speak and to protect our
13 land, but please understand that if you're dealing
14 with issues right now in your allotment or in your
15 part of the township, these gentleman that we have
16 elected are here to serve all of us. If you have
17 issues now, contact them. They can help. I'm not
18 saying that they can do everything, but they can do
19 a heck of a lot, but they can do a lot more if
20 you'll talk to them. Believe it or not, they are a
21 good group of guys that truly do believe in this
22 township and all of us that are here.

23 I felt compelled to come and speak on
24 behalf of the redevelopment or the rezone of Tam
25 O'Shanter, the 62 acres. Not that I'm in favor of

1 creating commercial, but you also have to take a
2 look at how our tax structure is set up. One thing
3 that we try to pride ourself on is evening the
4 scale. We would love to see a 50/50 split of
5 residential and commercial taxes so it takes a
6 burden off of us tax payers. That's not happening.
7 You know, it's probably more 60/40 and 60 on us as
8 property owners. And a commercial rezone like this
9 helps ever so slightly tilt that scale back to our
10 favor.

11 Again, I'm here as a resident. I'm here
12 because I care about this community. I'm here
13 because I care about each and every one of your
14 concerns as well, but from all that I've seen, from
15 the past when I sat on this board, when a
16 development came before us to develop all of Tam
17 O'Shanter, which I was opposed to, I think this is
18 the best of the best, and I do appreciate the
19 thought of selling to Stark Parks and donating the
20 acreage to the township to develop more athletic
21 fields for our youth. Again, we are so proud or
22 should be so proud and privileged to have the park
23 system that we presently have. And I know when
24 that first came to be, I'm sure that there were
25 people against buying the property that we

1 presently know as North Park now, but I just want
2 to thank you all and I, on the record, I am in
3 favor of this rezone. Thank you.

4 MR. HAWKE: Thank you. One of the things,
5 and we'll have you come on up. While you're coming
6 up, come on up here, one of the things that we
7 would want to do, too, is, just if you wouldn't
8 mind, the clapping piece that goes with these, I
9 know everybody has opinions and is excited, but we
10 just don't want to -- we want to keep it moving
11 along, and the clapping, if you could just kind of
12 hold your applause until the end kind of thing, but
13 if you would, just curtail that for now for us.

14 MR. VACCARO: Bill, you're okay. There's
15 mikes above you, too.

16 MR. BLAIR: I want to show you I can get
17 up.

18 MR. VACCARO: You haven't changed none.

19 MR. BLAIR: I didn't plan to speak. My
20 name is Bill Blair. I live at 2738 Glenmont in
21 Hills & Dales Village. I grew up in Canton and I
22 loved it, but we moved to Hills & Dales 40 years
23 ago from Ridgewood, and I was happy in Ridgewood,
24 but I didn't realize how wonderful living in
25 Jackson Township could be, living in Hills & Dales

1 and having Tam O'Shanter across the street. It was
2 very nice, but the thought of having a park there,
3 I just think is so wonderful for all of the
4 residents of Jackson Township. So I don't -- I'm
5 used to government because I lobby at the state
6 government, but I've never been here, I've never
7 been to Jackson Township. Shame on me, but I'll be
8 coming back, but there is no real expertise that I
9 have other than just as a resident, and so I hope
10 you go with the plan that Chuck has outlined.
11 Thank you.

12 MR. HAWKE: Thank you.

13 MR. WALTERS: Thank you.

14 MR. GONZALEZ: Hello. My name's Kody
15 Gonzalez and I live a 6476 Shenandoah Avenue in
16 Jackson. I'm a lifelong resident, 36 years here.
17 Been a homeowner for over 10. Proud to say I'm
18 going to raise my kids here. I have three boys.
19 I'm coaching them in sports, so this means a lot to
20 me. Over the past couple of years I've had the
21 pleasure of working with both the police
22 department, the fire department, the park
23 department, the schools. I currently sit on the
24 Jackson Local School Board Foundation, and I've had
25 the pleasure of helping them try to pass levies and

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1 a few things, and watching a reduced amount of
 2 money come back from Columbus. And for us to be
 3 able to look at this from a perspective of 41,000
 4 people that live here, to me it's kind of a no
 5 brainer. I mean, we're looking at increased
 6 amounts of taxes to help pay for police and fire
 7 for our schools without placing more of a burden on
 8 them. It's not much more of a burden when it's
 9 only a little piece of property that we looked at
 10 that Chuck showed. That's not a whole lot of
 11 service they're providing. It's 400 houses?
 12 That's 400 houses the police have to respond to,
 13 the fire department has to respond to, the buses
 14 have to, those types of things, and looking at it,
 15 this is a way for us to save that. And on top of
 16 that, what do we get out of it as a township? And
 17 as a parent, I get, my kids get 220 acres of park.
 18 And not just park. There's active park, you know,
 19 right now across the way over here, we're working
 20 on bringing a amphitheater in and doing things in
 21 the park. That 20 acres would free up much more
 22 room so that we could have extra soccer fields and
 23 we could start hosting tournaments and having
 24 people come in and really giving people what they
 25 need here in the community.

1 idea for the Trustees as you make your
 2 deliberations. The primary area that is affected
 3 by this proposed plan is really the 80 plus units
 4 of residential in Amesbury Hills and the streets of
 5 Willowcrest and Wackerly. These neighborhoods are
 6 the primary area, because we are the only area that
 7 shares the body of land between Hills & Dales,
 8 Everhard and Fulton Roads with Tam O'Shanter. All
 9 the other residential areas are separated from the
 10 primary area by roads. We think that the best plan
 11 for the primary area is the plan that is proposed
 12 by the owners of Tam O'Shanter. I thank you.
 13 MR. HAWKE: Thank you.
 14 MR. DAY: William Day. I'll try to keep
 15 this short. Grew up in Lake Cable, graduated from
 16 Jackson in '63, served on the Zoning Commission
 17 from 1990 to 2000, I believe, and my background is
 18 basically a little bit of land development. I
 19 built a lot of condos. Back over two years ago I
 20 knew about the proposed idea of Tam O'Shanter,
 21 about the housing, et cetera. There's basically
 22 four major tract builders, national builders, in
 23 Northeast Ohio; we've got Ryan, K. Hovnanian, I
 24 can't pronounce that one, Pulte, who's not here
 25 now, and Reed's Homes. Knowing of the potential of

1 And over the last couple years, I did my
 2 research, I've looked, you know, Steve said it was
 3 60/40; it's almost 70/30 now that the tax payers
 4 are on the burden for. We could use the business
 5 to help generate that. And for the surrounding
 6 areas, what does it do for them? It helps put more
 7 money back in so we can fix the roads around the
 8 area, work on road construction, do those types of
 9 things. So to me, for the 41,000 people that live
 10 in Jackson Township, it helps everybody. It helps
 11 our schools, our fire, our police. It's going to
 12 help everybody with bringing more money in and
 13 generating more things while keeping parks in our
 14 area. I mean, that's the one thing we want to do.
 15 I mean, the sad part is, like Chuck said, it's
 16 going away no matter what. So it's not, Save Tam
 17 O'Shanter; it's what is the best for Jackson
 18 Township, and I think the best thing to do is to
 19 approve it the way that it is and I ask you to do
 20 that tonight. Thanks.
 21 MR. HAWKE: Thank you.
 22 MR. GILL: Good evening. I'm Mike Gill,
 23 4121 Bramshaw Road, N.W. Thanks for the
 24 opportunity to make a few comments. This will be
 25 very, very short, and hopefully just pose another

1 that property before the parks kind of got
 2 involved, I knew through Terry Moore, who
 3 represents Tam O'Shanter, there may be some
 4 residential opportunities. I did talk with Reed's
 5 Homes back in actually February of 2015.
 6 I think the idea is great. If it goes
 7 away, it's gone, but I know there is interest in
 8 the Ryans and some of these others. They're going
 9 towards small homes. You cannot -- that's the
 10 trend. I'm also helping the development where
 11 Strausser Road is here, Shadow Ridge, which I went
 12 in for a zoning there for Congress. It didn't go
 13 through, but anyhow, I understand what's going on
 14 and I think this is great. And I'll leave it at
 15 that.
 16 MR. VACCARO: Thank you.
 17 MR. HAWKE: Thank you.
 18 MR. SNYDER: Patrick Snyder, 7432
 19 Klingston Street, right off of Portage. I'm
 20 President of Jackson Baseball and I represent the
 21 Northwest Jackson Soccer League. We have
 22 approximately 750 kids playing baseball this year,
 23 and last year we had 625 soccer players. We're
 24 maxed out on ball fields, we're maxed out on soccer
 25 fields. I support this zoning request for the

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1 parks donation. I think it's huge. We have had,
2 like Kody Gonzalez said, we've had a couple
3 tournaments here. There's a lot this year.
4 There's twelve new state tournaments that starts
5 here on Thursday, like there's going to be
6 approximately 100 baseball teams here around Ohio
7 coming to Jackson Township to play on our fields
8 this Sunday.

9 Jackson baseball has two baseball
10 tournaments, one in the spring called Spring Dash,
11 one later in the summer at the end of the month of
12 July called Bowen. Again, we have approximately 50
13 teams in each of those tournaments from around the
14 area. There is a soccer tournament this fall
15 that's going to be here in September. I believe
16 there's going to be approximately 100 teams for
17 that soccer tournament. And due to the Jackson
18 varsity baseball team having won the state
19 tournament last weekend and back in '14, the girls
20 Lacrosse having competed in the state championship
21 this past weekend, the popularity of sports in this
22 area is huge. It's not going away. There's a
23 demand for the space, so I fully support the
24 donation of the park property. It will only
25 benefit a multitude of sports in this area. Thank

1 obviously been working on a master plan of
2 developing the county wide park system since the
3 early 90s. We've not put off doing things in
4 Jackson. It's just it's the most expensive land in
5 the county, and the opportunities to get projects
6 here have been very challenging. We did start off
7 with the tow path on the west side. That's open.
8 There's access to 25 miles of a 100 mile trail
9 system that people said we were nuts when we
10 started it in '96. It's now over 95% complete.
11 And not just in Stark County, but for the whole
12 region. We started in '97 with 400 acres, one mile
13 of trail in Stark County for the county parks.
14 We're now over 8200 acres and we have over 100
15 miles of trails. I'm here to say that we do what
16 we plan to do and we plan to build a park in Tammy.
17 We do have a purchase agreement in place.
18 It is held in escrow, pending the outcome of the
19 Zoning hearing. We have funding in place to go
20 through the purchase process. We have three to
21 four years to complete it. I'm optimistic that it
22 won't take that long. And I just want to say that,
23 you know, we just hosted the national conference
24 last week of over 100 park districts from all over
25 the country came here to study how we do what we do

1 you.
2 MR. WALTERS: Thank you.
3 MR. VACCARO: Thanks for coming in.
4 MR. SNYDER: Thanks.
5 MR. WAIKEM: Good evening. Dave Waikem.
6 3190 Inwood drive. I'm also a member of the
7 Friends of Stark Parks. I've seen from the inside
8 what Stark Parks does for our community. Actually
9 out in Perry Township, I was involved with our
10 Rotary in helping get the Stark Parks and Stark
11 County Library together to put that building out
12 there. Unbelievable what these folks have done.
13 My dad was pretty smart back in the day to buy a
14 lot of property in Perry Township. He always told
15 us, They quit making it a long time ago. It's not
16 ever coming back. And for the opportunity to get
17 200 of these acres to use for Stark Parks and the
18 20 acres to use for Jackson Parks really, really is
19 what we call it in business, a no brainer. So I
20 just wanted to let you know on the record that I
21 fully support this project.
22 MR. HAWKE: Thank you.
23 MR. FONTE: My name's Bob Fonte. I'm here
24 as the Director of Stark County Park District. Our
25 address is 5300 Tyner Street, N.W., Canton. We've

1 because we've been so successful. That's the
2 national conference we held and actually, it's an
3 international conference. We had people from
4 England and Canada as well. It's once a year this
5 travels around the country. They chose to come
6 here this year, because we've done what we've said
7 we'd do, and that massive plan that you were part
8 of developing back in the beginning of this process
9 is what we're still following to this day. Our
10 Board is committed to this plan. As Chuck pointed
11 out, we've already had the opportunity to buy land
12 adjacent. If that opens up more opportunities,
13 we'll continue to buy adjacent, but it won't really
14 work unless the core piece is available. I'll be
15 happy to answer any questions. Other than that,
16 I'll excuse myself.
17 MR. HAWKE: Thank you.
18 MR. FONTE: Thank you.
19 MS. JOLIAT: Hello. I'm Wendy Joliat. I
20 live at 6500 Huckleberry in Jackson Township. I
21 also work in Jackson Township. I would rather
22 have, knowing that Tam O'Shanter is going to sell,
23 I would rather walk my dogs in the Stark Parks than
24 have a crappy allotment with four to five hundred
25 homes to have to walk my dogs in. So, go zoning.

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1 MR. HAWKE: Thank you.
 2 MR. PIZZINO: That's a first. I've never
 3 heard that.
 4 MS. TURNER: My name is Sandy Turner and I
 5 live at 3902 Bramshaw Road. So last Saturday I was
 6 working in my back yard and I looked up to see a
 7 young male deer walk onto my grass. He was
 8 curious, looking around and seemed to be taking it
 9 all in. He looked kind of skinny, I thought. So I
 10 went into the house and got a big apple and brought
 11 it out and threw it on the lawn, and he had a hard
 12 time eating that, so I went in and actually cut up
 13 an apple and threw it on my lawn, and he ate those
 14 quietly, curiously, and then when he was done, he
 15 looked up, kind of like my kids, and said, Well,
 16 that was good. Do you have anymore? He was just
 17 so awesome to have in my yard.
 18 My back yard and the woods connect to the
 19 golf course, and they have many animals. They have
 20 deers, they have bunnies, they have ground hogs,
 21 chipmunks, squirrels, birds and yes, those smelly
 22 skunks, they do come into our yard. For my
 23 husband, Tom Turner, and I, turning 205 acres into
 24 a park is the best option for Jackson, for our
 25 kids, and for the animals that live there already.

