

CONCORD TOWNSHIP BOARD OF TRUSTEES  
LAKE COUNTY, OHIO  
REGULAR MEETING

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

June 21, 2017  
7:30 p.m.

TRANSCRIPT OF PROCEEDINGS

Present on behalf of the Board of Trustees:

Paul Malchesky, Chairman  
Christopher Galloway, Vice Chairman  
Caroline Luhta, Trustee  
Amy Dawson, Fiscal Officer

Also Present:

Michael Lucas, Esq., Legal Counsel

**Melton Reporting**  
11668 Girdled Road  
Concord, Ohio 44077  
(440) 946-1350

1 7:30 p.m.

2 CHAIRMAN MALCHESKY: I am going to call the Concord  
3 Township Board of Trustees' June 21, 2017, meeting to order.  
4 Please stand for Pledge of Allegiance.

5 (Whereupon, the Pledge of Allegiance was recited.)

6 CHAIRMAN MALCHESKY: Okay. Roll call.

7 MS. DAWSON: Mrs. Luhta?

8 MS. LUHTA: Here.

9 MS. DAWSON: Mr. Malchesky?

10 CHAIRMAN MALCHESKY: Present.

11 MS. DAWSON: Mr. Galloway?

12 MR. GALLOWAY: I am here.

13 CHAIRMAN MALCHESKY: Okay. Folks, for the people  
14 that are new here, we have a court reporter here. So she is  
15 going to take down everything that's said, so let's be quiet  
16 until, you know, anybody approaches the podium so that she can  
17 get everything down.

18 Approval of minutes, June 7, 2017?

19 MS. LUHTA: No corrections.

20 CHAIRMAN MALCHESKY: Okay.

21 MR. GALLOWAY: No, they look good.

22 CHAIRMAN MALCHESKY: All right. So we will approve  
23 the June 7, 2017, minutes.

24 MS. LUHTA: Right.

25 Official's report, Amy.

26 MS. DAWSON: I just wanted to tell everybody we had  
27 our annual audit, because we're doing an annual audit now  
28 because of the road program, and the results are listed on the  
29 Auditor of State's website, so business as usual.

30 CHAIRMAN MALCHESKY: Okay. Thank you.

1 MS. DAWSON: You are welcome.

2 CHAIRMAN MALCHESKY: Chris, anything?

3 MR. GALLOWAY: Paul, just a couple minor things on  
4 some stormwater issues with a couple of residences, really  
5 that's been it.

6 CHAIRMAN MALCHESKY: Connie?

7 MS. LUHTA: I had a call this morning that I turned  
8 over to Frank. That's all.

9 CHAIRMAN MALCHESKY: Okay. Well, I had a couple  
10 calls on stormwater issues that I went out to, basically,  
11 finishing up the project through Quail Hollow, and then there  
12 was an issue with regards to a question about what was done in  
13 Quail recently. There has been about 4,381 square yards laid  
14 by our crews and that took our crews about 40 working days, and  
15 that's generally a four- to five-man crew with the equipment  
16 out there.

17 So with that, we don't have department reports.

18 Folks, I know everybody is here for probably the same  
19 reason, so we are just going to go and move to our new  
20 business, take care of that, then we'll do the audience  
21 portion.

22 Since there is no old business, new business on the  
23 resignation letter for part-time firefighter Lieutenant John  
24 Kovats.

25 MR. GALLOWAY: I make a motion to accept John's  
26 resignation letter with regrets and wishing him well in his  
27 future endeavors.

28 MS. LUHTA: I will second that and say that it is  
29 effective June 1st.

30 CHAIRMAN MALCHESKY: Yeah, I know John. He and I

1 went to high school together, graduated together.

2 MR. GALLOWAY: He is that old?

3 CHAIRMAN MALCHESKY: Yes, that old. He's done an  
4 excellent job for us. He is with part time. He's retiring  
5 from his part time and going to stick with his business. And I  
6 think, quickly, to tell you that -- what he did during the  
7 flood, if you guys recall what great efforts he made.

8 MS. LUHTA: Yes.

9 CHAIRMAN MALCHESKY: And heroic and rescuing a lot of  
10 people. So good luck to him. All in favor say "aye."

11 (Three aye votes, no nay votes.)

12 CHAIRMAN MALCHESKY: Fire Department Purchase Order  
13 Number 49-2017 in the amount of \$2,643.77, and this is for  
14 Sirenet.com for lights and sirens for the new deputy chief's  
15 vehicle.

16 MS. LUHTA: I move that we approve.

17 MR. GALLOWAY: I will second.

18 CHAIRMAN MALCHESKY: All in favor say "aye."

19 (Three aye votes, no nay votes.)

20 MR. GALLOWAY: I'll go through future meetings and  
21 announcements if you like.

22 CHAIRMAN MALCHESKY: Sure, go ahead and do that.

23 MR. GALLOWAY: On Friday, June 30th, at 12:00 p.m.,  
24 there will be a staff meeting here in Town Hall in the  
25 conference room.

26 On Monday, July 3rd, Township facilities will be  
27 closed in observance of the 4th of July holiday. The same goes  
28 for Tuesday, July 4th, Township will be closed.

29 And then on Wednesday, July 5th, we'll be right back  
30 here at 6:30 for Trustee office hours in the conference room

1 and then followed by our regularly scheduled Trustee meeting at  
2 7:30.

3 CHAIRMAN MALCHESKY: Okay. That leads us to the  
4 audience portion and we have quite a few people here. And I  
5 assume by the nods of the heads everybody is here with regards  
6 to the zoning issue that will be coming in front of the Concord  
7 Township Zoning Commission. That's correct? Just to let the  
8 general public out there know, as of right now, that is not  
9 before the Trustees. We will certainly hear you out today but  
10 I, at least, want to let the general public know that that is  
11 not before us. It has been to the Planning Commission. The  
12 Planning Commission has sent it to the Zoning Commission. The  
13 Zoning Commission will be reviewing the Planning Commission's  
14 comments and questions, making amendments to that. And then  
15 once they're done with their work, they will then pass it to  
16 the Concord Township Trustees. So that's the procedure of what  
17 is going on with that overlay district, which is my assumption  
18 why everybody is here.

19 Just to kind of, I guess, address some issues that,  
20 at least, I have seen come across in emails and rhetoric on  
21 Facebook, a couple things, certainly, it is at least my opinion  
22 that this does not include what is said here, 7,000 multi-  
23 family homes. I one hundred percent disagree with that. I  
24 don't think that is what this plan calls for. It's certainly  
25 not my intent and I think I would just be as horrified if that  
26 is -- if that was what someone was doing. But I don't believe  
27 that's the intent here.

28 I also disagree with regards to acreage that is being  
29 discussed. At least my position is I -- and the plots of land  
30 that I believe should be included in the overlay district. If

1 there is such an overlay district, it would be approximately  
2 120, it's actually like 119 point something.

3 This area that, that is discussed in this town center  
4 concept is something that has been worked upon by this Board  
5 for several years and so I think it's important to, kind of, go  
6 through a little bit of history. And I am hoping that my  
7 comments beforehand would relieve some people and they can  
8 alter their comments and we can get straight to the heart of  
9 the issue.

10 And when Chris and I took office, there was some --  
11 there was a Comprehensive Plan and there was some plans for  
12 this area that we sit in right now. And the purpose of what  
13 they were discussing at the time was typically what you see  
14 governments do but, you know, place some additional buildings,  
15 township buildings up for whatever would be necessary but try  
16 to make it a little bit more of a recreation center here at  
17 Town Hall.

18 And we were faced with a couple of things as we took  
19 office. The hospital was coming in, construction was starting.  
20 There was a traffic problem already existing there at the time.  
21 And at least from my standpoint and I believe Chris'  
22 standpoint, I believe in less government. I believe in less  
23 government buildings. Nowadays, most people are able to do a  
24 lot of their work, you know, with their cell phone and so there  
25 needs to be less space.

26 So my thoughts were, and I think this Board, had  
27 turned towards making provisions for long-term use and we  
28 talked about a 100-year plan. We talked about and we've placed  
29 a plan in place and we went to several homeowners' association  
30 meetings, talked at Painesville Chamber of Commerce,

1 Painesville Area Chamber of Commerce, Mentor Area Chamber of  
2 Commerce and to discuss what we believe what was going to  
3 happen with Concord Township and how we were going to deal with  
4 some of the challenges in front of us.

5 And what we did and what we laid in place right  
6 around that time is we came up with the concept of putting a  
7 Joint Economic Development District in. And the Joint Economic  
8 Development District is only over in the area where we're  
9 discussing right now. It includes portions of the hospital  
10 buildings. It includes currently portions that are in this  
11 overlay district, potentially, that we're talking about. And  
12 the purpose of putting that in there was that that allowed us  
13 to receive income tax dollars from those areas where they were  
14 not paying real property tax.

15 Everybody just got their property tax bills. I just  
16 got mine. And Lake Hospital and -- or portions of Lake  
17 Hospital building and portions of the UH building and other  
18 surrounding areas there, because they're not-for-profit, were  
19 not paying those taxes. And so we installed this Joint  
20 Economic Development District to deal with some of those pains  
21 that were going to occur with those hospitals coming in. But  
22 it was, also, we thought that they were fine establishments to  
23 be placed here in Concord Township and there were certain  
24 benefits and they become somewhat anchors for some new  
25 development.

26 And so we installed that JEDD. That JEDD has  
27 generated revenue to allow us to pay for the road improvements  
28 that have just or are about to be finished to deal with the  
29 traffic issues. The JEDD allowed us to -- There was a  
30 discussion here about a portion of this area that we purchased,

1 seven acres. That JEDD and those JEDD dollars allowed us to  
2 purchase those seven acres so that we could control that  
3 corner. There is a requirement that we have certain, I guess,  
4 economic stability and our funds are diversified but those  
5 dollars allow us to do that, hold that property, control that  
6 property, and allows that property to enter the JEDD so that  
7 when that property is developed, that piece of property will be  
8 also inside the JEDD to gain revenues.

9 That purpose and those purposes of generating those  
10 dollars is for sustainability of Concord Township. And, again,  
11 we think in the minds, generally, as a young adult and as an  
12 adult you think in the lines of 30 years and what a typical  
13 mortgage is. A township lives forever. Our vision, we  
14 believe, had to be a lot longer, so our visions were always for  
15 100 years in our planning.

16 And as we, you know, as we discussed this stuff back  
17 in 2008, we walked everybody through -- actually, 2006, we also  
18 discussed economic development in the area and we talked about  
19 placing something in Concord Township in that area that we're  
20 discussing tonight, which would be a mixed-use development.  
21 And I think the first time we discussed it in a public hearing  
22 was back in 2006. We used First & Main as an example. It  
23 allows people to have a vision and have something --

24 MR. GALLOWAY: Tell them what First & Main is.

25 CHAIRMAN MALCHESKY: First & Main is a project that  
26 was done in Hudson. We went out in two thousand and -- early  
27 2006 to look at the project in Hudson, and we went out there to  
28 look at it because Hudson has the exact demographics of Concord  
29 Township. They were also --

30 MR. GALLOWAY: Very close.

1 CHAIRMAN MALCHESKY: Very.

2 MR. GALLOWAY: Not exact.

3 CHAIRMAN MALCHESKY: Pretty close. And they were  
4 also lacking that commercial economic development that they  
5 thought was sustainable. They put a mixed-use development in.  
6 We went down, spent time with the councilmen, mayor, walked  
7 around the project, talked to them about the pros and cons, and  
8 then we started to discuss that among ourselves and did  
9 additional research.

10 From there, the economic -- the Port Authority put  
11 together an economic development strategy for Lake County as a  
12 whole. I participated in that, not as a Concord Township  
13 trustee but as a -- through my law practice. The purpose was  
14 going through there, saying -- Well, I still believe this to  
15 this day. Lake County has been a very stable entity. It  
16 doesn't go too low during hard economic times, such as 2008,  
17 but it also doesn't, doesn't ever put the, you know, the pedal  
18 on the metal and succeed in going very far in new economic  
19 development.

20 The other issue that was going on was that the  
21 township, as well as Lake County, was getting older and there  
22 was a sense that it was going to require us to regenerate and  
23 make sure that we bring in some, some younger generations to  
24 stay here in Lake County.

25 So that endeavor took off and the suggestion was that  
26 they wanted some smart growth principles, mixed land use, take  
27 advantage of compact building designs, greater range of housing  
28 opportunities, create walkable communities, foster distinctive,  
29 attractive communities and a strong sense of place. And I  
30 thought, additionally to that, Concord Township lacked -- I

1 mean, back in 2004, they thought that Concord Township lacked a  
2 sense of place. And so they were suggesting to make this area  
3 as you sit here, Town Hall, as a sense of place. But as most  
4 of you arrived here, it is not a place that, generally, a lot  
5 of people hang out in. And so in our thought pattern, the idea  
6 was that we wanted to create an area that was a mixed-use  
7 development area that provided economic development and  
8 provided Concord Township with a sense of place.

9 And so when we came up with the concept of this mixed  
10 use, it required us to, kind of, investigate and make sure that  
11 we know the pros and cons of what was going on there. It is  
12 our thought that our concept meets the standards and the  
13 requirements to be a very viable entity.

14 And I will tell you that, certainly, some of the  
15 concerns that had been raised through emails would be the same  
16 concerns that I would have if those were true. I don't think  
17 they're true. If the language on the draft that's, I want to  
18 say, about 206 pages, if the language on the draft is required  
19 for us to tighten it up, put boot straps on, I know that this  
20 trustee and this Board is willing to do that.

21 But it does go through the process and the process  
22 is, it goes from the Planning Commission, which it's been  
23 there, and it comes up to the Zoning Commission, and so there  
24 will be a Zoning Commission meeting there. And I will make  
25 sure that we can provide a traffic engineer that has done some  
26 work for us, as well as any consultants that have done some  
27 work for us so that they can assist in answering questions.

28 In the last 10 or 11 years, 12 years that we've been  
29 going through this, at every step of the way we stopped and  
30 said, "Hey, if you have questions, are there concerns, let us

1 know. We don't want to screw this up." At least it's been my  
2 point the entire time to do that. And so we're, you know,  
3 we're still in that mode and we will always be in that mode.  
4 We have tweaked the zoning in this area over and over and over  
5 again in the last 12 years, and the purpose of that was for us  
6 to, as we gain more knowledge and as we had concerns, we wanted  
7 to tighten that up.

8 Now, we believe that the overlay district gives the  
9 Township powers that it doesn't have. And I am a product of  
10 being in a township or in a township my entire life. I've been  
11 living in the same neighborhood, except for my college years  
12 and law school years, since I was four, so about 41 years. And  
13 there's some things that you have to kind of recall. Townships  
14 don't have the same type of powers as cities and -- because  
15 it's a smaller form of government and there is less  
16 restrictions.

17 We believe that the overlay district allows us to  
18 have certain things that we don't ever have. And I always kind  
19 of equate it to it's -- and it is -- it's a PUD. Quail Hollow  
20 subdivision is a planned unit development that was put in place  
21 and structured so that the township and those trustees that  
22 were there before had the ability to put restrictions on things  
23 so that the development looked and feel the same way that they  
24 envisioned it to do. And that required them to have a  
25 recreation area, which was the golf course. It required them  
26 to have some small amount of commercial activity, which you see  
27 is Grist Mill. It required them to have a hotel, which you see  
28 is there. And it required the type of homes that are there  
29 with the type of restrictions that are there. And they were  
30 able to deal with architecture and put what I consider

1 bootstraps on things that the Township weren't able to do. And  
2 I believe it's a great community. I think that they continue  
3 to -- it continues to age well. And that was the purpose and  
4 that was the forethought in that.

5 That should be the same purpose and forethought that  
6 we are putting into this as well. It's not our intent to make  
7 any flaws in what we are doing here. So what I am going to  
8 ask, and I think maybe the best is -- we have some people  
9 here -- is let's try, let's try to get our comments down to  
10 about four minutes. And we will try not to interrupt you and  
11 we will try to answer your questions. If it's necessary, I  
12 will be more than happy to meet with anybody and walk them  
13 through. I want to make sure that we get our facts accurate.  
14 If there is something we disagree on, I want to make sure that  
15 we're both accurate on the facts before we disagree on  
16 something. I think we all agree that we want to get this thing  
17 right, and we may have different philosophies. The facts  
18 shouldn't change.

19 And I want you to know that, as there is text that is  
20 written and went to the Planning Commission and came up, there  
21 is text in there that I'm not satisfied with as well. And so I  
22 know that, if the Zoning Commission doesn't make certain  
23 changes, I know that I will be making certain changes or  
24 requesting certain changes to occur in that.

25 Chris, any comments? Connie?

26 MS. LUHTA: No.

27 CHAIRMAN MALCHESKY: Okay. Since we have a court  
28 reporter here, what we do ask is, whoever wants to come up  
29 first, we can start wherever, whatever section, come up to the  
30 podium, state your name, put your address down or state your

1 address and then let's discuss. How about we start this row.

2 MS. LUHTA: No?

3 MR. LAZUKA: I'll go.

4 CHAIRMAN MALCHESKY: Sure, Chris.

5 MR. LAZUKA: Chris Lazuka, 8130 North Orchard Road.  
6 I am here, I am just kind of really educating myself on what's  
7 happening here. And I guess in what I've, I guess, been  
8 studying recently, I've become really concerned about this and  
9 what this thing has kind of morphed into versus what I thought  
10 it was ten years ago.

11 CHAIRMAN MALCHESKY: Sure.

12 MR. LAZUKA: So admittedly, ten years ago, I thought  
13 this was a great idea, promote the commercial growth in the  
14 township. And it just appears to me on the surface that this  
15 has morphed into something that I entirely oppose, in that, I  
16 think it changes the face of Concord Township.

