
RECORD OF PROCEEDINGS

MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on December 13, 2021 at 6:30 P.M.

State of Ohio – County of Mahoning
Canfield Township Board of Trustees Case #21-03-ZC, Second Hearing
Public Hearing – Monday, December 13, 2021 @ 6:30 P.M.
Approved 3-0

Request by: #21-03-ZC **Requested by** Universal Development

Request #21-03-ZC: Mr. Ron Anderson, of Universal Development, is asking the Trustees to re-hear his request for a zone change of six parcels (26-008-0-005.00-0, 26-008-0-003.00-0, 26-011-0-004.00-0, 26-011-0-005.00-0, 26-011-0-006.00-0, 26-011-0-006.01-0) off of N. Palmyra Rd., Canfield Township, from an Agricultural (A) District to a Planned Unit Development (PUD) District.

Present: Mr. Governor, Chairman; Mrs. Cartwright, Vice-Chairman; Mr. Paloski, Trustee; Mr. Rogers, Township Administrator; and Mrs. DeCapua, Township Zoning Inspector were present.

Place: Canfield Township Hall, 21 S. Broad St., Canfield, OH 44406

Proceedings: Chairman Governor called the meeting to order at 6:30 p.m. The Chairman then asked Mrs. DeCapua to poll the Board for attendance – Mr. Paloski, aye; Mrs. Cartwright, aye; Mr. Governor, aye.

Chairman Governor requested that Mrs. DeCapua present the case known as #21-03-ZC, and she did so as listed above under “request”. The legal notice ran in *The Vindicator, an edition of the Tribune Chronicle* on November 27, 2021. The Mahoning County Planning Commission made its recommendation to approve the request on July 27, 2021. The Canfield Township Zoning Commission approved to recommend to the Trustees on August 5, 2021. The Trustees first heard this case on August 25, 2021, and it was denied, 1-2.

Chairman Governor led the *Pledge of Allegiance*. Court Reporter Beth Duzzny swore in the room. The hearing was also recorded. Mr. Governor opened up the room for public comment, explaining that each speaker would have up to three minutes for comment and at the end of all comments Universal Development would have the opportunity to rebut. He also stated, per legal counsel, that only the information presented at the August 25th hearing would be permitted to be heard at the current hearing.

The following comments opposing the request are as follows:

Denise Stewart, 6111 Calico Ln. – had questions concerning water impact on adjacent residential neighborhoods and gas/oil leases on the property.

Robert McGowan, 6111 Calico Ln - stated his total opposition to the request as presented.

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Len Remias, 5957 Calico Ln. – expressed water impact towards Calico Lane and asked if the Township was paying for the water line to be run and installed.

Dave Groubert, 6104 Chidester Dr. – questioned whether a zone change could be requested by a non-property owner, as Universal Development has yet to close on the property, and have the Trustees been threatened with court action.

Bill Leone, 6063 Calico Ln. – cited his concerns as flooding, presence of endangered species, wetlands, and the increased traffic on N. Palmyra Rd.

Susanne Leone, 6063 Calico Ln. – made it clear that she is opposed to the request of a zone change for the following reasons; impact on the school, decreased property values, and additional development to the area.

At the conclusion of public comment, Mr. Governor asked for a representative from Universal Development to comment. Ron Anderson, owner of Universal Development, rebutted as follows:

- The development will be designed to control water flow and detention through engineering and ponds. If water issues arise, the developer would take responsibility.
- The oil and gas wells will be capped. J. Michael Thompson, attorney for Universal Development, explained that the wells will be reassigned to the new property owner once the sale is complete, at which time, the wells will be capped.
- Mrs. Cartwright explained that a township is not permitted to use township monies towards water lines.
- And again, Mr. Anderson explained that the development would help with the water impact and not hurt the surrounding areas.
- Per Mr. Thompson, a letter from the Neff family has authorized Mr. Anderson to request the zone change.
- A wetland professional was hired to delineate the wetlands and submit the report to the Army Corps of Engineers to review. That process is in motion. He also added that at least 90% of the wetlands are being avoided entirely. At this time, Mr. Anderson stated that there are no endangered species that live on the land.
- Mrs. DeCapua stated that court action can be taken if necessary.
- The development would generate over one million dollars to the schools. Property values would not diminish with high end condo development. Yes, there would be the possibility of rentals \$2000/month to rent in a private, gated community.

Mr. Governor asked for comment from the Trustees. Mr. Paloski questioned the water line and its cost, as did Mr. Governor. Mr. Anderson explained that his earlier proposed contribution would be between \$350,000 and \$400,000 and that the ABC Water District would provide the balance. He also stated that this was the early stages of discussion with the district. Mr. Paloski also commented

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on the number of cars that would impact N. Palmyra Rd. and asked if a left-hand turn only lane had been considered. Mr. Anderson replied that the traffic analysis did not warrant a left turn only lane. Mr. Paloski addressed the emergency drive way and if there was enough room for right and left turns. Mr. Anderson answered yes.

Mr. Governor asked what would happen if the ABC District was unable to provide the balance, what then? Mr. Anderson replied that he would then get the water from the City of Canfield. Mrs. Cartwright adamantly responded by saying that water provided by the city means annexation to the city. She further explained that the Township is not allowed to provide water and that was the reason for the formation of the ABC Water District.

Mrs. Cartwright continued by saying that large pieces of township property are being purchased by developers and development cannot be prevented. The responsibility of the Trustees is to try our best to work with developers to insure what is best for the Township.

Mr. Anderson added that his preference is to bring water down S. Turner Rd. to N. Palmyra Rd. He wants to make it work. Mrs. Cartwright responded by saying if water comes from the city and annexation is on the table then the Township will most certainly fight it.

After more discussion amongst Mr. Anderson, the Trustees, and the public, Mr. Governor closed comments.

RESOLUTION 2021-12-13-127

Re-Zone - Case #21-03-ZC, SECOND

Mr. Governor moved to approve the request of Mr. Ronald Anderson of Universal Development for the rezone of the following six parcel: 26-008-0-005.00-0, 26-008-0-003.00-0, 26-011-0-004.00-0, 26-011-0-005.00-0, 26-011-0-006.00-0 and 26-011-0-006.01-0 from an Agricultural District (A) to a Planned Unit Development District (PUD). Mrs. Cartwright seconded the motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Mrs. Cartwright, yes. The Board approved the request 3-0.

ADJOURNMENT:

With no further business before the Board, Chairman Governor adjourned the meeting at 7:22pm.

Mr. Brian W. Governor, Chairman

Mr. Joseph N. Paloski, Trustee

Mrs. Marie Izzo Cartwright, Vice-Chairman

Minutes prepared by:

Traci DeCapua

Zoning Inspector, Canfield Township

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