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1 watched the sun rise.
 2 MR. HAWKE: Don't let Chuck hear that too
 3 loud.
 4 MR. BENNELL: I love it.
 5 MR. BARTH: But I've also picked up trash
 6 for him, too. It's been great. And I'll be able
 7 to continue to do that. I've played golf there
 8 many times. I know that that time's passed and it
 9 makes me sad, but I look at the park, I see a
 10 legacy for Jackson Township. I look at the
 11 allotment, I see no legacy. I see another
 12 allotment. Thank you.
 13 MR. GONZALEZ: Thank you.
 14 MR. HAWKE: Thank you.
 15 MS. BELDEN: Hello. My name is Karen
 16 Belden. I'm a resident of Jackson Township at 2710
 17 Dunkeith Road. Just two thoughts. Being an ex
 18 realtor, it would be kind of exciting to see 400
 19 houses go up, because we would be able to make a
 20 lot of money that way, but it would be very sad to
 21 see that happen in our area, a beautiful area. I
 22 want to say that I think the value of homes will
 23 increase with the park system, that they are going
 24 to increase. I think people, when we have people
 25 who move into our area, the one thing they do look

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1 I approve this option, because it allows a
 2 magnificent green space to become a magnificent
 3 green park.
 4 MR. HAWKE: Thank you.
 5 MS. MELNICK: Hello. My name is Tamara
 6 Melnick. I live at 3922 Bramshaw Road and I am in
 7 favor of the zoning change. I would like to second
 8 the opinions given already about the wildlife and
 9 having a nice place to walk the dogs. I also
 10 volunteer at Lake Cable Elementary, and this spring
 11 I helped clean out a supply closet so that it could
 12 be pressed into service as a classroom, and so I
 13 understand that the building of an allotment on
 14 that property would create an incredible burden on
 15 Lake Cable Elementary and the school system in
 16 general. And also, I would like to point out, as a
 17 PhD in geology, that the fear mongering about a
 18 strip mine is ridiculous. Thank you very much.
 19 MR. HAWKE: That's more expert than me.
 20 MR. BARTH: Hello. My name is Ron Barth.
 21 I live at 3860 Willowcrest Drive. My property
 22 adjoins Tam O'Shanter. I've lived there for 30
 23 years. I feel like I live next to a park. I grew
 24 up at hole 7, look over West Dale, and it's just
 25 wonderful. I sneak up there at night. I've

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1 at is the entertainment done by parks, and I think,
 2 I looked at the other plans that we've had, and I
 3 didn't care for them at all because of the traffic,
 4 et cetera, but I think this park system is going to
 5 add value to everybody's home here. Thank you.
 6 MR. HAWKE: Thank you.
 7 MR. GALENEY: My name is Joe Galeney. I am
 8 actually reading a letter that was sent to
 9 Mr. Vaccaro and the Trustees because he was
 10 unavailable to come. "My wife Joy and I are
 11 residents of the Amesbury Hills allotment.
 12 Unfortunately due to work and other commitments we
 13 are unable to attend tomorrow night's meeting,
 14 though we have attended those held in the past.
 15 We are very much in support of the
 16 allocation of property along Fulton for commercial
 17 use. Our primary reason is we understand that if
 18 this acreage is used for commercial purposes that
 19 it clears the way for the remaining acres to be
 20 utilized as greenspace for Jackson Township.
 21 One only needs to look at major cities who
 22 have designated greenspace as part of their urban
 23 management plan, Hyde Park, London, Central Park,
 24 New York, Phoenix Park, Dublin, to see the benefits
 25 of such a designation.

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1 The benefits go far beyond recreation,
 2 though recreation in itself has the benefits of a
 3 healthier community, a less stressful community,
 4 less depressed community, job opportunities, and
 5 youth development. This all leads to a better
 6 sense of community by the citizens of Jackson
 7 Township and surrounding areas.
 8 There are also financial benefits to
 9 preserving the regional ecosystem in our township.
 10 By having trees, open greenspace and wetlands it
 11 helps reduce erosion, leaching and runoff, saving
 12 the township the expense of storm sewer creation
 13 and renovation. Philadelphia, Pennsylvania credits
 14 an annual savings of \$16 million a year on their
 15 storm sewer management to the park system and
 16 greenspace it so wisely planned and developed. In
 17 fact 85 cities worldwide have realized a savings of
 18 over \$3.08 billion in storm water management
 19 systems. A park system also helps to reduce global
 20 warming and helps cool cities and reduces
 21 greenhouse gasses.
 22 It has been said that with any project you
 23 only have one opportunity to plan. Now is that
 24 time and the Tam O'Shanter property is that
 25 opportunity. On behalf of my wife and I we whole

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1 of mine. The growth of Jackson Township I've
 2 experienced over the years. In 1969, I opened up a
 3 Sohio station at the Everhard Road exit of 77. The
 4 mall would open the next year. I remember John
 5 Pizzino was a tow truck driver for the Shell
 6 Station on Whipple and Everhard, and with progress
 7 changes we both have experienced. Growth and
 8 progress is not a bad word. And with it there will
 9 be more traffic, traffic that has discomfort and
 10 possible delays. As intelligent people do, you
 11 make adjustments in the route you take and
 12 scheduling. This happens in every area such as
 13 Jackson Township, a shining star as townships goes.
 14 If you're going to the mall between 4:30 and 6, the
 15 world knows that Fulton will be busy, but the light
 16 makes it workable. Retail outlets are a part of
 17 growth, but in this instance we receive for our
 18 minor hour and a half traffic build-up, what I
 19 reference as Jackson Township's own Central Park.
 20 The last comment I have concerns people
 21 that you see every day at the market in your
 22 neighborhood or at your favorite diner
 23 establishment. If you are on opposite sides of Tam
 24 O'Shanter application, whatever the outcome, don't
 25 let it be a lasting barrier. Thank you.

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1 heartedly encourage the trustees to approve the use
 2 of the Fulton Road portion of Tam O'Shanter to be
 3 used for commercial purposes.
 4 I will leave you with a quote by Gil
 5 Penalosa, longtime advocate for more 'active'
 6 cities.
 7 'Successful public places around the world
 8 are successful not just because of the design but
 9 also because of the management. That's not just
 10 cutting the grass and picking up the garbage. The
 11 bigger part of management is how to involve the
 12 community in the parks. We need to think of parks
 13 more as outdoor community centers where we need to
 14 invest in uses and activities so they can fulfill
 15 their potential. When we improve parks we're
 16 really improving quality of life'.
 17 Thank you for your consideration,
 18 Brad and Joy Vincent.
 19 Brad is the CEO of Siffrin, Incorporated,
 20 Canton Regional Chamber of Commerce, a nonprofit
 21 organization that works towards better living
 22 conditions for people with mental retardation and
 23 other development disabilities. Brad is a person
 24 you dream about having as a neighbor.
 25 Now I'll just give you about three minutes

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1 MR. HAWKE: Thank you.
 2 MR. IRVING: Mr. President, members of the
 3 Board of Trustees, in the interest of time and so I
 4 don't forget what I have to say, so if you'll
 5 forgive me, I'm going to read it. Thank you for
 6 this opportunity to speak with you. My name is
 7 Edwin Irving. I have a vested interest in the
 8 decision on the use of the Tam O'Shanter property
 9 as a resident of the Village of Hills & Dales since
 10 2004. I live at 2691 Glenmore Heights, N.W. I
 11 was a councilman in New Jersey, so I have
 12 experience with planning use. In particular, its
 13 misuse. I don't know if the overall plan on the
 14 Tam O'Shanter is perfect, but it seems very
 15 favorably in regards to its proposed land use. I
 16 do know that a high probability alternative to
 17 construct multiple residential housing will be a
 18 substantial burden to the community and the tax
 19 payers at large. Therefore, I whole heartedly
 20 request the approval of the proposal to rezone the
 21 approximately 62 acres along Fulton and Everhard to
 22 B-3 Commercial use be done. It is required in
 23 connection with the overall plan and the following
 24 success rate. I pray that you experience the
 25 wisdom to help you make the decision regarding the

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1 constituents. Thank you.
 2 MR. HAWKE: Thank you.
 3 MR. BARNHART: Gentlemen, my name is Gene
 4 Barnhart, 2805 Coventry Lane, N.W. I've been here
 5 even longer than Roger DeVille, if you can imagine
 6 that. I've been here 59 years, and as some of you
 7 may be aware, I was a Board member and then the
 8 Chairman of the Board of the Zoning Appeals for 29
 9 years, which we think is still a record in the
 10 State of Ohio. I also was on the School Board for
 11 eight years and President for two. So I think I've
 12 been around and seen what our community can do and
 13 what force has been exercised by people in your
 14 position. I think this is a question of alouge
 15 (sic). It is only incidental, though, to the
 16 hearing tonight. Everybody speaks about the way
 17 the property's going to go. That's not what you
 18 gentlemen have to decide. That is, when I say the
 19 property, the 220 acres. The lawyer in me tells me
 20 that you gentlemen have to decide, is the
 21 application appropriate. And I think we've heard
 22 in testimony tonight from Roger DeVille, I'm sure
 23 all of you are aware, this guy owns more property
 24 than anybody I know and he's been in the business
 25 forever. The Stark County Regional Planning

1 suggested that this area be made available for
 2 office space, and Roger says there's a surfeit of
 3 office space at this time. And he testified for
 4 you. I didn't have to do that. But I think it is
 5 very clear that that decision by the county was
 6 inappropriate, and the Zoning Commission didn't
 7 give it any merit whatsoever, and I don't think you
 8 should. The question is, can you award this
 9 applicant with the right and provide his property
 10 for development, which Roger has said the space is
 11 available and is needed. He gave illustrations as
 12 to why this new space for commercial use should be
 13 available here in Jackson Township. I was involved
 14 in the development of Belden Village. I like to
 15 think that I'm the guy that originated the
 16 statement Downtown Stark County. Let's continue to
 17 make Jackson Township Downtown Stark County. Thank
 18 you.
 19 MR. GONZALEZ: Thank you.
 20 MR. HAWKE: Thank you.
 21 MS. STARCHER: My name's Gloria Starcher,
 22 at 5416 Overlook Avenue, N.W. I'm the Treasurer of
 23 the Jackson-Perry Soccer Club, and so we're here as
 24 a proponent of this for the fields, the parks that
 25 will be delegated for the soccer fields. With the

1 loss of the library field and things going there,
 2 that will be a hit for us. We have about 150 girls
 3 enrolled in grades 1 through grade 8, and we're
 4 looking to start a development program for 3 to 6
 5 year olds. So we'll need new fields for that as
 6 well. Just wanted to let you know.
 7 MR. GONZALEZ: Thank you.
 8 MR. HAWKE: Thank you.
 9 MR. GONZALEZ: Thank you for coming in and
 10 hanging around.
 11 MR. EWING: Good evening. My name is David
 12 Ewing. I've been a Jackson resident for over 50
 13 years. I want to say that the proposal should be
 14 approved because I know the way the Stark Parks
 15 work. I've served on the Stark Parks, Friends of
 16 Stark Parks for 20 years, the Ohio Erie Canal Way
 17 for 20 years with Bob Fonte. What he says he can
 18 do, he can do and you'll be proud. Our community
 19 will be proud. Whoever mentioned we're going to
 20 have a little bit of a Central Park here in central
 21 of Jackson Township, it will relieve this park,
 22 which is already overcrowded. So I would very
 23 heavily hope that you would approve this thing.
 24 Thank you very much.
 25 MR. GONZALEZ: Thank you.

1 MR. WALTERS: Thank you.
 2 MR. ROHRER: My name's Dan Rohrer. I live
 3 at 4130 Bramshaw Road in Amesbury Hills, and my
 4 wife and I have lived there for 37 years now. This
 5 is the fourth time I've seen something come up for
 6 Tam O'Shanter. And when I heard this, I never met
 7 Mr. Bennell, when I heard this I couldn't believe
 8 what I was seeing. We've driven past his golf
 9 course our entire lives, our boys have snuck on his
 10 golf course their entire lives, and when I saw they
 11 were going to do a park, I honestly thought I was
 12 dreaming something, and I think this is a window
 13 that we will never see again. How the funds could
 14 come together to do this, how it will benefit
 15 Jackson Township. And I'm Bill Developer by
 16 nature, that's what I've done all my life in this
 17 township, is build, and I think this opportunity to
 18 have a park here -- Fulton Road is commercial
 19 corridor. It's going to be a commercial corridor,
 20 and it's never going to be anything else. You
 21 don't want to build a house on Fulton. No one
 22 wants to live on Fulton Road. I think it's a great
 23 opportunity for this township and I strongly
 24 encourage that you approve B-3 designation in Stark
 25 County in Jackson Township. Thank you.

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1 MR. HAWKE: Thank you.
 2 MR. WALTERS: Thank you.
 3 MS. NESTER: I'm Faye Nester and I live on
 4 Brentwood Road in Jackson Township. I've heard so
 5 much about what has been said tonight, and as a
 6 past Chairman of the Stark Parks, I've also dreamed
 7 that we should have a place for children to play,
 8 and created the garden in the Canton Parks. I see
 9 this as a wonderful opportunity to have a space for
 10 our children, where we can walk passively with our
 11 children, where we must think beyond children and
 12 we must think about the aging population. Think
 13 how beautiful it would be if we could have some of
 14 those trails that we have where wheelchairs could
 15 go through this, and enjoy the beauty and quietness
 16 of the park. I've heard a lot about the active
 17 part of the park. That's one part. We're the
 18 passive part. And I really support and pray that
 19 you will honor this thing and see that this land is
 20 provided for the good of our children and our
 21 adults.
 22 MR. HAWKE: Thank you.
 23 MR. VACCARO: Thank you.
 24 MR. WALTERS: Thank you.
 25 MR. SNYDER: Hello. My name is Gill

1 Snyder. I'm probably the unique person in the
 2 room, because I'm not a resident of Stark County,
 3 so I don't suppose I may have an opinion as to
 4 whether or not the zoning should be approved or
 5 not, but what I will tell you is that I've been an
 6 employer in Stark County of 21 years. I'm the
 7 third generation of a four generation appraisal
 8 consulting company that represents over 100 years
 9 in aggregate work. And when you look at the
 10 opportunity that's before you, it's unique, and I
 11 say it from my own experience in Tuscarawas County,
 12 because I was instrumental in the day of trying to
 13 put together a park in concert with New
 14 Philadelphia City Schools and to create a legacy of
 15 the future. Sadly, it didn't happen. The citizens
 16 turned it down and it became a golf course. Today
 17 it's a golf course which doesn't make any money.
 18 It drove out of business another golf course, which
 19 is closed this year for the first time. It will
 20 never see the light of day.
 21 It's just an extraordinary opportunity you
 22 have, and I chuckled myself a bit ago, and that was
 23 when I saw friends, clients of mine, like Gene
 24 Barnhart and Roger DeVille and Dan Rohrer and
 25 others stand up and speak, and I always wondered

1 where they lived. I never knew. But the irony of
 2 it is, if I were to live in Stark County, that's
 3 exactly where I'd live would be Hills & Dales
 4 Village. So it doesn't surprise me that these
 5 gentlemen chose with their families to live there.
 6 So my recommendation to you as an outsider would be
 7 that this is the best opportunity for adaptive
 8 reuse of a property that I can foresee, and you
 9 have the opportunity to create the legacy that
 10 Tuscarawas County did not. I thank you for your
 11 time.
 12 MR. HAWKE: Thank you. Anyone else who
 13 wants to speak in favor of?
 14 MR. LOCKE: I am Todd Locke. I grew up in
 15 Jackson Township. I was the first graduating class
 16 of Jackson High School and I have two properties in
 17 Jackson Township. Since I am last, I think it's a
 18 pretty simple choice. We either get 400 houses or
 19 we get a park and commercial land. I would
 20 strongly suggest the park and commercial property.
 21 Thank you.
 22 MR. HAWKE: Thank you.
 23 MR. WALTERS: Thank you.
 24 MR. HAWKE: Last call for anyone who wants
 25 to speak in favor of the amendment. Anyone out in

1 the hallway want to speak in favor before I close
 2 that? Hearing none, I will close the section of
 3 the hearing for those speaking in favor of the zone
 4 change and will open the section of the hearing for
 5 anyone who would like to come up and speak against.
 6 MR. LASKOVSKI: Good evening, gentlemen.
 7 My name is Chris Laskovski. I live in 3961 Ashford
 8 Avenue, Amesbury Hills. I've been a long life
 9 resident of Jackson Township, over 50 years. My
 10 kids attended the high school and graduated. I've
 11 been involved with this community for a long time.
 12 I don't like to sound like I'm bragging about it,
 13 but I donate the flag poles for the stadium,
 14 football stadium, also the flag pole for the
 15 baseball stadium. I trust you guys, the Trustees,
 16 will make a good judgment. Only thing I could say
 17 about this is, if you look across the street in
 18 Thursday's Plaza, empty spaces, like it's a ghost
 19 town. Go on to Lake Shore, empty spaces, ghost
 20 town. All the way around Fulton, all the way to
 21 Lake Cable, it's a ghost town. So what I'm saying
 22 is this. I think you guys have been elected. What
 23 is good for this community? And I don't want to
 24 take nothing away from the owner of the Tam
 25 O'Shanter. I think they have the right to sell