17 Forty-four years, I've lived here most of my life. I  
18 love this township. I love, I love its sense of place. I  
19 disagree that it does not have a sense of place. I want to  
20 preserve what Concord Township is. I think that's what a lot  
21 of our community feels. And I think this is very much opposed  
22 to what Concord Township is. Whatever, if it's 40 units per  
23 acre, if it's 20 units per acre, I think the success or the  
24 failure, potential failure of this could be devastating to our  
25 area.

26 MR. GALLOWAY: So when you talk about "it," you are  
27 talking about the overall concept of mixed-use development in  
28 its entirety, any commercial?

29 MR. LAZUKA: Bringing high --

30 MR. GALLOWAY: I just want to define what "it" is.

1 MR. LAZUKA: Bringing high-density housing into  
2 Concord.

3 CHAIRMAN MALCHESKY: Let me tell you, at least, what  
4 I think it is. And, you know, there are, there are fliers and  
5 suggestions and visions posted on here. Here is my vision of  
6 it. My vision is on that seven acres that Concord Township  
7 owns right now or controls, I envision, first of all, kind of  
8 a, first of all, open up the clock tower so that there is  
9 something there that kind of stabilizes that is kind of a new  
10 area. I see mixed use. And when I say "mix used," I think of  
11 a commercial development on the first floor. I believe that  
12 would take up at least one or two floors. Okay? So for  
13 instance --

14 MR. LAZUKA: As high as four floors?

15 CHAIRMAN MALCHESKY: No, I don't. So I believe the  
16 text here talks about 60 feet and they're talking about  
17 mechanicals on top of that and they're talking about Western  
18 Reserve architecture, so what I believe that is, I think it's  
19 no more than three stories, you know, at the completion.

20 To give you an example of what you probably would be,  
21 have knowledge of --

22 MR. LAZUKA: I've been to First & Main.

23 CHAIRMAN MALCHESKY: Yeah.

24 MR. LAZUKA: I know what it's like.

25 CHAIRMAN MALCHESKY: You know, so I don't envision  
26 anything different than that. If there is a question about 40  
27 units in an acre --

28 MR. LAZUKA: Because that's within -- It's in the  
29 text today, right? That's what you --

30 CHAIRMAN MALCHESKY: Well, that's for consideration.

1 Okay? I am not, I am not thrilled with that. So if you want  
2 to know one of my big issues that are going to be, that's a  
3 huge issue for me. It should be a huge issue. It should be  
4 something that we discuss about that.

5 Units above the mixed use. And, again, so if you  
6 have a mixed-use development and you have a commercial floor,  
7 that commercial floor may, may eat up one or two of those  
8 floors. If you are going to have, if you are going to have  
9 something above that, that's going to be a loft and it's not  
10 going to be greater than one unit if your commercial unit  
11 already took up two. If you have one commercial unit and it's  
12 only taking up the first floor, I can't imagine greater than  
13 two units above that. Okay?

14 And, and if the text doesn't -- I think the text  
15 restricts those things; but if the text doesn't restrict those  
16 things, I'll change it, you know. But that's how I envision  
17 it. Okay?

18 I envision, in the rear of the project, you know,  
19 it's my taste and not anybody else's taste but I love the  
20 Players Club look. Okay? I love those units' look but those  
21 are not exactly townhouses. I love, I love the inside of what  
22 was done in Stonehaven, okay, that's inside Quail. Okay?  
23 Those, Stonehaven has 106 units. I think there is 100, 106  
24 units.

25 So I would envision some of those townhouses or  
26 cluster homes in the rear of this development. Okay? I don't,  
27 you know, I don't know how to put any additional, any more  
28 additional restrictions than what I see in this text. But if  
29 somebody sees it and reads it the wrong way and it's  
30 misinterpreted, we are going to change those things. Okay?

1 MR. LAZUKA: From what you had described -- and  
2 thanks for the history -- you had mentioned demographics and  
3 finances are two --

4 CHAIRMAN MALCHESKY: Yeah, sure.

5 MR. LAZUKA: -- of the primary motives for this  
6 project, right? You mentioned Lake County. Are you saying  
7 that Concord is, is projected to be in decline from a  
8 population standpoint? Because all I see is everybody, people  
9 are coming in, right?

10 MR. GALLOWAY: You have, you have two things in play.  
11 Concord is growing because we average somewhere around 90  
12 housing starts a year. That's our current pace, if you will,  
13 with some of the new developments that are in existence and  
14 coming online, you know, developers are moving forward. So you  
15 have an overall increase, a steady increase in the population.  
16 We're probably, at the next census, going to be somewhere  
17 around 20,000, which would actually make us the largest  
18 township in this northeast Ohio area.

19 But you also have the overall demographic trends when  
20 you break down some of the census data. You have a reduce -- a  
21 reduction in the number of people per household. So we have,  
22 we have new people coming in buying houses but you have less  
23 people per household. What's that mean? You have less kids.  
24 If you look at some of the redevelopment plans with Riverside,  
25 you know, they're reducing the number of classrooms and all the  
26 rest of that because their projections show that that child,  
27 number of children is reducing itself in terms of what will be  
28 in their school district.

29 And then if you look at the average age of Concord  
30 Township in the last census, the average age in Concord is now

1 54, which makes us, on a national level and even for Lake  
2 County, we're old and -- as an average age 54. And that's, and  
3 that's older than what we were 10 years prior to that. I  
4 think, prior to that, we were like 48.

5 MR. PATTERSON: Forty-five.

6 MR. GALLOWAY: Forty-five. So we've -- We're getting  
7 older and we are getting older quicker. We're all getting  
8 older.

9 AUDIENCE MEMBER: That comes with age.

10 MR. GALLOWAY: So when you say, is Concord -- You are  
11 hitting on a really important point, Chris, which is, what, you  
12 know, what is Concord now versus what is it going to be in  
13 terms of population? So we have that trend. We're growing,  
14 yes, new houses, fewer people per house, and our average age is  
15 getting older. So that increasing age is a, frankly, for the  
16 health and long-term stability and sustainability of a  
17 community, that's a bad trend. That's a bad trend line.

18 You know, we've all heard about, you know, for 10  
19 years, 20 years in Northeast Ohio, brain drain and millennials,  
20 you know, kids go to college and they don't come back, you  
21 know, all that sort of thing. So there is that trend line.  
22 And then you have this other trend line which is the largest  
23 segment of the U.S. population now is millennials.

24 So you have a number -- You have this caldron of  
25 varying, of conflicting demographic trends that are sort of  
26 happening in Concord. And our position is we need to find a  
27 way to position ourselves so that we're healthy as a community  
28 long term in terms of viability, in terms of who is, you know,  
29 who is able to live here, who is choosing to live here, and  
30 that affects everybody in terms of the, you know, the

1 maintaining of the housing stock. You don't get into a  
2 situation where you get into some of the older suburbs in  
3 Cuyahoga where you start to see homes starting to fall apart,  
4 having some issues in that regard because now you have older  
5 and older people who can't afford to maintain but they have  
6 nowhere else to go.

7 So you need bring in -- Look at the, look at what  
8 Willowick has really been pushing -- Mike knows -- in terms of  
9 trying to bring in younger families because they were very --  
10 they were much older and they've been trying to bring in  
11 younger families into their housing stock so as an ability to,  
12 sort of, regenerate.

13 Now, all that being said, we look at it like how do  
14 we, as trustees, plan in terms of zoning, economic development,  
15 infrastructure, whatever you want to call it, to figure out how  
16 Concord Township can position itself for long-term success and  
17 sustainability? The last thing we want to be is Shaker Heights  
18 or Cleveland Heights where you end up with, you know -- And I  
19 don't mean, like, that's not tomorrow. So when you say, well,  
20 what do we -- is Concord Township expecting to have problems?  
21 No, not right now, not five years from now, not ten years from  
22 now. But what's 20 years out? What's 25 years out? And I can  
23 tell you, we're not the only ones dealing with it. Mentor is  
24 actively engaged in various things to try to work against some  
25 of those demographic trends.

26 And so we are trying to find ways of how do we  
27 position ourselves so that this community is a place that, A,  
28 thrives, and B, is a place that people want to be long term  
29 because that affects the bottom line when it comes to things  
30 like taxes, services, and ability to support those things.

1           So we've always had this focus of, okay, we had this  
2 commercial corridor. It's been zoned a commercial corridor  
3 since late '60s. And I say this all the time. You know, in  
4 1968, the Township did a Comprehensive Plan and their plan was,  
5 where Quail Hollow is now, the Township at the time believed  
6 that that was a perfect spot for a Ford or a GM plant.

7           MR. PATTERSON: Good idea.

8           CHAIRMAN MALCHESKY: So visions change but it's  
9 always been a commercial corridor. Now, we haven't had a lot  
10 of development within that corridor until really recently. It  
11 sort of triggered, for the most part, a handful of businesses  
12 with the development of the hospital. And Paul went into some  
13 of the history of how we started to try to capture that and  
14 sort of move forward in a fashion that would work.

15           So the answer is, yes, does Concord -- Is Concord  
16 going to have challenges down the road when you and I are, and  
17 Paul, are sitting in one of these nursing homes? It could if  
18 we don't now work on putting in place things that give future  
19 boards of trustees an opportunity to maximize in terms of what  
20 they're doing and give them an opportunity so that they're on  
21 the right side of those trend lines.

22           A great example is sometimes I get from folks that  
23 have lived in Concord Township for 40, for 40, 50, 60 years.  
24 They remember when Concord was like Hambden, Hambden Township,  
25 semi rural. And people will say to me, "Ah, you know, I wish  
26 Concord was the way it used to be."

27           And my response to that is, "I understand that." But  
28 in 1978 and in 1984, those boards of trustees didn't increase  
29 lot sizes. They didn't change the zoning to make it so that it  
30 would end up like, like a much more rural community like Leroy

1 or Hambden. They chose smaller lot sizes, especially on the  
2 west side. They chose sewers. They chose water. They chose  
3 for development. And so now moving forward, this is the world  
4 that we have to now manage in terms of growth patterns,  
5 demographics, and all the rest of that.

6 So we're always cognizant of the decisions we make,  
7 the way the decisions were made, say, in the '70s and early  
8 '80s. Our decision now will affect those down the road.

9 MR. LAZUKA: Okay. Thank you.

10 CHAIRMAN MALCHESKY: And my thoughts are that the  
11 growth in that area, that corridor, is not going to happen  
12 immediately. I don't see, you know -- It took us ten years to  
13 get the road in, you know. So it's going to take a while for  
14 that to happen.

15 MR. LAZUKA: Just the last thing real quick, do you  
16 feel you guys have done everything to make the community aware  
17 of what these plans are, everything you can through social  
18 media, through the Grapevine newsletter? Are you posting this?  
19 I mean, I admittedly haven't been coming to the meetings.  
20 But, again, I think because some of the emails that are  
21 circulating --

22 CHAIRMAN MALCHESKY: I am questioning myself, if  
23 that's the question. I am amazed that not everybody knows  
24 about it. I only say it because --

25 MR. LAZUKA: I mean the plans themselves, the  
26 pictures, the words.

27 CHAIRMAN MALCHESKY: Well, see, the words just came  
28 about.

29 MR. LAZUKA: Okay.

30 CHAIRMAN MALCHESKY: Okay? The plans are not really

1 plans but they, kind of, are concept ideas to provide something  
2 to look at when you look at the words to say, "Well, I do like  
3 that," or, "I don't like that." Okay? So, for example, if you  
4 are looking at something on a plan that you don't like and you  
5 can go down to that section and say, "Listen, I've got to  
6 button that up because I don't like the way that looks." Okay?

7 And I say this, Concord Township has this, with  
8 regards to taxable valuation of a political subdivision,  
9 Concord Township is second only to Mentor in Lake County.  
10 Okay? And we're way above, I believe, way above, in my  
11 calculations, way above Willoughby, okay, you know? And you  
12 don't count the Metroparks. So it's only, it's only taxable  
13 value, you know. Metroparks eat up 16, 17 percent of Concord  
14 Township. I don't want to degrade the, you know -- I don't  
15 want to degrade that, you know, that entity. I want to make  
16 sure that our tax values continue to rise, okay, that the  
17 value, the money you put into your house continues to rise and  
18 you have good, good value for that.

19 So it is, it is our intent to provide an asset to the  
20 township and not provide any type of issues or questions or  
21 cost to us. And so, you know, as people will ask about the  
22 cost and how, you know, how do you plan on defraying some of  
23 these things, that's why we put it in the JEDD. That's why  
24 it's put in this area. It's there because that's an area that  
25 does generate money. It's different than the rest of the other  
26 areas.

27 MR. GALLOWAY: I would just say, in short, I think in  
28 the last ten years I've spoke -- I can't even tell you how many  
29 public meetings I have spoken at, in televised meetings I have  
30 spoken at. I mean, it's -- I will tell you that I will

1 acknowledge being, sort of, blindsided by this sudden surge of  
2 you know, hey, you know. I mean, we were initially accused of  
3 having done all these things in secret. And I'm like, man,  
4 here is 12 News Herald articles in the last seven years. Here  
5 is 12, you know, speaking in front of everyone, in front of  
6 Quail homeowners' association about mixed-use development in  
7 the corridor. I mean, from my standpoint, I felt like, man, I  
8 thought we were talking. And I don't know if that's just we  
9 were but people are busy -- and everybody is -- and so they  
10 weren't necessarily -- not everybody but some people aren't  
11 necessarily dialed in.

12 And so I, kind of, took to heart some of the things  
13 that Bob said at the last meeting about, you know, we need to  
14 just have -- open up this dialogue some more. And I'm -- We're  
15 going to do that more, and more meetings like this and we're  
16 going to have more public hearings. And it's not a matter of,  
17 hey, we're doing something in secret. I mean, we've got  
18 studies and meetings. I mean, we've been, we've been working  
19 on this for a decade. So I can understand where you're like,  
20 what, you know.

21 Some of that, too, though is, realize, is shock  
22 value. You get an email from someone who says the Trustees are  
23 going to build, do all this and that and blah, blah. And  
24 you're like, "Whoa. What is all this about?"

25 Now, the reality is the plan that exists, the vision  
26 or the, I should say, the concept on the table is not 7,700  
27 dwellings.

28 MR. LAZUKA: That's the extreme.

29 MR. GALLOWAY: Right.

30 MR. LAZUKA: It's an example but it's worded --

1 MR. GALLOWAY: The way it's designed right now in  
2 terms of a concept is, literally, I think it's 190 housing  
3 units. Okay? That's a far cry from 7,700.

4 Now, that said, we can have a discussion about how  
5 that looks, how that works, how that incorporates within a  
6 mixed-use development, and that's what this process is all  
7 about. And we're glad you're here. But, yes, I mean, I think  
8 we're going to look to find to do more ways to educate folks on  
9 where we've been, kind of what Paul tried to do tonight, where  
10 we're going, what our thought process is and what we've put  
11 into it and then to get some of that input and take into play.

12 What we're going through right now is some of that  
13 language and how that's all going to come together. So we're  
14 like in the middle of it. So it's not a matter of we have this  
15 plan, you know, hard wired that this is how it is. And there  
16 are pictures, you have seen pictures. They've been floated  
17 out, you know. I hesitate to sort of just, you know, splash  
18 pictures everywhere because those are conceptual. I mean, they  
19 do represent, they do -- they are accurate in terms of the way  
20 the language is currently written.

21 But as you know when you have a private sector driven  
22 process, a developer driven process, you know, it's not going  
23 to look exactly the way, say, that concept is. You know, you  
24 will get the question, "Well, you know, your picture had a  
25 building there and they don't have a building there. They have  
26 a gazebo." I mean, you know, so, you know, people can kind of  
27 latch onto one particular thing versus, you know, the way it  
28 may end up being.

29 MR. LAZUKA: We're still in a conceptual phase, a lot  
30 of changes to be done, but it feels like we're on the verge of

1 this becoming past the point of no return.

2 CHAIRMAN MALCHESKY: No. We are just doing, we are  
3 just placing in the, you know -- The idea is and what's coming  
4 up is the language on the overlay. Okay? And so -- And what  
5 Chris is telling you is that, you know, that has -- we are  
6 going to be going through that. Zoning -- The Planning  
7 Commission went through it. The Planning Commission said, "You  
8 know what? Your units are too small." Okay? Now, I don't  
9 believe they're too small, you know. I don't think you are  
10 going to think they're too small, you know.

11 The purpose of, the purpose of having big units is  
12 because we want, we want it to have, you know, a good look and  
13 a good feel and we want it to be expensive, you know. It's the  
14 idea --

15 MR. GALLOWAY: High quality.

16 CHAIRMAN MALCHESKY: It's a high quality item that we  
17 want to put in.

18 MR. MARLOWE: Excuse me. He's had more than four  
19 minutes.

20 MR. LAZUKA: Yeah. I'm sorry.

21 MR. MARLOWE: I have a couple things.

22 CHAIRMAN MALCHESKY: Sure. Come on up here.

23 MR. MARLOWE: I have a couple questions because what  
24 you gentlemen are saying is not, the numbers are outside --

25 MS. DAWSON: Hold on. Sir, you need to give your  
26 name and address for the court reporter, please.

27 MR. MARLOWE: I am Tim Marlowe and I live at  
28 7372 Hunting Lake Drive.

29 MS. DAWSON: Thank you.

30 MR. MARLOWE: And I've been a resident of Concord for

1 over 30 years and I moved into Quail Hollow. And just to  
2 address a couple issues that you mentioned, when I -- when we  
3 first, my wife and I, first moved into the Quail Hollow  
4 development, it was supposed to be couples only. It was not  
5 going to be children at all. That was the so-called, that was  
6 the way the theme that -- when we bought that. Some of you  
7 will probably remember that. Well, it certainly changed and  
8 it's a lot of families.

