



City of Green

Central Administration
Building
1755 Town Park Blvd.

Meeting Minutes Summary

Planning and Zoning Commission

Wednesday, April 16, 2025

6:00 PM

Council Chambers

I. Call To Order

II. Pledge of Allegiance

III. Roll Call

Also present:

Wayne Wiethe, Director of Planning

Tom Di Tirro, City Planner

Mindy Lawrence, Secretary

Mia Keres, Student Representative

Julian Salem, Student Representative

Adyson DeSonne, Student Representative

Present 6 - Commissioner Cristy Ludrosky, Commissioner Jeananne Chadsey, Commissioner Nora Anderson, Commissioner Mike Burch, Commissioner Tim Bishman, and Commissioner Maria Thrasher

IV. Business Items

25-13 PD Concept Plan Amendment

(D. Pelligra, Pelligra Architects, Inc.)

Location: 4005 & 4015 Massillon Road

Conceptual Site Plan Amendment

Zoning: PD

Attachments: [25-13 PD Concept Plan Amendment PZC Staff Report](#)

[25-13 PD Concept Plan Amendment attachment](#)

[25-13 PD Concept Plan Amendment aerial map](#)

The representative for this project was David Pelligra, with Pelligra Architects. He stated what sparked the conversation for the request is that they would like to build a Dairy Queen facility on the site. With the overall property that is there, it developed into picking up the additional land and how can they best develop it for the future. He showed a site plan and stated they would like to start construction in the next 10 months.

Mr. Wiethe stated that this is not to review the site plan for Dairy Queen, this is to

modify the previous concept plan. He stated they will come back through the Planning Commission to review the Dairy Queen site plan review if this modification is approved.

Mr. Di Tirro went over the staff report from the Planning Department and gave a brief summary of the project. He stated this is the front half of The Boulevard Subdivision that has not been developed yet. This front portion is about 6.6 acres and consists of 3 different parcels. This plan is 2 of the 3 parcels and they are negotiating the 3rd parcel still. He gave an overview of the site and the plans they are proposing. He stated that this would be a favorable recommendation to City Council from the Planning Commission with considerations that the final site plan review is required, provisions must be made for perpetual access to and maintenance of the open space areas and features, including stormwater basins, the future subdivision of land within the District must meet city code requirements and a traffic study may be required in conjunction with the build-out of this project.

Commissioner Bishman asked if the one ingress and egress was a concern at all going into the project. Mr. Pelligra stated it was not a concern. Commissioner Bishman asked if this would be a more intense facility than what they currently have. Carl Worther stepped forward and stated the store would be the same concept and consistent with what they have now, just a full size store as opposed to in a plaza where they currently are located.

Commissioner Chadsey asked if this is the plan going forward or will this change again? Mr. Pelligra stated that this is the plan moving forward, but it could change. Mr. Wiethe explained how the project could potentially change and grow in size.

Commissioner Anderson stated one of her concerns with the new layout of the property is the original concept plan had access just off of Burgess Drive and the new one has access off of Massillon Road which is a bigger safety concern. Mr. Wiethe stated that they have a center turn lane on Massillon Road with the ability to turn around and go north using the roundabout if the traffic is bad. Commissioner Anderson asked if they would consider having access only off of Burgess Drive or only a right in and right out access point and making the pedestrian access more direct and not so winding.

Commissioner Burch asked if the plan changes or not are they going to stay with three buildings on the property. Mr. Pelligra stated it is possible it could change depending on what the potential tenant desires. He stated the footprint will be followed, but they would still have to come back through for approval. Mr. Pelligra stated that the plan will most likely mature if they get the extra lot. Mr. Wiethe gave a brief overview of what they could potentially do.

There was some discussion regarding access from Burgess Drive and possibly obtaining an easement.

A motion was made for favorable recommendation to City Council for the amended concept plan with the considerations noted in the staff report as mentioned. The motion was seconded.

The vote was 5-0; the motion passed.