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<p style="text-align: center;">Page 66</p> <p>1 their land, but I hate to jam in my throat it will 2 show 400 homes or you have a prime land in Jackson 3 Township where the lots would be sold for 150, land 4 will sell for 250, 250, \$260,000 just for the land. 5 Imagine what the house, if you do 150 or 200 houses 6 there and charge them seven, \$800,000 or whatever. 7 How much would the tax will be good for Jackson 8 Township? That's all I've got to say. I trust you 9 guys to make a good decision, but keep in mind, we 10 elect you guys to make a good decision. What is 11 good for this community, what is good for this 12 township. Thank you. 13 MR. HAWKE: Thank you. 14 MR. RICHARDS: I need to set up my laptop. 15 All right. Mr. Trustees, my name is Clark 16 Richards. I live at 5290 Schario Road. My home is 17 located on the northwest side of the land subject 18 for the zoning request. Tonight I represent and 19 bring with me several informed and united residents 20 to express that we adamantly oppose the rezoning of 21 Tam O'Shanter. For nearly 100 years Tam O'Shanter 22 has been a staple in our community. They drew a 23 line in the sand. It serves the protector of all 24 the residents living west of the intense commercial 25 development east of Fulton. Tam O'Shanter promotes</p>	<p style="text-align: center;">Page 67</p> <p>1 and preserves public health, safety and the general 2 welfare of our community. Rezoning this land 3 without understanding the impact on our community, 4 along with the total disregard for the residents 5 living in Carriage Hill and the neighboring 6 allotments would be catastrophic. 7 Mr. Bennell's proposal to donate acres to 8 Jackson Township and sell 205 acres to Stark Parks 9 in exchange for B-3 commercial zoning is both a 10 bribe and a threat. If he doesn't get the zoning, 11 then he says we'll just build 400 homes. Why? 12 Because he can, because that's how it's zoned. He 13 has not presented a commercial site plan. He has 14 not said to you or what the community will be or 15 what the commercial development will be. He has 16 not expressed the end vision. He has not provided 17 any details about the commercial development at any 18 public hearing, but says the owners of Tam 19 O'Shanter want to be responsible, and he says, hey, 20 you're getting a park. My response is not let's -- 21 my response to this is not, Let's make a deal. We 22 have Jackson Township take a chance on what's 23 behind door number 2. 24 I attended the Regional Planning Committee 25 meeting where Mr. Bennell presented his plan. I</p>
<p style="text-align: center;">Page 68</p> <p>1 was impressed with the Regional Planning 2 Commission's analysis, research and nine detailed 3 facts to be considered while their site plan was 4 presented, and the Regional Planning Committee saw 5 that this zone request is something more than just 6 a park. Upon the completion of the review, the 7 Regional Planning Committee recommended B-1 and B-2 8 development on 37 acres, while leaving the 9 remaining acres Rural Residential. Their 10 recommendation was far less than the 62 acres of 11 B-3. 12 Next I attended the Jackson Township Zoning 13 meeting. My opinion, the meeting was a mockery of 14 the zoning process. I say this because a zoning 15 request of this magnitude and the potential impact 16 it will have on our community deserves to be 17 extensively challenged by the members of the Zoning 18 Commission. Once again, during the meeting 19 Mr. Bennell did not provide a vision, a site plan 20 or disclose any information about the B-3 21 development. Having a plan is vital if you're 22 going to rezone 63 acres to commercial development. 23 In addition, during the meeting there was a short 24 discussion between Mr. Conley and Mr. Everhard. 25 They were trying to determine their authority. The</p>	<p style="text-align: center;">Page 69</p> <p>1 two did not know the rules as applied, as specified 2 in the Ohio Revised Code section 519.12 zoning 3 amendments. Section E, "The Township Zoning 4 Commission, within 30 days after the hearing, shall 5 recommend the approval or denial of the proposed 6 amendment". This is the part that they're missing, 7 "or the approval of some modification of it". 8 During Mr. Conley's and Mr. Everhard's 9 discussion they were under the belief that all they 10 could do is either approve or deny the B-3 request. 11 The fact that none of the other members questioned 12 it leads me to believe that none of them knew the 13 rules either. I, and especially you our Trustees, 14 should expect the individuals who sit on the 15 committee to understand the rules. 16 Later during Mr. Conley's closing remarks, 17 he said to Chuck, The plan isn't perfect and I wish 18 it was different. And still, no one from the 19 Commission made any significant effort to challenge 20 Mr. Bennell or question his vision for the 21 commercial development. Ms. Head, another 22 Commission member, all she cared about was the 23 park. During the discussions she said, We are 24 known for our parks and our parks are our jewels. 25 I wonder how she and the township would feel if our</p>

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1 parks were overshadowed by commercial blight.
 2 During the meeting I said, I have the
 3 belief that if you're going to complain, then be
 4 prepared to provide a solution. I provided and
 5 presented a possible alternative plan that
 6 demonstrated a way to keep the park, keep the
 7 commercial and protect the surrounding residents.
 8 I also submitted that plan, drawings to the three
 9 Trustees. Mr. Walters, thank you for responding.
 10 However, my presentation, along with my
 11 recommendation of the zoning -- along with my
 12 recommendation and the Regional Planning Committee
 13 recommendation, was grossly and completely ignored
 14 by both the Zoning Commission and Mr. Bennell.
 15 From my point of view, the Zoning Commission did
 16 nothing but pass the buck. So now I stand before
 17 you. My intention tonight is to provide each of
 18 you with useful information to consider while
 19 you're making this monumental zoning decision.
 20 A small brief history. In 2001 Tam
 21 O'Shanter made a similar request. It was denied
 22 because the retail development did not make sense
 23 and they did not present any plan for the
 24 commercial development. Today, 16 years later, Tam
 25 O'Shanter is making the request again, and still

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1 they do not have a plan for the commercial
 2 development, and additional retail development does
 3 not make sense. However, at this time they had a
 4 bribe and a threat and they call it a park.
 5 Retail is changing and it will continue to
 6 be different. Brick and mortar stores are
 7 struggling as shoppers change their purchasing
 8 habits. Consumers are spending their money online.
 9 Retail analysts of Forbes did the research, Forbes
 10 did the research and expressed that online shoppers
 11 in the United States spent roughly \$327 billion in
 12 2016. That's up 45% from \$226 billion in 2015. On
 13 average, consumers spent \$1,738 online. Forbes
 14 then continued to report that many consumers will
 15 prefer the web to brick and mortar stores because
 16 of online deals. The report goes on to say 70% of
 17 holiday shoppers last year said they make purchases
 18 online rather than in stores because the retail is
 19 offering better deals.
 20 Recently, hhgreg, Gander Mountain closed
 21 their doors. Sears, a major Belden Village tenant,
 22 just announced, I think a little over two weeks
 23 ago, they're closing an additional 65 stores. This
 24 is after they closed 70 stores in 2016. Sears is
 25 not in good shape. Macy's, another Belden Village

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1 tenant, sales are down and they have closed nearly
 2 100 stores. J.C. Penney has closed numerous
 3 stores. Canton Centre Mall is not the mall it was
 4 ten years ago. The list goes on.
 5 When anchor tenants leave, dominoes fall.
 6 Other tenants may request to lower their rents or
 7 leave altogether, therefore, possibly positioning
 8 the landlord not to be able to maintain the
 9 property or fill the vacancies. In the
 10 Comprehensive Plan there is a section for land use.
 11 Land use strategy 4. Limit areas zoned for
 12 commercial uses in order to channel new development
 13 in and around existing commercial areas. Large
 14 commercial regional development should be limited
 15 to the I-77 corridor. So I ask, does this zoning
 16 meet the criteria to be near the I-77 corridor? I
 17 don't think so. In addition, the Comprehensive
 18 Plan stated to the township, To control development
 19 and infill the vacancies first. Let's currently
 20 review the retail space they have today. Spots you
 21 have here on the left-hand corner, this is Spring
 22 Brook Plaza on Whipple Road. It's owned by Sean
 23 Sanford. It has up to 51,000 square foot of space
 24 available. It's been sitting empty for quite some
 25 time.

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1 The lower right-hand corner, that's the
 2 plaza right across from Belden Village, because we
 3 all know Marc's and Panera Bread are being
 4 relocated to their new positions. What's going to
 5 happen to this plaza when the vacancies become
 6 available? This is stuff on Fulton Road today
 7 that's been empty forever, all B-3. Top left, got
 8 the old, I think it's Double Tyme. Top right, I
 9 don't know what the heck that was. It was a Lucky
 10 7's, I think it was a medical center. It's been
 11 sitting empty. Bottom left, the McDonald's, it's
 12 been sitting empty since they built the new one,
 13 and the lawn space beside it, which has been
 14 sitting empty for several years. Now to the right,
 15 it's the 91, great restaurant. All three tenants
 16 are now gone from that premises.
 17 Mr. DeVille spoke we need more commercial.
 18 Top left, this is a high concentrated corner,
 19 Whipple and Hills & Dales. Tore down the Marathon
 20 Gas Station. It's Mr. DeVille's property. Still
 21 sitting there empty. Below is the First Merit
 22 building, just adjacent to the DeVille property.
 23 It sits on several acres. Still sitting there
 24 empty. This area many people don't realize. Drive
 25 behind Old Carolina, there's a lot of land behind

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1 there that's just sitting vacant. I think that
 2 used to be the old Salt Water Store, something like
 3 that. And then just recently Lake Cable Nursery
 4 was in here making a zone request for Omni Medical
 5 Center, because they wanted to build a medical
 6 facility. The owner was trying to be responsible
 7 and wanted to get it passed. Made a request,
 8 because there was 1.2 acres that was still B-1.
 9 The rest of it was B-3. The Zoning Board actually
 10 pushed back on it and said, Why do you need B-3?
 11 Response from Omni was, We need B-3. Zoning Board
 12 said, Well, B-1, you could build a medical center
 13 on B-1. We want B-3. They gave them B-3. 30 days
 14 ago the deal fell through and the building's no
 15 longer going to be built. So now we have eight
 16 acres of commercial property that another plaza can
 17 be built on Everhard along Speedway. Then we've
 18 got the skating rink across the street. That's a
 19 great attraction. How long's that been sitting
 20 empty? That's B-3.

21 Furthermore, I would guess most people
 22 don't realize, in our Comprehensive Plan it
 23 identified two regional and super regional retail
 24 shopping areas. For those of you that may not
 25 know, regional and regional super center shopping

1 centers rely on consumer spending from a large
 2 trade area. Typically that trade area is twelve
 3 miles or more. This would include Massillon,
 4 Green, North Canton, and probably further out. The
 5 two super regional shopping centers identified in
 6 the Comprehensive Plan are The Strip and the Belden
 7 Village Target, Dick's and Kohl's Plaza. What
 8 should be noted is, that when this was identified
 9 in the Comprehensive Plan back in 2005 and 2006,
 10 Jackson Square didn't even exist. That should be
 11 in the demographics of these properties. This here
 12 is Jackson Square. It's a great piece of property.
 13 It looks awesome. Jackson is very proud of it.
 14 I'm proud of it. I visit the establishments there.
 15 What's interesting is that most people don't even
 16 know how big things are. Mr. Bennell did a great
 17 job explaining how big things are. This particular
 18 plaza, we've got Buehler's, and you've got the
 19 restaurants, you've got CVS. I think there's a
 20 Conrad's. You've got a few other retail
 21 establishments. There's a bank and so forth. This
 22 property, 21 acres. You could put three of those
 23 on the property he's trying to develop. Three.
 24 And yet we don't have a plan on what they want to
 25 do with it or how they're going to build.

1 Next property that his size equates to is
 2 Belden Village. And if I could borrow your pointer
 3 there. Belden Village in the parking lot is
 4 primarily made up of four parcels. We have this
 5 parcel in the yellow, you have this parcel in the
 6 middle, this parcel at the bottom, and this parcel
 7 over here. All those combined are 65 acres. I
 8 don't know about you, I don't know what 400 houses
 9 are going to do, but they're not going to have the
 10 traffic like that on a daily basis. The next one
 11 is The Strip. I know Mr. Bennell and a few have
 12 questioned whether I have accurately reported the
 13 size of The Strip. And yes, if you combine all of
 14 The Strip, which is the theatre and the Walmart and
 15 a couple other stores and so forth, it is bigger.
 16 But if you use 186, which is this one here, which
 17 is just past the Lowe's to the end, and you use
 18 1621152, which is the Lowe's, and then you do the
 19 restaurants, which is the 1621521, which is over
 20 here, it's 60 acres. It's pretty big. Check the
 21 cars out. I ask, how much more B-3 retail do we
 22 need? How much more retail do we need that
 23 provides minimum wage, part-time jobs without
 24 benefits? What else comes with B-3 commercial on
 25 Tam O'Shanter? More traffic and congestion,

1 extended rush hour times, and just not the 4 to
 2 6:30 or the 7 to 9:30 in the morning. Late night
 3 business hours, potentially 24-hour operators, semi
 4 and delivery trucks, sanitation trucks, excessive
 5 noise and excessive light pollution, general
 6 pollution, trash and crime.

7 Now I'd like to share you some statistics
 8 about traffic and crime. The statistics by Traffic
 9 and then provided by the Stark County Crash Report
 10 and Safety Work Plan in 2015 and was completed in
 11 October 2016. This graph might be hard to read.
 12 It's awfully small, but what's on here, these are
 13 the top 32 intersections in Stark County that are
 14 considered the most dangerous intersections.
 15 Fulton and Everhard is ranked 10. It's had 22
 16 crashes in 2015. Frank and Sibila - I'm sorry -
 17 and Fulton, has 41,925 cars a day that go through
 18 that intersection. Fulton, Frank and Sibila, which
 19 is the one by Fishers, 29,900 cars a day. Dressler
 20 and The Strip, and the reason I include that,
 21 because if they're going to add more commercial,
 22 some of those cars that used to go to The Strip are
 23 now going to be coming our direction, 29,300 cars a
 24 day. That's a lot of cars.