9 So my comment to you about that is your 54, your age  
10 group is probably because there is a lot of residences where  
11 people's children have moved on and they're still there and  
12 they may retire there. But, certainly, when they sell homes,  
13 who we sell our homes to are people that want to come here with  
14 children. And I think that demographic age is a very good  
15 possibility of coming down.

16 Now, the homes I want to ask is a very important  
17 point. If it's 40 homes per acre and I have heard 175 acres  
18 and I heard you are only going to do 100 or 102, my math comes  
19 to four to five thousand. Where does your math come to 192?

20 CHAIRMAN MALCHESKY: So, first of all, okay, it's  
21 this thick, okay? So it's not spelled out the way you would  
22 rather have it spelled out because it's, it's legislation and  
23 that's how it is.

24 MR. MARLOWE: Well, make the legislation smaller.  
25 Why are you starting with the possibility of giving to a  
26 developer 4,000 homes?

27 CHAIRMAN MALCHESKY: I disagree that it says that,  
28 so -- and I apologize. So what it says, first of all, is it  
29 says, first of all, commercial, commercial buildings need to be  
30 built first. Okay? It says, it says that -- So the commercial

1 is there prior to the residential. It has, it has -- And,  
2 again, we talked about bootstraps. So the first bootstrap is  
3 on your mix used. You have a commercial piece of property,  
4 okay, then you have grocery store there.

5 MR. MARLOWE: Excuse -- Excuse me, Paul. I don't  
6 mean to cut you off but you have spoke for --

7 CHAIRMAN MALCHESKY: Sure.

8 MR. MARLOWE: You gave us a lot of information and so  
9 did Chris. I'd just like some, some simple answers.

10 MR. GALLOWAY: Okay. There is a real --

11 MR. MARLOWE: The simple answer is, what is the  
12 number that the zoning and the plan that you have of how many  
13 residences that you are going to allow? And it doesn't mean  
14 that you are going to let them build it but the maximum. And  
15 we understand all of that. What is the maximum that they can  
16 come in with?

17 MR. GALLOWAY: The text as it's currently in its  
18 current draft format allows for, within the overlay, 30 percent  
19 of the acreage to contain housing.

20 AUDIENCE MEMBER: How many people is that, people,  
21 does that equate to, amount of people?

22 MR. GALLOWAY: So it allows for 30 percent of that  
23 property that's being developed to have residential. So it's  
24 not a matter of, if you, if a developer came in and said --

25 MR. MARLOWE: Well, excuse me. When you do the math,  
26 what does that represent in number of families?

27 MR. GALLOWAY: I am trying to walk you through it.

28 MR. MARLOWE: You don't have to walk me through it.  
29 We're looking for a number.

30 MR. GALLOWAY: It's not a hard number. It depends

1 on, you know, if someone comes in and says, "We want to do a  
2 mixed-use development on 20 acres," the legislation as drafted  
3 says that there can be residential on, within 30 percent of  
4 that footprint. So if you have 20 acres, that means you can  
5 have a footprint of no more than whatever that 30 percent,  
6 whatever that number is. Seven acres, six point whatever acres  
7 of that, of that 20 acres can contain residential.

8 Then it also says, it differentiates the type of  
9 structures in the draft. So it says, for example, townhomes is  
10 nine per acre. Okay? So townhomes are nine per acre. And  
11 then it says, then it allows for multi-family, which could be  
12 condos, you know, three, possibly four, more likely three under  
13 Western Reserve architectural style, could be condo units in a  
14 building, which would allow up to 40 per acre.

15 So you're looking at, say, a 20 acre footprint, okay,  
16 could be, you know, 6 acres of that, 6.5 acres of that could be  
17 used for residential. So you could have nine townhomes per  
18 acre, so that would be somewhere around 54 townhomes. Okay?

19 MR. MARLOWE: You're speaking, you're addressing the  
20 different developers could have different plans.

21 MR. GALLOWAY: Absolutely.

22 MR. MARLOWE: That's not my question. I said, what  
23 are you -- There is no developer here now.

24 MR. GALLOWAY: Right.

25 MR. MARLOWE: You are just dealing with the zoning.

26 MR. GALLOWAY: Right.

27 MR. MARLOWE: I am asking you again, I will say the  
28 same thing, what is, based on the zoning and the plan that you  
29 have all put forward and have worked on for 10 years, what is  
30 the maximum number of homes that could be in that property?

1           AUDIENCE MEMBER: Simple question.

2           MR. MARLOWE: Or number of people or number of

3 apartments or number of condos, that's what we, as residents,

4 would like to know.

5           MR. GALLOWAY: Sure.

6           MR. MARLOWE: How many more families are you adding

7 to our community?

8           MR. GALLOWAY: The current concept that was drafted

9 would have a total of about 199 residences --

10          MR. MARLOWE: Well, how do YOU go from 40 per acre --

11          MR. GALLOWAY: On a -- wait.

12          MR. MARLOWE: -- to 199?

13          MR. GALLOWAY: -- on a footprint, if you assumed

14 about 120 acre overall development, if you did that. Again,

15 I'm not -- It's not that I am trying to avoid your question.

16 It's that these are zoning -- It's like when you go bowling and

17 you, as a kid, you put bumpers in the, in the lane. You're

18 asking me, How many pins have you knocked down? Well, we're

19 setting up parameters for what may be. And you are saying,

20 "How many families are you adding?" We may add zero. We could

21 get a proposal that has zero.

22          MR. MARLOWE: I understand that. Again, I ask --

23          MR. GALLOWAY: So that's why it is hard for me to say

24 to you, "Oh, yeah, it's this number."

25          MR. MARLOWE: Okay. You gave --

26          MR. GALLOWAY: And that would be inappropriate for me

27 to say "this number."

28          MR. MARLOWE: You gave me the lowest number, which is

29 nice for all of us as residents.

30          MR. GALLOWAY: I gave you --

1 MR. MARLOWE: The lowest number was zero.

2 MR. GALLOWAY: I gave --

3 MR. MARLOWE: I love to hear that number.

4 MR. GALLOWAY: But I gave you --

5 MR. MARLOWE: Then you gave me a number of 192. So  
6 you must have worked up some factor to give me the 192. I am  
7 asking for what is the factor that gets us to the maximum?  
8 And, for some reason, it's a very difficult answer for you to  
9 give me.

10 CHAIRMAN MALCHESKY: No, listen, I will tell you, I'd  
11 like to see townhomes back there. I think that somewhere  
12 around 120 of the townhomes is what I like. Okay? And this is  
13 way in the rear of the property. Okay? Which would be, which  
14 would abut the golf course. Okay? That's what I see. That's  
15 how I envision it. And I see, I see that there will be some  
16 units above the mixed use commercial area. That's how I  
17 envision it. Okay? Now, that's how I see it. That's how I  
18 always envisioned it before. That's what I spoke about, you  
19 know, over time. Whether or not that's economically viable to  
20 any developer that comes in here or whether that takes 20 years  
21 for that to develop, but that's what I see as a mixed use.

22 MR. MARLOWE: I'll just make two more comments, then  
23 I'll leave. I can tell you this, the number of 7,000 is going  
24 to still keep batting around unless you gentleman or ladies and  
25 gentlemen take --

26 CHAIRMAN MALCHESKY: You want a cap.

27 MR. MARLOWE: -- allow yourselves to come out with  
28 your real number. Now, until you start talking your number,  
29 and I don't -- If you're saying your number is 192, from 7,000,  
30 there is something that, to me, doesn't quite add up as a

1 resident of Concord.

2 MR. GALLOWAY: Well, it's because --

3 MR. MARLOWE: So all we're looking for is an answer  
4 for that. That's my question.

5 CHAIRMAN MALCHESKY: I don't know who gave you -- I  
6 don't know who did the math that shows 7,000 because when I  
7 look the text and I spend -- believe me, I spend a lot of time  
8 looking at the text -- I think it's an impossibility to do  
9 that.

10 MS. LUHTA: Right.

11 CHAIRMAN MALCHESKY: Okay? And, listen, that's a  
12 horrific number. I want you to know, the question has to be --

13 MR. MARLOWE: Right.

14 CHAIRMAN MALCHESKY: Yeah.

15 MR. GALLOWAY: Tim, that the only thing, I sat down  
16 and tried to do the math of 7,700 homes on a, you know, let's  
17 call it somewhere in that 100, if all 100 acres were developed  
18 that, which it wouldn't be in a real world scenario but let's  
19 just say -- I sat there and tried to figured out how that math  
20 was derived. And the only way I could figure it out is if the  
21 assumption is made is that, on that footprint, somebody came in  
22 and proposed nothing but --

23 MS. LUHTA: Residential.

24 MR. GALLOWAY: -- multiple residential properties.

25 MS. LUHTA: Exactly.

26 MR. GALLOWAY: In a high dense -- just tons of them,  
27 one on top of the other as far as the eye could see and you  
28 could conceptually, you know, jam in every square inch of  
29 residences four, five, six floors up and fill it in that way.  
30 That's the only way you can get to that number.

1           What I would say to that is, A, the concept that was  
2 drafted by the Township's consultant calls for 192, maybe it's  
3 199 overall residences within the entire -- That's our concept,  
4 how we designed the entire footprint in terms of all the mixed  
5 use. It's also -- Keep in mind that this language is like the  
6 Quail Hollow PUD, in that, it comes to us in terms of having to  
7 approve. We are never -- and I will even look at the camera  
8 for effect here -- ever, ever, ever, ever going to put in play  
9 development that involves high rise, multi-family type  
10 development that would add 7,000 families to this community.  
11 That absolutely defeats the entire purpose of a commercial  
12 district and it is not what we are looking to do in any way,  
13 shape or form.

14           What the language does and why I am struggling to  
15 kind of give you a number is, I don't know what a developer --  
16 It's kind of like when you -- we have the whole southeast  
17 corner of the township and it's R-1 zoning. And you could come  
18 in here today and say, "How many homes are you building in the  
19 rest of the township?" And I go, "I don't know." You know, we  
20 have zoning in place that allows for a certain amount per acre,  
21 and then there is factors like riparian setback and all these  
22 other things we have in play. And I can say to you, "Well, you  
23 could reasonably get maybe this many but maybe it's this many  
24 and they wouldn't develop this portion, or maybe they would go  
25 RCD."

26           So what we've done is we've put an overlay in that  
27 allows some parameters. And what we are looking at right now  
28 is -- and seriously, sort of, to sort of rest some of the  
29 concerns that people have -- is looking at some ways to do, in  
30 the language, to cap it so that we don't have a situation where

1 people are like, "Oh, it's open-ended." Because it is not our  
2 intention to create an open-ended situation. It's our  
3 intention to preserve most of the commercial property as  
4 commercial but to allow a very limited footprint of some  
5 potential housing within that commercial footprint.

6 Now, so that's why it's hard for me to say "X"  
7 because a developer may come in -- We may put the overlay on  
8 100 acres. Okay? And a developer may come in and say, "I am  
9 going to develop -- we want to develop 40 of it, and this is  
10 our footprint and it's going to be 60 housing units." It  
11 might -- That may be all it ends up being, you know, and I  
12 don't know. But what I am doing is we're trying to draft the  
13 parameters that, that would allow that and to have that, those  
14 parameters established. So that's why the number is sort of  
15 hard for me to say, "It's this, Tim. This is what it is."  
16 It's not 7,700.

17 MR. MARLOWE: My final comment to your -- to the  
18 Board is that 20,000 residents of Concord. I am sure most of  
19 us are happy that it's a bedroom-type community and we would  
20 like -- I would like to see it stay that way. I know you are  
21 dealing with 175 acres. But my concern is, I don't want to  
22 change the concept, the philosophy and what we have had here  
23 and enjoy, that I have enjoyed for 30 years and I would like it  
24 to continue on.

25 But to make it a Crocker Park type community, I don't  
26 believe the economics in Lake County could sustain that, quite  
27 honestly. I wonder and I question how many people want to live  
28 in Lake County on the second and third floor above stores.

29 Now, maybe if you go away, if you're snow birds, if  
30 you have that kind of income and you do that a lot, that's fine

1 in the Crocker Park type neighborhoods. I just don't think  
2 long term that this development -- or we could sustain those  
3 kinds of apartments.

4 MR. GALLOWAY: And I would -- what I would tell you  
5 is that I don't think what we're proposing changes the face of  
6 Concord. I don't think it -- I think it supplements what's  
7 here. I mean, in essence, what we are talking about is a PUD,  
8 which is exactly what Quail Hollow is. Beyond that --

9 MS. LUHTA: On much larger acreage.

10 MR. GALLOWAY: Hmm?

11 MS. LUHTA: On much larger acreage.

12 MR. GALLOWAY: Yeah. I mean, Quail Hollow still has  
13 four or five phases still to be developed.

14 MR. MARLOWE: But they have about 300 homes.

15 MR. GALLOWAY: Right.

16 MR. MARLOWE: They have a total of around 700  
17 families, with all of the condos, right? Isn't that the total?

18 MR. GALLOWAY: Stonehaven has 106 units by itself.

19 MR. MARLOWE: Well, I heard 700 but there is only, I  
20 think, 305 homes in the whole development and that took a long  
21 time to develop.

22 MR. GALLOWAY: So there are four more --

23 CHAIRMAN MALCHESKY: And I think this will take a  
24 long time to develop as well.

25 MR. MARLOWE: But those are homes, not just  
26 apartments that can go up pretty quick above retail.

27 MR. GALLOWAY: Right. But, again, back to the  
28 language, the language does not allow someone to just come in  
29 and build the apartment.

30 MR. MARLOWE: Well, I haven't seen the language.

1 MR. GALLOWAY: Right. And I will give you a copy.  
2 The language does not allow someone to just come in and build  
3 apartments.

4 MS. LUHTA: Right.

5 MR. GALLOWAY: It absolutely does not allow that.  
6 There has to be a commercial use and then that has to then, if  
7 you want to do, if you want to do a housing component with the  
8 commercial, you must do commercial. It's not matter of just  
9 housing. Anyway --

10 MR. MARLOWE: To me, I just wish you, as representing  
11 me and/or Concord residents, that you could make it as tight as  
12 possible and let any developer come in and ask you for more,  
13 not to give them the maximum number of residences per acre at  
14 the beginning.

15 MR. GALLOWAY: Right.

16 MR. MARLOWE: Let them -- Give it the smallest number  
17 with allowance that you can have discussion, but I think that's  
18 the way it should be.

19 CHAIRMAN MALCHESKY: Well, we are going to make it  
20 tight so that that allowance is not even there. Okay? And the  
21 reason for it is because the concept is, you know, there is  
22 bootstraps in here already that, that provide for certain  
23 things. You're asking for more bootstraps. We will -- It is  
24 our plan to put more bootstraps in there. This process, this  
25 dialogue, the Zoning, the Zoning Commission's dialogue, the  
26 Planning Commission's previous dialogue, you know, is, is for  
27 us to refine that, you know.

28 And I will be more than happy at any time to sit down  
29 and go through this with you and, you know, check off, you  
30 know, desires that you have that we could address. Believe me,

1 I had the same -- I have the same desires.

2 MR. MARLOWE: Okay. Thank you.

3 MR. PATTERSON: Will it still require a unanimous  
4 vote to change it from the Planning -- from the Zoning?

5 MR. GALLOWAY: Come right up.

6 MR. PATTERSON: Paul, will it still require a  
7 unanimous, unanimous vote of the Trustees to change the zoning  
8 or is it two to one?

9 MR. GALLOWAY: You mean the recommendation of the  
10 Zoning Commission? No, it's only a majority of the Board of  
11 Trustees.

12 MR. WILTSE: Richard Wiltse. I am at 7721 Woodstar  
13 and I am not a 30-year resident here.

14 CHAIRMAN MALCHESKY: Richard, is that --

15 MR. WILTSE: Yeah, Richard Wiltse.

16 CHAIRMAN MALCHESKY: Thank you.

17 MR. WILTSE: Me and my wife, Lisa, have only lived  
18 here for a few years but we moved out here to an existing  
19 place. We didn't build. And we did so because we loved the  
20 small town appeal, right, and it -- and, you know, the fact  
21 that Concord is very green and the bike trails and all that.  
22 And since we've been here, we've already seen a lot of  
23 development, mostly notably on Girdled Road where they  
24 decimated a bunch of trees and all that. Yeah, I am a green  
25 kind of guy but I understand what's happening with the  
26 development and why you want to do it.

27 I guess my question is, are there other -- Have we  
28 considered other options than just development to make Concord  
29 viable for the long term? Right? I don't know why we always  
30 have to put you up more roads, more buildings, more sewers,

1 more expense and tear down the trees and growth -- Is growth  
2 always the answer? That's what I ask. I know you put a decade  
3 into this and for me to come here in only two years --

4 CHAIRMAN MALCHESKY: No, no. Again, our thought is  
5 that that area, there is going to be, there is going -- someone  
6 is going to build in there, you know. It is going to occur.

7 MR. WILTSE: Well, does it have to happen?

8 MR. PATTERSON: It's commercial.

9 MR. WILTSE: Is it something that --

10 MR. GALLOWAY: Richard, here is the --

11 MR. WILTSE: I know towns that have put the stops on  
12 development before. They say, "No more. That's it. We like  
13 it the way it is."