A motion was made by Commissioner Chadsey, seconded by Commissioner Bishman, to recommend favorably the Code Amendment. The motion carried by the following vote:

Aye: 6 - Commissioner Ludrosky, Commissioner Chadsey, Commissioner Anderson, Commissioner Burch, Commissioner Bishman and Commissioner Thrasher

25-18 Land Development Code Text Amendment

(Planning Department)

Use Regulations; Section 157.085; Table of Allowed Uses

Attachments: [25-18 Land Development Code Text Amendment PZC Staff Report](#)
[25-18 Land Development Code Text Amendment Zoning Map](#)
[25-18 Table of Allowed Uses 157.085-1](#)

The representative for this project was Wayne Wiethe, Director of Planning for the City of Green. He stated they are bringing this back through again because they realized when it was brought through before, to allow drive thru facilities in I-1 zones, a number of drive thru facilities may not be permitted or conditionally permitted in Industrial Zones. He went through a list of facilities that he would like to add in an Industrial zoned area that were not addressed in the prior text amendment. He stated there are basically two concentrated areas with the exception of the railroad area on the north side that would be amended. He stated this would make more sense and provides additional usage of the land. He also stated this would be a recommendation to City Council for the amendments to the code.

Commissioner Burch stated he thinks this is a really good idea and the Planning Department did a great job on this amendment and it's really thought out. Commissioner Chadsey agreed.

A motion was made for favorable recommendation to City Council for the proposed text amendment as written. The motion was seconded.

The vote was 5-0; the motion carried.

A motion was made by Commissioner Anderson, seconded by Commissioner Burch, to recommend favorably the Text Amendment. The motion carried by the following vote:

Aye: 6 - Commissioner Ludrosky, Commissioner Chadsey, Commissioner Anderson, Commissioner Burch, Commissioner Bishman and Commissioner Thrasher

25-17 Agricultural Uses Text Amendment

(Councilman Speight and Councilwoman Babbitt)

Section 157.086(2); Table of Allowed Uses

Attachments: [25-17 Agricultural Uses Text Amendment Staff Report](#)[25-17 Agricultural Uses Text Amendment Legislation](#)

The representatives for this item were Justin Speight, Councilman and Christina Gardner, City of Green resident. Mr. Speight stated they are proposing an amendment to the city's ordinance that governs the keeping of livestock and animal husbandry in the City of Green. He gave a little bit of background on why they are requesting the change. He stated that he is an elected representative for the residents of the City of Green, when the residents sign a petition and there is enough traction and people behind it, it is his job to represent the residents. Both he and Councilwoman Babbitt worked together to draft the legislation because the voters and residents of Green would like them to do. He stated they have drafted legislation that they feel is reasonable and restrictive that will best suite the residents of the City of Green. Councilman Speight went over the legislation he passed out and had drafted and stated the biggest change is item 13. He stated they will restrict homes that have a homeowners association and let them govern the use under their terms. He went over some other changes they are proposing and why they are proposing the changes to the cod and pointed out the changes in bold lettering.

Ms. Gardner stepped forward and gave a background of her previous experience owning chickens and gave a lengthy summary of reasons she believes the Agricultural Uses code should be amended.

Mr. Wiethel went over the staff report from the Planning Department and gave a brief summary of the requested text amendment of Agricultural Uses. He stated there are some regulations that are not through the City of Green, but must still be adhered to (HOA rules and regulations, Summit County Health Department, etc.). He stated that the staff would support a substandard amount of the proposed changes to this section of the code and would suggest the following: 1. A reduction to one (1) acre be recommended to City Council. 2. The addition of the 100' distance from an adjacent dwelling be added, to remove any conflicts with Summit County Public Health Rules & Regulations. 3. The structure (coop) will require a Residential Accessory permit which will be calculated as part of the total accessory uses for the parcel, along with a set of plans for the structure. And 4. The fence shall also require a permit along with a site plan, dimensions and details (specs) of the fence. He also stated that the city does not enforce covenants and restrictions, that is considered to be a civil matter.

Councilman Speight went over the staff recommendations and gave a brief summary of his thoughts on each one. Ms. Gardner also gave her thoughts on the staff recommendations. There was a brief discussion that ensued on some of the items.

Commissioner Burch stated they are asking for a 75% reduction in lot size for the keeping of chickens on a property. He stated he does not want to see the size of the lot allowance drop that significantly; he believes 2 acres is the better option. He stated this may be better off going to a ballot issue to be resolved. He stated he is not in support of this change.

Commissioner Bishman stated that he grew up on a farm and in his opinion chickens are dirty, nasty and smelly, he would not like it if his neighbors had chickens. His concern is that residents may start asking for other livestock besides chickens (goats, geese, etc.). He stated he is not in support of this change.