25 This next page is traffic intersections

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1 based on crashes. Fulton and Everhard is ranked
 2 number 7 with 22, which is an increase over 2014.
 3 Fulton and Sibila is ranked 17. It's actually
 4 down. I guess my assumption is, the people that
 5 are crossing over Fulton into the Marihill
 6 Allotment are finally learning to look both ways
 7 before they pull out in the intersection. Fulton
 8 and Dressler ranked 28; Dressler and The Strip,
 9 number 13, with twelve accidents.
 10 I've been told that the township needs the
 11 B-3 zoning for the money it will generate to
 12 relieve the traffic congestion on the intersections
 13 of Fulton and Everhard and Sibila and Fulton. My
 14 response is, should have been done right the first
 15 time. Now the township needs the money? Along,
 16 it's my money and the individuals here, our tax,
 17 state and federal tax dollars are going to be used
 18 for ODOT's assistance. This last slide I have is
 19 just showing where these same intersections are
 20 ranked in Jackson Township. They're in the top 10.
 21 Fulton and Everhard's number 4. Fulton, Frank and
 22 Sibila number 10, and Dressler and The Strip are
 23 number 8.
 24 Crime, it talks about we're going to have
 25 more money to generate funds for our police

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1 need.
 2 Also, there is also more population decline
 3 in Canton than in Stark County. Stark County has
 4 fallen for the past six years. City of Canton has
 5 also declined in the past six years and Jackson has
 6 been stagnant. When a Comprehensive Plan was done,
 7 there was an analysis on how much retail space can
 8 Jackson Township support. This was based on the
 9 build out and the growth of population. What I
 10 have highlighted in yellow at the top is shopping
 11 center, they predicted between 2015 and 2024 we
 12 could basically sustain an additional 90,000 square
 13 feet of retail. Convenience retail, which is the
 14 next yellow line, 33,920 square feet. And the
 15 restaurant's the final line, 25,250 square feet.
 16 That's a total of 149,770 feet. That's about the
 17 size of your Super Walmart. Now, we've exceeded
 18 that. Thank goodness we're able to sustain it.
 19 Can we sustain more retail B-3 commercial that's on
 20 62 acres? Eventually, we're not going to be able
 21 to sustain this growth.
 22 Next I'd like to talk about Stark Parks.
 23 At the Regional Planning Committee, Mr. Bennell
 24 stated that older golf courses are selling at a
 25 fraction of what they were built for, and this land

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1 officers, I can appreciate that. This information
 2 is based on statistics provided to me by our
 3 Jackson police from last year, 2016, January 1st to
 4 December 31st. Section 24. For the individuals
 5 who don't understand sections, Jackson Township is
 6 divided into 36 equal squares, section 24 is one of
 7 those squares. Belden Village and the retail
 8 around the mall last year experienced 10,621 police
 9 calls to that area. In addition, they had 461
 10 arrests. Sections 12 and 13, which include The
 11 Strip, although I don't have the number of police
 12 calls, there were 97 arrests in section 12 and 82
 13 arrests in section 13. New commercial brings more
 14 trouble. Next I'd like to talk about population
 15 and the housing of Jackson. What you have on the
 16 left here, the population as predicted and based on
 17 our Comprehensive Plan. The plan was done in 2005
 18 and adopted in 2006. By the year 2010, Jackson was
 19 expected to have 48,317 residents. Based on the
 20 consensus, or the census of 2016, Jackson is still
 21 at 40,588. In six years we've gone up 215 people
 22 and we're still a far short cry of 48,317. I'm not
 23 saying we need to be 48,000. I'm just saying the
 24 Comprehensive Plan was based on the prediction of
 25 the residents and the commercial that we would

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1 as a golf course is worth about 5 to \$6,000 an
 2 acre. If we do the math, 300 acres, I'll give him
 3 the benefit of the doubt and say it's 6,000 an
 4 acre, that's 1,800,000. Sounds like a price the
 5 township could buy as a golf course and make it a
 6 park. Mr. Fonte was there, stated that he has
 7 grant funding and a letter of intent and a purchase
 8 agreement from Tam O'Shanter to purchase 205 acres.
 9 Based upon Clean Ohio website, and this is small,
 10 they have two grants that they've received. One
 11 grant is for 50 acres for 1,196,000; the second
 12 grant is for 822,000 for 30 acres. It's only 80
 13 acres. I know they said they had other plans to
 14 buy the rest, but right now that's a pretty sharp
 15 far cry of 205.
 16 If you do the math to all the way total
 17 spent, 2,018,000 divided by 80 acres, 25,000 an
 18 acre. Not bad when it's worth 6,000 an acre as a
 19 golf course. The letter of intent from the
 20 purchase between Stark Parks and Tam O'Shanter is
 21 key to this whole request. Mr. Bennell said it's
 22 key. I ask the Trustees, have you had a chance to
 23 review the contract? Have you seen the
 24 arrangement? What are the details? What are the
 25 terms? When is the operations intended to be

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<p style="text-align: center;">Page 82</p> <p>1 complete? Is Stark Parks allowed to default even 2 if they can't get the funding? Since this is so 3 critical, I would hope you, our Trustees, would 4 verify the terms and conditions to insure the 5 deal's ironclad. 6 Also at one of the meetings Mr. Fonte said, 7 Once there's a park, it stays a park into 8 perpetuity. However, at the Zoning meeting he said 9 it would stay a park until they sell it. That's a 10 new one, until they sell it. Who knows what the 11 future will bring or if part of the park would be 12 sold. But I would recommend that the township zone 13 the 205 acres to OS, open space, as listed in 14 Jackson Township's Zoning Regulations. This would 15 insure that the homes can never be built or used as 16 a threat for future development. 17 In addition, Mr. Fonte has never presented 18 his plan for the 205 acres. He said it will be a 19 passive park. I ask, will the cart paths become 20 trails? Will they become bike paths? Will they be 21 maintained? Will they fall in repair? What's the 22 vision for the newly Stark Park? At the Zoning 23 meeting Mrs. Head come out and commented that our 24 parks, we love our parks. Does everybody 25 understand the type of park? I'm asking tonight,</p>	<p style="text-align: center;">Page 83</p> <p>1 does everyone understand the type of park the 205 2 acres will become? This is a passive park 3 recreation area. The definition of a passive park 4 recreation area is generally an undeveloped space 5 or environmentally sensitive to the areas that 6 require minimum development. The quality of the 7 environment and the naturalness of the area is the 8 focus of the recreational experience in the passive 9 recreational area. It requires minimal 10 maintenance. May contain walking and bike paths or 11 small pavilions. It may not be used for 12 playgrounds, ball parks, soccer fields, et cetera. 13 Devonshire Park, located on South Boulevard off of 14 Fulton Road is owned by Stark Parks. I wonder how 15 many people know how big that park is. 75 acres. 16 It's a big chunk of land. 17 Now, I'm not disparaging the park. I like 18 parks, but I wonder how many residents or residents 19 from other communities actually use that park. 20 Along with the 205 acre park, Jackson will receive 21 20 acres as a donation for the sport recreation. 22 To Mr. Bennell this is a tax write-off and a 23 deduction. The kind of park that we are all used 24 to seeing in Jackson North. On your left is a 25 Stark Park passive park. This is Devonshire Park.</p>
<p style="text-align: center;">Page 84</p> <p>1 Although it has some cut trails through it that are 2 mowed, it's weeds. I appreciate green space, but 3 I've been there numerous times, it's close to my 4 house, and very rarely do I see anybody using that 5 park. The park on the right is Jackson North. 6 That's the parks we all love and expect to see and 7 use all the time. We're getting that 20 acres. 8 It's great. Can appreciate that. But what needs 9 to be mentioned is that the only access to the 20 10 acre Stark Park is through the commercial 11 development. In addition, access to the Stark Park 12 is only from Hills & Dales. It sure sounds to me 13 like a strategy to protect the residents to the 14 south from more traffic. So I would ask, so more 15 traffic is good for the residents on the north, but 16 not for the south? 17 I like parks like everyone else, but a park 18 that will eventually be turned back into nature or 19 become a meadow of weeds and possibly used by a few 20 guests, or a park that must be driven -- must drive 21 through commercial development may not be the best 22 trade for B-3 commercial. Tonight I ask, what's 23 the vision for Jackson Township? Is it going to 24 become a retail mecca? Is it to become a new 25 strategy for a big Mall America? Or is the</p>	<p style="text-align: center;">Page 85</p> <p>1 strategy to maintain our rural feel, peace and calm 2 the Jackson residents strongly desire. 3 As a result of not having a site plan or a 4 vision for the B-3 development, I'd like to show 5 you what our future could be. As I said before, 6 this is the size of the land that he wants to 7 develop into commercial, it can be the same size as 8 The Strip, excluding the Walmart and a few other 9 areas. Thousands of cars every day, delivery 10 trucks, semis, sanitation trucks, night parking, 11 night lighting, water runoff, you name it. This is 12 possible. Not saying it will happen. It's 13 possible. Once again, no plan. We have no idea 14 what's going on. Plaza known as Dick's, Target, 15 this is smaller than the 62 acres. That's a lot of 16 retail. Once again, no plan. Hotels, car dealers. 17 Not picking on car dealers. Just happens to be one 18 there that's empty. Buildings up to 80 feet, 19 24-hour of operations. Changes of demographics 20 when you cross over Fulton exponentially. 21 How about this? Do we need more drug 22 stores? Walgreens, RiteAid, CVS, Drug Mart, pretty 23 much got them all. Filling stations, got one 24 practically on every corner. Now, we don't have a 25 Sheetz over here, but I could see them being a</p>

1 prime candidate or possibly a GetGo, but then once
 2 again, you've got trucks, fuel trucks pulling in
 3 and out 24 hours a day, maybe 7 days a week, lights
 4 on all night, cars, increased congestion all night
 5 long. Oh, yeah. Cell towers, that's allowed on
 6 B-3 too. Oh, yeah. I don't know if they're going
 7 to be there. No plan, no idea. It's possible,
 8 though. And I'm not saying these as threats. This
 9 is the reality of B-3, and if the individuals that
 10 talk about strip mining, it is possible with a
 11 conditional use permit. Now, it's highly unlikely,
 12 but it's possible.

13 How about this? Signs all down Fulton 35
 14 feet high. I'm telling you, the demographics are
 15 going to change. Tam O'Shanter, even though you
 16 got a park in the back, the front of it will be
 17 something that we're going to look at and may not
 18 be proud of. Is this the vision? It's the vision
 19 today. And yes, we may increase and expand the
 20 roads to deal with the increased thru traffic and
 21 so forth. That's not going to go away. That's
 22 going to continue to get worse. But what are their
 23 options? There have been rumors floating around
 24 Jackson Township that Menards. I don't know if
 25 that's true or not. No matter where you go, that

1 a vision. Protect Tam O'Shanter, keep large
 2 commercial development close to the I-77 corridor,
 3 and if Tam O'Shanter would be developed, it would
 4 be homes as it's currently zoned. Now, if that was
 5 wrong in 2006, it should have been changed, but it
 6 was adopted. Zoning precedential. Mr. Pizzino,
 7 I'm putting you on the spot.

8 MR. PIZZINO: Yes, sir.

9 MR. RICHARDS: At a Trustee meeting held on
 10 4-14-08, amendment 570-08, you said, I've been here
 11 for eight years and Mr. Barringer has been on for
 12 seven. We follow the Comprehensive Plan pretty
 13 close and we believe it's step-down zoning. Is
 14 this request following the Plan? Is it following
 15 the I-77 corridor? Does this plan contain
 16 step-down zoning?

17 In closing, thank you for your time. The
 18 fact that once again Mr. Bennell and his team have
 19 not provided a vision or a site plan for the 63
 20 acres is a reason to deny this request. The fact
 21 that Mr. Fonte has not presented his or any vision
 22 of the 205 passive park is reason to deny this
 23 request. The fact that the Comprehensive Plan had
 24 a vision for homes, that that wasn't the right
 25 vision back in 2006, it should have been rezoned,

1 seems to be a pretty strong rumor. Picture on the
 2 left is a new Menards somewhere in the U.S. You
 3 can see how large it is, how much space they take
 4 up, how much driveway, asphalt and so forth.

5 The Menards on the right, that's in
 6 Massillon. They own one parcel. The site the
 7 building sits on is 16 acres. A future development
 8 site, so they're making this an investment. Buy
 9 the land, put my store there and I'll put on there
 10 what I want because I own the land now. That area
 11 is just over 44 acres. So, Trustees -- oh, I
 12 forgot one more. Once again, we have no plan. We
 13 have no idea. Could it be a Costco? How about a
 14 Meijer store out of Wisconsin? Meijer stores are
 15 larger than Super Walmarts. They run 24-hour
 16 stores. Costco, everybody's heard of those.
 17 They're mega stores. They're club stores. What
 18 would the impact be on these? Fishers, Buehlers
 19 and Marc's, we can have one of them go down because
 20 now we have a new Costco.

21 Trustees, I ask, what's your vision for the
 22 B-3? Saying I'm not a developer is not fair,
 23 because you've got to have a vision. Clearly, we
 24 don't have any vision for Mr. Bennell or the Tam
 25 O'Shanter organization. The Comprehensive Plan had

1 but that's a reason to deny this request. The fact
 2 that our community has set precedents against the
 3 rezoning of large tracts of land by an
 4 overwhelmingly defeat of DeVille development is
 5 reason to deny this request. The fact that the
 6 face of retail is changing and this new retail
 7 development could be the domino that negatively
 8 affects our current retail demographics. For this
 9 reason, this is a reason to deny the request. The
 10 fact that I received an email from Mr. Bennell that
 11 contained this statement, If I lived on your street
 12 and I had no connection to the golf course, I would
 13 have joined you over the years saying no to
 14 alternate uses of Tam O'Shanter land, is a reason
 15 to deny this request. And the possibility, I ask
 16 you, Trustees, if you yourself do not have a clear
 17 vision on how the B-3 62 acre commercial should
 18 look is a reason to deny this request.

19 Tonight's a difficult evening. You guys
 20 have tough decisions to make. You're faced with
 21 the decision that may divide our township. I
 22 encourage you to take the time, to carefully
 23 consider the information brought forth tonight when
 24 making your decision. Thank you.

25 UNKNOWN SPEAKER: Bravo.

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1 MR. HAWKE: I asked you earlier to keep
 2 your clapping down till the close. I'm asking
 3 again.
 4 MR. RICHARDS: Any questions?
 5 MR. WALTERS: Yeah, I have a couple since
 6 we have a little bit of back and forth, just a
 7 little bit. As I told you in my initial email, I
 8 appreciate the time and effort you've obviously put
 9 into it and proposing some things to think about.
 10 So, again, I thank you for that. I could probably
 11 ask you 30 questions. I'm going to stick to 2.
 12 MR. RICHARDS: Okay.
 13 MR. WALTERS: Just to try to be time
 14 expedient. One, I want to call your attention to
 15 some of the traffic information that you brought
 16 up.
 17 MR. RICHARDS: Yes.
 18 MR. WALTERS: Which I think is good.
 19 MR. RICHARDS: Yes.
 20 MR. WALTERS: And it's important for us to
 21 consider. And you noted where it ranks in the
 22 county and in the township.
 23 MR. RICHARDS: Yes.
 24 MR. WALTERS: As I look at this, I noted
 25 that the recommendation from this document, I noted

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1 In fact, you went as far as to send us your vision
 2 of how it would be.
 3 MR. RICHARDS: Correct.
 4 MR. WALTERS: Would be developed. But
 5 tonight I get the impression that you're against
 6 any development of this area at all, and I just
 7 want to make -- I just want to understand what your
 8 position is, whether it's what you said in the
 9 email or what you're saying tonight.
 10 MR. RICHARDS: Well, that was an
 11 alternative plan. The night at the Zoning
 12 Commission, I was looking for a way for a win on
 13 all sides, but I felt that when the fact that the
 14 Zoning Commission completely ignored my proposal,
 15 Mr. Bennell didn't even acknowledge that I gave a
 16 proposal, I said, What the hell? Let's just not do
 17 it at all. And after doing more research at that
 18 time, which I did not do the research prior to the
 19 Zoning Commission talking about the population
 20 studies and the amount of retail that we could
 21 support and the sales volumes that are down and
 22 things like that. That information wasn't
 23 available to me when I presented that.
 24 MR. WALTERS: Okay.
 25 MR. RICHARDS: That's my answer.

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1 that the crash rate at that intersection was very
 2 low.
 3 MR. RICHARDS: Yes.
 4 MR. WALTERS: And that actually, no
 5 improvements were recommended at that time.
 6 MR. RICHARDS: Correct.
 7 MR. WALTERS: What do you think?
 8 MR. RICHARDS: Well, I think there needs to
 9 be some improvement, yes. They said the same
 10 thing. That was from Stark County. There were 22
 11 accidents that year, which was up.
 12 MR. WALTERS: In '15, right?
 13 MR. RICHARDS: From the previous year.
 14 There probably does need to be some sort of right
 15 turns put in place and so forth, but the traffic's
 16 a problem.
 17 MR. WALTERS: I thought it was interesting
 18 that you provided that.
 19 MR. RICHARDS: Yes.
 20 MR. WALTERS: The only other thing I wanted
 21 to ask you was, in the email that you sent to all
 22 of the Trustees.
 23 MR. RICHARDS: Yes.
 24 MR. WALTERS: You said pretty clearly that
 25 you weren't against development of the property.