14 MR. GALLOWAY: Well, our issue is, we're not a city,  
15 we're a township. So we are very limited in what we're allowed  
16 to do under Ohio Revised Code. Municipalities like Mentor,  
17 Willoughby, et cetera, they have home rule, we do not. So our  
18 ability to limit development and how to, let's say, control and  
19 mold it is very limited.

20 Now, that area you are talking about, Crile Road,  
21 Auburn Road, that sort of west of Quail Hollow, north of  
22 Girdled, you know, over through Auburn has been zoned  
23 commercial since the 1960s in Concord Township. It's all been  
24 zoned commercial, meaning that the Township's plan since the  
25 '60s has been for that whole area to be commercial. And you  
26 see elements of that where Swagelok built. Capital Parkway and  
27 Discovery Parkway, along this area where we're discussing right  
28 now, they built several facilities in there. Those were light  
29 industrial/manufacturing facilities.

30 The issue that we have from a legal standpoint -- and

1 our legal counsel can kind of jump into that -- is, A, we don't  
2 have the ability to restrict development on owned property and  
3 property that's been zoned for business and commercial for so  
4 long. We would be sued into oblivion à la Mayfield Heights  
5 with the Costco. I mean, that, they went to -- all the way to  
6 the top and got crushed by trying to stop that. We'd have even  
7 less to stand on being how much development there has been  
8 already in that corridor.

9 And I understand what you are saying. I mean, it's  
10 the township in its semi rural feel. No one can still define  
11 what "semi rural" is but I'm like you, I think it actually just  
12 means trees. I mean, what I would say, I would step back and I  
13 would say a commercial corridor, like what we have from 90 down  
14 to Girdled Road in that general strip, a commercial corridor by  
15 definition will never be semi rural.

16 And it's a limited footprint and so -- And Paul is  
17 right. I mean, any commercial district, I mean, even what we  
18 have in the last ten years has been slowly developing. Grist  
19 Mill was put in as part of the PUD for Quail. Lake Health came  
20 in and built \$150 million hospital. UH came in and bought --  
21 built the \$35 million medical facility. We've had a couple new  
22 companies come in and fill those, those vacant Swagelok  
23 properties. That's going to continue. And that entire  
24 corridor over time will develop all the way out and that's,  
25 that's just a fact. It is going to happen over time and it's  
26 been happening slowly for years and it's going to continue to.

27 What we've done is we have taken the approach of,  
28 it's going to happen. What can we do in terms of our zoning  
29 and our process and our infrastructure to make sure that it  
30 ends up being something that fits Concord, that at least is

1 something that people will like or be proud of or can provide  
2 services that, you know, or a sense of place or whatever rather  
3 than just hodgepodge where the Township steps back and does  
4 nothing and it just sort of develops haphazardly in various  
5 uses that don't, aren't -- don't necessarily, you know, are  
6 congruent.

7           So the great example, I had someone the other day  
8 complain to me where Capital Parkway, at the roundabout, there  
9 is a business there on the corner that is, you know, they have  
10 a granite business, granite countertops, granite, and they're  
11 all stacked up. Well, under the old zoning prior to this  
12 Board, that was an allowable use type business to be there.  
13 And someone said to me, "Oh, it's an eyesore in that business  
14 being there."

15           And I said, "Well, it's grandfathered in now with all  
16 the zoning changes we've made but in future, you know, the  
17 future zoning that we have set in place, you wouldn't allow,  
18 you wouldn't be allowed to have. You wouldn't be allowed to  
19 have a landscaping business with mulch piled high or something  
20 like that, which under the old zoning you would have been able  
21 to have."

22           So we think we have taken an approach of cleaning it  
23 up, tightening it up, trying to find ways to -- so that it  
24 works in a way that works for Concord. I think that it's been  
25 a constant refinement process over the years, you know,  
26 tweaking the zoning, as Paul mentioned, again and again as new  
27 things arise and new projects are brought to us. We get  
28 projects all the time that, you know, that people come to us  
29 that want to do in that corridor and we have rejected a lot of  
30 them. I mean, we've had heavy industrial requests for that

1 corridor and we have rejected them.

2 MR. WILTSE: So we can change the zoning to our  
3 advantage if we wanted to, at least, slow down or --

4 MR. GALLOWAY: Can't slow down.

5 MR. WILTSE: Doing what you are talking about, at  
6 least, bring in the right type of businesses there that will  
7 keep us --

8 MR. GALLOWAY: And I think if you go online and look  
9 at our town -- at our website and you look at the Gateway  
10 Business District and Gateway Medical and you look at some of  
11 those zoning codes, I think, and the use, the use tables in  
12 there that would be conditional and permitted and then, you  
13 know, if it's not there it's not permitted, I think you will  
14 find that, by and large, we have sort of narrowed it down to  
15 what reasonably fits that corridor.

16 MR. WILTSE: Okay.

17 CHAIRMAN MALCHESKY: The best example of how we've --  
18 You are going to see Starbucks is there. There is a new  
19 building going up. Drug Mart is going to be at the other, at  
20 the other end, you know, just past BB Bradley. You know,  
21 that's part of cleaning up that zoning code.

22 MR. WILTSE: Right. Just a couple other quick  
23 questions here. The traffic, the corner that just went up  
24 there that we're all so painfully aware of, right, what impact  
25 is this new neighborhood going to have on that? Is it going to  
26 be passing through that, that same light that we come and go?

27 MR. GALLOWAY: Which intersection are you referring  
28 to?

29 MR. WILTSE: The one right there as you are getting  
30 off 90 and you're coming up to Quail Hollow.

1 MR. GALLOWAY: Oh, at Auburn?

2 MR. WILTSE: Yeah.

3 MR. GALLOWAY: At Auburn, no. I mean, conceptually,  
4 someone could go right onto Auburn and go past Lake Health  
5 towards our Community Center, down towards the assisted living.

6 MR. WILTSE: Right. But getting through that corner  
7 now at 5:00, since it's all been redone, I mean, I have seen  
8 people get some serious road rage there, fingers flying and  
9 people almost getting in fist fights. What's happening is  
10 people are coming out of the hospital, right, and they want to  
11 make that, that left-hand turn.

12 MR. GALLOWAY: And they're blocking the intersection.

13 MR. WILTSE: And they're blocking the intersection.  
14 I thought that they tweaked the lights and they made it on a  
15 shorter cycle, right, so people can get through.

16 MR. GALLOWAY: ODOT, ODOT has been trying to refine  
17 that again and again. I mean, honestly, part of the problem on  
18 that is, is user error. I mean, I am going to be kind and say  
19 "user error." It's really more user arrogance that, "My time  
20 is more valuable than anybody else's, so I am going to go  
21 through the light when it's yellow or red and block the  
22 intersection."

23 MR. WILTSE: That's true. But it would be naive of  
24 us to think that that's going to change.

25 MR. GALLOWAY: I agree.

26 MR. WILTSE: I mean, they get off work and they want  
27 to get home.

28 MR. GALLOWAY: And I will say that happened prior to  
29 the change. I mean, that's happened for years.

30 CHAIRMAN MALCHESKY: ODOT committed to upgrade those

1 lights at a cost of \$50,000 to ODOT's, you know, ODOT's expense  
2 that they're going to go and do that. I think there is also an  
3 additional tweaking that needs to take place at 90.

4 MR. WILTSE: Right.

5 CHAIRMAN MALCHESKY: And that is, that is being  
6 discussed with them as well.

7 MR. WILTSE: Okay. One final comment, you mentioned  
8 a millennial brain drain and I just wanted to tell you, I have  
9 seen several millennials move in, most notably, right next to  
10 me, right? So I think Concord has that appeal for younger  
11 people, right?

12 MS. LUHTA: Good.

13 MR. WILTSE: We are a little bit more pricey than  
14 your average person coming out of college is going to be able  
15 to afford. But on the other hand, keeping the appeal that we  
16 have now, right, is something that a lot of kids want these  
17 days, right? Not everybody wants to be an urbanite. So  
18 anyways --

19 CHAIRMAN MALCHESKY: Thank you.

20 MS. LoCONTI: Hi. Lisa LoConti, 8140 Mount Royal  
21 Drive. I just have a really simple question. I understand  
22 that it's zoned commercial. I don't really have a huge problem  
23 with that because I understand that. And I appreciate your  
24 really long answers. You know, we get it. We've heard it a  
25 lot of times.

26 And, Paul, I met you at our homeowners' meeting at  
27 Mount Royal and I have heard some conflicting things that  
28 you've said. You know, you want it to be like -- There is a  
29 lot of terminology that I don't know because I am just a girl  
30 from Mount Royal Drive but -- I'm not a politician but "JEDD"

1 and "mixed-use development" and "overlay districts." I mean, I  
2 have some terminology, too, like "social engineering" and  
3 "Agenda 21."

4 But I am more concerned about, what do the people,  
5 you know, like Mr. Marlowe was talking about when you moved  
6 into Quail Hollow and how it was -- I didn't know this until I  
7 just heard him say it -- but how it was, they were trying to  
8 appeal to couples. I didn't know. My parents lived there. I  
9 was seven years old, they lived there.

10 So, I mean, I guess that certain communities have  
11 demographics that they go for. So I think it would be fair to  
12 ask you, if there is going to be this overlay of -- and I don't  
13 really know why we have to draw residents. I am opposed to  
14 what I have heard so far.

15 And I don't think that it's fair to say you've been  
16 doing this since 2004 or 2006 yet not have any of the answers  
17 and not know the math. I mean, I know the math on my budget if  
18 you gave it to me six months ago. My kids ask me a question  
19 and I gotta know the answer. I can't give these long-winded --  
20 I lose their attention in, like, 30 seconds, which I think you  
21 have done with us.

22 But I would like to know, what do the people look  
23 like? Is it couples? Is it -- you know, we talked -- I heard  
24 you talk about high end.

25 CHAIRMAN MALCHESKY: I think it's the doctor that  
26 works next door.

27 MS. LoCONTI: Wait. I'm not done.

28 CHAIRMAN MALCHESKY: I think it's the doctor that  
29 works next door.

30 MS. LoCONTI: So when you say 175 acres and, Chris, I

1 am going to help you with the math. When you say 175 acres --

2 CHAIRMAN MALCHESKY: Excuse me. Excuse me. I am  
3 sorry. I am not saying 175 acres. Nobody said 175 acres.

4 MS. LoCONTI: I didn't even really say a question  
5 yet.

6 CHAIRMAN MALCHESKY: I know but you said, you are  
7 starting off with 175 acres. And I apologize and I don't, I  
8 don't mean to be rude but I believe that the issue that's out  
9 there and the overlay print is about 120 acres, which --

10 MS. LoCONTI: Same answer because -- whatever it is.  
11 It's vague and it's scary for people like us that really came  
12 out here to, like, kind of, like, live in the country, like you  
13 said, you know. So, again, commercial is commercial. We all  
14 knew what we were getting into, most of us did, with what's  
15 going on over there on Crile Road.

16 But my point is, what do you, Paul, envision?  
17 Because you have talked to us, me now, I have heard you  
18 personally. It's your vision. It's really not a fact and it's  
19 not what's on paper. I have heard a lot of about "my vision."  
20 So --

21 And then you said it's not your vision, Chris, but it  
22 seems to be your vision.

23 So what is your vision when you, when you try to  
24 figure out, what do these people look like that are -- You said  
25 that there was going to be brownstones and there is going to be  
26 people living above the the brownstones and they're going to be  
27 the, in your own words, be the first ones in there to turn the  
28 lights on and the last ones in to turn them off. I mean,  
29 that's like, kind of, 1920s Little Italy where I used to, you  
30 know, like -- I mean, I don't understand why you can have --

1 can't have a business and why you have to be there to turn the  
2 lights on and off but that's an interesting concept.

3 But what does that look like? Like, who are you  
4 trying to attract? Are they going to be homeowners? Are they  
5 going to rent these places? Are they going to be the owners of  
6 the businesses? Is somebody paying them to run these  
7 companies? Like, who are you trying to bring in? Because  
8 other than like an urban environment, I can't imagine any  
9 environment within 20 to 30 miles of where we live that someone  
10 would say, you know, someone upscale, someone, in your terms,  
11 an upscale development, that would want to live in 44  
12 whatever -- again, let's be conservative -- that would want to  
13 live in an environment that you're trying to, to, you know,  
14 paint for us.

15 I mean, whether it's a brownstone, whether it's -- I  
16 don't know. You called it First & Main in Hudson and then you  
17 called it Concord or Stonehaven but not really Stonehaven and  
18 then you mentioned Legacy Village the other day. I don't --  
19 Who are these people that are coming in? What do they look  
20 like? Where are they coming from? How much do they make? Do  
21 they rent? Do they own? Who are they?

22 CHAIRMAN MALCHESKY: I believe they own. I believe  
23 they're the doctors that are working next door. I believe that  
24 they are the --

25 MS. LoCONTI: They're a doctor that's going to live  
26 above a brownstone?

27 MR. GALLOWAY: We are not going to get into the game  
28 of the trying to decide --

29 MS. LoCONTI: I know you're not.

30 MR. GALLOWAY: -- what people, what their profession

1 is. A lot of it, when you are talking about the footprint, is  
2 if you have -- One of the things that's been identified both  
3 through the county, in the county and Concord is that we have a  
4 lot of boomers who are empty-nesters and are getting ready to,  
5 you know, that are looking to downsize in the capacity out of  
6 the big, center hall colonial that exists in places like Quail  
7 Hollow or in Mount Royal. And I am not trying to put that on  
8 one. Somebody may, somebody may not.

9           There are a lot of people that want to remain in  
10 Concord but there are no -- there is no housing stock for those  
11 people who are 60, 55, 60, 62, whatever, in that range, that  
12 they can move from that house in Quail to something of quality  
13 and stay in Concord.

14           MS. LoCONTI: Just clarify, so 50 to 62 is who you  
15 think is going to live there? I think I misunderstood you  
16 because we're trying to get millennials in there.

17           MR. GALLOWAY: We're talking about -- Well, in fact,  
18 actually, that housing stock, the housing stock that is sort of  
19 being, is being considered as a concept is one that is both  
20 attractive to both boomers downsizing and millennials moving  
21 in.

22           MS. LoCONTI: Okay. Well, that's completely  
23 opposite, right? We were attracting millennials, now we're  
24 downsizing older people, but that's --

25           MR. GALLOWAY: It is not the opposite. I said there  
26 are two separate populations that are looking for the similar  
27 housing stock. So when you're asking me, who are these people,  
28 the analysis shows that they are the boomers that are  
29 downsizing out of their Quail home into a townhouse type  
30 scenario in a walking, liveable commercial-type community that

1 has green space, et cetera. Millennials --

2 MS. LoCONTI: Which, just for clarification, is  
3 completely opposite of how we started this entire conversation  
4 with your statistics, but that's okay.

5 MR. GALLOWAY: Well, I was talking about the  
6 overall --

7 MS. LoCONTI: I get it.

8 MR. GALLOWAY: -- trend line on demographics in terms  
9 of where we are as a community. We are getting older. The  
10 largest population is millennials in the country. They're the  
11 growing population.

12 MS. LoCONTI: Please, you don't have to repeat  
13 yourself again. Go ahead.

14 MR. GALLOWAY: Right, I'm not. I am simply pointing  
15 out that there is no inconsistency in my statement.

16 MS. LoCONTI: Okay.

17 MR. GALLOWAY: So your answer is -- And I don't know  
18 what their professions are. I am not going to get into that  
19 sort of --

20 MS. LoCONTI: How much do they cost?

21 MR. GALLOWAY: -- guessing game.

22 MS. LoCONTI: Like, are they -- Do they have to apply  
23 for a mortgage because they're going to buy it or are they  
24 renting from the person that owns the building? I just want to  
25 wrap my brain around what it looks like.

26 MR. GALLOWAY: I would think most of the housing  
27 would be of a buying, of a buying nature. And you're probably  
28 looking at, you know, from townhomes, you're looking at a price  
29 point that's estimated to be, you know, \$300,000 up.

30 MS. LoCONTI: Okay, \$300,000. And you said that

1 there is nine townhomes per acre. So someone is going to spend  
2 \$300,000 to split one acre with nine people?

3 MR. GALLOWAY: They do it already in Quail Hollow.

4 MS. LoCONTI: Okay. That's interesting because you  
5 said that you didn't want --

6 MR. GALLOWAY: Have you been to Player's Club? Have  
7 you been to Stonehaven?

8 MS. LoCONTI: Yes. But I'm confused because Paul  
9 said that it wasn't going to be like Quail Hollow. He said it  
10 was going to be the opposite in my meeting last week.

11 MR. GALLOWAY: What he means is that Quail is a PUD  
12 that is primarily residential with a small commercial  
13 component. This is sort of its flipped mirror in concept where  
14 it's a commercial development with a small residential  
15 component. It's the opposite and I think that's what he was  
16 trying to get at.

17 CHAIRMAN MALCHESKY: Both are planned unit  
18 developments.

19 MS. LUHTA: But different.

20 MS. LoCONTI: The only other thing that I had issue  
21 with before I sit down is, you know, Caroline, Connie, was  
22 talking at the last meeting at our homeowners' association not  
23 to worry, that this was a 50- to a 100-year plan. When I heard  
24 that, it was almost like, hey, don't worry. You are not going  
25 to live here anymore when this happens. You know, it's a 50-  
26 to a 100-year plan.

27 So both of you have, have mentioned your shock and  
28 amazement on the emails that have gone out but we're, I mean, I  
29 think we're all in this -- We might have different ways of  
30 coming at it but I don't think there's anybody in this room

1 that doesn't want what's best for Concord Township.