Commissioner Thrasher asked if Ms. Gardner could site the source for the animal comparison concerning waste, noise decibel, etc. Ms. Gardner stated she does not have that with her but can certainly get the information and provide that to the commission at a later time. She also agreed with Commissioner Bishman and his concerns, but this is a smaller area than a farm and more controlled. There was a brief discussion that ensued.

Commissioner Chadsey asked why the code change from 20' to 30' setbacks. Councilman Speight stated they are smaller lots and allow for more space as long as they adhere to the Health Department regulations. Commissioner Chadsey asked how many Certificates of Use we have now in place in the city to own chickens. Mr. Wiethe stated he does not have that number in front of him at this time. Commissioner Chadsey asked what the cost of the COU is. Mr. Wiethe stated it is \$25. There was a brief discussion. Commissioner Chadsey stated she does not agree with the change in code.

There was a brief discussion regarding HOA's and them regulating the keeping of chickens, livestock and other non domesticated animals.

Commissioner Ludrosky has concerns about chickens being concentrated to one area and limiting how many permits can be issued in subdivisions. Councilman Speight said no, but it would be something they would be willing to look into. She also asked if they are looking at a calendar year or a rolling calendar year. He stated they could start now and January 1st the clock resets. There was a brief discussion regarding permits and on site slaughtering.

Mr. Wiethe stated that the fee schedule had been updated and was made aware that the cost of a permit (Certificate of Use) to own chickens is now \$50.00 and not \$25.00.

PUBLIC COMMENT:

Roy Levenger, 1502 Summer Wood Lane, Green, OH

Mr. Levenger stated he is the President of the Meadow Wood Estates HOA and he has concerns with people cleaning up after the chickens, the HOA's, regulations, predators and health risks. He also has concerns with tax dollars and market value of homes.

Jane Weaver, 4471 Dogwood Court, Green, OH

Ms. Weaver has concerns with the detail it takes to raise chickens, dropping the acreage from 2 acres to 1/2 an acre, how the language of the legislation is written, it's confusing to her. She gave examples from other cities and communities legislation and code.

Commissioner Chadsey asked how a violation is administered. Mr. Wiethe stated that the code inspector would issue a citation to Barberton Municipal Court and they would be given a trial date.

Councilman Speight and Ms. Gardner addressed the concerns of the all residents that spoke.

A motion was made for a favorable recommendation to City Council for the approval of the ordinance before them tonight for 20,000 square feet, the addition of the 100' distance from an adjacent dwelling be added, to remove any conflicts with Summit County Public Health Rules & Regulations, the structure of the coop will require a Residential Accessory permit which will be calculated as part of the total accessory uses for the parcel, along with a set of plans for the structure, and the fence shall also require a permit along with a site plan, dimensions and details of the fence. The vote was 4-1; the motion failed.

A motion was made by Commissioner Burch, seconded by Commissioner Bishman, to favorably recommend the Text Amendment. The motion failed by the following vote:

Aye: 1 - Commissioner Anderson

Nay: 4 - Commissioner Ludrosky, Commissioner Chadsey, Commissioner Burch and Commissioner Bishman

Abstain: 1 - Commissioner Thrasher

V. Unfinished Business

No report.

VI. Approval of Minutes

A motion was made by Commissioner Burch, seconded by Commissioner Bishman, to approve the meeting minutes as submitted. The motion carried by the following vote:

Aye: 6 - Commissioner Ludrosky, Commissioner Chadsey, Commissioner Anderson, Commissioner Burch, Commissioner Bishman and Commissioner Thrasher

Approval of the February 19, 2025 Meeting Minutes

VII. Director's Report

Director Wiethe gave a brief report.

- Student Municipal Representative Ceremony - May 1, 2025
- Student Municipal Representative Recognition
 - Mia Keres
 - Julian Salem
 - Adyson DeSonne

VIII. Council Liaison Report

No report.

IX. Adjournment

The meeting was adjourned at 8:05 pm.

****Once approved by the Planning & Zoning Commission, this official written summary of the meeting minutes shall become a permanent record, and the official minutes shall consist of a permanent video recording, in accordance with Green City Council Ordinance 2014-12, adopted on November 25, 2014.**

Approved by:

Cristy Ludrosky, Chair

Date

Mindy Lawrence, Secretary

Date