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1 MR. WALTERS: Thank you.
 2 MR. RICHARDS: Anyone else have any
 3 questions?
 4 MR. HAWKE: No.
 5 MR. PIZZINO: No.
 6 MR. SINGER: Hi. I'm Mike Singer from 6722
 7 Ponteberry Street, over here right by the
 8 dilapidated old Foxboro Skating Rink. I wanted to
 9 express my opposition to the rezoning of the Tam
 10 O'Shanter land with three main points. One, the
 11 Regional Planning Committee denied a very similar
 12 request in 2001, stating that, and I quote, Fulton
 13 has served as the division between commercial uses
 14 to the north and residential uses to the south.
 15 Intensive commercial uses should not be encouraged
 16 to extend into the residential district south of
 17 Fulton, end quote.
 18 This proposed zoning revision is an
 19 intensive commercial use. This is clear precedent
 20 for denying the zoning request. The long-term plan
 21 for the land on which Tam O'Shanter resides has
 22 always been to exist as a golf course or become a
 23 park in its entirety. Taxable business income and
 24 the fear of housing development on this land should
 25 not be a reason for deviating from its goal. Two,

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1 traffic safety, pollution, and crime are clear
 2 concerns of a B-3 zoned property of similar size to
 3 Belden Village Mall or The Strip. There is already
 4 ample congestion in the area and intersections of
 5 Sibila, Fulton and Everhard and Fulton are already
 6 on the top 10 most dangerous intersections in the
 7 area. Although two of the three neighborhoods
 8 surrounding the park will be safe from development
 9 indefinitely, with their house values guaranteed to
 10 increase, the neighborhood directly west of this
 11 proposed B-3 development may suffer greatly from
 12 degraded value. Three, based on sound civil
 13 engineering practice, a proposed park area should
 14 be directly accessible by all surrounding
 15 neighborhood communities. As it currently stands,
 16 the proposed rezoning would not permit this access
 17 and fails to provide fair and equal access to
 18 direct abutting residential neighborhoods.

19 I understand the request for rezoning by
 20 the applicant, but there are surely other options
 21 available for this property. The recommendation by
 22 the Stark County Regional Planning Committee to
 23 modify from B-3 to B-1 or B-2 is far more
 24 reasonable. I've lived my entire life in Stark
 25 County and revered Jackson Township as a cool and

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1 furthest owner lives in Cincinnati. I'm here
 2 representing seven of the family members, and those
 3 seven family members hold over 80% of the shares in
 4 Geitgey Complexes.

5 My father, Donald Geitgey, built Carriage
 6 Hill Apartments in the early 70s. Why do you think
 7 that he chose to build next to Tam O'Shanter? He
 8 thought it was a beautiful location, protected from
 9 major development, yet close to 77 and what would
 10 soon become Belden Village. If you check our real
 11 estate records, our taxes are paid on time. We
 12 have never asked for abatements or special
 13 treatment. We pay our dues.

14 The Housing for Older Persons Act of 1995
 15 permitted us to designate Carriage Hill as an over
 16 55 community. To maintain this designation, we
 17 have over 85% of our units occupied by residents
 18 over the age of 55. We have policies and programs
 19 in effect to demonstrate our intent to provide
 20 housing for those age 55 and older. Of our 85%
 21 residents over age 55, the average age is 69. We
 22 have 34 residents in their 80s and 6 residents in
 23 their 90s. Our length of stay at Carriage Hill is
 24 much longer than many other apartment complexes.
 25 Many of our residents use the term "My forever

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1 respectable place to live, where residents come
 2 first. The Jackson Township website says it's a
 3 wonderful place to live, to work and to play. Does
 4 the township rezoning this land adhere to that
 5 vision or does it put commercial interests before
 6 its residents? Personally, I was born in Canton,
 7 Ohio, raised there my whole life, downtown. I
 8 always thought of Jackson as the, you know, the
 9 quintessential place to live. I went to school,
 10 got an education, got a job and recently bought a
 11 house here in Jackson. I would like to see Jackson
 12 continue as a quiet suburban wholesome place. Not
 13 a strip mall in the middle of a neighborhood
 14 section. That's all I've got to say. Thank you
 15 for the time to speak.

16 MS. CANOLES: Hello there. Nice to meet
 17 you, Trustees. My name is Jennifer Canoles. I
 18 reside at 2125 Markley Street, N.E. in North
 19 Canton, Ohio. I'm the President of Geitgey
 20 Complexes, Incorporated. Geitgey Complexes is the
 21 nine member family S corporation that owns Carriage
 22 Hill Apartments. Our members are spread out across
 23 Ohio. Eight of us are in Stark County, two of us
 24 in Jackson Township, three in Plain Township, two
 25 in North Canton, one in Lake Township, and the

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1 home" when speaking about Carriage Hill. I say
 2 that they have decided to age in place. We have
 3 two residents that signed their leases in the
 4 1970s, one signed in the 1980s, nine in the 1990s,
 5 fourteen between 2000 and 2005, 16 between 2006 and
 6 2010, and 50 between 2011 and 2015.

7 Our residents are stable, educated and
 8 affluent. They're law abiding productive taxpayers
 9 that do most of their business right here in
 10 Jackson Township. We have created an anchor for
 11 Jackson Township here at Carriage Hill, being in
 12 operation since the 1970s. B-3 surrounding our
 13 apartment complex would be disastrous to our
 14 business. It would adversely affect our ability
 15 to make money and continue to run Carriage Hill in
 16 the present manner. I'm already receiving calls
 17 from the 66 apartments that are directly adjacent
 18 to the proposed B-3 area and requesting to be put
 19 on our waiting list for a transfer to an apartment
 20 further away from the proposed B-3 area.

21 Our residents don't want to be exposed to
 22 increases in traffic, noise, pollution, crime.
 23 This will affect the quality of their life. Our
 24 residents can very easily move elsewhere. They are
 25 very savvy consumers, there's no shortage of nearby

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1 apartments. If we are not able to keep our
 2 apartments filled with our stable over 55
 3 residents, we may have to change our leasing
 4 requirements to fit the more mobile populations
 5 that don't mind being adjacent to B-3. We
 6 presently have 132 apartments that we can fill with
 7 families with children. We have 132 units built on
 8 our property of slightly more than 45 acres that is
 9 zoned for Residential for Multi-Family. We are
 10 permitted up to 10 dwelling units per acre. We are
 11 already zoned for over 300 more units on our
 12 property.

13 Our mother's trust, she passed away in
 14 September of 2016, she holds 15 acres zoned R-1
 15 adjacent to Geitgey Complexes and boarded by
 16 Amesbury and Tam O'Shanter. There has been
 17 interest in this property as well for home
 18 development. We did not want to sign on with
 19 developers, but two developers have already been in
 20 contact with us. One within a week of my mother's
 21 death and my mother's obituary was never published
 22 in the newspaper. Please don't force us to
 23 displace our senior citizens. We love our senior
 24 citizens, we love Carriage Hill as it stands, and I
 25 can't help but thinking it's all about the money.

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1 Summing up, if your neighbor or any of the
 2 neighbors of the people in Hills & Dales or
 3 Amesbury were offered, say, in excess of \$35
 4 million to purchase the land right next to your
 5 home in order to build, say, a Menards, a motel,
 6 gas station, restaurant, bars, et cetera, you'd be
 7 right here standing where I am, in front of the
 8 Zoning Board and in front of the Trustees, begging
 9 for no zoning change.

10 I have pictures of Carriage Hill Apartments
 11 that are adjacent to Tam O'Shanter Golf Course, and
 12 I can show you the 66 units that will be directly
 13 affected by the B-3. This is behind 5188 and 5186
 14 in the rear of the complex. This is overlooking a
 15 section of Tam O'Shanter. It's not developed
 16 currently and there's a very large wooded area back
 17 there. This is the side of the front two
 18 buildings, 5200 and 5208. This is 5198, 5196, 5194
 19 and then around the corner, 5192 and 5190. Those
 20 buildings each have six apartments that do face Tam
 21 O'Shanter. You can see there by the 5208 building
 22 the tree line there on the left, that's the Tam
 23 O'Shanter border. That's how close these
 24 apartments are to Tam O'Shanter. This is the front
 25 building that's on Everhard. This is the 5200

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1 building. And again, the tree line is where the
 2 B-3 would start. This is a picture of the back
 3 building taken from the tree line in the back, and
 4 this is how close it is to the building. Any
 5 questions?

6 MR. HAWKE: No. Thank you.

7 MS. KALORIDES: I'll try to speak up. My
 8 name is Maria Kalorides. I live on the corner of
 9 Strouble and Everhard Road. I grew up in a house
 10 right on Everhard Road, 5105 Everhard. So we're
 11 right across from Tam O'Shanter, and my husband and
 12 I and my five children may have the unique
 13 situation of being the only people in the room that
 14 are not armchair quarterbacks. We are going to
 15 have to deal with that B-3 when it comes. If it
 16 comes. Everybody seems happy about the park, which
 17 is great, and if I lived in Hills & Dales, perhaps
 18 I would be as well, but that B-3 is left on our
 19 side, and what that's going to do is bring down our
 20 property values. We don't know what element that's
 21 going to bring into the neighborhood.

22 My nine year old child, who attends Lake
 23 Cable, was almost hit by a car getting off the bus
 24 on Strouble Drive, which is a neighborhood.
 25 Imagine increased traffic and increased crime in

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1 that area. I don't want to live there if that's
 2 going to happen, and I built that house
 3 specifically to be accessible for me. I grew up in
 4 Jackson, I live in Jackson, and this whole
 5 situation has made me consider leaving Jackson if
 6 it does go through. I think the B-3 needs to
 7 really be rethought in consideration of the people
 8 directly affected by it. And that's all I have to
 9 say.

10 MR. HAWKE: Thank you.

11 MR. VACCARO: Thank you.

12 MR. HAWKE: Thank you.

13 MS. EVERMAN: Hi. My name is Linda Everman
 14 and I live at 4330 Larchwood Circle, N.W. Not
 15 being as tech savvy as everyone else here, but I
 16 brought paper copies. Does the overhead work? I
 17 do have copies for all of you. Okay. I'm no
 18 public speaker, but I believe what I have to show
 19 you will speak for itself. This is a portion of
 20 the zoning map directly from the township website.
 21 It shows an area south of Fulton from Brunnerdale
 22 to Dressler. The reason I show you only the area
 23 to the south is that traditionally Fulton has been
 24 the dividing line that prevents commercial interest
 25 from encroaching on the residential area in this

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1 part of the township. Please note the areas shaded
2 in red. These are zoned B-3. Now, this one shows
3 the same section of the map with the proposed
4 zoning change added in. One of these things is
5 definitely not like the others. Make no mistake,
6 this proposed zoning will encroach on our
7 residence. Just ask our neighbors at Carriage
8 Hill. There would be no step-down zoning in this
9 proposed plan. The buffer provided for in our
10 zoning regulations is only about the width of two
11 good sized pine trees.

12 If this area is zoned for commercial
13 business use, we lose much of our control over what
14 will be built next to our neighborhoods. We have
15 no hint of what might be built. The current
16 landowners are asking for carte blanche. Rezoning
17 for the sake of possible sale to a possible buyer.
18 They don't even present a sales contract with a
19 contingency based on rezoning to B-3 to give us any
20 indication what might be to come. I'm definitely
21 not against a park. I am, however, against
22 rezoning without concern for our township's future
23 integrity. Once the B-3 Genie is out of the
24 bottle, there will be no returning it. Thank you.

25 MR. HAWKE: Thank you.

1 they're thrilled because they're going to have a
2 park. How would they feel if across the street
3 from them or in their back yard was a commercial
4 development? They might not agree that they'd want
5 something like this to go through. So myself, I'm
6 concerned with just having another large commercial
7 development put there on that corner. I know that
8 before, Mr. Clark had presented information before
9 of some possible things to maybe move the
10 development back a little bit further on Fulton,
11 not so much on Everhard, but I know the picture
12 that was shown to us earlier showed that
13 development sitting right on the corner of Fulton
14 and Everhard, and some of it was really on
15 Everhard, and we don't need a commercial building
16 put right there on that corner. And I am not for
17 the commercial development, and I think if you guys
18 do want to look at this, you should ask for some
19 very specific plans of what and how will be built
20 there.

21 Not too long ago, my neighborhood and
22 myself and a lot of other people in the township
23 were here many times because the corner of
24 Brunnerdale and Hills & Dales was going to be
25 developed by Mr. DeVille, and I know every time he

1 MS. RICHARDS: My name is Dianne Richards.
2 I live at 5290 Schario. I just have a response to
3 something that Mr. DeVille stated. He stated that
4 the Marc's stores would have moved into that new
5 development. Well, thank goodness that new
6 development wasn't there, or we would still have
7 Lolli's building still sitting empty. And I feel
8 that Mr. DeVille should go around and fill the
9 slots of the empty buildings first before the
10 approval of more. Thank you.

11 MS. DEMANGEONT: Hello. My name is Kim
12 Demangeont. I live at 5866 Heather Street, N.W.
13 I don't live in a neighborhood that is directly
14 affected by this possible development, but I am
15 concerned for a lot of the neighborhoods around the
16 intersection of Everhard and Fulton, especially the
17 people at Carriage Hill and the folks across the
18 street from that. Mr. Bennell talked about, as he
19 was presenting his plan, how the owners of Tam
20 O'Shanter win as well as the community. Well, a
21 lot of people that are against this tonight, we are
22 part of the community. So we count too. What we
23 say counts as well.

24 I know the individuals that spoke that are
25 from Hills & Dales or they're from Amesbury, and

1 came, he presented his argument, we presented ours,
2 and you kept -- at first you kept telling him no,
3 he needed more detail. Well, I think you need more
4 detail from Mr. Bennell. He needs to give you some
5 specifics about what's going to occur there. And
6 that's all I have. Thank you.

7 MR. HAWKE: Thank you.

8 MR. GONZALEZ: Thank you.

9 MS. LEITCH: Hi. My name is Debbie Leitch
10 and I live at 5320 Sibila Road. You know, they
11 keep talking about sports fields and where we're
12 going to enter into these sports fields. Well,
13 we're not coming in from Hills & Dales, so the way
14 we are coming is off of Fulton. So now you're
15 driving your children through the commercial area
16 to drop them off to the sports fields, and I don't
17 think that's a good idea with children and entrance
18 and just more traffic on Fulton, you know, yeah,
19 we're going to have all these people coming, we're
20 going to have all these tournaments, well, they're
21 going to be coming in off of Fulton in that
22 development area. Thank you.