2 CHAIRMAN MALCHESKY: I agree with you.

3 MS. LoCONTI: But it's really, really frustrating and  
4 I've been frustrated for an hour sitting here listening to  
5 these long answers to just have someone say how many people, to  
6 professionals that have been doing this, per your statements,  
7 since 2004 or '6. Like, I can't imagine a deal that I could  
8 get into in corporate America -- and I run three companies --  
9 where I could be asked that question and if I didn't answer it  
10 in 60 seconds where I wouldn't lose that deal.

11 So, like, you, you either need to be a professional  
12 and know what's going on and be in it since 2004 or you need to  
13 just say, "I don't know what the hell is going on."

14 MR. GALLOWAY: All right. I will comment on that.  
15 Thank you.

16 MS. LoCONTI: So I just -- I think we need clear  
17 answers. I definitely don't think that there is a lot of  
18 people that would want the -- I think everybody that lives in  
19 Concord for a while, pretty much, understands the commercial  
20 aspect. It's the residential aspect that I don't think that  
21 we -- Like Chris Lazuka said, I don't think we need to, like,  
22 entice people to come here. They're coming here, and they're  
23 coming here and they're young. And so, you know, I think that  
24 if we could pass something or if we could get involved in  
25 something that included the commercial component but did not  
26 include the residential overlay, I think you would have a lot  
27 more support. That's all I have to say. Thank you.

28 MR. GALLOWAY: The only thing I -- And thank you.  
29 The only thing I would say is that when you say we've been  
30 working on it since 2004 and we don't have the answers,

1 that's -- we've been working on starting in -- Well, this Board  
2 came on board in 2006. But we started with a business corridor  
3 study that was a traffic study in 2007. So when we say we've  
4 been working on something for a decade, we're referring to all  
5 the various components of that that have, sort of, led to this  
6 point, not specifically the language of the overlay district.  
7 That's recent and draft language. We're talking about putting  
8 in place the Joint Economic Development District, putting in  
9 place the traffic study, engaging in the roadway project  
10 process, tax increment financing, refining the zoning, updating  
11 the Comprehensive Plan.

12 Those are the things that we're referring to that  
13 have been slowly building as, you know, sort of layer by layer  
14 that feels like, if this was a house, brick by brick that's now  
15 led us to some additional language, draft language on the  
16 concept of the mixed-use development to try to take it from the  
17 ether of a mixed-use development into, what does it actually  
18 look like? Where is it going? What is it, you know -- How is  
19 it positioned in terms of the market and the analytics that  
20 back that up? We're in that process now.

21 So when we say we're, you know, we're working on some  
22 things for a decade, that hasn't been being worked on for a  
23 decade in terms of specifics to say to you, "This is exactly  
24 how many people will live there and these are their  
25 professions, et cetera, et cetera." That's an ongoing process.  
26 So I will just sort of step back and say that the work that's  
27 led to this has been a decade, not, you know, working on the  
28 actual numbers and language, you know, the zoning language for  
29 a decade.

30 CHAIRMAN MALCHESKY: Anyone else?

1 MR. LoCONTI: Henry LoConti, 8140 Mount Royal Drive,  
2 and I have lived here for 15 years after moving here from  
3 Concord, a new home. And I want to thank the Board for letting  
4 me voice my concerns and maybe ask a couple questions. I will  
5 keep it as short as possible.

6 I grew up in Mayfield Heights, 1960 to '82, and I saw  
7 Mayfield Heights with Mayor DeJohn with very little vision,  
8 really no plan at all. And if anyone has been to Mayfield  
9 Heights, it sort of shows up. And I saw Mayor Friedman, I  
10 think his name was Harold Friedman, with a vision, with a board  
11 that had a vision as well. Both cities were incorporated, I  
12 think, within three years from one another. And you can see  
13 that that vision today shows up.

14 So it doesn't take 100 years to have your vision be a  
15 flop or a success. Would you agree with that?

16 And I believe that one of the destructions of or the  
17 devastating blows to Mayfield Heights, where you have pay-day  
18 loan things going on, you have all kinds of craziness going on  
19 there -- In fact, my school buddy and one of my oldest best  
20 friends is the mayor there now and he is trying to clean up the  
21 mess that was left to him, Anthony DiCicco.

22 And it was the, it was the building of apartment  
23 buildings and these apartments buildings were supposed to be  
24 wonderful for the community and do this and do that. It was  
25 all the spin that I am -- that I've heard so many different  
26 times. And those apartment buildings are all really bad right  
27 now. Everybody knows this, you know, from -- I am not going to  
28 get into the words or what it is. It's just not a really good  
29 place to live right now, Mayfield Heights, and all of my family  
30 have moved out of there.

1           And, Chris, I would rather have a Costco in Concord  
2 than apartment buildings because you brought up Mayfield  
3 Heights with their Costco and how they fought it. That was,  
4 you know, they need, you know -- Whatever.

5           MR. GALLOWAY: I would rather have neither.

6           MR. LoCONTI: I agree. But it's the lesser of both  
7 evils, you know however that goes.

8           And so I really have only one question. Can you take  
9 the apartments off the table a hundred percent? I love the, I  
10 love the buildings you are building. I mean, the bringing in  
11 small business owners, that makes a lot of sense to me because,  
12 you know, the Amazons and the Walmarts are killing the small  
13 business owner. Malls are, malls are closing or downsizing or  
14 attracting not what used to be there 10, 15 years ago. Walk  
15 through, walk through our mall here and look at, look at what's  
16 going on at the mall.

17          CHAIRMAN MALCHESKY: Agreed, agreed.

18          MR. LoCONTI: I mean, you've got people massaging  
19 people now. No one is buying high-end stuff anymore.  
20 Beachwood Place, you know, I am sure Friedman didn't see that  
21 coming.

22          But, you know, I like all that. I like, I like  
23 condos. You say \$400,000. Well, they're going to start  
24 building in 10 years. If you do the math, you know, that's not  
25 the greatest of condo but I'm sure you'd, you know, you would  
26 increase that 400 to adjust.

27          CHAIRMAN MALCHESKY: Do you like the lofts?

28          MR. LoCONTI: You know, I really don't know yet. I  
29 don't know. I think they're a little outdated but everything  
30 in life is retro, you know. It's cyclical. Things come back.

1 I like how it attracts that certain business owner. That makes  
2 sense to me a lot.

3 What you are going to get fought on, vehemently  
4 fought on by everybody in this city -- well, I don't like  
5 absolutes -- but 90 percent of this city is apartments. You  
6 will have my support and you will have everyone I've talked on  
7 these hot conversations, these crazy emails and maybe some  
8 emails that make sense, you will have all these people's  
9 support because I always -- Everyone talks, talks, talks. I go  
10 right for the jugular. If apartments were taken off the table,  
11 would you support this? And everybody says yes.

12 You have to eliminate the apartments. Can I get some  
13 kind of a comment from any one of you or all of you that you  
14 will take apartments off the table?

15 CHAIRMAN MALCHESKY: I have already commented that I  
16 don't like the apartments.

17 MR. LoCONTI: Will you take it off?

18 CHAIRMAN MALCHESKY: I like the loft.

19 MR. LoCONTI: Will you take it off the table?

20 CHAIRMAN MALCHESKY: I can take it off, you know.

21 MR. LoCONTI: As a Board, will you take the  
22 apartments off, off the table?

23 MR. PATTERSON: Before it goes to Zoning.

24 MR. LoCONTI: Before it goes to Zoning?

25 MR. GALLOWAY: I have a question for you.

26 MR. LoCONTI: Sure.

27 MR. GALLOWAY: And I am just -- Again, thank you,  
28 because this is good input because that's what this draft  
29 process is about, is the, is the input.

30 We -- It's interesting because we, what we sent

1 through, the initial draft that went through and was reviewed  
2 by the county Planning Commission talked about, you know, the  
3 unit size. And we had said that we should have a large unit  
4 size because we believe that that is, when we talk about  
5 quality and price point and what I think Concord would, you  
6 know, support is we want larger units.

7 The county Planning came, Planning Commission came  
8 back and said, "You've got to make all those units smaller."  
9 Now, we disagree. That's just a recommendation on their part  
10 and, in that case, we would deep six that recommendation.

11 MR. LoCONTI: Right.

12 MR. GALLOWAY: Is it the idea of apartments or is it,  
13 is it rentals? Because here is the deal. You know, I mean,  
14 you can live in New York City and have an apartment that you  
15 own.

16 MR. LoCONTI: Well, New York City is a completely  
17 different animal.

18 MR. GALLOWAY: And I'm not saying that this is New  
19 York City. I'm not, I'm not trying to say --

20 MR. LoCONTI: A hundred square feet is --

21 MR. GALLOWAY: But I am saying there are apartments  
22 that people buy and we, here, a lot of times we just call them  
23 condos.

24 MR. LoCONTI: Larger is not always better with  
25 apartments. I will tell you why. It just means more bedrooms  
26 and it just means more co-opping. You can't control that as a  
27 Board or as a -- you cannot control. Look at Gates Mills  
28 Towers, okay? Now, I don't think it's called Gates Mills  
29 Towers anymore, it's called something else. But --

30 MR. GALLOWAY: I believe we actually can control

1 bedroom --

2 MR. LoCONTI: Yeah, you've got to control bedrooms.  
3 You put four bedrooms in like Gates Mills Towers has, that just  
4 means that there is eight people living in that house or  
5 apartment now.

6 MR. GALLOWAY: Let me just say for the record --

7 MR. LoCONTI: And Gates Mills Towers is completely  
8 changed. It is not even the name anymore. I am using the  
9 wrong name.

10 MR. GALLOWAY: Yeah, I know.

11 MR. LoCONTI: It's flipped.

12 MR. GALLOWAY: Let me just say for the record, that  
13 sort of development is absolutely not part of this.

14 MR. LoCONTI: Right, right. I am just using it, not  
15 the size, I am using the --

16 MR. GALLOWAY: Sure.

17 MR. LoCONTI: Not the height but the size of the  
18 apartments.

19 MR. GALLOWAY: Right. But I think some of what you  
20 are talking about is, with emails and all that stuff that was  
21 going on --

22 MR. LoCONTI: It's hysteria. It's knee-jerk  
23 reactions.

24 MR. GALLOWAY: Well, people immediately reacted and  
25 thought of those very types of apartment type buildings popping  
26 up in Concord and that's, you know --

27 MR. LoCONTI: Right.

28 MR. GALLOWAY: And I would just say for the record  
29 and for the public at home that is absolutely not in this plan  
30 in any way, shape or form. So the question is -- So I just, I

1 am just trying to get to, you know, the apartment component is,  
2 you know, is it owner occupied? Is it rentals that's the --

3 MR. LoCONTI: It's rentals.

4 MR. GALLOWAY: It's rentals.

5 MR. LoCONTI: It's rentals.

6 MR. GALLOWAY: Okay.

7 MR. LoCONTI: It is someone coming in and renting  
8 that apartment and bringing with them whatever they want to  
9 bring with them. You will lose. You have no say-so. You will  
10 have government agencies fighting you if you try to, you know,  
11 fight that.

12 CHAIRMAN MALCHESKY: I understand.

13 MR. LoCONTI: Okay? And that's why you have to  
14 tighten this up and give your -- put yourselves in the position  
15 of strength so we can support you, and you are not in a  
16 position of strength right now because you, in your own words,  
17 have apartments. Build more condos, you know, build more  
18 commercial area, get rid of the apartments, please.

19 And can that, Chris, can that be done?

20 MR. GALLOWAY: I think that what we have to do and I  
21 don't -- You are going to go, "Ah, that's not an answer,"  
22 but -- and I would let our legal counsel discuss that as it  
23 relates to how this text is drafted -- is that anything that we  
24 do in terms of how we define things and what we limit, we have  
25 to be very careful as with respect to the Fair Housing Act and  
26 we have to be very, very cognizant of in terms of, you know,  
27 those types of -- that language and how that's worded. So --

28 MR. LoCONTI: So is somebody consulting you?

29 MR. GALLOWAY: So to come out and say --

30 MR. LoCONTI: Is there an entity consulting you that

1 you need to put apartments in this proposal?

2 MR. GALLOWAY: No, no, I don't think that that's been  
3 presented to us as an absolute necessity.

4 MR. LoCONTI: Okay. So then I'd like to hear from  
5 Michael.

6 MR. GALLOWAY: The word "apartment" is not actually  
7 used in the text.

8 MR. LoCONTI: Okay. Michael, do you think there  
9 would be an issue that by taking apartments off the table  
10 legally?

11 MR. LUCAS: Well, the zoning process is the Zoning  
12 Commission, first of all, can make whatever amendments they  
13 want to the existing text. So at the Zoning Commission level,  
14 if they want to take apartments out, they can recommend that as  
15 part of what's to be considered then at the public hearing  
16 before the Trustees.

17 AUDIENCE MEMBER: Louder.

18 MR. LoCONTI: A little louder, please.

19 AUDIENCE MEMBER: Can't hear what you say.

20 MR. LUCAS: I am sorry. I am under the weather here.

21 MR. LoCONTI: I don't believe there are speakers  
22 here.

23 MS. DAWSON: No.

24 MR. LoCONTI: That's just for the, the recording.

25 MR. LUCAS: Let me start over again.

26 MR. LoCONTI: Okay.

27 MR. LUCAS: Can everyone hear me now?

28 AUDIENCE MEMBER: Yes.

29 MR. LUCAS: Very good. The Zoning Commission has the  
30 document in front of them right now. They can make whatever

1 modifications they want to make to it, and then the Zoning  
2 Commission is a recommending body of the text then to be  
3 presented to the Township Trustees.

4 When it comes up, the Township Trustees can make --  
5 They have a public hearing, required by the statute, and then  
6 they can make whatever modifications or changes they want to  
7 the text, including putting back in what the Zoning Commission  
8 takes out or making additional modifications.

9 So, again, is it against the law to remove  
10 apartments? I think you would need some language to modify it  
11 to avoid some sort of facial discrimination but I think it can  
12 be done. Now, whether the Zoning Commission and/or the  
13 Township Trustees are willing to do that or consider it, you  
14 know, that's out of my bailiwick. Okay?

15 MR. LoCONTI: Okay. That's a good answer and  
16 acceptable. I appreciate it.

17 MR. LUCAS: Thank you.

18 MR. LoCONTI: I don't have any other questions. I  
19 just want to tell you that you have our support moving forward  
20 if apartments are taken off the table, and I believe that you  
21 will get a lot less emails in your inbox that are, you know, of  
22 a concern.

23 MR. GALLOWAY: Okay. Thank you.

24 MR. LoCONTI: Thanks.

25 CHAIRMAN MALCHESKY: Yeah, no problem.

26 MR. MARLOWE: Can I make one other comment? I am  
27 curious because I think 44 and Auburn Road is, is terrible now.  
28 And you're saying the Ohio Department of Transportation is  
29 going to consider it. How are you going to handle that, all  
30 the business that's going to come in there and retail and the

1 traffic? I mean, right now -- And you know, it's like the  
2 smallest, no matter how big it is, it all comes down to the  
3 smallest clog. And, obviously, the smallest clog is what you  
4 said, Paul, and that is at 90, you know. Everything stops  
5 because there is that one lineup of getting onto 90.

6 So unless that gets changed, I don't care what else  
7 you do there, it's going to all stop. So that has to have, at  
8 least, two turning lanes going left, right? We all know that.  
9 We're not -- We all drive it. We are not stupid, you know. So  
10 that's got to change.

11 So my question is, how are you going to develop this  
12 whatever number of acreage there is without first taking care  
13 of the road? Right now, it's a pain for all of us. It's  
14 terrible, the way that it is now. I mean, I don't think -- I  
15 think it's worse now than before you fixed it. I mean, I don't  
16 know. I really don't know who did what but I think it's worse.

17 AUDIENCE MEMBER: Are you speaking of --

18 MR. GALLOWAY: Wait, wait, wait. We've got to, we've  
19 got to, one -- If you want, you can come up, but we just have  
20 to come up and --

21 MR. MARLOWE: No. What we're saying, to clarify,  
22 where you go west, turn west onto 90 from 44, that's what backs  
23 it all up.

24 AUDIENCE MEMBER: That's true but that's not all.

25 MR. MARLOWE: It's all backed all up.

26 AUDIENCE MEMBER: It's crazy.

27 AUDIENCE MEMBER: It's the intersection is what  
28 you're talking about.

29 MR. MARLOWE: Yeah, that whole intersection, it just  
30 keeps --

1 MR. GALLOWAY: Wait, wait, wait. You've got to one  
2 at a time. She can't --

3 MR. MARLOWE: Oh, sorry.

4 THE REPORTER: One at a time. You can all speak,  
5 just one at a time.

6 MR. MARLOWE: Okay. But, anyhow, it seems to me, I  
7 know we did it -- or it was done this way, the tail -- I would  
8 think, have thought that you would develop the road first  
9 before you get all that stuff in there. And I would hope, as a  
10 resident, straighten out the problem. I think we have a  
11 problem. I see it every day.

12 MR. GALLOWAY: We do have a problem.

13 MR. MARLOWE: With the traffic.

14 MR. GALLOWAY: I can't tell you how many meetings and  
15 conversation I've had with ODOT for the last umpteen years  
16 trying to get them to do something with 44 and 90.

17

18 MR. MARLOWE: Yeah, it's terrible.

19 MR. GALLOWAY: It's a constant process. And they'll  
20 say to us, "We're going to work on it. We're going to look at  
21 it." And then they don't and we come back and say, "What are  
22 you doing about it?" And it's, at the end of the day, it's  
23 their interchange and we continue to try to push them to, you  
24 know -- As we have pointed out to them, you know, you mandated  
25 changes at 44 and Auburn based on what you think should be  
26 going on there in terms of safety and traffic flow. Now do  
27 your part at 44 and 90. You are not going to get an argument  
28 out of us.

29 MR. MARLOWE: Okay. Well, my question is, though, to  
30 me, it would be like, how can we even think of developing this

1 property to add more to this congestion? Undo the congestion  
2 and then do what you want there. But we've got a problem. We  
3 have a problem right now.

4 MR. GALLOWAY: And I will tell you that that  
5 interchange remains a priority for us in terms of trying to get  
6 ODOT to do something with it because Quail Hollow has four more  
7 phases to develop, one of which is now coming before Concord  
8 with 40-something additional homes that they want to build in  
9 that phase. There is a phase that is next to the Lazuka's  
10 property that, under the master plan and the PUD for Quail  
11 Hollow, right next to your house, between you and the Vitazes,  
12 is designed to be high density condominiums. You're talking  
13 about -- There are all these new phases of Quail that are still  
14 sitting out there. We're averaging 90 new homes a year, most  
15 of those are in the southeastern quadrant. Chardon Township is  
16 growing. That traffic is moving through the area.

17 And I would also point out that, regardless of what  
18 we do, it's commercial zoned, privately held property. Someone  
19 can come in tomorrow and buy a place, you know, and put an  
20 office building on it and bring in 600 jobs, which would be  
21 great, but it is going to be more traffic, and we wouldn't have  
22 control over that.

23 MS. LUHTA: Right.

24 MR. GALLOWAY: So I guess what I am trying to say is,  
25 we're going to keep pushing ODOT on that. And you are right  
26 about the issues at that interchange. But the -- What we're  
27 suggesting here in terms of trying to control development in a  
28 plan and a concept isn't really necessarily the problem. It's,  
29 you know, it's the overall development that's going to continue  
30 to happen in the corridor that we need to try to get, you know,

1 continue to get on top of.

2 So what I am saying to you is, you are right. But  
3 what I am also saying is, it's still happening. I mean, you  
4 know, it's not, this project isn't like, sort of, like, well,  
5 if they don't do it, there is no traffic. It's going to keep  
6 adding and piling in and there is no project right now. There  
7 is nothing. So we're quite cognizant of that and we're looking  
8 at some other ideas as well in terms of 44 and how that may be  
9 relieved and some things that we're asking ODOT to look at.

10 MR. MARLOWE: Thank you, thank you.

11 MR. PATTERSON: Good evening.

12 MR. GALLOWAY: Good evening.

13 MR. PATTERSON: Bob Patterson, 10940 Girdled Road,  
14 Concord, obviously. And I want to say hi to Sandy, my wife at  
15 home. She had to work at Fine Arts, so she couldn't make it.

16 I am a resident for 36 years, came here a long time  
17 ago. And we started talking about taxes when we opened the  
18 meeting. Paul mentioned tax time. I got my tax bill, too.  
19 When I first got here, my taxes were less than \$2,000 a year,  
20 now they're approaching \$9,500 a year. And when the 4.9 mill  
21 levy from Riverside hits next year, they'll be up almost \$2,000  
22 a year. So what are we saying here in this meeting with all  
23 this development? Right now, that property is zoned  
24 commercial. You guys -- And I thank Paul for the email he sent  
25 me explaining what the overlay zoning is. Overlay zoning gives  
26 you a lot of power and I think it's a great idea.

27 I go back to what I said when I came here two weeks  
28 ago. Use the overlay zoning and eliminate the residential  
29 completely because the more residential that comes in, the more  
30 my taxes go up. Quail Hollow, Mount Royal, Little Mountain,

1 all those hit after I moved here and that's what contributed  
2 to, you know, the strain and stress on Concord services. So  
3 you bring in, you know, I don't care how many people it is.  
4 You bring in more people, my taxes are going to go up. The  
5 JEDD won't take care of that. They're not going to pay taxes  
6 in the JEDD unless they're a business, right?

7 CHAIRMAN MALCHESKY: No, they pay taxes in the JEDD.

8 MR. PATTERSON: How do they do that?

9 MR. GALLOWAY: It was a change that the State of Ohio  
10 made in 2016.

11 MR. PATTERSON: A residential unit is going to pay?  
12 I did not know that.

13 MR. LUCAS: 2017.

14 MR. PATTERSON: Bring them on.

15 MR. LUCAS: 2017.

16 MS. DAWSON: 2017.

17 MR. GALLOWAY: 2017, they do.

18 MR. PATTERSON: You are going to tax homeowners,  
19 what, 2 percent of their income?

20 MS. LUHTA: Only the ones in the JEDD.

21 MR. PATTERSON: Okay. So they got an apartment above  
22 a store and you are going to tax them? How are you going to  
23 collect it?

24 MR. GALLOWAY: Well, the RITA does that but the same  
25 way --

26 MR. PATTERSON: How is she going to collect it?

27 MR. GALLOWAY: The same way it's collected now.

28 MR. PATTERSON: It's collected from the payroll now.

29 MS. LUHTA: Yeah.

30 MR. GALLOWAY: Right.

1 MR. PATTERSON: Well, the payroll isn't going to go  
2 through Concord.

3 CHAIRMAN MALCHESKY: That's all it takes is a tax  
4 return.

5 MR. PATTERSON: Well, that's, that's news.

6 CHAIRMAN MALCHESKY: Just like, you know, Mentor  
7 fills out, you know, they fill out tax returns.

8 MR. PATTERSON: That's really going to attract a lot  
9 of people, you know, if they pay more taxes by moving into the  
10 JEDD. I don't --

11 MR. GALLOWAY: Well, okay.

12 MR. PATTERSON: To Lisa's, to Lisa's point, let me,  
13 let me just back up a minute. I don't want to be argumentative  
14 here. The Hudson, the Crocker Park and everything else, that's  
15 not working. I mean, I don't, I don't see that as a place that  
16 someone would want to go and move to. I see Concord as a place  
17 people would want to come. Like Lisa said, people are coming  
18 here and moving here. You don't need any signs. They're  
19 moving.

20 So my main question earlier was, two weeks ago, was  
21 do the overlay without residential. And then if you want to  
22 add the residential, have a survey of all Concordians, like we  
23 did in 2004 with the Comprehensive Plan. And if they want the  
24 residential, they vote on it, fine. But we didn't vote on the  
25 2015 Conservation -- Comprehensive Plan. There was no survey.  
26 It was just a group of people, the Zoning, Board of Zoning and  
27 you guys that put that in. I don't go to every meeting, you  
28 know. I didn't even see it on TV half the time. So not -- I'd  
29 say most of the people here didn't even know about this overlay  
30 zoning. I didn't know until two weeks ago when I got an email

1 from a person that thought I might be interested.

2 This is not the way to do such a comprehensive, you  
3 know, such a comprehensive change to Concord without getting  
4 everybody involved, and you get everybody involved by a  
5 conversation with a survey. And if that survey comes in and  
6 says, "Hey, bring it on, add more people and tax them, too,"  
7 then let's do it. But that was never done. You know what I  
8 mean? It was never done.

9 Chris, I had a conversations with you out at Sunset  
10 Bar and Grille, two and a half hours. You never once mentioned  
11 high density zoning, never once mentioned it. You talked about  
12 the effort to get this area developed and I thought it was a  
13 good conversation. I talked about the cost of the roads. You  
14 were really well informed about that.

15 But this has got to stop right now and freeze it,  
16 just table it. You didn't tell the people here that that  
17 zoning is already written. It's in front of the Zoning  
18 Commission on the 11th of July.

19 CHAIRMAN MALCHESKY: I did. I did tell them. I  
20 started out saying that it went to the Planning Commission and  
21 went from the Planning Commission -- that today we're having  
22 this audience portion but everything next is going to the  
23 Zoning Commission.

24 MR. PATTERSON: Right.

25 CHAIRMAN MALCHESKY: And then from the Zoning  
26 Commission, it is going to come to the Trustees.

27 MR. PATTERSON: Unless you change what you give to  
28 the Zoning Commission, eliminate the apartments or whatever --

29 CHAIRMAN MALCHESKY: Mike just talked about that. He  
30 just addressed that.

1 MR. PATTERSON: Unless you change it before it gets  
2 to the Zoning Commission, they could possibly pass it. Then  
3 you would have to overrule it or rewrite it in your session.

4 CHAIRMAN MALCHESKY: With all due respect, it goes  
5 from the Planning Commission to the Zoning Commission to us.  
6 That's just the process. And it's a good process because  
7 everybody can go there and still address their issues and there  
8 will be a different independent body that's there that they can  
9 articulate. They may find additional things to tweak, to  
10 change, to address. And then it comes to us with a  
11 recommendation, which is, you know, great. That's what we're  
12 looking for. That's the purpose, that's the process.

13 MR. PATTERSON: Okay. But, but to Tim's point on  
14 some of his questions on the maximum density, it was a Planning  
15 Commission member, I think Vanessa Pesec, who figured the  
16 7,400.

17 CHAIRMAN MALCHESKY: I just think she is wrong. I  
18 just think she is wrong.

19 MS. LUHTA: Yeah.

20 MR. PATTERSON: She is from the Planning Commission.  
21 She should know what she is talking about.

22 CHAIRMAN MALCHESKY: I will tell you, yes. And she  
23 also said that Concord Township doesn't like developments like  
24 Quail Hollow, and I don't know anybody here who doesn't think  
25 that Quail Hollow is a fine development.

26 AUDIENCE MEMBER: I don't.

27 MR. PATTERSON: You are not going to find hundred  
28 percent agreement.

29 CHAIRMAN MALCHESKY: Right.

30 MR. PATTERSON: If you are going to be able to tax

1 the people moving into JEDD and offset the demands from  
2 Riverside and, you know -- not Riverside but the fire, police  
3 and roads, if you can offset that with those tax -- but you  
4 just told me a couple months ago it's got to stay in the JEDD.

5 CHAIRMAN MALCHESKY: No, I did not. I said it has to  
6 be a nexus to the JEDD. It's got to be a nexus. So --

7 MR. PATTERSON: What's a nexus?

8 CHAIRMAN MALCHESKY: A nexus is it's got to be, it's  
9 got to have a close relationship to the philosophy of the JEDD  
10 itself.

11 MR. PATTERSON: Remember when I got mad with that  
12 3/10 of a mill permanent levy for the Road Department? I said  
13 take it out of the JEDD. You said you couldn't. So that  
14 Concord is a nexus to the JEDD. It surrounds the JEDD. And if  
15 that's true, what's Painesville doing with our 25 percent?  
16 They are not in the JEDD at all. How are they taking that  
17 money and not spending it in Painesville? There is a lot of  
18 weird things going on here.

19 MR. GALLOWAY: Well, they are spending their  
20 percentage in their --

21 MR. PATTERSON: Twenty-five percent?

22 MS. LUHTA: Yes.

23 MR. PATTERSON: Is being spent in our JEDD?

24 MS. LUHTA: No.

25 MR. PATTERSON: Where?

26 MS. LUHTA: In Painesville.

27 MR. GALLOWAY: No, Painesville. Painesville, as the  
28 municipality, is -- they are receiving 25 percent. To back up  
29 for everybody at home, a JEDD has to be between -- it can be  
30 between different entities. It can be different municipal

1 entities. In this case, a township has to do it, form a JEDD,  
2 with an incorporated entity. In this case, it's with the city  
3 of Painesville. The revenue that's generated within the JEDD  
4 district is split 75/25, 75 percent of it --

5 MR. PATTERSON: Right.

6 MR. GALLOWAY: -- coming to Concord.

7 MR. PATTERSON: I read the contract.

8 MR. GALLOWAY: And 25 of it going to, to Painesville.

9 MS. LUHTA: To Painesville.

10 MR. GALLOWAY: So what Paul is talking about in nexus  
11 is Ohio Revised Code. And I will just read to you just this  
12 brief paragraph that I think explains, kind of, that nexus, is  
13 that it's "the purposes for which the revenue derived from a  
14 JEDD income tax may be used...law retained, in part, by the  
15 Act" -- and this is referring to last year's JEDD bill that the  
16 legislature passed and updated the JEDD, the JEDD language  
17 within ORC -- "requires the JEDD income tax revenue to be used  
18 for the purposes of the district and for the purposes of the  
19 contracting parties," and the contracting parties.

20 MR. PATTERSON: That's us and Painesville.

21 MR. GALLOWAY: Correct. "The Act instead requires  
22 that such tax revenue be used to carry out the economic  
23 development plan for the JEDD and any other lawful purpose of  
24 the contracting parties pursuant to the contract, including  
25 specifically the provision of utility services." JEDDs are  
26 typically formed because it's a means for townships to extend  
27 utilities without being annexed. "Continuing law requires that  
28 the contracting parties annually set aside a percentage of the  
29 JEDD income tax revenue for the long-term maintenance of the  
30 territory included in the JEDD."

1           So what Paul is saying, I believe -- and I don't want  
2 to put words in your mouth -- is that that nexus on revenue  
3 that's generated by the JEDD has to be spent in a way from the  
4 Township that supports the mission of the JEDD, i.e., the  
5 economic development component, so whether it's road  
6 maintenance, safety services, utility extension, supporting the  
7 activities of that district. So those dollars that are  
8 generated have to go back into supporting those, as well as the  
9 language does say "purposes of the contracting parties." Now,  
10 what I would tell you is that this is where the gray area  
11 comes.

12           MR. PATTERSON: That's pretty black and white to me.  
13 Spend the money where you want it, and Troy told me the same  
14 thing. They don't monitor you.

15           MR. GALLOWAY: Right. Well, they do.

16           MR. PATTERSON: Spend it where you want.

17           MR. GALLOWAY: They audit us. They do, they audit  
18 us.

19           MS. LUHTA: Yes.

20           CHAIRMAN MALCHESKY: Painesville Township is in  
21 litigation regarding it. So --

22           MR. GALLOWAY: So I agree --

23           MR. PATTERSON: So you are going to get in trouble  
24 spending it on our roads?

25           MR. GALLOWAY: No. I agree, I agree with you and I  
26 agree, I agree in this case with Dan. We are entitled, as the  
27 contracting party, to, A, primarily spend those dollars to  
28 support the JEDD district. That's the mission of it. But then  
29 also under the "contracting parties" portion we, in my opinion,  
30 we are allowed to spend those dollars outside of those specific

1 properties on things that support, and I believe that language  
2 says what supports the community.

3 MR. PATTERSON: Then we should never have had the  
4 3/10 of a mill permanent levy laid on us for the Road  
5 Department. That should have come out of the JEDD.

6 MS. LUHTA: Oh.

7 MR. GALLOWAY: So --

8 MR. PATTERSON: Yeah. You just raised our taxes  
9 again. Well, you didn't. The Concord people who trust you to  
10 put a levy on the ballot trust that you are making the right  
11 decision, and I question that, I really do. Spend the money  
12 for Concord. You've got a positive cash flow coming in from  
13 that JEDD right now and it's nice. And if we did nothing, if  
14 we just let it develop commercially, you would have even more  
15 positive cash flow and then you could start the Concord  
16 Township tax relief fund that I sent you the spreadsheet on and  
17 maybe, if we do it right, have \$150 million in 40 years saved  
18 up.

19 MR. GALLOWAY: Several points on that. One, the JEDD  
20 revenue is going for the purposes of roads. It's going right  
21 now, that revenue is going to pay for the road project that was  
22 completed.

23 Secondly, I did some research on your proposal. It  
24 is, it is not -- What you're suggesting of putting aside  
25 dollars on an annual basis and letting it sort of grow into a  
26 nest egg is not allowable for a township to do under Ohio  
27 Revised Code. It's, one, it has to be, the dollars have to be  
28 spent on that -- The dollars are required to be spent on that  
29 nexus.

30 MR. PATTERSON: Chris, we put money aside for, when I

1 was trustee, for fire trucks.

2 MR. GALLOWAY: Right.

3 MR. PATTERSON: We put money aside for major  
4 purchases. You can put money aside for eliminating taxes to  
5 the residents in 40 years.

6 MR. GALLOWAY: Bob, under Section 135.12, Ohio  
7 Revised Code says a community, a township, cannot sit on those  
8 tax dollars for a period of more than five years.

9 MR. PATTERSON: Well, we have to get it changed.  
10 Call Ron Young and get it changed.

11 MR. GALLOWAY: Okay. Now you are outside of my  
12 purview of what I am allowed to do. So I guess what I am  
13 saying to you is I took what you gave and I went and did the  
14 research to say, okay, are we -- A, how does that work? Are we  
15 allowed to do it, you know? And so the answer is, you know,  
16 the 40-year idea of putting money aside, we're not allowed to  
17 do currently under Ohio Revised Code.

18 Now, that doesn't mean they wouldn't change it some  
19 day but, right now, we are not allowed to do what you propose.

20 MR. PATTERSON: If you think about it, what Troy  
21 brought up a month ago on the taxes, we are going to reach a  
22 point where we are just paying more taxes than we can afford  
23 either from the township, the state or the fed level, fed maybe  
24 not so if Trump gets his way. But think, if 36 years ago when  
25 I got here, if we were saving 1 or 2 percent of our budget, we  
26 wouldn't have any taxes for Concord right now.