23 MR. BANAHAN: My name's Jeff Banahan. I
24 live at 5209 Sibila. I've been there since 1987.
25 When I moved there, it was a fairly quiet area. I

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1 could actually get my mail without having to stand
 2 and run to get it before I got hit by a car. I
 3 realize a lot of you, probably a lot of you here,
 4 has used that as a cut-through. I realize it's
 5 going to be a hard thing to correct, but it's only
 6 going to get worse with the cars coming out of the
 7 mall, The Strip area. And since there's no plan to
 8 say where the entrances and exits of all this is
 9 going, if they want to put one on Everhard it's
 10 going to have to be straight across from Strouble.
 11 Because nobody wants to go through that
 12 intersection, they're going to come down and go
 13 through. But I'm not here -- I'm trying to get
 14 younger kids in the neighborhood. Nobody's going
 15 to want to bring young families and kids if we've
 16 got cars going up and down the street 45, 50 miles
 17 an hour to beat the light. They're going to say
 18 there's a traffic thing, there's a noise thing.
 19 I've been hit by big bulk cups as I'm mowing the
 20 grass, the people driving down the street. That
 21 can happen in any allotment, but it's happened to
 22 me three times since '87. So I'm against it. I
 23 hope you guys would take a long hard look how it's
 24 going to affect everybody around you. Appreciate
 25 your time.

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1 Village - close enough for convenience, but far
 2 enough away that you can still hear the birds and
 3 see deer on a regular basis. Mr. Bennell's
 4 proposal to convert the areas surrounding Carriage
 5 Hill into a B-3 commercial district will destroy
 6 this oasis. Currently, Fulton Road serves as the
 7 dividing line between Belden Village and
 8 residential districts. Mr. Bennell's proposal will
 9 put a commercial district the size of the Belden
 10 Village Mall in my backyard as well as the backyard
 11 of all Carriage Hill residents. I point out that
 12 even the Stark County Regional Planning Commission
 13 recommended changes be made to Mr. Bennell's
 14 proposal - rezoning the immediate areas around
 15 Carriage Hill to B-2 and B-1. A B-1 (suburban
 16 office) or B-2 (neighborhood business) rezoning for
 17 this area recognizes that we (the residents of
 18 Carriage Hill) are a significant population that
 19 lives next door to this area. Rezoning this area
 20 to B-3 (a commercial district) does not provide for
 21 any transition between commercial and residential
 22 properties.
 23 In addition to being a resident of Carriage
 24 Hill, I also have a Ph.D. in Health Psychology. I
 25 have presented nationally and internationally. I

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1 MR. HAWKE: Thank you.
 2 MR. WALTERS: Thank you.
 3 MR. MENNING: Hi. My name is Ralph Menning
 4 and I live at 5198 Everhard, in Carriage Hill,
 5 facing Tam O'Shanter. I'm a tenured faculty member
 6 at the Kent State Stark Campus. I've taught there
 7 for twelve years. My purpose today is two-fold.
 8 First I'd like to read a statement from a fellow
 9 faculty member, Julie Cremeans-Smith, who also
 10 lives in Carriage Hill, also facing Tam O'Shanter.
 11 Dr. Cremeans-Smith is an associate professor of
 12 psychology, with a specialization in health
 13 psychology. After reading her statement, I would
 14 like to add a few remarks of my own. This is the
 15 statement from Dr. Cremeans-Smith.
 16 "My apologies for being unable to join you
 17 in person tonight. I have resided in Carriage Hill
 18 for over 10 years. Many of us moved into Carriage
 19 Hill with the expectation of being long-term, loyal
 20 residents. We live in Jackson Township, many of us
 21 work in the Jackson Township or nearby areas, and
 22 we all spend our money in Jackson Township. A
 23 number of residents have sold property in Jackson
 24 Township and have retired to Carriage Hill. For
 25 years, Carriage Hill has been an oasis near Belden

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1 have published as well on issues related to stress
 2 and chronic health conditions. It is well known
 3 that green space and natural environments confer
 4 benefits for a population's mental and physical
 5 well-being. This is a well-known fact, one that
 6 perhaps the trustees recognized as they crafted the
 7 master plan for Jackson Township, in which they
 8 prioritized the preservation of green space.
 9 Research also tells us of the negatives of living
 10 in an urbanized, noisy environment. Tonight's
 11 zoning issue is a matter of public health. Chronic
 12 noise pollution not only interferes with sleep
 13 quality, but is known to increase blood pressure,
 14 as well as the risk for diabetes and cancer. We
 15 have no information regarding the specific plan for
 16 the Tam O'Shanter property. Zoning this property
 17 as a B-3 area allows a business to go in that
 18 operates 24 hours a day. Further, we do not know
 19 where delivery access will be. In addition to
 20 trash trucks coming in the wee hours of the
 21 morning, we could potentially have semi-truck
 22 deliveries throughout the day and night. This type
 23 of land use fails to recognize (and frankly
 24 respect) the residential district surrounding it.
 25 I urge you to vote against the B-3 zoning

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1 for this property. Instead, I urge you to
 2 carefully consider alternatives that would benefit
 3 the larger popularity. Unquote. To which I would
 4 like to add some remarks of my own.
 5 As he did four weeks ago before the Zoning
 6 Commission, Mr. Bennell treated us to a first-rate
 7 show. He organized community support. He could
 8 rely on guns-for-hire and pillars of the community.
 9 He dazzled us with very fine rhetorical
 10 sleight-of-hand. I too can dignify a miserable
 11 proposition with honeyed words. Suppose, for a
 12 moment, that I suggested that the north side of
 13 Hills & Dales be rezoned B-3. Think of all the
 14 benefits for the population on the south side of
 15 the street. Easier access to Home Depot to get the
 16 materials for those pesky do-it-yourself jobs, a
 17 gas station, too, to relieve you of your panic in
 18 the early morning that you might be running on
 19 empty and can't get out of the driveway. And
 20 here's another blessing of civilization that you've
 21 been denied for too long: Shorter delivery times
 22 from Dominoes.
 23 Mr. Bennell's presentation seemingly offers
 24 all things to all people, and that's where the
 25 catch is. The euphemism that he uses is that this

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1 Everywhere. All over the country. It's a
 2 commonplace phenomenon. Is there a model for
 3 defunct golf courses? How are other constituencies
 4 handling this problem? He does not say.
 5 2) He does not tell us about the impact on
 6 our quality of life. If these plans are realized,
 7 the disruption will be extreme. Mr. Richards has
 8 already projected the aggravated congestion. And
 9 others have spoken of the jackhammers, the rigs
 10 that pound in T-beams, the construction trucks.
 11 How will you remove that beautiful hill at the
 12 intersection of Everhard and Fulton? You can
 13 either dynamite it or bulldoze it. After the
 14 construction, the delivery trucks will arrive,
 15 presumably at all hours. And not just once to
 16 start the stores. No. From there on, in
 17 perpetuity.
 18 If there is a Menards in our future, as
 19 rumor on the street has it, we will wake and go to
 20 bed to the gentle hum of forklifts buzzing to and
 21 fro.
 22 3) Others have spoken to this. A passive
 23 park. Well, how will you access that passive park,
 24 fifty yards to its interior? With a machete?
 25 4) Who says that the only alternative to

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1 is the green future land plan, and yet it will
 2 involve covering 30 plus acres in concrete. His
 3 investors have a deep commitment to Jackson
 4 Township, but he told us the last time that some of
 5 them hailed from afar, Maine and California I think
 6 were mentioned. They'll amusing stories to their
 7 friends in Monterey and Bar Harbor over martinis as
 8 to how they managed to walk away from an investment
 9 in fly-over land With a good profit, leaving the
 10 local yokels holding the bag. If there's such deep
 11 commitment to Jackson Township, why don't they hang
 12 around for a while? Perhaps in a business
 13 partnership with the new commercial presence.
 14 Myself, I suspect - I don't want to impute, which
 15 is something I would leave to Mr. Bennell - but I
 16 suspect that they would rather cut and run. Apres
 17 moi, le deluge.
 18 I wish Mr. Bennell and his friends well.
 19 Yes, they are entitled to make money. But, what he
 20 wants is a bail-out on the public first, at the
 21 expense of the people he and his friends will leave
 22 behind.
 23 More interesting yet is what Mr. Bennell
 24 does not tell us. He did tell us that golf courses
 25 are going out of business. Yes. Not just here.

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1 zoning a Fulton Road area B-3 is 400 residential
 2 units? There is no eleventh commandment to suggest
 3 that. It could be 250, it could be 325, it could
 4 be 175. The point is, what could happen here is a
 5 mixed development with mixed features. I could put
 6 you in touch with two area architecture and urban
 7 design departments at Northern Ohio Universities
 8 that would be drooling - not the departments, but
 9 their members - to be asked to propose ideas for
 10 this size of development, because this is here
 11 where Mr. Bennell is absolutely right. This is a
 12 once-in-a-lifetime opportunity. With the passage
 13 of time, there they will be fewer and fewer. Maybe
 14 not another one again.
 15 So, I plead with you, use this chance, take
 16 your time. Do something sensible. Yes, I want to
 17 work with Mr. Bennell, but not in an ultimatum
 18 fashion where he tells us, Take this or it's the
 19 one other option. There are many options. There
 20 are many alternatives. Bring us together and let
 21 us work on this together. Thank you.
 22 MR. HAWKE: Thank you. Anyone else? Going
 23 once.
 24 MR. GAYE: Yeah, I would like to say
 25 something. My name is Richard Gaye. I live at

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1 Carriage Hill Apartments. And I would just like to
2 say one thing. We've heard everything here
3 tonight, all the pros, the cons, you name it. All
4 I would ask out of you individuals who are going to
5 make this decision, that you're going to be able to
6 look in the mirror and say, I put health and
7 welfare of our community ahead of taxes and profit.
8 That's it.

9 MR. HAWKE: Anyone else? You sat here a
10 long time. You sure you don't want to speak?
11 All right. With that then, I will close that
12 section of the hearing, and Mr. Bennell, any
13 rebuttal comments?

14 MR. BENNELL: No rebuttal. Certainly I
15 thank everybody for their comments, both pro and
16 con. I'm sensitive to the comments of the people
17 who don't like the plan. I'm sorry that there are
18 those who think that it is in some way a negative
19 gesture in absence of integrity and I'm sorry that
20 some of our family members have moved out of town.
21 You probably know lots of people in Stark County
22 whose kids moved somewhere else. In my family, I'm
23 the only one of four siblings who lives in Stark
24 County. I wish the rest of my family lived here,
25 but they don't. And it would be terrific if there

1 was a well thought out plan for this property, but
2 there isn't, because we do not have any purchasers
3 for it.

4 I would just say in closing, that whoever
5 in the room heard that this property, if it's
6 rezoned, is going to bring \$35 million, I hope
7 you'll connect me with the person who knows that
8 for sure, because they certainly haven't called me.
9 Thank you.

10 MR. HAWKE: Do you have anything else from
11 anybody else here?

12 MR. BENNELL: I'm done.

13 MR. HAWKE: All right. Then with that, I
14 will close that section of the hearing. Any
15 comments, questions?

16 MR. WALTERS: Best part of the job.

17 MR. PIZZINO: Why I'm stressed. I guess
18 I'll start this out. You know, it's obvious
19 somebody's going to be disappointed here tonight,
20 and it's tough for us three. We see both sides of
21 it and we've got to do what's best for the entire
22 township. Just not one section. We want to take
23 that into consideration. Does this zoning request
24 have -- I think it has an opportunity that never
25 happened in the past. Will probably never happen

1 again. If we decide to approve this, you know, we
2 are protecting 225 acres of land in the heart of
3 Jackson Township with parks and green space.

4 Now, we heard pros and cons to that. We
5 understand that Tam O'Shanter is not going to be a
6 golf course much longer, and we understand,
7 Mr. Bennell, that you are 75 and you want to
8 retire, and we get that. We've got to look at
9 what's best for everybody in our community. You
10 know, when we have a zoning issue, usually what we
11 do -- we have the same questions. There could be a
12 water problem, it could be a drainage problem. And
13 this rezone is kind of unique. There's no drainage
14 or water problem at all with this. There's no
15 water problems at all. You know, we heard one
16 comment that Mr. Clark made, and he's correct. I
17 believe in step-down zoning. We do have zoning B-3
18 there across from it, you know, where you're
19 asking, you're asking for B-3 and behind it.
20 Step-down zoning will be the park district and, of
21 course, our park. But he does have a point, on the
22 Everhard Road side you go from B-3 to R-R with no
23 buffer. So we've got to look at that. I think we
24 should consider that.

25 I've been working a long time with

1 Mr. Gonzalez and Mr. Vaccaro, ever since we heard
2 about Lake Cable, and Tam O'Shanter, you know, they
3 want to retire and do other things. It's been
4 about a year, and in that year Mr. Gonzalez and
5 Mr. Vaccaro and I have probably met with the County
6 Engineer, the Department of Transportation at least
7 ten times. One of the big issues that we heard is
8 traffic. And there is a traffic problem. About
9 three weeks ago we had our last meeting with the
10 Department of Transportation up in Akron and we
11 talked about funding, we talked about funding the
12 intersections, we talked about if they had any
13 plans in the near future to try to straighten that
14 mess out, and it's a mess there at Everhard and
15 Fulton. We all know that. And basically, you
16 know, the money's not there. They have other
17 projects. And Mr. Gonzalez asked, Well, if we have
18 a plan and we could find the funding, would you
19 consider working with us to try to straighten this
20 out?

21 You've got to understand one thing. The
22 Fulton Road and the Everhard Road is not our
23 jurisdiction. When our township streets intersects
24 with Fulton Road, it's not our jurisdiction
25 anymore. It's the Department of Transportation.

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1 When Strouble comes out and intersects with
2 Everhard Road, it's the County Engineer. But we're
3 trying to work with everybody. And I think that
4 it's important for us to talk a little bit about,
5 and I think Mr. Gonzalez is going to talk about
6 this, and I want to call on him in a couple minutes
7 here to talk about funding and to talk about what
8 we really found out, what's really going to go on
9 with the Everhard and Fulton interchange.

10 So, at this time, Randy, you have some
11 maps.

12 MR. VACCARO: Can you bring up the map.

13 MR. GONZALEZ: What John was saying is,
14 obviously we've been dealing with this for a long
15 time. I think John sat through a couple of rezones
16 with Tam O'Shanter and obviously we know there's a
17 lot of traffic. I live on Frank Road. I drive
18 that way all the time. So what we did is, we've
19 been looking at what we believe are moat of the
20 problems, and a lot of them were caused, and a lot
21 of you probably remember, we always had right-hand
22 turn lanes and every time they widened something,
23 they'd take out the right-hand turn lane and just
24 make it another straight lane. So we lose our
25 right-hand turn lanes, so -- where was that?

1 Chuck, can I get the pointer?

2 We went up and discussed this with ODOT, as
3 John said, and we tried to put together the numbers
4 so we could see just how much it would cost and
5 what we could do if this development came in, and
6 we looked at it three different ways; currently the
7 way it is, doing the fixes with nothing happening,
8 and doing the fixes with that development. And if
9 you look at this, we'll start right at the corner
10 of Everhard. What you're looking at is that dark
11 line right there is a drop right-hand right all the
12 way around there. Tam O'Shanter would have to
13 donate this property, which is about -- actually,
14 that's close to, between here and over on this side
15 where they'd have to donate, is about \$500,000
16 worth of right-of-way.

17 When we come here, I think most of you all
18 know a lot of this cut-through issue comes because
19 you can't make a right turn here. You've got one
20 car stopped here to go straight and you can't make
21 a right turn onto Everhard. So we would go in and
22 acquire property from Speedway and Lake Cable
23 Nursery and put a dedicated drop right in here to
24 move that traffic. On the other side of the
25 street, what happened was, years ago the township

1 did put a drop right right here. If you notice,
2 you can turn right here, but what happens is, is
3 that traffic is able to turn right, but then it
4 gets frozen down here because there's no drop
5 right. When the lights turn here, this traffic
6 just gets stuck there because they can't get
7 through because this isn't unloading down here. So
8 we're going to put a drop right here in front of
9 Pellegrino Music. The State already owns that
10 right-of-way, so they don't have to purchase it.
11 You would be able to turn right. This is already
12 in place and then this at Circle K, our argument
13 when we went up to the State was, why would you
14 give them access and not give us a chance to build
15 that? So we did get this design.