27 MR. GALLOWAY: But you are not allowed to do what you  
28 are suggesting.

29 MR. PATTERSON: I didn't know that but I would have  
30 done it anyway.

1 MS. LUHTA: Yeah.

2 MR. GALLOWAY: So here is the --

3 MR. PATTERSON: When I was trustee, we put 5 percent  
4 of our budget aside and kept it but it wasn't for five years.

5 MS. DAWSON: Correct.

6 MR. PATTERSON: We got hit with the 2008 crisis and  
7 it was gone.

8 MR. GALLOWAY: So the, with all of that, it's -- I  
9 agree with you but I do want to make one point so there is a  
10 little bit of clarity here. When you are talking about that 30  
11 years of property tax increase, let's not leave the impression  
12 with people that that's all township taxes. Your tax, of your  
13 tax bill, everybody sitting at home --

14 MR. PATTERSON: Right, it's, it's everything.

15 MR. GALLOWAY: -- 17 percent of your tax bill,  
16 approximately, comes to the township. So if you pay \$1,000 --  
17 nobody does -- but if you paid \$1,000 a year, \$170 of that  
18 comes to the township to pay for Service Department, roads,  
19 plowing, Administration, Fire Department, and sheriff's  
20 services. So I don't want --

21 MR. PATTERSON: It was 11, it was 11 percent 31 -- 36  
22 years ago, now it's 17 percent, so it did go up.

23 MR. GALLOWAY: So -- And I think you would agree that  
24 asphalt has gone up, fuel has gone up, prices of fire trucks  
25 have gone up. I mean, I don't control those kinds of things.

26 CHAIRMAN MALCHESKY: Longer roads.

27 MR. GALLOWAY: But I would -- And more roads.

28 MS. LUHTA: Yes.

29 MR. GALLOWAY: And we have discussed that roads are a  
30 Ponzi scheme. But it's -- I don't want to leave the impression

1 with people at home that, like, well, our taxes are going up  
2 because of the township. I mean, taxes have gone up because  
3 Metroparks has asked for big increases, Lakeland has done bond  
4 issues and big increases, MR/DD has, all these county agencies,  
5 the Commissioners just voted to put another one back on the  
6 ballot, the school district has raised taxes both in Mentor,  
7 Chardon and Riverside. So I don't want to leave this  
8 impression, well, my taxes are going up because of the  
9 township.

10 MR. PATTERSON: I would like to see you guys petition  
11 Young and Eklund to change the Ohio Revised Code that would  
12 require, wouldn't be optional, require 1 to 2 percent, whatever  
13 they think is best, whatever you think is best, of the budgets,  
14 of the operating budgets of all townships, cities and counties  
15 be put into a sinking fund that will eventually grow and offset  
16 our taxes. That's the only way to get around taxes.

17 MR. GALLOWAY: I agree with you philosophically on  
18 that. I mean --

19 MR. PATTERSON: I mean, it can be done. Eklund's  
20 got --

21 MR. GALLOWAY: But here is the deal. Concord could  
22 do that but there are, with all the local government cuts,  
23 local government fund cuts and state tax elimination -- and  
24 those things, you know, state tax elimination is a good thing.

25 MR. PATTERSON: If you can't find 1 to 2 percent --

26 MR. GALLOWAY: But my point to you is there are a lot  
27 of communities in Ohio, and it's not just Concord, there are a  
28 lot -- The reason that you are going to struggle to get  
29 something like that legislatively approved is you have a lot of  
30 villages, townships and cities in this state that are

1 struggling to meet those numbers and so they're going to fight  
2 back. They're going to push back. I am just --

3 MR. PATTERSON: Make it optional. Make it optional  
4 except Concord will jump it on it. We're a rich township. We  
5 can do it, you know. I wish we did it 36 years ago. We would  
6 be looking at a lot of money right now.

7 MR. GALLOWAY: I don't, I don't disagree with you  
8 philosophically. I agree with you.

9 MR. PATTERSON: I appreciate you --

10 MR. GALLOWAY: We have the ability to do that but  
11 other, you know, Timberlake doesn't, Fairport doesn't, you  
12 know. I don't mean to, you know, but there are other  
13 communities that absolutely don't have the ability and that's  
14 why something like that, legislatively, I struggle to think --  
15 I don't even know that it would be a reality. Now, it could  
16 become a, you know -- Again, we are limited to five years, so  
17 we are not allowed to just stockpile cash currently. It would  
18 be nice if they would allow us to -- of some percentage. And  
19 I, I think your issue in the language would be mandating that  
20 villages and cities do it. Maybe allowing the option would be  
21 a more, you know, would be an acceptable way legislatively.

22 MR. PATTERSON: There has got to be some way we can  
23 look down and have our grandkids say, "Hey, look at what my  
24 grandpa and grandma did. We don't pay any taxes." You know,  
25 Kirtland Hills, they don't pay any taxes?

26 MR. GALLOWAY: So, well, they do.

27 MR. PATTERSON: Not in Kirtland.

28 MR. GALLOWAY: They don't have income tax.

29 MR. PATTERSON: Not for Kirtland Hills support. They  
30 pay taxes for schools and stuff but not for Kirtland. It's

1 supported by a fund they put together. And you said before, it  
2 was estate.

3 CHAIRMAN MALCHESKY: It was estate tax. It was  
4 estate tax.

5 MR. PATTERSON: Well, the estate tax but, also, it's  
6 a rich community and a lot of people left a lot of money. If  
7 we, if we put this in, we can let residents know that they can,  
8 they can donate some of their estate when they die.

9 MR. GALLOWAY: I don't know about tax law and that,  
10 so I won't comment on how that would work. But I would just  
11 double back and talk about the revenue streams and talk about  
12 the JEDD in the general sense of, I agree with you in regards  
13 to the need for those revenues to take those pressures off of  
14 levies. That was one of the reasons why we established the  
15 JEDD because, as you know, it creates a revenue stream through  
16 income and payroll tax for those businesses and individuals  
17 that are in the JEDD district only that creates revenue.  
18 Currently, it's generating a little over \$600,000 a year to  
19 Concord as part of our share of that revenue.

20 And we continue to work to increase the footprint of  
21 that with the idea being that, as the road project is paid off  
22 and the footprint increases and we are able to add new  
23 businesses and properties to the JEDD, those revenues will  
24 increase so that we can use those for the roads and the  
25 services and the things that a growing community needs. That  
26 was the large, if you go back and remember those discussions we  
27 had about the JEDD and we talked about that in those public  
28 meetings, that was why we put that in place, because we didn't  
29 feel that it was fair that when you have a commercial district  
30 and this was, this was -- The genesis of this was instigated by

1 the development of Lake Health and UH's properties.

2 When you take large nonprofit entities and you take  
3 their property off the tax rolls -- because those properties  
4 were on the tax rolls when they were owned by Avery Dennison.  
5 Concord lost their revenue stream. And then we had two major  
6 medical facilities that were generating a need for services,  
7 road, infrastructure and safety services. And it was not fair  
8 to ask the residents of the township in the various  
9 neighborhoods around the area to basically supplement those  
10 needs of that commercial district specifically to start those  
11 nonprofit businesses.

12 And that's why they signed up and they joined in, so  
13 that we could create the revenue stream, because there was no  
14 way that I was going to go to, you know, Joe Bag of Doughnuts  
15 or, you know, Suzie Sunshines, you know, retirees somewhere in  
16 Concord and say, "You've got to, you know, you've got to have a  
17 new levy, say, for X, Y and Z because we have all this  
18 commercial development." We weren't going to do that. And  
19 we -- That was one of the reasons why we created the JEDD, to  
20 create that revenue so that would relieve that pressure.

21 So I think, philosophically, that's very much in line  
22 with what you are talking about in trying to protect the  
23 homeowners and their interests and so that's -- that was one of  
24 the purposes of the JEDD.

25 MR. PATTERSON: Well, the big thing you laid on us  
26 tonight is this tax that you can lay on residents in the JEDD.  
27 I never heard of that before.

28 MR. GALLOWAY: It's brand new. The state changed  
29 that.

30 MR. PATTERSON: But how you collect it, I have no

1 idea.

2 MR. GALLOWAY: Well, it's just like income tax forms  
3 that people do every year and in any, you know, in any  
4 community.

5 MR. PATTERSON: Okay.

6 MR. GALLOWAY: You don't -- I mean, you file taxes;  
7 do you not?

8 MR. PATTERSON: Yeah, not with the township.

9 MR. GALLOWAY: Right. But anybody living within, if  
10 someone were to live within the JEDD district --

11 MR. PATTERSON: They would have to file a tax --

12 MR. GALLOWAY: They would have to file a RITA form  
13 just like, say, someone that lived in Mentor or Chardon or  
14 Willoughby or any other place.

15 MR. PATTERSON: I think that's something I have never  
16 heard of in my life. You've got a guy living in an apartment  
17 and he is going to pay 2 percent of his income to Concord  
18 voluntarily?

19 MR. GALLOWAY: It's 1.75 percent.

20 MR. PATTERSON: And if he doesn't do it, how are you  
21 going to know?

22 MR. GALLOWAY: Well, that's what RITA does. RITA  
23 enforces that.

24 MR. MARLOWE: The government knows.

25 MS. LUHTA: Yeah, they do.

26 MR. PATTERSON: No, no, this is separate. He is  
27 getting paid -- Are you going to have his place of business pay  
28 you or are you going to have him pay you?

29 MR. GALLOWAY: If you own, well, again --

30 CHAIRMAN MALCHESKY: He's got to fill the form out

1 first but it's like that in Wickliffe, it's like that in  
2 Willowick.

3 MR. GALLOWAY: Every municipality, it's no different.

4 CHAIRMAN MALCHESKY: Every municipality does that.

5 MR. GALLOWAY: If he, if he happens to work in the  
6 JEDD, the payroll tax would be in place. If he doesn't happen  
7 to work in the JEDD --

8 MR. PATTERSON: Okay. I don't want to get mired  
9 down.

10 MR. GALLOWAY: It would be no different than any  
11 other RITA form.

12 MR. PATTERSON: Just to spend a second on the whole  
13 issue here tonight, a lot of people misunderstood everything  
14 and you're trying to clarify it. But is there any way you can  
15 just change the PUD overlay -- PUD -- the overlay to eliminate  
16 the residential for now? Then have a conversation with  
17 Concord, do a survey, and if the survey comes back positive,  
18 add that to another process? Is it too late to change?

19 MR. GALLOWAY: We are going to continue with this  
20 public process and all these public hearings and all these  
21 public meetings and take everything into account and make  
22 modifications.

23 AUDIENCE MEMBER: It's already there.

24 MR. PATTERSON: But it's already -- yeah, thank you.  
25 It's already there. You have already got the zoning that  
26 includes the high density in front of your Zoning Commission.

27 MR. GALLOWAY: Right. And what I am saying to you is  
28 they haven't yet had a public hearing on it.

29 MR. PATTERSON: No, no.

30 MR. GALLOWAY: And then, and then it has to come to

1 us with another public hearing and other public meetings. And  
2 then this body are the ones, you know --

3 MR. PATTERSON: You know the Zoning Commission isn't  
4 going to eliminate the high density. You know that.

5 MR. GALLOWAY: I don't know what they're going to do.

6 MS. LUHTA: No, we don't.

7 CHAIRMAN MALCHESKY: The Plan, the Planning  
8 Commission --

9 MR. GALLOWAY: At the end of the day, Bob, at the end  
10 of the day, this is the body that will be the final determiner  
11 of that language.

12 MR. PATTERSON: So if you guys, if you get it from  
13 the Zoning Commission and they pass it, you guys get it, with a  
14 two to one vote you can change it or do you have to have a  
15 unanimous vote to change it?

16 MR. GALLOWAY: No, we do not. This body, with a two  
17 to one vote --

18 MR. PATTERSON: It used to be unanimous.

19 MR. LUCAS: They changed the state statute.

20 MS. LUHTA: They changed it.

21 MR. GALLOWAY: They changed that.

22 MR. LUCAS: You are right. It used to be unanimous,  
23 now it's --

24 MR. PATTERSON: Two to one, you can change it to  
25 eliminate high density and then have the survey in Concord.

26 MR. GALLOWAY: What it does is the law change turned  
27 the Zoning Commission into a purely recommending body. This  
28 body ends up being, you know, if you take the words of Truman,  
29 the bucks stops here.

30 MR. PATTERSON: So you can change it if you want to?

1 MR. GALLOWAY: Yep.

2 MS. LUHTA: Yes. And the public hearings --

3 MR. LAZUKA: Did you put the current language in  
4 there today, the 40 units per dwelling max?

5 MS. DAWSON: Guys.

6 MS. LUHTA: You have to come up here.

7 MR. LAZUKA: I am sorry. I just asked, who or what  
8 body or what put that 40 dwelling per building cap?

9 MR. GALLOWAY: That was, that was language that was  
10 drafted by -- in conjunction between our consultant and staff  
11 and as a recommend --

12 MR. LAZUKA: A consultant?

13 MR. GALLOWAY: Yes, as a recommended -- It was worked  
14 on between consultant and staff as recommended language on the  
15 overlay district.

16 MR. LAZUKA: And that's what you have issue with?

17 CHAIRMAN MALCHESKY: I do have issue with that. You  
18 know, but any good process requires a debate and thoughtful  
19 review. And that's part of why it goes to the Planning  
20 Commission and has the Planning Commission individuals look at  
21 that and discuss it, make recommendations. And they have  
22 talked about that. That's coming up to the Zoning Commission  
23 that they have to sit there and talk about that.

24 MR. LAZUKA: There had to be a rationale it. Is that  
25 their, the consultant's, recommendation of a cap of 40 units  
26 per dwelling to make this a viable program, to make the whole,  
27 kind of, this area feed itself, you know? You need all the  
28 residents to feed the commercial and retail?

29 MR. GALLOWAY: It was their recommendation that that  
30 was a mix that has worked in other similar type projects. Now,

1 no project is exactly the same. There is no cookie cutter.

2 MR. LAZUKA: Right.

3 MR. GALLOWAY: And it was their recommendation that,  
4 if you wanted to attract the quality of development in terms of  
5 a mixed use -- And a mixed use, by definition, contains a  
6 residential component. Otherwise, it's not a mixed use. I  
7 mean, it's -- I mean, people like to call Legacy Village a  
8 mixed use. It's not. It's an outdoor mall.

9 MR. LAZUKA: Sure.

10 MR. GALLOWAY: And that's -- And they have a tiny,  
11 little ancillary housing and now a hotel, and now they're  
12 actually looking to add housing to Legacy Village within that,  
13 somehow within that, expanding footprint or something.

14 MR. LAZUKA: Right.

15 MR. GALLOWAY: I don't know all the details but -- So  
16 that was language that was brought to us and said, "Here are  
17 recommendations for you to go through your process, Planning  
18 Commission, fit within your existing Comprehensive Plan and  
19 your existing zoning code and then go through the zoning  
20 process." Every time this is -- Every time we go through a  
21 zoning change process in Concord, this is the process. It's  
22 not only the legally defined process, it's the, you know -- It  
23 doesn't always generate from a consultant but it, the process,  
24 is the same. County Planning Commission looks at it, gives  
25 recommendations. Then it comes to the Zoning Commission, they  
26 go through it, hold public meetings, public hearings, they make  
27 recommendations, and then to us.

28 MR. LAZUKA: Our presence at the Zoning Board hearing  
29 on the 11th has really no ultimate impact on what the final  
30 decision is. It comes back to you and you're going the reword

1 it and make the ultimate decision.

2 CHAIRMAN MALCHESKY: I would agree with you but I  
3 think the process of going there and having that discussion and  
4 hearing others discuss it and their feelings about it because  
5 they're going to make a recommendation to us, you know, and  
6 we've got to judge their recommendation. Is it a strong  
7 recommendation? Is it weak? Does it have -- What are the good  
8 points? And, you know, we get the minutes. We get your voice  
9 in there as well when we review that.

10 MR. GALLOWAY: So you're right in the sense that, at  
11 the end of the day, I mean, you know, not to be crude but the  
12 Zoning Commission can give us a piece of paper that just has  
13 the letter A on it and then we would, we have the power -- that  
14 would be their recommendation and then we have the ability to  
15 rewrite that in its entirety if we wanted to.

16 Now, every time we go through a process, you know, we  
17 take this public input, starting with the Zoning, you know, the  
18 Planning Commission and the Zoning Commission, and incorporate  
19 that. We've had times where the Zoning Commission has given us  
20 recommendations and we have really, you know, reworded and  
21 changed.

22 MR. LAZUKA: How about the survey of the community?  
23 Why isn't that a viable -- Why can't we survey the community?

24 MR. GALLOWAY: Here is --

25 MR. LAZUKA: You are hearing from consultants,  
26 developers, lawyers, zoning boards.

27 MR. GALLOWAY: I will tell you this, I was involved  
28 in the two thousand -- in the 2003-2004 survey that Bob  
29 referenced. I was involved in that Comprehensive Plan Update  
30 on the Citizens Advisory Committee. We -- There was a survey

1 that went out as part of that process and asked a lot of, sort  
2 of, generic questions. And a survey is, you know, a survey is  
3 only as good as the questions and how clear they are in terms  
4 of identifying people's, you know, input. And any pollster or,  
5 you know, would tell you that. Two, they're also only as good  
6 as what you get back.

7 I think in two thousand -- And, Connie, you probably  
8 remember better than me. You have a better memory than I do.  
9 I think we got back 11 percent.

10 MS. LUHTA: I was going to say about 10 percent.

11 MR. LAZUKA: It will be a lot higher this time. It  
12 would be.

13 MR. GALLOWAY: So you say that --

14 MR. LAZUKA: Because it's easier. We have technology  
15 today, social media. It's so much easier to get the word out.  
16 I think it would be very easy --

17 MR. GALLOWAY: In that case, an actual hard copy  
18 survey was mailed to every residence and we got back, I want to  
19 say it was around 10 percent. I don't know. I don't remember  
20 the exact but it was very low.

21 The other problem that happened, of course, was what  
22 we actually got back, we don't know where that came from.  
23 Meaning, if I sent you a survey -- and this is what happened in  
24 2004 -- you could have taken it, made 100 photocopies, if you  
25 were an ambitious individual, and sent them back and been like,  
26 "Here you go." So it was a very flawed process at the time.  
27 So when people talk about that survey, like, "Well, the survey  
28 said this," you know --

29 MR. LAZUKA: Right. But we have technology today.

30 MR. GALLOWAY: Agreed.

1 MR. LAZUKA: This would be a much different process.

2 MS. DAWSON: Can I respond to that?

3 MS. LUHTA: Yes.

4 MS. DAWSON: When Lee Bodnar was here, one of our  
5 administrators, he put a survey out on the website. He got no  
6 responses. He talked about --

7 MR. LAZUKA: How did he --

8 MS. DAWSON: He talked about -- He talked about it,  
9 advertised it, talked about it in the meeting.

10 MR. LAZUKA: Was there a hot topic of the day going  
11 on at that point like this is?

12 MS. DAWSON: You know what? I don't remember that  
13 but I'm just saying, at that point in time in 2012, it didn't  
14 work. Would it have worked in 2015? I have no idea.

15 MR. LAZUKA: What matters is what the topic is and  
16 we've got a topic that's very -- got a lot of people motivated  
17 once they learn about it.

18 MR. GALLOWAY: And here is what I want to -- Here is  
19 what I would say to you: We -- There are times that, yes, we  
20 go through a lot of explaining on answers and walking through  
21 elements because there is no, it's this, this, this and that's  
22 it. I mean, there is a lot of, when you talk about zoning, you  
23 talk about law, when you talk about the legal process, there is  
24 a lot of gray, there is lot of these things that go into it and  
25 we try to, you know, sort of, boil it down so people can  
26 understand it.

27 But there is a lot of explaining and there is a lot  
28 of process, so it's not just -- If you sent out a survey and  
29 said, "Are you for condos," you know, you can't just do that  
30 because people -- that congers up different visions in

1 everybody's minds. And so then it's, then you're into  
2 explaining the context and the process and the -- and it's a  
3 very challenging thing to do.

4 And let me tell you, I've been on committees where  
5 they go through this and there is raging debate over how a  
6 question is worded. You know, is it a leading question? Is  
7 it -- So the only thing I would caution you on saying, "Let's  
8 do a big survey," is that it can become unruly, it can be  
9 disjointed and it can -- You might get results that you think  
10 are, are sound but you don't -- they may not be. So it's not  
11 just as simple as, let's put out a survey. You know, it's not  
12 a Twitter poll. We can't just, you know, well, what do you  
13 want?

14 Well, people -- I mean, we talk to residents all the  
15 time on different topics like this and there is nuance. Well,  
16 I like this kind of condo but not this kind of condo, or I like  
17 this kind of business but not this kind of business. So it's  
18 not just black and white, very simple, in simple terms, which  
19 is why we go through this very in-depth process.

20 MR. LAZUKA: Well, that 40 units per, per dwelling  
21 max is not black and -- I'm sorry -- is not vague. This is  
22 what most of us are zoomed in on.

23 CHAIRMAN MALCHESKY: I understood. You are  
24 heard and, you know, I mean, the question of whether or not you  
25 are being heard, you are being heard. Okay? And we will  
26 continue to go through the process. I ask that you do that as  
27 well but you will continue to be heard.

28 MR. LAZUKA: Okay. Thanks.

29 MS. LoCONTI: Can I say one more thing? Okay. So  
30 regarding the survey, I love where everybody is, like, coming

1 to. We are almost there. But I don't think that any survey is  
2 relevant from 2004, certainly. And I agree with Chris'  
3 position that things have changed now even since 2012. And  
4 this is a hot topic. So it's not like we are talking about  
5 like a traffic sign or, you know, a stop sign or a traffic  
6 signal or something like that.

7           Clearly, this is a hot button. You know, this is  
8 something that could potentially change the entire demographic  
9 for the city that we live in. And for somebody like my husband  
10 and I with four boys, this is the house that we chose to live  
11 in that we want to die in. You know what I mean? This is like  
12 the last place we want to live. Well, we're not going to be  
13 able to do that if there is this whatever.

14           So, you know, what I would say is whether it's a  
15 survey -- and I agree with what you are saying, you know,  
16 semantics. It's very hard to get questions. But, I mean, some  
17 of the questions are pretty clear. Whether it's a survey, a  
18 hot air balloon, a whatever, the Sunshine Act says, you know,  
19 you need to get the word out however we need to get the word  
20 out so that everybody understands that this is going on, and  
21 obviously it's already out there.

22           And just when it comes back to you, we do know it's  
23 coming back to you. So when it comes back to you, I mean, is  
24 there some sort of commitment on the position of the Trustees  
25 that, whatever happens in Zoning on July 11th, when it comes  
26 back to you, can we just table the residential part? I mean,  
27 it's zoned commercial anyways. There's got to be a, you know,  
28 a lot of revenue there. Why there was ever residential in this  
29 plan, I still think is a total mystery. I haven't really got  
30 any answers from this meeting on that. A lot of research left

1 to be done. But it's residential, let's do it -- I mean  
2 commercial. Is there a way to just table the residential part  
3 when it comes back to you after the July 11th Zoning meeting so  
4 that the people in your community that really trust that you're  
5 our advocates, you know, can have a minute to really digest  
6 what's happening and not just have this, like, two-week,  
7 14-day -- We just got an email 14 days ago.

8 I am sorry but, you know, this is your -- You're  
9 doing a great thing for the community. You know, you're  
10 trustees. That's not what I am. You know, I'm a mom. I've  
11 got my own agenda. I can't make it to a ton of meetings, which  
12 doesn't mean that I don't want or need to have a say. So now  
13 that we know that it's here, you know, I think we just need  
14 more time. And since we have established through Michael, you  
15 know, that it is going to come back to you, that you are the  
16 power at be and it could say "A" and you could make it "Z,"  
17 let's just -- Can you commit to, when it does come back to you,  
18 that we can table the residential part and we can have more  
19 meetings and potentially, you know, take the residential off  
20 the table, go ahead with the commercial, see how it affects our  
21 tax dollars, see how it affects our revenue and go from there?  
22 I don't understand the --

23 MR. PATTERSON: You can always add it later.

24 MS. LoCONTI: You can add it later.

25 CHAIRMAN MALCHESKY: Can I ask you a question? Do  
26 you agree with your husband?

27 MS. LoCONTI: No, I don't.

28 CHAIRMAN MALCHESKY: Okay. All right.

29 MS. LoCONTI: I am sorry. I mean --

30 MR. GALLOWAY: No, you don't have to apologize.

1 CHAIRMAN MALCHESKY: I am just asking.

2 MR. GALLOWAY: He just wanted to know if he was in  
3 trouble when you guys left. That's all.

4 MS. LoCONTI: I, you know, I think that our goal is  
5 the same. Henry and I just come at it different ways. I am  
6 just cutting to the chase. I am getting to the end game where  
7 he is -- he has more finesse than I do, you know.

8 CHAIRMAN MALCHESKY: Well, it appears that Henry's  
9 position is that he has an issue with density and you have an  
10 issue with any residential, period.

11 MS. LoCONTI: I don't want to speak for him but, you  
12 know, you know --

13 CHAIRMAN MALCHESKY: That is my impression.

14 MS. LoCONTI: Chipping away is some people's tactic  
15 where other people is let's just call it what it is, you know.

16 MR. GALLOWAY: Here is what I --

17 MS. LoCONTI: Let's take it off the table.

18 MR. GALLOWAY: Here is what I would commit to you. I  
19 am not going to make a commitment on any particular -- because  
20 I don't know what that language is going to come back, so I am  
21 not going to say to you I am going to do X, Y or Z, whether  
22 it's commercial language that's contained in here or the  
23 residential or otherwise. What I will tell you is that we're  
24 going to go at this in a very deliberative fashion and take  
25 into consideration everything that we are getting from the  
26 public, be it from this meeting tonight, what happens at the  
27 Zoning Commission, and then subsequently at our own public  
28 hearings.

29 We are not going to -- We're not going to rush it.  
30 We are not going to just bulldoze it through and say, "This is

1 how it's going to be." We have never done that. I mean, we  
2 have these meetings and take this input and move through these  
3 processes. And sometimes there is going to be disagreements.  
4 We may not agree on everything. But what I would tell you is  
5 that we are going to have that deliberative process and, you  
6 know, two weeks from now, we are not going to just, you know,  
7 pass this thing through without any other, you know, type of  
8 consideration. We are not going to do that.

9 That's my commitment to you. So that there is an  
10 opportunity for more input, as you say, opportunity to digest  
11 and to look at it. Because I don't know what, I don't know  
12 where -- I have changes that I would like to see to this.  
13 Connie, I am sure, does.

14 MS. LUHTA: Yes.

15 MR. GALLOWAY: Paul has already stated that he's got  
16 all kinds of, you know -- And I will tell you, that's kind of  
17 normal when we go through these zoning processes. There is  
18 something that starts out and then it goes through the process,  
19 we get public input, we get it from the Planning Commission, we  
20 get from it staff, we get our own, and then we, you know, we  
21 tweak and we modify based on, you know, where everybody is  
22 coming at.

23 So I have things that I would like to see with this.  
24 I mean, and I would tell you, first and foremost, that would  
25 center around, to begin with, the actual proposed footprint of  
26 the actual overlay district.

27 MS. LoCONTI: Paul, did you mention at the beginning  
28 of the meeting -- You said a lot of dates. Is there a meeting  
29 after the Zoning when it comes back? Is there a date already  
30 set for that?

1 CHAIRMAN MALCHESKY: Yeah. I believe it's July 11th,  
2 it goes to the Zoning Commission.

3 MS. LoCONTI: Right.

4 CHAIRMAN MALCHESKY: When they're done and it comes  
5 to us is unknown because --

6 MS. LoCONTI: You'll announce it then, okay.

7 MR. GALLOWAY: And I will tell you, they will do a  
8 public hearing. And depending on what happens in that evening,  
9 I mean, they might recess it and have another public hearing.

10 CHAIRMAN MALCHESKY: My guess is it's going to go  
11 long, so they'll probably --

12 MS. LUHTA: Right.

13 MR. GALLOWAY: So they will probably do that. When  
14 you get into these big things like this, that typically does  
15 happen. And then they'll, they'll give us something at some  
16 point. That may be three weeks from now, it may be three  
17 months from now.

18 MS. LoCONTI: And that will be public then when it  
19 comes back to you?

20 MR. GALLOWAY: Absolutely, all of it is public.

21 CHAIRMAN MALCHESKY: Everything we do is in the  
22 public.

23 MR. PATTERSON: Chris, once they close the public  
24 hearing portion, they have to vote on it, don't they?

25 MR. GALLOWAY: That's correct. They have, they have  
26 a certain number of days, but they could also recess a public  
27 hearing.

28 MS. LUHTA: They can recess it.

29 MR. GALLOWAY: And continue it.

30 MS. KANGAS: Hi, Linda Kangas, 7061 Cascade Road.

1 I've lived in -- here for 46 years, raised two kids, and been  
2 with the Trustees lots doing lots of different things. I was  
3 glad to hear that just because you had a public hearing -- and  
4 I know you have recessed public hearings before and continued  
5 them but I, sort of, forgot that. So it's good to hear that  
6 something like the overlay and the next project you discuss at  
7 length and have a public hearing that it doesn't mean, within  
8 30 days, you have to render a final decision. So that's good  
9 to have clear.

10 I was very happy with the fact that we had public --  
11 that we had a resident survey back in 2002 and '3 or whatever,  
12 whatever it was. Did not realize that you only had 11 percent  
13 return on those.

14 MR. GALLOWAY: I think it was about that.

15 MS. KANGAS: But I am all for the thought that you  
16 give it some more thought and step back just a little bit or,  
17 in the midst of all of this that you are working on, do another  
18 public survey, residential survey. We will do everything that  
19 we can to up the percentage of those who actually get it back  
20 to you because all we heard were good things from those who  
21 received them and filled them out and got them back to you. I  
22 almost want to say we desperately want you to do that because  
23 we feel that people have lived here for so long and there are  
24 so many age groups of us that we have, we have such different  
25 perspectives. We would like to give them to you. And I know  
26 we are not all -- We are not here, most of them are out there  
27 at home and not watching TV. So I request that of you.

28 I did want to bring it up before I forgot that one of  
29 the two biggest things on the traffic, the first one is your 44  
30 and 90, but the other is Auburn Road and Crile Road. I have

1 never seen such a thing in my entire life. If you come from  
2 the east side and you get to 44, you are not permitted to go  
3 across the street and go to the hospital or the gas station or  
4 anything. Who ever did that? Nor can you take a left turn and  
5 go south towards Chardon or Capital Parkway or anywhere. What  
6 is that?

7 CHAIRMAN MALCHESKY: ODOT required that. And as you  
8 can recall, there was somebody who went the wrong way and went  
9 on 44 and was driving in the northbound lane and hit someone  
10 head on, and I guess that was a frequent occurrence. And so  
11 the requirement of the road project required to shut down those  
12 types of traffic turns and force everybody to go down Crile  
13 Road.

14 MS. KANGAS: That makes absolutely no sense to any of  
15 us out there who are driving it.

16 CHAIRMAN MALCHESKY: Well, I --

17 MS. LUHTA: But that's ODOT.

18 MR. GALLOWAY: Well, and I understand what you are  
19 saying. And I will tell you that that interchange was one of  
20 the most -- was, prior to, was one of the top 100 worst  
21 intersections in Ohio in terms of accidents.

22 MS. KANGAS: And now it's worse?

23 MR. GALLOWAY: No.

24 MS. LUHTA: No.

25 MR. GALLOWAY: In six months, we have only had one  
26 accident in that interchange. Actually, I drove past it  
27 minutes after it happened and it was a rear-ending on 44.  
28 People just ran into each other. It wasn't a -- But what ODOT  
29 came to us and said was, "We wanted to, we want to change that  
30 anyway because there is too many accidents. People were

1 killed, they were hurt, you know, too many, there was too  
2 much." And so they said, "We want to restrict the southbound  
3 Auburn crossing over. We're going to, we're going to" -- I  
4 mean, they, at the end of the day, they are the ultimate  
5 arbitrators of that.

6 MS. KANGAS: Sure.

7 MR. GALLOWAY: They said, "We are going to put an end  
8 to that traffic flow to do several things." One, to create  
9 less light changes, one less light change in that process in  
10 terms of the left and straight, so it helped the other ways go  
11 a little faster. And then, two, they were determined, from a  
12 safety standpoint, to eliminate the T-bone accidents and things  
13 of that nature that were occurring there. So far, the evidence  
14 suggests that their doing that has been a success as it relates  
15 to what their goals were.

16 I would also remind people that sometimes, you know,  
17 I mean, look, nobody likes change, you know, in certain things.  
18 But people used to complain to me constantly about Crile Road  
19 and trying to go left on Auburn towards 44 and 90. People  
20 hated it. They said, "Ah, I try to find another way to go,"  
21 or, "I don't want to go left." They hated that. We used to  
22 get the backups down the hill on Auburn Road, you know, people  
23 trying to go with only one turn lane. Now there is two.  
24 There are a lot of elements to that that actually improved  
25 traffic flow. And whether people want to admit that that's the  
26 case, there are real improvements that happened because of it.

27 Are we happy about the fact that we can't cross over?  
28 No. I mean, I am with you. I wish we still could. I am  
29 happy, though, that we've got less people getting hurt or  
30 killed at that intersection.

1           So I just -- I always ask people to say, when it  
2 comes to that interchange, look at the big picture. There have  
3 been some improvements in the traffic flow there. There is, if  
4 you want to go -- I live on Auburn Road. If you are heading,  
5 you know, you're heading towards McDonald's, I've got to go  
6 down to -- not that I need to go there -- you need to go down  
7 to Capital Parkway and come back around. And it's, yes, it  
8 adds a couple minutes to my commute but, at the end of the  
9 day --

10           MS. KANGAS: But when you turn, when you turn onto  
11 Crile, Auburn from 44, they have these cone looking things that  
12 look like they're not permanent.

13           MR. GALLOWAY: Yeah, they're anchored in. They're,  
14 like, drilled down in.

15           MS. KANGAS: I thought they were but it makes it look  
16 awful tight and so forth. So, anyway, I think a lot of us just  
17 needed to let you know how we thought about that.

18           So I am done but I have a short comment to read to  
19 you and then -- Denise Brewster is not in town -- and then I  
20 will give this to you to go in the records.

21           So this is to the Concord Trustees. Denise Brewster  
22 lives on Alexander Road, Concord. This is an open letter to  
23 the Concord Trustees from Denise:

24           As a resident of Concord for the past 35 years, I am  
25 extremely concerned with your plans for the future development  
26 of Concord. The fact that this concept has not been  
27 transparently shared with our citizenry is alarming. And given  
28 the amount of discussion you claim to have had over the past 10  
29 years, the impact of this type of multiuse concept without  
30 significant input from the current residents of our township is

1 irresponsible. The people of Concord need to be heard by a  
2 survey and significant modifications need to occur before the  
3 Zoning Board and you, as our Trustees, take us down a path that  
4 will change the face of Concord. Denise Brewster.

5 CHAIRMAN MALCHESKY: Thank you.

6 MS. DAWSON: Thank you.

7 MS. KANGAS: Thank you.

8 CHAIRMAN MALCHESKY: Any additional? Okay. All  
9 right. We'll close the public hearing.

10 MS. DAWSON: It's not a public hearing.

11 MR. GALLOWAY: Well, no, the audience.

12 CHAIRMAN MALCHESKY: The audience.

13 MR. GALLOWAY: Yeah, just the meeting.

14 MR. LUCAS: It just seemed like a public hearing.

15 (Whereupon, the meeting was adjourned at 9:54 p.m.)  
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