16 We went back to Mr. Bennell and said, Look,
17 we don't think the taxpayers should have to pay for
18 having all this laid out. We know what we want.
19 We want to use your engineering service. And they
20 came in and they got the measurements of how much
21 right-of-way we had to have and cost so we knew
22 what we were doing so we could put price tags on
23 this. So this would give you a drop right to get
24 down there and that should free this all up.
25 You've got a drop right here and a drop right here.

1 The big one, it doesn't show up too much
2 here, is this is the main cut-through that we've
3 heard over and over and over, clear back to 28
4 years ago when I was a Township Trustee, we've
5 heard over and over about the cut-throughs from
6 here. And we've looked at every way, we put signs
7 up there, you probably saw them, that said no
8 through traffic. People don't pay any attention.
9 They cut through there.

10 Actually, through this whole process, our
11 Law Director/Administrator came up with a great
12 idea. Now, what we would do is we would make this
13 what we call a pork chop, and what it is, it would
14 be a right-hand turn out and a right-hand turn in.
15 There's no straight traffic coming through. It
16 puts a pork chop type thing in the road there.
17 Where I can tell you, you can look at one, if
18 you're familiar, we had the same type of problem
19 where people were coming out of Sam's Club all the
20 time and trying to get along out five lanes of
21 traffic there, we put one in there. They call them
22 traffic ducts. They're those yellow things that
23 stick up in the road like. So you form this
24 triangle here that traffic would be able to get
25 right-hand turn out and right-hand turn in. No

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1 through traffic here. That stops that and anybody
 2 that wants to cut through here is not going to make
 3 it because they're not going to get out of there
 4 unless they want to go in a circle and go back
 5 right again.
 6 So we put this all together, looking at
 7 what can happen. As John had mentioned, the
 8 funding source, that's where my job comes in. We
 9 can't just go out -- we don't have -- the price tag
 10 on all these is \$1.3 million to get that done. The
 11 only way that we could fund that is if the rezoning
 12 took place, we would TIF, which is called Tax
 13 Incremented Financing, and I don't want to get hung
 14 up on that, but what it does is it takes the tax
 15 dollars from that development and dedicates them to
 16 these projects. You take them right to it. And
 17 with that, Mike's going to talk about how we get
 18 our money back from that. It's another funding
 19 source. But this project would give us the
 20 capability of funding this, not only for the new
 21 traffic that would be generated -- we understand
 22 there's going to be new traffic. We understand a
 23 lot of the arguments that are there. We're just
 24 trying to address that. And most importantly, this
 25 is the main artery to get most of our people

1 putting income taxes on anybody that's out there
 2 now. Don't get scared about income tax. Any new
 3 job. I don't know of any person that says, I don't
 4 want to take that job because I don't want to pay
 5 income taxes. Only new jobs created. Then that
 6 money, the Board of Trustees probably, I don't
 7 know, six months, a year ago, passed a resolution
 8 that any money that comes in from income taxes, and
 9 we've done this in two other areas, two other
 10 projects that we've worked on, goes directly to the
 11 safety forces. That's how we get the money back
 12 that we put into the roads from that. This money
 13 would be delivered straight to police and fire.
 14 With the JEDD, I'm going to let the Law Director
 15 explain that one.
 16 MR. WALTERS: You're going to let the
 17 lawyer go?
 18 MR. HAWKE: We have to because they haven't
 19 agreed to it yet.
 20 MR. VACCARO: Go ahead, sir.
 21 MR. BRENNEN: My name is Matthew Brennen.
 22 I live at 5244 Schario. I'm right down the street
 23 from Clark. I understand what he's talking about
 24 with all the drop rights. I think it's a good idea
 25 to increase the traffic flow. The only beef I got

1 back -- the exact geographic center of Jackson
 2 Township is Fulton and Wales. We're working on the
 3 last section of Fulton right now is going to get
 4 widened all the way up to Wales. That will happen
 5 in, I think two years, John?
 6 MR. PIZZINO: End of '18 we're going out
 7 for bid on it.
 8 MR. GONZALEZ: So that section's going to
 9 get done. What we want to do is be able to get
 10 these people home. And we told Tam O'Shanter from
 11 day one, if you come in, we know you're going to
 12 cause traffic, we want you to make it better than
 13 it is. If you're going to put in development, we
 14 want the traffic to move better than it moves
 15 today. These five things will do that. We have
 16 the traffic counts from the engineering firm that
 17 literally took the traffic counts on these, what
 18 will happen when they're in and when it would be
 19 built and still be in.
 20 The funding source, again, would be the new
 21 taxes from this development. The way we get our
 22 money back from that is, we have to get what's
 23 called a Joint Economic Development District. That
 24 means any new job that would be created in here
 25 would pay an income tax. Any new job. We're not

1 is with that pork chop that you're talking about
 2 putting there on the cut-through, because now
 3 you're telling me instead of sliding up there and
 4 going out Frank to get to The Strip or going out to
 5 the light by Fishers to turn left to go to the
 6 school, now I'm going to have to turn left across
 7 five lanes to do that? Oh, I have to go right out
 8 and turn in Maggiore's and turn around and go back?
 9 Do I got that wrong?
 10 MR. VACCARO: What you're talking about
 11 there, and this is why we bring it up, is you're
 12 going to have to decide as a neighborhood, it will
 13 reroute your traffic pattern. Is that price, you
 14 know, a benefit to you to prevent --
 15 UNKNOWN SPEAKER: It's unfair to us.
 16 MR. BRENNEN: I'm just saying during rush
 17 hour going to work and coming home from work, you
 18 know, that light is the only way I'm able to get
 19 out of that parking lot.
 20 MR. GONZALEZ: Let me answer your question.
 21 MR. BRENNEN: Am I misunderstanding?
 22 MR. GONZALEZ: No. No. Not at all.
 23 MR. BRENNEN: Okay.
 24 MR. GONZALEZ: We knew the question would
 25 come up. Obviously it benefits a lot of people

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1 that live on that street and streets that are
 2 getting cut on. My own self, if I was living
 3 there, I'd want to go to Fishers without driving on
 4 Everhard Road and driving around. I'm not arguing
 5 that point. What I'm telling you is, that is an
 6 option that's come up. There have been other
 7 options of making that a one-way street. There's
 8 an option of letting you go straight out of there,
 9 but not letting traffic come into there. We would
 10 not do anything until there would be a public
 11 hearing with your allotment, and you guys would --
 12 I'm not sure you'd ever get a consensus, but we
 13 would certainly meet with you to see which
 14 direction. We're not discussing that happening
 15 right now. It's one of the options on the table
 16 that could be paid for.
 17 MR. BRENNEN: I was just curious.
 18 MR. GONZALEZ: Don't get afraid by that.
 19 MR. HAWKE: Think about it this way. I'll
 20 tell you where it came from for me. When you start
 21 talking about this, and I know a couple of you
 22 mentioned this earlier, is, talk to us about it
 23 ahead of time, about it as far as if you had this
 24 problem before this all started, we should have all
 25 been sitting here having this discussion about the

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1 cut-through a long time ago. It sounds to me like,
 2 based on what Mr. Richards has said, maybe years
 3 and years and years ago. So the point being is,
 4 we've got to work on something, no matter what
 5 happens, to help that situation. Whether it's that
 6 pork chop going right in, right out, whether it's
 7 only going straight, it doesn't really matter to
 8 me. I think that's one of those things for all of
 9 us to figure out, because that's the things we were
 10 talking about. When we look at that, because
 11 Mr. Gonzalez's point, I'm looking at it going, same
 12 question you had, so I've got to go in a circle for
 13 me to go to the school?
 14 MR. BRENNEN: That light's key. It's the
 15 only way getting left --
 16 MR. HAWKE: It's a catch 22, you know,
 17 we've got to figure out how do we best suit as many
 18 of the residents in that area as we can. Anything
 19 that needs to be different, or maybe there's
 20 something on both ends, I don't know yet, you know,
 21 I mean, there's a number of different ways that we
 22 can do that.
 23 MR. WALTERS: And obviously that question
 24 in and of itself, like many of the traffic issues
 25 that we deal with, are a microcosm of these larger

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1 issues, zoning issues, that we have to decide. And
 2 that is, there is no perfect answer. There is
 3 nothing that's going to satisfy everybody. And so
 4 we've just got to try to make the best decisions we
 5 can.
 6 MR. BRENNEN: No, I understand.
 7 MR. WALTERS: You know what I mean?
 8 MR. BRENNEN: Wouldn't want to be you guys
 9 tonight.
 10 MR. WALTERS: I know. We're trying to do
 11 our best in every sense of that, knowing that no
 12 matter what we do, whether it's this particular
 13 question, that intersection or anything else, some
 14 folks are going to be unhappy for one reason or
 15 another, but that's why we have these public
 16 meetings, to come together as a community and try
 17 to figure out the best answer together.
 18 MR. GONZALEZ: From the argument of the
 19 funding source, really, the whole purpose of
 20 bringing all this up is, we've never had an
 21 opportunity. Like John said, that's a State
 22 highway and a County highway. We don't have any
 23 funding. We don't have -- we can't pour out 1.3
 24 million. I can't print. I mean, we don't have the
 25 money to build that stuff. This gives the

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1 opportunity to be able to do all those things.
 2 That's all I'm saying.
 3 MR. VACCARO: So real quick on the JEDD.
 4 The JEDD is a Joint Economic Development District,
 5 and that is created based on a petition from
 6 businesses and/or landowners that own that land.
 7 And what it does, it allows the township to apply
 8 an income tax to those who are in the district. So
 9 if you're not working in that district, you're
 10 status quo. Same, you know, you're not paying
 11 right now. Well, I shouldn't say that. You might
 12 be working in another city where you are. But
 13 generally, if you're working in Jackson Township
 14 and living in Jackson Township, you're not paying
 15 an income tax, all right. It doesn't mean if
 16 you're working, like I said, in Massillon or
 17 Canton, you probably are.
 18 MR. BRENNEN: Yes.
 19 MR. VACCARO: All right. So then what that
 20 does is, we assess that tax through our municipal
 21 partner and we bring 1% back to the township, and
 22 we take those funds, and as Fiscal Officer Gonzalez
 23 said, we take that money and put it directly into,
 24 back to the safety forces. It's a straight split,
 25 50/50, half to fire and half to police. And what

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1 that does is relieve the safety forces from going
 2 back to you as the taxpayer and asking for an
 3 increase in levy, assuming that the JEDDs are all
 4 functioning as we hope they will, but right now
 5 we're seeing success with that.
 6 MR. GONZALEZ: We need Tammy to agree to
 7 the JEDD. They haven't --
 8 MR. VACCARO: I've been dying to ask
 9 Mr. Moore this and, Mr. Moore, you are the listed
 10 applicant, and as a professional courtesy -- I'm
 11 just not going to have courtesy, I'm going to
 12 apologize up front. I've been dying to ask you,
 13 and I thought about doing it. I was here for the
 14 Zoning Commission hearing. Would your client
 15 consider petitioning to join in that 62 point,
 16 whatever our number is after the decimal, acres
 17 into a JEDD? And I know you haven't probably
 18 talked to him about this, so --
 19 MR. BENNELL: Sure.
 20 MR. MOORE: I think he's indicated that he
 21 would be willing to participate, Tam O'Shanter
 22 would be willing to participate in the JEDD and
 23 allow for new employment to be taxed at the tax
 24 rate of 1%?
 25 MR. VACCARO: Well, no. It's 2%.

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1 MR. MOORE: 2%. Chuck, is that --
 2 MR. BENNELL: Sure.
 3 MR. MOORE: Yes.
 4 MR. VACCARO: I appreciate the answer. So
 5 assume we could get that together, and there's some
 6 contractual stuff that has to go into place, we
 7 have to work with our municipal partner to make
 8 sure everything goes into place, that would be a
 9 way to replenish the coffers for the improvement
 10 that's done on these intersections.
 11 I've heard a lot tonight about Mr. Bennell
 12 has not submitted a plan, development plan, et
 13 cetera. He's not required under this zone change
 14 to submit a plan for development. It's not what we
 15 call a planned unit development, so during the
 16 DeVille rezone, that was a PUD-4. You're required
 17 to meet all these specifics. You have to lay it
 18 out. So I just wanted to kind of take that nuance
 19 away. A B-3 just doesn't require that. It's not
 20 part of the code.
 21 MR. GONZALEZ: Nor could we enforce it.
 22 MR. RICHARDS: I understand. I understand,
 23 but that allows you to make an informed decision of
 24 an expectation. I mean, you have no expectation
 25 now of what anything's going to happen, and I

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1 understand --
 2 MR. GONZALEZ: My answer to you would be
 3 exactly what your quote was. When they came in and
 4 asked for a rezone for that doctor's office, they
 5 got granted based on an anticipation. What
 6 happened to that anticipation?
 7 MR. RICHARDS: Maybe there was
 8 alternatives.
 9 MR. GONZALEZ: We can only vote for B-3 and
 10 what ends up in it.
 11 MR. RICHARDS: Also, planned business and
 12 residential developments, that does require plans.
 13 That's an alternative for mixed use.
 14 MR. WALTERS: We don't have that zoned.
 15 I'm sorry.
 16 MR. RICHARDS: It's not zoned there, but
 17 that's in the Zoning Commission rules.
 18 MR. HAWKE: One thing, you know, and I
 19 know, Mr. Richards, you brought it up with
 20 Mr. Pizzino's comments earlier, that's been
 21 something that's always been prevalent to me, too,
 22 is looking at step-downs and opportunities to work
 23 through those locations. One of the things, and
 24 the young lady over here when she came up here and
 25 talked about her house being directly across the

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1 street, you know, I can see that same part being an
 2 issue, too. There's also the question you brought
 3 up about modifications and things like that. My
 4 personal opinion when I look at this, and I've
 5 already drew some kind of lines on my sheets as I
 6 was sitting here, if you look at that picture, and
 7 you're looking -- right down in here is where we're
 8 talking about your house, correct?
 9 MS. KALORIDES: The one with the weird
 10 driveway.
 11 MR. HAWKE: Right here?
 12 MS. KALORIDES: No. No. Across.
 13 MR. HAWKE: Right across.
 14 MS. KALORIDES: Right there.
 15 MR. HAWKE: And the folks from Carriage
 16 Hill brought up the same comments and the same
 17 questions about B-3 being right up against the tree
 18 line and things like that. What I could see as a
 19 modification to that would be somewhere along the
 20 lines of where the last home is, a section going
 21 back in here of a B-1, of a physician's office
 22 practice, those types of things that could go in
 23 there. So it's not 24 hours, it's not this, it's
 24 not a lot of those things. It is some professional
 25 office spaces, a buffer against that tree line, the

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1 apartments directly across the street, you're not
 2 going to have, you know, 9:00 at night people
 3 coming in and out of those types of facility like
 4 that because those go under B-1, which is also a
 5 part of the recommendation that Regional Planning
 6 made to that situation.

7 As I look at that, I think that's a small
 8 piece. You're probably looking at, don't quote me
 9 on my math, but I would guess somewhere in the
 10 neighborhood of like a three-acre piece in there
 11 would fit that kind of swatch in there. 300, 500,
 12 300, 400, somewhere in that neighborhood, fits
 13 about that number. I could see that as a
 14 modification to the request. Obviously you would
 15 have to agree to that, but that would be something
 16 that I could see looking at that to get that
 17 step-down between Carriage Hill, as well as the
 18 allotment across the street, to not have a direct
 19 B-3 there, where the B-3 would then be on the
 20 corner going up around, as we've already seen
 21 happen through there, and you've got all the
 22 connections going down Fulton further to the other
 23 parts that fit that. So that was a thought as I
 24 was sitting here going through that, that could be
 25 a potential modification to assist with that

1 situation.

2 As Mr. Walters said, you know, when we look
 3 through these, we try to sit here and look at it,
 4 we've looked at all the stuff a lot. We've read
 5 the pages and pages of transcript from the Zoning
 6 Commission hearing. We've sat through, looked at
 7 those. We've all been out, looked at areas, talked
 8 through it. We spent some time in this area with
 9 Mr. Pizzino and Mr. Gonzalez looking at options for
 10 traffic. I just think that's something that we
 11 should strongly consider as we look at that as
 12 being a potential modification.

13 MR. MENNING: Question. How far back would
 14 that stretch? Because you have approximately 250
 15 yards of Carriage Hill property to the back of that
 16 doctor's office.

17 MR. HAWKE: And I can't say it's a doctor's
 18 office. Potentially.

19 MR. MENNING: Potentially.

20 MR. HAWKE: But that's one of the first
 21 things on the list when you look at the zoning code
 22 on that. That I don't know. You know, we'd have
 23 to discuss that with Mr. Bennell.

24 UNKNOWN SPEAKER: That's the first question
 25 that's going to come up, how far back.

1 MR. HAWKE: I understand that. I can't
 2 answer for him because it's his application.

3 MR. GONZALEZ: If it happens, it would have
 4 to be a modification. It would have to be done
 5 before they would vote.

6 MR. HAWKE: Yeah.

7 MR. WALTERS: I mean, I would certainly be
 8 open to that change. I think that would be an
 9 appropriate change.

10 MR. HAWKE: And one other thing that was
 11 brought up that I think is a very valid point, is
 12 something to look at significantly, is the
 13 contractual piece with Stark Parks. Now, my
 14 understanding, that's not a public document, so I
 15 can't just go and request that. So they're going
 16 to have to be willing to share that with us, to
 17 have that discussion, or at least the pieces and
 18 parts that would be your point of what is the
 19 escape clause. I will also say I agree with the
 20 open space piece, which is actually a funny story,
 21 I guess. We created that zone for our parks we put
 22 in and we haven't done it with our park yet. So we
 23 have to do that. So that part has to happen. So I
 24 would agree with you, when -- if this would happen,
 25 and we get to that point of it being done, if that

1 does go through, we have to have that discussion of
 2 designated of that open space. I 100% agree with
 3 you on that. I think that would be solely on our
 4 part. We need to finish ours with North Park and
 5 those things, we have to finish that. It wasn't
 6 there prior. It was created. So I agree with that
 7 comment very strongly.

8 MR. BENNELL: If Mr. Fonte is still here,
 9 he's probably able to answer some of those
 10 questions.

11 MR. HAWKE: Oh, yeah. He's still here.

12 MR. FONTE: I'm a glutton for punishment.

13 MR. HAWKE: Come on up.

14 MR. FONTE: The purchase terms under the
 15 funding we have and are applying for, it will be
 16 much more than what's currently in the public
 17 record, is all conditioned on a perpetual
 18 restriction on the property with the deed. It goes
 19 on the deed as part of the purchase agreement and
 20 that it is in perpetuity park lands, passive park
 21 lands. It cannot be turned into -- can't take the
 22 20 acres and make it 200 acres of active
 23 recreation. So that will be part -- that is by
 24 State grant requirements, that funding source
 25 requires the land to be -- if we would sell -- if

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1 we would not use it for that purpose, there's a
2 double indemnity fine against the purchase. So
3 you'd owe twice as much. So the idea of selling
4 it, it would never come into -- you can't just sell
5 park land. I'm not sure what comment I made. It
6 may have been taken out of context, but we can't
7 just sell park land. This land in particular, it
8 has a State restriction on the deed, so it could
9 never be used for anything but open space park.
10 Open space parks.

11 MR. PIZZINO: If you, for some reason it
12 would be sold, you would have to --

13 MR. FONTE: We'd have a double indemnity.

14 MR. PIZZINO: Okay.

15 MR. RICHARDS: So he could sell.

16 MR. FONTE: No. Technically we can't sell
17 it. If the Park District would change the purpose
18 of the property into -- we'd bring in a trailer
19 park rental company to run a campground there,
20 we'd have to pay double back to the State for the
21 price we paid for the property. So if the Park
22 District --

23 MR. WALTERS: So the grant required is,
24 you've got to use it for open space, period?

25 MR. FONTE: Correct.

1 MR. WALTERS: Okay.

2 MR. PIZZINO: We wanted verification.

3 MR. FONTE: Absolutely. And just to
4 clarify, the wetland area that was referred to, you
5 know, Devonshire is a land bank. It was donated to
6 the park long before I got here. It is actually a
7 future trail connection, but it's mostly flood
8 plain and wetland plants. Some people call those
9 weeds. Some people, you know, it's a perspective,
10 your own perspective of what they are, but that
11 particular property is not -- I mean, if you'd go
12 to Sippo Lake, we have mixed uses based on the type
13 of law we have. So I don't think anything we do in
14 terms of plan would be offensive to the community
15 at Tam O'Shanter.

16 MR. WALTERS: Another thought that jumps to
17 mind. Off the top of your head, do you know in
18 terms of the levy, the county-wide levy that funds
19 Stark Parks, does Jackson pay more of that than any
20 other community in the county?

21 MR. FONTE: Off the top of my head.

22 MR. GONZALEZ: Oh, come on.

23 MR. FONTE: I know Randy knows.

24 MR. GONZALEZ: Yeah.

25 MR. FONTE: You pay a substantial

1 percentage, absolutely. It's based on valuation.
2 Right now 6.5 billion is the county valuation. You
3 tell me what your valuation is, and I can tell you
4 how much your tax is.

5 MR. PIZZINO: I can tell you we pay more
6 than anybody else, because our bill is \$1.4
7 billion.

8 MR. FONTE: And we're trying very hard to
9 invest in Jackson and bring money back.

10 MR. WALTERS: And that's the reason I
11 asked, because that's one of the things I think,
12 you know, the greater community would love to see,
13 is that we contribute significantly to Stark Parks,
14 and this is one major benefit potentially that
15 could come back to us.

16 MR. FONTE: Yeah. You probably don't know,
17 but we just had our preconstruction meeting on the
18 trail that's going to connect Kent State through
19 the Hall of Fame branch, which will lead to
20 further -- the goal is to get those all
21 interconnected. So we are working hard to invest,
22 and like I said, this is, you know, it's expensive
23 to get the right-of-way.

24 MR. PIZZINO: We understand that and we
25 appreciate your efforts. We really do.

1 MR. WALTERS: We know how hard it is to get
2 grants. It doesn't come easy and we appreciate
3 Stark Parks.

4 MR. FONTE: And again, there's certain
5 funding that's dedicated to this purpose. We
6 happen to have written grants that was on the
7 website for approximately 2 million. There's
8 another 2 to 3 million available by the end of this
9 year that we're applying for for Stark County.
10 It's not statewide competition. It's just Stark
11 County. So that's why I'm confident that we'll hit
12 our total goal within a time frame, but even those,
13 those are required, need appraisals, certified
14 state appraisers have to approve the purchase
15 price. So it's not anything -- somebody said, Oh,
16 it's only worth 5,000 an acre. I'll take it
17 tomorrow for 5,000 an acre, the whole thing. Any
18 other questions?

19 MR. HAWKE: I've got just a real quick one,
20 and that is, it was brought up, the question of the
21 open space designation. Can you tell us would you
22 be willing, if this were to go through and even if
23 it doesn't, for the Devonshire Park, too, to be
24 part of our overall wrapping of those open space
25 designations?

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1 MR. FONTE: We are required to cooperate
 2 procedurally. Technically as a separate political
 3 subdivision we're exempt from zoning, but we work
 4 very hard to meet your zoning.
 5 MR. HAWKE: But if we put that open land,
 6 you'd be okay with us doing that?
 7 MR. FONTE: No, not a problem. We deed
 8 restrict all our property anyway.
 9 MR. HAWKE: You have a different
 10 restriction with a deed restriction.
 11 MR. FONTE: It is much more severe than
 12 your land use plan or your zoning.
 13 MR. HAWKE: We can't override the deed
 14 restriction as Trustees, but to have that laid on
 15 it so it shows up in the zoning code for everyone's
 16 comforts.
 17 MR. FONTE: To us, if that makes everybody
 18 feel better, we wouldn't oppose it. Like I said,
 19 our restrictions are much more severe than your
 20 land zoning.
 21 MR. HAWKE: I think it would just be nice
 22 at the end of that, even just excluding this, with
 23 Devonshire and our park, to put all those, so we
 24 have that designation shows that open space.
 25 MR. FONTE: When you look at your land

1 plans, I think that should show up in part of your
 2 plan. I agree from a planning standpoint, I'd just
 3 say technically we have more restrictions than
 4 you'd be able to put on our property.
 5 MR. HAWKE: Yep. I appreciate it. Thank
 6 you.
 7 MR. GONZALEZ: Thanks, Bob.
 8 MR. FONTE: Any time.
 9 MR. HAWKE: Thanks again. Anything else?
 10 MR. WALTERS: I don't have anything.
 11 MR. PIZZINO: No.
 12 MR. HAWKE: Randy, any questions?
 13
 14 (Off the record discussion was held)
 15
 16 MR. HAWKE: Since we're not going to take
 17 anymore questions, what I'm going to do at this
 18 point is I'm going to go ahead and close the
 19 hearing for comments and questions.
 20 MR. WALTERS: I think there's a couple
 21 questions remaining. I was just saying, I think
 22 we've got a couple questions we want to continue to
 23 look at, but, you know, that area around the house,
 24 B-1 that you talked about, so we need to take our
 25 time. We have how long to decide, Mike, before we

1 have to vote?
 2 MR. VACCARO: Twenty days.
 3 MR. WALTERS: Okay. So we've got plenty of
 4 time.
 5 MR. VACCARO: That would take us to the
 6 27th, or you could go as long as July 3rd, roughly.
 7 I'm going on a hard count here.
 8
 9 (Off the record discussion was held)
 10
 11 MR. WALTERS: What we're discussing is
 12 whether we're going to vote tonight or not, and
 13 we're not going to vote tonight.
 14 MR. PIZZINO: I think we have a concern. I
 15 don't know if you guys were hearing what we're
 16 talking about, but we have a concern of basically
 17 the possibly revision, what we'll do on B-1 close
 18 to Carriage Hill and close to that lady's
 19 residence.
 20 MR. HAWKE: I think the question was raised
 21 how far is it going to go back and those type of
 22 things and we don't know that because we just asked
 23 the question to be considered and I think - Mike,
 24 you can correct me if I'm wrong - but the question
 25 is would you consider that, and it's just either if

1 you're not willing to do it, then we have to vote
 2 on it as is.
 3 MR. WALTERS: Right.
 4 MR. HAWKE: Correct?
 5 MR. VACCARO: That would be accurate.
 6 UNKNOWN SPEAKER: Can I just throw one
 7 quick thing out, since you got the picture up
 8 there. You were talking about changing that to
 9 rezone it. You want to have the soccer fields. I
 10 don't know how many soccer fields and baseball
 11 fields you could put on ten or twelve acres,
 12 because I don't know the size of them. Would it be
 13 possible, from the edge of Carriage Hill, run them
 14 this way and still have property on Fulton Road
 15 that you can put buildings on and use the soccer
 16 fields and line them up and back and line them all
 17 the way up back to the park, so you could come in
 18 that way. That would be a buffer of soccer play,
 19 where they're not going to be there all night long.
 20 MR. HAWKE: I don't know.
 21 MR. WALTERS: I don't know. Some of these
 22 soccer leagues play at 10, 11, 12:00 at night. I
 23 mean, they do. That's a lot of noise. But, I
 24 mean, it's an interesting question, but that's why
 25 we're going to take a look at it.

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1 MR. PIZZINO: Somebody make a motion.
 2 MR. VACCARO: Just do a motion.
 3 MR. HAWKE: Well, then I guess just so
 4 everybody knows, there will be a notice come out as
 5 far as the time for the continuation of the
 6 hearing. We'll get that out. Most likely going to
 7 be in that 5:30, 5:45 time frame.
 8 MR. VACCARO: Oh, yes.
 9 MR. MOORE: Mr. Chairman, I'm trying to
 10 understand the reason why you're not voting tonight
 11 at this point, is that because you're requesting
 12 something from us on a revision to the plan?
 13 MR. HAWKE: Yes.
 14 MR. MOORE: Okay. If we could understand
 15 that, I could take my client out and determine
 16 whether he would be receptive.
 17 MR. PIZZINO: I think that Mr. Walters
 18 would like to look and Mr. Hawke would like to look
 19 at the possible revision from a B-3 to a B-1.
 20 MR. WALTERS: In that area of Carriage Hill
 21 across from that house.
 22 MR. PIZZINO: How far back it's going to
 23 be.
 24 MR. WALTERS: Just want to make sure we do
 25 it right if we're going to do it.

1 MR. GONZALEZ: Across from the house and
 2 the buffering.
 3 MR. PIZZINO: Across from the house and
 4 down the side of Carriage Hill, that's our two
 5 concerns.
 6 MR. WALTERS: So everybody understands what
 7 we're talking about, from here back, this
 8 direction, to buffer these and these houses.
 9 UNKNOWN SPEAKER: How many houses? Both of
 10 them?
 11 MR. GONZALEZ: These right here.
 12 UNKNOWN SPEAKER: There's two houses there.
 13 MR. GONZALEZ: There's a house under those
 14 trees, I think.
 15 UNKNOWN SPEAKER: There's houses on both
 16 sides of that street. There's houses all the way
 17 down that street.
 18 MR. WALTERS: Hence, why I would like to
 19 look at it.
 20 MR. GONZALEZ: That's why we're trying to
 21 get it continued.
 22 MR. MOORE: So you don't have anything for
 23 us?
 24 MR. GONZALEZ: I guess not.
 25 MR. HAWKE: All right. Anything else?

1 MR. WALTERS: I move to adjourn.
 2 MR. PIZZINO: Second.
 3 MR. GONZALEZ: All in favor.
 4 MR. HAWKE: Aye.
 5 MR. WALTERS: Aye.
 6 MR. PIZZINO: Aye.
 7 UNKNOWN SPEAKER: Aye.
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 11 (Hearing concluded at 9:12)
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1 CERTIFICATE
 2 STATE OF OHIO)
 3 STARK COUNTY)
 4 I, Deanna Gleckler, a Registered
 5 Professional Reporter, Certified Realtime Reporter, and
 6 Notary Public in and for the State of Ohio, duly
 7 commissioned and qualified, do hereby certify that the
 8 within Hearing was by me reduced to Stenotypy and
 9 afterwards transcribed upon a computer, and that the
 10 foregoing is a true and correct transcription of the
 11 proceedings.
 12 I do certify that this Hearing was taken at
 13 the time and place in the foregoing caption specified. I
 14 do further certify that I am not a relative, counsel or
 15 attorney of any party, or otherwise interested in the
 16 event of this action.
 17 IN WITNESS WHEREOF, I have hereunto set my
 18 hand and affixed my seal of office at Louisville, Ohio on
 19 this 7th day of July, 2017.
 20
 21
 22 _____
 23 DEANNA GLECKLER, RPR-CRR, Notary Public
 24 My commission expires 1-6-20.
 25